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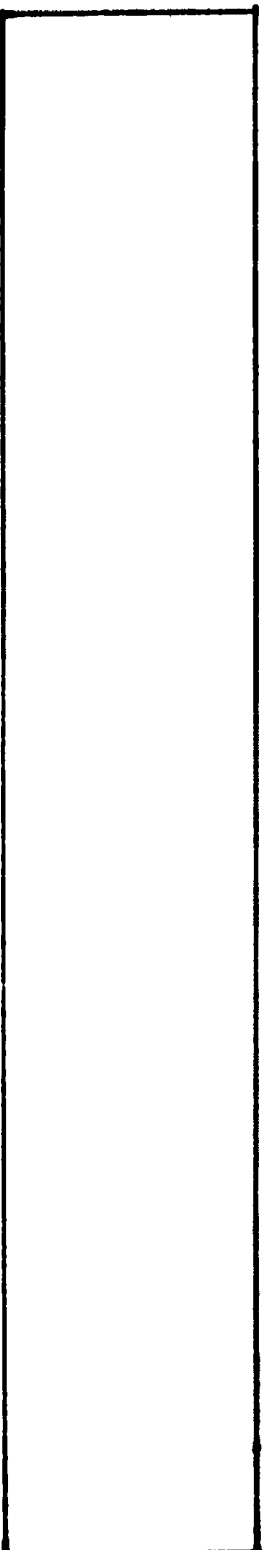
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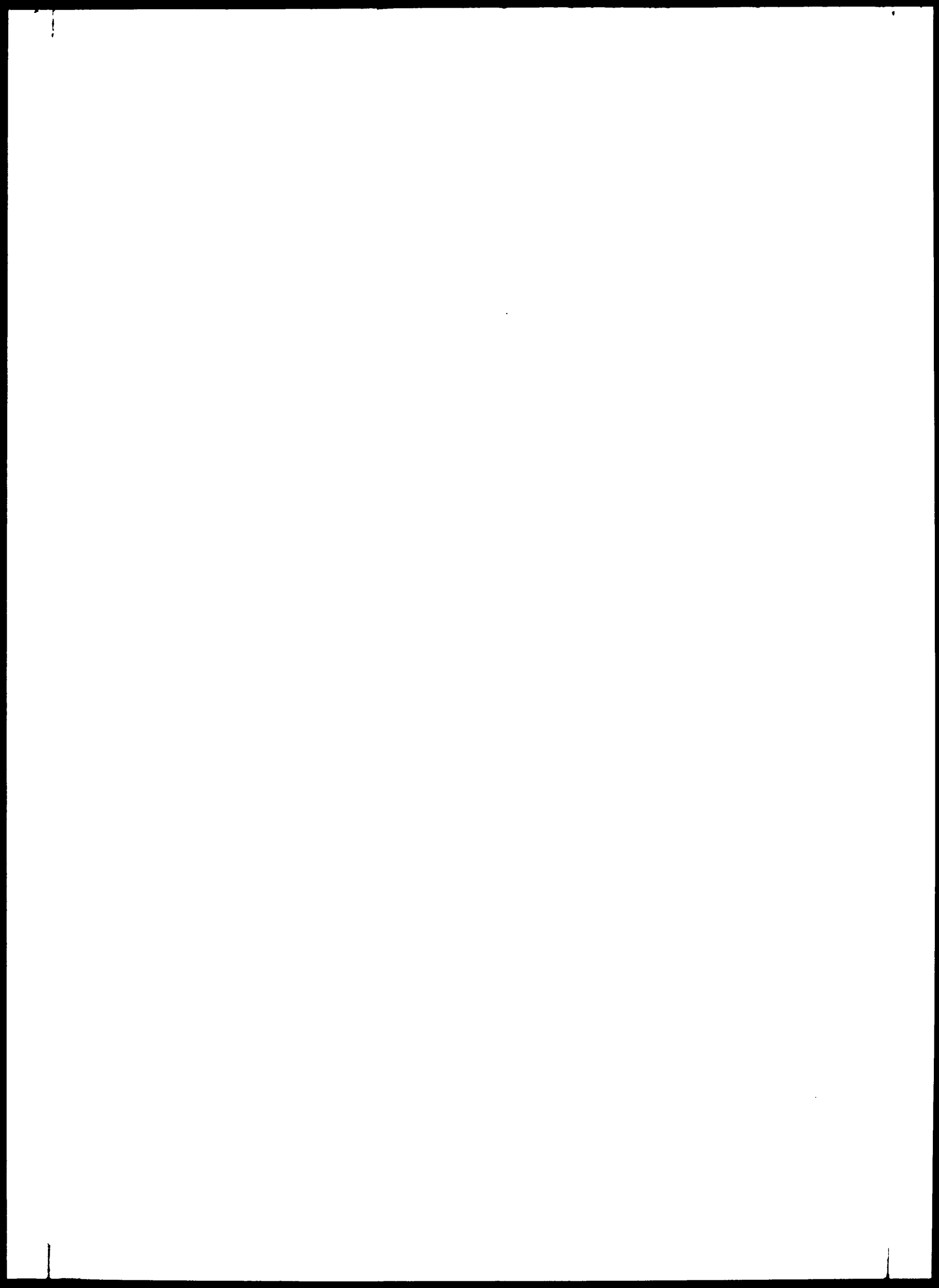
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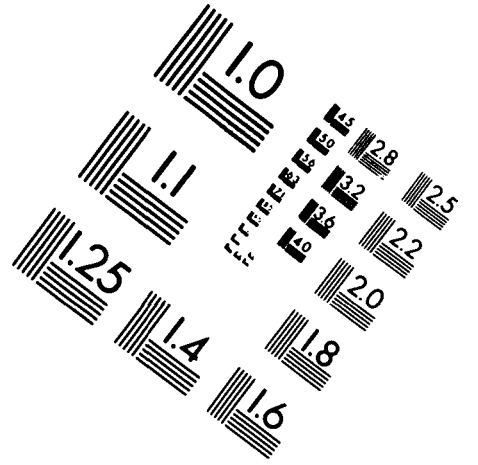
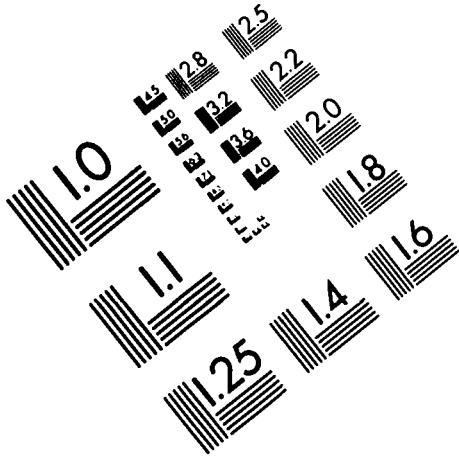
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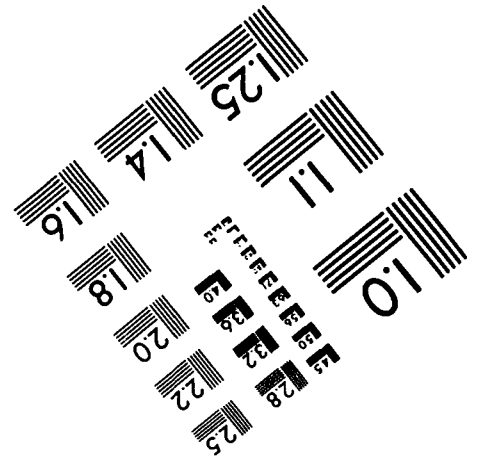
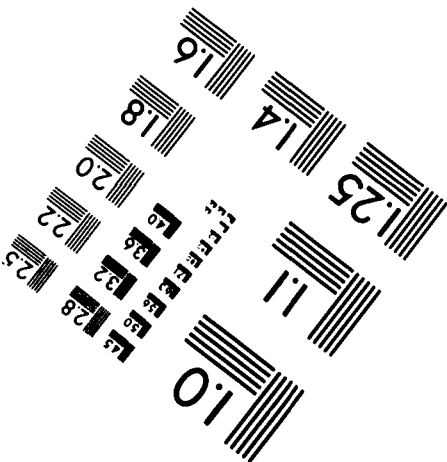
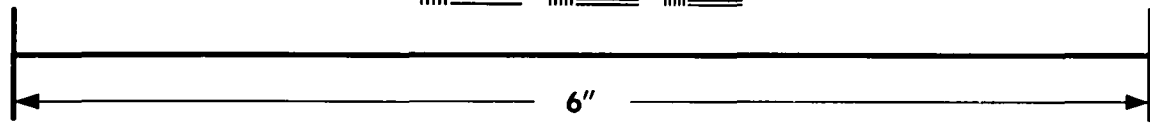
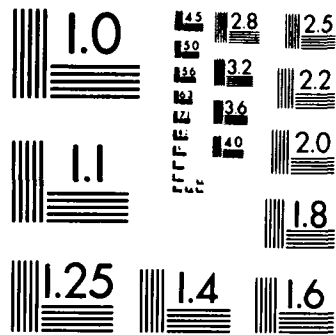
REDUCTION

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I N D E X I N G D A T A

United Nations War Crimes Commission (UNWCC)
Member Governments, other National Authorities and
Military Tribunals -
PAG-3/2.3.3.: 415 and 380

Transcripts of Proceedings and Documents
of the International Military Tribunal for
the Far East (Tokyo Trials).

Index of IMTFE Court Exhibits for prosecution and
defense. (Box No. 415)

Docket and chronology of proceedings and pleadings
from July 1946 to January 1948. (Box No. 415)

Court Exhibits

Nos.: 8 - 80 (Box No. 380)

Exhibit 8 is a copy of, "Special
Proclamation - Establishment of an
International Military Tribunal for the
Far East" and Exhibit 9 is the amended
"Charter of the International Military
Tribunal for the Far East".

--- END OF REEL No. 140 ---

NOTE:

Attached hereto is the INDEX OF EXHIBITS from
1 December to 31 December 1947, pages 550 to 586 inclusive .
Exhibit Nos. 3687 to 3867.

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 3150-373(A) | | 3687 | Excerpt from SAIONJI-HARADA Memoirs (Chapter 373 - pp. 2892-96) | 36665 | |
| 3510-A | | 3688 | Record of a Cabinet Meeting 3 September 1940 - Plan of the Southern Development | 36708 | 36709 |
| 2954 | 3689 | | Affidavit of AYABE, Kentaro | | 36843 |
| 1834 | 3690 | | Interrogatories Propounded to Major-General YAMAMOTO, Moichiro of the Japanese Army | | 36851 |
| 2908 | 3691 | | Affidavit of NISHIO, Toshizo | | 36865 |
| 1054 (39) | | 3692 | Outline of Guidance of Intelligence Service of Chiang Kai-shek's Regime | 36882 | |
| | | 3693 | Memoirs of SAIONJI-HARADA | 36883 | |
| 2958 | 3693-A | | Excerpt therefrom - Part IX - Chapter 174 (p. 1244) | | 36883 |
| 2897 | 3694 | | Letter from the Chinese Mission in Japan to Foreign Liaison Sub-section, G-2, GHQ, SCAP, dated 19 September 1946 | | 36885 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1071 | 3695 | | Sworn Statement of Edward John Nathan | | 36887 |
| 1070 | 3696 | | Sworn Statement of Major-General F.S.G. Piggott, Military Attache to the British Embassy, Tokyo, 1921-1926 and 1936-1939 | | 36890 |
| 1069 | 3697 | | Affidavit of IINUIA, Mamoru | | 36893 |
| 2910 | 3698 | | Affidavit of TAKEBE, Rokuzo | | 36893 |
| 2959 | 3699 | | Affidavit of TAKEI, Seitaro | | 36896 |
| 3200 | | 3700 | Outline of the Speech made by the Chief of Staff, Kwantung Army, at the Conference of Formation Commanders in December, 1941 - dated 5 December 1941 | | 36902 |
| 3201 | | 3701 | Outline of the Speech made by the Chief of Staff, Kwantung Army, at the Conference of Formation Commanders in April 1941 | | 36907 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1054 (19) | | 3702 | Letter of the Kwantung Army Chief of Staff KI. URA, Heitaro on 30 November 1940 to the Vice-War Minister ANAMI, Korechika re the Admittance of the Japanese into the Manchurian Army and the answer of the Vice-War Minister to the Kwantung Army Chief of Staff on 3 December 1940 | 36917 | |
| 2963 | 3703 | | Affidavit of TANAKA, Ryukichi | | 36924 |
| 2955 | 3704 | | Affidavit of INOUE, Tadao | | 36926 |
| 2909 | 3705 | | Affidavit of SHIMOMURA, Sadamu | | 36934 |
| 2953 | 3706 | | Affidavit of WAKAMATSU, Tadaichi | | 36937 |
| 2906 | 3707 | | The Course of Action of the Army (referred to in the testimony of WAKAMATSU) | | 36939 |
| 2962 | 3708 | | Affidavit of IKEDA, Sumihisa | | 36941 |
| 2961 | 3709 | | Affidavit of KANEMITSU, Tsuneco | | 36958 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| | 3710 | | Japanese Trade Studies - Annotated Tabular Survey of the Trade of Japan Proper (in- cluding that with Korea and Formosa) | 36966 | |
| 500-E | 3710-A | | Excerpts therefrom - (listed on Record pages 36,965-66) | | 36966 |
| | 3711 | | Japanese Trade Studies - The Shipping Indus- try of Japan | 36967 | |
| 500-C | 3711-A | | Excerpts therefrom - (see pages 24,850-51 of the record) | | 36967 |
| | 3712 | | Japanese Trade Studies - The Overseas Trade of Japan Proper in- cluding a summary of the Prewar Trade and a Discussion of Post- War Problems | 36967 | |
| 500-F | 3712-A | | Excerpts therefrom - (see page 24,901 of the Record) | | 36968 |
| | 3713 | | Japanese Trade Studies - Kwantung Leased Territory - a Brief Summary of its Economy | 36968 | |
| 500- A-D | 3713-A | | Excerpt therefrom - (last sentence on page 7) | | 36968 |

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| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
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| 500- A-1 to 500- A-37 | 3714 | | Japanese Trade Studies - (summary thereof shown on pages 24,837- 8-9 of the record) | | 36968 |
| 2960 | 3715 | | Affidavit of KOSAKA, Yasumasa | | 36980 |
| 2790 | 3716 | | Affidavit of Joseph C. Grew, Ambassador of the United States to Japan from 1932- 1941 | | 36993 |
| 2790-A | 3716-A | | Affidavit of Ambassador Grew re Conversation between himself and Mr. HIROTA, Koki as Minister for Foreign Affairs on 27 October 1933 | | 37000 |
| 2790-E | 3716-B | | Affidavit of Ambassador Grew re Conversation between himself and Mr. HIROTA, Koki as Prime Minister on 1 September 1937 | | 37005 |
| 2790-F | 3716-C | | Affidavit of Ambassa- dor Grew re Conver- sation between him- self and Mr. HIROTA, Koki as Minister for Foreign Affairs on 24 December 1937 | | 37009 |

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| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 2846 | 3717 | | Cabled Questions propounded to Sir Robert Craigie on behalf of the Honorable HIROTA, Koki on 27 October 1947 | | 37016 |
| 2964 | 3718 | | Affidavit of SHIMADA, Shigetaro | | 37029 |
| 2977-A | 3719 | | Extract from "Plan for Establishment of Greater East Asia Co-Prosperity Sphere" | | 37047 |
| 2977-B | 3719-A | | Excerpt from the Original Draft of the Establishment of the Greater East Asia Co-Prosperity Sphere (p.1) | | 37048 |
| 2965-A | 3720 | | Extract from "First Table Top Total War Maneuvers" (p.1) | | 37049 |
| 2965-B | 3720-A | | Extract from "First Table Top Total War Maneuvers" (p.2) | | 37050 |
| 2966 | 3721 | | Extract from "Records of the Progress of Theoretical Maneuvers for Total War No. 1" (Outside Cover) | | 37050 |
| 2956 | 3722 | | Affidavit of KOJIMA, Hideo | | 37054 |

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| 2951 | 3723 | | Affidavit of GODO, Takuo | | 37081 |
| 2972 | 3724 | | Affidavit of KATAKURA, Tadashi | | 37108 |
| 2970 | 3725 | | Affidavit of CBI, Tet- suzo | | 37116 |
| 2971 | 3726 | | Affidavit of HANDA, Binji | | 37119 |
| 2974 | 3727 | | Affidavit of TAKAKURA, Tadashi | | 37124 |
| 2968 | 3728 | | Affidavit of KOTANI, Etsuo | | 37130 |
| 2973 | 3729 | | Affidavit of HATTORI, Naohiro | | 37132 |
| 2969 | 3730 | | Affidavit of OGOSHI, Kenji | | 37135 |
| 3329 | | 3731 | Affidavit of Major- General IKEDA | 37158 | |
| 2975 | 3732 | | Certificate of non- availability of two (2) documents: Military Administration Plan of the Kwantung Army (Test Plan) March 1942 and Noti- fication on "A Study of Military Admini- stration Shall Be Made" from Vice-Chief of the General Staff to the Chief of Staff of the Kwantung Army August 1942 | | 37162 |

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| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
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| 2976 | 3733 | | Certificate of non-availability of two (2) documents: Summary of the Speech by the Chief of Staff of the Kwantung Army to the Kwantung Army troop commanders conference held 26 April 1941 and Summary of the Speech of the Chief of Staff of the Kwantung Army to the Kwantung Army troop commanders conference held 5 December 1941 | | 37163 |
| 2746 | 3734 | | Affidavit of OKADA, Keisuke | | 37164 |
| 1634-M | | 3735 | Plan for Disposing of Incident | | 37219 |
| 820-A | | 3268 | Views Concerning the Attitude of the Empire Toward Arbitration or Intervention by America, European Powers or the League of Nations in the Sino-Japanese Incident | | 37236 |
| 820-G | | 3269 | The Course Towards the Opening of the Imperial Conference (January 14 1938. East Asia Bureau, Section 1. MATSUDAIRA) | | 37245 |

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| 820-G | | 3269-A | Certificate of Source and Authenticity | | 37245 |
| 820-D | | 3270 | Message from Prime Minister Prince KO- NOYE, Fumimaro to Foreign Minister HIROTA, Koki | | 37248 |
| 820-D | | 3270-A | Certificate of Source and Authenticity | | 37248 |
| 1841- 8B7 | | 3271 | Letter dated 8 Febru- ary 1938 from For- eign Minister HIR- OTA to Consul-Gen- erals OKAMOTO and NAKAMURA. Subject: Matters Pertaining to Propaganda Work for the Destruction of the Nationalist Government | | 37255 |
| 1841- 8B7 | | 3271-A | Certificate of Source and Authenticity | | 37255 |
| 820-B | | 3272 | Matters Regarding the Imperial General Headquarters Council in the Imperial Pre- sence (Dated 18 Feb- ruary 1938) | | 37260 |
| 820-B | | 3272-A | Certificate of Source and Authenticity | | 37260 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1273-G | | 3736 | Telegram from Traut- rann, German Ambassa- dor in China to the German Foreign Mini- stry, dated 15 Janu- ary 1938 | | 37264 |
| 1273 | | 3736-A | Certificate of Source and Authenticity | | 37264 |
| | | 3737 | Proceedings of Budget Committee Meeting of February 16 1938 | 37285 | |
| 3230 | | 3737-A | Excerpts from Short- hand Records of Com- mittee Meetings of the House of Peers - 73rd Diet | | 37285 |
| 2948 | 3738 | | Map of Shanghai | | 37306 |
| 2981 | | 3739 | Telegram from Foreign Minister SHIDEHARA to Consul-General HAYASHI at Mukden dated 5 September 1931 | | 37315 |
| 1767- A-1 | | 3740 | Telegram from Foreign Minister SHIDEHARA to Consul-General HAYASHI dated 19 September 1931 | | 37317 |
| | | | Rejected | | 37319 |

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| <u>Doc. No.</u> | <u>Def. No.</u> | <u>Pros. No.</u> | <u>Description</u> | <u>For Ident.</u> | <u>In Evidence</u> |
|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1767-A-14 | | 2406 | Telegram from Consul-General HAYASHI in Mukden to Foreign Minister SHIDEHARA dated 13 October 1931 | | 37322 |
| 1767-B | | 2407 | Telegram from Consul-General HAYASHI in Mukden to Foreign Minister SHIDEHARA dated 17 October 1931 | | 37324 |
| 1767-A-22 | | 3740 | Telegram from Consul-General HAYASHI in Mukden to Foreign Minister SHIDEHARA dated 13 October 1931 | | 37339 |
| 2570-B | | 3457 | Matters Decided Upon at the Five Ministers' Conference as of 31 October 1938 | | 37350 |
| 2178 | | 3741 | Volume entitled "New Chinese Central Government" | 37372 | |
| 2178-(A) | | 3741-A | Excerpt therefrom - The Essential Points of Administration in the Hankow District (Decided by the War, Navy and Foreign Ministers on 28 October 1938) | | 37372 |

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| 2178-(B) | | 3741-B | The Essential Points of Administration with the Development of Military Operation in South China (Decided by the War, Navy and Foreign Ministers on 28 October 1938 (paragraph 4 only) | | 37376 |
| 1519-K | | 3742 | A Policy for the Establishment of a New Central Government | | 37386 |
| 2178-(G) | | 3743 | Document on "The Expenses Required for the "WU" Project" - Decided in the Conference of the China Affairs Board on 23 June 1939 | | 37393 |
| 1005-(1) | | 3744 | Document Regarding the Necessary Expense of the Anti-Comintern National Salvation League | | 37396 |
| 1685-D | | 3745 | Outline To Guide the Central Political Conference dated 1 November 1939 - Decided by the Conference of China Affairs Board | | 37398 |

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| 4043 (Item 25) | | 3746 | Telegram from German Ambassador Ott in Tokyo to the State Secretary dated 27 May 1939 | | 37408 |
| 3104- (2) | | 3458 | Telegraphic Instruction to Ambassador NOMURA as Reply Material Concerning the French Indo-China Problem | | 37417 |
| 3104- (2) | | 3747 | (Exhibit Number Correction by Clerk of the Court | | 37421 |
| 3211 | | 3748 | Memorandum from Major F.D. Merrill, Cavalry, U. S. Army, to Liaison Officer, Office of Chief of Staff, G-2, Washington, dated 26 December 1941 | | 37422 |
| 2779 | | 3474 | Foreign Office Memorandum dated 30 August 1938 re a Conversation between the Accused OKA and KAGESA | | 37432 |
| 3358 | | 3749 | Affidavit of MURAYAMA, Tomiji | | 37445 |
| 3357-A | | 3750 | Affidavit of Mrs. Yasuko KONOYE | | 37461 |
| 3357-B | | 3750-A | Affidavit of Mrs. Yasuko KONOYE | | 37461 |

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| <u>Doc. No.</u> | <u>Def. No.</u> | <u>Pros. No.</u> | <u>Description</u> | <u>For Ident.</u> | <u>In Evidence</u> |
|-----------------|-----------------|------------------|---|-------------------|--------------------|
| | | 3751 | The HARADA-SAIIONJI Memoirs | 37464 | |
| | 3752 | | Volume from Which Notes of the HARADA Diary were taken | 37492 | |
| 2989 | 3753 | | Excerpt from the Diary of Marquis KIDO, 27 February 1937 | 37492 | |
| | | | (Correction as to Exhibit No. 3751 marked yesterday for identification) | | |
| 3150-378 | | 3751 | Photostatic Copy of the original SAIIONJI-HARADA Memoirs | 37548 | |
| 3150-378-B | | 3751-A | Excerpt therefrom - Chapter 378 (pp. 2974-7) | | 37548 |
| 3150-2 | | 3754 | The SAIONJI-HARADA Memoirs | 37560 | |
| 3150-2A | | 3754-A | Excerpt therefrom - Chapter 2 (pp. 7-8) | | 37560 |
| 3150-2B | | 3754-B | The SAIONJI-HARADA Memoirs - Chapter 2 (p.8) | | 37567 |
| 3150-8 | | 3755 | The SAIONJI-HARADA Memoirs | 37569 | |
| 3150-8A | | 3755-A | Excerpt therefrom - Chapter 8 (pp.47-48) | | 37569 |

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| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 3150-10 | | 3756 | The SAIONJI-HARADA Memoirs | 37571 | |
| 3150-10A | | 3756-A | Excerpt therefrom - Chapter 10 (p. 53) | | 37571 |
| 3150-11 | | 3757 | The SAIONJI-HARADA Memoirs | 37574 | |
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| 3150-11B | | 3757-B | Excerpt from the SAIONJI-HARADA Memoirs - Chapter 11 (pp. 77-8) | | 37577 |
| 3150-12 | | 3758 | The SAIONJI-HARADA Memoirs | 37579 | |
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| 3150-13 | | 3759 | The SAIONJI-HARADA Memoirs | 37586 | |
| 3150-13B | | 3759-A | Excerpt therefrom - Chapter 13 (p. 102) | | 37586 |
| 3150-14 | | 3760 | The SAIONJI-HARADA Memoirs | 37589 | |
| 3150-14A | | 3760-A | Excerpt therefrom - Chapter 14 (p.106) | | 37589 |
| 3150-15-16 | | 3761 | The SAIONJI-HARADA Memoirs | 37591 | |

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| 3150- 15-16A | | 3761-A | Excerpt therefrom - Chapter 15 and 16 (p. 135) | | 37591 |
| 3150- 36 | | 3762 | The SAIONJI-HARADA Memoirs | 37598 | |
| 3150- 36A | | 3762-A | Excerpt therefrom - Chapter 36 (pp. 286-7) | | 37598 |
| 3150- 41 | | 3763 | The SAIONJI-HARADA Memoirs | 37603 | |
| 3150- 41A | | 3763-A | Excerpt therefrom - Chapter 41 (pp. 326-9) | | 37603 |
| 3150- 51 | | 3764 | The SAIONJI-HARADA Memoirs | 37605 | |
| 3150- 51A | | 3764-A | Excerpt therefrom - Chapter 51 (pp. 414-5) | | 37606 |
| 3150- 52 | | 3765 | The SAIONJI-HARADA Memoirs | 37609 | |
| 3150- 52A | | 3765-A | Excerpt therefrom - Chapter 52 (pp. 423-4) | | 37609 |
| 3150- 60 | | 3766 | The SAIONJI-HARADA Memoirs | 37612 | |
| 3150- 60A | | 3766-A | Excerpt therefrom - Chapter 60 (p.464) | | 37612 |
| 3150- 61 | | 3767 | The SAIONJI-HARADA Memoirs | 37612 | |

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| 3150- 61A | | 3767-A | Excerpt therefrom - Chapter 61 (pp.469- 70) | | 37612 |
| 3150- 65 | | 3768 | The SAIONJI-HARADA Memoirs | 37618 | |
| 3150- 65A | | 3768-A | Excerpt therefrom - Chapter 65 (pp. 496- 8) | | 37618 |
| 3150- 66 | | 3769 | The SAIONJI-HARADA Memoirs | 37630 | |
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| 3150- 69 | | 3770 | The SAIONJI-HARADA Memoirs | 37633 | |
| 3150- 69A | | 3770-A | Excerpt therefrom - Chapter 69 (p.519) | | 37633 |
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| 3150- 71A | | 3771-A | Excerpt therefrom - Chapter 71 (p.531) | | 37634 |
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| 3150- 85 | | 3773 | The SAIONJI-HARADA Memoirs | 37640 | |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 3150-85A | | 3773-A | Excerpt therefrom - Chapter 85 (pp.610-12) | | 37640 |
| 3150-103 | | 3774 | The SAIONJI-HARADA Memoirs | 37646 | |
| 3150-103A | | 3774-A | Excerpt therefrom - Chapter 103 (p.718) | | 37646 |
| 3150-109 | | 3775 | The SAIONJI-HARADA Memoirs | 37649 | |
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| 3150- 180A | | 3778-A | Excerpt therefrom - Chapter 180 (p.1294) | | 37672 |
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| 3150- 264B | | 3790-A | Excerpt therefrom - Chapter 264 (pp. 2044-5) | | 37736 |
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| 3150- 323A | | 3800-A | Excerpt therefrom - Chapter 323 (5 May 1939) | | 37808 |
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| 4096-A | | 3813-A | Excerpt therefrom - Concerning the Fueh- rer's Conversation with Ambassador OSHIMA on 3 January 1942 in the presence of the Reich Foreign Minister in the Wolfsschanze from 1615 to 1800 hours | | 37910 |
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| 1373A | | 3820-A | Excerpt therefrom | | 37948 |
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| 1395A | . | 3822-A | Excerpt therefrom | | 37960 |
| 4066 (Item 14) | | 3823 | Captured German document - Telegram from Erdmansdorff to von Rintelen dated 18 October 1941 re Conference between Erdmansdorff and OSHIMA | 37966 | |
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| 3355 | | 3825 | Interrogation of OSHIMA, Hiroshi | 37980 | |
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| 4040C | | 3826 | Telegram dated 1 November 1938 from Ambassador Ott to the German Foreign Office re Japan's Attitude towards the European Crisis | | 37983 |
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| 4032B | | 3828 | Telegram dated 27 January 1941 from Ambassador Ott to the German Foreign Office | | 37989 |
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| 3333 | | 3831 | Interrogation of YONAI Mitsumasa | 37999 | |
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| 3008 | | 3832 | Excerpts from Record of Budgets Committee Meeting - No. 25 - dated 22 March 1940 (The 75th Imperial Diet Session - Lower House) | | 38015 |
| 3030B | | 3833 | Record of the Proceedings of the Budget Committee of the 75th Diet | | 38025 |
| 3348 | | 3834 | Volumes I to V inclusive of the Record of the Trial of the United States of America vs. SAWADA, Shigeru et al | 38030 | |
| 3349A | | 3834-A | Excerpt therefrom | | 38030 |
| 3349B | | 3834-B | Volume III (pp.211-307) of the Record of the Trial of the United States of America vs. SAWADA, Shigeru et al | | 38058 |
| 3121-(2)-A | | 3835 | The Talk Between Foreign Minister TOGO and German Ambassador Ott on 27 October 1941 | | 38065 |

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| 3116C | | 3836 | Telegram from Foreign Minister TOGO to his Ambassadors in foreign countries re progress of Japanese-American Negotiations, dated 12 November 1941 | | 38070 |
| 3116G | | 3837 | Telegram from Foreign Minister TOGO to his Ambassadors in foreign countries re progress of Japanese-American Negotiations, dated 25 November 1941 | | 38073 |
| 3300 | | 3569 | Excerpt from the Osaka Mainichi - 16 September 1941 issue -- "Make Manifest the Reality of National Total Warfare" by Admiral SHIMADA | | 38085 |
| 3340 | | 3838 | Comparative Table of Naval Vessels (on hand) Between the United States of America and Japan as of 7 December 1941 | | 38098 |
| 3341 | | 3838-A | Comparative Table of Naval Vessels (on hand in Fleets in the Pacific Area) Between the United States of America and Japan as of 7 December 1941 | | 38098 |

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| 3342 | | 3838-B | Comparative Table of Naval Vessels Under Construction Between the United States of America and Japan as of 7 December 1941 | | 38098 |
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| 3351 | | 3838-E | Affidavit of Herbert M. Hart, Commander, U.S. Naval Reserve | | 38108 |
| 3344 | | 3839 | Operational History of Japanese Aircraft Carriers | | 38110 |
| 3345 | | 3840 | Affidavit of Edwin T. Layton, Captain, U.S. Navy | | 38115 |

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| 3146A | | 3841 | Top Secret Communica- tion No. 18 from 8th Submarine Squadron Commander to the Ministry of the Navy dated 30 July 1944 (Excerpt from file entitled "Headquart- ers No. 5 Naval Air Materials Omitted, Outline of Peritor- ious Records in the Greater East Asia War, 1 December 1943 to 31 May 1944") | | 38126 |
| 3347 | | 3842 | Affidavit of NAKAHARA, Jiro | | 38134 |
| 1552 (Item 30) | | 3843 | Telegram dated 10 April 1942 from POW Informa- tion Bureau to the Chief of Staff, 13th Army | | 38153 |
| 1552 (Item 40) | | 3843-A | Reply to the above telegram, dated 13 April 1942 | | 38155 |
| 1552 | | 3843-B | Telegram dated 16 April 1942 from the POW In- formation Bureau to the Chief of Staff, 13th Army | | 38156 |
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| 3337 | | 3845 | Draft submitted for Approval of Higher Office "Matter Relating to the Establishment of an Office Concerning Japanese Residing in Enemy Countries and Enemy Nationals Residing in Japan" | | 38174 |
| 3356 | | 3846 | Excerpt from Interrogation of HASHIZOTO, Kingoro | | 38180 |
| 3360 | | 3847 | Telegram dated 8 August 1940 sent from Wiesbaden by Hencke to the German Foreign Ministry | | 38183 |
| 3364 | | 3848 | Telegram dated 23 February 1941 from Rintelen to the German Representative at Paris | | 38188 |
| 3363 | | 3849 | Telegram dated 1 March 1941 sent by Schleier to the German Foreign Minister | | 38190 |
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| 1952 | | 3851 | Minutes of the Trial held on 31 August and 1 September 1935 in Irkutsk by the Assizes of the Military Collegium of the Supreme Courts of the USSR | 38227 | |
| 1952A | | 3851-A | Excerpts therefrom | | 38228 |
| 3087 | | 3852 | Affidavit of KANDA, Masatane | | 38237 |
| 2460 | | 698 | Copy of the Anti-Soviet Strategy Plan of Major KANDA when he was serving in the Special Service Division, Japanese Army, Harbin | | 38243 |
| 3334 | | 3651 | Memorandum on the Basic Principles of the Purchase of the Chinese Eastern Railway by Manchoukuo (submitted by the Soviet Delegation at the Meeting on 3 July 1933) | | 38250 |
| 2329B | | 3853 | Extracts from the Book "Great Manchurian Empire" - The Problem of Racial Harmony and Spiritual Unity of East Asiatic Nations | | 38271 |
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| 3294 | | 3855 | Certificate of the Military Topographic Department of the USSR General Staff with geographical maps published in different countries of the world attached thereto which show the correct border line in the Khalkin-Gol Area | | 38344 |
| | | 3856 | Map entitled "Latest Great Map of the Chinese Republic" | 38352 | |
| 2993C | | 3856-A | Photostatic portion thereof | | 38352 |
| 3151 | | 3857 | Affidavit of Afinogen Erastevich Bykov | | 38360 |
| 3145 | | 3858 | Affidavit of Fritz von Petersdorf | | 38420 |
| | | 3859 | Report of the Frontier Corps Department, Home Ministry, Mongolian People's Republic | 38505 | |
| 3164 | | 3859-A | Excerpt therefrom | | 38505 |
| 1230C | | 3860 | Telegram sent by Stahmer from Tokyo to Berlin in February 1943 | | 38514 |

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| 1230D | | 3861 | Telegram from Ribbentrop sent from Berlin to Tokyo on 6 September 1944 | | 38519 |
| 3157 | | 3862 | Affidavit of Puntsugin Chogdan | | 38531 |
| | | 3862-A | Map attached as an annex to above exhibit | | 38543 |
| 3365 | | 3863 | Affidavit of KUMAGAI, Toshio | | 38576 |
| 3020 | 3864 | | Sworn Deposition of KUMAGAI, Toshio, dated 22 January 1948 | | 38577 |
| 3367 | | 3865 | Report by General Martin, Commander-in-Chief of the Troops in Indo-China Concerning Review of Events at Langson in September 1940 | | 38581 |
| 3026 | 3866 | | Excerpt from the SAIONJI-HARADA Memoirs - Chapter 103 (24 October 1933) | | 38598 |
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| 1383-F(1) | | 3518 | Telegram No. 480 dated 3 May from Ambassador OSHIMA to Foreign Minister MATSUOKA | | 34236 |
| 1383-F(2) | | 3519 | Telegram No. 373 dated 5 May 1941 from Foreign Minister MATSUOKA to Ambassador OSHIMA | | 34244 |
| 889 | | 3520 | Supplementary Protocol (Articles 1 to 11) | | 34246 |
| 1157-A | | 3521 | Telegram from Foreign Minister MATSUOKA to Ambassador OSHIMA in Berlin dated 17 February 1941 | | 34293 |
| | | 3522 | September 1941 issue of TOKYO NICHI NICHI | 34309 | |
| 2819 | 3523 | | Letter dated 16 September 1938 from Foreign Minister UGAKI to Premier KONOYE re the Emperor's appointment of Lieutenant-General OSHIMA as Japanese Ambassador to Germany | | 34340 |
| 2819-A | 3523-A | | Letter from Premier KONOYE to Foreign Minister UGAKI dated 22 September 1938 re Imperial approval re appointment of Lieutenant-General OSHIMA | | 34340 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 2819-B | 3523-B | | Letter from Foreign Minister KONOYE to War Minister ITAGAKI dated 6 October 1938 re Emperor's appointment of Lieutenant-General OSHIMA as Japanese Ambassador to Germany | | 34340 |
| 2819-C | 3523-C | | Letter from War Minister ITAGAKI to Foreign Minister Prince KONOYE dated 7 October 1938 re Emperor's appointment of Lieutenant-General OSHIMA's appointment as Ambassador | | 3434C |
| 2854 | 3524 | | Excerpt from Exhibit No. 2692 - Official Transcript of the International Military Tribunal at Nurnberg, Germany on 30 March 1946 (pp. 6814-6816) | | 34351 |
| 2475 | 3503-B | | Redirect Interrogatory of Mr. Eugen Ott | | 3437c |
| 2782 | 3525 | | Affidavit of YOSHIE, Seiichi | | 3438e |
| 2732 | 3526 | | Interrogation of General ABE, Nobuyuki dated 12 February 1947 | | 34402 |
| 2765 | 3527 | | Affidavit of NINOMIYA, Yoshikiyo | | 34412 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|-----------------------------|
| 1552 Item 28 | | 3528 | Vice Minister's answer to the Foreign Vice- Minister dated 25 March 1942 | | 34419 |
| 1552 Item 51 | | 3529 | Two Letters dated 23 June 1942 from the Vice Foreign Mini- ster to the President of the POW Intelli- gence Bureau and re- plies | | 34426 |
| 2664 | 3530 | | Affidavit of OTSUKI, Akira | | 34438 |
| 2621 | 3531 | | Affidavit of MATSUMURA, Shuitsu | | 34439 |
| 620- A-1 | 3532 | | Extracts from Interroga- tion of SATO, Kenryo | | 34443 |
| 2643 | 3533 | | Affidavit of HARA, Shiro | | 34449 |
| 2665 | 3534 | | Affidavit of KURAMOTO, Keijiro | | 34464 |
| 2733 | 3535 | | Affidavit of NAKAMURA, Aketo | | 34466 |
| 1807 | 3536 | | Official dispatch from Minister SHIGEMITSU to Foreign Minister SHIDEHARA dated 26 August 1931 | | 34470 |
| 1808 | 3537 | | Official dispatch from SHIGEMITSU to SHIDE- HARA dated 25 August 1931 | | 34472 |

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| 1809 | 3538 | | Official dispatch to Foreign Minister SHIDEHARA from Minister SHIGEMITSU dated 11 September 1931 | | 34474 |
| 1810 | 3539 | | Dispatch from Minister SHIGEMITSU to the Foreign Minister SHIDEHARA dated 13 September 1931 | | 34476 |
| 2704 | 3540 | | Affidavit of MORIYA, Kazuro | | 34482 |
| 2705 | 3541 | | Certificate of non-availability of telegram sent by Minister SHIGEMITSU to Foreign Minister YOSHIZAWA between April 1932 and May 1932 re Agreement for the Cessation of Hostilities around Shanghai | | 34490 |
| 2905 | 3542 | | Contemporary corroboration by R. T. Peyton-Griffin, Editor of the "North China Daily News" | | 34492 |
| 2873 | 3543 | | Statement of Lord Killearn, Special Commissioner in Southeast Asia in Singapore, dated 27 February 1947 | | 34494 |

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| 2684 | 3544 | | Statement of Nelson Trusler Johnson, dated 19 August 1947 | | 34495 |
| | 3545 | | Book entitled "Sino-Foreign Treaty Series" (printed in Chinese) | 34498 | |
| 2706-A | 3545-A | | Certificate of non-availability of the original Chinese text of Annex I to the Protocol between China and Russia re East of Hunchun Borderline | | 34500 |
| 2706-B | 3545-B | | Certificate of authenticity re the Chinese text of the Protocol of Border Lines, Annex I to the Hunchun Border Protocol being identical with the Chinese text contained in "Diplomatic Documents during the Ching Dynasty" Volume 68 | | 34505 |
| 2706 (Revised) | 3545-C | | Annex I: The Protocol of Border Lines of the First Section | | 34505 |
| 2079 | 3546 | | Affidavit of Joseph E. Davies | | 34507 |

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| 2869 | 3547 | | Statement of Right Honorable Lord Hankey | | 34511 |
| 1772-A | 3548 | | Record of Conversation between Lord Hankey and SHIGEMITSU | | 34522 |
| 1774 | 3549 | | Statement of Lord Sem- pil, Elected Scots Representative Peer | | 34523 |
| 2872 | 3550 | | Statement of R. A. Butler, former Mem- ber of the British Cabinet | | 34528 |
| 1777 | 3551 | | Affidavit of Joseph P. Kennedy | | 34530 |
| 1983 | 3552 | | Statement of Howell Arthur Gwynne | | 34535 |
| | 3553 | | Book entitled "Secret Session Speeches De- livered by the Right Honorable Winston Churchill | 34538 | |
| 2885 | 3554 | | Affidavit of TOYODA, Teijiro | | 34540 |
| 2877 | 3555 | | Cable interrogation of Sir Robert Craigie | | 34544 |
| 1811 | 3556 | | Official Dispatch dated 2 September 1944 from OKAMOTO, Japanese Minister to Sweden to SHIGEMITSU | | 34550 |

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| 2051 | 3557 | | Minutes of the Proceedings of the Supreme War Directing Conference (15 September 1944) | | 34551 |
| 1778 | 3558 | | Affidavit of Widar Bagge, dated 10 May 1947 | | 34559 |
| 2894 | 3558-A | | Certificate of non-availability of telegrams between OKAMOTO and Foreign Minister TOGO re soundings of Peace with the Allied Powers | | 34559 |
| 2890 | 3559 | | Affidavit of OIKAWA, Koshiro | | 34569 |
| 3288 | | 3560 | Excerpts from the "Asahi Shimbun" 16 September 1941 issue | | 34595 |
| 2889 | 3561 | | Affidavit of SAWAMOTO, Yorio | | 34605 |
| 2911 | 3562 | | Affidavit of TOMIOKA, Sadatoshi | | 34626 |
| 2888 | 3563 | | Affidavit of NIIJIMA, Nobuo | | 34630 |
| 2891 | 3564 | | Affidavit of MITO, Hisashi | | 34635 |
| 2892 | 3565 | | Affidavit of SHIMADA, Shigetaro | | 34646 |

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| 1739 | 3566 | | Document on the Formation of the Anti-Japanese Joint Encirclement by Great Britain, United States and the Netherlands, dated 16 April 1941 | | 34682 |
| 1482 | 3567 | | Document on the Anglo-American Policy of Encirclement Against Japan in the Southern Pacific Ocean - Anglo-American Activities Against Japan as viewed from the Economic Standpoint | | 34682 |
| 3296 | | 3568 | Letter dated 8 October 1945 from the Private Secretary of Ex-Prime Minister Higashi-kuni delivered to GHQ Public Relations Officer re several questions asked by the Allied Press on 18 September 1945 | 34715 | |
| 3300 | | 3569 | Excerpt from the Osaka Mainichi, 16 September 1941 issue - "Make Manifest the Reality of National Total Warfare" by Admiral SHIMADA | 34744 | |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 3327 | | 3570 | Excerpt from the Tokyo Mainichi, 7 July 1942 issue - Gist of Talk published by the Navy Minister SHIMADA and Foreign Minister TOGO | 34752 | |
| | | 3571 | Volume (printed in Japanese) of Navy General Staff Directives for the latter part of 1944 | 34786 | |
| 3196-A | | 3571-A | Excerpt therefrom - Instructions to TOYODA, Commander-in-Chief of the Combined Fleet from SHIMADA, Shigetaro, Chief of the Naval General Staff dated 21 July 1944 | 34786 | |
| | | 3572 | Bound Volume entitled "Headquarters No. 5, Outline of Meritorious Records in Greater East Asia, 1 December 1943 to 31 May 1944 | 34789 | |
| 622-B-1 | 3573 | | Excerpt from Interrogation of SHIMADA, Shigetaro | | 34820 |
| 1804 | 3574 | | Regulation Concerning POW Rations | | 34821 |
| 1804-A | 3574-A | | Certificate of Source and Authenticity re the above document | | 34822 |

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| 62 | 3575 | | Curriculum Vitae of SHIRATORI, Toshio | | 34830 |
| 75 | 3576 | | Organization of the Ministry of Foreign Affairs - 22 October 1898 - Imperial Ordinance No. 258 | | 34830 |
| 647 | 3577 | | Affidavit of YATSUGI, Kazuo | | 34834 |
| 156 | 3578 | | Certificate of Authenticity re ARITA's Appointment as Ambassador to Belgium and transfer from there to China | | 34844 |
| 1929 | 3579 | | Interrogation of Eugen Ott | | 34848 |
| 2896 | 3580 | | Affidavit of UGAKI, Issei | | 34908 |
| 640 | 3581 | | Telegram sent by Ambassador SHIRATORI at Rome to Foreign Minister ARITA dated 10 January 1939 | | 34918 |
| 275 | 3582 | | Confidential Note sent by Ambassador SHIRATORI at Rome to Foreign Minister ARITA dated 19 January 1939 | | 34919 |

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| 556 | 3583 | | Excerpts from Count Ciano's Diary (English Translation) | | 34921 |
| 556-A) 1619-A) | 3583-A | | Certificate of Origin re certain portions of the Office of Strategic Services' English translation of Count Ciano's Diary | | 34925 |
| 852 | 3584 | | Memorandum of Macken- sen, German Ambassa- dor at Rome, dated 3 January 1939 | | 34926 |
| 1619 | 3585 | | Excerpts from Count Ciano's Diary | | 34928 |
| 1697 | 3586 | | Certificate of Authen- ticity re the copies of telegrams ex- changed between the Japanese Foreign Office and SHIRA- TORI, Toshio, Am- bassador Extraordin- ary and Plenipoten- tiary to Italy re negotiations concern- ing the Tripartite Pact were destroyed by fire | | 34931 |
| 2880 | 3587 | | Affidavit of NAGAI, Mikizo | | 34939 |
| 332 | 3588 | | Affidavit of SAITO, Yoshie | | 34956 |

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| 2694 | 3589 | | Affidavit of SAITO, Yoshie | | 34956 |
| 2716 | 3590 | | Affidavit of UNO, Masuko | | 34994 |
| | 3591 | | Book entitled "Con-tribution Accounts-Book for the Japan Foreign Affairs Association" re payment for articles contributed to the magazine on Contemporary Japan, written in Japanese | 34995 | |
| 1717 | 3592 | | Affidavit of MISHIMA, Yasuo | | 35001 |
| 319 | 3593 | | Affidavit of MURMATSU, Tsuneo | | 35013 |
| 2717 | 3594 | | Affidavit of ARIMA, Yoriyasu | | 35020 |
| 2878 | 3595 | | Affidavit of SHIRATORI, Toshio | | 35027 |
| 3239 | | 3596 | Book entitled "The Age of War" (written in Japanese) | 35099 | |
| 3239-B | | 3596A | Excerpt therefrom | | 35100 |
| 3239-C | | 3596B | Further excerpt from Exhibit No. 3596 | | 35101 |

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| 3331 | | 3597 | Book entitled "Radio Lectures and Speeches" (written in Japanese) | 35126 | |
| 3331 | | 3597A | Excerpt therefrom | | 35126 |
| 3239-F | | 3598 | Article entitled "World War and the New World" - Establishment of New Spheres of Influence over the World | | 35128 |
| 3239-A | | 3599 | Excerpt from "The Age of War" by SHIRATORI, Toshio - Japan's Position as Regards a Southward Advance Arrival of a Heroic Age (p. 300) | | 35131 |
| | 3600 | | Pamphlet entitled "Observations of the Japanese Government on the Report of the Commission of Inquiry | 35152 | |
| 2899 | 3601 | | Affidavit of INOUE, Saburo | | 35158 |
| 2901 | 3602 | | Affidavit of KAMEYAMA | | 35162 |
| 2839 | 3603 | | Names of Control Associations and their competent authorities regulated by the Act of Organizations | | 35165 |
| 2839-A | 3603-A | | Ditto | | 35165 |
| 2839-B | 3603-B | | Ditto | | 35165 |

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| 2900 | 3604 | | Affidavit of Prince HIGASHIKUNI, Naruhiko | | 35169 |
| 2902 | 3605 | | Affidavit of SUZUKI, Teichi | | 35173 |
| 197 | 3606 | | Affidavit of Hu Lin | | 35182 |
| | | 3607 | Pamphlet entitled "China Policy Reference Material" compiled September 1933 | 35261 | |
| 3147-C | | 3607A | Document received from Lt-Colonel SUZUKI on 12 July 1933 | | 35261 |
| 1519-D | | 3608 | Document entitled "Foreign Ministry File on Wang Chingwei" | | 35281 |
| 1081 | 3609 | | Affidavit of ARITA, Hachiro | | 35349 |
| 146 | 3609-A | | Document on the Foreign Policy of Japan vis-a-vis Europe and America following withdrawal from the League of Nations (Middle of April 1933) | | 35362 |
| 2938 | 3610 | | Certificate of non-availability of semi-official letter of Japanese Charge-d'Affaires INOUE and various telegrams | | 35374 |

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| 2918 | 3611 | | Affidavit of NOGUCHI, Yoshio | | 35376 |
| 1280 | 3612 | | A supplementary personnel record of the defendant TOGO | | 35385 |
| 1281 | 3613 | | Certificate of the Foreign Ministry showing the appointment of Ambassador TOGO's successor, General TATEKAWA, in September | | 35386 |
| 2744 | 3614 | | Affidavit of NARITA, Katsushiro | | 35388 |
| 2852 | 3614-A | | Letter from NARITA, Katsushiro to Ambassador TOGO dated 6 December 1938 | | 35393 |
| 2749 | 3615 | | Affidavit of YAMAJI, Akira | | 35407 |
| 2866 | 3616 | | Certificate of the Chief of the Personnel Section, Secretariat of the Foreign Minister re TOGO's absence from Tokyo and from his office at the time of Italy's entrance into the Anti-Comintern Pact | | 35416 |
| 2753 | 3617 | | Affidavit of KAMEYAMA, Kazuji | | 35417 |

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| 2742 | 3618 | | Affidavit of KASAHARA, Yukio | | 35428 |
| 2743 | 3619 | | Affidavit of SHUDO, Yasuto | | 35438 |
| 2745 | 3620 | | Affidavit of SAKAYA, Tadashi | | 35451 |
| 2669 | 3621 | | Affidavit of ITO, Nobu- fumi | | 35457 |
| 2752 | 3622 | | Affidavit of Kurt Meissner | | 35460 |
| 2755 | 3623 | | Affidavit of MATSUMOTO, Shun-ichi | | 35463 |
| 2915 | 3624 | | Affidavit of MORISHIMA, Morito | | 35484 |
| 2921 | 3625 | | Affidavit of INOUE, Takajiro | | 35493 |
| 2741 | 3626 | | Affidavit of SUEMITSU, Kadowaki | | 35517 |
| 2754 | 3627 | | Affidavit of TOMIYOSHI, Eiji | | 35522 |
| 1029 | 3628 | | Affidavit of TANAKA, Ryukichi | | 35540 |
| 2740 | 3629 | | Affidavit of SATO, Naotake | | 35547 |
| 2780 | 3630 | | Certificate of Authenti- city re date of MATSU- OKA's departure from Tokyo for Geneva 21 October 1932 | | 35555 |

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| 2930 | 687-B | | Excerpt from the Proceedings of the Privy Council Investigation Committee - Organization of the Greater East Asia Co-Prosperity Sphere | | 35556 |
| 2936 | 3631 | | Affidavit of SHIMAZU, Hisanaga | | 35553 |
| 2945 | 3632 | | Affidavit of YAMAMOTO, Kumaichi | | 35562 |
| 2837 | 3633 | | Affidavit of TANABE, Moritake | | 35567 |
| 2929 | 3634 | | Excerpt from "Collection of Essays on Problems of International Law Related to the Greater East Asia War" | | 35570 |
| 2917 | 3635 | | Affidavit of YUZAWA, Michio | | 35573 |
| 2931 | 3636 | | Excerpt from "Adoption of the Joint Statement of the Ambassador's Conference" | | 35579 |
| 2924 | 3637 | | Excerpt from "Ordinance of the Formalities for Official Documents - Imperial Ordinance No. 6 of 31 January 1907" | | 35582 |
| 2926 | 3638 | | Imperial Ordinance No. 192 - The POW's Information Bureau | | 35584 |

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| 2934 | 92-A | | Excerpt from Exhibit No. 92 - Organization of the POW's Information Bureau - Imperial Ordinance No. 1246 (promulgated on 29 December 1941) | | 35584 |
| 2916 | 3639 | | Affidavit of OTA, Saburo | | 35585 |
| 2944 | 3640 | | Certificate of Diagnosis of Admiral SUZUKI, Kantaro | | 35589 |
| 1082 | 3640-A | | Affidavit of Admiral SUZUKI, Kantaro | | 35590 |
| 2750 | 3641 | | Affidavit of MATSUDAIRA, Yasumasa | | 35595 |
| 2751 | 3642 | | Affidavit of SAKOMIZU, Hisatsune | | 35603 |
| 2941 | 3643 | | Excerpt from the "Asahi Shimbun" - 21 February 1933 issue | | 35610 |
| 2747 | 3644 | | Affidavit of OKURA, Kimochi | | 35613 |
| 2781 | 3645 | | The Ordinance of the Supreme War Council (December 1903 - Imperial Ordinance No. 294) | | 35616 |
| 2927 | 3646 | | Affidavit of TOGO, Shigenori | | 35618 |

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| 3122 | | 3647 | Particulars Regarding the Personal Message from President Roosevelt | | 35920 |
| 3334-B | | 3648 | Statement made by Mr. Karakhan to the Japanese Ambassador OTA on 16 April 1933 | 35959 | 35961 |
| 3334-J | | 3649 | The Gist of the Statement of M. M. Litvinov, People's Commissar for Foreign Affairs, made to Mr. OTA, Japanese Ambassador on 2 May 1933 | 35962 | 35963 |
| 3334-E | | 3650 | Note of the Soviet Ambassador in Tokyo to the Foreign Minister, Mr. HIROTA, dated 22 August 1934 | 35963 | |
| 3334 | | 3651 | Memorandum - On the Basic Principles of the Purchase of the Chinese Eastern Railway by Manchukou (submitted by the Soviet Delegation at the Meeting on 3 July 1933) | 35966 | |
| 3029 | | 3652 | Photocopy of original Map attached to the Agreement of June 9 1940 | 35971 | 35973 |

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| 617-A-1 | 3653 | | Excerpt from the Interrogation of OKA, Takasumi | | 36143 |
| | 3654 | | Newspaper entitled "Le Temps" - 5 September 1939 issue | 36144 | |
| 2949 | 3654-A | | Excerpt therefrom - The Last Step by M. Coulondre (French Ambassador to Berlin) | | 36144 |
| 3000 | 3655 | | Affidavit of TOJO Hideki | | 36171 |
| 2813 | 3656 | | Outline of the Solution of the China Incident - The Decisions reached at the Imperial Conference of 13 November 1940 | | 36206 |
| 2811 | 3657 | | Decision of the Liaison Conference - The Outline of the Plan for Negotiations with Germany, Italy and the Soviet Union | | 36213 |
| 2812 | 3658 | | Outline of Policies Towards French-Indo China and Thailand | | 36231 |
| 2814 | 3659 | | Message of Premier KON- OYE to Marshal Petain taken from the Official document dated 15 July 1941 in the custody of the Japanese Foreign Office | | 36238 |

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| 2923 | 3660 | | Synopsis of Pressure Upon Japan by America, England, China and Holland since July 1940 until the outbreak of the War | | 36244 |
| 2946 | 3661 | | Certificate of non-availability of document entitled "Principles of Executing the National Policies of the Empire" | | 36325 |
| 2726 | 3662 | | Certificate of non-availability of three (3) documents being destroyed by fire at the end of the War | | 36345 |
| 226 | 3663 | | Excerpt from the Official Report, Monday, 18 November 1941 - Speech delivered by the Minister of State TOJO, Hideki | | 36349 |
| 209 | 3664 | | Speech delivered in the House of Representatives 18 November 1941 by Mr. SHIMADA, Toshio | | 36351 |
| | 3665 | | Official Gazette, Shorthand Record of the proceedings of the House of Peers, 77th Session of the Imperial Diet | | 36351 |
| 2712 | 3665-A | | Excerpt therefrom - Speech by Prince SHIMAZU, Tadashige | | 36352 |

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| 2903 | 3666 | | Certificate of non-availability of Plan-B (documents concerning the amount of gasoline decided necessary to be imported from USA and the Dutch Indies) formulated at the Liaison Conference on or about 22 November 1941 | | 36357 |
| 2942 | 3667 | | Certificate of non-availability of two (2) documents entitled "The Organization of the Imperial Headquarters" and "The Imperial Headquarters Service Regulations" | | 36387 |
| 2947 | 3668 | | Certificate of non-availability of written orders re the commencement of preparations for War issued by the Army Department of the Imperial Headquarters on 1 December 1941 to the Commanders of the South Seas District | | 36397 |
| | 3669 | | The Stenographic Record of the Proceedings of the House of Representatives at the 72nd Session of the Imperial Diet | 36404 | |

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| 2710 | 3669-A | | Excerpt therefrom - Report of Government Committee-man Mr. KIMURA, Heitaro | | 36404 |
| 2775 | 3670 | | Reply of the Japanese Government to the Protest made by the United States of America concerning the cases of Mistreatment of Americans | | 36417 |
| | 3671 | | Pamphlet entitled "Address delivered before the Assembly of Greater-East Asiatic Nations" | 36432 | |
| 2760-B | 3671-A | | Excerpt therefrom | | 36432 |
| 2886 | 3672 | | Statement by H. E. Baron Makino Proposing the Abolition of Racial Discrimination - made at a meeting 13 February 1919 of the League of Nations Committee of the Conference of the Allied and Associated Powers | | 36433 |
| 2735 | 3673 | | Document entitled "East Asiatic Deliberative Council" | | 36441 |

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| 2736 | 3674 | | Stenographic Record of the Proceedings of the House of Representatives at the 79th Imperial Diet - Interpellation of the Ministers of States by Mr. OKADA, Tadahiko | | 36443 |
| 2757 | 3675 | | Pact of Alliance between Japan and Burma, signed at Rangoon 1 August 1943 | | 36449 |
| 2758 | 3676 | | Burmese-Japanese Treaty on Burmese Territories in the Shan Districts, etc. | | 36450 |
| | 3677 | | Volume entitled "Proceedings of the 81st Imperial Diet, House of Representatives" | 36452 | |
| 2711 | 3677-A | | Excerpt therefrom | | 36453 |
| 2952 | 3678 | | Copy of the Constitution of the Republic of the Philippines | 36454 | |
| 2756 | 3679 | | Pact of Alliance between Japan and the Philippines, signed at Manila on 14 October 1943 | | 36455 |
| 2932 | 3680 | | Japanese-Thailand Treaty of Alliance, signed at Bangkok on 21 December 1941 | | 36457 |

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| 2933 | 3681 | | Agreement on Culture reached between Japan and Thailand, signed at Tokyo on 28 October 1942 | | 36458 |
| 2759 | 3682 | | Treaty between Japan and Thailand with regard to the territory of Thailand in the Malay and Shan Districts, signed at Bangkok on 20 August 1943 | | 36458 |
| 2922 | 3683 | | Certificate of non-availability of document entitled "The General Principles upon which the Greater-East Asia Policy is Directed" | | 36459 |
| | 3684 | | Book entitled "Official Gazette, 16 June 1943, Stenographic Record of Proceedings of 82nd Session of Imperial Diet No. 1" | 36465 | |
| 2792 | 3684-A | | Excerpt therefrom | | 36465 |
| 2760-E | 3685 | | Address of His Excellency Premier TOJO, Representative of Japan on the Repossession of Andaman and Nicobar Islands, on 6 November 1943 | | 36468 |

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| 2760-E | 3686 | | Address of His Excellency Mr. Subhas Chandra Bose, Head of the Provisional Government of Azad Hind, on 6 November 1943 | | 36472 |

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| 3203 | | 3376 | Excerpt from Exhibit No. 3038-B - Letter dated 25 July 1931 from the Commander of the Military Police to the War Minister re Study on the Organization of MP Force in Manchuria | | 32302 |
| 3204 | | 3377 | Excerpt from Exhibit No. 3038-G - Letter dated 5 December 1931 from MIYAKE, Koji, Chief of Staff, Kwantung Army to SUCIYAMA, Vice Minister of War re Matters Concerning the Delivery of Documents Pertaining to Plans for the Temporary System now being Carried out in the Policy Toward Manchuria and Mongolia | | 32338 |
| | | 3378 | The Guidance of the Military Government of Manchoukuo | 32354 | |
| 612 | | 3378-A | Excerpt therefrom | | 32354 |
| | | 3379 | Letter dated 29 December 1932 from Chief of Staff of Kwantung Army, KOISO, Kuniaki to Vice-War Minister YANACAWA, Keisuke - The Outline re the General Policy for Manchoukuo Customs Duty | 32376 | |

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| 1302 | | 3379-A | Excerpt therefrom | | 32377 |
| | | 3380 | Army Manchurian Secret File for 1934 | 32381 | |
| 624 | | 3380-A | Excerpt therefrom | | 32382 |
| | | 3381 | The Great Secret Manchurian Diary for the Year 1933 | 32385 | |
| 989 | | 3381-A | Excerpt therefrom | | 32389 |
| 3030-N | | 3382 | Excerpt from Exhibit No. 3201 - Speech by Minister of State KOISO, Kuniaki, at the Meeting of the Budget Committee on 17 February 1940 in the House of Representatives, 75th Session of the Imperial Diet | | 32421 |
| 2829 | 3383 | | Excerpt from Exhibit No. 3038-B - Study on the Organization of MP Force in Manchuria | | 32446 |
| 2043 | 3384 | | Affidavit of TOKUGAWA, Yoshichika | 32483 | |
| | 3385 | | War Ministry General Affairs Regulations | 32484 | |
| 2562 | 3385-A | | Excerpt therefrom | | 32484 |

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| 2560 | 3386 | | Affidavit of HIYOSHI, Takehiko | | 32488 |
| 2661 | 3386-A | | Certificate of non-availability of documents | | 32492 |
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| 2698 | 3388-A | | Certificate of non-availability of documents | | 32510 |
| 2563 | 3389 | | Affidavit of TOKUGAWA, Yoshitomo | | 32515 |
| 2564 | 3390 | | Affidavit of TANAKA, Takeo | | 32528 |
| 2213 | 3391 | | Affidavit of F. S. G. Piggott, Major-General, Military Attache to the British Embassy, Tokyo | | 32546 |
| | 3384-A | | Letter dated 14 July 1947 addressed to the President of the International Military Tribunal for the Far East re Correction of Exhibit No. 158 (Record Pages 1441 to 1443) | | 32551 |

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| 2661 | 3386-A | | Certificate of non-availability of documents | | 32492 |
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| 2698 | 3388-A | | Certificate of non-availability of documents | | 32510 |
| 2563 | 3389 | | Affidavit of TOKUGAWA, Yoshitomo | | 32515 |
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| 2213 | 3391 | | Affidavit of F. S. G. Piggott, Major-General, Military Attache to the British Embassy, Tokyo | | 32546 |
| | 3384-A | | Letter dated 14 July 1947 addressed to the President of the International Military Tribunal for the Far East re Correction of Exhibit No. 158 (Record Pages 1441 to 1443) | | 32551 |

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| 3229 | | 3392 | Certificate re Death of KITA, Seichi, former General of the Japanese Army, Japanese PCW, who died in Habarovsk, USSR 7 August 1947 | | 32557 |
| 2238 | 3393 | | Affidavit of OSUGI, Hiroshi | | 32588 |
| 2668 | 3394 | | Affidavit of OUCHI, Yoshihide | | 32594 |
| 2627 | 3395 | | Affidavit of WAKIZAKA, Jiro | | 32601 |
| 2714 | 3396 | | Affidavit of NISHIJIMA, Takeshi | | 32609 |
| 2715 | 3397 | | Instructions distributed among the entire Central China Expeditionary Forces on 1 st December 1937 by MATSUI, Commander of the Central China Expeditionary Forces | | 32616 |
| 2764 | 3397-A | | Certificate of non-availability of original of the above-mentioned documents | | 32616 |
| 2667 | 3398 | | Affidavit of NAKASAWA, Mitsuo | | 32621 |
| 2626 | 3399 | | Affidavit of IINUMA, Mamoru | | 32647 |

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| 2708 | 3400 | | Affidavit of OGAWA, Sekijiro | | 32674 |
| 2237 | 3401 | | Affidavit of SAKAKIBARA, Kazue | | 32678 |
| 1371 | 3402 | | Photograph of a Bulletin posted on the wall of the Chinchuan Temple, Chinkiang by a Staff Officer of the Shanghai Expeditionary Force as ordered by Commander MATSUI | | 32688 |
| 2235 | 3403 | | Affidavit of SHIMONAKA, Yasaburo | | 32690 |
| 2236 | 3404 | | Affidavit of NAKATANI, Takeyo | | 32704 |
| | | 3405 | Magazine entitled "Dai-Asia-Shugi" October 1940 issue | 32714 | |
| 2394 | | 3405-A | Excerpt therefrom | | 32715 |
| | 3406 | | Book entitled "The Annual Report by the Greater Asiatic Association", published in April 1940 | 32719 | |
| 2234 | 3406-A | | Excerpts therefrom | | 32721 |
| 2500 | 3407 | | Excerpts from the firm establishment of "Manchuria for Manchurians" written by MATSUI, Iwane June 1932 | | 32730 |

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| 2625 | 3408 | | Lecture delivered by MATSUI, Iwane which appeared in the "Great Asia Doctrine", the organizational publica- tion of the Great Asia Association | | 32733 |
| 2670 | 3409 | | Affidavit of OKADA, Takashi | | 32738 |
| 2594 | 3410 | | Photograph of the In- auguration of Kannondo, erected by MATSUI, Iwane | | 32763 |
| 1077-A | 3411 | | Statement issued by MATSUI, Iwane in Shanghai on 8 October 1937 | | 32764 |
| 1077-B | 3412 | | Statement issued by MATSUI, Iwane to the People of the Chinese Republic | | 32764 |
| 487 | 3413 | | Affidavit of NAKAMURA, Kotaro | | 32803 |
| 2674 | 3413-A | | Certificate of Death of NAKAMURA, Kotaro on 29 August 1947 | | 32803 |
| 286 | 3414 | | Certificate issued by the First Demobiliza- tion Bureau re the Re- duction in Military Officers' Salary by virtue of Imperial Ordinance No. 103 dated 27 May 1931 | | 32807 |

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| 1759 | 3415 | | Affidavit of SOGO, Shinji | | 32808 |
| 1966 | 3416 | | Excerpt from the Secret Diary (MAN-MITSU-DAI- NIKKI) Vol. 1, 1931 War Ministry - Report re Address of Instruc- tion by the Commander of the Tokyo Military Police on 19 August 1931 | | 32810 |
| 1922 | 3417 | | Certificate of non- availability, dated 24 July 1947 of cer- tain documents | | 32814 |
| 2524 | 3418 | | Certificate of non- availability, dated 5 September 1947 of certain documents | | 32815 |
| 2641 | 3419 | | Certificate dated 11 September 1947 re- ceived from the Cen- tral Intelligence Group, Washington with two letters attached | | 32816 |
| 2739 | 3420 | | Affidavit of TAKEDA, Hisashi | | 32820 |
| 2774 | 3420-A | | Certificate of Appoint- ments of TAKEDA, Hisashi | | 32820 |

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| 1641 | | 3421 | The Manchurian Incident - The Outlines and Progress of the Military Operations of the Kwantung Army from 19 September 1931 to February 1932 | 32824 | |
| 183P | | 3421-A | Excerpt therefrom - The Relations of the Despatch and Withdrawal of the Army and Navy Forces | | 32824 |
| | 3422 | | Certificate of Authenticity of 16 Telegrams (Defense Documents 2048-A to 2048-P) | | 32832 |
| 2048-A to 2048-P incl. | 3422-A to 3422-P incl. | | Series of 16 telegrams between the War Minister or his Vice-Minister and the Commander of the Kwantung Army or his Chief of Staff | | 32832 |
| 2096 | 3423 | | Letter from the Chief of General Staff to the War Minister dated 22 September 1931 (Excerpt from Exhibit No. 3038-G) | | 32834 |
| | 3424 | | September and October issue, 1931 of "The Japan Chronicle" | 32837 | |

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| 1938 | 3425 | | Excerpt from the Manchurian-Secret-Great-Diary (MAN-MITSU-DAI-NIKKI) Vol. 1, 1931 - Instruction given to Major-General HASHI-MOTO, Toranosuke by the War Minister on 24 September 1931 | | 32841 |
| | 3426 | | Volume entitled "Collection of Documents relating to the League of Nations, Vol. III" | 32851 | |
| | 3427 | | Volume entitled "Observations of the Japanese Government on the Report of the Commission of Inquiry" | 32851 | |
| 1937 | 3428 | | Telegram from the Vice-Minister of War to the Chief of Staff of the Kwantung Army dated 1 October 1931 (Excerpt from Exhibit No. 3038-G) | | 32860 |
| 1965 | 3429 | | Telegram from the Vice-Minister of War to the Chief of Staff of the Kwantung Army dated 11 November 1931 (Excerpt from Exhibit No. 3038-G) | | 32861 |
| 2047 | 3430 | | Affidavit of KATAKURA, Tadashi | | 32868 |

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| 1760 | 3431 | | Affidavit of KODAMA, Tomeo | | 32874 |
| 2853 | 3432 | | Certificate of Illness of Witness SHIDEHARA, Kijuro | | 32881 |
| 1784 | 3433 | | Affidavit of Patrick J. Hurley, Secretary of War for the United States of America 1931 | | 32885 |
| 2588 | 3434 | | Affidavit of KAWABE, Torashiro | | 32892 |
| 1758 | 3435 | | Affidavit of ONO, Ryokuichiro | | 32919 |
| 2013 | 3436 | | Affidavit of MITARAI, Tatsuo | | 32921 |
| 1761 | 3437 | | Affidavit of MURATA, Yachiho | | 32926 |
| 2533 | 3438 | | Affidavit of F. S. G. Piggott, Major-Gen- eral, British Embassy Attache | | 32941 |
| 2678 | 3439 | | Affidavit of NISHIURA, Susumu | | 32946 |

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| 2734 | 3440 | | Article appearing in the "Japan Times and Mail" re Speech made by the Accused MUTO, Akira at the Proceedings of the 4th Joint Session of the 1st, 2nd, 3rd, 4th Committee of Accounts of the House of Representatives at the 75th Session of the Diet on 19 March 1940 | | 32966 |
| 2579 | 3441 | | Affidavit of Bishop James Edward Walsh | | 32978 |
| 2579-A | 3441-A | | Letter of Safe Conduct for Bishop Walsh dated 14 October 1941 from MUTO, Akira to all Military and Civil Authorities Concerned | | 32991 |
| 2589 | 3442 | | Affidavit of IWAKURO, Hideo | | 32992 |
| 3127 | | 3443 | Telegram (Strictly Confidential) sent by the Chief of Military Affairs Bureau to Colonel IWAKURO | | 33010 |
| 2686 | 3444 | | Affidavit of YAMAMOTO, Kumaichi | | 33016 |
| 3167 | | 3445 | Plan Regarding Future Steps in Negotiations between Japan and the United States | | 33037 |

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| 1500- A-8 | 3446 | | Excerpt from "Hearings before the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the United States" (Part 20, p.4010) | | 33050 |
| 2785 | 3447 | | Affidavit of MIKI, Yoshihide | | 33054 |
| 1335 | 3448 | | Regulations for the Enforcement of the Army Officers' Service Ordinance (War Ministry Ordinance No. 28, 30 November 1927) | | 33059 |
| 1337 | 3449 | | Regulations Concerning Personal Matters of Army Officers (Imperial Ordinance No. 198, March 3, 1941) | | 33060 |
| 2779 | 3450 | | Affidavit of OHIRA, Hideo | | 33062 |
| 2685 | 3451 | | Affidavit of KUMEGAWA, Yoshiharu | | 33069 |
| 2805 | 3452 | | Excerpt from the Book entitled "The Winning of the War in Europe and the Pacific" - General Marshall's Report (p.74) | | 33077 |

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| 2806 | 3453 | | Excerpt from the Book entitled "The Winning of the War in Europe and the Pacific" - General Marshall's Report (p.75 and 78) | | 33077 |
| 2679 | 3454 | | Affidavit of MUTO, Akira | | 33081 |
| 3090-D | | 3455 | Record of the Fourth Council in the Imperial Presence held on 13 November 1940 | 33189 | |
| 3106-(30) | | 3456 | Basic Conditions for Settlement of Sino-Japanese Peace | | 33192 |
| 2570-B | | 3457 | Matters Decided upon at the Five Ministers' Conference as of 31 October 1938 | 33202 | |
| 3104-(2) | | 3458 | Volume (1) entitled "Japanese-American Negotiations" dated August and September 1941 | 33202 | |
| 3258 | | 3459 | Volume (1) entitled "ICHIDAI NIKKI" dated March 1942 (First Great Diary) | | 33201 |

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| 2806 | 3453 | | Excerpt from the Book entitled "The Winning of the War in Europe and the Pacific" - General Marshall's Report (p.75 and 78) | | 33077 |
| 2679 | 3454 | | Affidavit of MUTO, Akira | | 33081 |
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| | | 3460 | Volume entitled "Second Great Diary, War Ministry" printed in Japanese | 33213 | |
| 3257 | | 3460-A | Excerpt therefrom | | 33213 |
| 2679-A | 3461 | | Certificate of non-availability of certain documents referred to in MUTO's testimony | | 33282 |
| 1251 | 3462 | | Excerpt from the Regulations governing the Duties of the Officers of the War-time Superior Headquarters (Article 13, p.3) | | 33283 |
| 2833 | 3463 | | Excerpt from the Parliament Member Election Law (Effective 1940 and 1941) | | 33283 |
| 2835 | 3464 | | Excerpt from the Army Criminal Law (Article 103) | | 33284 |
| 2834 | 3465 | | Excerpt from "The Imperial Precepts to the Soldiers and Sailors" | | 33284 |
| 2860 | 3466 | | Certificate of non-availability of eight (8) documents | | 33284 |

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| 3257 | | 3460-A | Excerpt therefrom | | 33213 |
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| 2833 | 3463 | | Excerpt from the Parliament Member Election Law (Effective 1940 and 1941) | | 33283 |
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| | | 3460 | Volume entitled "Second Great Diary, War Ministry" printed in Japanese | 33213 | |
| 3257 | | 3460-A | Excerpt therefrom | | 33213 |
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| 1251 | 3462 | | Excerpt from the Regulations governing the Duties of the Officers of the War-time Superior Headquarters (Article 13, p.3) | | 33283 |
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| 1902 | 3467 | | Affidavit of TOMITA, Kenji | | 33297 |
| 2737 | 3468 | | Affidavit of HOSHINA, Zenshiro | | 33304 |
| 2762 | 3469 | | Affidavit of SHIBA, Katsuo | | 33319 |
| 2761 | 3470 | | Affidavit of OIKAWA, Koshiro | | 33336 |
| 1780 | 3471 | | Affidavit of NOMURA, Naokuni | | 33356 |
| 2691 | 3472 | | Affidavit of TAKATA, Toshitane | | 33365 |
| 2828 | 3473 | | Affidavit of OKA, Takazumi | | 33379 |
| 2779 | | 3474 | Record of Conversa- tion between OKA and General KAGESA on 30 August 1938 re the capture of Canton | 33469 | |
| | | 3475 | March 1941 issue of the "Asahi Shimbun | 33485 | |
| 3249 | | 3475-A | Excerpt therefrom | 33485 | |
| 3250 | | 3475-B | Further excerpt from above newspaper | 33486 | |
| 2534-E | | 3476 | Article appearing in the Tokyo "Nichi Nichi" of 30 Aug- ust 1941 | 33486 | |

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| 3257 | | 3477 | Secret Order issued by the Chief of Naval Affairs Bureau to the Chief of Army Military Affairs Bureau re transfer of 3 rd POW's from the Ofuna POW Camp | 33517 | |
| 3262 | | 3478 | Order from the Chief of Naval Affairs Bureau addressed to the Chief of the War Ministry POW Control Department dated 19 October 1942 re 1,000 POW's to be evacuated from Macassar to Japan | 33517 | |
| | | 3479 | Deposition of SHIDEHARA, Kijuro | | 33539 |
| 1964 | 3479-A | | Affidavit of SHIDEHARA, Kijuro | | 33548 |
| 1767-A(5) | | 3479-B | Telegram from Consul-General HAYASHI to Foreign Minister SHIDEHARA, dated 21 September 1931 | | 33600 |
| 1767-A(5) | | 3479-C | Telegram from Consul-General HAYASHI to SHIDEHARA, dated 28 September 1931 | | 33605 |
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| 1767- A(8) | | 3479-E | Telegram from Consul- General HAYASHI to SHIDEHARA, dated 6 October 1931 | | 33610 |
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| 2788 | 3481 | | Certificate of non-availability of telegraphic messages re the Anti-Comintern Pact exchanged between Tokyo and Berlin | | 33687 |
| 2794 | 3482 | | Certificate of non-availability of telegrams exchanged between Tokyo and Berlin from 1938 to 1939 re the Anti-Comintern Pact | | 33688 |
| 2789 | 3483 | | Certificate of non-availability of telegram messages re the Triple Alliance exchanged between Tokyo and Berlin | | 33688 |
| 2824 | 3484 | | Certificate of non-availability of instructions re conclusion of a Tripartite Alliance brought by Mr. ITO's Commission to Ambassadors OSHIMA in Germany and SHIRATORI in Italy in February 1939 | | 33689 |
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| 2543 | 3486 | | Certificate of non-availability of telegrams re the conclusion of the Agreement between Japan and Germany during 1935 | | 33690 |
| 2856-A | 3487 | | Certificate of non-availability of telegrams notifying Ambassador OSHIMA of the non-aggravation with the German Military authorities; also re the Appointment of Ambassador OSHIMA | | 33691 |
| 2856-B | 3487-A | | Certificate of non-availability of telegrams from the Military Attache in Berlin; also the telegrams from War Minister ITAGAKI to KAWABE, Military Attache | | 33692 |
| 2856-C | 3487-B | | Certificate of non-availability of document re the German propositions re the Treaty between Japan, Germany and Italy which Major-General KASAHARA brought from Berlin in August 1938; also telegram to OSHIMA from the War Ministry re the same subject | | 33692 |

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| 2859 | 3488 | | Certificate of non-availability of telegrams exchanged in 1943 between Vice-Admiral NOMURA or Naval Attache YOKOI and the Navy Ministry and the Navy General Staff | | 33693 |
| 2842 | 3489 | | Affidavit of MAKATA, Hidehiko | | 33695 |
| 2864 | 3490 | | Affidavit of NISHI, Hisashi | | 33696 |
| 2861 | 3491 | | Certificate of non-availability of telegrams re Air-raids over Berlin | | 33699 |
| 2081 | 3492 | | Affidavit of WAKAMATSU, Tadaichi | | 33700 |
| 2724 | 3493 | | Affidavit of KASAHARA, Yukio | | 33717 |
| 2630 | 3494 | | Affidavit of USAMI, Uzuhiko | | 33730 |
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| 4188 | | 3497 | Interrogation of KAWABE, Torashiro | 33795 | |
| 2738 | 3498 | | Affidavit of MATSUI, Iwane | | 33812 |
| | | 3499 | Magazine entitled "Dai Asia Shugi" January 1941 issue | 33898 | |
| 2396 | | 3499-A | Excerpt therefrom - Article written by the Accused MATSUI, Iwane (p.2) | | 33898 |
| | | 3500 | Magazine entitled "Dai Asia Shugi" July 1941 issue | 33912 | |
| 2397 | | 3500-A | Excerpt therefrom - Article written by the Accused MATSUI, Iwane (p.10) | | 33912 |
| 2083 | 3501 | | Affidavit of TAKAHASI, Michitoshi | | 33922 |
| 2084 | 3502 | | Affidavit of SUGIURA, Hiroshi | | 33923 |
| 2475 | 3503 | | Interrogation of Ambassador Ott | | 33925 |
| 2542 | 3504 | | Affidavit of TANAKA, Shinichi | | 33958 |
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| 2662 | 3506 | | Affidavit of TATSUMI, Eiichi | | 33964 |
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| 2862 | 3508 | | Affidavit of OSHIMA, Hiroshi | | 33974 |
| 2855 | 3509 | | Certificate showing Military Attaches and Assistant Military Attaches to Embassies and Legations were under the Command of the Chief of the Gen- eral Staff in com- pliance with Military orders concerning the organization of Gen- eral Staff Headquart- ers | | 33984 |
| 2769 | 3510 | | An excerpt from Foreign Ministry's Year-Book, Vol. I -- Public Ser- vice Regulation - Im- perial Ordinance No. 39 issued 30 July 1892 | | 34003 |
| 2787 | 3511 | | Certificate re NOHARA, Komakichi who was in the service of the Japanese Embassy but was not a formal Mem- ber of the Foreign Office | | 34027 |

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| 2820 | 3512 | | Excerpt from the Interrogation of OSHIMA, Hiroshi | | 34040 |
| 2845 | 3513 | | Statement of OSHIMA, Hiroshi dated 19 February 1946 | | 34046 |
| 3269 | | 3514 | Telegram (War Ministry No. 235) | | 34116 |
| 3271 | | 3515 | Explanations concerning War Ministry Telegram No. 236 | | 34116 |
| 3268 | | 3516 | The January 1940 issue of "Bungei Shunju" | 34152 | |
| 3268-A | | 3516-A | Excerpt therefrom - The Idea of German Diplomacy | | 34152 |
| | | 3517 | The "Dai-Asia Shugi" for 1940 | 34180 | |
| 2377-A | | 3517-A | Excerpt therefrom - The Tripartite Alliance and the United States of America | | 34180 |

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| 1634-N | | 3262 | An Outline Regarding the Settlement of the China Incident | | 29771 |
| 820-C | | 3263 | Outline of Measures for the China Incident - Decision of the Cabi- net Council on 24 December 1937 | | 29815 |
| 3090-A | | 3264 | Records Concerning the Imperial Conferences | | 29837 |
| 820-E | | 3265 | Concerning the Basic Policy for Settling the Chinese Incident (Subject before a Council in the Pres- ence of the Emperor on 10 January 1938) | | 29855 |
| 2582 | 3266 | | Sworn Deposition of HAYASHI, Kaoru of the Foreign Office show- ing that Defense Docu- ment 1423 is a correct and true copy and is at present in the cus- tody of the Chief of the Archives Section | | 29883 |
| 1423 | 3267 | | The Problem of the Con- clusion of a Japanese- German Political Con- vention (Dated 24 July 1936) | | 29885 |

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| 820-A | | 3268 | Views Concerning the Attitude of the Empire toward Arbitration or Intervention by America, European Powers or the League of Nations in the Sino-Japanese Incident | 29886 | |
| 820-G | | 3269 | The Course Towards the Opening of the Imperial Conference (January 14 1938) | 29886 | |
| 820-D | | 3270 | Message from Prime Minister Prince KONOYE, Fumimaro to Foreign Minister HIROTA, Koki | 29886 | |
| 1841- 8B7 | | 3271 | Letter dated 8 February 1938 from Foreign Minister HIROTA to Consul-Generals OKAMOTO and NAKAMURA. Subject: Matters pertaining to Propaganda Work for the Destruction of the Nationalist Government | 29886 | |
| 820-B | | 3272 | Matters Regarding the Imperial General Headquarters Council in the Imperial Presence (Dated 18 February 1938) | 29886 | |

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| 2148 | 3273 | | Affidavit of HIDAKA, Shinrokuro | | 29901 |
| 2538 | 3273-A | | Sworn Deposition of HAYASHI, Kaoru of the Foreign Office show- ing that the tele- grams and official notes referred to in Defense Document 2148 were lost by fire | | 29914 |
| 2276 | 3274 | | Affidavit of OKAMOTO, Suemasa | | 29916 |
| 2027 | 3275 | | Telegram from Foreign Minister HIROTA to Consul-General OKA- MOTO at Shanghai, dated 4 August 1937 | | 29916 |
| 2028 | 3276 | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE in China, dated 7 August 1937 | | 29916 |
| 2029 | 3277 | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 7 August 1937 | | 29921 |

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| 2541 | 3278 | | Sworn Deposition of HAYASHI, Kaoru of the Foreign Office stating that the original as well as copies of the Telegram of Foreign Minister HIROTA addressed to Witness OKAMOTO were lost in the fire during the war | | 29931 |
| 206-D(4) | 3279 | | America Still Tries to Keep the Peace (1st paragraph only) | | 29934 |
| 2030 | 3280 | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 8 August 1937 re Instructions for Truce Negotiations with the Chinese Government | | 29935 |
| 2031 | 3280-A | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 8 August 1937 re Conditions of Truce Negotiations | | 29935 |
| 2032 | 3280-B | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 8 August 1937 re Truce Negotiation | | 29935 |

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| 2065 | 3280-C | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 8 August 1937 re Outline of the Plan for Overall Adjustment of Sino-Japanese Relations | | 29935 |
| 2066 | 3280-D | | Telegram from Foreign Minister HIROTA to Ambassador KAWAGOE dated 8 August 1937 re Truce Negotiations | | 29935 |
| 206-D(6) | 3281 | | Excerpt from the Diary of Ambassador Grew dated 20 September 1937 (page 217) - Warning to HIROTA | | 29948 |
| 206-D(7) | 3282 | | Excerpt from the Diary of Ambassador Grew dated 20 September 1937 (pages 218-219) - Strong Words to a Helpless Government | | 29949 |
| 206-D(11) | 3283 | | Excerpt from the Diary of Ambassador Grew dated 21-22 October 1937 (pages 221-222) - Japan Refuses to Attend the Brussels Conference | | 29954 |

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| 206- D(14) | 3284 | | Excerpt from the Diary of Ambassador Grew dated 16 November 1937 (pages 225-226) - HIROTA Accuses America of Initiating an Anti- Japanese Front | | 29956 |
| 206- D(17) | 3285 | | Excerpt from the Diary of Ambassador Grew dated 13 December 1937 - We Receive the News of the Panay Sinking | | 29963 |
| 502 | 3286 | | Excerpt from "Behind the Japanese Mask" by Rt. Hon. Sir Robert Craigie (page 52) | | 29967 |
| 2149 | 3287 | | Affidavit of ISHII, Itaro | | 29969 |
| 2539 | 3287-A | | Sworn Deposition of HAYASHI, Kaoru of the Foreign Office show- ing that the origin- als as well as the copies of the tele- grams and written reports referred to in Defense Document 2149 (Affidavit of ISHII, Itaro) were lost by fire during the war and cannot be found | | 29998 |

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| 2157 | 3288 | | Minutes of the Proceedings of the House of Representatives Committee on the Budget at the 73rd Session of the Imperial Diet, 29 January 1938 - Answer of the Minister of State HIROTA | | 30001 |
| 2165 | 3289 | | Minutes of the Proceedings of the Budget Committee of the House of Representatives at the 73rd Session of the Imperial Diet, 4 March 1938 - Answer of the Minister of State HIROTA | | 30002 |
| 2552 | 3290 | | Affidavit of ARITA, Hachiro | | 30004 |
| 2575 | 3291 | | Affidavit of Admiral YONAI, Mitsumasa | | 30017 |
| 2604 | 3292 | | Affidavit of MATSUDAIRA, Yasumasa | | 30024 |
| 2610 | 3293 | | Affidavit of Tadeusz Romer, Polish Ambassador to Japan re certain conversations he had with HIROTA during January 1941 | | 30028 |

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| 206- (100) | 3294 | | Excerpt from "Ten Years in Japan" Diary of Ambassador Grew (page 369) - Japanese-American Relations Never Looked Darker | | 30036 |
| 1022 | 3295 | | "The Truth About the Clash Between Japanese and Chinese Troops Near Peitayin as Explained to Japanese and Foreign Newspaper Correspondents" 24 September 1931 by Lt. Colonel SHIMAMOTO | 30055 | |
| | | | (Rejected - p.30057) | | |
| | 3296 | | Pamphlet entitled "Construction of New Manchuria and Mongolia" | 30063 | |
| 881 | 3296-A | | Excerpt therefrom | | 30063 |
| 2554 | 3297 | | Affidavit of OZAWA, Kaisaku (last paragraph only) | | 30076 |
| 2042 | 3298 | | Affidavit of KOKUBU, Shinhichiro | | 30080 |
| 2580 | 3299 | | Affidavit of FURUNO, Inosuke | | 30086 |

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| | 3300 | | Book entitled "Lost Politics - Memoirs of Prince KONOYE" published by the Asahi Newspaper Company | 30092 | |
| 2102 | 3300-A | | Excerpt from "Lost Politics - Memoirs of Prince KONOYE" | | 30093 |
| 2104 | 3300-B | | Ditto | | 30095 |
| 2103 | 3300-C | | Ditto | | 30097 |
| 2471 | 3301 | | Affidavit of YAMAWAKI, Masataka (omitting par. 7) | | 30101 |
| 1005-(21) | | 3302 | Secret Telegram dated 21 April 1939 | | 30114 |
| 3171-B | | 3303 | Excerpt from the 6 January 1939 issue of Chugi Shiyogyo Shimpo "Execution of Seven Items - HIRANUMA Requested by the Army" | | 30120 |
| 625 | | 3304 | "Army Records of the China Incident, 1939," Volume 7. | | 30126 |
| 1979 | 3305 | | Affidavit of OKADA, Yoshimasa | | 30149 |

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| 1970 | 3306 | | Certificate of Authenticity by MIYAMA, Yozo, Chief of the Archives Section of the First Demobilization Bureau re the original of the orders "Removal of the South China Area Army from the Order of Battle of the China Expeditionary Forces" having been destroyed by burning | | 30155 |
| 1977 | 3306-A | | Affidavit of SAWADA, Shigeru | | 30156 |
| 2039 | 3307 | | Affidavit of IHARA, Junjiro | | 30159 |
| 2638 | 3308 | | Report of Investigation on Prisoner of War Camps in Korea, prepared by the International Red Cross Committee | | 30174 |
| 2639 | 3309 | | Report of Talks Between Mr. Max Pestalozzi, Representative to Japan of the International Commission of the International Red Cross Society and Representatives of Prisoners of War | | 30184 |

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| 1970 | 3306 | | Certificate of Authenticity by MIYAMA, Yojo, Chief of the Archives Section of the First Demobilization Bureau re the original of the orders "Removal of the South China Area Army from the Order of Battle of the China Expeditionary Forces" having been destroyed by burning | | 30155 |
| 1977 | 3306-A | | Affidavit of SAWADA, Shigeru | | 30156 |
| 2039 | 3307 | | Affidavit of IHARA, Junjiro | | 30159 |
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| 2640 | 3310 | | Report of Visits to the POW Camps in Korea and Mukden by the Repre- sentative to Japan of the International Red Cross Committee | | 30190 |
| 2040 | 3311 | | Affidavit of HAZEYAMA, Tetsuo | | 30195 |
| 1830 | 3312 | | Affidavit of AYABE, Kitsuju | | 30215 |
| 2038 | 3313 | | Affidavit of SAITO, Seiei | | 30229 |
| 2512 | 3314 | | Affidavit of UESUGI, Motoyuki | | 30239 |
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| 2555 | 3316 | | Affidavit of ITAGAKI, Seishiro | | 30253 |
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| 644-C | | 3317-A | Excerpt therefrom | | 30392 |
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| 644-D | | 3319 | Telegram from the Chief of Staff of the Kwantung Army to the Vice-Minister of War, dated 18 October 1935 | | 30402 |
| 2653 | 3320 | | Affidavit of SHIONO, Suehiko | | 30536 |
| 2611 | 3321 | | Affidavit of ISHIWATA, Sotaro | | 30548 |
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| 615-A(1) | 3333 | | Excerpts from MUTO Interrogatory dated 15 April 1946 | | 30617 |
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| 2057 | 3335 | | Affidavit of KAMEYAMA, Koichi | | 30623 |
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| 2642 | 3337 | | Affidavit of KAYA, Okinori | | 30634 |
| 2603 | | 3338 | Book entitled "Wartime Economic Life" | 30665 | |
| 2603-B | | 3338-A | Problems on Japanese Economic Power (KAYA Book) | | 30666 |
| 2603-A | | 3338-B | Preface to Book entitled "Wartime Economic Life" | | 30671 |
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| 2603-D | | 3338-D | Chapter "J" of the aforementioned book - Path to Patriotic Service Through Sav- ings | | 30673 |
| 2603-C | | 3338-C | Chapter "K" of the aforementioned book - Women Behind the Guns | | 30676 |
| 2551-B | | 3339 | Speech by KAYA, Okinori taken from book en- titled "Reports on Japanese-Manchukuo- China Economic Round Table Conference | | 30686 |
| 2551-C | | 3339-A | Excerpt from "Reports on the Japan-Manchu- kuo-China Economic Round Table Confer- ence (p.288-289) | | 30698 |
| 2502 | 3340 | | Affidavit of KIDO, Koichi | | 30715 |
| 1632- PP | 3341 | | Entry from Merqui KIDO's Diary for 12 December 1938 | | 31391 |
| | | 3342 | Volume of the Japan Times and Mail for January and February 1938 | 31515 | |
| 3198-A | | 3342-A | Excerpt therefrom | | 31515 |

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| 2258 | 3343 | | Affidavit of SAKUDA, Takatero (only to the extent indicated) | | 31632 |
| 2254 | 3344 | | Affidavit of KISHI, Michizo | | 31638 |
| 2255 | 3345 | | Affidavit of TAKAGI, Yasaka | | 31640 |
| 2034 | 3346 | | Affidavit of Alfred F. Kretschmer | | 31654 |
| 2599 | 3347 | | Curriculum Vitae of KIMURA, Heitaro | | 31657 |
| 2229 | 3348 | | Excerpt from War Mini- stry General Affairs Regulations (General Regulations Service Handling of Documents) | | 31658 |
| 579 | 3349 | | Regulation Concerning the Treatment of Business of War Mini- stry | | 31665 |
| 1334 | 3350 | | Regulations of the KEM- PEI (Imperial Ordin- ance No. 337 dated 29 November 1898) | | 31668 |
| 495 | 3351 | | Affidavit of SAWAMOTO, Yorio | | 31670 |
| 2600 | 3352 | | Excerpts from Military Court Martial Law | | 31676 |

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| 2693 | 3353 | | Excerpts from the Military Criminal Code (10 April 1908 - Law No. 46) | | 31684 |
| 2675 | 3354 | | Affidavit of OYAMA, Ayao | | 31688 |
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| 2676 | 3354 | | Affidavit of OYAMA, Ayao | | 31692 |
| 2569 | 3355 | | Affidavit of SEMBA, Tsutomu | | 31699 |
| 2692 | 3356 | | Affidavit of HIGASA, Ryohei | | 31712 |
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| 2573 | 3358 | | Affidavit of TANAKA, Nobuo | | 31722 |
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| 2574 | 3360 | | Affidavit of ICHIDA, Jiro | | 31733 |
| 2770 | 3361 | | Affidavit of ICHIDA, Jiro | | 31736 |
| 2681 | 3362 | | Affidavit of TAKAGI, Hidezo | | 31743 |
| 2586 | 3363 | | Affidavit of YAMAGUCHI, Eiji (Hideji) (in part only) | | 31746 |
| 955 | 3364 | | Affidavit of KAWAHARA, Naoichi (in part only) | | 31751 |

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| 3218 | | 3365 | Tables 1 to 10, re Article 27 of the War Ministry General Affairs Regulations | | 31769 |
| 638 | | 3366 | Telegram Addressed to the Vice-Minister of War KIMURA, Heitaro from the Chief of Staff of the Ha-shu Corps, dated 14 October 1941 | | 31784 |
| | | 3367 | Bound File of Correspondence from Japanese POW Information Bureau re POW Inspection visits in 1942 and 1943 | 31790 | |
| 1552 | | 3367-A | Excerpt therefrom - Item 56 | | 31790 |
| 1552 | | 3367-B | Excerpt from POW Administration File re Inspection of POW Camps on 1 December 1942 - Item 73 | | 31797 |
| 1026 | 3368 | | Affidavit of SHIBAYAMA, Kaneshiro | | 31802 |
| 954 | 3369 | | Affidavit of TANAKA, Tadakatsu | | 31809 |
| 629 | | 3370 | Telegram Addressed to the Assistant Minister of War from the Chief of Staff of the Expeditionary Force to China, dated 25 April 1942 | | 31820 |

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| 2239-A | | 3371 | Affidavit of TAKEBE, Rokuzo | | 31834 |
| 2152-A | | 3372 | Affidavit of MURAKAMI, Keisaku | | 32007 |
| | 3373 | | Photostat copy of Trac- ing of the Map (Ex- hibit No. 2175) | | 32086 |
| | 3373-A | | Original Tracing of Map (Exhibit No. 2175) | | 32088 |
| | | 3374 | Photostatic copy of Map (marked by Wit- ness Batarshin) | | 32152 |
| 2531 | 3375 | | Affidavit of KOISO, Kuniaki | | 32204 |

NOTE:

Attached hereto is the INDEX OF EXHIBITS
(Defense) from 2 September 1947 to 30 September
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| 1897 | 3052 | | Affidavit of YAMAMOTO, Chikao | | 27251 |
| | 3053 | | Book entitled "Collect-ed Volume of Head-quarters' Instruct-ions, Vol. II, Navy Section" | 27269 | |
| 1943 | 3053-A | | Excerpt therefrom - Chapter I - The Cam-paigns Against the US, the British Commonwealth and the Chinese Republic | | 27269 |
| 1943 A | 3053-B | | Further excerpt - "Air Operations" | | 27270 |
| | 3054 | | Book entitled "Collect-ed Volume of Imperial Headquarters Instruc-tions, Vol. I, Naval Section" | 27273 | |
| 1944 | 3054-A | | Excerpt therefrom - Operational Policy | | 27274 |
| 1941 | 3054-B | | Further excerpt from above Volume | | 27313 |
| 1455 | 3055 | | Regulations: The Treatment of Prison-ers of War - (Naval Ministerial Notifi-cation No. 33, dated 17 February 1904, Amended by Notifica-tion No. 407, 1941) | | 27275 |

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| 1456 | 3056 | | Report on Prisoner of War Administration made to GHQ by the Tokyo Central Liaison Office, dated 27 January 1946 | | 27278 |
| 1945 | 3057 | | Affidavit of TOMIOKA, Sadatoshi | | 27284 |
| | 3058 | | Volume entitled "Collected Volume of Imperial Headquarters Instructions Navy Section" | 27298 | |
| 1940 | 3058-A | | Excerpt therefrom - Naval General Staff Directive No. 15, dated 30 November 1941 from Chief of Naval General Staff, Admiral NAGANO, Osami to Commander-in Chief of Combined Fleet, Admiral YAMAMOTO | | 27301 |
| 2294 | 3059 | | Certificate "Instructions, Navy Department, Imperial Headquarters" | | 27303 |
| | 3060 | | Book entitled "Imperial Headquarters Naval Orders, Part III" | 27311 | |

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| 2208 | 3060-A | | Excerpt therefrom - Directive No. 282 Naval Department - Imperial General Headquarters - from NAGANO, Osami, Chief of the Naval General Staff to KOGA, Commander-in- Chief of the Com- bined Fleet | | 27311 |
| 1954 | 3061 | | Affidavit of OHASHI, Tatsuo | | 27315 |
| 1607 | 3062 | | Affidavit of OKOCHI, Denshichi | | 27325 |
| 1256 | 3063 | | Affidavit of ARIMA, Shizuka (Gen) | | 27335 |
| 1896 | 3064 | | Reply addressed to Colonel Allen from Major-General NAKA- MURA re the inquiry note addressed to the Japanese Govern- ment from GHQ after the surrender con- cerning a Japanese submarine which sunk a steamer in the Indian Ocean | | 27349 |
| 2128 | 3065 | | Affidavit of TAKATA, Toshitane | | 27356 |
| 2142 | 3066 | | Affidavit of YAMAMOTO, Yoshio | | 27374 |

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| 1954 | 3061 | | Affidavit of OHASHI, Tatsuo | | 27315 |
| 1607 | 3062 | | Affidavit of OKOCHI, Denshichi | | 27325 |
| 1256 | 3063 | | Affidavit of ARIMA, Shizuka (Gen) | | 27335 |
| 1896 | 3064 | | Reply addressed to Colonel Allen from Major-General NAKA- MURA re the inquiry note addressed to the Japanese Govern- ment from GHQ after the surrender con- cerning a Japanese submarine which sunk a steamer in the Indian Ocean | | 27349 |
| 2128 | 3065 | | Affidavit of TAKATA, Toshitane | | 27356 |
| 2142 | 3066 | | Affidavit of YAMAMOTO, Yoshio | | 27374 |

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| 1954 | 3061 | | Affidavit of OHASHI, Tatsuo | | 27315 |
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| 1896 | 3064 | | Reply addressed to Colonel Allen from Major-General NAKA- MURA re the inquiry note addressed to the Japanese Govern- ment from GHQ after the surrender con- cerning a Japanese submarine which sunk a steamer in the Indian Ocean | | 27349 |
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| 1942 | 3054-C | | Excerpt from book entitled "Collected Volume of Imperial Headquarters Instructions, Vol. I, Naval Section" - Naval General Staff Directive No. 61 dated 1 March 1942 from Chief of Naval General Staff, Admiral NAGANO, Osami to Commander-in-Chief of China Seas Fleet, Admiral KOGA | | 27387 |
| 2106 | 3067 | | Affidavit of KONDO, Jotaro | | 27391 |
| 1921 | 3068 | | Affidavit of SUGITA, Kazuki | | 27398 |
| 345 | 3069 | | Army Order No. 1 - Instructions to Japanese soldiers at the Front, dated 8 January 1941 | | 27426 |
| 415 | 3070 | | Affidavit of ICHINOHE, Kimiya | | 27431 |
| 1520 | 3071 | | Affidavit of Alfred F. Kretschmer | | 27435 |
| 1701 | 3072 | | Affidavit of INADA, Masazumi | | 27438 |
| 1253 | 3073 | | Affidavit of SAWADA, S'igeru | | 27443 |

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| 1849 | 3074 | | Affidavit of Mary Erwin Martin | | 27470 |
| 1805 | 3075 | | Affidavit of KOMODA, Koichi | | 27476 |
| 1781 | 3076 | | Affidavit of OKADA, Yoshimasa | | 27480 |
| 1782 | 3077 | | Affidavit of KOYASEKO, Kaname | | 27487 |
| 1783 | 3078 | | Affidavit of TOSHIMA, Fusataro | | 27493 |
| 1756 | 3079 | | Affidavit of SUZUKI, Teiji | | 27499 |
| 1757 | 3080 | | Affidavit of YONEYAMA, Yoneshika | | 27503 |
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| 1877 | 3083 | | Affidavit of SHIMODA, Chiyoshi | | 27529 |
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| 1806 | 3087 | | Affidavit of TAZUMI, Genzo | | 27565 |
| 2207 | 3088 | | Excerpts from Interrogation of TAZUMI, Genzo, dated 27 May 1947 | | 27573-A |
| 284 | 3089 | | Affidavit of ICHIDA, Jiro | | 27574 |
| 684 | 3090 | | Excerpt from "Biennial Report of General George C. Marshall to the Secretary of War, 1 July 1943 to 30 June 1945" | | 27596 |
| 1928 | 3091 | | Affidavit of YOSHIDA, Gompachi | | 27600 |
| 1920 | 3092 | | Affidavit of HIROKA, Junzo | | 27608 |
| 1451 | 3093 | | Affidavit of YAMAGUCHI, Fiji | | 27616 |
| | 3094 | | Volume XXV of "The Trial Record in the Case of the US vs Tomoyuki YAMASHITA" | 27624 | |
| 2035 | 3094-A | | Excerpt therefrom | | 27624 |
| 2297 | 3095 | | Affidavit of KOSHI, Saburo | | 27655 |

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| 1806 | 3087 | | Affidavit of TAZUMI, Genzo | | 27565 |
| 2207 | 3088 | | Excerpts from Interro- gation of TAZUMI, Genzo, dated 27 May 1947 | | 27573-A |
| 284 | 3089 | | Affidavit of ICHIDA, Jiro | | 27574 |
| 684 | 3090 | | Excerpt from "Biennial Report of General George C. Marshall to the Secretary of War, 1 July 1943 to 30 June 1945" | | 27596 |
| 1928 | 3091 | | Affidavit of YOSHIDA, Gompachi | | 27600 |
| 1920 | 3092 | | Affidavit of HIROKA, Junzo | | 27608 |
| 1451 | 3093 | | Affidavit of YAMAGUCHI, Eiji | | 27616 |
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| 2035 | 3094-A | | Excerpt therefrom | | 27624 |
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| 224 | 3096 | | Translation of the Telegraphic Report to Geneva of his Inspection of the POW Camp, Representative in Japan of the International Red Cross Society | | 27679 |
| | 3097 | | Manual of War-Time Service | 27689 | |
| 2090- (1) | 3097-A | | Excerpt therefrom | | 27689 |
| 2203 | 3098 | | Affidavit of NISHIURA, Susumu | | 27693 |
| 2211 | 3099 | | Affidavit of KOBAYASHI, Shujiro | | 27723 |
| 2470 | 3100 | | Affidavit of YASUDA, Tsuneo | | 27743 |
| 2140 | 3101 | | Affidavit of KODAMA, Kyuzo | | 27751 |
| 1741 | 3102 | | Affidavit of MURATA, Shozo | | 27764 |
| 2171 | 3103 | | Affidavit of WATANABE, Yasuji | | 27789 |
| 2078-A | 3104 | | Regulations Concerning the Dispatch of POW's, dated 21 October 1942, War Ministry Ordinance No. 58 | | 27796 |

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| 2078-B | 3105 | | Regulations for the Handling of Dispatched POW's (The War Ministry Notice No. 74, October 21, 1942) revised, added and deleted by the War Ministry Notice No. 41, 1943 | | 27797 |
| 2078-C | 3106 | | Frugal Consumption of Provisions, etc., Army-Asia-Secret No. 3827, May 6, 1944 | | 27797 |
| 2078-D | 3107 | | Proper Adjustment of Supplies of Daily Necessities to POW's - 7 February 1935 | | 27797 |
| 2078-F | 3108 | | Re Relief for the Dead and Injured POW's by their Employers (June 4, 1943 Regulations for POW's, Article 7, Clause 32) | | 27799 |
| 2078 | 3108-A | | Certificate of Source and Authenticity (covering foregoing documents) | | 27800 |
| 2078-G | 3109 | | Facilities for POW Camps | | 27801 |
| | | | (Exhibit cancelled) | | 27802 |
| 2173 (Revised) | 3109 | | Affidavit of ODAJIMA, Tadashi | | 27802 |

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| 2006 | 3110 | | Excerpt from the Monthly Report of the POW Intelligence Bureau, May 1943 | | 27809 |
| 2005 | 3111 | | Suggestions Regarding Improvement of Health Conditions of POW's Camps (Investigation Squad of Army Medical College) | | 27810 |
| 2004 | 3112 | | Excerpt from Tokyo POW Camp Monthly Report May Issue 1943 | | 27813 |
| 2003 | 3113 | | Instructions dated 1 February 1943 issued by General UMEZU, Commander of the Kwantung Army to the Chief Supply Officer and Officer-in-Charge of the Kwantung Army's Anti-infection and Water Supply Main Depot re strengthening the medical service at the Mukden POW Camp | | 2781 |
| 2002 | 3114 | | Excerpt from No. 2 of Monthly Report of the Mukden POW Camp - Report of work situation of the temporal prevention epidemics squad, 21 February 1943 | | 27816 |

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| 2001 | 3115 | | Letter written by Lieutenant-General YAMASHITA to Major-General Beckwith-Smith | | 27819 |
| 2113 | 3116 | | Report of Colonel HOSOI, Head of the Hakodate Prisoner's Camp | | 27822 |
| 2114 | 3117 | | Affidavit of TAKAGI, Noboru | | 27826 |
| 1997 | 3118 | | Table of Staple Foods and Subsidiary Foods, Tokyo POW's Camp - Tokyo POW's Monthly Report, April 1944 | | 27834 |
| 1995 | 3119 | | Table of Menu Scheduled and Carried Out | | 27836 |
| 1944 | 3120 | | Causes and Counter-Measures for the Chronic Cases of Diarrhoea among the POW's | | 27837 |
| 1991 | 3121 | | An excerpt from the Monthly Report on the POW (Doc. No. 12) issued on 31 December 1944 - Gratitude Expressed by the POW's at the Tokyo POW Camp | | 27843 |
| 1993 | 3122 | | Letter from Sidney E. Seid, Captain, Medical Corps, U.S. Army, to the Medical Director and Staff, Seitetsu Hospital, Hirohata, Japan | | 27846 |

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| 1989 | 3123 | | Examples of Officer POW's Voluntary Work | | 27855 |
| 2109-A | 3124 | | Excerpt from the Tokyo POW's Internment Camp Monthly Report (March 1943) | | 27878 |
| 2109-B | 3125 | | Excerpt from the Fukuoka POW's Camp Monthly Report (June 1944) | | 27880 |
| 2109-C | 3126 | | Excerpt from the Monthly Report by the Zentsuji POW's Camp (November 1944) | | 27883 |
| 2093 | 3127 | | Affidavit of KUBOTA, Tokujiro | | 27886 |
| 1433 | 3128 | | Reports on Treatment of POW in Prisoner's Camps in Japan Proper | | 27894 |
| 1027 | 3129 | | Military Police Report No. 352 - Report on the Matter Concerning the Investigation of the American Airmen who Raided the Japanese Homeland | | 27902 |
| 1027-B | 3130 | | Telegram from Chief of General Staff to Commanding General of the China Expeditionary Forces, dated 10 October 1942 | | 27904 |

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| 1027-C | 3131 | | Measures for the Disposition of the American Airmen who Raided the Homeland | | 27905 |
| 1027-H | 3132 | | An Order from the Chief of General Staff re the Court Martial of Enemy Airmen who commit Atrocities | | 27908 |
| 2201 | 3133 | | Articles Concerning the Punishment of POW's (28 February 1905, Law No. 38) | | 27909 |
| 1817 | 3134 | | Affidavit of OYAMA, Ayao | | 27913 |
| 1818 | 3135 | | Judgment in the above court-martial showing correct names and certificate attached thereto | | 27917 |
| 1931 | 3136 | | Excerpt from the International Red Cross Report of January 1944 | | 27917 |
| 2111 | 3137 | | (Description of this document not available - to be shown on tomorrow's record) | | 27922 |
| 2111 | 3137 | | Affidavit of Charles Ream Jackson, Warrant Officer, U. S. Marine Corps | | 27926 |

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| 1027-H | 3132 | | An Order from the Chief of General Staff re the Court Martial of Enemy Airmen who com- mit Atrocities | | 27908 |
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| 1818 | 3135 | | Judgment in the above court-martial show- ing correct names and certificate attached thereto | | 27917 |
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| 2111 | 3137 | | (Description of this document not avail- able - to be shown on tomorrow's re- cord) | | 27922 |
| 2111 | 3137 | | Affidavit of Charles Ream Jackson, Warr- and Officer, U. S. Marine Corps | | 27926 |

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| 2076 | 3138 | | Telegraphic Report of the International Red Cross, dated August 1945 | | 27938 |
| 2296 & 2296-1 | 3139 | | Series of Letters of Appreciation to the POW Camp Commanders in Japan | | 27941 |
| 2214 | 3140 | | List of POW Camps Inspection in 1942 | | 27949 |
| 2141 | 3141 | | Statement by Father Marella | | 27953 |
| 2244 | 3142 | | Record of the Court-Martial of three POW's | | 27963 |
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| 1656 | 3145 | | Book entitled "Outline of Treaties and Proceedings Between Japan, Italy and Germany" | 27984 | |
| 1656-A | 3145-A | | Excerpts therefrom | | 27985 |
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| 2076 | 3138 | | Telegraphic Report of the International Red Cross, dated August 1945 | | 27938 |
| 2296 & 2296-1 | 3139 | | Series of Letters of Appreciation to the POW Camp Commanders in Japan | | 27941 |
| 2214 | 3140 | | List of POW Camps Inspection in 1942 | | 27949 |
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| 1656 | 3145 | | Book entitled "Outline of Treaties and Proceedings Between Japan, Italy and Germany" | 27984 | |
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| | 3148 | | Book entitles "History of the Chinese Communist Party for the Year 1932" | 28036 | |
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| 2463 | 3154 | | Affidavit of BABA, Shachi | | 28053 |
| 1801 | 3155 | | Map of the Hailar Sappa Area prepared by the Japanese Land Survey Department showing the Manchukuo-Mongolia Border following the River Khalkin | | 28062 |

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| 1802-A to 1802-E | 3156 3156-A to 3156-D | | Set of five Maps prepared by the Japanese Land Survey Department from 1933 to 1936 - the Nomonhan Area showing the Manchukuo-Mongolia Boundary follows the Khal-kin-Gol from Lake Buir Nor | | 28063 |
| 1803-A to 1803-F | 3157 3157-A to 3157-E | | Set of six Maps (taken from exhibit No. 2713) | | 28064 |
| 2483 | 3158 | | Affidavit of H.G.W. Woodhead (with the exception of paragraphs 10 and 11) | | 28075 |
| 2239 | 3159 | | Affidavit of KASHIWA, Toku | | 28085 |
| 2242 | 3160 | | Chart showing a breakdown of the Indictment as it concerns the Accused ARAKI, Sadao | 28121 | |
| 2488 | 3161 | | Affidavit of ARAKI, Sadao | | 28124 |
| 2487 | 3162 | | Handwritten Statement given Flton M. Hyder on 11 February 1946 by ARAKI, Sadao | | 28244 |

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| | 3163 | | Book entitled "A Diplomatic History of the Shanghai Incident (printed in Japanese) | 28257 | |
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| 2406 | 3164-A | | Excerpts (4) therefrom | | 28364 |
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| 620-P | 3165-A | | Excerpt therefrom | | 28380 |
| 2010 | 3166 | | Letter dated 20 January 1934 from ARAKI, Sadao to His Excellency the Premier Viscount Minoru SAITO - Basic Suggestions for the Emergency | | 28429 |

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| 1882 | 3167 | | The Stenographic Record of the Proceedings of the 61st Session of the House of Peers in the Imperial Diet, No. 2, dated 23 March 1932 - Report by ARAKI, Sadao, Minister of State | | 28436 |
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| 1490 | 3183--A | | Excerpt therefrom - "Reestablishment of our Policies Toward China" written by DOHIHARA, Kenji | | 28698 |
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| 2499 | 3191 | | Excerpt from Prosecution Exhibit No. 734-A - The Special Secret Report from Turkey No. 5, dated 15 November 1929. Situation in the Caucasasia and its Strategic use for the purpose of Sabotage Activities - Sender: HASHIMOTO, Kingcro, Artillery Major to: The Assistant-chief of the Army General Staff OKAMOTO, Renichiro | | 28765 |
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| 2008 | 3202 | | Affidavit of NODA, Kengo | | 28995 |
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| 2526 | 3210 | | Affidavit of MATSUKI, Tamotsu | | 29105 |
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| | 3212 | | Volume I of the Interrogation of HOSHINO | 29127 | |
| 606-A-1 | 3212-A | | Excerpt therefrom | | 29127 |
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| 2551 | | 3215 | Book entitled "Reports on Japanese-Manchukuo-China Economic Round Table Conference | 29154 | |
| 2551-A | | 3215A | Excerpt therefrom - Speech of HOSHINO, Naoki, Chief of General Affairs, State Affairs Board, Manchukuo, dated 3 December 1938 | | 29159 |
| 755 | 2797-A | | Paragraph B, page 7 - The New Economic Structure (Keizai Shin Taisei) and Major Industries Association Ordinance | | 29164 |

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| 1500- C-7 | 3224 | | Telegram reply from the President of the United States to the Accused HIRANUMA | | 29217 |
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| 2225 | 3232 | | October 15, 1932 issue of "Tokyo Asahi Shim-bun" (No. 16692) - Newspaper Article by Ambassador HIROTA, Koki | | 29380 |
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| 2614 | 3205-B | | Sworn Statement of KANZAKI, Masayoshi | | 29403 |
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| | 3235 | | Pamphlet entitled "Collection of the Publications in Connection with the Negotiations for the Purchase of North Manchuria Railway" | 29435 | |
| 2509 | 3235-A | | Excerpt therefrom | | 29435 |
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| 2018 | 3247 | | The Address of Mr. HIROTA, Koki, Minister for Foreign Affairs at the 67th Session of the Imperial Diet 22 January 1935 | | 29591 |
| 2162 | 3248 | | Stenographic Record of the House of Peers at the 67th Session of the Imperial Diet 25 January 1935 - Answer of the Minister of State HIROTA, Koki | | 29601 |
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| 2505 | 3252 | | Statement taken from Litvinov's "Foreign Policy of the Soviet Union", published by the State Publishing Institute, Moscow, 1937 | | 29616 |
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| 2217 | 3254 | | Telegram sent by Mr. HIROTA, Minister for Foreign Affairs on 28 September 1935 and addressed to the Japanese Ambassadors in China, Manchukuo, Japanese Charge d'Affaires at Peiping, Japanese Consul-Generals at Tientsin, Tsinan, Tsingtao, Nanking, Hankow, Foochow, Amoy and Canton | | 29625 |
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| 979 | 3257 | | Two telegrams dated 21 November 1935 from Consul-General SUMA to Foreign Minister HIROTA - Report of a Conversation between the Japanese Ambassador to China ARIYOSHI and Chiang-Kai-shek | | 29635 |
| 2603 | 3258 | | Affidavit of TSUGITA, Daisaburo | | 29648 |
| 2596 | 3259 | | Affidavit of INO, Hiroya | | 29658 |
| 2146 | 3260 | | Affidavit of HORINOUCI, Kensuke | | 29682 |
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| 979 | 3257 | | Two telegrams dated 21 November 1935 from Consul-General SUMA to Foreign Minister HIROTA - Report of a Conversation between the Japanese Ambassador to China ARIYOSHI and Chiang-Kai-shek | | 29635 |
| 2603 | 3258 | | Affidavit of TSUGITA, Daisaburo | | 29648 |
| 2596 | 3259 | | Affidavit of INO, Hiroya | | 29658 |
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| 2536 | 3261 | | Affidavit of HAYASHI, Kaoru | | 29707 |

NOTE: Attached hereto is the INDEX OF EXHIBITS
(Defense) from 4 August 1947 to 29 August
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| 501 | 2766 | | Far East Year Book of 1941 | 24827 | |
| 501-A | 2766-A | | Chart Showing Foreign Trade of Japan Proper 1928 to 1940 | | 24832 |
| 501-B | 2766-B | | Japan's Position in the Foreign Trade of Leading Countries, 1938 | | 24832 |
| 1786 | 2767 | | Affidavit of OKADA, Kikusaburo | | 24853 |
| 880 | 2768 | | U.S. Dept of State Interim Research and Intelligence Service Report, 31 October 1945 - Japanese War Production Industries Part IV - The Shipbuilding Industry | | 24907 |
| 501-E | 2769 | | Excerpt from the Far East Year Book of 1941 | | 24934 |
| 501-D | 2770 | | Excerpt from the Far East Year Book of 1941 | | 24940 |

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| | 2771 | | Book entitled "Steno-graphic Record No. 3 of the proceedings of the 57th Session of the House of Representatives, the Imperial Diet, 21 January 1930 | 24948 | |
| 1763 | 2771-A | | Excerpt therefrom - Statement of Minister HAMAGUCHI re the Gold Embargo | | 24949 |
| 1753 | 2771-B | | Excerpt from the Official Gazette of 28 April 1930 - Statement of TAWARA re Industrial Policies | | 24959 |
| 1765 | 2771-C | | Excerpt from the Official Gazette of 9 May 1930 - Speech of Mr. MAEDA re Introduction of the Shipping Guild Law Bill | | 24965 |
| | 2772 | | Book entitled "Steno-graphic Record No. 28 of the proceedings of the 59th Session of the House of Representatives, the Imperial Diet, 28 February 1931 | 24968 | |
| 1737 | 2772-A | | Excerpt therefrom - Statement of Minister TAWARA re Introduction of the Major Industries Control Bill | | 24968 |

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| | 2773 | | Book entitled "Steno- graphic Record No. 4 of the proceedings of the 62nd Session of the House of Re- presentatives, the Imperial Diet, 4 June 1932 | 24969 | |
| 1736 | 2773-A | | Excerpt therefrom - Statement of Mini- ster TAKAHASHI ex- plaining the Capit- al Flight Prevention Bill | | 24969 |
| | 2774 | | Book entitled "Steno- graphic Record No. 14 of the proceed- ings of the 64th Session of the House of Representatives, the Imperial Diet, 16 February 1933 | 24971 | |
| 1721 | 2774-A | | Excerpt therefrom - Statement of Mini- ster TAKAHASHI re Introduction of the Foreign Exchange Control Bill | | 24971 |
| 1722 | 2774-B | | Excerpt - Statement of Minister NAKAJIMA re the Introduction of Bill to Establish Japan Iron Manufac- turing Company | | 24975 |

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| | 2773 | | Book entitled "Steno- graphic Record No. 4 of the proceedings of the 62nd Session of the House of Re- presentatives, the Imperial Diet, 4 June 1932 | 24969 | |
| 1736 | 2773-A | | Excerpt therefrom - Statement of Mini- ster TAKAHASHI ex- plaining the Capit- al Flight Prevention Bill | | 24969 |
| | 2774 | | Book entitled "Steno- graphic Record No. 14 of the proceed- ings of the 64th Session of the House of Representatives, the Imperial Diet, 16 February 1933 | 24971 | |
| 1721 | 2774-A | | Excerpt therefrom - Statement of Mini- ster TAKAHASHI re Introduction of the Foreign Exchange Control Bill | | 24971 |
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| 1688 | 2775 | | Affidavit of ADACHI, Yasuo | | 24980 |
| | 2776 | | Book entitled "Steno- graphic Record No. 3 of the proceedings of the 65th Session of the House of Re- presentatives, the Imperial Diet, 23 January 1934 | 24995 | |
| 1839 | 2776-A | | Excerpt therefrom - Speech of Minister TAKAHASHI re General Trend of the World Economy | | 24995 |
| | 2777 | | Book entitled "Steno- graphic Record No. 18 of the proceed- ings of the 65th Session of the House of Representatives, the Imperial Diet, 3 March 1934 | 24998 | |
| 1750 | 2777-A | | Excerpt therefrom - Speech of Minister MATSUMOTO re the Petroleum Control Bill | | 24998 |
| 1752 | 2777-B | | Excerpt - Statement of Minister TAKAHASHI re Adjustment of Trade and Protection of Commerce Bill | | 25000 |

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| | 2776 | | Book entitled "Steno- graphic Record No. 3 of the proceedings of the 65th Session of the House of Re- presentatives, the Imperial Diet, 23 January 1934 | 24995 | |
| 1839 | 2776-A | | Excerpt therefrom - Speech of Minister TAKAHASHI re General Trend of the World Economy | | 24995 |
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| 1750 | 2777-A | | Excerpt therefrom - Speech of Minister MATSUMOTO re the Petroleum Control Bill | | 24998 |
| 1752 | 2777-B | | Excerpt - Statement of Minister TAKAHASHI re Adjustment of Trade and Protection of Commerce Bill | | 25000 |

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| | 2778 | | Book entitled "Steno- graphic Record No. 7 of the proceedings of the 69th Session of the House of Re- presentatives, the Imperial Diet, 12 May 1936 | 25002 | |
| 1734 | 2778-A | | Excerpt therefrom - Statement of Mini- ster OGAWA re Auto- mobile Industry Con- trol Bill | | 25002 |
| | 2779 | | Book entitled "Short- hand Record No. 3 of the proceedings of the 70th Session of the House of Re- presentatives, the Imperial Diet, 22 January 1937 | 25005 | |
| 1766 | 2779-A | | Excerpt therefrom - Speech of Mr. SAKU- RAUCHI re Policies aimed at promoting and development of Industry | | 25005 |
| | 2780 | | Book entitled "Steno- graphic Record No. 3 of the proceedings of the 70th Session of the House of Re- presentatives, the Imperial Diet, 22 January 1937 | 25008 | |

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| 1768 | 2780-A | | Excerpt therefrom - Statement of Minister BABA re Foreign Exchange Act | | 25008 |
| 1767 | 2780-B | | Excerpt - Speech of Minister YUKI re the Development of Foreign Trade | | 25009 |
| 1764 | 2780-C | | Excerpt - Speech of Minister YUKI re Introduction of the Bill Concerning Exports Control Tax Law | | 25011 |
| | 2781 | | Book entitled "Stenographic Record No. 5 of the proceedings of the 71st Session of the House of Representatives, the Imperial Diet, 29 July 1937 | 25013 | |
| 1724 | 2781-A | | Excerpt therefrom - Speech of Minister YOSHINO re the Synthetic Oil Industry Bill and Imperial Fuel Development Company Bill | | 25013 |
| 1933 | 2782 | | Affidavit of OKAZAKI, Ayakoto | | 25017 |

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| 1745 | 2783 | | Excerpt from the Official Gazette of 3 August 1937 - Speech of Mr. KOGURE re the Introduction of the Bill Concerning Adjustment of Foreign Trade Before the House of Representatives on 2 August 1937 | | 25027 |
| 1746 | 2784 | | Extract from the Official Gazette of 6 August 1937 - Statement of Government Commissioner OTA re the Gold Production Law | | 25033 |
| 1723 | 2785 | | Excerpt from the Official Gazette of 5 September 1937 - Speech of Mr. YOSHINO re the Bill relating to Imports and Exports | | 25039 |
| 1751 | 2786 | | Excerpt from the Official Gazette of 6 September 1937 - Speech of Mr. NAGAI re the Bill for the Temporary Control of Shipping | | 25041 |
| 1797 | 2787 | | Excerpt from the Official Gazette of 10 September 1937 re Law Providing for Emergency Trading in Rice | | 25044 |

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| 1843 | 2788 | | The Temporary Fund Adjustment Law No. 86, passed 10 September 1937 | | 25045 |
| 1955 | 2789 | | Affidavit of HASUMI, Yasushi | | 25050 |
| 1798 | 2790 | | Excerpt from the Official Gazette of 10 September 1937 - re the Temporary Law Controlling Shipping | | 25052 |
| 1799 | 2791 | | Law Relating to Temporary Measures Concerning Exports and Imports promulgated on 10 September 1937 | | 25053 |
| | 2792 | | Book entitled "Stenographic Record No. 6 of the proceedings of the 73rd Session of the House of Representatives, the Imperial Diet, 25 January 1938 | 25054 | |
| 1726 | 2792-A | | Excerpt therefrom - Speech of Minister NAGAI re the Introduction of the four Bills re Control of Electric Power | | 25055 |

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| 1727 | 2792-B | | Excerpt from the Official Gazette of 23 February 1938 - Statement of Committeeman KOGURE re Bill to promote the production of important Minerals | | 25058 |
| 1738 | 2792-C | | Excerpt from the Official Gazette of 25 February 1938 - Speech of Mr. SAITO re the National General Mobilization Bill | | 25061 |
| 1729 | 2793 | | Excerpt from the Official Gazette - Statement of Committeeman KOGURE re the Introduction of the Bill for the Machine Tool Industry | | 25063 |
| 1749 | 2794 | | Excerpt from the Official Gazette of 18 March 1938 - Statement of Prince KONOYE re the National Mobilization Bill | | 25065 |
| | 2795 | | Book entitled "Stenographic Record No. 24 of the proceedings of the 74th Session of the House of Representatives, the Imperial Diet, 17 March 1939 | 25072 | |

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| 1769 | 2795-A | | Excerpt from the Official Gazette - Speech of Minister YOSHIAKI re the Introduction of the Bill for Light-Metals Manufacturing Industries | | 25073 |
| | 2796 | | Book entitled "Stenographic Record No. 24 of the proceedings of the 75th Session of the House of Representatives, the Imperial Diet, 11 March 1940 | 25076 | |
| 1840 | 2796-A | | Excerpt from the Official Gazette - Speech of Minister FUJIWARA re the Bill for Coal Supply Control Law | | 25076 |
| 1841 | 2796-B | | Excerpt from the Official Gazette - Statement by Mr. KATO re the Bill relating to Synthetic Chemical Industries | | 25078 |
| 755 | 2797 | | U.S. Dept of State Interim Research and Intelligence Service Report, 31 October 1945 - Japanese War Production Industries, Part I - Development of War Production Controls | | 25090 |

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| 1836 | 2798 | | Book entitled "Imperial Economic Conference at Ottawa in 1932" | 25108 | |
| 1400-D-4 | 2799 | | Letter from Ambassador HORINOUCHI to the U.S. Secretary of State dated 6 January 1940 | | 25153 |
| | 2800 | | Book entitled "Peace and War", an official publication of the Department of State, USA | 25168 | |
| 401-(39) | 2800-A | | Excerpt therefrom - Instructions to Ambassador Grew | | 25168 |
| 1400-F-4 | 2801 | | Proclamation No. 2413 signed by President Roosevelt 2 July 1940 | | 25181 |
| 1400-G-4 | 2801-A | | Press Release issued by the White House on 2 July 1940 re HR Bill 9850 signed by President Roosevelt | | 25192 |
| 1400-H-4 | 2801-B | | Proclamation No. 2417 signed by President Roosevelt 26 July 1940 | | 25193 |

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| 1400- I-4 | 2801-C | | Regulation signed by President Roosevelt 26 July 1940 re Pe- troleum Products, Tetraethyl lead and Iron and Steel | | 25193 |
| 1924 | 2802 | | Affidavit of UEMURA, Kogoro | | 25198 |
| 1400- L-4 | 2803 | | Proclamation No. 2423 signed by President Roosevelt 12 Septem- ber 1940 | | 25219 |
| 1400- N-4 | 2804 | | Press Release issued by the White House on 26 September 1940 | | 25222 |
| 1400- O-4 | 2805 | | Regulation signed by President Roosevelt 30 September 1940 defining use of "iron and steel scrap" | | 25222 |
| 1400- R-4 | 2806 | | Press Release issued by the White House on 15 October 1940 | | 25227 |
| 1400- W-4 | 2807 | | Executive Order No. 8607 signed by Presi- dent Roosevelt 10 December 1940 | | 25233 |
| 1400- Y-4 | 2808 | | Proclamation No. 2451 signed by President Roosevelt 20 Decem- ber 1940 | | 25240 |

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| 1400- B-5 | 2809 | | Executive Order No. 8631 signed by Presi- dent Roosevelt 10 January 1941 | | 25250 |
| 1400- C-5 | 2810 | | Executive Order No. 8668 signed by Presi- dent Roosevelt 4 Feb- ruary 1941 | | 25251 |
| 1400- D-5 | 2811 | | Executive Order No. 8669 signed by Presi- dent Roosevelt 4 Feb- ruary 1941 | | 25252 |
| 1400- E-5 | 2812 | | Executive Order No. 8693 signed by Presi- dent Roosevelt 25 February 1941 | | 25253 |
| 1400- F-5 | 2813 | | Executive Order No. 8694 signed by Presi- dent Roosevelt 25 February 1941 | | 25254 |
| 1400- G-5 | 2814 | | Executive Order No. 8702 signed by Presi- dent Roosevelt 4 March 1941 | | 25255 |
| 1400- H-5 | 2815 | | Executive Order No. 8703, signed by President Roosevelt 4 March 1941 | | 25258 |
| 1400- I-5 | 2816 | | Proclamation No. 2468, signed by President Roosevelt 27 March 1941 | | 25259 |

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| 1400- J-5 | 2817 | | Proclamation No. 2475, signed by President Roosevelt 14 April 1941 | | 25260 |
| 1400- K-5 | 2818 | | Proclamation No. 2476, signed by President Roosevelt 14 April 1941 | | 25260 |
| 1400- G-6 | 2819 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931- 1941 Vol II - Memo- randum of a Conver- sation, Washington, 28 May 1941 | | 25261 |
| 1400- L-5 | 2820 | | Press Release Issued by the Department of State 28 May 1941 | | 25262 |
| 1731 | 2821 | | Affidavit of ISHIZAWA, Yutaka | | 25269 |
| 1311 | 2822 | | Demands Against the Dutch Indies (print- ed in Japanese - with pencil mark- ings) | 25293 | |
| 1400- M-5 | 2823 | | Memorandum by the Acting Secretary of State, Washington, 18 July 1941 | | 25303 |
| 401- B(7) | 2824 | | Excerpt from "Peace and War", U.S. For- eign Policy, 1931- 1941 | | 25305 |

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| 1400- K-3 | 2825 | | The Director of the War Plans Division of the Navy Department (Rear Admiral Turner) to the Chief of Naval Operations (Admiral Stark) - Memorandum dated Washington, 21 July 1941 | | 25308 |
| 1500- E-3 | 2826 | | Excerpt from Exhibit No. 33 of the Joint Committee on the Investigation of the Pearl Harbour Attack - Congress of the U.S., 79th Congress, First Session - Memorandum from Brigadier General Sherman Miles to the Chief of Staff, dated 25 July 1941 | | 25311 |
| 1400- R-5 | 2827 | | Excerpt from Radio Bulletin No. 176 issued by the White House on 25 July 1941 | | 25316 |
| 1500- K-2 | 2828 | | Excerpt from Exhibit No. 32 of the Joint Committee on the Investigation of the Pearl Harbour Attack - Congress of the U. S., 79th Congress, First Session - Messages Between War Department and Hawaii from 8 July to 7 September 1941 | | 25319 |

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| 1400- N-5 | 2829 | | Press Release Issued Poughkeepsie, New York, by the White House on 25 July 1941 | | 25321 |
| 220 | 2830 | | The Japanese Minister for Foreign Affairs (Toyoda) to the American Ambassador in Japan (Grew) dated Tokyo, 25 July 1941 | | 25323 |
| 401- (59) | 2831 | | Freezing of Japanese Assets in the United States | | 25326 |
| 1400- O-5 | 2832 | | Executive Order No. 8832, signed by President Roosevelt 26 July 1941 | | 25327 |
| | 2833 | | Publication "Pearl Harbour Attack - Part 5" | 25335 | |
| 1500- S-4 | 2833-A | | Excerpt therefrom | | 25335 |
| 1980 | 2834 | | Affidavit of SHIINA, Etsusaburo | | 25353 |
| 206- E-94 | 2835 | | Excerpt from the for- mer U.S. Ambassador Grew's Diary entitl- ed "Ten Years in Japan" - Conversat- ion between Mr. Grew and Mr. TERASAKI | | 25359 |

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| 206- E-(95) | 2836 | | Excerpt from the former U. S. Ambassador Grew's Diary entitled "Ten Years in Japan" - Conversation between Mr. Grew and Prince KONOYE | | 25368 |
| 206- E-(99) | 2837 | | The Ambassador in Japan Reports to the Secretary of State | | 25375 |
| 1400- H-3 | 2838 | | Memorandum by the Ambassador in Japan (Grew), dated 10 November 1941 | | 25394 |
| 401- B(8) and (9) | 2839 | | Excerpts from "Peace and War" - U. S. Foreign Policy, 1931-1941 | | 25395 |
| 2007 | 2840 | | (See Document) | | 25408 |
| 1762-A | 2841 | | Affidavit of ISHI-BASHI, Tansan | | 25421 |
| 401- (12) | 2842 | | Excerpt from "Peace and War" - National Defense | | 25435 |
| 401- (22) | 2843 | | Excerpt from "Peace and War" - European Crisis 1938 - U. S. Rearmament | | 25440 |

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| | 2844 | | Proceedings of the Joint Committee on the Investigation of the Pearl Harbour Attack - Congress of the U.S., 79th Congress, First Session | 25447 | |
| 1500-0-4 | 2844-A | | Excerpt therefrom - Testimony of Admiral R. F. Ingersoll, dated 12 February 1946 | | 25447 |
| 401-(23) | 2845 | | U. S. Rearmament - Excerpt from "Peace and War" | | 25450 |
| 401-(31) | 2846 | | Excerpt from "Peace and War" - Defense Measures of the U.S. 1940 - President Roosevelt's Request for 50,000 planes | | 25469 |
| 401-(43) | 2847 | | Excerpt from "Peace and War" - European War 1941 - The Four Freedoms | | 25493 |
| 401-(44) | 2848 | | Lend-Lease Act | | 25495 |
| | 2849 | | Proceedings of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session | 25531 | |

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| 1500- P-4 | 2849-A | | Excerpt therefrom - Testimony of Admiral Harold R. Stark, dated 11 April 1946 | | 25532 |
| | 2850 | | Part 20 of the Hear- ings before the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U. S. | 25536 | |
| 1500- N-5 | 2850-A | | Excerpt therefrom - Telegram dated 9 May 1941 from Lauchlin Currie to the Presi- dent of the U.S. re Aircraft Program for China and the Reply of President Roose- velt dated 15 May 1941 | | 25536 |
| | 2851 | | Excerpt from Exhibit No. 50 of the Joint Committee on the In- vestigation of the Pearl Harbour Attack, Congress of the U.S. | 25547 | |
| 1500- T-4 | 2851-A | | Excerpt therefrom - American, Dutch, British Conversat- ions, Singapore, April 1941 | | 25547 |
| 401- (47) | 2852 | | Secretary Hull's Ad- dress of 24 April 1941 | | 25560 |

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| | 2853 | | Proceedings of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Con- gress, First Session | 25564 | |
| 1500- R-4 | 2853-A | | Excerpt therefrom - Testimony of Admiral Richmond Kelly Tur- ner, 20 December 1945 | | 25565 |
| 401- (51) | 2854 | | Excerpt from the Offi- cial Publication "Peace and War" re meeting at sea of President Roosevelt and Prime Minister Churchill re supply- ing of Munitions of War under the Lend- Lease Act | | 25576 |
| 1500- 0-3 | 2855 | | Excerpt from Exhibit No. 37 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session | | 25578 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1500- H-3 | 2856 | | Excerpt from Exhibit No. 33 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Military Intelligence Estimates prepared by G-2, War Department, Washington, D. C., 2 September 1941 | | 25584 |
| 1500- S-3 | 2857 | | Excerpt from Exhibit No. 37 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Basic Exhibit of Despatches - Top Secret Naval Despatch dated 23 November 1941 | | 25604 |
| 1500- N-2 | 2858 | | Excerpt from Exhibit No. 32 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Messages Between War Department and Hawaii from 8 July to 7 September 1941 | | 25607 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1500- A-5 | 2859 | | Excerpt from Exhibit No. 17 of the Joint Committee of the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Memorandum for the President dated 27 November 1941 | | 25612 |
| 1500- P-2 | 2860 | | Excerpt of Exhibit No. 32 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Messages Between War Department and Hawaii from 8 July to 7 September, 1941 | | 25620 |
| 1500- O-2 | 2861 | | Excerpt of Exhibit No. 32 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Secret Message dated 27 November 1941 from General Marshall to General Short in Hawaii | | 25621 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1500- Q-2 | 2862 | | Excerpt from Exhibit No. 32 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Dispatch from General Marshall to General MacArthur in the Philippines, dated 27 November 1941 | | 25622 |
| 1500- U-4 | 2863 | | Excerpt of Exhibit No. 45 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Memorandum for the Chief of Staff from Brigadier-General Gerow, dated 27 November 1941 | | 25624 |
| 1500- W-3 | 2864 | | Excerpt of Exhibit No. 37 of the Joint Committee on the Investigation of the Pearl Harbour Attack, Congress of the U.S., 79th Congress, First Session - Top Secret Dispatch from the Office of Naval Operations to Commanders in the Pacific re Sabotage due to critical negotiations with Japan, dated 8 November 1941 | | 25631 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1500- V-5 | 2865 | | Excerpts from Pearl Harbour Attack, U.S. Government Printing Office, Washington, 1946 - Memoirs of Prince KONOYE | | 25670 |
| 1500- Z-5 | 2866 | | Further excerpt from the Memoirs of Prince KONOYE - The Progress of Japanese-American Negotiations During the Time of the 2nd and 3rd KONOYE Cabinets - March 1942 | | 25672 |
| 1400- A-6 | 2867 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum by the Secretary of State, Washington, 8 March 1941 | | 25676 |
| 1400- B-6 | 2868 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum by the Secretary of State, Washington, 14 March 1941 | | 25678 |
| 1400- C-6 | 2869 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum by the Secretary of State, Washington, 14 April 1941 | | 25681 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1400- A-1 | 2870 | | Note, dated 17 April 1941, from Ambassa- dor NOMURA to Prince KONOYE | | 25683 |
| 1401- B-1 | 2871 | | Note, dated 18 April 1941, from Ambassa- dor NOMURA to Prince KONOYE | | 25685 |
| 1400- C-1 | 2872 | | Note, dated 8 May 1941, from Ambassador NO- MURA to MATSUOKA | | 25701 |
| 1400- D-6 | 2873 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931- 1941" Vol II - Memo- randum of a Conversa- tion Between Secre- tary Hull and Ambassa- dor NOMURA on 16 May 1941 | | 25712 |
| 1400- E-6 | 2874 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Informal and Unofficial Oral Statement handed by Secretary of State to the Japanese Am- bassador NOMURA 16 May 1941 | | 25715 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1400- F-6 | 2875 | | Excerpt from "Foreign Relations of the U.S. Japan : 1931-1941" Vol II - Memorandum of a Conversation Between Secretary Hull and the Japanese Ambassador on 20 May 1941 | | 25720 |
| 1967 | 2876 | | Excerpt from book entitled "Peace and War U. S. Foreign Policy 1931-1941" published by the U. S. Government Printing Office, Washington, 1943 - Radio Address Delivered by President Roosevelt from Washington 27 May 1941 | | 25722 |
| 1500- W-5 | 2877 | | Excerpts from Pearl Harbour Attack - Memoirs of Prince KONOYE, Vol. 20 | | 25726 |
| 1400- I-6 | 2878 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum of a Conversation Between Mr. Hamilton and others for the U.S. and Mr. WIKAWA and others for Japan on 2 July 1941 | | 25729 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1400- J-6 | 2879 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum of a Conversation Between Ambassador NOMURA and State Department Officials on 5 July 1941 | | 25731 |
| 1400- A-8 | 2880 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum of a Conversation Between Japanese and American Diplomats in Washington on 2 July 1941 | | 25738 |
| 1400- H-6 | 2881 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Memorandum of a Conversation Between the Assistants of the Secretary of State and the Japanese Ambassador on 17 June 1941 | | 25740 |
| 1401- D-1 | 2882 | | Report of Ambassador NOMURA to Foreign Minister TOYODA on 24 July 1941 of his interview with President Roosevelt | | 25750 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1901 | 2883 | | Memorandum handed to Ambassador Grew by Foreign Minister TOYODA on 26 July 1941 | | 25752 |
| 1401- F-1 | 2884 | | Japan's Reply sent by Foreign Minister TOYODA to Ambassador NOMURA on 5 August 1941 | | 25756 |
| 1401- G-1 | 2885 | | Proposal Foreign Minister TOYODA sent to Ambassador NOMURA on 5 August 1941 | | 25759 |
| 1401- H-1 | 2886 | | Report of Ambassador NOMURA to Foreign Minister TOYODA re the latest Japanese Proposal to Secretary Hull, dated 6 August 1941 | | 25764 |
| 1401- J-1 | 2887 | | Instructions sent to Ambassador NOMURA from Foreign Minister TOYODA on 7 August 1941 | | 25772 |
| 1401- K-1 | 2888 | | Ambassador NOMURA's Account of Meeting of President Roosevelt and Prime Minister Churchill at sea on 17 August, 1941, dated 18 August 1941 | | 25776 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1400- K-6 | 2889 | | Excerpt from "Foreign Relations of the U.S. Japan: 1931-1941" Vol II - Statement handed by the President of the US to the Japanese Ambassador NOMURA on 17 August 1941 | | 25780 |
| 1400- C-8 | 2890 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Oral Statement handed by President Roosevelt to the Japanese Ambassador NOMURA on 17 August 1941 | | 25782 |
| 1400- L-6 | 2891 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Ambassador in Japan (Grew), dated 18 August 1941 | | 25784 |
| 1400- M-6 | 2892 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - The Ambassador in Japan (Grew) to the Secretary of State, Report dated 18 August 1941 | | 25790 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- M-1 | 2893 | | Telegram from Ambassa- dor NOMURA to Foreign Minister TOYODA dated 29 August 1941 re Talk he had with Secretary Hull for a Meeting | | 25794 |
| 1401- N-1 | 2894 | | Report of Ambassador NOMURA to his Govern- ment re the meeting, dated 3 September 1941 | | 25798 |
| 1401- O-1 | 2895 | | Telegram from Foreign Minister TOYODA to Ambassador NOMURA on 4 September 1941 | | 25801 |
| 1400- O-6 | 2896 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Comment by the Ambassador in Japan (Grew), dated Tokyo, 5 September 1941 | | 25805 |
| 1401- P-1 | 2897 | | Telegram of Ambassa- dor NOMURA to For- eign Minister TOY- ODA, dated 8 Sept- ember 1941 re War Sentiment in Amer- ica | | 25812 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- M-1 | 2893 | | Telegram from Ambassa- dor NOMURA to Foreign Minister TOYODA dated 29 August 1941 re Talk he had with Secretary Hull for a Meeting | | 25794 |
| 1401- N-1 | 2894 | | Report of Ambassador NOMURA to his Govern- ment re the meeting, dated 3 September 1941 | | 25798 |
| 1401- O-1 | 2895 | | Telegram from Foreign Minister TOYODA to Ambassador NOMURA on 4 September 1941 | | 25801 |
| 1400- O-6 | 2896 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Comment by the Ambassador in Japan (Grew), dated Tokyo, 5 September 1941 | | 25805 |
| 1401- P-1 | 2897 | | Telegram of Ambassa- dor NOMURA to For- eign Minister TOY- ODA, dated 8 Sept- ember 1941 re War Sentiment in Amer- ica | | 25812 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1401- Q-6 | 2898 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum of a Conversation Between Japanese Ambassador and Secretary of State on 10 September 1941 | | 25814 |
| 1400- R-6 | 2899 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941 " Vol II - Proposed Instructions to the Japanese Ambassador NOMURA, handed by the Japanese Minister for Foreign Affairs (TOYODA) to the American Ambassador in Japan (Grew) on 13 September 1941 | | 25816 |
| 1400- B-8 | 2900 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Counselor of Embassy in Japan (Dooman), dated 18 September 1941 | | 25820 |
| 1401- Q-1 | 2901 | | Conversation TOYODA had with American Ambassador in Tokyo, reported to Ambassador NOMURA on 22 September 1941 | | 25823 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- R-1 | 2902 | | Report to Ambassador NOMURA from Foreign Minister TOYODA on 23 September 1941 of Explanation given to American Embassy for reasons for Japan's requirement for stationing Troops in China | | 25827 |
| 1500- X-5 | 2903 | | Excerpts from Pearl Harbour Attack, US Government Printing Office, Washington, 1946: Memoirs of Prince KONOYE - Vol 20 | | 25831 |
| 1401- S-1 | 2904 | | Report of Foreign Minister TOYODA to Ambassador NOMURA on 27 September 1941 re his meeting with Ambassador Grew to urge him to work for the Roosevelt- KONOYE meeting | | 25834 |
| 1401- T-1 | 2905 | | Message from Foreign Minister TOYODA to Ambassador NOMURA, dated 27 September 1941 (referred to in preceding ex- hibit) | | 25836 |
| 1401- | 2906 | | Telegram of Ambassa- dor NOMURA of 3 Oct- ober 1941 to Foreign Minister TOYODA | | 25842 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- R-1 | 2902 | | Report to Ambassador NOMURA from Foreign Minister TOYODA on 23 September 1941 of Explanation given to American Embassy for reasons for Japan's requirement for stationing Troops in China | | 25827 |
| 1500- X-5 | 2903 | | Excerpts from Pearl Harbour Attack, US Government Printing Office, Washington, 1946: Memoirs of Prince KONOYE - Vol 20 | | 25831 |
| 1401- S-1 | 2904 | | Report of Foreign Minister TOYODA to Ambassador NOMURA on 27 September 1941 re his meeting with Ambassador Grew to urge him to work for the Roosevelt- KONOYE meeting | | 25834 |
| 1401- T-1 | 2905 | | Message from Foreign Minister TOYODA to Ambassador NOMURA, dated 27 September 1941 (referred to in preceding ex- hibit) | | 25836 |
| 1401- | 2906 | | Telegram of Ambassa- dor NOMURA of 3 Oct- ober 1941 to Foreign Minister TOYODA | | 25842 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- V-1 | 2907 | | Report to Ambassador NOMURA from Foreign Minister TOYODA, dated 3 October 1941 re Japanese-American negotiations with the British Ambassador, Sir Robert Craigie | | 25846 |
| 1844 | 2908 | | Ambassador Craigie's Report to his Govern- ment on conditions in Japan, dated 30 September 1941 | | 25847 |
| 1400- T-6 | 2909 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Counselor of Embassy in Japan (Dooman), dated Tokyo, 7 October 1941 | | 25852 |
| 1400- V-6 | 2910 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Ambassador in Japan (Grew), dated Tokyo, 8 October 1941 re Conversation he had with Mr. TERASAKI, Chief of the American Bureau of the Foreign Office | | 25854 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1400- X-6 | 2911 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Undersecretary of the State (Welles) re Conversation had with the Japanese Minister in Washington, dated 13 October 1941 | | 25856 |
| 1400- Y-6 | 2912 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Counselor of Embassy in Japan (Dooman) re Resignation of the 3rd KONOYE Cabinet, dated Tokyo, 17 October 1941 | | 25857 |
| 1500- Y-5 | 2913 | | Excerpts from Pearl Harbour Attack - US Government Printing Office, Washington: 1946 - Memoirs of Prince KONOYE - Vol 20 | | 25860 |
| 1500- A-6 | 2914 | | Excerpt from Pearl Harbour Attack - US Government Printing Office, Washington: 1946 - Memoirs of Prince KONOYE | | 25868 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 2014 | 2915 | | Affidavit of YAMAMOTO, Kumaichi | | 25901 |
| 1891 | 2916 | | Opinion of the Foreign Minister Concerning the Japanese-American Negotiations, dated 13 October 1941 | | 25912 |
| 1401- Y-1 | 2917 | | Telegram from TOGO to Ambassador NOMURA, dated 21 October 1941 | | 25920 |
| 1400- Z-6 | 2918 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Ambassador in Japan (Grew), dated Tokyo, 10 November 1941 | | 25925 |
| 1401- W-1 | 2919 | | Message from Foreign Minister TOYODA to Ambassador NOMURA, dated 17 October 1941 | | 25939 |
| 1401- H-3 | 2920 | | Telegram from Foreign Minister TOYODA to Ambassador NOMURA, dated 28 August 1941 | | 25943 |
| 1401- E-1 | 2921 | | Message from Ambassador NOMURA to Foreign Minister TOYODA, dated 4 August 1941 | | 25952 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1400- W-6 | 2922 | | Excerpts from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Ambassador in Japan (Grew), dated Tokyo, 10 October 1941 | | 25953 |
| 1401- E-2 | 2923 | | Message from TOGO to Ambassador NOMURA, dated 6 November 1941 | | 25957 |
| 1401- A-2 | 2924 | | Message from TOGO to Ambassador NOMURA, dated 4 November 1941 | | 25960 |
| 1401- B-2 | 2925 | | Message from TOGO to Ambassador NOMURA, dated 4 November 1941 | | 25964 |
| 1401- D-2 | 2926 | | Message from TOGO to Ambassador NOMURA, dated 5 November 1941 | | 25971 |
| 1400- A-7 | 2927 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum by the Secretary of State, Washington, dated 10 November 1941 | | 25974 |
| 1401- F-2 | 2928 | | Message from Ambassador NOMURA to TOGO, dated 7 November 1941 | | 25986 |

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| 1401- L-2 | 2929 | | Message from Ambassa- dor NOMURA to TOGO, dated 13 November 1941 | | 25991 |
| 1400- G-2 | 2930 | | Telegram from TOGO to Ambassador NOMURA, dated 9 November 1941 | | 25998 |
| 1401- J-2 | 2931 | | Telegram from TOGO to Ambassador NOMURA, dated 10 November 1941 | | 25999 |
| 1401- K-2 | 2932 | | Telegram from TOGO to Ambassador NOMURA, dated 10 November 1941 | | 26000 |
| 1401- H-2 | 2933 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 10 November 1941 | | 26003 |
| 1401- J-3 | 2934 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 16 November 1941 | | 26006 |
| 1400- B-7 | 2935 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Oral State- ment Handed by the Secretary of State to the Japanese Am- bassador (NOMURA) on 12 November 1941 | | 26014 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 1401- L-2 | 2929 | | Message from Ambassa- dor NOMURA to TOGO, dated 13 November 1941 | | 25991 |
| 1400- G-2 | 2930 | | Telegram from TOGO to Ambassador NOMURA, dated 9 November 1941 | | 25998 |
| 1401- J-2 | 2931 | | Telegram from TOGO to Ambassador NOMURA, dated 10 November 1941 | | 25999 |
| 1401- K-2 | 2932 | | Telegram from TOGO to Ambassador NOMURA, dated 10 November 1941 | | 26000 |
| 1401- H-2 | 2933 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 10 November 1941 | | 26003 |
| 1401- J-3 | 2934 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 16 November 1941 | | 26006 |
| 1400- B-7 | 2935 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Oral State- ment Handed by the Secretary of State to the Japanese Am- bassador (NOMURA) on 12 November 1941 | | 26014 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1401- 0-2 | 2936 | | Telegram from TOGO to Ambassador NOMURA, dated 16 November 1941 | | 26021 |
| 1400- C-7 | 2937 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Oral Statement Handed by the Japanese Ambassador (NOMURA) to the Secretary of State on 17 November 1941 | | 26023 |
| 1401- P-2 | 2938 | | Telegram from TOGO to Ambassador NOMURA, dated 17 November 1941 | | 26025 |
| 1400- D-7 | 2939 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Oral Statement Handed by the Japanese Ambassador (NOMURA) to the Secretary of State on 17 November 1941 | | 26026 |
| 1400- F-7 | 2940 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II - Memorandum of a Conversation Between the Japanese Ambassador, Mr. KURUSU, and the Secretary of State when they called on him, dated Washington, 18 November 1941 | | 26027 |

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| 1401- R-2 | 2941 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 21 November 1941 | | 26028 |
| 1401- Q-2 | 2942 | | Telegram from Ambassa- dor NOMURA to TOGO dated 17 November 1941 | | 26032 |
| 1401- S-2 | 2943 | | Telegram from Ambasse- dor NOMURA to TOGO dated 23 November 1941 | | 26038 |
| 1401- W-2 | 2944 | | Telegram from TOGO to Ambassador NOMURA, dated 26 November 1941 | | 26041 |
| 1400- G-7 | 2945 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol II- Memorandum by the Secretary of State, dated Wash- ington, 21 November 1941 | | 26045 |
| 1401- T-2 | 2946 | | Telegram from Ambassa- dor NOMURA to TOGO, dated 23 November 1941 | | 26048 |
| 1401- U-2 | 2947 | | Telegram from TOGO to Ambassador NOMURA, dated 23 November 1941 | | 26051 |

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| 1401-V-2 | 2948 | | Telegram from Ambassador NOMURA to TOGO, dated 25 November 1941 | | -- 26053 |
| 1401-X-2 | 2949 | | Telegram from Ambassador NOMURA to TOGO, dated 27 November 1941 | | 26054 |
| 1401-A-3 | 2950 | | Telegram from Ambassador NOMURA to TOGO dated 28 November 1941 | | 26056 |
| 1401-D-3 | 2951 | | Telegram from TOGO to Ambassador NOMURA, dated 3 December 1941 | | 26059 |
| 1401-I-3 | 2952 | | Report of Ambassador NOMURA to TOGO of Conversation Between NOMURA, KURUSA and Secretary of State Hull on 26 November 1941 | | 26065 |
| 206-H | 2953 | | Excerpt from "Ten Years in Japan" by Joseph C. Grew, U.S. Ambassador to Japan - 1932-1942 | | -- 26069 |
| 1886 | 2954 | | The Explanation of the Premier at the Imperial Conference on 1 December 1941 | | 26072 |

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| 1892 | 2955 | | The Explanation of the Foreign Minister at the Imperial Conference on 1 December 1941 | | 26074 |
| 1401-C-2 | 2956 | | Telegram from TOGO to Ambassador NOMURA, dated 4 November 1941 | | 26098 |
| 1401-G-3 | 2957 | | Telegram from TOGO to Ambassador NOMURA, dated 3 November 1941 | | 26100 |
| 478-B | 2958 | | Excerpt from "Speeches by British Leaders, 1 September, 1939 - November 10, 1941 (Vol.I) | | 26103 |
| 1401-Z-1 | 2959 | | Telegram from Ambassador NOMURA to TOGO, dated 24 October 1941 | | 26109 |
| 2063 | 2960 | | Affidavit of KASE, Toshikazu | | 26167 |
| 1401-F-3 | 2961 | | Telegram from TOGO to Ambassador NOMURA, dated 7 December 1941 | | 26168 |
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| 1030 | 2963 | | Affidavit of MATSU-DAIRA, Yasumasa | | 26180 |
| 1079 | 2964 | | Affidavit of KAMEYAMA, Kazuji | | 26186 |
| 2050-B | 2965 | | Telegram from Foreign Minister TOGO to Ambassador NOMURA, dated 7 December 1941 | | 26194 |
| 2045 | 2966 | | Excerpt from book entitled "Pearl Harbour Attack" - Intercepted Diplomatic Messages sent by the Japanese Government Between 1 July and 8 December 1941 (published by the US Government Printing Office, Washington: 1945) | | 26197 |
| 2064 | 2967 | | Affidavit of YUKI, Shiroji | | 26207 |
| 1500-F-6 | 2968 | | Excerpt from "Pearl Harbour Attack" - Information from Documentary Evidence on Messages Nos. D 901, 902, 907, 910 | | 26229 |
| 1500-J-6 | 2969 | | Excerpt from "Pearl Harbour Attack" - Memorandum to Mr. Seth W. Richardson from John Ford Baecher, Commander, USNR, dated 16 May 1946 re Japanese Intercepts | | 26231 |

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| 2094 | 2970 | | Affidavit of Rufus S. Bratton, Colonel, U.S. Army | | 26244 |
| 1500- E-6 | 2971 | | Excerpt from "Pearl Harbour Attack" - Testimony of Major-General Shermal Miles | | 26250 |
| 1500- I-6 | 2972 | | Excerpt from "Pearl Harbour Attack" - Testimony of Captain Lawrence Frye Safford, USN. | | 26252 |
| | 2973 | | Vol. 10 of the "Pearl Harbour Attack" | 26254 | |
| 1500- G-6 | 2973-A | | Excerpt therefrom - Testimony of Lester Robert Schulz, Commander, USN. | | 26254 |
| 1500- C-6 | 2974 | | Excerpt from "Pearl Harbour Attack" Vol. II - Testimony of Sumner Welles, Former Under Secretary of State | | 26257 |
| 3134-A | 2975 | | Outline for Future Diplomatic Measures Vis-a-vis the United States | | 26295 |
| | 2975-A | | Copy of Exhibit 2975 with interlineations | | 26324 |
| | 2975-B | | Copy of document, numbered "3" in pencil | | 26331 |

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| | 2975-C | | Copy of document, numbered "5" in pencil. | | 26332 |
| | 2975-D | | Copy of document, numbered "6" in pencil | | 26332 |
| 1401- B-3 | 2976 | | Telegram from Ambassador NOMURA to TOGO, dated 30 November 1941 re Address by Premier TOJO | | 26373 |
| 1401- C-3 | 2977 | | Telegram from TOGO to Ambassador NOMURA, dated 1 December 1941 | | 26375 |
| 1400- H-7 | 2978 | | Excerpt from "Foreign Relations of the US Japan: 1931-1941" Vol. II - Statement Handed by the First Secretary of the Japanese Embassy (TERASAKI) to Mr. Joseph W. Ballantine on 2 December 1941 | | 26376 |
| | 2979 | | Excerpt from "Pearl Harbour Attack" Vol. 2 | 26386 | |
| 1500- D-6 | 2979-A | | Excerpt therefrom - Testimony of Sumner Welles, Former Under Secretary of State | | 26386 |
| 1973 | 2980 | | Affidavit of Admiral SAWAMOTO, Yorio, Vice-Minister of the Navy | | 26414 |

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| 1958 | 2981 | | Chart showing relation of the Emperor, the Cabinet, the Navy Ministry and the Naval General Staff with subordinate offices | | 26414 |
| 1647 | 2982 | | Rules Governing Business Contact Between Naval Ministry and Navy General Staff, dated 1 October 1933 | | 26430 |
| 1648 | 2983 | | Imperial Ordinance Concerning the Organization of the Fleet, dated 30 November 1941 | | 26432 |
| 1671 | 2984 | | Ordinance Concerning Combined Naval Flying Corps, dated 10 December 1938 (Article 4 only) | | 26434 |
| 1672 | 2985 | | Law and Ordinances Concerning the Organization of Naval Stations, dated 23 August 1923 | | 26435 |
| 1673 | 2986 | | Laws and Ordinances Concerning the Organization of Auxillary Naval Stations, dated 26 March 1923 | | 26435 |
| 1926 | 2987 | | Affidavit of SHIMIZU, Mitsumi | | 26439 |

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| 1671 | 2984 | | Ordinance Concerning Combined Naval Flying Corps, dated 10 December 1938 (Article 4 only) | | 26434 |
| 1672 | 2985 | | Law and Ordinances Concerning the Organization of Naval Stations, dated 23 August 1923 | | 26435 |
| 1673 | 2986 | | Laws and Ordinances Concerning the Organization of Auxillary Naval Stations, dated 26 March 1923 | | 26435 |
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| | 2988 | | Book entitled "Naval Regulations Vol. II" | 26451 | |
| 1951-B | 2988-A | | Excerpt therefrom - "Chapter 2 - Promotion Ordinance No. 58" dated 29 March 1940 | | 26451 |
| 2072 | 2989 | | Affidavit of YANO, Shikazo | | 26454 |
| 1518 | 2990 | | Deposition of YOSHIDA, Hidemi | | 26467 |
| 1742 | 2991 | | Deposition of HAYASHI, Hisao | | 26490 |
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| 1516 | 2995 | | Deposition of SUZUKI, Suguru | | 26510 |
| 1692 | 2996 | | Deposition of GOTO, Yuzuru | | 26516 |
| 1521 | 2997 | | Affidavit of IWASAKI, Asashichi | | 26523 |
| 1728 | 2998 | | Affidavit of WAKAMATSU, Makoto | | 26529 |

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| 1972 | 2999 | | Affidavit of Paul W. Wenneker | | 26553 |
| 1606 | 3000 | | Affidavit of NOMURA, Naokuni | | 26562 |
| | 3000-A | | Certificates of Non-Existence of Documents | | 26563 |
| 1596 | 3001 | | Navy Department - Bureau of Ships, Washington, D.C., re Vessels constructed and under construction by the U. S. Navy Department as of 7 December 1941 | | 26611 |
| 1597 | 3002 | | Navy Department - Bureau of Ships, Washington, D. C., Letter dated 3 April 1947 to Judge Advocate General, Navy Division, War Crimes Office | | 26611 |
| 2085 | 3003 | | Affidavit of YOSHIDA, Hidemi | | 26615 |
| 1572 | 3003-A | | Comparative Table of Naval Vessels on Hand Between the USA and Japan as of 7 December 1941 | | 26618 |
| 1573 | 3003-B | | Comparative Table of Naval Vessels under construction between the USA and Japan as 7 December 1941 | | 26618 |

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| | 3000-A | | Certificates of Non-Existence of Documents | | 26563 |
| 1596 | 3001 | | Navy Department - Bureau of Ships, Washington, D.C., re Vessels constructed and under construction by the U. S. Navy Department as of 7 December 1941 | | 26611 |
| 1597 | 3002 | | Navy Department - Bureau of Ships, Washington, D. C., Letter dated 3 April 1947 to Judge Advocate General, Navy Division, War Crimes Office | | 26611 |
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| 1890 | 3004 | | Excerpt from "Annual Report Fiscal Year 1945 - The Secretary of the Navy to the President of the US - Personnel on Active Duty by Type: Navy, Marine Corps and Coast Guard 1 July 1940 through 30 June 1945 | | 26651 |
| 1500- B-2 | 3005 | | Extract from Exhibit 12 of the Joint Committee on the Investigation of the Pearl Harbour Attack - Congress of the US, 79th Congress, First Session re an Increase in Appropriations | | 26652 |
| 1978 | 3006 | | Affidavit of KONDO, Nobutake | | 26656 |
| 1976 | 3007 | | Affidavit of MIYO, Tatsukichi | | 26709 |
| 1982 | 3008 | | Affidavit of FUCHIDA, Mitsuo | | 26731 |
| 1974 | 3009 | | Affidavit of GENDA, Minoru | | 26745 |
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| 1904 | 3011 | | Affidavit of ENOMOTO, Juji | | 26780 |

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| | 3012 | | Book entitled "Collection of Official Statement Concerning China Incident | 26841 | |
| 1462-B | 3012-A | | Excerpt therefrom - Joint Communique of the Japanese and French Governments on the Japanese Army Stationing Troops in French-Indo-China | | 26844 |
| 1523 | 3013 | | Affidavit of SAWADA, Shigeru | | 26847 |
| 1687 | 3014 | | Affidavit of KONDO, Nobutake | | 26863 |
| 1689 | 3015 | | Affidavit of ABE, Katsuo | | 26870 |
| | 3016 | | Volume entitled "Collection of Treaties of Great East Asia" | 26876 | |
| 2074 | 3016-A | | Excerpt therefrom - Arrangement Concerning the Construction and Exploitation of the Yunnan Railway (Signed at Peking 29 October 1903) | | 26876 |
| 2080 | 3017 | | Affidavit of TERAII, Kunizo | | 26880 |
| 2016 | 3018 | | Affidavit of YAMAMOTO, Chikao | | 26885 |

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| 837-B | | 628-B | Certificate of Authenticity - Tentative Plan for Policy Towards Southern Regions (2nd part of file entitled "Japanese Foreign Policy" dated 4 October 1940) | | 26892 |
| 837-C | | 628-C | Certificate of Authenticity - Concerning Recognition of the New National Government and Conclusion of the Tri-Partite Pact (3rd part of file entitled "Japanese Foreign Policy" dated 25 October 1940) | | 26892 |
| 837-D | | 628-D | Certificate of Authenticity - Instructions from the Foreign Minister to the Envoy Extraordinary and Ambassador Plenipotentiary HONDA (a draft) (4th part of file entitled "Japanese Foreign Policy" dated 11 December 1940) | | 26892 |
| 2082 | 3019 | | Affidavit of SATO, Takegoro | | 26895 |
| 2097 | 3020 | | Affidavit of MIYO, Tatsukichi | | 26909 |
| 1909 | 3021 | | Affidavit of HIGASA, Ken | | 26936 |

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| 626-A-10 | 3022 | | Excerpts from the Interrogation of TOJO, Hideki, dated 13 February 1946 | | 26942 |
| 1690 | 3023 | | Affidavit of NISHIURA, Susumu | | 26949 |
| 2099 | 3024 | | Table of Material Prepared for Operations (marked <u>but not</u> received in evidence) | | 26961 |
| | | | Document rejected | | 26964 |
| 2105 | 3024 | | Affidavit of YOSHINAGA, Yoshitaka | | 26966 |
| 1710 | 3025 | | Affidavit of YOSHIDA, Tosuke | | 26971 |
| 1711 | 3026 | | Re Issuance of Military Notes with Foreign Currency Denominations for use in the Southern Area Military Operations | | 26977 |
| 1661 | 3027 | | Affidavit of TANAKA, Shinichi | | 26984 |
| 1903 | 3028 | | Affidavit of MIYAMA, Yuzo | | 27041 |
| 626-A-11 | 3029 | | Interrogation of TOJO, Hideki, dated 11 March 1946 | | 27060 |
| 164 | 3030 | | Affidavit of IIMURA, Minoru | | 27066 |

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| 592 | 3031 | | Chart depicting the entire Japanese Military Organization in December 1941 | | 27077 |
| 626-A-1 | 3032 | | Excerpt from Interrogation of TOJO, Hideki, dated 30 January 1946 | | 27082 |
| 626-A-8 | 3033 | | Excerpt from Interrogation of TOJO, Hideki, dated 13 March 1946 | | 27085 |
| 1501 | 3034 | | Affidavit of Alfred F. Kretschmer | | 27091 |
| 2131 | 3035 | | Formal Agreement Between Thailand and Japan of an Offensive and Defensive Alliance | | 27095 |
| 1665 | 3036 | | Affidavit of AKANE, Kazuo | | 27098 |
| 1666 | 3037 | | Affidavit of YAMAMOTO, Yoshio | | 27103 |
| 2295 | 3038 | | Deposition of MIYAMA, Yojo | | 27112 |
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| "C" | 3038-C | | File of Permanent Records of the War Ministry, 1931, Otsu, Section 3 | 27113 | |
| "D" | 3038-D | | Item No. 379 (1 bundle) according to the number given by the Washington Document Center entitled "Army-Asia-Great-Secret-Diary, 1942, Vol. V" | 27114 | |
| "E" | 3038-E | | Manchuria-Incoming-Great-Diary Ordinary of the War Ministry, 1931, Parts I and III | 27114 | |
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| "H" | 3038-H | | Secret-Great-Diary of the War Ministry, 1931, Vol. II | 27115 | |
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| 1083 | 3039 | | Affidavit of MATSUMOTO, Shun-Ichi | | 27132 |

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| 2233 | 3040 | | Affidavit of KUDO, Tadao | | 27146 |
| | 3041 | | Three pamphlets for June, July and November, 1942, entitled "Red Cross International Review" | 27167 | |
| 2009 | 3041-A | | Excerpt therefrom - The Delegation in Japan, June, 1942 | | 27167 |
| | 3042 | | January-April 1942 Red Cross International Review | 27174 | |
| 2277 | 3042-A | | Excerpt therefrom - The Red Cross International Committee, January, 1942 - Extension of the Conflict to the Pacific Area | | 27174 |
| 2125 | 3043 | | Navy's Reply, dated 15 November 1934 re Ratification of the Treaty signed on the 27th of July 1929 pertaining to the Treatment of Prisoners of War | | 27178 |
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| 2233 | 300 | | Affidavit of KUDO, Tadao | | 27146 |
| | 3041 | | Three pamphlets for June, July and November, 1942, entitled "Red Cross International Review" | 27167 | |
| 2009 | 3041-A | | Excerpt therefrom - The Delegation in Japan, June, 1942 | | 27167 |
| | 3042 | | January-April 1942 Red Cross International Review | 27174 | |
| 2277 | 3042-A | | Excerpt therefrom - The Red Cross International Committee, January, 1942 - Extension of the Conflict to the Pacific Area | | 27174 |
| 2125 | 3043 | | Navy's Reply, dated 15 November 1934 re Ratification of the Treaty signed on the 27th of July 1929 pertaining to the Treatment of Prisoners of War | | 27178 |
| 2126 | 3044 | | Navy's Objection to the Ratification of the Geneva Treaty, dated 6 September 1934 | | 27181 |
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| 1589 | 3046 | | War Ministry, Asiatic Affairs, Confidential, No. 1108, dated 9 April 1942 - Public Document Concerning Treatment of POW's | | 27196 |
| 1590 | 3047 | | Notification to the Chief of the Prisoner of War Control Bureau from the Adjutant, dated 22 November 1942 | | 27198 |
| 1907 | 3048 | | Affidavit of SUZUKI, Kunji | | 27201 |
| 1696 | 3049 | | Affidavit of YAMAZAKI, Shigeru | | 27230 |
| | 3050 | | War Prisoner Labor Regulation, dated 10 September 1904 - Army Instruction No. 139 | 27238 | |
| 2033 | 3050-A | | Excerpt therefrom - Article 3 | | 27239 |
| 2007 | 3051 | | Excerpt from the War Prisoners' Information Bureau's Monthly Report - Improvement of PW Administration, dated 3 March 1944 | | 27240 |

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| 1686 | 2677 | | Certificate of Authenticity by the Chief of the Archives Section of the First Demobilization Bureau of an Imperial Headquarters Order to the Commander of the Kwantung Army, dated 3 December 1941 re immediate settlement of the China Affair, limiting border conflicts, etc. | | 23351 |
| 1146 | 2678 | | Affidavit of HANAWA, Gikei | | 23390 |
| 1150 | 2679 | | Affidavit of IIMURA, Minoru | | 23396 |
| 1152 | 2680 | | Affidavit of YAMAMURA, Haruo | | 23415 |
| 1623 | 2681 | | A Chart of the Approximate State of the Soviet Army's Distribution of Troops in the Soviet East from 1931 onward | 23453 | |
| 1318 | 2682 | | Military Power in Manchoukuo and Korea (1931 - 1945) | 23454 | |
| 1153 | 2683 | | Affidavit of KOZUKI, Yoshio | | 23457 |
| 1445 | 2684 | | Affidavit of IIMURA, Minoru | | 23473 |
| 1679 | 2685 | | Report of Activities for 1940, compiled by the First Section, Bureau of European-Asiatic Affairs of the Foreign Ministry of Japan. | 23478 | |
| 1679 | 2685-A | | Excerpt therefrom | | 23478 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1680 | 2686 | | Report of Activities for 1941, compiled by the First Section, Bureau of European-Asiatic Affairs, Foreign Ministry | 23479 | |
| 1680 | 2686-A | | Excerpt therefrom | | 23479 |
| 1681 | 2687 | | Report of Activities for 1942, compiled by the First Section, Bureau of European-Asiatic Affairs, Foreign Ministry | 23483 | |
| 1681 | 2687-A | | Excerpt Therefrom | | 23483 |
| 1147 | 2688 | | Affidavit of UKAI, Yoshio | | 23485 |
| 1593 | 2689 | | Affidavit of FUJITA, Masamichi | | 23505 |
| None | 2690 | | Map published in 1940 by the Soviet Navy (marked by Witness FUJITA, Masamichi) | | 23536 |
| None | 2691 | | Certificate from the Director of the Administration Division of the 2nd Demobilization Bureau accounting for the non-production of certain documents referred to in cross-examination 3 June 1947 (page 23,527 of the record) | | 23543 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1623 | 2681 | | A Chart of the Approximate State of the Soviet Army's Distribution of Troops in the Soviet East from 1931 onward (previously marked for identification, page 23453 of the record, 3 June 1947) | | 23549 |
| 1318 | 2682 | | Military Power in Manchukuo and Korea (1931 - 1945) (previously marked for identification, page 23,454 of the record, 3 June 1947) | | 23555 |
| 1544 | 2692 | | Volume of the Official transcript of the International Military Tribunal at Nuernberg, Germany | 23557 | |
| 1544 | 2692-A | | Excerpt therefrom | | 23557 |
| 619A-1 | 2693 | | Excerpt from the Interrogation of Ambassador OSHIMA, Hiroshi (exhibit No. 776) | | 23558 |
| 1586 | 2694 | | Affidavit of NISHIMURA, Kumao | | 23562 |
| 1545 | 2695 | | Affidavit of SATO, Naotake | | 23575 |
| 1465 | 2696 | | Telegram No. 893 to Ambassador SATO at Moscow | | 23587 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1469 | 2697 | | Telegram No. 898 to Ambassador SATO at Moscow | | 23587 |
| 1466 | 2698 | | Telegram No. 1385 from Ambassador SATO to Foreign Minister TOGO | | 23588 |
| 1470 | 2699 | | Telegram No. 1417 from Ambassador SATO to Foreign Minister TOGO | | 23588 |
| 1468 | 2700 | | Telegram No. 931 to Ambassador SATO at Moscow | | 23588 |
| 1467 | 2701 | | Telegram No. 932 to Ambassador SATO at Moscow | | 23588 |
| 1471 | 2702 | | Telegram No. 1449 from Ambassador SATO to Foreign Minister TOGO | | 23588 |
| 1472 | 2703 | | Telegram No. 1450 from Ambassador SATO to Foreign Minister TOGO | | 23590 |
| 1473 | 2704 | | Telegram No. 1484 from Ambassador SATO to Foreign Minister TOGO | | 23590 |
| 1474 | 2705 | | Telegram No. 1530 from Ambassador SATO to Foreign Minister TOGO | | 23590 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 1627 | 2706 | | Affidavit of Major-General John R. Deane, U. S. Army (except paragraph 5 thereof) | | 23636 |
| 1624 | 2707 | | Book entitled "Occupation of Japan, Policy and Progress" | 23642 | |
| 1624 | 2707-A | | Excerpt therefrom | | 23642 |
| 1704 | 2708 | | Affidavit of TAKAYAMA, Nobutake | | 23655 |
| None | 2709 | | Map of Manchuria and Mongolia published by the Kwantung Territory Government in September 1926 (prosecution document 2993-A) | 23690 | |
| None | 2709 | | Map of Manchuria and Mongolia published by the Kwantung Territory Government in September 1926 (prosecution document 2993-A previously marked for identification only) | | 23694 |
| None | 2709-A | | Excerpt therefrom | | 23694 |
| None | 2710 | | Map published by the Quartermaster Department of the Kwantung Government General in 1911 (prosecution document 2993-D) | 23695 | 23697 |
| None | 2710-A | | Excerpt therefrom | | 23697 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| None | 2711 | | Large Map of China and Manchuria drawn up by the Research Scientific Department of the Society of the East Asia Culture, published by the Printing Office Fuzambo in November 1932 (prosecution document 2993-B) | 23698 | 23702 |
| None | 2711-A | | Excerpt therefrom | | 23702 |
| 751 | | 719B | Map (attached to exhibit No. 719) | | 23717 |
| 751 | | 719C | Excerpts therefrom | | 23717 |
| 751 | | 719D | Memorandum (attached to exhibit No. 719) | | 23718 |
| 1695 | 2712 | | Telegram from the Charge d'Affaires in Moscow to the Secretary of State, Washington, dated 11 August 1938 re the Soviet Budget | | 23723 |
| 751 | 719-E | | Map (attached to exhibit No. 719, previously marked for identification only) | | 23842 |
| None | 2713 | | Map published by the Department of Military Topographers of the Workers and Peasants Red Army relating to the years of 1933 and 1935 | | 23844 |

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|--------------------------------------|------------------------------------|------------------|--|-------------------|--------------------|
| None | 2714 | | Map of Khalkhin-Col River District between Manchuria and Outer Mongolia | | 23848 |
| 1685 | 2715 | | Affidavit of UGAKI, Kazushige | | 23868 |
| 1607-A 1607-B 1607-C 1607-D | 2716 2716-A 2716-B 2716-C |)))) | Excerpts from the Diary of M. M. Litvinov of 10 August 1938 with Ambassador SHIGEMITSU | | 23905 |
| 1380 | 2717 | | Affidavit of INOUE, Takamoro | | 23934 |
| 1379 | 2718 | | Affidavit of INOUE, Takamoro | | 23950 |
| 207 | 2719 | | Shorthand Minutes of the 5th Budget Committee Meeting in the House of Representatives, the 76th Session of the Imperial Diet 26 January 1941 | | 23956 |
| 303 | 2720 | | Shorthand Record No. 15 of the Proceedings of the House of Representatives at the 76th Session of the Imperial Diet held on 18 February 1941 | | 23959 |
| None | 2721 | | Report of the Honorable Mr. Justice Northcroft, Commissioner appointed to take evidence of Witness KAGESA, Sadaaki | | 23963 |

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| 1282 | 2721A | | Affidavit of KAGESA, Sadaaki | 23975 | |
| | 2721B | 1005-(4) | Telegram sent by witness KAGESA, Sadaaki (pseudo name KAWAMURA) to SHIRAIISHI dated 19 April 1939 | 24047 | 24141 |
| 2721C-1 2721C-2 2721C-3 | | 1005-(6) | Telegrams (3) sent by witness KAGESA, Sadaaki (pseudo name KAWAMURA) dated 20 April 1939 | 24048 | 24141 |
| 2721D | | 1005-(8) | Telegrams sent by Witness KAGESA, Sadaaki (pseudo name KAWAMURA) dated 24 April 1939 | 24049 | 24141 |
| 2721E-1 2721E-2 2721E-3 | | 1005-(11) | Telegrams (3) sent by Witness KAGESA, Sadaaki (pseudo name KAWAMURA) dated 28 April (2) and 30 April (1) 1939 | 24051 | 24141 |
| 2721F | | 1005-(13) | Telegram sent by Witness KAGESA, Sadaaki to Chief of the 2nd Department dated 3 May 1939 | 24051 | 24141 |

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| 2721G | 1005- | (19) | Telegram sent by Witness KAGESA, Sadeaki dated 23 May 1939 to Chief of General Affairs Section | 24052 | 24141 |
| 2721H | 1005- | (20) | Telegram sent by Witness KAGESA, Sadeaki dated 30 May 1939 to Chief of the 2nd Department | 24052 | 24141 |
| 1313 | 2722 | | Telegram from Weizsacker, German Vice-Foreign Minister to Ambassador Ott in Tokyo, dated 21 June 1939 | | 24178 |
| 1632 | 2723 | | Memorandum signed by Woermann, Director of the Political Department of the German Foreign Office, dated 20 July 1939 | | 24179 |
| 1633 | 2724 | | Telegram sent by Weizsacker to Schulenberg, German Ambassador in Moscow, dated 22 July 1939 | | 24185 |
| 704 | 2725 | | The Non-Aggression Pact Between Germany and the Union of USSR concluded 23 August 1939 | | 24187 |

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| 2721G | | 1005-(19) | Telegram sent by Witness KAGESA, Sadaaki dated 23 May 1939 to Chief of General Affairs Section | 24052 | 24141 |
| 2721H | | 1005-(20) | Telegram sent by Witness KAGESA, Sadaaki dated 30 May 1939 to Chief of the 2nd Department | 24052 | 24141 |
| 1313 | 2722 | | Telegram from Weizsacker, German Vice-Foreign Minister to Ambassador Ott in Tokyo, dated 21 June 1939 | | 24178 |
| 1632 | 2723 | | Memorandum signed by Woermann, Director of the Political Department of the German Foreign Office, dated 20 July 1939 | | 24179 |
| 1633 | 2724 | | Telegram sent by Weizsacker to Schulenberg, German Ambassador in Moscow, dated 22 July 1939 | | 24185 |
| 704 | 2725 | | The Non-Aggression Pact Between Germany and the Union of USSR concluded 23 August 1939 | | 24187 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1634 | 2726 | | Telegram from Mackensen, German Ambassador in Rome to the German Foreign Office, dated 23 August 1939 | | 24190 |
| 1529 | 2727 | | Excerpt from "Peace and War" published by the U. S. State Department, which is a Memorandum signed by Hull re a Conversation with the Japanese Ambassador HORINOUCHI | | 24195 |
| 710 | 2728 | | Statement of Premier HIRANUMA showing that the HIRANUMA Cabinet resigned as a result of the German-Russian Treaty (previously marked for identification only, transcript page 17,836) | | 24202 |
| 246 | 2729 | | Statement of the ABE Cabinet dated 4 September 1939 showing that the Japanese Government made clear that it had abandoned the pro-Axis Policy | | 24206 |
| 1400-D-3 | 2730 | | Excerpt from "Foreign Relations of the U.S.", which is a telegram of Ambassador Grew to Secretary of State dated 18 December, 1939 re Conversation Between Ambassador Grew and Foreign Minister NOMURA on that date | | 24209 |

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| 1400- C-3 | 2731 | | Excerpt from "Foreign Relations of the U. S., Japan 1931-1941" which is a telegram from Grew to Hull dated 20 December 1939 | | 24213 |
| 1631 | 2732 | | The 4th Conversation in Tokyo Concerning the Question of Concluding a New Treaty of Commerce Between NOMURA and Grew, dated 22 December 1939 | | 24216 |
| 1636 | 2733 | | Telegram from Ambassador Mackensen in Rome to the German Foreign Office, dated 27 May 1940 | | 24227 |
| 155 | 2734 | | Message of the Prime Minister Prince KONOYE, dated 27 September 1940 - excerpt from prosecution document 777-A | | 24276 |
| 1578 | 2735 | | Affidavit of USHIBA Tomohiko | | 24286 |
| 1580 | 2735-A | | "On the Tri-Partite Alliance" by Fumimaro KONOYE | | 24289 |
| 206-G | 2736 | | Excerpts from "Ten Years in Japan" by Joseph C. Grew (pp. 288-294 incl.) | | 24311 |

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| 1635 | 2737 | | Telegram from Ott to the German Foreign Office dated 20 October 1939 | | 24326 |
| 1400- E-3 | 2738 | | Excerpt from "Foreign Relations of the U.S.. Japan, 1931-1941" a telegram from Ambassador Grew to Cordell Hull dated 23 October 1939 | | 24327 |
| 1400- B-3 | 2739 | | Excerpt from "Foreign Relations of the U.S., Japan, 1931-1941" Vol. II, Department of State, Washington, (pp. 171-173 incl.) | | 24335 |
| 837 | 2740 | | Address by Foreign Minister MATSUOKA at the Governors' Conference 7 October 1940 | | 24357 |
| 1072 | 2741 | | Premier KONOYE's Address at the 76th Session of the Imperial Diet 21 January 1941 | | 24370 |
| 312 | 2742 | | Address of the Foreign Minister, Admiral Teijiro TOYOSA, at the luncheon in Commemoration of the First Anniversary of the Conclusion of the Three-Power Pact 27 September 1941 | | 24374 |

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| 311 | 2743 | | Address of the Foreign Minister Mr. Shigenori TOGO delivered at the Extraordinary Session of the Diet 17 November 1941 | | 24375 |
| 1675 | 2744 | | Affidavit of Heinrich Stahmer | | 24392 |
| 1714 | 2744-A | | Interrogatories of Ambassador Stahmer | | 24438 |
| 1770 | 2745 | | Summary of the Conversation Between the Fuehrer and Ambassador OSHIMA in the presence of the German Foreign Minister 4 September 1944 | | 24785 |
| 4047 | 2746 | | German Text of a Memorandum to Weizsaecker dated 28 August 1939 from Stahmer | | 24504 |
| 1691 | 2747 | | Affidavit of NAGAI, Yatsuji | | 24578 |
| 1638 | 2748 | | Telegram from Ott to the German Foreign Office dated 18 April 1941 | | 24584 |
| 1637 | 2749 | | Telegram from Rintelen to Stahmer dated 23 April 1941 | | 24584 |
| 1629 | 2750 | | Official Transcript of the Tri- bunal sitting at Nuernberg, Germany on 15 January 1946 | | 24612 |
| 1643 | 2750-A | | Excerpt from Book entitled "Nazi Conspiracy and Aggression" | | 24612 |

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| 1519 | 2751 | | Affidavit of Alfred F. Kretschmer | | 24615 |
| 1698 | 2752 | | "Tokyo Record" by Otto D. Tolischus, 1943, Reynal & Hitchcock, New York | | 24675 |
| 1698-A | 2752-A | | Excerpt therefrom (pp. 102-103) | | 24675 |
| 1640 | 2753 | | Memorandum signed by Woermann dated 23 July 1941 | | 24687 |
| 1683 | 2754 | | Proceedings of the Talks Between Minister TOYODA and Ambassador Grew concerning the Entry of Forces into French Indo-China on 26 July 1941 | | 24691 |
| 1682 | 2755 | | The Record of the Conversations between Minister TOYODA and Ambassador Grew on 27 July 1941. (These conversations were conducted strictly confidentially and informally off the record at the request of the American Ambassador) | | 24701 |
| 206-E (93) | 2756 | | Admiral TOYODA's Peace Offer | | 24709 |

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| 401-B (55) | 2757 | | Excerpt from "Foreign Relations of the U.S., Japan 1931-1941" Vol II (pp. 184-185) | | 24717 |
| 1659 | 2758 | | Summary of the Opinion of the German Government as told by Ambassador Ott in Tokyo on 11 May 1941 | | 24721 |
| 1658 | 2759 | | Instruction of the German Government to the German Ambassador in Tokyo (brought by the German Ambassador in Tokyo, Ott, on the occasion of a conversation with Foreign Minister MATSUOKA on 17 May 1941) | | 24724 |
| 1641 | 2760 | | Telegram from Ott to the German Foreign Office dated 30 August 1941 re conversation with Japanese Foreign Minister TOYODA | | 24727 |
| 1500 | 2761 | | Volume entitled "Pearl Harbour Attack" | 24730 | |
| 1676 | 2761-A | | Excerpt therefrom: "Hearings before the Joint Committee on the Investigation of the Pearl Harbour Attack" (pp. 1363-1364) | | 24732 |

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| 1662 | 2762 | | Affidavit of Joachim V. Ribbentrop | | 24737 |
| 1450 | 2763 | | Transcript from the Interrogation of Dr. Paul Schmidt at Nuernberg, Germany on 28 March 1946 | 24749 | |
| 1450 | 2763-A | | Excerpt therefrom | | 24749 |
| 1642 | 2764 | | Note of 11 December 1941 handed by the German Foreign Minister to the American Charge d'Affaire prior to the Session of the Diet | | 24751 |
| 1674 | 2765 | | Book entitled "The Winning of the War in Europe and the Pacific" by General Marshall | 24754 | |
| 1674 | 2765-A | | Excerpt therefrom | | 24754 |

NOTE: Attached hereto is the INDEX OF EXHIBITS
from 1 May to 29 May 1947 pages 360 to 380 inclusive -
Exhibit Nos. 2518 to 2676.

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| 1136 | 2518 | | Affidavit of TAKEDA, Isemu | | 21245 |
| None | 2419) 2419-A) 2419-B) 2419-C) 2419-D) | | Maps (attached to Agreement for the Cessation of Hostilities around Shanghai - Defense Exhibit No. 2419 - page 19,571) | | 21262 |
| 71 | 2519 | | A Reply of the Minister for Foreign Affairs to the British Ambassador dated 9 September 1937 | | 21337 |
| 73 | 2520 | | Note of the British Ambassador to the Minister for Foreign Affairs dated 23 September 1937 | | 21340 |
| 136 | 2521 | | Note of the Japanese Government to the U. S. Government dated 14 December 1937 | | 21345 |
| 82 | 2522 | | Note of the Japanese Government to the Government of the U. S. dated 24 December 1937 re the Panay Incident | | 21350 |
| 81 | 2523 | | Note of the Government of the U. S. to the Japanese Government dated 26 December 1937 re the Panay Incident | | 21353 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1196 | 2524 | | Statement of the Foreign Office dated 23 March 1928 | | 21358 |
| 401(21) | 2525 | | "Panay" Incident | | 21360 |
| 1291 | 2526 | | Affidavit of AOKI, Takeshi | | 21363 |
| 1039 | 2527 | | The Official Note of the Japanese Government which the Foreign Minister HIROTA, Koki sent to Sir Robert Craigie 14 December 1937 | | 21367 |
| 1013 | 2528 | | Certificate on "Ladybird" Incident | | 21371 |
| 1276 | 2529 | | Affidavit of TOTSUKA, Michitero | | 21373 |
| 1221 | 2530 | | Affidavit of MITSUNAMI, Teizo | | 21382 |
| 1094 | 2531 | | Reply of Japanese Govern- ment on 30 September 1937 re Bombing of Nanking | | 21390 |
| 1220 | 2532 | | Affidavit of KOBAYASHI, Yoshito | | 21397 |
| 1176 | 2533 | | Statement of Foreign Minister UCAKI given to Foreign Correspondents on 6 June 1938 | | 21406 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1187 | 2534 | | Statement of the Foreign Minister Mr. ARITA, Hachiro given to the Foreign Correspondents on 19 December 1938 | | 21410 |
| 1178 | 2535 | | Statement by Prime Minister Prince KONOYE, dated 22 December 1938 | | 21423 |
| 1077 | 2536 | | Declaration of MATSUI, Iwane | 21431 | |
| 1165 | 2537 | | Affidavit of HIDAKA, Shinrokuro | | 21444 |
| 1344 | 2538 | | Affidavit of HIRAMOTO, Michiteka | | 21476 |
| 1338 | 2539 | | Affidavit of YAMAMOTO | | 21486 |
| 401 (18) | 2540 | | Excerpt from "Peace and War", Official Publication, Department of State, U.S.A. (pp. 47 and 48) | | 21495 |
| 1330 | 2541 | | Affidavit of ENOMOTO, Juji | | 21502 |
| 1219 | 2542 | | "Criteria in Air Fighting" by Secretary ENOMOTO, Juji dated 27 July 1937 | | 21503 |
| 1218 | 2543 | | Observations on Aerial Bombing by Japanese Navy Department by ENOMOTO, Juji, Secretary, Navy Department, dated September 1937 | | 21504 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 223 | 2544 | | Gummu Ichi Confidential: No. 409 - Communication of Information concerning the Treatment of Prisoners of War, dated 15 October 1937 from Chief of Military Affairs Bureau, Navy Ministry, Director of the 1st Division, Naval General Staff to the Chief of Staff, Third Fleet | | 21504 |
| 1275 | - 2545 | | Gunreibu-Kimitsu No. 50 dated 21 November 1937 to Chief of Staff, China Seas Fleet, Chief of Staff, 4th Fleet, from Chief, 1st Section, Chief, Military Affairs Bureau, Navy Ministry re Instruction Concerning Visit and Search and Capture of Vessels | | 21506 |
| 1033 | 2546 | | The British Note Delivered by Sir Robert Craigie to the Foreign Minister on 31 December 1937 | | 21540 |
| 1225 | 2547 | | "Japan's Policy Toward China" Radio Address by Mr. Ken- suke HORINOCHI, Vice- Minister for Foreign Affairs, Columbia Broad- casting Company, 2 Sep- tember 1937 | | 21549 |
| 1074 | 2548 | | Affidevit of TSUKAMOTO, Hirotsugu | | 21561 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 328 | 2549 | | Affidavit of KIKKAWA, Masaharu | | 21582 |
| 1435 | 2550 | | Affidavit of YOSHIKAWA, Genzo | | 21587 |
| 291 | 2551 | | Affidavit of YOSHIBASHI, Keizo | | 21590 |
| 924 | 2552 | | Affidavit of SAITO, Toraō | | 21597 |
| 958 | 2553 | | Affidavit of OHKI, Eiichi | | 21601 |
| 920 | 2554 | | Affidavit of OGAWA, Saburo | | 21607 |
| 1142 | 2555 | | Affidavit of IKEDA, Ryuzaburo | | 21611 |
| 728 | 2556 | | Affidavit of MIYAZAKI, Shuichi | | 21617 |
| 1227 | 2557 | | Affidavit of MORIOKA, Takashi | | 21623 |
| 261 | 2558 | | Affidavit of MASUDA, Kanetoshi | | 21630 |
| 1391 | 2559 | | Affidavit of AKAGI, Kiyoji | | 21641 |
| 347 | 2560 | | Affidavit of OYAMA, Fumio | | 21658 |
| 1295 | 2561 | | Chief of Staff Very Secret Central China Operational Order No. 125 - Order to the Expeditionary Army in Central China, dated 24 October, Commanding Head- quarters Kiuking | | 21729 |
| 1274 | 2562 | | Excerpt from "Soldiers of the China Expeditionary Forces during the Pacific War" | | 21735 |
| 1370 | 2563 | | Affidavit of HASEGAWA, Kiyoshi | | 21741 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 1353 | 2564 | | Affidavit of AMANO, Shoichi | | 21748 |
| 923 | 2565 | | Article appearing on 6 July 1944 in The ASAHI Shimbun (published with the title "Embrace the People with Great Love") dispatched on the 5th from a Member of the Information Corps from the Front Lines of HUNAN Province to Officers and Men | | 21758 |
| 1089 | 2566 | | Affidavit of USHIJIMA, Sadao (with the exception of paragraph 3 thereof) | | 21765 |
| 1002 | 2567 | | Affidavit of SANO, Torata | | 21770 |
| 1000 | 2568 | | Photograph showing the Headquarters Unit of the SANO Regiment Marching in the Japanese Concession of Hankow | | 21782 |
| 999 | 2569 | | Map showing the various Sectors or Divisions of Hankow, showing various Routes of Entry of the various Units and their disposition | | 21783 |
| 1001 | 2570 | | Description of Inscriptions on the Map, "a, b, c,..." etc. | | 21784 |
| 1342 | 2571 | | Affidavit of SAKURAI, Tokutaro | | 21792 |
| 875 | 2572 | | Affidavit of YOKOYAMA, Isamu | | 21795 |
| 1012 | 2573 | | Affidavit of ARUCA, Kezunaga | | 21807 |

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| 1341 | 2574 | | Affidavit of NAKAMURA, Tetsuji | | 21864 |
| 1340 | 2575 | | Affidavit of MORI, Tokuji | | 21868 |
| 1004 | 2576 | | Affidavit of KAWAMOTO, Yoshitaro | | 21874 |
| 1345 | 2577 | | Affidavit of NAKAYAMA, Yesuto | | 21886 |
| 1345-B | 2578 | | Document referred to in Paragraphs 11, 12, 13 and 18 of Affidavit of NAKAYAMA, Yesuto | | 21887 |
| 1324 | 2579 | | Affidavit of OIKAWA, Genshichi | | 21950 |
| 1372 | 2580 | | Certificate showing original document "General Plan of Military Operations in China", decided upon 29 July 1937, no longer exists | | 21962 |
| 1374 | 2581 | | Certificate showing original document "Plan for the Solution of the North China Incident", decided upon 16 July 1937, no longer exists | | 21966 |
| 1381 | 2582 | | Affidavit of KAWABE, Toreshiro | | 21974 |
| 1339 | 2583 | | Affidavit of FUJII, Shigeru | | 22077 |
| None | 2584 | | Deposition of ISHIHARA, Kenji | | 22095 |
| 1352 | 2585 | | Affidavit of SHIMIZU, Tozo | | 22259 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 1398 | 2586 | | Gist of Conversation Between Navy Minister YONAI and Wang dated 12 June 1939 | | 22274 |
| 1442 | 2587 | | Gist of the Conversation Between Prince KOMOYE and Wang dated 14 June 1939 | | 22276 |
| 1298 | 2588 | | China's Note in regard to Practice of the Principle of Respecting the Sovereignty of China dated 25 June 1939 | | 22276 |
| 927- 951 | 2589 | | Book (printed in Japanese) entitled "Sharing Our Fate" | 22293 | |
| 927 | 2590 | | Telegram dated 29 December 1938 - Speech by Wang Ching- wei in Hanoi, French-Indo- China | | 22306 |
| 928 | 2591 | | Article by Wang Ching-wei in Shanghai on 10 July 1939 entitled "My Fundamental Idea and Forward Aim Con- cerning Sino-Japanese Relations | | 22313 |
| 929 | 2592 | | A Circular Telegram published by the General Headquarters of the Japanese Expeditionary Army to China entitled "Materials for Reference to the Present Situation | | 22330 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 930 | 2593 | | Telegram sent by Wang Ching-wei to his former comrades in the Chungking Government, dated 17 September 1939, Shanghai | | 22332 |
| 931 | 2594 | | The Request for Cooperation made by Wang Ching-wei to the Provisional Government and the Renovation Governments, dated 21 September 1939, Shanghai | | 22333 |
| 932 | 2595 | | The Statement of the Renovation Government, dated 22 September 1939, Nanking | | 22336 |
| 933 | 2596 | | The Statement of the Provisional Government dated 23 September 1939, Peking | | 22338 |
| 936 | 2597 | | Speech made by Chou Fuo-Hei in Shanghai 9 December 1939 entitled "Why Do We Form the Central Government?" | | 22340 |
| 940 | 2598 | | Speech made by Lin Pai-Sheng in Tsingtao 1 January 1940 entitled "The Progress of the Peace Movement." | | 22341 |
| 937 | 2599 | | Speech made by Chen Kung-po at Shanghai 1 January 1940 entitled "The Road to Everlasting Peace Between China and Japan" | | 22351 |
| 938 | 2600 | | Telegram to Chiang-Kai-shek From Wang Ching-wei dated 16 January 1940 | | 22352 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 939 | 2601 | | Statement made by Wang Ching-wei on 24 January 1940 entitled "Institutions of the Central Government" | | 22357 |
| 942 | 2602 | | Important Announcement of Lin Pai-sheng on 18 March 1940 at Nanking | | 22358 |
| 941 | 2603 | | An Outline of the Central Political Conference dated 19 March 1940, Nanking | | 22363 |
| 944 | 2604 | | The Platform of the National Government dated 30 March 1940, Nanking | | 22363 |
| 943 | 2605 | | Declaration of the Return of the Capitol, dated 30 March 1940, Nanking | | 22367 |
| 1059 | 2606 | | Statement of Foreign Minister ARITA at the National Press Meeting to send off Ambassador ABE | | 22374 |
| 945 | 2607 | | Address by Wang Ching-wei April 26 1940 in Nanking entitled "Spirit of Blaming Oneself" | | 22376 |
| 948 | 2608 | | Speech made by Wang Ching-wei on 12 May 1941, Nanking, entitled "The Formation of the Committee to Improve the Situation of the Country" | | 22382 |

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| 949 | 2609 | | Speech made by Wang Ching-wei on 1 July 1942, Nanking, on the First Anniversary of the Campaign to Purify the Land | | 22383 |
| 643 | 2610 | | Agreement Between the Empire of Japan and the Republic of China regarding the Retrogression of Concessions and the Abolition of Extra-territorial Jurisdiction signed at Nanking, 9 January 1943 | | 22386 |
| 1161 | 2611 | | Book entitled "Problems of the Pacific" | 22425 | |
| 980 | 2612 | | Book entitled "History for Unification of the Anti-Japanese Peoples' Front" | 22425 | |
| 1536 | 2613 | | Excerpt from Prosecution's exhibit No. 761-A entitled "Military Views on Foreign Problems from the Standpoint of the Kwantung Army's Mission" expressed by the Meeting with Ambassador ARITA by Chief Staff Officer of the Kwantung Army, Major-General ITAKAKI, Seishiro | | 22468 |
| 1422 | 2614 | | Telegram Message of Foreign Minister ARITA Addressed to Japanese Ambassador to Germany, MUSHANOKOJI, dated 8 May 1936 | | 22474 |

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| 1426 | 2615 | | Telegram of Ambassador SUGIMURA Addressed to Foreign Minister ARITA, Dated 18 November 1936 | | 22500 |
| 1427 | 2616 | | Telegram to Ambassador SUGIMURA Addressed to Foreign Minister ARITA, dated 28 November 1936 | | 22502 |
| 1310 | 2617 | | Report from the German Ambassador in Tokyo, von Dirksen, to the German Foreign Office in Berlin, dated 24 March 1937 re the conversation with the Japanese Foreign Minister SATO | | 22513 |
| 1428 | 2618 | | Telegram Dispatched by Ambassador SUGIMURA and Addressed to Foreign Minister SATO, dated 25 May 1937 | | 22524 |
| 1314 | 2619 | | Telegram from the German Foreign Office sent by the German Under Secretary of State Weizecker to the German Ambassador in Tokyo, dated 15 May 1939 | | 22540 |
| 1538 | 2620 | | Certificate as Telegrams dispatched by the Kwantung Army, Korean Army and Fifth Area Army concerning the entry of the USSR into War with Japan were burnt at the time of the termination of the War | | 22574 |

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| 1478 | 2621 | | Affidavit of HASHIMOTO, Gun | | 22576 |
| 974 | 2622 | | Affidavit of HASHIMOTO, Gun | | 22579 |
| None | | 766-A | Map showing frontier line of the Khalkhin-Gol River | | 22636 |
| None | | 767-A | Ditto | | 22637 |
| None | | 767-B | Ditto | | 22637 |
| None | 2623 | | Statement made by Tass in the Newspaper "Izvestia" | 22656 | |
| 1420 | 2624 | | Affidavit of HATANO, Konichi | 22675 | |
| 1308 | 2625 | | Excerpt from "A Thesis on Indurance War" From "Selected Essays of MAO Tse-tung" | 22675 | |
| 1508 | 2626 | | Additional Treaty of Peking Between China and Russia, dated 14 November 1860 | | 22694 |
| 1509 | 2627 | | Protocol Between China and Russia Concerning the Border East of Hunchun | | 22698 |
| 1585 | 2628 | | Affidavit of TANAKA, Ryukichi | | 22715 |
| None | | 753-A | Photostatic Copy of Map (Attached to prosecution's exhibit No. 753) | | 22726 |
| None | 2629 | | Photostatic Copy of a Sketched Map | 22727 | |

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| 1594 | 2630 | | Affidavit of ISONO, Yuso | | 22759 |
| 1598 | 2631 | | Affidavit of HAYASHI, Kaoru | | 22780 |
| 1598-B | 2632 | | Affidavit of HAYASHI, Kaoru | | 22782 |
| 1540 | 2633 | | Record of Talk with Mr. SHICLMITSU, Japanese Ambassador in Moscow of 20 July 1938 | | 22803 |
| 1562 | 2634 | | Telegram: The U. S. Embassy's Report on the Changkufeng Incident, dated 26 July 1938 | | 22824 |
| 1522 | 2635 | | Telegram: The U. S. Embassy's Report on the Chengkufeng Incident, dated 11 August 1938 | | 22825 |
| 1550 | 2636 | | Telegram: The U. S. Embassy's Report on the Chengkufeng Incident, dated 5 August 1938 (the first paragraph only) | | 22839 |
| 1525 | 2637 | | Affidavit of MATSUDAIRA, Koto | | 22845 |
| 1504 | 2638 | | Record of Conversation with SHICLMITSU, dated 7 August 1938 from M. M. Litvinov's Diary | | 22851½ |
| 1564 | 2639 | | Telegram: The U.S. Embassy's Report on the Changkufeng Incident, dated 11 August 1938 | | 22868 |

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| 1565 | 2640 | | Tass Communiqué of the Changkufeng Incident, dated 12 August 1938 | | 22876 |
| 1566 | 2641 | | Tass Communiqué of the Changkufeng Incident, dated 18 August 1938 | | 22877 |
| 1584 | 2642 | | Affidavit of MIURA, Kazuichi | | 22894 |
| 1503 | 2643 | | Record of a Conversation of Comrade Litvinov with SHICEMITSU on 21 August 1938 | | 22903 |
| 1506 | 2644 | | Japanese Proposals, dated 21 August 1938 | | 22910 |
| 1507 | 2645 | | Soviet Amendments to the Japanese Proposals of 21 August 1938 | | 22910 |
| 1505 | 2646 | | Record of Conversation with SHIGEMITSU, dated 31 August 1938 | | 22911 |
| 1511 | 2647 | | The Foreign Office Official Report on the Changkufeng Incident compiled by the First Section of the Euro-Asiatic Bureau, Foreign Office, Tokyo, 1938 | 22918 | |
| 1511 | 2647-A | | Excerpt therefrom | | 22922 |
| None | 2648 | | Book (in Japanese) entitled "Reference on Tactical Activities" | 22966 | |

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| 1576 | 2649 | | Excerpt from "Treaties Between China and England, America, France and Russia" Treaty Bureau, Foreign Ministry (pp.2292-2294) | | 22975 |
| 1601 | 2650 | | Affidavit of YANO, Mitsui | | 22993 |
| None | 2651 | | Book entitled "History of Nomadic Life in Mongolia" | 22999 | |
| None | 2652 | | Book entitled "Holombair" | 23000 | |
| 1601-C | 2653 | | Japanese General Staff Office Map of Eastern Asia | 23000 | |
| None | 2654 | | Book entitled "Mongolian Topography" | 23002 | |
| 1604 | 2655 | | Affidavit of HATTORI, Tekushiro | | 23014 |
| 1376 | 2656 | | Affidavit of OGISU, Rippei | | 23029 |
| None | 2657 | | Map made by the USSR and published in 1935 | 23060 | 23073 |
| None | 2657-A | | Copy of the above Map with markings by Witness OGISU, Rippei | | 23073 |
| 240 | 2658 | | Address by the Minister for Foreign Affairs, Mr. Hashiro ARITA, delivered at the 79th Session of the Diet 1 February 1940 | | 23085 |

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| 1581 | 2659 | | Affidavit of OTA, Saburo | | 23092 |
| 1481 | 2660 | | Map attached to the TOCO-Molotov Agreement (prosecution exhibit No. 767) | 23117 | |
| 1481 | 2660 | | Map attached to the TOCO-Molotov Agreement (prosecution exhibit No. 767 - previously marked for identification only) | | 23149 |
| 1570 | 2661 | | Book entitled "Report of Activities for 1939, First Section, Bureau of European-Asiatic Affairs" | 23141 | |
| 1570 | 2661-A | | Excerpt therefrom "Joint Communiqué (The Nomonhan Truce Agreement)" | | 23141 |
| 1524 | 2662 | | Confidential Official Message No. 234 dated 22 July 1940 from Ambassador TOGO, Shigenori in Moscow to Foreign Minister ARITA, Hachiro | | 23146 |
| 1222 | 2663 | | General Protocol Between Manchoukuo and the Mongolian People's Republic Concerning the Work of the Mixed Commission for Delimitation on the Spot Where Disputes Took Place in 1939 | | 23151 |

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| 1559-A | 2664 | | Certificate by a Soviet authority concerning the status of Major-General AKIKUSA, Shun, dated 25 January 1947 | | 23154 |
| 1559-B | 2664-A | | Certificate by a Soviet authority concerning the status of Lt. General MIYAKE, Mitsuharu dated 25 January 1947 | | 23155 |
| 1559-C | 2664-B | | Certificate by a Soviet authority concerning the death of Lt. General MIYAKE, Mitsuharu, dated 25 January 1947 | | 23155 |
| 1559-D | 2664-C | | Certificate by a Soviet authority concerning the status of Lt. General YANACITA, Genzo, dated 25 January 1947 | | 23156 |
| 1559-E | 2664-D | | Certificate by a Soviet authority concerning the status of TAKEBE, Rokuzo, dated 15 January 1947 | | 23157 |
| 1559-F | 2664-E | | Certificate by a Soviet authority concerning the status of General KITA, Seichi, dated 15 January 1947 | | 23158 |

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| 1559-G | 2664-F | | Certificated by a Soviet authority concerning the status of Lt. General MURAKAMI, Keiso, dated 15 January 1947 | | 23159 |
| 1559-H | 2664-G | | Certificate by a Soviet authority concerning the status of General USHEROKU, Jun, dated 15 January 1947 | | 23160 |
| 1559-I | 2664-H | | Certificate by a Soviet authority concerning the status of Major KATSUURA, Kusuo, dated 27 December 1946 | | 23161 |
| 1559-J | 2664-I | | Certificate by a Soviet authority concerning the status of Major-General OTSUBA, Kazumi, dated 27 December 1946 | | 23162 |
| 1559-K | 2664-J | | Certificate by a Soviet authority concerning the status of NOHARA, Komakichi, dated 25 January 1947 | | 23162 |
| 1559-L | 2664-K | | Certificate by a Soviet authority concerning the status of Lt. General KUSABA, Tatsumi, dated 27 December 1946 | | 23163 |

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| 1559-M | 2664-L | | Certificate by a Soviet authority concerning the status of Lt. General TOMINCAGA, Keoji, dated 25 January 1947 | | 23164 |
| 1499 | 2665 | | Request from the Supreme Commander for the Allied Powers to the Soviet Member of the Allied Council for Japan for providing certain documents subpoenaed by the defense | | 23173 |
| 1600 | 2666 | | Another request of the above relating to other documents | | 23173 |
| 1582 | 2667 | | Reply to the above by a Soviet Member of the Allied Council for Japan, dated 20 February 1947 | | 23175 |
| 1569 | 2668 | | Copy of Newspaper "Izvestia" - Official Organ of the USSR, dated 16 January 1936 | 23178 | |
| 1569 | 2668-A | | Excerpt therefrom "II Consolidation of Strength of Red Army" | | 23178 |
| 1603 | 2669 | | Certificate of the First Demobilization Board, dated 14 May 1947 | | 23184 |
| 1151 | 2670 | | Affidavit of KASAHARA, Yukio | | 23190 |

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| 3029 | | 2671 | Report of the Japanese Military Attache KASAHARA, Yukio to the General Staff in Tokyo | | 23218 |
| 1155 | 2672 | | Affidavit of YANO, Masao | | 23271 |
| 1154 | 2673 | | Affidavit of MATSUMURA, Tomokatsu | | 23282 |
| 1149 | 2674 | | Affidavit of FUTAMI, Akishuro | | 23287 |
| 1145 | 2675 | | Affidavit of TANABE, Moritake (except 3rd paragraph) | | 23291 |
| 1323 | 2676 | | Affidavit of TANAKA, Shinichi | | 23303 |

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NOTE: Attached hereto is the INDEX OF EXHIBITS
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| 74 | 2283 | | Shimonoseki Treaty dated 17 April 1895 | | 17264 |
| 78 | 2284 | | Separate Articles of the Shimonoseki Treaty dated 17 April 1895 | | 17274 |
| 196 | 2285 | | Protocol of the Shimonoseki Treaty dated 17 April 1895 | | 17276 |
| 344 (Not admitted) | | | Telegram dispatched by the Japanese Charge d'Affaires ONO at Berlin to the Japanese Foreign Minister dated 5 December 1923 (Objection upheld) | | 17280 |
| 216 | 2286 | | Telegram from Foreign Minister MUTSU to Ambassador NISHI dated 5 May 1895 | | 17283 |
| 163 | 2287 | | Telegram from NISHI, Minister at Saint Petersburg to Foreign Minister MUTSU dated 3 May 1895 | | 17285 |
| 162 | 2288 | | Treaty of Alliance Between China and Russia dated May 1896 | | 17290 |
| 473 | 2289 | | Exchange of Notes Between Japan and the United States re the Protection of Commercial Rights of China dated 20 December 1899 | | 17293 |

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| 202 | 2290 | | Book by John B. Powell entitled "My Twenty-Five Years in China" | 17303 | |
| 29 | 2291 | | The Peace Protocol | | 17304 |
| 41 | 2292 | | Agreement of Alliance of 1902 Between Japan and Great Britain | | 17305 |
| 55 | 2293 | | Second Agreement of Alliance of 1905 Between Japan and Great Britain, replacing the original Alliance of 1902 | | 17310 |
| 56 | 2294 | | Further Renewal of Agreement of Alliance Between Japan and Great Britain in 1911 | | 17310 |
| 80 | 2295 | | Ultimatum delivered by Japan Against Germany during World War I | | 17311 |
| 232 | 2296 | | Imperial Rescript Declaring War on Germany | | 17312 |
| 132 | 2297 | | Anglo-Japanese Declaration to the League of Nations Relative to the Anglo-Japanese Agreement of July 13, 1911 | | 17312 |
| 59 | 2298 | | Additional Articles to the Portsmouth Treaty | | 17314 |
| 134 | 2299 | | Convention Between Japan and Korea dated 17 November 1905 | | 17316 |

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| 135 | 2300 | | Decleration as to the Annexation of Korea to the Empire of Japan | | 17317 |
| 42 | 2301 | | Treaty Regarding the Annexation of Korea to the Empire of Japan | | 17320 |
| 472 | 2302 | | Secret Convention of July 1907 Between Russia and Japan | | 17321 |
| 183 | 2303 | | Tri-Partite Agreement in regard to Outer Mongolia Between Russia, Mongolia and China | | 17325 |
| 173 | 2304 | | Agreement Between USSR and Outer Mongolia dated 5 November 1921 | | 17329 |
| 348 | 2305 | | Immigration Act of 1924 of the United States (popularly known as the "Japanese Exclusion Act") | | 17334 |
| 206 | 2306 | | Book entitled "Ten Years in Japan" by Joseph C. Grew | 17340 | |
| 206-B (30) | 2306-A | | Excerpt therefrom | | 17340 |
| 45 | 2307 | | Exchange of Notes dated 20 of January 1925 Between the USSR at Peking re the Conclusion of the Basic Treaty Between the USSR and Japan | | 17343 |
| 46 | 2308 | | Protocol (A) of the Basic Treaty Between the USSR and Japan dated 20 January 1925 | | 17347 |

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| 47 | 2309 | | Protocol (B) of the aforesaid Basic Treaty Between the USSR and Japan dated 20 January 1925 | | 17350 |
| 49 | 2310 | | Declaration Annexed to Prosecution Exhibit No. 31 | | 17353 |

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| 50 | 2311 | | Note Annexed to Prosecution Exhibit No. 31 | | 17357 |
| 48 | 2312 | | Protocol of Signature in Connection with Exhibit No. 31 | | 17358 |
| 145 | 2313 | | Fishery Convention Between Japan and the USSR | | 17360 |
| 194 | 2314 | | "Treaty for the Renunciation of War" (Publication of the U.S. Government Printing Office | 17361 | |
| 194A | 2314-A | | Excerpt therefrom | | 17361 |
| 154 | 2315 | | Report to the Conference from the Second Commission on Opening of Hostilities | 17372 | |
| 154A | 2315-A | | Excerpt therefrom | | 17372 |
| 471 | 2316 | | Treaty of Commerce and Navigation | | 17386 |
| 52 | 2317 | | Exchange of Notes of 2 November 1917 re China, known as the Lansing-ISHII Agreement, wherein the U.S. recognized Japan's special interests in China | | 17389 |
| 152 | 2318 | | Exchange of Notes dated 14 April 1923 Between the American Secretary of State and the Japanese Ambassador cancelling the aforesaid Lansing-ISHII Agreement | | 17391 |

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| 200 | 2319 | | Book entitled "Conferences on the Limitation of Armament" Washington, 12 November 1921 to 6 February 1922, published by the U.S. Government Printing Office | 17397 | |
| 200A | 2319-A | | Excerpt from the Minutes therefrom | | 17397 |
| 200B | 2319-B | | Another excerpt from the above Book | | 17398 |
| 200C | 2319-C | | Further excerpt from the above | | 17406 |
| 200D | 2319-D | | ditto | | 17411 |
| 200E | 2319-E | | ditto | | 17417 |
| 200F | 2319-F | | ditto | | 17422 |
| 200G | 2319-G | | ditto | | 17433 |
| 200H | 2319-H | | Last excerpt from the above | | 17439 |
| 237 | 2320 | | Book entitled "The Washington Conference, Treaties and Resolution" compiled by the Japanese Government | 17448 | |
| 237A | 2320-A | | Excerpt therefrom | | 17448 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 202D-2 | - | | Excerpt from John B. Powell's Book "My Twenty-Five Years In China (pp. 75 and 76) Objection upheld | Not admitted | 17453 |
| 202D-3 | - | | Excerpt from above Book Objection upheld | Not admitted | 17455 |
| 40 | 2321 | | Declaration upon which France, Great Britain, Italy, Japan and Russia Agree not to Conclude a Separate Peace, signed 30 November 1915 | | 17456 |
| 150 | - | | Treaty of Mutual Assistance Between France, the United Kingdom and Turkey, dated 19 October 1939 Objection upheld | Not admitted | 17460 |
| 151 | - | | Agreement of Mutual Assistance Between the United Kingdom and Poland Objection upheld | Not admitted | 17463 |
| 184 | - | | Joint Declaration by the U.S. of America, the United Kingdom of Great Britain and Northern Ireland, the USSR, China, Australia, Belgium, Canada, Costa Rica, Cuba, Czechoslovakia, Haiti, Honduras, India, Luxemburg, The Netherlands, New Zealand, Nicaragua, Norway, Panama, Poland, South Africa and Yugoslavia Objection upheld | Not admitted | 17463 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 185 | - | | Treaty of Union in the War Against Hitlerite Germany and her Associates in Europe and of Collaboration and Mutual Assistance Thereafter Between the USSR and the United Kingdom of Great Britain and Northern Ireland Objection upheld | Not admitted 17464 | |
| 186 | - | | Agreement for Joint Action by the Government of the USSR and His Majesty's Government in the United Kingdom in the War Against Germany Objection upheld | Not admitted 17464 | |
| 187 | - | | Protocol to the Agreement for Joint Action Objection upheld | Not admitted 17464 | |
| 159 | 2322 | | Anglo-American Joint Declaration | | 17465 |

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| 475 | 2323 | | Journal of the League of Nations | 17637 | |
| 478 | 2324 | | "Speeches by British Leaders" published by the Foreign Ministry of Japan | 17638 | |
| 559 | 2325 | | Book "Events Leading up to World War II" published by the U. S. Government Printing Office | 17639 | |
| 563 | 2326 | | Treaty of Non-Aggression Between the USSR and Estonia, published by the Foreign Ministry of Japan | 17640 | |
| 560 | 2327 | | Further excerpt from above Book entitled "Events Leading up to World War II, relating to Poland | 17641 | |
| 561 | 2328 | | Same as above, relating to Roumania | 17642 | |
| 564 | 2329 | | Convention Defining Aggression | 17643 | |
| 516 | 2330 | | Volume of the New York Times dated 19 December 1941 | 17647 | |
| 516-A | 2330-A | | Excerpt therefrom "Portugal Bids the Allies Quit Timor; They Say "No" as Axis Warns Lisbon | | 17647 |

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| 517 | 2331 | | Volume of the New York Times dated 11 April 1941 | 17653 | |
| 517A | 2331-A | | Excerpt therefrom "Agreement Whereby U. S. Becomes Protector of Greenland" | 17653 | |
| 562 | 2332 | | Further excerpt from the Book entitled "Events Leading up to the World War II" re Greenland | 17654 | |
| 518 | 2333 | | Volume of the New York Times dated 8 July 1941 | 17654 | |
| 518A | 2333-A | | Excerpt therefrom consisting of the Message of President Roosevelt to Congress re Iceland | 17655 | |
| 553 | 2334 | | Nippon Times Magazine dated 20th February 1947 | 17655 17662 | |
| 553 | 2334-A | | Excerpt therefrom entitled "A-Bomb Decision" | 17662 | |
| 353 | 2335 | | Report Presented to the Preliminary Peace Conference by the Commission on the "Responsibility of the Authors of the War on the Enforcement of Penalties" dated 29 March 1919 | 17665 | |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 548 | 2336 | | Charter of the United Nations, Articles 39, 41 and 42 | 17671 | |
| 353 | 2337 | | Excerpt from exhibit No. 2335 rejected, marked for identification only | 17683 | |
| 548 | 2338 | | Excerpt from exhibit No. 2336 rejected, marked for identification only | 17683 | |
| 314 | 2339 | | Treaty between the U. S. of America and other nations governing protection of lives of neutrals and non-combatants at sea in time of war and to prevent the use of noxious gases and chemicals in war | 17684 | |
| 314 | 2339-A | | Extract therefrom (Article III) | | 17686 |
| 549 | 2340 | | Affidavit of HAYASHI, Kaoru | | 17687 |
| 115 | 2341 | | Inter-Parliamentary Group of Roumania | 17690 | |
| 115 | 2341-A | | Excerpt therefrom | 17690 | |
| 551 | 2342 | | American Journal of International Law for October, 1939 | 17692 | |
| 551 | 2342-A | | Excerpt therefrom | 17692 | |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 536 | 2343 | | Excerpt from the Foreign Relations of the United States, Japan, 1931-1941, Vol. I, (pp. 523-24) (Telegram from the Secretary of State to the Ambassador in Japan dated 13 December 1937) | | 17694 |
| 635 | 2344 | | Chart showing the composition of every Cabinet from 1928 to 1945 | | 17698 |
| Not Numbered | 2345 | | Document entitled "Additional Notes to the 1931 Diary of Marquis KIDO" | 17820 | |
| Not Numbered | 2346 | | Document in Japanese handwriting (produced by Witness MITARAI) re the resignation of the HIRANUMA Cabinet | 17836 | |
| 626A-2 | 2347 | | Extract from Interrogation of TOJO, Hideki dated 1 February 1946 (p. 5) | | 17869 |
| 626A-5 | 2348 | | Extract from Interrogation of TOJO, Hideki dated 6 February 1946 (pp. 5-6) | | 17870 |
| 626 | 2349 | | Parent document of all interrogatories of General TOJO of 1 February 1946 | 17884 | |
| 626 | 2350 | | Extract from Interrogation of TOJO, Hideki dated 6 February 1946 | 17884 | |
| 664 | 2351 | | Address of His Royal Highness Prince Wan Waithayakon, representative from Thailand, at the Great East Asia Conference November 1943 | | 18021 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 665 | 2352 | | Address of His Excellency Mr. Jose P. Laurel, representative from Philippines at the Greater East Asia Conference, November 1943 | | 18021 |
| 666 | 2353 | | Address of His Excellency Dr. Ba-Mo, representative from Burma at the Greater East Asia Conference, November 1943 | | 18021 |
| 206E(11) | 2354 | | Excerpt from Diary of former U. S. Ambassador Grew entitled "Ten Years in Japan" (p. 303) | | 18025 |
| None | 2355 | | A Book entitled "Nihon Shoki, a Chronicle of Japan" 1928 Edition | 18108 | |
| None | 2356 | | A Book entitled "Commentaries on Nihon Shoki" by IIDA, Takasato, 1889 Edition | 18108 | |
| None | 2357 | | A Book entitled "Explanations of Imperial Rescripts" by TAKASU, 1934 Edition | 18108 | |
| None | 2358 | | A Book described as "Dai Genkai" or "Great Dictionary" by OTSUKI, 1934 Edition, 3rd Volume thereof | 18115 | |
| None | 2359 | | A Book described as "Dai Genkai" 1932 Edition, by OTSUKI, 1st Volume thereof | 18115 | |

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|-----------------|-----------------|------------------|--|-------------------|-------------------|
| None | 2360 | | A Book described as "Dictionary of Ancient Words and Phrases" by IIDA, Shirojiro | 18115 | |
| 598 | 2361 | | Book entitled "Govern- ment in Japan" by Charles Fahs | 18116 | |
| 598(2) | 2361-A | | Excerpt therefrom | | 18116 |
| 598(7) | 2361-B | | Ditto | | 18116 |
| 598(8) | 2361-C | | Ditto | | 18122 |
| 179 | 2362 | | Statement of State Minister KONOYE before the Budget Committee Session, House of Rep- resentatives, 76th Imperial Diet 8 February 1941 | | 18132 |
| 588 | 2363 | | Affidavit of ANDO, Kisaburo | | 18141 |
| 148 | 2364 | | Excerpt from the Minutes of the Budget Committee Meeting, House of Rep- resentatives, 76th Session of the Diet, 28 January 1941 | | 18164 |
| 292 | 2365 | | Record of the 2nd Budget Committee Meeting of the House of Represent- atives on 24 January 1939 | | 18167 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 565 | 2366 | | Affidavit of KUZUU, Yoshihisa | | 18173 |
| | (withdrawn) | | | | 18173 |
| 435 | 2366 | | Affidavit of TSUGITA, Daisaburo | | 18176 |
| 547 | 2367 | | Report on the Examination of the Revision of Im- perial Ordinance on the Organization of the War Ministry and one other subject, dated 6 May 1936 | | 18183 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 600 | 2368 | | Affidavit of YOSHINO, Shinji dated 14 Febru- ary 1947 at Tokyo, Japan | | 18202 |
| 708 | 2369 | | Affidavit of ONO, Takeshi | | 18343 |
| 231 | 2370 | | Address of Mr. Hachiro, ARITA, Minister for Foreign Affairs at the 70th Session of the Diet on 21 January 1937 | | 18387 |
| 76 | 2371 | | Statement of the Foreign Office re the Agreement Against the Communist International | | 18398 |
| 591 | 2372 | | A Book entitled "Tortured China" by Hallet Abend | | 18413 |
| 202-K-1 | 2373 | | Excerpt from John B. Powell's Book "My Twenty-Five Years in China" (pp. 173, 174, 175) | | 18420 |
| 202-Q-1 | 2374 | | ditto | | 18426 |
| 202-O-1 | 2375 | | ditto | | 18428 |
| 202-H-3 | 2376 | | ditto | | 18432 |
| 691 | 2377 | | Affidavit of YOSHIDA, Akio | | 18441 |
| 650 | 2378 | | Affidavit of IWANATSU, Goro | | 18536 |

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| Not numbered | 2379 | | Document entitled "A Regulation of the Ministry of War in re Education" dated 30 November 1938 | 18569 | |
| 367 | 2380 | | Telegram re the German Minister's Advice on the Retrocession of the Liaotung Peninsula dated 23 April 1895 | | 18777 |
| 385 | 2381 | | Reply to the Memorandum presented by the German, Russian and French Ministers dated 30 April 1895 | | 18881 |
| 341 | 2382 | | Telegram from the Japanese Foreign Minister to the Japanese Minister to Germany, Japan's Reply Releasing the Mukden Peninsula, dated 5 May 1895 | | 18786 |
| 698 | 2383 | | Treaty Respecting South Manchuria and Eastern Inner Mongolia, signed at Peking 29 May 1915 | | 19132 |
| 596 | 2384 | | Instruction of 17 June 1927 to the Japanese Consul-General at Tientsin from the Japanese Foreign Minister re the intended trip to Japan of the ex-Emperor Pu-Yi | | 19144 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 307 | 2385 | | Report dated 11 January 1929 from the Chief of Public Safety Bureau of the Kwantung Government to the Chief of Colonial Bureau of the Japanese Cabinet and other officials re a Movement for the Restoration of Chin Dynasty in Manchuria, the leader of which was Kun Chin-Wang (Uncle of Pu-Yi) | | 19151 |
| 676 | 2386 | | Report of 5 February 1929 from the Japanese Charge d'Affaires <u>ad interim</u> in China to the Japanese Foreign Minister re the promulgation of the Regulations for the Confiscation of Japanese Goods | | 19157 |
| 481 | 2387 | | Report dated 24 April 1929 from the Japanese Consul at Kirin (Manchuria) to the Japanese Foreign Minister re the Secret Order issued by the Chinese Authorities Prohibiting the Lease of House Sites to the Japanese | | 19161 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 482 | 2388 | | Report dated 2 August 1920 from the Japanese Director of the Bureau of Police Affairs in the Kwantung Province to the Japanese Vice-Minister of Overseas Affairs and other functionaries re the Chinese Regulations Prohibiting the Sale of Lands to Foreigners | | 19164 |
| 480 | 2389 | | Report dated 19 August 1929 from the Japanese Consul-General at Chientao to the Japanese Foreign Minister re the Chinese Proclamation to Enforce the Regulations on the Lease of Land to Korean Farmers | | 19168 |
| 486 | 2390 | | Report of 8 November 1929 from the Japanese Consul-General at Kirin to the Japanese Foreign Minister re the Chinese Regulations Controlling the Rice Field Irrigation in Kirin Provinces | | 19176 |
| 557 | 2391 | | Report dated 9 June 1931 from the Japanese Director of the Department of Korean Affairs in the Ministry of Overseas to the Director of Asiatic Affairs Bureau of the Foreign Office re the Enforcement of the Chinese Disciplinary Law Against Lease or Sale of Land to Foreigners | | 19182 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 326 | 2392 | | Article dated 22 July 1931 entitled "Japan's Continental Rights" - a Speech by Premier WAKATSUKI re the Manchurian Question | | 19195 |
| 392 | 2393 | | Article dated 5 August 1931 entitled "Army Commanders' Conference; Minister of War's Appeal to the Public; Essential Improvements" | | 19200 |
| 443 | 2394 | | Article dated 16 August 1931 entitled "The Manchurian Situation - Kwantung Governor and Korean Nationality Question calls for Solution" | | 19204 |

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| 796 | 2395 | | Article dated 6 September 1931 entitled "Baron WAKATSUKI Replies - No Reason for Stronger China Policy - The Fct Heads Rebuked" | | 19207 |
| 795 | 2396 | | Article dated 9 September 1931 entitled "Chiang's Fiery Attack - Japan Behind the Scenes in the Canton Revolt - The NAKAMURA Murder" | | 19210 |
| 794 | 2397 | | Article dated 16 September 1931 entitled "Chiang Repeats His Charges - Did Japan Supply Canton with 100,000 Rifles? - Grave Accusations" | | 19212 |
| 352 | 2398 | | Excerpt from the Manchuria Year Book showing Condition of Japanese Investments in Manchuria by various Statistics | | 19214 |
| 883 | 2399 | | Affidavit of KANAI, Shoji | | 19219 |
| 244 | 2400 | | Affidavit of HONJO, Kazuo | | 19244 |
| 274 | 2401 | | Testament of HONJO, Shigeru | | 19246 |
| 233 | 2402 | | Affidavit of KAWAMURA, Kyoichi | | 19249 |
| 227 | 2403 | | "The True Nature of the Manchurian Incident" Written by HONJO, Shigeru | | 19250 |

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| 887 | 2404 | | Affidavit of HIRATA, Yukihiro | | 19276 |
| 885 | 2405 | | Affidavit of TAKEDA, Fisashi | | 19321 |
| 1767-A | 2406 | | Telegram from General FAYASHI to DOHIHARA, Kenji dated 13 Octo- ber 1931 - Telegram No. 963 | 19384 | |
| 1767-B | 2407 | | Telegram from General HAYASHI to DOHIHARA, Kenji dated 17 Octo- ber 1931 - Telegram No. 1013 | 19384 | |
| 266 | 2408 | | Affidavit of KAWABE, Torashiro | | 19394 |
| 2979 | 2409 | | Instructions to KAWABE, Torashiro concerning Stratagem, dated 5 October 1932 | | 19469 |
| 703 | 2410 | | Affidavit of SHIMAMOTO, Masaichi | | 19479 |
| 734 | 2411 | | Certificate with Map at- tached (Source: Inde- pendent Defense Army Headquarters) | | 19490 |
| 752 | 2412 | | Affidavit of ENDO, Saburo | | 19493 |
| 333 | 2413 | | Speech by the Minister of State YOSHIZAWA in the Japanese House of Peers on 22 January 1932, taken from the proceedings of the House of Peers re the Manchurian Situation | | 19521 |

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|---------------------------|---------------------------|----------------------------|---|-----------------------------|------------------------------|
| 143 | 2414 | | Preliminary Report of the Commission of Inquiry of the League of Nations dispatched from Mukden 29 April 1932 | | 19529 |
| 408 | 2415 | | The Kwantung Army Head- quarters Regulations, dated 11 April 1919 - Military Order Army No. 12 | | 19554 |
| 126 | 2416 | | Statement of the Japanese Government re the First Shanghai Incident, dated 29 January 1932 | | 19559 |
| 63 | 2417 | | Statement of the Japanese Government re the Shang- hai Incident, dated 7 February 1932 | | 19563 |
| 253 | 2418 | | Extract from the Shorthand notes of the Proceedings of the House of Peers of the Japanese Empire, dated 24 March 1932, set- ting out the Speech made in the House of Peers by INUKAI, Tsuyoshi, re the China Incident | | 19570 |
| 34 | 2419 | | Agreement for the Cessation of Hostilities around Shanghai | | 19571 |
| 968 | 2420 | | Affidavit of SAMEJIMA, Tomoshige | | 19585 |

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| 363 | 2421 | | Affidavit of KITAURA, Toyoo | | 19586 |
| 926 | 2422 | | Affidavit of TANGE, Kunji | | 19599 |
| 897 | 2423 | | Affidavit of OYAMA, Ayao | | 19617 |
| 869 | 2424 | | Affidavit of WACHI, Takaji | | 19665 |
| 127 | 2425 | | Independence Declaration of the New Manchurian Mongolian State, dated 18 February 1932 by the Administrative Committee of Northeast | | 19688 |
| 104 | 2426 | | The Imperial Enthronement Rescript whereby Pu-Yi, Regent, became Emperor | | 19696 |
| 105 | 2427 | | The Imperial Rescript on Japan's Withdrawal from the League of Nations, dated 27 March 1933 | | 19700 |
| 57 | 2428 | | Final Protocol Between the USSR and Manchukuo, signed 23 March 1935 | | 19702 |
| 27 | 2429 | | Proclamation on the Establishment of Manchukuo, dated 1 March 1932 and made by the Department of Foreign Affairs of the Manchukuo Government | | 19703 |

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| 299 | 2430 | | Excerpt from the 1936 Japan-Manchukuo Year Book, setting forth the occupants of leading Manchukuo Government posts in 1935 | | 19711 |
| 250-D | 2431 | | MATSUOKA's Speech on 24 February 1933 to the Assembly against Adoption of the Draft Report of the Committee of Nineteen and his Statement why Japan cannot agree and accept it | | 19712 |
| 278 | 2432 | | Excerpt from the Japan-Manchukuo Year Book of 1937 re Japan's Policy re the Abolition of extra-territoriality in the New State of Manchukuo | | 19717 |
| 382 | 2433 | | Agreement Between the Navigation Bureau at Harbin, Manchukuo and the Navigation Bureau at Amus, USSR, concerning the improvement of Navigation, signed 4 September 1934 | | 19721 |
| 489 | 2434 | | Speech by Mr. HIROTA as Foreign Minister at the House of Representatives on 21 January 1936 of the proceedings of the 68th Diet Session | | 19728 |

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|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 989 | 2435 | | Affidavit of MINAMI, Jiro | | 19774 |
| 28 | 278 | | Letter from Pu-Yi to MINAMI, Jiro (previously Identification only) | | 19801 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 2292 | 2436 | | Photostatic copy of a Letter written by MINAMI, Jiro, Deputy Chief of the Army General Staff, dated 6 October 1927 | | 19943 |
| 835-A | 2437 | | Letter from General MINAMI, Jiro Governor-General of Korea, to His Excellency the Foreign Minister UGAKI, Issei, dated 23 September 1938 | | 20011 |
| 921 | 2438 | | Affidavit of UEDA, Kenkichi | | 20110 |
| 962 | 2439 | | Affidavit of MATSUKI, Tamotsu | | 20156 |
| 400 | 2440 | | Affidavit of TAKAMURA, Iwao | | 20188 |
| 400-A | 2440-A | | Affidavit of TAKAMURA, Iwao | | 20188 |
| 888 | 2441 | | Affidavit of NANAMI, Toshio | | 20208 |
| 28 | 278-A | | Letter from Pu-Yi to General MINAMI, Jiro dated 3 April 1934, being English translation from Chinese of Court exhibit No. 278 | | 20211 20212 |
| 315 | 2442 | | Memo concerning the National Temple of Manchukuo | | 20221 |
| 976 | 2443 | | Affidavit of KAGOSHIMA, Torso | | 20223 |

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|-----------------|-----------------|------------------|---|-------------------|--------------------|
| 637 | 2444 | | Book entitled "The Manchukuo Year Book" | 20232 | |
| 637-G | 2444-A | | Excerpt therefrom | | 20232 |
| 975 | 2445 | | Affidavit of ISHIMARU, Shizuma | | 20239 |
| 738 | 2446 | | Agreement executed in 1925 among the British Empire, France, Japan, the Netherlands, Portugal and Siam re Methods of Suppression of the Use and Trade in Opium in conformity with the 1912 Convention | | 20247 |
| 831 | 2447 | | Volume I of the "Report to the Council" by the League of Nations Commission of Enquiry for the Control of Opium-Smoking in the Far East, published in Geneva in 1930 | 20251 | |
| 831-E | 2447-A | | Excerpt therefrom | | 20251 |
| 637-A | 2448 | | Excerpt from "The Manchukuo Year Book" published by the Manchukuo Year Book Company, Hsinking, Manchuria, in 1942, re the purpose of and precedent for the Manchurian Opium-Monopoly System | | 20254 |
| 831-C | 2449 | | Further Excerpt from Defense Document No. 831, showing the Historical Background for the Attempt to Control Opium-Smoking in Formosa | | 20255 |

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|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 978 | 2450 | | Proclamation of the Prime Minister of Manchukuo promulgating the origin of the Opium Law in 1932 | | 20268 |
| 831-D | 2451 | | Excerpt from the "Report to the Council" of the League Commission re the Decrease of Opium Addicts in Formosa as a result of the measures taken | | 20271 |
| 831-A | 2452 | | Excerpt from the League Commission "Report to the Council" showing the main features of the Opium Policies followed by the various governments in Far East | | 20272 |
| 732 | 2453 | | Excerpt from the "Report to the Council" of the League Commission re the importance of Opium Revenue to the various governments | | 20276 |
| 831-B | 2454 | | Excerpt from the "Report to the Council" of the League Commission re Conclusions and Suggestions of the League of Nations' Commission re the Control of Opium-Smokers | | 20279 |
| 722 | 2455 | | Excerpt from Prosecution exhibit No. 452, the "Sixth Report on Progress in Manchuria to 1939", published by the South Manchuria Railway Company, Dairen, 1939, re the Over-all Opium Suppressing Policy in Manchukuo | | 20288 |

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| 965 | 2456 | | Copy of the Opium Law of 1932 as revised through 1938 to show the stringent measures taken by the Government in the Control Policy | | 20290 |
| 966 | 2457 | | Opium Regulations governing the Enforcement of the Opium Law | | 20295 |
| 637-E | 2458 | | Excerpt from "The Manchukuo Year Book" re the Decline in Acreage for Legalized Poppy Growing following the introduction of the more stringent Opium-growing Regulations | | 20300 |
| 188 | 2459 | | The 1937 Narcotics Law of Manchukuo | | 20301 |
| 1031 | 2460 | | Special Budget of the State Council of Manchukuo for 1943 | 20305 | |
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| 1032 | 2461 | | General Budget of the State Council of Manchukuo for 1943 | 20306 | |
| 1032 | 2461-A | | Excerpt therefrom | | 20306 |
| 963 | 2462 | | Affidavit of NAMBA, Tsunekazu | | 20308 |
| 2278 | 2463 | | Affidavit of NAMBA, Tsunekazu | | 20356 |
| 637-B | 2464 | | Excerpt from "The Manchukuo Year Book" (pp. 256-7) | | 20363 |

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| 637-I | 2465 | | Excerpt from "The Manchukuo Year Book" (pp. 697-8-9, 701, 707) | | 20366 |
| 957 | 2466 | | Affidavit of MUTO, Tomio | | 20385 |
| 991 | 2467 | | "Outline of Government" | 20403 | |
| 991-A | 2467-A | | Excerpt therefrom | | 20403 |
| 991 (A to D) | 2467-B | | Certificate of Source of Excerpts | | 20403 |
| 991-C | 2467-C | | Excerpt from the "Fundamental Principles of Administration of Manchukuo" | | 20407 |
| 992 | 2468 | | "Conditions of State Finance" published in 1937 by the Bureau of Statistics of the General Affairs Board of Manchukuo | 20410 | |
| 992 | 2468-A | | Excerpt therefrom | | 20410 |
| 993 | 2469 | | "Conditions of State Finance" published in 1938 by the Bureau of Statistics of the General Affairs Board of Manchukuo | 20411 | |
| 993 | 2469-A | | Excerpt therefrom | | 20411 |
| 994 | 2470 | | "Conditions of State Finance" published in 1939 by the Bureau of Statistics of the General Affairs Board of Manchukuo | 20411 | |

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| 994 | 247C-A | | Excerpt therefrom | | 20411 |
| 995 | 247D | | "Manchukuo Empire Annual Report No. III" published in June 1938 by the General Affairs Bureau of Manchukuo | | 20413 |
| 995 | 2471-A | | Excerpt therefrom | | 20413 |
| 1160 | 2472 | | Affidavit of OKUMURA, Shinji | | 20418 |
| 538 | 2473 | | "Socialism Victorious", a compilation of speeches by Soviet Leaders and Resolutions of the 17th Congress of the Communist Party of the Soviet Union, 1934 | | 20431 |
| 538 | 2473-A | | Excerpt therefrom (two paragraphs) | | 20432 |
| 558 | 2474 | | Lecture by KISHI, Shinsuke | | 20433 |
| 1005 | 2475 | | Affidavit of TANAKA, Shizuka | | 20460 |
| 1019-A | 2476-A | | Treaty between Japan and Manchukuo re the Abolition of Extra-territoriality in Manchukuo and the Transfer of the Administrative Rights over the South Manchurian Railway Zone | | 20473 |
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| 1019-C | 2476-C | | Agreed Terms of Understanding between the Plenipotentiaries of Japan and Manchukuo re the Treaty between the two Countries | | 20473 |
| 1019-D | 2476-D | | Supplementary Agreement "B" | | 20473 |
| 1134 | 2477 | | Statement of the Time and Place of Events which occurred from the Lukouchiao Incident until the Establishment of the General Headquarters | | 20508 |
| 502 | 2478 | | Book entitled "Behind the Japanese Mask" by the Right Honorable Sir Robert Craigie | | 20514 |
| 970 | 2479 | | Affidavit of KAWABE, Masakazu | | 20519 |
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| 969 | 2480 | | Affidavit of SAKURAI, Tokutaro | | 20552 |
| 594 | 2481 | | Affidavit of WACHI, Tsunezo | | 20569 |
| 1003 | 2482 | | Affidavit of WACHI, Takaji | | 20576 |
| 1144 | 2483 | | Note on the Dissolution of the Provisional Government of Tientsin | | 20592 |
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| 956 | 2485 | | Resolutions Adopted by the Diplomatic Body at Peking re Military Occupation of the Railway from Peking to Shanhaikuan | | 20602 |
| 891 | 2486 | | Declaration of the President Of China Relating to Respecting of Treaties, Agreements and Vested Rights, dated 10 October 1913 | | 20605 |
| 973 | 2487 | | Affidavit of HASHIMOTO, Gun | | 20611 |
| 925 | 2488 | | Affidavit of TANAKA, Shinichi | | 20669 |
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| 1132 | 2490 | | Affidavit of SHIFAYAMA, Kaneshiro | | 20774 |
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| 1125 | 2497 | | Address of Mr. Koki HIROTA, Minister of Foreign Affairs at the 71st Session of the Diet on 27 July 1937 | | 20816 |
| 1090 | 2498 | | Affidavit of KAYASHIMA, Takashi | 20830 | |
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| 1331 | 2502 | | Address of Mr. Koki HIROTA, Minister for Foreign Affairs at the 72nd Session of the Diet on 5 September 1937 | | 20868 |
| 1117 | 2503 | | Statement of the Minister for Foreign Affairs to the Press, dated 2 September 1937 | | 20873 |
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| 1131 | 2502 | | Address of Mr. Koki HIROTA, Minister for Foreign Affairs at the 72nd Session of the Diet on 5 September 1937 | | 20868 |
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| 1006 | 2505 | | Affidavit of FURUYAMA, Katsuo | | 20943 |
| 38 | 2506 | | Ordinance for the Promotion of International Amity, dated 10 June 1935 | | 20965 |
| 1087 | 2507 | | The Address of Mr. Hachiro ARITA, Minister for Foreign Affairs at the 69th Session of the Imperial Diet 6 May 1936 | | 20967 |
| 213 | 2508 | | Part of the Address of Prime Minister and Foreign Minister Mr. Senjuro HAYASHI bearing on the Government's Foreign Policy at the 70th Session of the Diet 15 February 1937 | | 20979 |
| 414 | 2509 | | New Year Statement of Foreign Minister ARITA in January 1939 | | 21008 |
| 952 | 2510 | | Report on Japanese Goods Registration Act, Anti-Japanese Slogans, etc. from a Charge d'Affairs | | 21023 |

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| 1305 | 2511 | | Report concerning the Association for Expediting the Abolition of Treaties | | 21040 |
| 1306 | 2512 | | Consul-General SHIGEMITSU's Telegram to Foreign Minister SHIDEHARA, dated 19 August 1929 | | 21043 |
| 950 | 2513 | | Report of the Asia Bureau of the Ministry of Foreign Affairs | 21085 | |
| 1058 | 2514 | | The Note from Consul KAWAI at Shanghai to Foreign Minister ARITA, dated 24 December 1936 | | 21104 |
| 1137 | 2515 | | Affidavit of OKAMOTO, Suemasa | | 21145 |
| 1063 | 2516 | | Minutes of the Joint Commission held at Shanghai Municipal Council on 12 August 1937 | | 21176 |
| 1064 | 2517 | | Corrected Minutes of a Meeting of the Joint Commission held at the Consulate-General for France on 23 June 1937 | | 21177 |

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NOTE:

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| 5298 | 1826 | | Affidavit of Flying Officer Denis Brian Mason of the Royal Air Force | 14057 | |
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| 5300 | 1828-A | | Excerpt therefrom | | 14061 |
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| 5442 | 1832 | | Synopsis of Evidence - New Britain | | 14067 |
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| 5378 | 1834 | | Affidavit of former Captain Charles Walter Kendall of 18 Australian Infantry Brigade | 14069 | |
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| 5384 | 1838 | | Sworn Statement of Jemader Abdul Latif of the 4/9 Jat Regiment | 14088 | |
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| 5445 | 1851 | | Synopsis of Evidence - New Britain | | 14104 |
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| 5312 | 1853 | | Record of Evidence of Driver Wilkie Desmond Collins | 14109 | |
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| 5400 | 1855 | | Affidavit of Lieutenant Wong Yo Sin of 200 Battalion 67 Division | 14112 | |
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| 5401 | 1856 | | Affidavit of Major Lee Wai Sin of 3rd Field Volunteer Army | 14112 | |
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| 5393 | 1858 | | Affidavit of Captain Liu Wei Pao of the Chinese National Army | 14114 | |
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| 5404 | 1859 | | Affidavit of Captain Yung Pang Fae of the Central Volunteer Chinese Army | 14116 | |
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| 5407 | 1862 | | Affidavit of Lieutenant Tan Bai Ming of the Central Chinese Army | 14119 | |
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| 5409 | 1864 | | Record of Evidence of Mrs. Lee Yitsai Kunyang | 14120 | |
| 5409 | 1864-A | | Excerpt therefrom | | 14120 |
| 5217 | 1865 | | Affidavit made jointly by 1st Lieutenant James A. McMurria, 2nd Lieutenant Jose L. Holguin and 2nd Lieutenant Alphonse D. Quinones, all of the 5th U. S. Air Force | 14121 | |
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| 5438 | 1866 | | Sworn Statement by Captain John J. Murphy of the Allied Intelligence Bureau | 14123 | |
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| 5412 | 1869 | | Affidavits of Sweeper Gianl and Pioneer Lungi Kobe, both of the Indian Army | 14126 | |
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| 5414 | 1870 | | Record of Evidence of Jem Qutubuddin of the 1st Battalion Hyderabad Infantry | 14127 | |
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| 5447 | 1875-A | | Excerpt therefrom | | 14131 |
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| 5452 | 1876-A | | Excerpt therefrom | | 14132 |
| 5262 | 1877 | | Affidavit of Cher Chee, a Chinese civilian | 14132 | |
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| 2662 | 1892 | | Report of Lieutenant Colonel Richard E. Rudisill, Chief, Investigation Division, Legal Section SCAP | | 14163 |
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| 2662 Part 23 | 1921 | | Report of the Japanese Central Investigation Committee re Prisoners of War dated 9 January 1946 | | 14204 |
| 2662 Part 24 | 1922 | | Report of the Japanese Investigation Committee re Prisoners of War dated 26 December 1945 | | 14209 |
| 2662 Part 27 | 1923 | | Report of the Japanese Investigation Committee re Prisoners of War dated 27 March 1946 | | 14212 |
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| 847F | 1956 | | Letter signed by the Gaimusho, Tokyo, 29 January 1942 | | 14295 |
| 1465 B | 1957 | | Statement re reply of Japanese Foreign Minister to the Argentine Charge d'Affaires in Tokyo on 29 January 1942 | | 14297 |
| 1465A | 1958 | | Record of Conference in War Ministry re decision not to apply the Geneva Convention and orders issued in consequence thereof | | 14299 |
| | | 1959 | Introduction of Certificates relative to the death of the Accused MAGANO, Osami | | 14304 |
| 1547-A | 1960 | | Excerpt from the part concerning the treatment of prisoners of war, in War Ministry TOJO's instructions delivered to the commander of the Zenysuji Division, on his visit of inspection 30 May 1942 | | 14423 |

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| 1547-B | 1961 | | Notification from the Director of the Prisoner of War Custody Division of the Ministry of War to Army Units concerned. | | 14425 |
| 1630-B | 1962 | | War Minister's Address Delivered to the Newly-Appointed Chiefs of Prisoner-of-War Camps, at the Ministry of War, on 25 June 1942 | | 14426 |
| 1630-A | 1963 | | Instructions of War Minister Hideki TOJO to the Newly-Appointed Commanders of the Prisoner-of-War Camps | | 14428 |
| 1630-C | 1964 | | Certificate, 5 September 1946 Extracts from Monthly Reports on Prisoners-of-War | 14431 | |
| 1630-C | 1964-A | | Excerpts therefrom | | 14431 |
| 1303 | 1965 | | Organization of the Prisoner-of-War Information Bureau (Imperial Ordinance No. 1246, 27 December 1941) | 14439 | |
| 1303 | 1965-A | | Excerpts therefrom | | 14439 |
| 1576A | 1966 | | Extract from the Imperial Diet Proceedings of 17 February 1943 | 14477 | |
| 1576A | 1966-A | | Excerpt therefrom | | 14477 |
| 978A | 1967 | | Correspondence from the Chief of the General Staff of the Eastern District Army to the Minister of War | | 14484 |

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| 978B | 1968 | | Telegram to the Minister of War from the Commander of the Taiwan Army | | 14488 |
| 1571A | 1969 | | Report on Prisoner of War Labor Conditions | | 14491 |
| 580A | 1970 | | Inquiry concerning the question of making available the Manchurian Machine Tool Machine Company for a rapid increase in Aircraft production | 14497 | |
| 580A | 1970-A | | Excerpts therefrom | | 14497 |
| 668A | 1971 | | Foreign Affairs Monthly Report, September 1942 published by the Foreign Section of the Policy Bureau of Home Ministry | 14505 | |
| 668A | 1971-A | | Excerpts therefrom | | 14505 |
| 706A | 1972 | | Monthly Reports of the Secret Service Police - August 1942, (page 206) | 14509 | |
| 706A | 1972-A | | Excerpt therefrom | | 14509 |
| 980A | 1973 | | Telegram to the Minister of War from the Chief of Staff of the Korean Army | | 14512 |
| 977A | 1974 | | Draft of Notice to the Commander-in-Chief of the Southern Area Army dated 16 May 1942 | | 14518 |
| 650A | 1975 | | Report from the Chief of Staff Korean Army 1942 | | 14520 |

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| 979A | 1976 | | Report of the Provisions re the Korean Prisoner of War Internment Camps | | 14529 |
| 2733 | 1977 | | Revision and Adjustment of Cautions on Censoring | | 14539 |
| 1114B | 1978 | | Outline for the Disposal of Prisoners of War | | 14543 |

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| 2511 | 1979 | | Extract from Interrogation of TOJO, Hideki dated 14 March 1946 | 14553 | |
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| 4182 | 1983 | | Extract from Interrogation of TOJO, Hideki dated 28 March 1946 | 14591 | |
| 4182A | 1983-A | | Excerpt therefrom | | 14591 |
| 4182A | 1983-B | | Excerpt from document 4183 | | 14597 |
| 4183 | 1984 | | Extract from Interrogation of TOJO, Hideki dated 29 March 1946 | 14599 | |
| 4183A | 1984-A | | Excerpt therefrom | | 14599 |
| 4183B | 1984-B | | Excerpt from document 4183 | | 14605 |
| 1632W (95) | 1985 | | Extract from Entry of Marquis KIDO's Diary dated 13 March 1942 | | 14606 |
| 1632W (96) | 1986 | | Extract from Entry from Marquis KIDO's Diary dated 21 May 1942 | | 14607 |
| 1632W (98) | 1987 | | Extract from Entry from Marquis KIDO's Diary | | 14608 |
| 2732A | 1988 | | Monthly Report (Telegram) from the Prisoner of War Camps Commandant in Thailand to the Chief of POW Information Bureau dated 3 September 1943 | | 14609 |
| 2744 | 1989 | | Affidavit of WAKAMATSU, Tada-kazu dated 31 October 1946 | | 14633 |
| 2940 | 1990 | | Affidavit of ISHIDA, Eiguma | | 14657 |

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| 626A | 1991 | | Regulations for Punishment of Enemy Air Crews | | 14662 |
| 1681 | 1992 | | Communication (Army Secret No. 2190) dispatched from Vice War Minister KIMURA to each Chief of Staff stationed in Japan and Outside Japan dated 28 July 1942 | | 14666 |
| 1793B | 1993 | | Notification of Matters pertaining to the Treatment of Crew Members of Raiding Enemy Planes | | 14670 |
| 1793C | 1994 | | Report on the Court Martial for Allied Aircraft Crews Captured in the Tokai District Army Area | | 14674 |
| 1793D | 1995 | | Report on the Court Martial for Allied Aircraft Crews Captured in the Central Japan District Army Area | | 14679 |
| 1793E | 1996 | | Army Secret No. 1437 (Army Secret Wire No. 5715) dated 15 August 1945 | | 14681 |
| 1793F | 1997 | | Army Secret No. 5776 (Army Secret Wire No. 1484) dated 23 August 1945 | | 14682 |
| 2483 | 1998 | | List of the Prisoners of War Punished by Military Court Martial during the Period 8 December 1941 - 15 August 1945 | | 14682 |

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| 2734 | 1999 | | Fujo/POW-Information/No. 20, Part 51, re Supplement to Name List of POW already Punished | | 14698 |
| 2569 | 2000 | | Certificate from the Chief of Correspondence Section, 1st Demobilization Bureau, dated 5 August 1946 | | 14699 |
| 2594A | 2001 | | File of Dispatched and Received Documents by M.P. Unit for KAGOSHIMA Area, dated August, 1945 | 14700 | |
| 2594A | 2001-A | | Excerpt therefrom | | 14700 |
| 2687 | 2002 | | Certificate authenticating documents 2689 to 2701 | | 14707 |
| 2688 | 2003 | | Certified as Exhibit "A" in document No. 2687 - Letter to the Chief of Staff, Taiwan Army from the Chief, POW Control Bureau, dated 5 June 1942 | | 14708 |
| 2689 | 2004 | | Letter from the Chief of POW Information Office to Taiwan Army Chief of Staff, dated 2 April 1942 | | 14710 |
| 2690 | 2005 | | Letter from the Taiwan Army Chief of Staff to Chief of POW Information Office, dated 2 April 1942 | | 14711 |
| 2691 | 2006 | | Letter to the Chief of Staff of the Hong Kong Governor-Generalship from Taiwan Army Chief of Staff | | 14712 |

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| 2692 | 2007 | | Letter from the Chief of Staff Hong Kong to Taiwan Army Chief of Staff, dated 2 April 1942 | | 14713 |
| 2693 | 2008 | | Letter from the Chief of Staff Taiwan Army to Chief of Staff POW Information Office, Tokyo, dated 7 April 1942 | | 14714 |
| 2694 | 2009 | | Letter from the Chief of POW Control Bureau, Tokyo, to Taiwan Army Chief of Staff | | 14715 |
| 2695 | 2010 | | Letter from Adjutant of War Ministry to Taiwan Army Chief of Staff | | 14716 |
| 2697 | 2011 | | Letter from the Chief of Prisoner of War Camps, Tokyo, to Chief of Staff, Taiwan Army | | 14718 |
| 2698 | 2012 | | Letter from Chief of Staff Taiwan Military Jurisdic- tion to Chief of Staff Taiwan POW Camps | | 14719 |
| 2699 | 2013 | | Enclosure to document 2698 "Summary of the Arrange- ments for POW's in Confor- mance with Transition in the Situation" | | 14721 |
| 2700 | 2014 | | Letter from Chief of Staff Taiwan Military Jurisdic- tion to the War Ministry Adjutant | | 14723 |

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| 2701 | 2015 | | Extract from the Journal of the Taiwan Camp Headquarters in Taihoku | | 14724 |
| 2853A (1)-(73) | 2016 | | Certificate of Authenticity of documents 1 to 73 | 14728 | 14734 |
| 2853B | 2016-A | | Synopsis of document No. 2853A(1)-(73) | | 14728 |
| 1432A | 2017 | | Letter from SHIGEMITSU to the Swiss Minister | | 14747 |
| 1432B | 2018 | | Verbal Note from the Japanese Foreign Office | | 14748 |
| 1432C | 2019 | | Note from the Imperial Japanese Ministry to the Swedish Legation | | 14749 |
| 1432D | 2020 | | Letter from SUZUKI, Kuma (not the Accused) of the Foreign Office to the Chief of the POW Information Bureau | | 14751 |
| 1432E | 2021 | | Reply of the POW Information Bureau to Letter from SUZUKI, Kuma (not the Accused) of the Foreign Office (exhibit No. 2020) | | 14752 |
| 2765A (1)-(22) | 2022 | | Series of Correspondence between the Japanese Minister of Foreign Affairs and the Swiss Minister | | 14754 |
| 2767A (1)-(8) | 2023 | | Certificate of Authenticity of documents 1 to 8 | | 14791 |

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| 2767B | 2023-A | | Synopsis of above mentioned document | | 14791 |
| 2751A (1)-(6) | 2024 | | Certificate of Authenticity and Series of documents (1 to 6) | | 14795 |
| 2766A (1)-(10) | 2025 | | Certificate of Authenticity of documents (1 to 10) | | 14833 |
| 2766B | 2025-A | | Synopsis of document 2766A (1)-(10) | | 14833 |
| 2871A | 2026 | | Letter from Swiss Legation to the Imperial Ministry of Foreign Affairs, Tokyo, dated 16 June 1943 | | 14836 |
| 2407A | 2027 | | Certificate of E. Tomlin Bailey, of the Department of State, United States of America | | 14891 |
| 2702A | 2028 | | Official Record of Army Headquarters Melbourne "Australian Prisoners of War (RAN, AMF, RAAF) in the Far East" | | 14901 |
| 2297A | 2029 | | Report on Prisoners of War, Dominion of Canada | | 14901 |
| 2448 | 2030 | | Strength and Casualties Report of the United Kingdom - 1939 to 1945 | | 14903 |
| 1804A | 2031 | | Report of 31 December 1945 from the United Kingdom and Colonial Prisoners of War in the Far East | | 14904 |

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| 1502A | 2032 | | Schedule showing numbers of New Zealanders Reported as Prisoners of War in Japanese Hands | | 14905 |
| 2942 | 2033 | | Report on United States Prisoners of War Received from Provost Marshal General's Office, American Prisoner of War Information Bureau | | 14907 |
| 8431 | 2034 | | Letter dated 20 April 1942 from TOGO, Shigeru to the Minister Extraordinary and Plenipotentiary of Switzerland | | 14932 |
| 8036 | 2035 | | Affidavit of Robert Hugh Lancaster | | 14968 |
| 8478 | 2036 | | Record of proceedings of a Military Commission convened at U. S. Naval Air Base, Kwajalein Island, Kwajalein Atoll, Marshal Islands, by order of Commander Marshalls-Gilbert area on 21 December 1945 re SAKIBARA, TACHIBANA and ITO | 14972 | |
| 8439 | 2036-A | | Excerpts therefrom | | 14973 |
| 8440 | 2036-B | | Excerpts therefrom | | 14973 |
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| 8482 | 2037 | | Affidavit of Lt. Col. Rudisill, Chief of the Investigation Division of Legal Section GHQ, SCAP and affidavit of Captain John Hamas, U. S. Marine Corps | | 14983 |
| 8480 | 2038 | | Affidavit of KOHARA, Yauso | | 14992 |
| 8433 | 2039 | | Letter from the Swiss Minister to the Defendant TOGO dated 26 May 1942 at Tokyo | | 15001 15001 |
| 8432A | 2040 | | Letter from the Defendant TOGO to the Swiss Minister dated 10 August 1942 | | 15001 15002 |
| 8445 | 2041 | | Letter from the Swiss Minister to Foreign Minister TANI dated 21 September 1942 | | 15001 15003 |
| 8427 | 2042 | | Letter from the Swiss Minister to the Japanese Minister of Foreign Affairs dated 7 October 1942 | | 15001 15007 |
| 8436 | 2043 | | Letter from the Swiss Legation to the Japanese Foreign Ministry dated 8 April 1943 | | 15001 15008 |
| 8437 | 2044 | | Note Verbale from the Japanese Foreign Office to the Swiss Legation dated 19 April 1943 | | 15001 15008 |
| 8438 | 2045 | | Letter from the Swiss Legation to the Japanese Foreign Ministry dated 21 August 1943 | | 15001 15009 |

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| 8428 | 2046 | | Letter from the Swiss Legation to the Japanese Foreign Ministry dated Tokyo, 8 October 1943 | | 15001 15010 |
| 8430 | 2047 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 10 December 1943 | | 15001 15011 |
| 8429 | 2048 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 14 February 1944 | | 15001 15012 |
| 8424 | 2049 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 25 September 1944 | | 15001 15012 |
| 8423 | 2050 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated Tokyo, 1 November 1944 | | 15001 15013 |
| 8426 | 2051 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 9 March 1945, Tokyo | | 15001 15013 |
| 8425 | 2052 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 15 May 1945 | | 15001 15014 |
| 8422 | 2053 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated 27 July 1945 | | 15001 15016 |
| 8483 | 2054 | | Certificate of Authenticity re letters and notes from the Swiss Legation to the Japanese Ministry of Foreign Affairs | | 15001 |

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| 8467 | 2055 | | Record of Proceedings of a Military Commission convened at United States Pacific Fleet, Commander Marianas, Guam, Marianas Islands by order of Commander Marianas Area on 15 May 1945 re ABE, OBARA and WAIKI | | |
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| 8447 | 2055-A | | Excerpts therefrom (exhibit 2055) | | 15018 15018 |
| 8446 | 2055-B | | Excerpts therefrom (exhibit 2055) | | 15018 15023 |
| 8449 | 2055-C | | Excerpts therefrom (exhibit 2055) | | 15018 15025 |
| 8444 | 2055-D | | Excerpts therefrom (exhibit 2055) | | 15018 15029 |
| 8448 | 2055-E | | Excerpts therefrom (exhibit 2055) | | 15018 |
| 8466 | 2056 | | Record of Proceedings of a Military Commission convened at United States Pacific Fleet, Commander Marianas, Guam, Marianas Islands, by order of Commander, Marianas Area on 15 August 1946 re TACHIBANA, MORI, YOSHII, MATOBA and others | | |
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| 8405 | 2057 | | Report of Captain John L. Murphy, USN, Director of War Crimes, Pacific Areas | | 15042 |
| 8435 | 2058 | | Protest from the United States Government by way of the Swiss Legation to the Japanese Foreign Minister, dated Tokyo 29 January 1945 | | 15048 |
| 8398 | 2059 | | Note from the Swiss Legation to the Japanese Foreign Ministry dated Tokyo, 23 April 1945 | | 15051 |
| 8399 | 2060 | | Memorandum from the Foreign Office, Tokyo, to the Swiss Legation, dated 12 May 1945 | | 15052 |
| 8421 | 2061 | | Protest from the Swiss Legation to the Japanese Foreign Ministry, dated 23 May 1945 | | 15053 |
| 8470 | 2062 | | Letter from the Commander-in-Chief, the United States Pacific Fleet, Admiral C. W. Nimitz to Commander-in-Chief, the United States Fleet, dated 19 May 1945 | | 15055 |
| 8469 | 2063 | | Report of the attack on the USS Comfort, dated 2 May 1945 | | 15059 |
| 8434 | 2064 | | Protest from the Swiss Legation to the Japanese Foreign Minister, dated 23 June 1945 | | 15062 |
| 8471 | 2065 | | Report re the Adventures of the Netherlands Military Hospital Ship "OP ten NCORT" | | 15065 |

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| 8471F | 2066 | | Certification of the above | | 15066 |
| 8471B | 2067 | | Letter from the Captain of the "OP ten NOORT" to the Japanese Navy Minister, dated 22 February 1942 | | 15070 |
| 8471C | 2068 | | Letter from the Captain of the "OP ten NOORT" to the Japanese Prime Minister | | 15073 |
| 8471D | 2069 | | Speech by the Prefect at Hiroshima to the personnel of the "OP ten NOORT" | | 15075 |
| 8471E | 2070 | | Letter from the Chief Medical Officer of the "OP ten NOORT" to the Japanese Prime Minister, dated 29 June 1944 | | 15077 |
| 8475 | 2071 | | Protest addressed to Accused TOGO dated 28 May 1942 | | 15081 |
| 8473 | 2072 | | Letter from the Japanese Minister of Foreign Affairs to the Swedish Minister, dated 9 June 1942 | | 15081 |
| 8474 | 2073 | | Note Verbale from the Swedish Legation to the Japanese Foreign Ministry, dated 28 September 1942 | | 15081 |
| 8477 | 2074 | | Note Verbale from the Swedish Legation to the Japanese Foreign Ministry dated 10 September 1945 | | 15081 |

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| 8476 | 2075 | | Letter from the Swedish Ministry to the Netherlands Minister of Foreign Affairs, dated 30 October 1945 | | 15081 |
| 8401 | 2076 | | Protest transmitted by the Swiss Legation from the United States Government to Foreign Minister SHIGEMITSU, dated 19 June 1944 | | 15088 |
| 8396 | 2077 | | Note from the Swiss Minister to the Japanese Foreign Minister, dated 15 September 1944 | | 15091 |
| 8415 | 2078 | | Letter from the Accused SHIGEMITSU to the Swiss Minister dated 28 November 1944 | | 15092 |
| 8412 | 2079 | | Letter from the Swiss Minister to Foreign Minister SHIGEMITSU, dated 21 February 1945 | | 15093 |
| 8402 | 2080 | | Protest transmitted by the Swiss Legation from the United States Government to the Japanese Government, dated 29 December 1944 | | 15095 |
| 8403 | 2081 | | Note by the Swiss Minister to the Japanese Foreign Minister, dated 28 December 1944 | | 15100 |
| 8404 | 2082 | | Acknowledgement by the Japanese Foreign Ministry of the receipt of the preceding document or protest | | 15101 |

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| 8409 | 2083 | | Letter from the Swiss Legation to the Japanese Foreign Ministry, dated 19 April 1945 | | ..5102 |
| 8411 | 2084 | | Memorandum by the Swiss Legation to the Japanese Foreign Minister, dated 28 April 1945 | | 15103 |
| 8413 | 2085 | | Letter from the Swiss Legation to the Japanese Foreign Minister dated 20 February 1945 (offered as a supplement to the preceding document) | | 15104 |
| 8414 | 2086 | | Note Verbale from the Japanese Foreign Minister to the Swiss Legation, dated 15 May 1945 | | 15105 |
| 8389 | 2087 | | Affidavit of Charles E. Pyle | 15140 15141 | |
| 8390 | 2088 | | Affidavit of Calvin Butler | 15140 15145 | |
| 8393 | 2089 | | Affidavit of Charles H. Rhodes | 15140 15148 | |
| 8394 | 2090 | | Affidavit of James D. Pearson | 15140 15150 | |
| 8485 | 2091 | | Affidavit of James J. Robinson | 15140 | |
| 8400 | 2092 | | Protest transmitted by the Swiss Minister from the British Government to the Accused SHIGEMITSU, Japanese Foreign Minister, dated 5 June 1944 | | 15153 |

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| 8397 | 2093 | | Note from the Swiss Legation to the Japanese Foreign Minister, the Accused SHIGEMITSU, dated 20 July 1944 | | 15156 |
| 8380 | 2094 | | Statement of Survivor R. J. Weeks, Master SS Daisy Moller | | 15157 15158 |
| 8381 | 2095 | | Extract from the official log of the SS British Chivalry sunk 22 February 1944 | | 15157 15159 |
| 8382 | 2096 | | Statement of Survivor P. H. Rees, Chief Engineer SS M. V. Sutley | | 15157 15159 |
| 8383 | 2097 | | Report of Attack on SS Ascot sunk 29 February 1944 | | 15157 15163 |
| 8379 | 2098 | | Statement of Survivor S. K. Chu, 2nd Mate SS Nancy Moller sunk 18 March 1944 | | 15157 15168 |
| 8388 | 2099 | | Statement of Survivor F. deJong, Chief Officer SS Tjisalak sunk 26 March 1944 | | 15157 15169 |
| 8472 | 2100 | | Chart of the sinkings | | 15157 |
| 8395 | 2101 | | Note from the Swiss Legation to the Japanese Foreign Minister, dated 16 September 1944 | | 15175 |
| 8416 | 2102 | | Note from the Swiss Minister to the Accused SHIGEMITSU, Japanese Minister of Foreign Affairs, dated 28 November 1944 | | 15177 |

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| 8410 | 2103 | | Letter from the Swiss Minister, transmitting from the Government of the United Kingdom a communication to the Japanese Foreign Minister, dated 19 May 1945 | | 15178 |
| 8481 | 2104 | | Official Report of the Killing of Survivors of the British SS Behar, sworn to on 30 May 1946 | | 15182 |
| 548 | 2105 | | Top Secret Japanese Naval Order for Submarine Operations in the Indian Ocean | | 15184 |
| 8479 | 2106 | | Interrogation of General Hiroshi OSHIMA | | 15186 |
| 8454 | 2107 | | Protest and Note with a Declaration of delivery by the Swiss Legation to the Defendant TOGO, dated 3 and 4 June 1945 | | 15200 |
| 8457 | 2108 | | Note from the Swiss Legation to the Japanese Foreign Minister, dated 7 June 1945 | | 15202 |

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| 8487 | 2109 | | Sketch by Sergeant Bogue, U.S. Marine Corps, of POW Camps at Puerto Princess Pelawan Island, dated 14 December 1944 | | 15228 |
| 8350 | 2110 | | Affidavit of Rufus W. Smith, Sworn to on 20 September 1946 | | 15279 |
| 8258 | 2111 | | Sworn Statements of William J. Balchus, Edwin A. Petry, Corporal Eugene Nielsen and Sergeant Alberto Pacheco, sworn to on 17 March 1945 | | 15280 |
| 8260 | 2112 | | Affidavit of Fern Joseph Barta, Radioman, 1/c, USN, sworn to on 13 February 1945 | | 15280 |
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| 2772- I-2 | 2114-A | | Excerpts therefrom | | 15298 |
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| 2772- D-4 | 2126 | | Report of a French Officer, Captain Merian of the French Gendarmerie dated 26 April 1942 | | 15325 |
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| 2772- G-1 | 2135 | | Affidavit of M ^r sieur Poli Dominique | | 15340 |

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| 2772-J-4 | 2140 | | Composed to two reports by Inspector of Police Massot Martial, attached to the Federal War Crimes Commission | 15350 | |
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| 2772- D-1 | 2145-A | | Excerpt therefrom | | 15375 |
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| 2772- D-2 | 2146-A | | Excerpt therefrom | | 15377 |
| 2772- C-1 | 2147 | | Affidavit of the Indo-Chinese Sergeant Le-Dink Bao | | 15379 |
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| 2772-C-2 | 2153 | | Affidavit of Si-A-Phuc | 15410 | |
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| 2772-C-3 | 2154-A | | Excerpt therefrom | | 15412 |
| 2772-E-7 | 2155 | | Official Report of the Sworn Evidence of First Class Soldier Cron | 15415 | |
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| 2963 | 2157 | | Sworn Statement of Fernand Gabrillagues | | 15429 |
| 2899 | 2158 | | Note addressed by the U.S. Acting Secretary of State to the Charge d'Affaires ad interim of New Zealand Legation, Washington, on 31 May 1945 | | 15473 |
| 2901 | 2159 | | Summary of Evidence of JAG Report No. 33 on the Torture and Murder of the members of the Chinese Consulate in Manila in January 1942 | | 15474 |
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| 1996 | 2161 | | Affidavit of Major Yakov Vasilievich Omelchenko | | 15485 |
| 1997 | 2162 | | Minutes of Interrogation of Colonel Vladimir Ivanovitch Kobzev | | 15487 |
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| 1999 | 2164 | | Extract from Affidavit of Isamu Amano | | 15491 |
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| 1509D | 2167 | | Re Employment of Prisoners of War in Contruction of Thai-Burma Railway | | 15500 |
| 5219 | 2168 | | List of Japanese War Criminals Charged under War Crimes Act 1945 by Australian Military Authorities and Dated 9 April 1946 | | 15503 |
| 5239 | 2169 | | List No. 2 of Japanese War Criminals Charged under War Crimes Act 1945 by Australian Military Authorities and dated 28 May 1946 | | 15503 |
| 3000-10-B-1 | 2170 | | Transmission of the Notes from the American Government re the adherence to the Provisions of the International Treaty and the Red Cross Treaty of 27 July 1929 re Treatment of Prisoners of War, dated 13 January 1942, No. 53 | | 15508 |

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| 3000-10-B-2 | 2171 | | Same as above, dated 21 January 1942, No. 5 | | 15509 |
| 3000-10-B-3 | 2172 | | Same as above, dated 13 January 1942, No. 17 | | 15511 |
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| 3000-10-S-1 | 2174 | | Protest from the American Government with regard to the Treatment of Prisoners of War in the Philippines | | 15514 |

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| 2242 | 2175 | | An addition to document No. 2242 (exhibit No. 753) and a new photostatic map attached thereto | | 15541 |
| 2955 | 2176 | | Report by Prof. Chang Feng-Chu, Handwriting expert, re the handwriting of Prosecution Witness Henry Pu Yi re letter written by Pu-Yi to Defendant General MINAMI | | 15543 |
| 1908 | 2177 | | Volume 63 of 65 "Proceedings, Tokyo Court of Appeals" marked 46, "May 15th Incident and OKAWA Faction" | 15556 | |
| 1908B | 2177-A | | Minutes of the Third Trial (OKAWA Testimony) | | 15556 |
| 1918 | 2178 | | Volume 64 of 65 "Proceedings, Tokyo Court of Appeals" re Trial of OKAWA, Shumei | 15590 | |
| 1918A | 2178-A | | Excerpt therefrom | | 15590 |
| 1918B | 2178-B | | Excerpt from Trial of OKAWA Shumei re Propaganda Campaign conducted by OKAWA throughout Japan at the time of the Manchurian Incident | | 15591 |
| 684 | 2179 | | Book entitled "Asia, Europe, Japan" by OKAWA, Shumei, published 15 October 1925 | 15604 | |
| 684A | 2179-A | | Excerpts therefrom | | 15605 |

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| 693 | 2180 | | Book entitled "The Way of Japan and the Japanese" by OKAWA Shumei published 20 March 1926 | 15609 | |
| 693A | 2180-A | | Excerpts therefrom | | 15609 |
| 692 | 2181 | | Book entitled "2600 Years of Japanese History" by OKAWA Shumei published 5 July 1929 | 15613 | |
| 692A | 2181-A | | Excerpt therefrom | | 15613 |
| 685 | 2182 | | Book entitled "The Establishment of Order in Greater East Asia" by OKAWA, Shumei, published 20 August 1943 | 15618 | |
| 685A | 2182-A | | Excerpts therefrom | | 15618 |
| 687 | 2183 | | Book entitled "SATO Shinen's Ideal State" by OKAWA, Shumei, published 20 February 1924 | 15633 | |
| 687A | 2183-A | | Excerpt therefrom | | 15633 |
| 2902 | 2184 | | Letter from OKAWA, Shumei to TOJO, Hideki, dated 20 July 1940 | | 15644 |
| 13C | 2185 | | Further extracts from exhibit No. 675 | | 15648 |
| 828 | 2186 | | "10 Day Report from the Home Ministry of 11 January 1941" | 15664 | |

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| 828A | 2186-A | | Excerpt therefrom | | 15664 |
| 1598 | 2187 | | Book entitled "The Second Creation" by HASHIMOTO, Kingoro (14 Edition) published 30 January 1941 | 15668 | |
| 1598A | 2187-A | | Excerpt therefrom | | 15668 |
| 1875 | 2188 | | Excerpts from Testimony of HASHIMOTO, Kingoro, conducted from 17 January to 18 February 1946 | | 15674 |
| 2955A | 2189 | | Affidavit of Prof. Cheng Feng-Chu | | 15708 |
| 2773 | 2190 | | Extracts from Interrogation of DOHARA, Kenji | 15713 | |
| 2773 | 2190-A | | Excerpt therefrom | | 15713 |
| 2910 | 2191 | | Extract from the 11 January 1932 Entry from of Marquis KIDO | | 15731 |
| 1632 ^v (8) | 2192 | | Extract from 30 May 1935 Entry from Marquis KIDO's Diary | | 15733 |
| 2943A-1 | 2193 | | Telegram No. 623 sent by Consul-General HAYASHI at Mukden to Foreign Minister SHIDEHARA dated 19 September 1931 | | 15735 |
| 2943-A | 2194 | | Cablegram from Consul-General HAYASHI to Foreign Minister SHIDEHARA dated 21 September 1931 | | 15736 |

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| 2789 | 2195 | | Cable No. 1532 sent by Consul-General HAYASHI at Mukden to Foreign Minister INUKAI dated 14 December 1931 | | 15738 |
| 2788 | 2196 | | Cable No. 1258 dated 12 November 1931 sent by Consul-General HAYASHI at Mukden to Foreign Minister SHIDEMARA | | 15740 |
| 2913 | 2197 | | Extract from "The Japan Advertiser" Tokyo Sunday, 26 June 1938 (Page 3) entitled "Long Preparedness is Urged by ITAGAKI" | | 15741 |
| 4047C | 2198 | | Cablegram sent by Ambassador Ott to the Army High Command and Air High Command on 6 September 1939 | | 15744 |
| 2957 | 2199 | | Extract from "The Japan Advertiser" Tokyo Sunday 2 October 1938 (Page 1) entitled "KONOYE CABLES HITLER HIS CONGRATULATIONS ON 'SPLENDID SUCCESS!'" | | 15745 |
| 2958 | 2200 | | News story entitled "Japanese Press Comments" (Page 6) of "The Japan Advertiser" dated 17 March 1939 | | 15746 |
| 2959 | 2201 | | Extract from the 7 July 1939 issue of "The Japan Times & Mail" Second Edition (Pages 1 and 2) | | 15749 |

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| 1903 | 2202 | | Copy of "The Osaka Asahi" dated 1 July 1931 | 15752 | |
| 1903 | 2202-A | | Excerpt therefrom | | 15752 |
| 827 | 2203 | | Biography of General MINAMI by YOSHITAKE, Ken. "Days of War Minister and Man- churian Incident" | 15756 | |
| 827 | 2203-A | | Excerpt therefrom | | 15756 |
| 1426 | 2204 | | Foreign Ministry Records: Manchurian Incident- Public Opinion and Press Comment (pp.241-242) | 15759 | |
| 1426 | 2204-A | | Excerpt therefrom | | 15759 |
| 831 | 2205 | | Minutes of Meeting of the Privy Council on 9 Decem- ber 1931 re Report on the China Incident | 15761 | |
| 831 | 2205-A | | Excerpt therefrom | | 15761 |
| 1483 | 2206 | | Foreign Ministry document containing foreign press comment re North China Incident of May and June 1935 | 15769 | |
| 1483 | 2206-A | | Excerpt therefrom | | 15769 |
| 1869 | 2207 | | Interrogation of General MINAMI, Jiro | | 15783 |

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| 1144 | 2208 | | "Details Re Movements of Rightists Bodies in Connection with Change of Government" published by Peace Section, Police Bureau, Home Ministry, April 1937 | 15790 | |
| 1144A | 2208-A | | Excerpt therefrom | | 15790 |
| 1144B | 2208-B | | Excerpt from exhibit No. 2208 | | 15794 |
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| 1144D | 2208-D | | Talk by General UMEZU, Vice War Minister | | 15798 |
| 1144E | 2208-E | | Notice to the Ex-Soldiers Organizations from Vice War Minister UMEZU | | 15800 |
| 646 | 2209 | | Transfer of Secret Funds from the Manchurian Incident Expenditure Account to the Accused UMEZU | | 15804 |
| 290C | 2210 | | Secret Expenditures for the Manchurian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki, Vice Minister of War | | 15809 |
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| 2896 | 2212 | | Secret Expenditures for the Manchurian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki | | 15811 |
| 2922 | 2213 | | Secret Expenditures for the Manchurian Incident - Record re Payment of Money to the Accused KOISO, Kuniaki | | 15811 |
| 4043G | 2214 | | Domei Radio presents an ITAGAKI-KOISO interview | | 15815 |
| 2954 | 2215 | | Extract from the Minutes of Second Joint Convergence of Sections I, II, III and IV of the Committee of Accunts of the House of Representatives, 75th Session of the Imperial Diet on 17 March 1940 | 15830 | |
| 2954 | 2215-A | | Excerpt therefrom | | 15830 |
| 2342B | 2216 | | Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-L) | | 15832 |
| 2344B | 2217 | | Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-N) | | 15833 |
| 2254B | 2218 | | Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-G) | | 15835 |
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| 2253C | 2220 | | Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-F) | | 15843 |
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| 2248B | 2222 | | Excerpt from Interrogation of the Defendant ARAKI (exhibit No. 187-A) | | 15845 |
| 2155 | 2223 | | Speech by the Defendant ARAKI | 15847 | |
| 2155B | 2223-A | | Excerpt therefrom | | 15847 |
| 587B | 2224 | | Article appearing in the Japanese Newspaper "Yomiuri" on 5 November 1940 entitled "The Outline of Ten-Year Plan for Block Economy of Japan-Manchoukuo-China" | | 15952 |
| 1915B | 2225 | | Excerpts from the Interrogation of the Accused HOSHINO, Naoki. (Original admitted for Identification as exhibit No. 453) | | 15962 |
| 915 | 2226 | | Informal Statement of Foreign Minister HIROTA, Koki, on the Occasion of Japan's Secession from the London Naval Conference (16 January 1936) | 15977 | |
| 915 | 2226-A | | Excerpts therefrom | | 15977 |

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| 2946 | 2227 | | Outline of Japanese Army's Five-Year Plan (10 June 1937) | | 15980 |
| 1108 | 2228 | | Book entitled "Business Reports- 1938, Vol. I Economic Relations in China" published by East Asia Ministry 1 December 1938 | 15982 | |
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| 1505E | 2229 | | Address of Baron HIRANUMA, Kiichiro, Prime Minister, taken from the March 1939 issue of the Tokyo Gazette | 15987 | |
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| 4043H | 2230 | | Telegram from the German Foreign Minister to the German Ambassador in Tokyo dated 28 May 1939 | | 15990 |
| 1918C | 2231 | | An Excerpt of exhibit No. 2178 (for Identification only) "A Summary of Arguments at the Court of Appeals Trial of OKAWA, Shumei | | 15998 |
| 4095 | 2232 | | Telegram from Mackensen to the Foreign Minister in Berlin dated 2 September 1939 | | 16003 |

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| 2427 | 2233 | | Article written by the Defendant SHIRATORI, Toshio, entitled "Make This Mankind's Last War" published in the Magazine of Today (Gendai) 1 June 1942 | 16012 | |
| 2427 | 2233-A | | Excerpts therefrom | | 16012 |
| 1616 | 2234 | | Discussion of the Japan-Germany-Italy Axis by SHIRATORI, Toshio | | 16027 |
| 1840 | 2235 | | Outline of Speeches delivered by the Accused SATO on the 25th and 29th of August 1938 (tentative) | | 16069 16076 16082 |
| 2774 | 2236 | | Record of Proceedings of the Committee Meeting in the House of Representatives, Vol. 8, No. 79 | 16076 16103 | |
| 2774 | 2236-A | | Excerpt therefrom | | 16076 16103 |
| 2775 | 2237 | | Record of Proceedings of the Committee Meeting in the House of Representatives, Vol. 8, No. 81 | 16080 | |
| 2775 | 2237-A | | Excerpts therefrom | | 16080 |
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| 16A | 2245 | | Memorandum of transmittal of the Report of the Investigation of the Doolittle Fliers sent by the Military Police Commander NAKAMURA, Akito, to Chief of Staff, General SUGIYAMA, dated 26 May 1942 | | 16176 |
| 2534A | 2246 | | News-story entitled "Conference is Held by Army Members of Supreme Council" - an Extract from "The Tokyo Nichi-Nichi" dated Tuesday, 1 July 1941 | | 16178 |
| 2908 | 2247 | | News-story entitled "Awarding of Decoration to General SUGIYAMA and Others from Fuehrer Hitler" published in the Asahi Shimbun on 2 October 1942 | | 16180 |
| 2774B | 2248 | | Minutes of the Accounts Committee Meeting of The Diet on 10 February 1942 - Speech made by Defendant SHIMADA | | 16183 |
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| 1915 | 453 | | Testimony of HOSHINO dated 28 January 1946 | | 5119 |
| 1915 | 453-a | | Excerpts therefrom | | 5119 |
| 2117C | 454 | | Interrogation of HOSHINO taken before the United States Strategic Bombing Survey on 19, 22 and 28 Nov 1945 | | 5152 |
| 2117d | 454-A | | Excerpts therefrom | | 5152 |
| 705 | 455 | | Imperial Ordinance No. 759, Regulations Concerning the Organization of the China Affairs Board | | 5183 |
| 1201 | 456 | | Excerpts from "Official Announcements Concerning Foreign Relations, Board of Information, Seventeenth Year of Showa (1942) (Page 22) | | 5190 |
| 1201 | 456-a | | Excerpts therefrom | | 5190 |
| 2119M | 457 | | Excerpts from Papers Relating to the Foreign Relations of the U. S. Japan: 1931- 1941. Vol. 1 | | 5208 |
| 1505c | 458 | | Tokyo Gazette No. 20, February 1939. (Pages 5 to 6 inclusive) Re: the "China Affairs Board" | | 5249 |
| 1505c | 458-A | | Excerpts therefrom | | 5249 |

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| 1915 | 453 | | Testimony of HOSHINO dated 28 January 1946 | | 5119 |
| 1915 | 453-a | | Excerpts therefrom | | 5119 |
| 2117C | 454 | | Interrogation of HOSHINO taken before the United States Strategic Bombing Survey on 19, 22 and 28 Nov 1945 | | 5152 |
| 2117d | 454-A | | Excerpts therefrom | | 5152 |
| 705 | 455 | | Imperial Ordinance No. 759, Regulations Governing the Organization of the China Affairs Board | | 5183 |
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| 1201 | 456-A | | Excerpts therefrom | | 5190 |
| 2119M | 457 | | Excerpts from Papers Relating to the Foreign Relations of the U. S. Japan: 1931- 1941. Vol. 1 | | 5208 |
| 1505c | 458 | | Tokyo Gazette No. 20, February 1939. (Pages 5 to 6 inclusive) Re: the "China Affairs Board" | | 5249 |
| 1505c | 458-A | | Excerpts therefrom | | 5249 |

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| 1504B | 459 | | "Law Concerning the North China Development Co., Ltd.; Law Concerning the Central China Promotion Co., Ltd." Tokyo Gazette August 1938 (Page 37) | | 5251 |
| 1504B | 459-A | | Excerpts therefrom | | 5251 |
| 1504C | 460 | | "The Programme for Economic Development of China - Board of Planning". Part I | | 5253 |
| 1504C | 460-A | | Excerpts therefrom | | 5253 |
| 1505B | 461 | | Tokyo Gazette January 1939 "The Programme for Economic Development of China. Board of Planning. Part II. | | 5267 |
| 1505B | 461-A | | Excerpts therefrom | | 5267 |
| 1529d | 462 | | Tokyo Gazette Vol. IV No. 5 November 1940. (Pages 198-203 inclusive). "Industrial Reconstruction in China"; "Cabinet Information Bureau" | | 5278 |
| 1529d | 462-A | | Excerpt therefrom | | 5278 |
| 2203 | 463 | | Part V of the Chinese Incident. "Document Purporting to Establish Provisional Government at Peiping and Restoration Government at Nanking" | | 5296 |

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| 2203 | 463-.. | | Excerpts therefrom | | 5296 |
| 1504A | 464 | | Documents Concerning the Treaty Between Japan and China | | 5318 |
| 1504A | 464-.. | | Excerpts therefrom | | 5318 |
| 1453 | 465 | | Annexed Secret Agreement dated 30 Nov 1940 | | 5327 |
| 1453 | 465-.. | | Excerpts therefrom | | 5331 |
| 1451 A B,C,D,E | 466 | | "Announcement of the Board of Information regarding the Conclusion of a Pact of Alliance Between Japan and the Republic of China" | | 5332 |
| 2177 | 467 | | SCAF Directive covering Ex- ports and Imports Between Japan and Manchukuo, the Kwantung Peninsula and China. | | 5337 |
| 2470A | 468 | | Further Summary of Exports and Imports. | | 5339 |
| 2298 | 469 | | Financial Statistics of the Central China Development Company (compiled from annual reports of the North and Central China Develop- ment Company) | | 5341 |
| 2299 | 470 | | Certified Statement of Govern- ment Investment in South Manchuria Railway, Central China Development Company, North China Development Com- pany, the Manchuria Heavy | | |

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| | | | Industry Company; also state- ment of subsidiaries of said companies' ownership of capital and amount of capital. | | 5342 |
| 2471A | 471 | | "Japanese Investment in Manchuria and China Ironer". | | 5345 |
| 6525 | 472 | | Map of Burma-Siam Railway and various Camps along it | | 5452 |
| 1810A | 473 | | Letter or telegram from Mr. Max Huber, Chairman of the International Red Cross Committee to the Foreign Minister dated 23 June 1944 | | 5492 |
| 2298 | 474 | | Supplement to exhibit No. 469, balance sheet of Comm. of Conservators for Closed Institutions | | 5499 |
| 1509A | 475 | | Report by the Japanese Government on the Burma- Thailand Railway | | 5513 |
| 2647 | 476 | | Extracts from the Diary of the Major General K. T. I- MURA, the 9th Infantry Brisade Commander | | 5624 |
| 2156B | 477 | | Excerpt from Interrogation of General OSHIMA, Hiroshi, dated 1 February 1946 | | 5913 |
| 2156C | 478 | | Excerpt from Interrogation of General OSHIMA, Hiroshi, dated 1 February 1946 | | 5917 |

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| 954 | 479 | | The Investigation Report on the Conclusion of the Japan-German Anti-Comintern Pact by Chairman of the Examination Committee dated 20 Nov 1936 | | 5931 |
| 1561A | 480 | | Documents containing secret Japanese-German Agreements and secret letters transmitted between contracting parties | | 5936 |
| 2628A | 481 | | Affidavit concerning the Capture, Processing and Preservation of German Documents, Gerard Schaeffer | | 5941 |
| 4017C | 482 | | Letter addressed to His Excellency Ambassador von Ribbentrop from Viscount FUSUAKOJI of the Japanese Embassy dated 23 Oct 1936 with telegram attached to Foreign Minister ARITA. | | 5953 |
| 1503 | 483 | | December 1937 issue of the Tokyo Gazette | | 5956 |
| 1503 | 483-1 | | Excerpt from an official statement of the Bureau of Information, Dept. of Foreign Affairs entitled "On the Japanese-German-Italian Agreement Against the Communist International | | 5956 |
| 1105 A B & C | 484 | | Report of the Investigations Concerning the Conclusion of the Japanese-German Pact | | 5957 |

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| 949A | 485 | | Report of the Minutes of the Privy Counsel on 25 Nov 1936 | | 5967 |
| 1382 | 486 | | Set of microfilm prints of 19 items to which are attached the certificate of the Acting Secy of State and the Affidavit of Gardner C. Carpenter; also telegrams attached thereto. | | 5974 |
| 1266A | 486-A | | Telegram and Report sent from the German Foreign Ministry to the German Embassy in Tokyo dated Berlin 28 July 1937 | | 5975 |
| 1273I | 486-B | | Telegram dated 13 January 1938 sent by Trautmann to Foreign Minister in Berlin | | 5983 |
| 1271A | 486-J | | Document showing signature of Trautmann to the telegram above | | 5986 |
| 1271B | 486-C | | Telegram dated 14 January 1938 signed by Dirkser and sent to the Reich Minister Personally | | 5987 |
| 1269A | 486-D | | Telegram from Tokyo dated January 1938 to Reich Minister personally | | 5989 |
| 1270B | 486-F | | In answer to the above mentioned telegram from Trautmann | | 5990 |

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| 1269A | 486-D | | Office Memo signed by v. Neurath dated 10 January 1938 | | 5990 |
| 1270A | 486-F | | Telegram from v. Dirksen to the Reich Minister personally dated 10 Jan 1938 | | 5993 |
| 1273 | 486-G | | Telegram from Ambassador v. Dirksen to the Reich Minister dated 17 Jan 1938 | | 5999 |
| 1276 | 486-H | | Telegram from Ambassador v. Dirksen dated 26 Jan 1938 | | 6001 |
| 1274 | 486-I | | Letter from v. Neurath dated 25 Jan 1938 and Memo from Weisacker dated 28 Jan 1938 | | 6016 |
| 1257B | 487 | | Excerpts from the Interrogation of OSHIMA, Hiroshi, dated 4 Feb 1946 (p. 32) | | 6021 |
| 2156 | 488 | | Interrogation of OSHIMA, Hiroshi, dated 5 Mar 1946 (pp. 235, 237 and 238) | | 6021 |
| 533 | 489 | | Memorandum of the Reichsfuehrer, H. Himmler, regarding a conference with the accused OSHIMA | | 6026 |
| 2157 | 490 | | Short excerpt from the Interrogation of the accused OSHIMA | | 6028 |
| 1097 | 491 | | Minutes of the Privy Council Meeting dated 22 Feb 1939 | | 6031 |

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| 370 | 492 | | Record of the Proceedings of the Privy Council Session dated 6 Nov 1937 | | 6033 |
| 805 | 493 | | Protocol admitting to the Anti-Comintern Pact Manchukuo on 24 Feb 1939 | | 6046 |
| 1452 | 494 | | Protocol admitting to the Anti-Comintern Pact Spain on 27 Mar 1939 | | 6046 |
| 4017A | 495 | | Protocol for the Extension of the Period of Validity of the Agreement Against the Communist International | | 6046 |
| 1204C | 496 | | Official Announcements concerning Foreign Relations, Board of Information, dated 25 Nov 1941 | | 6047 |
| 2156D | 497 | | Excerpts from Interrogation of OSWIMA, Hiroshi, dated 4 Feb 1946 (pp. 43, 44 and 45) | | 6050 |
| 4047 | 498 | | Telegram (Top Secret) dated Tokyo 8 Sep 1939 for the State Secretary and signed by Ott | | 6082 |
| 1418B | 499 | | Book entitled "Diary of Count Ciano" in 2 Volumes | 6090 | |
| 1418B | 499-1 | | Extract from exhibit 499 | | 6091 |
| 4043A | 500 | | Telegram from Ott relative to the ITC Commission and his trip | | 6093 |

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| 1418D | 501 | | Three excerpts from exhibit No. 499 | | 6095 |
| 4035 | 502 | | Telegram from Ribbentrop to the German Ambassador in Tokyo dated 26 Apr 1939 | | 6097 |
| 4043 B.D | 503 | | Telegram dated 4 May 1939 from the German Ambassador to the Reich Minister and respectively relating to what is known as the "HILFENUNTER" Declaration" and the Japanese Army's interpretation of it. | | 6103 |
| 4043C | 504 | | Telegram of German Ambassador for State Secretary | | 6103 |
| 1275 | 505 | | Memorandum re the Conference between Field Marshal Goering and the Duce in the presence of Count Ciano in Rome dated 16 Apr 1939 | | 6112 |
| 4050 | 506 | | Document signed by Weizsaecker dated Berlin, 18 Sep 1939 | | 6124 |
| 4034A | 507 | | Telegram from Ribbentrop exclusively for the Ambassador personally in Tokyo dated 9 Sep 1939 | | 6126 |
| 4045 | 508 | | Telegram from Woernann to the German Ambassador in Tokyo dated 27 Oct 1939 | | 6131 |
| 4034B | 509 | | Memorandum dated 25 Sep 1939 signed by Knoll "Conversation with the Reichs Foreign Minister" | | 6133 |

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| 4C34C | 510 | | Memorandum dated 25 Sep 1939 signed by Knoll "Conversation with the Reichs Foreign Minister" | | 6133 |
| 4051 | 511 | | Telegram signed by Ott and Stahmer addressed to the Secy of State personally dated 23 Feb 1940 | | 6140 |
| 829B | 512 | | Official Statement relating to the Japanese Seizure of the Spratley Islands | | 6147 |
| 865 | 513 | | Treaty between Japan and Thailand concerning continuance of friendly relations and mutual respect for each others territorial integrity concluded 12 June 1940 | | 6147 |
| 4030 | 514 | | Telegram from the German Ambassador signed by Ott dated 23 Mar 1940 | | 6148 |
| 4026A | 515 | | Telegram from the German Embassy in Tokyo signed by Stahmer and Ott dated 10 May 1940 | | 6150 |
| 4027A | 516 | | Excerpt from telegram from the German Embassy in Tokyo to Berlin dated 12 June 1940 | | 6152 |
| 4026b | 517 | | Excerpts from telegram sent to German Ambassador in Tokyo signed by Ribbentrop dated May 1940 | | 6156 |

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| 4026C | 518 | | Telegram from the German Ambassador in Tokyo dated 22 May 1940 | | 6159 |
| 4026D | 519 | | Telegram from the German Ambassador in Tokyo dated 23 May 1940 | | 6161 |
| 4025A | 520 | | Report from the German Ambassador in Tokyo of Confidential Information from the Japanese Foreign Minister re Japan's free hand in Indo-China and the prospects of replacement of the Cabinet for one closer to Germany | | 6162 |
| 4025B | 521 | | Memorandum from Diehl to the German State Secretary re Indo-China dated 20 June 1940 | | 6166 |
| 4027B | 522 | | Memorandum re Conversation in which the Japanese Ambassador to Germany KURUSU renewed negotiations for closer Japan-German relations dated 20 June 1940 | | 6170 |
| 4025C | 523 | | Telegram from the German Ambassador in Tokyo re Japan's efforts thru the accused ITO and KOISO to obtain Germany's views re military aggression in Indo-China dated 24 June 1940 | | 6174 |
| 1379 | 524 | | Memorandum of Conversation with German Foreign Minister Ribbentrop in which the Japanese Ambassador SITO renewed Japanese efforts for closer Japanese | | |

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| | | | German relations dated Berlin 9 July 1940 | | 6179 |
| 1590D | 525 | | Telegram from Foreign Minister ARITA to Ambassador S.I.T.O re Germany's ambition in the South Seas dated 13 July 1940 | | 6186 |
| 1590B | 526 | | Ambassador S.I.T.O's reply to the above dated 15 July 1940 | | 6186 |
| 1308 | 527 | | Minutes of the Joint Conference of War, Navy and Foreign Ministries re Strengthening of Harmony Between Japan, Germany and Italy dated 12 July 1940 | | 6191 |
| 1392 | 528 | | Minutes of Joint Conference (Part II) of Army, Navy and Foreign Office Authorities and Intensification of Coalition among Japan Germany and Italy dated 16 July 1940 | | 6212 |
| 1008 | 529 | | Foreign Minister ARITA's radio speech dated 29 June 1940 | | 6233 |
| 4028A | 530 | | Telegram from Ott re ARITA's radio speech dated 1 July 1940 | | 6233 |
| 4028B | 531 | | Telegram from Ott re ARITA's radio speech dated 3 July 1940 | | 6233 |
| 1632A | 532 | | Excerpts from HIDO's Diary showing the downfall of the YOANI-ARITA Cabinet dated 5 July 1940 | | 6240 |

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| 4028C | 533 | | Telegram from the German Ambassador in Tokyo for the German General Staff dated 17 July 1940 | | 6257 |
| 1632Y | 534 | | Entry from Marquis KIDO's Diary dated 14 July 1940 | | 6258 |
| 4028D | 535 | | Telegram from German Ambassador Ott dated 18 July 1940 | | 6261 |
| 4028L | 536 | | Telegram from German Ambassador Ott dated 20 July 1940 | | 6261 |
| 4028F | 537 | | Telegram signed by Woermann dated Berlin 22 July 1940 | | 6261 |
| 4029C | 538 | | Telegram signed by German Ambassador Ott dated 2 Aug 1940 | | 6265 |
| 1632Z | 539 | | Entry from Marquis KIDO's Diary dated 18 July 1940 | | 6266 |
| 2137D | 540 | | Cabinet Decision of 26 July 1940. "Outline of Japan's Basic National Policy" | 6271 | |
| 2137D | 541 | | Decisions made by the Four Ministers Conference on 4 Sep 1940 and the Liaison Conference of 19 Sep 1940 | | 6271 |
| 4029A | 542 | | Conference in which Ambassador KURUSU and Foreign Minister MATSUOKA pressed the subject of a renewal of negotiations for closer Japan-German relations, etc. | | 6277 |

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| 4029b | 543 | | Same as exhibit 542 | | 6277 |
| 4029 | 544 | | Ditto | | 6277 |
| 1590A&C | 545 | | An Outline of the Conversation between Foreign Minister HITSUOKI and German Ambassador Ott dated 1 Aug 1940 | | 6285 |
| 4028G | 546 | | Telegram from German Ambassador Ott dated 31 July 1940 | | 6293 |
| 4029E | 547 | | Telegram from German Ambassador Ott dated 15 Aug 1940 | | 6294 |
| 4029F | 548 | | Telegram from German Ambassador Ott dated 23 Aug 1940 | | 6296 |
| 1129 | 549 | | Some of the Salient Points in the informal conversations between HITSUOKI and Stahmer with the German Ambassador assisting. Dates 9 and 10 Sep 1940 | | 6323 |
| 1202 | 550 | | Regarding Conclusion of the Tripartite Pact | | 6329 |
| 1259 | 551 | | Salient points of Questions (Privy Council) dated 16 Sep 1940 | | 6345 |
| 1461 | 552 | | Conference Record of the Investigation of the Privy Council re the Conclusion of the Tripartite Pact between Japan, Germany and Italy, with TOJO, HITSUOKI, HOSHINO, AND ITO present. Dated 26 Sep 1940 | | 6350 |

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| | | | of the Tri-Partite Pact dated 20 Dec 1940 signed by Ott, Indelli and MATSUOKA | | 6417 |
| 4042B | 560 | | Telegram from Ott dated 13 Dec 1940 | | 6421 |
| 4033A | 561 | | Confidential Memorandum by Weizsacker re a Conference he had with Ambassador KURUSU in Berlin on 29 Nov 1940 | | 6427 |
| 4032B | 562 | | Telegram from German Ambassador in Tokyo to the Reich Foreign Minister dated 31 Jan 1941 | | 6429 |
| 4042A | 563 | | Telegram from the German Ambassador in Tokyo dated 21 Nov 1940 | | 6444 |
| 4037A | 564 | | Telegram from the German Ambassador in Tokyo dated 6 Feb 1941 | | 6444 |
| 4037C | 565 | | Telegram from the German Ambassador for the Reichs Foreign Minister personally dated 17 Feb 1941 | | 6444 |
| 4038A | 566 | | Telegram from Boltze, an official in the German Embassy in Tokyo dated 12 Mar 1941 | | 6444 |
| 4042C | 567 | | Telegram from the German Ambassador for the Reichs Minister dated 19 Dec 1940 | | 6449 |

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| 4042D | 568 | | Telegram from the German Ambassador in Tokyo for the Reichs Minister dated 13 Dec 1940 | | 6450 |
| 4037B | 569 | | Telegram from the German Ambassador to the Reichs Minister for Foreign Affairs dated 10 Feb 1941 | | 6452 |
| 4037D | 570 | | Report of a Conversation Between Ambassador OSHIMA and Weizsacker dated 22 Feb 1941 | | 6456 |
| 4037E | 571 | | Extract from a Report of a Conversation Between Ambassadors OSHIMA and Ribbentrop dated 28 Feb 1941 | | 6456 |
| 4037G | 572 | | Telegram dated 27 Feb 1941 from Ribbentrop to the German Ambassador in Tokyo | | 6468 |
| 4003 | 573 | | Directive No. 24 Concerning Collaboration with Japan issued by direction of the Fuehrer and from Headquarters on 3 Mar 1941 | | 6469 |
| 4013 | 574 | | Report of the Commander-in-Chief of the German Navy to Hitler | | 6474 |
| 4013 | 575 | | Report to Ribbentrop Outlining Course of the Contemplated Conference with Foreign Minister MATSUOKA. | | 6476 |

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| 4038b | 576 | | Report to Tibbentrop Concerning Military Preparations in Japan by the German Ambassador to Japan who had been called to Germany to be present during the MATSUOKA Conference | | 6476 |
| 1340B | 577 | | Excerpt from the Minutes of the Conference between the Fuehrer and the Japanese Foreign Minister MATSUOKA dated 27 Mar 1941 | | 6483 |
| 4005 | 578 | | Excerpt from the Record of the Conversation between Reich Minister and the Japanese Foreign Minister MATSUOKA in Berlin 27 Mar 1941 | | 6483 |
| 4022 | 579 | | Notes on the Conversation between the Germany Foreign Minister and the Japanese Foreign Minister MATSUOKA dated 28 Mar 1941 | | 6483 |
| 527 | 580 | | Excerpts from the Report on the Conversation between Reich Foreign Minister and the Japanese Foreign Minister MATSUOKA in Berlin 29 Mar 1941 | | 6483 |
| 1376 | 581 | | Extract from the Report of the Discussions between Reich Marshal Goering and the Japanese Foreign Minister MATSUOKA at Karinhall 29 March 1941 | | 6483 |

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| 532 | 582 | | Extract from Notes on the Conversations between the Fuehrer and the Japanese Foreign Minister MATSUOKA. Berlin 4 April 1941 | | 6483 |
| 528 | 583 | | Extract from notes on the Talk between Reich Foreign Minister and the Japanese Foreign Minister in Berlin dated 5 April 1941 | | 6483 |
| 4056A | 584 | | Telegram dated 14 April 1941 signed by Boltze | | 6554 |
| 526 | 585 | | Secret Instructions to the Chief of the Supreme Headquarters of the German Army dated 24 May 1941 | | 6557 |
| 4061A | 586 | | Secret Memorandum from Woermann to the Reich Foreign Minister dated 10 June 1941 | | 6560 |
| 4033B | 587 | | Telegram from Ribbentrop to Tokyo dated 28 June 1941 | | 6562 |
| 1652 | 588 | | Resolution Concerning Japanese-American Negotiations Adopted through the Conferences in the Imperial Presence | | 6566 |
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| 4030B | 590 | | Program for the Opening Session of the German-Japanese Culture Committee and the tea reception in the Hotel Kaiserhof | | 6578 |
| 4031B | 591 | | "Pro Memoria" dated 29 June 1938 | | 6585 |
| 4031A | 592 | | Explanation by Ribbentrop of his Discussion with the Japanese Ambassador TOGO of the "Pro Memoria" dated Berlin 29 June 1938 | | 6588 |
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| 4041 | 594 | | Memorandum by Ministerial Director Wiesel dated 28 July 1938 | | 6597 |
| 4041B | 595 | | Account Concerning the Situation of German Economic Interests in the Parts of China Occupied by Japan dated 24 July 1938 | | 6603 |
| 4043L | 596 | | Extract from a Letter of Ambassador Ott in Tokyo dated 15 March 1939 to Ministerial Director Wiesel | | 6623 |
| 4042E | 597 | | Memorandum signed by Wiesel dated 8 October 1940 | | 6627 |
| 4024A | 598 | | Draft of Work Program for the Economic Subcommittee of the Tripartite Pact in Berlin dated 28 April 1941 | | 6630 |
| 2671 | 599 | | Communication from Hitler and Ribbentrop to the Emperor of Japan dated 5 April 1938 | | 6634 |

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| 2671 | 600 | | Letter from the German ambassador in Tokyo to the Japanese Vice Foreign minister dated 5 March 1941 | | 6636 |
| 4070b | 601 | | Telegram from Ribbentrop dated 18 November 1941 | | 6637 |
| 4070 | 602 | | Telegram from German Ambassador in Tokyo dated 23 November 1941 | | 6639 |
| | 603 | | File containing a number of intercepted messages to which is attached a Certificate from the War Dept. of the United States, General Staff Intelligence Division | 6643 | |
| 2593 | 603-A | | Copy of one of the items included in exhibit 603 (marked for Identification only). This is an intercepted message from Berlin to Tokyo dated 29 November 1941 | | 6643 |
| 2157D | 604 | | Excerpt from the Interrogation of the accused OSHIMA, dated 26 February 1946 | | 6651 |
| 1532A | 605 | | Telegram from Ambassador OSHIMA in Berlin to Foreign Minister TOGO dated 2 December 1941 | | 6654 |
| 2593B | 606 | | Copy of one of the intercepted messages included in exhibit 603 | | 6656 |

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| 1418E | 607 | | Entries from the Diary of Count Ciano from 3 December through 11 December 1941 | | 6660 |
| 1374 | 608 | | Telegram from the German Ambassador in Tokyo to the Reich Foreign Minister dated 5 December 1941 | | 6662 |
| 4002 | 609 | | Report of a Conference between OSHIMA and Hitler on the occasion of Hitler's reception given in OSHIMA's honor 14 December 1941 | | 6670 |
| 2632 & 33 | 610 | | Photostatic Copy of the Chicago Tribune dated 25 November 1932 | 6698 | |
| 2632 & 33 | 610-a | | Excerpt from above newspaper of an article by John Powell entitled "China Charges Japs kill 2,700 in Manchuria" | | 6698 |
| 2632 & 33 | 611 | | Photostatic Copy of the Chicago Tribune dated 3 December 1932 | 6698 | |
| 2632 & 33 | 611-a | | Article of explanation of the above given by the Japanese Consul in Chicago which appears in the 3 December 1932 edition of the Chicago Tribune | | 6698 |
| 2577 | 612 | | Excerpt from "Important Decisions Regarding International and National Policies - Aug & Nov 1933" | | 6713 |

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| 1529E | 613 | | Extract from Tokyo Gazette Vol III No. 10, April 1940, Page 396 | 6732 | |
| 1529E | 613-a | | Excerpt therefrom | | 6732 |

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| 4034-D | 614 | | Telegram dated 5 June 1939 from the German Ambassador to the German State Secretary | | 6792 |
| 1529F | 615 | | Article Published in Vol. IV of the August 1940 issue of the Tokyo Gazette on the subject of French Indo-China | 6794 | |
| 1529F | 615-A | | Excerpt therefrom | | 6794 |
| 1027-B | 616 | | Business Report for the Year 1939 published in December 1941 by the South Seas Bureau re the China Affair and French Indo-China | 6801 | |
| 1027-B | 616-A | | Excerpt therefrom | | 6801 |
| 1691 | 617 | | Resolution Adopted by the Assembly of the League of Nations on 6 October 1937 | 6817 | |
| 1691 | 617-A | | Excerpt therefrom | | 6817 |

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| 1411 | 618 | | Business Report of South Seas Section in 1940 | 6822 | |
| 1411 | 618-a | | Excerpt therefrom | 6822 | |
| 1632CC | 619 | | Entry in Marquis KIDO's Diary of 19 June 1940 | | 6823 |
| 985A | 620 | | The Circumstances surrounding the Conclusion of Agreement Between Japan and France Concerning the advancement of the Japanese Army into French Indo-China dated July-Sept 15 Showa /1940/ | 6828 | |
| 39 | 621 | | The French Indo-China Negotiations | | 6829 |

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| 4025E (1) | 622 | | Telegram from the German Ambassador in Tokyo to the State Secretary dated 2 August 1940 | | 6955 |
| 219R | 623 | | Memorandum by the Under Secretary of State (Welles) of the U. S. of America dated 20 Sept 1940. appears in Vol. I of "Papers Relating to Foreign Relations of the U. S. of America": Japan 1931-1941 (in Two Volumes) Vol. I (pp. 877-881) | | 6957 |
| 38 Supp. | 624 | | Memorandum by the Ambassador in Japan (Grew) dated Tokyo 20 Sept 1940 | | 6964 |
| 4025E (2) | 625 | | Report of a Telephone Conversation Between the Chairman of the French Delegation to the Armistice Commission which took place on 20 Sept 1940 | | 6969 |

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| 1632W (30) | 626 | | Entry of 9 Sept 1940 from Marquis KIDO's Diary | | 6971 |
| 1632W (42) | 627 | | Entry of 14 Sept 1940 from Marquis KIDO's Diary | | 6972 |
| 837-A | 628 | | Statement of Japanese Foreign Policy dated 28 Sept 1940 | | 6975 |
| 4025E (5) | 629 | | Memorandum by Weizaecker dated Berlin 23 Jan 1941 | | 6981 |
| 4012 | 630 | | Telegram from Vichy Government to the Secretary of State at Washington dated 28 January 1941 signed "Lerhy" | | 6982 |
| 4037F | 631 | | Two telegrams: first one is dated 9 Feb 1941 and signed by the German Ambassador in Tokyo; the second is dated 21 Feb 1941 | | 6988 |
| 531A | 632 | | Extract from the Record concerning the Discussion of the German Foreign Minister with Ambassador OBHIME in Fischl on 23 Feb 1941 | 6991 | |
| 531A | 632-A | | Excerpt from the above | | 6992 |
| 800A | 633 | | Letters (2) dated 11 March 1941 exchanged between Foreign Minister MATSUOKA and Ambassador Henri | | 6993 |

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| 53A | 634 | | Memorandum dated 10 May 1941 from the Chief of Staff of the French Indo-China Expeditionary Force to the Vice-Minister of War KIMURA. | | 7000 |
| 1081-E | 635 | | Telegram dated 21 June 1941 from the German Ambassador in Tokyo to the German Foreign Minister concerning conversation the German Ambassador had with MATSUOKA. | | 7008 |
| 4062-A | 636 | | Telegram from the German Ambassador in Tokyo dated 3 July 1941 to German Foreign Minister. | | 7009 |
| 1077 | 637 | | Report of the Proceedings of the Privy Council concerning the Ratification of the Franco-Japanese Protocol on Guarantee and Political Understanding and of the Thai-Japanese Protocol on Guarantee and Political Understanding dated 3 July 1941. | | 7011 |

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| 4062B | 638 | | Telegr A from the German Ambassador in Tokyo dated 4 July 1941 | | 7029 |
| 11 | 639 | | File containing number of documents from the German Foreign Office to which is attached a certificate from the Secy of State of the United States | 7031 | |
| 11A (2) | 639-A | | Telegram dated 4 July 1941 signed "Thomas" and marked "Secret Affair of the Reich" | | 7031 |
| 11A (3) | 639-B | | Telegram dated 10 July 1941 from the German Ambassador in Tokyo re the imminence of the Japanese move against Indo-China | | 7033 |
| 1383C | 640 | | Document consisting of 2 telegrams found in the office of the Japanese Foreign Ministry each addressed to Ambassador Kato in France | | 7037 |

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| 2593C | 641 | | Intercepted Message from Canton to Tokyo of one of the items included in Exhibit No. 603 for identification. Dated 14 July 1941 | | 7042 |
| 1375A | 642 | | Telegram signed "Rintelen" addressed to the German Foreign Minister (also transmitted to Tokyo and Paris) dated 19 July 1941 | | 7045 |
| 1632dd | 643 | | Extract from the Diary of Marquis NIDO dated 26 September 1940 | | 7049 |
| 4052E | 644 | | Telegram from the German Ambassador in Tokyo dated 20 July 1941 | | 7052 |
| 4052J | 645 | | Telegram from Bangkok marked "Secret Reich Matter", signed "Scholl" and dated 18 July 1941 | | 7053 |
| 4025E (7) | 646 | | Telegram from Paris dated 21 July 1941 marked "Secret Matter of State" signed "Schleier" | | 7055 |
| 785I | 647 | | Collection of Treaties between France and Japan concerning French Indo-China, published by the Treaty Bureau of the Japanese Foreign Ministry, April 1943 | 7057 | |

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| 745I | 647-.. | | Letters Exchanged between Ambassador KATO and Foreign Minister Darlan | | 7058 |
| 11A (5) | 648 | | Telegram from the Japanese Ambassador in Tokyo dated 22 July 1941 | | 7067 |
| 1031 | 649 | | Record of the Proceedings of the First Meeting of the Privy Council re the Protocol between France and Japan concerning Military Cooperation held 28 July 1941 | | 7069 |
| 1165 | 650 | | Minutes of the Second Privy Council Meeting: Conclusion of Protocol between Japan and France held on 28 July 1941 | | 7074 |
| 1030 | 651 | | Copy of the Protocol between France and the Japanese Empire Concerning the Joint Defense of French Indo-China which was signed 29 July 1941 together with copies of two letters dated at Vichy on 29 July 1941 | | 7079 |

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| 4025E (8) | 652 | | Telegram dated at Bangkok 1 Sept 1941 signed by Neumann | | 7107 |
| 4025E (10) | 653 | | Telegram from Saigon dated 12 Oct 1941 signed by Neumann, who was representative of German Foreign Affairs at Saigon | | 7110 |
| 4065B | 654 | | Three (3) Telegrams | 7113 | |
| 4065B | 654-A | | Excerpts therefrom. First one dated 1 Oct 1941, signed by Hornann; second dated 6 Oct 1941, signed by Abetz; third dated 15 Oct 1941, signed by Ott | | 7113 |
| 11A (6) | 655 | | Telegram dated 17 Nov 1941 to Foreign Minister of the Reich and signed "Lrdmannsdorff", who was a member of the German Legation at Bangkok | | 7117 |

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| 785F | 656 | | Document entitled "Local Military Agreement Between the French Authorities and the Japanese Army re Joint Defense of French Indo-China" | | 7121 |
| 772 | 657 | | Official Report from the Japanese Foreign Ministry re the Japanese Advance in Northern Indo-China | | 7138 |
| 785L | 658 | | An agreement signed 6 May 1941 re Exports and Imports and Terms of Payment. (Articles 20 to 31 inclusive.) | | 7140 |
| 785D | 659 | | Exchange of Letters between Laval and MIYAKI re Terms of Payment. It is dated 20 Jan 1943 | | 7146 |
| 1287 | 660 | | Minutes of a Meeting of the Privy Council in relation to the Japanese Economic Expansion. Held on 16 June 1941 at the Office of the Privy Council | | 7155 |
| 2664A | 661 | | "The Supreme War-Leadership Council Decision No. 16" | | 7165 |
| 2663A | 662 | | Telegram from Ambassador MATSUOKA to the Minister of Greater East Asia, (the defendant HIGUCHI). Sent from Saigon on 3 March 1945 | | 7170 |

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| 2667 (A) | 663 | | Report dated 17 Dec 1945 reporting the activities and steps taken by the Japanese in Indo-China during the course of the year 1945 | | 7173 |
| 2634 | 664 | | Group of ten (10) Proclamations from the High Command of the Japanese Army | | 7183 |
| 2655 | 665 | | Warning Launched on 11 Apr 1945 by the Provisional Government of the French Republic to the Japanese Government | | 7193 |

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| 2366 | 666 | | Outline of Map of the Soviet Far East and the Northern Part of Man- churia. | | 7303 |
| 2367 | 667 | | Copy of the files of the Japanese Newspaper "Kokumin Shimbun" dated 14 Aug 1941 | 7307 | |
| 2367 | 667-a | | Excerpts from the above mentioned newspaper | | 7309 |
| 2363 | 668 | | Excerpts from the Affidavit of Semenov, Grigori Mikhailovich of 11 Apr 1946 | | 7319 |
| 457A | 669 | | Book "Conference on the Limitations of Armament, Washington, 12 Nov 1921" | 7326 | |
| 2457A | 669-a | | Excerpt from the above | | 7326 |

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| 2366 | 666 | | Outline of Map of the Soviet Far East and the Northern Part of Man- churia. | | 7303 |
| 2367 | 667 | | Copy of the files of the Japanese Newspaper "Kokumin Shinbun" dated 14 Aug 1941 | 7307 | |
| 2367 | 667-.. | | Excerpts from the above mentioned newspaper | | 7309 |
| 2363 | 668 | | Excerpts from the Affidavit of Semenov, Grigori Mikhailovich of 11 Apr 1946 | | 7319 |
| 457A | 669 | | Book "Conference on the Limitations of Armament, Washington, 12 Nov 1921" | 7326 | |
| 2457L | 669-.. | | Excerpt from the above | | 7326 |

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| 2239 | 670 | | Affidavit of TAKEBE, Rokuzo dated 26 Mar 1940 | | 7330 |
| 2527 | 671 | | Files of the Newspaper "Japan Advertiser" | 7335 | |
| 2527 | 671-a | | Excerpts therefrom | | 7335 |
| 1841 | 672 | | Telegram of the accused TOJO, Hideki, dated 9 June 1937 to the Vice-Minister and Vice-Chief of General Staff | | 7336 |

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| 2368 | 673 | | Book entitled "The Japanese-English-Chinese War" | 7345 | |
| 2368 | 673-A | | Excerpt therefrom | | 7345 |
| 2524-A | 674 | | TANAKA, Kenoe's article entitled "A New Stage of the Soviet-German War and Japan" published in the Magazine "Kaizo" Vol. 23, No. 21 of Nov. 1941 | 7347 | |
| 2524-A | 674-A | | Excerpts therefrom | | 7347 |

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| 13C | 675 | | Newspaper File of the "T. IYO-D. NIPPON" | 7348 | |
| 13C | 675-a | | Excerpts from the article entitled the "Greater East Asia Sphere Under Imperial Influence" by the defendant H. H. H. H. H. H. Kingoro, published in the above mentioned news- paper on 15 Jan 1942, No. 538 | | 7348 |
| 1955 | 676 | | An article by T. N. K. N. K. N. Professor of the Japanese University Kitsumikan, published in the newspaper "Osaka Ji-Ji" of 31 Jan 1942 under the title "Great Union of Asia" | 7350 | |
| 1955 | 676-a | | Excerpt therefrom | | 7350 |
| 159A | 677 | | Book published in Jan 1942 entitled "Thailand" by Nanshinsha publishers; edited by the Association of the Investigation of the Industry of the South (Nampo Sengyo Chosakai) | 7352 | |
| 2459A | 677-a | | Excerpt therefrom | | 7352 |

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| 2233 | 678 | | Affidavit of YATSUGI, Kazuo dated 30 Aug 1946 | | 7358 |
| 1987 | 679 | | File of documents compiled by the military authorities and the Oversea Department and by the "Kokusaku Kenkyukai" Society | 7369 | |
| 2330 | 680 | | "Plan of Measures as Regards the Construction of the Great East Asiatic Co-Prosperity Sphere" published by the "Kokusaku Kenkyukai" Society in May 1943 | 7371 | |
| 2302A | 681 | | List of Members of the Kokusaku Kenkyukai Society published in 1942 | 7373 | |
| 2229 | 682 | | Tentative Plan re the Scope and the Structure of the Greater East Asia Co-Prosperity Sphere of 18 Feb 1942 | 7374 | 7410 |
| 2302 | 683 | | Excerpt from Exhibit No. 681 | | 7400 |
| 1987 | 684 | | Excerpt from Exhibit No. 679 | | 7404 |
| 2330 | 685 | | Excerpt from Exhibit No. 680 | | 7411 |

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| 1622 | 686 | | Top Secret Symposium of the First Total War games of the Scientific Research Institute of Total War 1941 | 7416 | |
| 1622 | 686-A | | Excerpts therefrom | | 7416 |
| 1086B | 687 | | Record of the Second Conference of the Privy Council re the Question of the Ministry of Greater East Asia of 12 Oct 1942 | 7421 | |
| 1086B | 687-A | | Excerpt therefrom | | 7421 |
| 2402 | 688 | | Secret Publication of the Institute of Total War from 27 Jan 1942 entitled "Plan for Establishment of Greater East Asia Co-Prospersity Sphere" | 7424 | |
| 2402 | 688-A | | Excerpt therefrom | | 7424 |

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| 1621 | 689 | | Top Secret publication of the Institute under the title "Outline of First Period of the Total War for the Establishment of East Asia" dated 18 Feb 1942 | 7430 | |
| 1621 | 689-a | | Excerpt therefrom | | 7430 |
| 1355 | 690 | | Secret publication of the Institute of Total War under the heading "The Plans to Govern Siberia, Including Outer Mongolia" published in 1943 | 7434 | |
| 1355 | 690-a | | Excerpt therefrom | | 7434 |
| 2549 | 691 | | Confidential "Report of Inspection Tour in Manchuria and Korean Areas" submitted to the Japanese General Staff by May 1931 by Colonel SUZUKI, Shigeyasu | 7438 | |
| 2549 | 691-a | | Excerpt therefrom | | 7438 |

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| 1990-A | 692 | | Summary of Conversation Between HIROTA and HARADA. | | 7447 |
| 2659 | 693 | | Affidavit of KASAHARA, Yukio | | 7447 |
| 1753 | 694 | | Proposals made by Japanese General Staff dated 9 Feb 1931 Concerning the Russo-Japanese Fishing Problems | | 7457 |
| 2657 | 695 | | Affidavit of KASAHARA, Yukio (in Japanese language) | 7462 | |
| 1990B | 696 | | Summary of an Address made to his Excellency HARADA by Lt. Colonel KASAHARA. | 7462 | 7490 |
| 2658 | 697 | | Affidavit of KASAHARA, Yukio | 7462 | |
| 2460 | 698 | | Copy of the Anti-Soviet Strategy Plan of Major KANDA when he was serving in the Special Service Division, Japanese Army, in Harbin | 7464 | |
| 1950 | 699 | | Affidavit of MIYAKE, Mitsuharu, dated 22 Feb 1946 in Moscow | | 7501 |

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| 1513 | 700 | | A Cable from Consul-General OHSHI in Harbin to Foreign Minister SHIDEMARA dated 7 Nov 1931 No. 516 (2) | 7505 | 7505 |
| 1991 | 701 | | Photocopy of Report dated 14 July 1932 of Lt. Colonel KAMURA, Torashiro, the Japanese Military Attache in Moscow | | 7508 |
| 1654 | 702 | | "A Message of Lt. Colonel KANDA of 16 July" | | 7510 |
| 1970 | 703 | | Affidavit of General USHIROKU, Jun, dated 21 March 1946 | | 7515 |
| 1857B | 704 | | Decision of the Conference of Four Japanese Ministers of 7 Aug 1936 under the title of: "Foreign Policy of the Empire" | 7523 | |
| 1984 | 705 | | Affidavit of TOMINAGA Keoji | | 7526 |
| 2237 | 706 | | Table of the Increase of the Strength of the Kwantung Army and of the Japanese Army as a whole from 1932 to 1945 | | 7531 |

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| 2073 | 707 | | Report on Organization of Division of Kwantung Army | | 7535 |
| 2236 | 708 | | Table of the Increase of the Technical Equipment of the Kwantung Army in 1932-1945 | | 7537 |
| | 709 | | Certificates of the General Staff of the Red Army stating that the data contained in all those reports have been acquired partly during the Occupation of Manchuria by the Red Army and partly by the Red Army Intelligence Service | | 7540 |
| 2130 | 710 | | Report re Puppet Troops created by the Japanese in Manchuria and Inner Mongolia | | 7543 |

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| 1879 | 711 | | A Table Showing Increase of Sungari River War Flotilla from 1931 to 1945 | | 7544 |
| 2151 | 712 | | Report of the Increase of the Net-Work of Railways and Highways in Manchuria in the period from 1931 to 1945 (with Maps) | | 7546 |
| 2134 | 713 | | Information on the growth of the Net-Work of Airfields in Manchuria during the period of 1931 to 1945 | | 7550 |
| 2148 | 714 | | Report of Construction of Fortified Districts in Manchuria from 1934 to 1945 (with Maps) | | 7552 |
| N-1877 | 715 | | Report Concerning Construction of Ammunition Dumps in Manchuria from 1931 to 1945 | | 7554 |
| 1881 | 716 | | Report on the Increase of the Barrack Facilities in Manchuria from 1931 to 1945 | | 7555 |
| 2133 | 717 | | Report Concerning Japanese Military Settlements in Manchuria | | 7557 |
| 1883 | 718 | | Report on the Growth of Seaports of Korea and Manchuria from 1931 to 1945 | | 7559 |

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| 751 | 719 | | "Manchurian Confidential Files - 1938" | 7560 | |
| 751 | 719-A | | Excerpt therefrom "Plan of Stationing Meteorological Service System in Chahar-Suiyuan, December 1937, Kwantung Army Headquarters | | 7560 |
| 1046C | 720 | | Secret Telegram No. 700 of the Chief of the Kwantung Army Headquarters of 11 May 1938 sent by him to the Director of the Military Affairs Bureau of the War Ministry | 7567 | |
| 1046C | 720-A | | Excerpts therefrom | | 7567 |
| 2550 | 721 | | Top Secret Military Topographical Data for the Purpose of Landing Operations in the Northern Sea, Vol. II dated March 1941, published by OTARU Branch of the Shipping Transport Headquarters of the Japanese War Ministry | 7568 | |
| 2550 | 721-A | | Excerpt therefrom | | 7571 |
| 2152 | 722 | | Affidavit of Lt. General MURAKAMI, Keisaku, Command-General of the Third Army (with Certificates attached thereto) | | 7575 |

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| 2238 | 723 | | Affidavit of YAMAGITA, Genzo, Lt. General of the Japanese Army | | 7581 |
| 1885 | 724 | | A Table of the Increase of the Strength of the Japanese Troops in Korea in the Period 1931 to 1945 | | 7587 |
| 2129 | 725 | | Report on the Increase of Con- struction of Net-Work of Railroads and Highways in Korea from 1931 to 1945 | | 7588 |
| 2132 | 726 | | A Table of the Increase in the Airfields in Korea in the Period from 1931 to 1945 | | 7589 |
| 2131 | 727 | | Report on the Construction of Forti- fied Areas in Korea from 1931 to 1945 | | 7590 |
| 2127 | 728 | | Report on Construction of Military Dumps in Korea from 1931 to 1945 | | 7592 |
| 2150 | 729 | | Report on the Increase of Barrack Capacity in Korea in the Period from 1931 to 1945 (with Maps) | | 7593 |
| 2364 | 730 | | Affidavit of Konstantin Vladimirovich RODZEVSKY | | 7603 |

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| 2329 | 731 | | Book published in Kharbin in 1942 by the State organization "ayo-Wa-Kai" and the Chief Russian Emigrants Bureau in the Manchurian Empire entitled "Great Manchurian Empire" | 7605 | |
| 2329 | 731-a | | Excerpt therefrom | | 7605 |
| 2460 | 698 | | Marked for Identification 10 October 1946 (p.7464) | | 7618 |
| 1682 | 732 | | "Items Concerning the U. S. S. R." presented at the Conference of Japanese Military Attaches in Europe | 7639 | |

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| 1682 | 732-A | | Excerpt from Exhibit 732 | | 7658 |
| 4107 | 733 | | Minutes of Interrogation of accused MATSUI, Iwane | 7643 | |
| 4107 | 733-A | | Excerpt therefrom | | 7643 |

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| 1989 | 734 | | Photocopy of a report entitled: Situation in the Caucasus and its Strategic Use for the Purpose of Sabotage Activities" | 7647 | |
| 1989 | 734-.. | | Excerpt therefrom | | 7647 |
| 2307 | 735 | | Supplemental Note of Protest of the Soviet Embassy in Japan | | 7660 |
| 1968 | 736 | | "Revision of the Anti-Soviet Sabotage Activities and of Guidance of White Russians in Keeping with the Revisions" | 7661 | |
| 1968 | 736-.. | | Excerpt therefrom | | 7662 |
| 1962 | 737 | | "Instructions Pertaining to the Sabotage Activities for Education and Training for the 18th Year Shows. (1943) | | 7664 |
| 1956 | 738 | | Directions in Relation to the Guidance of the White Russians dated June 1943 (Second Intelligence Conference 1943 of the Kwantung Army Intelligence Department | | 7664 |
| 1971 | 739 | | Plan for Carrying out the Training of White Russian Youths in the Special Immigration Settlements, Kharbin Special Service Agency | | 7665 |

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| 740 | 1957 | "The Principles of the Japanese Propaganda Campaign Against Outer Mongolia | | 7667 |
| 741 | 2661 | Affidavit of KAWABE, Torashiro | | 7673 |
| 742 | 2660 | Affidavit of KAWABE, Torashiro (in the Japanese language) | | 7676 |
| 743 | 1983 | Affidavit of AKIKUSA, Shun | | 7708 |
| 744 | 2369 | Extract from the record of the Talk between Litvinov, People's Commissar of Foreign Affairs of the USSR and the Japanese Foreign Minister YOSHIZAWA which took place 31 Dec 1931 | | 7714 |
| 745 | 2371 | Text of UCHIDA's note handed over to the Soviet Ambassador Troyanovsky | | 7719 |
| 746 | 2372 | Note delivered by the Soviet Government on 4 January 1933 to the Japanese Government | | 7720 |
| 747 | 2373 | Text of note delivered on 13 February 1933 by order of UCHIDA | | 7727 |

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| 748 | 2071 | Text of the Official State- ment of the Superintendent of Consulate-General of the USSR at Kharbin, addressed to Mr. Shi-Lyui- Wen, the North Manchurian Special Agent of the Japan- ese Foreign Office dated 23 Oct 1934 | | 7739 |
| 749 | 2146 | Letter sent by Vice President of the Chinese Eastern Railroad to President Li- Shao-Gen dated 15 Dec 1934 | | 7742 |
| 750 | 1953 | Table of the Frontier Corps Department of the People's | | |

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| 750 | 1953 | Commissariat of Home Affairs of the USSR dated 20 Feb 1946 of Violations of the Soviet-Manchoukuo Frontier for the period from 1932 up to 1945 | | 7744 |
| 751 | 2324 | Excerpts from the Report on Provocative Actions of the Japanese in the Lake Hanka Area | | 7750 |
| 752 | 608 | Report of General OKUSHI, Ko'nochi, Chief of the Japanese Korean Army Headquarters to Vice War Minister General YANAGAWA, dated 20 Dec 1933 | 7753 | |
| 752-A | 608 | Excerpt therefrom | | 7753 |
| 753 | 2242 | Report of the Frontier Corps Department of the People's Commissariat for Home Affairs of 21 March 1946 on "Japanese Provocative Actions in the Area of Lake Khasan" (with map attached) | | 7755 |
| 754 | 2241 | Record of the Talk of Litvinov, People's Commissar for Foreign Affairs of the USSR with SHIGEMITSU, the then Japanese Ambassador to the USSR of 20 July 1938 | | 7759 |

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| 755 | 1992 | Affidavit of Hero of the Soviet Union, Chernopyatko, I. D., interrogated in Moscow 26 Feb 1946 | | 7808 |
| 756 | 2149 | Affidavit of Witness Batarshin, an eye-witness of the Khassan Lake Incident, interrogated in Moscow 26 Feb 1946 | | 7811 |
| 757 | 2235 | Extract from the Journal of Battle Actions of the Red Army General Staff re the Incident in the Khassan Lake Area in 1938 | | 7813 |
| 758 | 2243 | Talk Between Litvinov, People's Commissar for Foreign Affairs and SHIGEMITSU of 7 Aug 1938 | | 7818 |

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| 759 | 2230 | Extract from the Record of Litvinov's Talk with SHIGEMITSU, Mamoru, dated 31 Aug 1938 | | 7825 |
| 760 | 2627-A | Article published in 1933 by the Social Education Association in the "Miscellaneous People Literature Minao Bunko" No. 516 entitled "Japan's Mission in the Showa Era" by the Accused ARAKI, Sadao | 7828 | |
| 760-A | 2627-A | Excerpt therefrom | | 7828 |
| 761 | 1466 | Record of the Talk of ITAGAKI, Seishiro, dated 28 Mar 1936, who at that time was Chief of the Kwantung Army Headquarters, with Ambassador ARITA | 7830 | |
| 761-A | 1466 | Excerpt therefrom | | 7830 |

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| 762 | 751-C | Extract from document of the Kwantung Army Commanding General's "Representation of Opinion on the Establishment of a New China" | | 7839 |
| 763 | 1858 | Photostatic Copy of a Map published in China Postal album as far back as 1919 by the Directorate General of Posts in Peking | | 7841 |
| 764 | 1754 | Consists of Two Books of Maps | 7841 | |
| 764-A | 1754 | Excerpt therefrom | | 7842 |
| 765 | 1505 | Map of Manchuria published on p.10 of an official magazine, the "Tokyo Gazette" in July 1939 | 7844 | |
| 765-A | 1505 | Excerpt therefrom | | 7845 |
| 766 | 2231 | Memo of the Red Army General Staff History Department of 12 March 1946 under the heading "on the Provocative Attack of the Japanese in the Nomongan Area in 1939" | | 7845 |
| 767 | 2147 | Text of Negotiations Between Molotov, People's Commissar for Foreign Affairs for the USSR and the Japanese Ambassador to the USSR, TOGO, Shigenori, dated 9 June 1940 | | 7849 |

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| 768 | 4122A | Minutes of Interrogation of Accused HIRANUMA, Kiichiro, dated 24 Apr 1946 | 7853 | |
| 768-A | 4122A | Excerpt therefrom | | 7853 |
| 769 | 531 | Record of the Talk between Ribbentrop with OSHIMA, the Japanese Ambassador in Berlin on 23 Feb 1941 | | 7867 |
| 770 | 751D | Telegram from Chief of Staff of the Kwantung Army to the Vice-Minister of War dated 17 Jan 1938 (No. 1) | | 7871 |
| 771 | 571 | Ribbentrop's telegram to the German Ambassador in Tokyo dated 10 July 1941 | | 7874 |
| 772 | 571 | Group of Certificates (attached to the above document and document 2608) | | 7874 |
| 773 | 1217 | Message of Foreign Minister SHIGEMITSU, Mamoru, Broadcast on 11 Dec 1943 to Berlin on the occasion of the Second Anniversary of the Japanese-German-Italian Agreement | 7876 | |
| 773-A | 1217 | Excerpt therefrom | | 7877 |

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| 768 | 4122A | Minutes of Interrogation of Accused HIRANUMA, Kiichiro, dated 24 Apr 1946 | 7853 | |
| 768-A | 4122A | Excerpt therefrom | | 7853 |
| 769 | 531 | Record of the Talk between Ribbentrop with OSHIMA, the Japanese Ambassador in Berlin on 23 Feb 1941 | | 7867 |
| 770 | 751D | Telegram from Chief of Staff of the Kwantung Army to the Vice-Minister of War dated 17 Jan 1938 (No. 1) | | 7871 |
| 771 | 571 | Ribbentrop's telegram to the German Ambassador in Tokyo dated 10 July 1941 | | 7874 |
| 772 | 571 | Group of Certificates (attached to the above document and document 2608) | | 7874 |
| 773 | 1217 | Message of Foreign Minister SHIGEMITSU, Mamoru, Broadcast on 11 Dec 1943 to Berlin on the occasion of the Second Anniversary of the Japanese-German-Italian Agreement | 7876 | |
| 773-A | 1217 | Excerpt therefrom | | 7877 |

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| 774 | 2419-- | Excerpt from Decision on Japanese Foreign Policy taken at the Four Ministers Conference on 7 Aug 1936, as characterized by the letter of the Defendant SHIRATORI to ARITA dated 4 Nov 1935 | 7878 | |
| 774-A | 2419-A | Excerpt therefrom | | 7882 |
| 775 | 1632BB(1) | Excerpt from KIDO's Diary dated 22 Aug 1939 | | 7889 |
| 776 | 4121 | Minutes of Interrogation of Defendant OSHIMA dated 22 Apr 1946 | 7890 | |
| 776-A | 4121 | Excerpt therefrom | | 7801 |
| 777 | 823 | Text of the Speech made by Foreign Minister MATSUOKA over the Radio on the day of the Conclusion of the Pact (27 Sept 1940) | 7809 | |
| 777-A | 823 | Excerpt therefrom | | 7809 |
| 778 | 1372A | Record of Ribbentrop's Talk with OSHIMA on 24 June 1942 | 7903 | |
| 778-A | 1372A | Excerpt therefrom | | 7903 |
| 779 | 1652 | Excerpt from the Minutes of the Imperial Conference on 2 July 1941 | | 7904 |

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| 780 | 4043E | Telegram sent from Tokyo to Berlin by Ott, German Ambassador to Japan on 23 Mar 1931 | | 7000 |
| 781 | 1532 ^W (54) | Excerpt from KIDO's Diary, an entry dated 21 June 1941 | | 7010 |
| 782 | 4050B | Letter from the Japanese Embassy to the German Minister for Foreign Affairs dated 26 Aug 1939 re: the Conclusion by Germany of the Non-Aggression Pact with the Soviet Union | | 7011 |
| 783 | 4005B | Excerpt from the Record of Ribbentrop's Talk with MATSUOKA on 27 Mar 1941 | | 7015 |
| 784 | 1418A | Excerpt from Ciano's Diary entry dated 19 Sept 1941 | | 7022 |
| 785 | 4011 | Record of Ribbentrop's Talk with Mussolini in the presence of Ciano on 22 Sept 1940 | 7924 | |
| 786 | 1298 | Symposium of Documents of the Japanese Ministry for Foreign Affairs in which there is a Telegram of KURUSU, Japanese Ambassador in Berlin to MATSUOKA on 28 Sept 1941 (no. 1251) | 7929 | |
| 786-A | 1298 | Excerpt therefrom | | 7029 |
| 787 | 1285 | Proceedings of the Privy Council held on 18 Dec 1940 (Text of MATSUOKA's Speech at this meeting) | 7930 | |

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| 787-A | 1285 | Excerpt therefrom | | 7931 |
| 788 | 4065A | Telegram of Ott in Tokyo sent to Berlin on 4 Oct 1941 (no. 1974) | 7933 | |
| 788-A | 4065A | Excerpt therefrom | | 7933 |

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| 787-A | 1285 | Excerpt therefrom | | 7931 |
| 788 | 4065A | Telegram of Ott in Tokyo sent to Berlin on 4 Oct 1941 (no. 1974) | 7933 | |
| 788-A | 4065A | Excerpt therefrom | | 7933 |

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| 789 | 527 | Excerpts from the Record of Ribbentrop's Talk with MATSUOKA on 29 March 1941 | | 7939 |
| 790 | 1340 | Excerpt from the Record of Hitler's Talk with MATSUOKA in the presence of Ribbentrop, Ott and OSHINA | | 7943 |
| 791 | 532-B | Excerpts from the Record of Hitler's Talk with MATSUOKA on 4 April 1941 | | 7945 |
| 792 | 4062G | Ribbentrop's Telegram to the German Ambassador in Tokyo dated 5 July 1941 (No. 598) | | 7955 |

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| 793 | 1886 | Entry from the Diary of Smetanin, Ambassador of the USSR to Japan dated 25 June 1941 | | 7956 |
| 794 | 4052-H | Telegram of Ott, German Ambassador to Japan sent from Tokyo to Berlin 15 July 1941 (No.1248) | | 7957 |
| 795 | 4033D | Excerpts from the Telegram of the German Ambassador to Japan sent from Tokyo to Berlin on 22 June 1941 (No.1012) | 7958 | |
| 795-A | 4033D | Excerpt therefrom | | 7958 |
| 796 | 4062E | Telegram from Ott to Berlin dated 3 July 1941 (No.1109) | | 7961 |
| 797 | 4062F | Telegram of Mackensen, German Ambassador in Rome, sent to Berlin 1 July 1941 (No.1473) | | 7962 |
| 798 | 4062H | Memorandum of Kramarets, Foreign Ministry official, composed in Berlin in 6 July 1941 | | 7965 |
| 799 | 4062C | Telegram from Ott, German Ambassador to Japan, sent to Berlin on 12 July 1941 (No.1200) | | 7966 |
| 800 | 4025D | Telegram sent from Tokyo by Ott, German Ambassador to Japan, on 1 Aug 1941 (No. 1415) | | 7967 |

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| 801 | 4080A | Telegram from Ott, German Ambassador to Japan, sent from Tokyo 4 Sept 1941 (No. 1713) | 7970 | |
| 801-A | 4080A | Excerpt therefrom | | 7971 |
| 802 | 2593D-21 | Telegram from Tokyo to Berlin dated 30 Nov 1941 (No. 985) | | 7974 |
| 803 | 15F (3) | Japanese Government Telegram No. 739 sent from Tokyo to Berlin on 15 Aug 1941 re the Decision Adopted at the Conference on 2 July 1941 | 7977 | |
| 803-A | 15F (3) | Excerpt therefrom | | 7977 |
| 804 | 15F (4) | Japanese Government Telegram No. 740 from Tokyo to Berlin dated 15 Aug 1941 | | 7980 |
| 805 | 2593D(37) | Telegram from Tokyo to Berlin dated 6 Dec 1941 (No. 1003) | | 7981 |
| 806 | 11A(7) | Excerpt from Telegram of Ott, German Ambassador in Tokyo, sent to Berlin on 29 Jan 1942 (No. 245) (Marked for Identification Only, Exhibit No. 639, page 7031) | | 7983 |
| 807 | 1230 | Telegram sent by Ribbentrop from Berlin to the German Ambassador in Tokyo on 15 May 1942 (No. 1197) | | 7984 |

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| 808 | 2593D-2 | Telegram from Tokyo to Washington dated 31 July 1941 (No.433) (Marked for Identification Only, Exhibit No.603, page 6643) | | 7087 |
| 809 | 1628 | Research Report No. 131 dated 1 Dec 1945 called "Japan's Decision to Fight" published by the General Headquarters of the Supreme Commander for Allied Powers | | 7988 |
| 810 | 1621B | Excerpt from the symposium of the Institute of Total War entitled "The Program of Total War in the First Period", "The Construction of East Asia" drawn up in Feb 1942 | | 7001 |
| 811 | 2074 | Affidavit of Witness NOMURA, Komakichi, Press Agent of the Japanese Embassy in Berlin, dated 15 Feb 1946 | | 7003 |
| 812 | 2312 | Record of Ribbentrop's Talk with the Defendant OSHIIWA on 6 Mar 1943 | 8014 | |
| 812-A | 2312 | Excerpt therefrom | | 8014 |

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| 808 | 2593D-2 | Telegram from Tokyo to Washington dated 31 July 1941 (No.433) (Marked for Identification Only, Exhibit No.603, page 6643) | | 7087 |
| 809 | 1628 | Research Report No. 131 dated 1 Dec 1945 called "Japan's Decision to Fight" published by the General Headquarters of the Supreme Commander for Allied Powers | | 7088 |
| 810 | 1621B | Excerpt from the symposium of the Institute of Total War entitled "The Program of Total War in the First Period", "The Construction of East Asia" drawn up in Feb 1942 | | 7001 |
| 811 | 2074 | Affidavit of Witness NOMARA, Komakichi, Press Agent of the Japanese Embassy in Berlin, dated 15 Feb 1946 | | 7003 |
| 812 | 2312 | Record of Ribbentrop's Talk with the Defendant OSWALD on 6 Mar 1943 | 8014 | |
| 812-A | 2312 | Excerpt therefrom | | 8014 |

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| 1887 | 813 | | Report of the Chief of the USSR Naval General Staff dated 20 February 1946, (No. 34563S) | | 8026 |
| 15F (6) | 814 | | Telegram No. 487 to the Japanese Ambassador in Washington from the Ministry for Foreign Affairs in Tokyo dated 20 August 1941 | | 8032 |
| 2232 | 815 | | Report of 20 March 1946 of the Military Prosecutor of the Pacific Ocean Area of the USSR | | 8036 |
| 2325A | 816 | | Report of 22 March 1946 of the Military Prosecutor of the Pacific Ocean Area of the USSR | | 8037 |
| 2311 | 817 | | Report of 4 April 1946 of the Military Prosecutor of the Pacific Ocean Area of the USSR | | 8039 |
| 2315 | 818 | | Report of 20 March 1946 of the Military Prosecutor of the Pacific Ocean Area re the sinking of the Ship "Krechet" | | 8041 |
| 2309 | 819 | | Report on the circumstances of the sinking of the ship "Svirstroy" | | 8043 |
| 2310 | 820 | | Report of the sinking of the ship "Sergey Lazo" | | 8045 |
| 2308 | 821 | | Report on the ship "Simpheropol" | | 8047 |
| 2305 | 822 | | Affidavit of Witness Budarin, B. A., 1st Mate of the ship "Perekop", dated 14 March 1946 | | 8049 |

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| 1989 | 823 | | Copy of the Protest by Levchenko, Captain of the Motor Vessel "Meikop", dated 1 July 1942 | | 8051 |
| 2072 | 824 | | Report of the Chief Military Prosecutor of the Navy and River Fleet of the USSR, dated 19 February 1946 (No.0483) | | 8053 |
| 1210B and C | 825 | | Excerpt of an Announcement of the Japanese Board of Information dated 21 January 1943, published in the symposium of official Announcements Concerning Foreign Relations (1943) | | 8055 |
| 2462 | 826 | | Text of Statement by Defendant TOJO, Hideki, the then Prime Minister on the occasion of the Declaration of War by Germany and Italy on the U.S.A. and the Conclusion by Japan of the Military Agreement with Germany. Published in the Newspaper "Asahi" on 12 December 1941 | 8060 | |
| 2462 | 826-A | | Excerpt therefrom | | 8060 |
| 2461 | 827 | | Excerpt of Speech of Defendant TOJO, Hideki the then Prime Minister made on 16 April 1944 at a meeting of Mixed Specialists Commission convened in accordance with the Tripartite Pact | 8063 | |
| 2461-A | 827-A | | File of Newspaper "ASAHI-SHIMBUN" for April | | 8063 |

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| 2528 | 828 | | Telegram sent by SHIGEMITSU on 11 December 1944 to Ribbentrop and Mussolini, published in the newspaper "Nippon Times." | 8065 | |
| 2528 | 828-A | | Excerpt therefrom | | 8066 |
| 590 | 829 | | Symposium "Kanpo" dated 22 January 1945 containing speech of Defendant SHIGEMITSU at the 86th Session of the Diet made on 21 January 1945 | 8067 | |
| 590 | 829-A | | Excerpt therefrom | | 8068 |
| 4052 | 830 | | Photostatic Copy of Telegram sent by Ott, German Ambassador in Japan and Kretschmar, German Military Attache in Japan 25 July 1941 (No.1355) | | 8071 |
| 2595-A | 831 | | Certificate of MIYAMA, Yozo, dated 7 August 1946 | | 8075 |
| 1973 | 832 | | Photostatic Copy of the Directive of the Kwantung Army Headquarters of 16 September 1941 signed by UMEZU, Yoshijiro | | 8081 |
| 2153 | 833 | | Affidavit of Major MATSUURA, Kusuo, dated 18 May 1946 | | 8092 |
| 2673 | 834 | | Affidavit of the Witness SEJIMA, Ruizo, dated 27 September 1946, (in the Japanese language) | | 8094 |

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| 2467 | 835 | | Statement of General KITA, Seichi, (written by himself in the Japanese language) 20 April through 23 April 1946 | | 8127 |
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| 1982 | 838 | | Affidavit of KUSABA, Tatsumi, | | 8164 |
| 520 | 839 | | Photostatic Copy of Document entitled "The Record of the Talk of the Reich Minister with Ambassador OSHIMA dated 18 April 1943 in Fushi." | 8175 | |
| 520 | 839-A | | Excerpt therefrom | | 8175 |
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| 1522 | 842 | | Document entitled "Particulars in Framing a Program for Extension of Important Industries" | | 8264 |
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| 9030-10-a | 844 | | Table of Crude Oil Consumption and Stocks in Japan Proper | | 8286 |
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| 9030-46-A | 846 | | Chart of Aluminum Production in Japanese Empire 1936-1941 | | 8338 |
| 9030-61-A | 847 | | Chart of Machine Tools in Japan Proper 1930-1941 | | 8356 |
| 9030-62-A | 848 | | Chart of Production and Capitalization in Precision Bearing Industry in Japan Proper 1930-1941 | | 8357 |
| 9027-A | 849 | | Speech by SATO, Kenryo, Chief of the Military Section of the War Ministry which appeared in the "Tokyo Nichi-Nichi" newspaper on 11 March 1942 (No. 23,588) | | 8411 |
| 875-A | 850 | | Record of the Meeting of Privy Council held on 3 July 1935 | | 8417 |
| 2196-A | 851 | | Agreement Regarding the Establishment of the Joint Economical Committee of Japan and Manchoukuo (Treaty 7 - 7 July 1936) | | 8432 |
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| 9016 | 853 | | Procedure for Handling the Special Military Currency | | 8463 |
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| 9028-A) 9028-B) 9028-C) | 855 | | Consisting of 17 Engraved Military Notes and 29 Engraver's Plates and Stones, and the certificates relative thereto | | 8470 |

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| 9018- | 856 | | Re Positive Enforcement of the Urgent Measures Vital to the General Mobilization | | 8492 |
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| 9017- | 857 | | A Second Communication Between KAZAMI, Akira and ITAGAKI, Seishiro on 23 June 1938 | | 8497 |
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| 9030- | 860 | | Chart of Expansion of Industry in Japan Proper 1931-1941 | | 8556 |
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| 1611-A | 861 | | "Outline for the Economic Construction of Japan, Manchoukuo and China" as decided at Cabinet Meeting on 3 October 1940 | | 8560 |
| 2604 | 862 | | May 19th 1938 issue of the Newspaper "The Japan Advertiser" re an article published therein entitled "Army Explains War Bill" (in the English language) | 8789 | |
| 2604-A | 862-A | | Excerpt therefrom | | 8790 |
| 2605 | 863 | | May 20th 1938 issue of the Newspaper "The Japan Advertiser" re an article published therein entitled "Army Explains War Bill" (in the English language) | 8789 | |
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| 1756- G | 864 | | Excerpts from "The Japan Year Book 1941-1942" (p.233) "Revision of the Military Service Law" "Revision in 1939" | | 8802 |
| 1570 | 865 | | "Outline for the Establishment of a Population Policy" | | 8807 |
| 488-C | 866 | | Additional excerpt from Document No. 488: a book entitled: "The Inevitability of the Renovation by HASHIMOTO" (p.139, paragraph 4) "A Leap Towards Armament" | | 8811 |
| 522 | 867 | | A photostatic copy of a telegram from the German Ambassador Ott in Tokyo to Ribbentrop dated 13 July 1941 | | 8813 |
| 1795 | 868 | | Document entitled "Kampo No. 2142" (a bound volume of official gazettes for October 1940) | 8816 | |
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| 628 | 874 | | Monthly Wartime Report (KO) No. 4 of the HA Corps dated November 1941 | 8979 | |
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| 1555- I | 879 | | "Tokyo Gazette" Vol. V No. 8 dated February 1942 re The 78th Session of the Imperial Diet (Ministerial Addresses of 16 December 1941) Address by the Prime Minister, General Hideki TOJO | 9073 | |
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| 219P(47) | 956 | | Excerpt from a Message from Ambassador Grew in Japan to Foreign Minister HIROTA dated 22 September 1937 | | 9458 |
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| 854-E | 972-E | | Text of the Japanese Government's reply to the Note of 6 October 1938 of the United States Government re American Rights and Interests in China | | 9513 |
| 854-G | 972-F | | Address of Prime Minister KONOYE before the 73rd Session of the Diet on 22 January 1938 | | 9515 |
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| 854-J | 972-H | | Statement of Premier KONOYE, dated 22 December 1938 | | 9527 |
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| 219P(56) | 975 | | Excerpt from a Statement of the American Embassy in Japan to the Japanese Minister for Foreign Affairs, dated 31 May 1938 | | 9538 |
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| 854-G | 972-F | | Address of Prime Minister KONOYE before the 73rd Session of the Diet on 22 January 1938 | | 9515 |
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| 1634-I | 977 | | "The Basis of National Policy" dated 30 June 1936 by the War and Navy Ministries | | 9542 |
| 1634-J | 978 | | Record of Conference with the Foreign, War, Navy and Finance Ministers 30 June 1936 entitled "Matters Pertaining to the Outline of State Policy" | | 9548 |
| 1634-K | 979 | | Record of a Conference of Prime Minister, War, Navy, Finance and Foreign Ministers, 11 August 1936 entitled "Fundamentals of our National Policy" | | 9549 |
| 219P(58) | 980 | | Excerpt from a Communication of Ambassador Grew to Ambassador UGAKI, Tokyo, dated 28 June 1938 | | 9554 |
| 219P(59) | 981 | | Excerpt of Communication from the American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (UGAKI) Tokyo, dated 16 August 1938 | | 9555 |
| 219P(60) | 982 | | Excerpt from Press Release issued by the State Department, Washington, dated 26 August 1938 | | 9556 |
| 219P(61) | 983 | | A Communication from Ambassador Grew to Minister ARITA, dated 31 October 1938 | | 9557 |

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| 219P(83) | 984 | . | Excerpt from a Statement of Ambassador Grew to Minister ARITA, Tokyo, dated 7 November 1938 | | 9558 |
| 219P(62) | 985 | | Excerpt from a Statement of Ambassador Grew to Minister ARITA, Tokyo, dated 30 March 1939 | | 9559 |
| 219P(84) | 986 | | Oral Statement of Ambassador Grew to Foreign Minister ARITA dated 21 November 1938 | | 9563 |
| 219P(44) | 987 | | Excerpts from Memorandum by the Counsellor of Embassy in Japan (Dooman) Tokyo, dated 19 November 1938 | | 9565 |
| 219P(45) | 988 | | Aide-Memoire of the American Embassy in Japan to the Foreign Ministry dated 1 September 1937 | | 9568 |
| 1573 | 980 | | Record of Conversations between Minister ARITA and Ambassador Grew in November and December 1938 | | 9572 |
| 219P(85) | 990 | | Excerpt of Statement by Ambassador Grew to Foreign Minister ARITA, Tokyo, dated 24 November 1938 | | 9590 |
| 219P(86) | 991 | | Excerpt from the Statement of Ambassador Grew to Foreign Minister ARITA, Tokyo, dated 30 December 1938 | | 9591 |

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| 219P(87) | 992 | | Excerpt from a Statement by Ambassador Grew to Foreign Minister ARITA, Tokyo, dated 11 March 1939 | | 9598 |
| 219P(88) | 993 | | Statement by the American Charge in Japan, Dooman to the Minister of Foreign Affairs dated 1 September 1939 | | 9600 |
| 713 | 994 | | Notification by the Secretary of State of the U. S., handed to HORIMUCHI in Washington, dated 26 July 1939 re the American Government and its intention to withdraw from the Treaty of Commerce and Navigation | | 9601 |
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| 219P(64) | 996 | | Excerpt from Statement of Charge Dooman in Japan to Secretary of State, dated 22 May 1939 | | 9606 |
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| 219P(65) | 998 | | Excerpt from a Telegram of Secretary of State Hull to Ambassador Grew, dated 6 July 1939 | | 9609 |

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| 219P(66) | 99 ^a | | Excerpt from a Memorandum of Secretary of State Hull, dated 10 July 1939 | | 9610 |
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| 219P(68) | 1002 | | "The American Embassy in Japan to the Japanese Ministry for Foreign Affairs - Pro Memoria" | | 9615 |
| 2383-A | 1003 | | Two Letters dated 15 and 25 June 1939 from Ambassador Craigie to Minister ARITA | | 9616 |
| 219P(90) | 1004 | | The American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (ARITA), dated 20 March 1940 | | 9626 |
| 219P(91) | 1005 | | The American Embassy in Japan to the Japanese Minister for Foreign Affairs - Aide-Memoire | | 9628 |
| 1383-B | 1006 | | "Certificates of Authenticity" | | 9633 |
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| 1383-B (2) | 1008 | | 1 copy of Instructions sent to Ambassador NOMURA, dated 22 Jan. 1941 | | 9643 |
| 1383-B (3) | 1009 | | 1 telegram to Ambassador NOMURA from Foreign Minister MATSUOKI, dated 7 February 1941. | | 9648 |
| 219P(69) | 1010 | | Excerpt from the Press Releases issued by the Department of State on 13 June 1940 | | 9658 |
| 210P(70) | 1011 | | Excerpt from the Statement of Ambassador Grew to Foreign Minister MATSUOKI, Tokyo, dated 13 September 1940 | | 9659 |
| 220 C(2) | 1012 | | Press Release by the Japanese Embassy, dated 15 April 1940 | | 9661 |
| 220 C(3) | 1013 | | Excerpt of Press Release by the Department of State, Washington, dated 17 April 1940 | | 9667 |
| 220 C(4) | 1014 | | Excerpt from Memorandum by Ambassador Grew in Japan, dated 10 June 1940 | | 9669 |
| 1589-A | 1015 | | Telegram No. 3930 from Ambassador SHIGEMITSU in London to Foreign Minister ARITA, dated 13 February 1940 | | 9671 |

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| 1589-B | 1016 | | Telegram from Ambassador SHIGEMITSU in London to Foreign Minister ARITA dated 23 March 1940 | | 9674 |
| 1589-C | 1017 | | Telegram from SHIGEMITSU to ARITA dated 13 May 1940 | | 9683 |
| 1589-D | 1018 | | Telegram from SHIGEMITSU to ARITA dated 25 May 1940 | | 9687 |
| 1589-E | 1019 | | Telegram from Ambassador SHIGEMITSU to Foreign Minister ARITA dated 19 June 1940 | | 9691 |
| 1589-F | 1020 | | Telegram from KURUSU in Berlin to Foreign Minister ARITA dated 10 July 1940 | | 9694 |
| 1589-G | 1021 | | Telegram from Ambassador KURUSU to Foreign Minister ARITA, dated 10 July 1940 | | 9703 |
| 219P(92) | 1022 | | Excerpts from Communication from the Acting Secretary of State to Ambassador Grew in Japan, dated 9 August 1940 | | 9707 |
| 1250-A | 1023 | | Telegram from Foreign Minister MATSUOKA to Ambassador SHIGEMITSU, dated 5 August 1940 | | 9712 |
| 219P(93) | 1024 | | Excerpts from Communication from Ambassador Grew in Japan to the Japanese Foreign Minister, dated 18 September 1940 | | 9716 |

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| 220 C(5) | 1025 | | Excerpt from a Telegram from the U. S. Secretary of State to Ambassador Grew, dated 3 September 1940 | | 9718 |
| 220 C(7) | 1026 | | Statement from Ambassador Grew to Foreign Minister MATSUOKA dated 19 September 1940 | | 9721 |
| 220 C(17) | 1027 | | Excerpt from a Message from the Japanese Embassy to the Department of State dated 7 October 1940 | | 9723 |
| 699-A | 1028 | | "A Memorandum Concerning Outstanding Anglo-Japanese Cases in China" dated 24 December 1938 | | 9724 |
| 2400-A | 1029 | | "Measures to be taken Towards Natives in East Asia or Burma - the President of the Facial Committee of the National Policy Research Institute, Kokusaku Kenkyu Kai, 20 September 1940 | 9755 | |
| 1603-A | 1030 | | Summary of Proceedings re the Tri-Partite Pact between Germany, Japan and Italy at a Privy Council Meeting 26 September 1940 | | 9756 |
| 19P(94) | 1031 | | Excerpt from Ambassador Grew to MATSUOKA dated 11 October 1940 | | 9767 |

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| 219P(95) | 1032 | | Excerpt from the Statement by Ambassador Grew to MATSUOKA dated 24 October 1940 | | 9769 |
| 220 C(8) | 1033 | | Excerpt from Communication by Mr. Grew to MATSUOKA dated 15 November 1940 | | 9771 |
| 219P(71) | 1034 | | Excerpt from a Statement by Ambassador Grew to MATSUOKA dated 26 November 1940 | | 9772 |
| 1339A(4) | 1035 | | Memorandum of KASE, Secretary to the Foreign Minister, dated 6 December 1940, OEA, Chief of the European Department | 9777 | |
| 220 C(9) | 1036 | | Excerpt from a Communication from the American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (MATSUOKA) dated 17 December 1940 | | 9778 |
| 220 C(10) | 1037 | | Oral Statement of Mr. Grew to Mr. MATSUOKA re the Foreign Minister dated 17 December 1940 | | 9779 |
| 2531A | 1038 | | Newspaper excerpt re Announcement of the New Mobilization Law | | 9781 |
| 1339A(2) | 1039 | | Proposal from Mr. Eden to Mr. SHIGEMITSU, dated 7 February 1941 | | 9782 |

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| 219P(71) | 1034 | | Excerpt from a Statement by Ambassador Grew to MATSUOKA dated 26 November 1940 | | 9772 |
| 1339A(4) | 1035 | | Memorandum of KASE, Secretary to the Foreign Minister, dated 9 December 1940, OIA, Chief of the European Department | 9777 | |
| 220 C(9) | 1036 | | Excerpt from a Communication from the American Ambassador in Japan (Grew) to the Japanese Minister for Foreign Affairs (MATSUOKA) dated 17 December 1940 | | 9778 |
| 220 C(10) | 1037 | | Oral Statement of Mr. Grew to Mr. MATSUOKA re the Foreign Minister dated 17 December 1940 | | 9779 |
| 2531A | 1038 | | Newspaper excerpt re Announcement of the New Mobilization Law | | 9781 |
| 1339A(2) | 1039 | | Proposal from Mr. Eden to Mr. SHIGEMITSU, dated 7 February 1941 | | 9782 |

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| 1131 | 1040 | | SHIGEMITSU's reply to Mr. Eden | | 9789 |
| 1132 | 1041 | | Telegram from MATSUOKA to SHIGEMITSU (Numbered Secret Code cable 46) dated 13 February 1941 | | 9794 |
| 220 C(11) | 1042 | | Statement from Ambassador Grew to Foreign Minister MATSUOKA dated 13 February 1941 | | 9796 |
| 220 C(20) | 1043 | | Excerpt from a Memorandum of Secretary of State Hull, dated 14 February 1941 | | 9798 |
| 1339A(1) | 1044 | | Telegram from MATSUOKA to SHIGEMITSU, dated 17 February 1941 | | 9801 |
| 1150 | 1045 | | Document entitled "Turning Point of the Pacific Tide" | | 9804 |
| 1339A(3) | 1046 | | Telegram from MATSUOKA to SHIGEMITSU dated 18 February 1941 | | 9811 |
| 1339A(8) | 1047 | | Letter dated 21 February 1941 Craigie to MATSUOKA | | 9816 |
| 1502A | 1048 | | Telegram from SHIGEMITSU to Foreign Minister MATSUOKA dated 24 February 1941 | | 9818 |
| 702A | 1049 | | Interchange of Communications between the Japanese Foreign Office and the British mutual relations, dated 24 February 1941 | | 9821 |

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| 1592B | 1050 | | Telegram No. 4840 dated 25 February 1941 from OSHIMA to MATSUOKA | | 0826 |
| 1292C | 1051 | | Telegram No. 5956 dated 25 February 1941 from SHIGE-MITSU in London to MATSUOKA | | 9828 |
| 220 C(12) | 1052 | | Excerpt from a telegram from Mr. Grew to Secretary of State dated 27 February 1941 | | 9833 |
| 1339A(7) | 1053 | | Japan's Proposal by SHIGE-MITSU to Churchill dated 27 February 1941 | | 9835 |
| 1593-A | 1054 | | Telegram No. 6915 dated 4 March 1941 from MATSUOKA to FOMURA the Ambassador in Washington | | 9838 |
| 2530A | 1055 | | Newspaper announcement re the New Mobilization Law dated 8 March 1941 | | 9841 |
| 220 C(21) | 1056 | | Excerpt from a memorandum of Secretary of State Hull dated 8 March 1941 | | 9843 |
| 220 C(22) | 1057 | | Excerpts from a Memorandum of the Secretary of State dated 14 March 1941 | | 9847 |
| 1632W(48) | 1058 | | Excerpt from Marquis KIDO's Diary dated 3 April 1941 | | 0850 |

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| 220 C(23) | 1059 | | Proposal presented by the Department of State in Japan at a meeting of Private Japanese and American individuals on 9 April 1941 | | 9851 |
| 220 C(24) | 1060 | | Excerpt from memorandum from Secretary of State Hull dated 14 April 1941 | | 9863 |
| 220 C(25) | 1061 | | Excerpt of Secretary of State Hull dated 16 April 1941 | | 9866 |
| 1339A(9) | 1062 | | Letter from Churchill to MATSUOKA dated 12 April 1941 handed to MATSUOKA at Moscow | | 9868 |
| 1339A(10) | 1063 | | Telegram from MATSUOKA to Churchill dated 22 April 1941 | | 9871 |
| 209 ^p (73) | 1064 | | Excerpt from Statement by Ambassador Grew to Acting Foreign Minister KONOYE, Tokyo, dated 14 April 1941 | | 9873 |
| 1632 ^w (4 ^o) | 1065 | | Entry in KIDO's Diary dated 19 April 1941 | | 9875 |
| 1632W(50) | 1066 | | Entry in KIDO's Diary dated 28 April 1941 | | 9876 |
| 2529A | 1067 | | Offer of the Japanese Policy to Increase the Population to 100,000,000 by 1945 | | 9878 |
| 4059A | 1068 | | Telegram from Ott to Ribbentrop dated 6 May 1941 | | 9883 |

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| 219P(74) | 1069 | | Excerpt from Communication of Ambassador Grew to MATSUOKA dated 6 May 1941 | | 9890 |
| 220 C(26) | 1070 | | Draft Proposal handed by the Japanese Ambassador NOMURA to the Secretary of State dated 12 May 1941 | | 9891 |
| 220 C(27) | 1071 | | Draft Suggestion from the Secretary of State to the Japanese Ambassador on 16 May 1941 | | 9904 |
| 219P(75) | 1072 | | Excerpt from Statement of Mr. Grew to MATSUOKA dated 17 May 1941 | | 9908 |
| 4060A | 1073 | | Telegram from Ott to Ribbentrop dated 18 May 1941 | | 9909 |
| 220 C(18) | 1074 | | Excerpt from a Summary of Conversations between U. S. and Japan in 1941 | | 9914 |
| 1383B(18) | 1075 | | Telegram from OSHIMA to MATSUOKA dated 20 May 1941 | | 9918 |
| 1383B(20) | 1076 | | Telegram from OSHIMA to Foreign Minister MATSUOKA dated 21 May 1941 | | 9933 |
| 220 C(28) | 1077 | | Excerpt from Memorandum of Conversation between Ambassador Morris and the Secretary of State dated 28 May 1941 | | 9934 |
| 220 C(29) | 1078 | | American Draft of Proposal dated 31 May 1941 handed to Ambassador OSHIMA | | 9937 |

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| 220 C(30) | 1079 | | American Statement handed to Ambassador NOMURA dated 31 May 1941 | | 9947 |
| 220 C(31) | 1080 | | Informal Oral Statement to NOMURA by Secretary of State dated 31 May 1941 | | 9960 |
| 220 C(32) | 1081 | | Excerpt from Memorandum of Secretary of State Hull dated 2 June 1941 | | 9961 |
| 219P(76) | 1082 | | Excerpt from Statement from Mr. Grew to MATSUOKA dated 4 June 1941 | | 9963 |
| 220 C(33) | 1083 | | Excerpt from Memorandum of Conversation between Secretary of State and Japanese Ambassador dated 4 June 1941 | | 9964 |
| 1632W(51) | 1084 | | Entry in KIDO's Diary of 6 June 1941 | | 9970 |
| 220 C(34) | 1085 | | Informal Statement handed by Secretary of State Hull to NOMURA 6 June 1941 | | 9982 |
| 4061F | 1086 | | Telegram from Ott in Tokyo to Ribbentrop dated 11 June 1941 | | 9986 |
| 220 C(35) | 1087 | | Draft of the Proposal received from NOMURA dated 15 June 1941 | | 9988 |
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| 1632W(52) | 1089 | | Entry in KIDO's Diary dated 18 June 1941 | | 9998 |
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| 220 C(37) | 1092 | | Draft Proposal of a Settle- ment between Japan and the U.S. by the Secretary of State to the Japanese Ambassador dated 21 June 1941 | | 10004 |
| 1632W(55) | 1093 | | Entry from KIDO's Diary dated 22 June 1941 | | 10019 |
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| 2007B | 1106 | | Excerpt from the Testimony of former Secretary of State Cordell Hull before the United States Congressional Committee for the investigation of the Pearl Harbor Attack (pp. 1076 to 1083) | | 10109 |

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| 1855 | 1107 | | List of names of persons attending Imperial Conference of 1941 | | 10140 |
| 1632EE | 1108 | | Entry from Marquis KIDO's Diary dated 2 July 1941 | | 10144 |
| 2731 | 1109 | | Certificate of Interpreter Commander Laxon dated 25 October 1946 of interrogations of the Defendant TOJO, Hideki of various dates during January, February and March of this year (not read) | | 10149 |
| 502 | 1110 | | Parent document of Imperial Conference called by TOJO July 1941 | 10150 | |
| 2502B | 1110-A | | Interrogation of TOJO, Hideki dated 13 February 1946 - an extract | | 10151 |
| 4062J | 1111 | | Report dated 3 July 1941 from Weizsaecker to German Foreign Minister Ribbentrop | | 10153 |
| 1632W(59) | 1112 | | Entry from Marquis KIDO's Diary dated 5 July 1941 | | 10155 |
| 4062K | 1113 | | Telegram from Ott at Tokyo to Ribbentrop dated 7 July 1941 | | 10157 |
| 4052C | 1114 | | Telegram dated 15 July from Ott to Berlin | | 10158 |
| 1632W(60) | 1115 | | Extract from Marquis KIDO's Diary dated 15 July 1941 | | 10161 |

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| 1632W(61) | 1116 | | ditto 16 July 1941 | | 10165 |
| 1632W(62) | 1117 | | ditto 17 July 1941 | | 10166 |
| 4052F | 1118 | | Telegram from Ott to Berlin dated 20 July 1941 | | 10169 |
| 2512 | 1119 | | Parent document of Interrogation of TOJO, Hideki dated 15 March 1946 | 10173 | |
| 2512B | 1119-4 | | Extract therefrom | | 10173 |
| 1383E | 1120 | | Telegram from MOIURA to TOYODA dated 23 July 1941 | | 10175 |
| 052G | 1121 | | Telegram dated 24 July 1941 from Ott to Berlin | | 10178 |
| 847C | 1122 | | Official Statement of the Japanese Bureau of Information dated 29 July 1941 announcing Japan's Occupation of French Indo-China | | 10179 |
| 2502A | 1123 | | Extracts from the TOJO's interrogation dated 13 February 1946 | | 10181 |
| 4167 | 1124 | | Parent document of TOJO's interrogation dated 15 February 1946 | 10183 | |
| 4167B | 1124-4 | | Extract from interrogation of TOJO dated 15 July 1946 | | 10183 |
| 1632W(63) | 1125 | | Certain views of the Defendants NAGANO and KIDO re war with the U.S. | | 10184 |

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| 2495 | 1126 | | Parent document of inter-rogation of Osami MAGANO dated 21 March 1946 | 10187 | |
| 2495-A | 1126-A | | Extracts therefrom | | 10187 |
| 2497 | 1127 | | Parent document of inter-rogation of Osami MAGANO dated 27 March 1946 | 10191 | |
| 2497A | 1127-A | | Extracts therefrom | | 10191 |
| 2498 | 1128 | | Parent document inter-rogation of Shigetaro SHIMADA on 23 January 1946 | 10193 | |
| 2498B | 1128-A | | Extract therefrom | | 10193 |
| 1632W(64) | 1129 | | Extract from Harquis KIDO's Diary dated 2 August 1941 | | 10196 |
| 632W(66) | 1130 | | Entry from KIDO's Diary dated 7 August 1941 | | 10198 |
| 1457 | 1131 | | Telegram from NOMURA to Foreign Minister TOYODA dated 16 August 1941 | | 10202 |
| 2634 | 1132 | | Certified Press item showing that the Cabinet on 22 August 1941 approved National Commodity Mobilization Plan | | 10204 |
| 2535A | 1133 | | Excerpt from the "Osaka Mainichi" and the Tokyo "Nichi-Nichi" of 8 September 1941 | | 10213 |

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| 1632W(67) | 1134 | | Extract from KIDO's Diary dated 5 September 1941 | | 10214 |
| 1632W(68) | 1135 | | Extract from KIDO's Diary dated 6 September 1941 | | 10215 |
| 2507 | 1136 | | Parent document of TOJO's interrogation dated 23 February 1946 | 10219 | |
| 2507A | 1136-A | | Extracts from TOJO interrogation of 23 February 1946 | | 10219 |
| 2509 | 1137 | | Parent document of TOJO's interrogation dated 11 March 1946 | 10219 | |
| 2509A | 1137-A | | Extract therefrom | | 10220 |
| 1632W(60) | 1138 | | Entry from KIDO's Diary dated 11 September 1941 | | 10222 |
| 1457B | 1139 | | Telegram from NOMURA to TOYODA dated 12 September 1941 | | 10223 |
| 2546A | 1140 | | Report of extract from the Tokyo Nichi-Nichi dated 13 September 1941 re Labor Mobilization Plan | | 10228 |
| 1632W(71) | 1141 | | Extract from KIDO's Diary dated 26 September 1941 | | 10230 |
| 1632W(72) | 1142 | | ditto 29 September 1941 | | 10231 |
| 1632W(75) | 1143 | | ditto 7 October 1941 | | 10232 |

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| 2593D-4 | 1144 | | Telegram from NOMURA to Tokyo dated 8 October 1941 (Part 1 of 4) | | 10233 |
| 15-1 | 1145 | | Telegram from NOMURA to Tokyo dated 8 October 1941 (Part 2 of 4) | | 10234 |
| 1632W(76) | 1146 | | Extract from KIDO's Diary dated 9 October 1941 | | 10241 |
| 1632W(77) | 1147 | | Extract from KIDO's Diary dated 12 October 1941 | | 10246 |
| 497A | 1148 | | Facts Pertaining to the Resignation of the 3rd KONOYE Cabinet | | 10250 |
| 1632W(78) | 1149 | | Extract from KIDO's Diary dated 12 October 1941 | | 10274 |
| 1632W(79) | 1150 | | Entry from Marquis KIDO's Diary dated 15 October 1941 | | 10275 |

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| 1632W(80) | 1151 | | Extract from KIDO's Diary dated 16 October 1941 | | 10281 |
| 1468A | 1152 | | KONOYE's Letter of Resignation | | 10284 |
| 2501 | 1153 | | Parent document of TOJO interrogation of 11 February 1946 | 10289 | |
| 2501A | 1153-A | | Extract therefrom | | 10289 |
| 1632W(81) | 1154 | | Entry from KIDO's Diary dated 17 October 1941 | | 10291 |
| 1632W(110) | 1155 | | Entry from KIDO's Diary dated 18 October 1941 | | 10293 |
| 1632W(82) | 1156 | | Re the Appointment of TOJO as Premier | | 10294 |
| 4160 | 1157 | | Parent document of TOJO's interrogation of 28 January 1946 | 10301 | |
| 4160A | 1157-A | | Extract therefrom | | 10301 |
| 4160B | 1157-B | | Extracts from the TOJO interrogation (p. 3) dated 28 January 1946 | | 10304 |
| 4160C | 1157-C | | Extracts from the TOJO interrogation (pp. 4 and 5) dated 28 January 1946 | | 10305 |
| 2510 | 1158 | | Parent document of TOJO's interrogation dated 12 March 1946 | 10308 | |

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| 2510-A | 1158-A | | Extracts from TOJO's interrogation (pp. 1,4,6,8, 9 and 10) dated 12 March 1946 | | 10303 |
| 15-E | 1159 | | Telegram dated 16 October 1941 from Foreign Minister TOYODA to NOMURA in Washington | | 10309 |
| 2745 | 1160 | | Certificates of the Japanese Foreign Office re items found therein re Japanese-American Negotiations of 1941 (not read) | | 10311 |
| 1532D(1) | 1161 | | Telegram dated 22 October 1941 from NOMURA to the New Foreign Minister TOGO | | 10312 |
| 1632W(112) | 1162 | | Entry from KIDO's Diary dated 29 October 1941 | | 10314 |
| 1532D(2) | 1163 | | Telegram from TOGO to NOMURA dated 2 November 1941 | | 10315 |
| 2593D(7) | 1164 | | Telegram of 4 November 1941 from Tokyo to Washington (3 parts) | | 10318 |
| 2593D(8) | 1165 | | Telegram dated 4 November 1941 from Tokyo to NOMURA | | 10323 |
| 1532D(3) | 1166 | | Telegram dated 4 November 1941 from Foreign Minister TOGO to NOMURA re KUNIKIDA being sent to the United States | | 10328 |

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| 1449D | 1167 | | Policy for Guiding Public Opinion on British and American Problems Agreed by the Cabinet Meeting on 4 November 1940 - Board of Information | | 10330 |
| 1632a(83) | 1163 | | Extract from entry of Marquis HIDO's Diary 5 November 1941 | | 10331 |
| 790a | 1169 | | Measures Towards Foreign Countries in Relation to the "Principle of Execution of National Policy of the Empire" which was decided at the Meeting in Presence of the Emperor on 5 November | | 10333 |
| 2593D(9) | 1170 | | Telegram from Tokyo to NO.MRA dated 5 November 1941 | | 10343 |
| 2593D(10) | 1171 | | Telegram from Tokyo to NO.MRA dated 5 November 1941 | | 10345 |
| 4058A | 1172 | | Telegram from the German Foreign Office to Washington and Rome dated 8 November 1941 | | 10351 |
| 2537A | 1173 | | Extract from "The Tokyo Nichi-Nichi" dated 12 November 1941 commenting on Winston Churchill's Speech | | 10352 |
| 2593D(11) | 1174 | | Telegram from Tokyo to Washington dated 11 November 1941 | | 10354 |

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| 990 | 1175 | | Principal Reasons Alleged for the Commencement of Hostilities Against the U. S. A. and Britain | | 10362 |
| 1443 | 1176 | | General Outline for Hastening the Conclusion of War Against the U. S. A., Great Britain, Netherlands and the Chanking Regime, dated 12 November 1941 | | 10373 |
| 2593D(13) | 1177 | | Telegram from MO.URA to Tokyo dated 14 November 1941 | | 10376 |
| 2593D(14) | 1178 | | Telegram of 16 November 1941 from TOGO to Washington | | 10380 |
| 1532D(5) | 1179 | | Telegram from KUNUSU to Foreign Minister TOGO dated 18 November 1941 | | 10383 |
| 1532D(6) | 1180 | | Telegram from TOGO to MO.URA dated 20 November 1941 | | 10387 |
| 1532W(84) | 1181 | | Extract from Entry of Marquis KIDO's Diary dated 19 November 1941 | | 10389 |
| 10723 | 1182 | | Excerpts from the records of the Investigation Committee of the Privy Council re Prolongation of Anti-Comintern Pact (pp.1-7 inclusive; pp.11, 14, 15) | | 10391 |
| 2593D(16) | 1183 | | Telegram from TOGO informing MO.URA and KUNUSU of an extension of the negotiations deadline from 25 November to 29 November, 1941 | | 10399 |

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| 1532D(7) | 1184 | | Telegram from NOMURA to TOGO re interview which he and KURUSU had with Mr. Ballantine and the Secretary of State on 23 November 1941 | | 10401 |
| 1532D(8) | 1185 | | Telegram to TOMURA from Foreign Minister TOGO dated 24 November 1941 | | 10407 |
| 1532D(9) | 1186 | | Telegram from TOGO NOMURA dated 24 November 1941 | | 10410 |
| 15-J | 1187 | | Telegram from the Japanese Ambassador at Hanoi dated 25 November 1941 to Tokyo | | 10411 |
| 2593D(41) | 1188 | | Report from the Japanese Ambassador at Bangkok to Tokyo dated 25 November 1941 | | 10414 |
| 2593D(19) | 1189 | | Telegram from NOMURA and KURUSU to Tokyo dated 26 November 1941 | | 10413 |
| 1632D(85) | 1190 | | Extract from an Entry in Marquis HIDO's Diary dated 26 November 1941 | | 10429 |
| 15-G | 1191 | | Extract of telephone conversation of 27 November 1941 between KURUSU and YAMAGUCHI of the Foreign Office | | 10430 |
| 2539A | 1192 | | Extract from "The Tokyo Nichi-Nichi" of 29 November 1941 re Cabinet Recognizes Press New System - "Journalistic Plan Proposed by Newspaper Leaders Given Approval" | | 10438 |

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| 1532D(7) | 1184 | | Telegram from NOMURA to TOGO re interview which he and KURUSU had with Mr. Ballantine and the Secretary of State on 23 November 1941 | | 10401 |
| 1532D(8) | 1185 | | Telegram to NOMURA from Foreign Minister TOGO dated 24 November 1941 | | 10407 |
| 1532D(9) | 1186 | | Telegram from TOGO NOMURA dated 24 November 1941 | | 10410 |
| 15-J | 1187 | | Telegram from the Japanese Ambassador at Hanoi dated 25 November 1941 to Tokyo | | 10411 |
| 2593D(41) | 1188 | | Report from the Japanese Ambassador at Bangkok to Tokyo dated 25 November 1941 | | 10414 |
| 2593D(19) | 1189 | | Telegram from NOMURA and KURUSU to Tokyo dated 26 November 1941 | | 10413 |
| 1632D(85) | 1190 | | Extract from an Entry in Marquis KIDO's Diary dated 26 November 1941 | | 10429 |
| 15-G | 1191 | | Extract of telephone conversation of 27 November 1941 between KURUSU and YAMAMOTO of the Foreign Office | | 10430 |
| 2539A | 1192 | | Extract from "The Tokyo Nichi-Nichi" of 29 November 1941 re Cabinet Recognizes Press New System - "Journalistic Plan Proposed by Newspaper Leaders Given Approval" | | 10438 |

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| 1532D(15) | 1193 | | Telegram from Foreign Minister TOGO to Ambassador NOMURA dated 28 November 1941 | | 10442 |
| 15-II | 1194 | | Telegram dated 29 November 1941 from Tokyo to Washington | | 10444 |
| 1532(10) | 1195 | | Telegram from NOMURA to Foreign Minister TOGO dated 30 November 1941 | | 10449 |
| 1632W(86) | 1196 | | Extract from Entry of Marquis KIDO's Diary dated 29 November 1941 | | 10452 |
| 2496 | 1197 | | Parent document of Interrogation of Defendant NAGANO on 26 March 1946 | 10461 | |
| 2496-A | 1197-A | | Extract therefrom | | 10461 |
| 1632W(87) | 1198 | | Entry from KIDO's Diary dated 30 November 1941 | | 10468 |
| 2593D(22) | 1199 | | Telegram of 30 November 1941 from Tokyo to OSHIMA | | 10469 |
| 2593D(23) | 1200 | | Telephone conversation between KURUSU and YAMAMOTO on 30 November 1941 | | 10473 |
| 2505 | 1201 | | Parent document from the TOJO interrogation of 20 February 1946 | 10479 | |

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| 2505A | 1201-A | | Extract therefrom | | 10480 |
| 2513 | 1202 | | Parent document from the TOJO interrogation of 13 March 1946 | 10481 | |
| 2513 | 1202-A | | Extract therefrom (pp.1-4) | | 10482 |
| 2506 | 1203 | | Parent document TOJO's interrogation of 21 February 1946 | 10487 | |
| 2506A | 1203-A | | Extract therefrom | | 10487 |
| 2504 | 1204 | | Parent document - TOJO's interrogation dated 19 February 1946 | 10491 | |
| 2504A | 1204-A | | Extract therefrom | | 10492 |
| 503 | 1205 | | Parent document - TOJO's interrogation dated 18 February 1946 | 10501 | |
| 2503A | 1205-A | | Extract therefrom | | 10501 |
| 4119 | 1206 | | Parent document - TOJO's interrogation dated 26 March 1946 | 10505 | |
| 4119A | 1206-A | | Extract therefrom | | 10505 |

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| 2505A | 1201-A | | Extract therefrom | | 10480 |
| 2513 | 1202 | | Parent document from the TOJO interrogation of 13 March 1946 | 10481 | |
| 2513 | 1202-A | | Extract therefrom (pp.1-4) | | 10482 |
| 2506 | 1203 | | Parent document TOJO's interrogation of 21 February 1946 | 10487 | |
| 2506A | 1203-A | | Extract therefrom | | 10487 |
| 2504 | 1204 | | Parent document - TOJO's interrogation dated 19 February 1946 | 10491 | |
| 2504A | 1204-A | | Extract therefrom | | 10492 |
| 503 | 1205 | | Parent document - TOJO's interrogation dated 18 February 1946 | 10501 | |
| 2503A | 1205-A | | Extract therefrom | | 10501 |
| 4119 | 1206 | | Parent document - TOJO's interrogation dated 26 March 1946 | 10505 | |
| 4119A | 1206-A | | Extract therefrom | | 10505 |

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| 4115 | 1207 | | Parent document of TOGO's interrogation dated 11 March 1946 | 10508 | |
| 4115A | 1207-A | | Extract therefrom | | 10509 |
| 2593D(26) | 1208 | | Telegram dated 1 December 1941 from Tokyo to Washington | | 10516 |
| 2500 | 1209 | | Parent document of TOFO's interrogation dated 8 February 1946 | 10519 | |
| 2500A | 1209-A | | Extract therefrom | | 10520 |
| 1632W(88) | 1210 | | Extract from Entry from Marquis KIDO's Diary dated 1 December 1941 | | 10523 |
| 2593D(30) | 1211 | | Telegram from TOGO to NOMURA (Havana) dated 2 December 1941 | | 10524 |
| 1532D(11) | 1212 | | Telegram dated 3 December 1941 to NOMURA to TOGO | | 10526 |
| 2593D(34) | 1213 | | Telegram from NOMURA in reply to TOGO's telegram dated 3 December 1941 | | 10528 |
| 2593D(35) | 1214 | | Telegram from Tokyo to Hsinking dated 4 December 1941 | | 10530 |
| 220-J | 1215 | | Extract from Foreign Relations of the U.S.-Japan 1931-1941 Vol.II (p. 784) "Statement handed by the Japanese Ambassador NOMURA to the Secretary of State on 5 December 1941" | | 10532 |

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| 1532D(12) | 1216 | | Telegram from TOGO to MOARR. dated 6 December 1941 | | 10534 |
| 1532D(13) | 1217 | | Telegram from TOGO to MOARR. dated 6 December 1941 | | 10536 |
| 2593D(39) | 1213 | | Telegram of 7 December 1941 to MOARR. from TOGO | | 10537 |
| 2593D(33) | 1219 | | Telegram from the Tokyo Foreign Office dated 7 December 1941 | | 10538 |
| 1632W(89) | 1220 | | Extract from Entry from Marquis KIDO's Diary dated 7 December 1941 | | 10541 |
| 200-I | 1221 | | Cable sent by President Roosevelt to the Secretary of State Hull dated 6 December 1941 | | 10542 |
| 2665 | 1222 | | Synchronized Time Chart for 6,7, and 8 December 1941 | | 10544 |
| 2561 | 1223 | | Comparative Time Table Based on Tokyo Proceeding Eastward on 7 and 8 December 1941 | | 10549 |
| 2405 | 1224 | | Affidavit of Ambassador Joseph Clark Grew dated 23 June 1946 | | 10551 |
| 2597 | 1225 | | Affidavit of SHIRAO, Tateki | | 10562 |
| 2669A | | 1226 | Extracts from Diary by SHIRAO, Tateki dated 29 November 1946 | | 10604 |
| 1420 | 1227 | | Affidavit of FREDERICK Charles PARK, Dated 27 March 1946 | | 10608 |

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| 1532L(12) | 1216 | | Telegram from TOGO to NOMURA dated 6 December 1941 | | 10534 |
| 1532D(13) | 1217 | | Telegram from TOGO to NOMURA dated 6 December 1941 | | 10536 |
| 2593D(39) | 1213 | | Telegram of 7 December 1941 to NOMURA from TOGO | | 10537 |
| 2593D(33) | 1219 | | Telegram from the Tokyo Foreign Office dated 7 December 1941 | | 10538 |
| 1632W(89) | 1220 | | Extract from Entry from Marquis KIDO's Diary dated 7 December 1941 | | 10541 |
| 200-I | 1221 | | Cable sent by President Roosevelt to the Secretary of State Hull dated 6 December 1941 | | 10542 |
| 2665 | 1222 | | Synchronized Time Chart for 6, 7, and 8 December 1941 | | 10544 |
| 2581 | 1223 | | Comparative Time Table Based on Tokyo Proceeding Eastward on 7 and 8 December 1941 | | 10549 |
| 2405 | 1224 | | Affidavit of Ambassador Joseph Clark Grew dated 23 June 1946 | | 10551 |
| 2597 | 1225 | | Affidavit of SHIRAO, Tateki | | 10562 |
| 2669A | | 1226 | Extracts from Diary by SHIRAO, Tateki dated 29 November 1946 | | 10604 |
| 1420 | 1227 | | Affidavit of FREDERICK CHANDLER PARK, Dated 27 March 1946 | | 10608 |

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| 1421 | 1228 | | Affidavit of LEONARD AUSTIN TRILIN CROWDER dated 6 April 1946 | | 10613 |
| 1577 | 1229 | | Affidavit of Major-General ARTHUR ERNEST PERCIVAL dated 20 July 1946 | | 10615 |
| 1508 | 1230 | | Affidavit of Wing Commander WILLIAM HARRY FRILLIN, dated 6 March 1946 | | 10618 |
| 1500 | 1231 | | Affidavit of SIR OLIVE GASTON SARGENT, Under- Secretary of State for Foreign Affairs, dated 25 March 1946 | | 10621 |
| 220-H | 1232 | | Extract from papers re- lating to Foreign Re- lations of United States. Japan; 1931 - 1941 "Memor- andum of a conversation" dated 7 December 1941 | | 10626 |
| 1424 | 1233 | | Affidavit of HONORABLE JAMES I. BLAIZ, Secretary of State, dated 6 April 1946 | | 10630 |
| 2543 | 1234 | | Affidavit of TATENO, Morio dated 24 July 1946 | | 10636 |
| 1633 | 1235 | | Phonograph record of broad- cast made by TATENO, Morio made on 8 December 1941 | | 10639 |
| 1633-A | 1235-A | | Transcription of the word- ing of the last exhibit 1235 | | 10639 |

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| 1657 | 1235-B | | Official log of Broadcasting section division, news section of Radio Tokyo | | 10640 |
| 1657-A | 1235-C | | Log of Radio News Broadcast given on 8 December 1941 (Japanese time) Japanese Broadcasting System | | 10640 |
| 2175 | 1236 | | Affidavit of Sir Robert Craigie | | 10673 |
| 2580 | 1237 | | Affidavit of Petty Officer Sanders | | 10678 |
| 1530 | 1238 | | Affidavit of Major General Christopher Maltby | | 10680 |
| 1632W(90) | 1239 | | Extract from Entry from Marquis KIDO's Diary dated 8 December 1941. | | 10683 |
| 2362-A | 1240 | | Text of Imperial Rescript dated 8 December 1941 | | 10685 |
| 1078 | 1241 | | Records of the Meeting of the Inquiry Committee of the Privy Council on 3 December 1941 | | 10690 |
| 2593D(40) | 1242 | | Telegram from Berlin to Tokyo | | 10701 |
| 2499 | 1243 | | Parent document of TOJO's interrogation dated 7 February 1946 | 10705 | |
| 2499-A | 1243-A | | Extract therefrom | | 10705 |

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| 2508 | 1244 | | Parent document of TOJO's interrogation dated 1 March 1946 | 10706 | |
| 2508-A | 1244-A | | Extract therefrom | | 10707 |
| 2215 | 1245 | | Affidavit of Joseph W. Ballantine | 10711 | |
| 2215 | 1245-A | | Exhibit "D" from above affidavit | | 10755 |
| 2215 | 1245-B | | Exhibit "E" from above affidavit | | 10764 |
| 2215 | 1245-C | | Exhibit "F" from above affidavit | | 10772 |
| 2215 | 1245-D | | Exhibit "G" from above affidavit | | 10778 |
| 2215 | 1245-E | | Exhibit "H" from above affidavit | | 10782 |
| 2215 | 1245-F | | Exhibit "I" from above affidavit | | 10792 |
| 2215 | 1245-G | | Exhibit "J" from above affidavit | | 10795 |
| 2215 | 1245-H | | Exhibit "K" of affidavit of Joseph W. Ballantine | | 10811 |
| 2215 | 1245-I | | Exhibit "L" from above affidavit | | 10815 |
| 2215 | 1245-J | | Exhibit "M" from above affidavit | | 10825 |
| 2215 | 1245-K | | Exhibit "N" from above affidavit | | 10830 |

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| 352 | | Statement dated 21 May 1946 signed by the President and V. President of the City Council of Kweilin; and others relative to Japanese troop atrocities in that city in 1945 | | 4651 |

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| 378 | | Report from the Treasury Attache at Shanghai dated 1 April 1935 | | 4699 |
| 379 | | Report from the American Consulate General in Mukden dated 31 October 1936 | | 4701 |
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| 381 | | Excerpts from the "Business Report of 1938", a publication of the Treaty Bureau of the Japanese Foreign Ministry | | 4708 |
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| 388 | | Minutes of the 24th Session of the League of Nations Advisory Committee on Traffic in Opium and other Dangerous Drugs, dated May, 1939 | | 4751 |
| 389 | | Affidavit of IOKAWA, Genshichi | | 4761 |
| 390 | | Report from the Treasury Attache at Shanghai dated 3 June 1940 | | 4779 |
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| 392 | | Report from the U. S. Treasury Attache at Shanghai dated 8 June 1936 entitled "The Drug Menace in the 6 Hsien of North Chahar since their Fall" | | 4784 |
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| 394 | | Report of the U. S. Treasury Attache at Shanghai dated 16 July 1940 entitled "Opium Cultivation in Chahar and Suiyuan" | | 4788 |
| 395 | | Report of the U. S. Treasury Attache in Shanghai dated 30 July 1936 entitled "Japanese Narcotization Policy in North China" | | 4791 |
| 396 | | Report of the American Consulate in Tsinan, China, dated 9 Dec 1940 entitled "Cultivation, Sale and Use of Opium in the Tsinan Consulate District" | | 4793 |
| 397 | | Report of the American Consulate at Tsinan, China, dated 28 Mar 1941 entitled "2,900 Mow of Opium Poppies Growing in but one of Shantung's 105 Counties; Tsinan Opium Addicts to register; Japanese Army Profits from Sale of Herion to Chinese Puppet Troops" | | 4796 |

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| 399 | | Report from the U. S. Treasury at Shanghai dated 13 Jan 1937 entitled "Japanese Drug Smoking Organs in Tunghsien and Peiping" | | 4800 |
| 400 | | Report from the U. S. Treasury Attache in Shanghai dated 19 Mar 1941 entitled "Two Chinese as 'Big Bosses' of Herion Dispensing Traffic in Greater Peiping" | | 4801 |
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| 404 | | "Summary Chart Showing Conditions of Suppression of Opium and Poisonous Drugs as Conducted by the Municipal Government of Peiping" | | 4815 |
| 405 | | Report of the U. S. Attache at Shanghai dated 9 Nov 1934 entitled "Formosan and Amoy Opium Deal" | | 4820 |
| 406 | | Report of the U. S. Treasury Attache at Shanghai dated 20 Apr 1936 entitled "Illicit Opium Traffic and Japanese Under-Cover Activities in Fukien" | | 4824 |

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| 407 | | Report of the U. S. Treasury Attache at Shanghai dated 24 Nov 1936 entitled "Narcotic Drugs Menacing South Fukien" | | 4827 |
| 408 | | Report of the U. S. Treasury Attache at Shanghai dated 24 Nov 1936 entitled "Side Lights of Japanese Drug Trade in Fukien" | | 4827 |
| 409 | | Report of the U. S. Consulate General at Shanghai office of Treasury Attache dated 27 July 1937 entitled "Paul Yap and Fukien's Special Opium Suppression Commissioner now in Hankow Awaiting Trial" | | 4829 |
| 410 | | Report of the U. S. Treasury Attache in Shanghai dated 10 July 1936 entitled "Formosan Organization in Amoy" | | 4830 |
| 411 | | Report of the U. S. Treasury Attache at Shanghai dated 2 Feb 1938 entitled "Japanese Carry Out Narcotization Policy in the South" | | 4832 |
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| 414 | | Report of the Dept of State to the Secy of the Treasury enclosing a report of the American Consulate General at Shanghai dated 16 Feb 1937 | | 4845 |
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| 416 | | The Import of Persian Opium by the Mitsui Bussan Kaisha Ltd (1937-1940) | | 4858 |
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| 417 | | Report of the U. S. Treasury Attache at Shanghai dated 1 Apr 1939 entitled "Japanese Ship Brought 800 Chests of Opium from Dairen" | | 4866 |
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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
G. Walter Bowman, Clerk of the Court

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|---|
| 299 | 18 | July | Application of Prosecution under Rule 6(b)(1) relating to affidavits, statements and reports of persons who were prisoners of war, internees, etc., in hands of Japanese. |
| 300 | 18 | July | Withdrawal by Motokichi Hasegawa as Counsel for accused TEIICHI SUZUKI. |
| 301 | 22 | July | Application of all accused for amendment to Rule 6(b)(1) as amended on 20 May 1946. |
| 302 | 22 | July | General Order No. 29 appointing Major General Myron C. Cramer member of the IMTFE. |
| ** | 22 | July | Hearing in Conference Room; On application of Prosecution under Rule 6(b)(1), (Paper No. 299); Taken under consideration, to be referred to whole Tribunal. |
| ** | 22 | July | Hearing in Court Room; Prosecution Exhibits 198 to 201 inclusive offered into evidence; hearing on oral motion made on behalf of accused OSHIMA challenging right of Major General Cramer to sit as Member of the Tribunal, etc.; Motion dismissed (Order No. 304). |
| 303 | 22 | July | Affirmation of Major General Cramer as Member of IMTFE. |
| 304 | 22 | July | Order dismissing the challenge of Defendants OSHIMA, HIROSHI and SHIGEMITSU, MAMORU to Major General Cramer as Member of Tribunal, and also, overruling motion for a mistrial. |
| 305 | 23 | July | Withdrawal by Kenzo Takayanagi as Counsel for MAMORU SHIGEMITSU; Certificate nominating Hisao Yanai as Counsel for accused SHIGEMITSU. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|---------------------|------------|---------------------|---|
| 306 | 23 | July | Certificate nominating Counsel. |
| ** | 23 | July | Hearing in Court Room; Defense Exhibits 202 and 203 offered into evidence. |
| ** | 24 | July | Hearing in Conference Room; On application of all accused for amendment to Rule 6(b)(1) as amended (Paper No. 301); Referred to whole Tribunal for decision. |
| ** | 24 | July | Hearing in Court Room. Trial of case continues. |
| ** | 25 | July | Hearing in Court Room; Prosecution Exhibit 204 admitted into evidence and then rejected nunc pro tunc. |
| 307 | 25 | July | Application of Prosecution to file attached application under Rule 6(b)(1) relative to Prosecution Documents Nos. 1744 and 1906, relating to documents of Nanking Safety Zone and correspondence files of American Embassy at Nanking, China. (see order No. 339) |
| 308 | 25 | July | Oath of witness. |
| 309 | 25 | July | Withdrawal by Hisao Yanai as Associate Counsel for accused MAMORU SHIGEMITSU. |
| 310 | 25 | July | Withdrawal by Kenzo Takayanagi as Associate Counsel for accused TEIICHI SUZUKI. |
| ** | 26 | July | Hearing in Court Room; Prosecution Exhibits 205 to 208 inclusive offered into evidence. |
| 311-314 | 26 | July | Oaths of Witness. |
| ** | 29 | July | Hearing in Court Room; Prosecution Exhibit No. 209 offered into evidence. |
| 315 | 29 | July | Oath of Witness. |
| 316 | 29 | July | Withdrawal by Takataro Sakuto as Counsel for accused KOICHI KIDO. |
| 317 | 29 | July | Withdrawal by Miyake Shotaro as Counsel for accused YOSHIJIRO UMEZU; Certificate nominating Counsel. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|---|
| 318-319 | 29 | July | Requests for summons. |
| 320 | 30 | July | Application of Prosecution to file application attached thereto under Rule 6(b)(1) pertaining to IPS Documents 219 et al. |
| 321 | 30 | July | Request for summons. |
| 322 | 30 | July | Oath of witness. |
| 323 | 30 | July | Request for summons. |
| ** | 30 | July | Hearing in Conference Room; On application of Prosecution under Rule 6(b)(1) relative to IPS Documents 1744 and 1906 (Paper No. 307); Continued to 6 August 1946 - Defense to have one week to examine original documents (oral order). |
| ** | 30 | July | Hearing in Court Room; Prosecution Exhibits 210 to 221 inclusive offered into evidence. |
| ** | 31 | July | Hearing in Court Room; Prosecution Exhibits 222 to 237 inclusive offered into evidence; Hearing on request of Attorney for accused MAMORU SHIGEMITSU to correct Exhibit 217; Granted. |
| 324 | 31 | July | Certificate nominating Counsel. |
| 325-328 | 1 | August | Requests for summons. |
| 329 | 1 | August | Return of service of summons. |
| 330 | 1 | August | Oath of witness. |
| ** | 1 | August | Hearing in Court Room; Prosecution Exhibits 238 to 245 inclusive were offered into evidence. Defense offered Exhibit 246; Hearing on motion of Defense to withdraw Exhibit 246 and substitute copy - No order. |
| 331 | 2 | August | Return of service of summons. |
| 332 | 2 | August | Certificate nominating Counsel. |
| ** | 2 | August | Hearing in Court Room; Further hearing on motion of Defense to withdraw Exhibit 246 and substitute photostatic copy; Granted. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| 333 | 5 | August | Return of service of summons. |
| 334-337 | 5 | August | Certificates nominating Counsel. |
| ** | 5 | August | Hearing in Court Room; Hearing on oral motion on behalf of all of the accused that all proceedings had in Chambers be made a part of the record in this case; Court will consider. |
| 338 | 6 | August | Application of Prosecution under Rule 6(b)(1), pertaining to IPS Document No. 2203. |
| ** | 6 | August | Hearing in Conference Room; On application of Prosecution under Rule 6(b)(1), relative to IPS Documents Nos. 1744 and 1906 (Paper No. 307); Prosecution ordered to give Defense that portion they desire in addition to what they already have. |
| ** | 6 | August | Hearing in Court Room; Prosecution Exhibits 247 and 248 offered into evidence. |
| 339 | 6 | August | Order granting application of Prosecution to waive Rule 6(b)(1) with respect to IPS Documents 1744 and 1906. (Disposes of Paper No. 307) |
| 340-342 | 7 | August | Oaths of witness. |
| 343 | 7 | August | Certificate nominating Counsel. |
| 344 | 7 | August | Notice by Prosecution of intention to request hearing on Paper No. 320. |
| ** | 7 | August | Hearing in Court Room; Prosecution Exhibits 249 to 254 inclusive, offered into evidence. |
| ** | 8 | August | Hearing in Court Room; Prosecution Exhibits 255 to 268 inclusive, offered into evidence. |
| 345 | 8 | August | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents 1043 and 1045. |
| 346 | 8 | August | Application of Prosecution for order amending Paper No. 297, relative to withdrawal of documents from office of Clerk of the Court. (See Order No. 347). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|--|
| ** | 8 | August | Hearing in Conference Room, ex-parte, re application of Prosecution Paper No. 346; Granted, instanter. |
| 347 | 8 | August | Order amending order of 16 July 1946 (Paper No. 346), substituting administrative officers. (Disposes of Paper No. 346). |
| 348 | 8 | August | Return of service of summons. |
| 349 | 8 | August | Certificate nominating Counsel. |
| 350 | 8 | August | Oath of witness. |
| ** | 9 | August | Hearing in Court Room; Prosecution Exhibits 269 to 273 inclusive, offered into evidence. |
| 351 | 12 | August | Application for leave to have evidence in chief of John Granville Liebert, Prosecution Witness, presented in form of prepared statement instead of oral examination. |
| 352-356 | 12 | August | Certificates nominating Counsel. |
| 357 | 12 | August | Certificate testifying to illness of accused IWANE IZUTSUI. |
| 358 | 12 | August | Withdrawal by Kunji Kanase as Associate Counsel for accused KINGORO H. SHIMOTO. |
| ** | 12 | August | Hearing in Court Room; Prosecution Exhibits 274 to 277 inclusive, offered into evidence. |

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
G. Walter Bowman, Clerk of the Court

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|--|
| 359-361 | 13 | August | Certificates nominating Counsel. |
| 362 | 13 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 363 | 15 | August | Application of Prosecution for order that Court take judicial notice of certain events, and application under Rule 6(b)(1). (See Order No. 387) |
| ** | 13 | August | Hearing in Conference Room; On application of Prosecution under Rule 6(b)(1) re IPS documents Nos. 1043 and 1045 (Paper No. 345); Granted (Order No. 365). On application of Prosecution for leave to have evidence of John Granville Liebert presented in form of prepared statement (Paper No. 351); Under consideration by whole Tribunal. On application of Prosecution under Rule 6(b)(1) re IPS document No. 2203 (Paper No. 338); Granted (Order No. 364). On application of Prosecution for leave to file attached application re Prosecution documents Nos. 219, 436, et al (Paper No. 320); Granted (Order No. 371). |
| ** | 13 | August | Hearing in Court Room. Trial of case continues. |
| 364 | 13 | August | Order granting application of Prosecution to waive Rule 6(b)(1) in respect to Prosecution document No. 2203. (Disposes of Paper No. 338). |
| 365 | 13 | August | Order granting application of Prosecution to waive Rule 6(b)(1) in respect to Prosecution documents Nos. 1043 and 1045. (Disposes of Paper No. 345). |
| 366 | 15 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 15 | August | Hearing in Court Room. Trial of case continues. |
| ** | 16 | August | Hearing in Conference Room; Further hearing on application of Prosecution for leave to have evidence of John Granville Liebert presented in form of prepared statement (Paper No. 351); Granted (Order No. 370). |
| ** | 16 | August | Hearing in Court Room. Trial of case continues. |
| 367 | 16 | August | Order granting oral motion of defendants to make Conference Room proceedings part of the record. |
| 368 | 16 | August | Order granting application of all accused for amendment of Rule 6(b)(1). Disposes of Paper No. 301). |
| 369 | 16 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 370 | 16 | August | Order granting application of Prosecution for leave to present evidence of John Granville Liebert in a prepared statement. (Disposes of Paper No. 351) |
| 371 | 16 | August | Order granting application of Prosecution to waive Rule 6(b)(1) in respect to documents Nos. 219, 436, etc. (Disposes of Paper No. 320). |
| ** | 19 | August | Hearing in Court Room. Trial of case continues. |
| 372 | 19 | August | Certificate nominating Counsel. |
| 373-374 | 19 | August | Withdrawals of Counsel. |
| 375 | 19 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 376 | 19 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |
| 377 | 20 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 15 | August | Hearing in Court Room. Trial of case continues. |
| ** | 16 | August | Hearing in Conference Room; Further hearing on application of Prosecution for leave to have evidence of John Granville Liebert presented in form of prepared statement (Paper No. 351); Granted (Order No. 370). |
| ** | 16 | August | Hearing in Court Room. Trial of case continues. |
| 367 | 16 | August | Order granting oral motion of defendants to make Conference Room proceedings part of the record. |
| 368 | 16 | August | Order granting application of all accused for amendment of Rule 6(b)(1). Disposes of Paper No. 301). |
| 369 | 16 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 370 | 16 | August | Order granting application of Prosecution for leave to present evidence of John Granville Liebert in a prepared statement. (Disposes of Paper No. 351) |
| 371 | 16 | August | Order granting application of Prosecution to waive Rule 6(b)(1) in respect to documents Nos. 219, 436, etc. (Disposes of Paper No. 320). |
| ** | 19 | August | Hearing in Court Room. Trial of case continues. |
| 372 | 19 | August | Certificate nominating Counsel. |
| 373-374 | 19 | August | Withdrawals of Counsel. |
| 375 | 19 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 376 | 19 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |
| 377 | 20 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 20 | August | Hearing in Court Room. Trial of case continues. |
| 378 | 20 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| ** | 21 | August | Hearing in Court Room; Defense Exhibit No. 278 marked for identification. |
| 379 | 22 | August | Application of Prosecution under Rule (6)(b)(1) pertaining to IPS documents Nos. 949, 1105, 1204, 829 and 223. (See Order No. 400). |
| 380 | 21 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 381 | 21 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |
| 382 | 22 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 383 | 22 | August | Certificate testifying to illness of accused TOSHIO SHIRATORI. |
| ** | 22 | August | Hearing in Conference Room; On motion of Prosecution for order that Court take judicial notice of certain events, and on application of Prosecution under Rule 6(b)(1) (Paper No. 363); Granted with certain corrections and additions (Order No. 387). |
| ** | 22 | August | Hearing in Court Room; Defense Exhibit No. 279 marked for identification; objection by Prosecution, Court will consider matter. Prosecution tendered Defense Exhibit No. 278 into evidence. |
| 384 | 23 | August | Medical report in support of oral application on behalf of accused SHUNEI OKAWA to have said accused transferred from Tokyo Imperial University Hospital to Matsuzawa Hospital for the Insane. (See Order No. 388). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|---------------------|------------|---------------------|---|
| 385-386 | 23 | August | Certificates nominating Counsel. |
| 387 | 22 | August | Order granting application of Prosecution that (1) the Tribunal take judicial notice of certain events, and (2) Rule 6(b)(1) be waived with respect to Prosecution documents Nos. 1503b, 1418, 1632 and 2361. (Disposes of Paper No. 363) |
| 388 | 23 | August | Order granting oral application of accused SHUMEI OKAWA for transfer from Tokyo Imperial University Hospital to Matsuzawa Hospital for the Insane. |
| 389 | 23 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| ** | 23 | August | Hearing in Conference Room; On oral application of accused SHUMEI OKAWA for transfer to Matsuzawa Hospital for Insane; Granted (Order No. 388). |
| ** | 23 | August | Hearing in Court Room. Trial of case continues. |
| 390 | 26 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 391 | 26 | August | Application of Prosecution for leave to have evidence of chief of Admiral Richardson, witness, presented in form of prepared statement instead of by oral examination. (See Order No. 399). |
| 392 | 26 | August | Certificate nominating Counsel. |
| ** | 26 | August | Hearing in Court Room; Defense Exhibits Nos. 280, 281A, 281B, 281C, 281D, 281E, and 282 marked for identification. |
| 393 | 27 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| ** | 27 | August | Hearing in Court Room; Defense Exhibits Nos. 283 to 285 inc. marked for identification; Prosecution Exhibits Nos. 286 to 290 inc. marked for identification. |

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| 394 | 27 | August | Oath of witness. |
| 395 | 27 | August | Certificate nominating Counsel. |
| 396 | 28 | August | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 397 | 28 | August | Certificate nominating Counsel. |
| ** | 28 | August | Hearing in Conference Room; On application of Prosecution for leave to have evidence in chief of Admiral Richardson, witness, presented in form of a prepared statement (Paper No. 391); Ordered taken under consideration by whole Tribunal. |
| ** | 28 | August | Hearing in Court Room; Prosecution Exhibits Nos. 291 to 305 inc. marked for identification. |
| 398 | 29 | August | Oaths of interpreters. |
| ** | 29 | August | Hearing in Conference Room; On application of Prosecution under Rule 6 (b)(1) (Paper No. 379); Granted (Order No. 400). |
| ** | 29 | August | Hearing in Court Room; Prosecution Exhibits Nos. 306 to 328 inc. marked for identification. |
| ** | 30 | August | Hearing in Conference Room; Court rendered decision on Paper 391, granting application as prayed. (See Order No. 399). |
| 399 | 30 | August | Order granting application of Prosecution for leave to present evidence of Admiral Richardson in a prepared statement. (Disposes of Paper No. 391) |
| 400 | 29 | August | Order granting application of Prosecution to waive Rule 6(b)(1) in respect to IPS documents Nos. 949, 1105, 1204, 223, and 829. (Disposes of Paper No. 379). |
| ** | 30 | August | Hearing in Court Room; Prosecution Exhibits Nos. 329 to 360 inc. marked for identification. |

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| 401 | 30 | August | Oath of witness. |
| 402 | 30 | August | Certificate testifying to illness accused KIIICHIRO HIRANUMA. |
| 403-404 | 30 | August | Oaths of witnesses. |
| 405 | 30 | August | Request of accused UEMZU, YOSHIJIRO, for production of a witness. (See Order No. 417) |
| 406-407 | 30 | August | Certificates nominating Counsel. |
| 408 | 30 | August | Withdrawal of Counsel. |
| 409 | 3 | September | Certificate testifying to illness of accused KIIICHIRO HIRANUMA. |
| 410 | 3 | September | Oath of witness. |
| ** | 3 | September | Hearing in Conference Room; On re- quest of accused UHEZU, YOSHIJIRO, for production of witness, Paper No. 405; Granted (See Order No. 417). |
| ** | 3 | September | Hearing in Court Room; Prosecution Exhibits Nos. 361 to 391 inc. marked for identification. |
| ** | 4 | September | Hearing in Court Room; Prosecution Exhibits Nos. 392 to 429 inc. marked for identification, Exhibit No. 416 being subsequently withdrawn. |
| 411 | 4 | September | Oath of witness. |
| 412 | 4 | September | Request for summons. |
| 413 | 4 | September | Certificate testifying to illness of accused KIIICHIRO HIRANUMA. |
| 414-415 | 4 | September | Certificate nominating Counsel. |
| ** | 5 | September | Hearing in Court Room; Prosecution Exhibits Nos. 430 to 434 inc., and Defense Exhibit No. 435, marked for identification. |
| 416 | 5 | September | Oath of witness. |

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| 417 | 3 | September | Order granting application of accused UMEZU, YOSHIJIRO, for the production of Lt. Gen. Sakai Takashi as a witness (Disposes of Paper No. 405). |
| 418 | 6 | September | Application on behalf of Prosecution under Rule 6(b) (1) pertaining to IPS Document No. 9016B. |
| 419 | 6 | September | Return of Service of Summons. |

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
Charles A. Mantz, Clerk of the Court

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DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|---|
| ** | 6 | September | Hearing in Court Room; Prosecution Exhibits Nos. 436 to 450 inc. marked for identification. |
| ** | 9 | September | Hearing in Conference Room; Relative to retirement of G. Walter Bowman, Clerk of the Court, and appointment of successor (Order No. 420). |
| ** | 9 | September | Hearing in Court Room. Prosecution Exhibits Nos. 451 to 457 inc. marked for identification, Exhibit No. 454 being tentatively admitted. |
| 420 | 9 | September | Order releasing G. Walter Bowman and appointing Charles A. Mantz as Clerk of the Court. |
| 421 | 9 | September | Oath of witness. |
| 422 | 10 | September | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Document No. 53. |
| 423 | 10 | September | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents Nos. 2457, 2527 et al. (See order No. 443). |
| 424-425 | 10 | September | Certificates nominating Counsel. |
| ** | 10 | September | Hearing in Court Room. Prosecution Exhibits Nos. 458 to 471 inc. marked for identification. |
| ** | 11 | September | Hearing in Court Room. Trial of case continues. |
| 426-427 | 11 | September | Returns of Services of Summons. |
| 428 | 11 | September | Request for production of witnesses. |
| 429 | 12 | September | Certificate nominating Counsel. |
| ** | 12 | September | Hearing in Court Room. Prosecution Exhibits Nos. 472 and 473 marked for identification. |

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| 430 | 13 | September | Application of Prosecution for leave to withdraw its Document No. 1906, Court Exhibit No. 328. (See Order No. 436). |
| 431 | 12 | September | Amendment to application (Paper No. 423) of Prosecution under Rule 6(b)(1) pertaining to IPS Documents Nos. 2457, 2527, etc. |
| 432 | 13 | September | Withdrawal of Counsel, and certificate nominating Counsel. |
| 433 | 13 | September | Certificate testifying to illness of accused IWANE MATSUI. |
| 434 | 13 | September | Withdrawal of Counsel, and certificate nominating Counsel. |
| ** | 13 | September | Hearing in Court Room. Prosecution Exhibits Nos. 474 and 475 marked for identification. |
| ** | 16 | September | Hearing in Conference Room; On application of Prosecution under Rule 6(b)(1) pertaining to IPS Document No. 9016B (Paper No. 418); Granted (Order No. 437); On application of Prosecution for leave to withdraw its Document No. 1906, Exhibit No. 328 (Paper No. 430); Granted (Order No. 436); On application of accused YOSHIJIRO UMEZU for production of 13 witnesses (Paper No. 428); Granted (Order No. 435). |
| ** | 16 | September | Hearing in Court Room. Prosecution Exhibit No. 476 marked for identification. |
| 435 | 16 | September | Order granting application of accused UMEZU Yoshijiro, for the production of 13 designated witnesses (Disposes of Paper No. 428). |
| 436 | 16 | September | Order granting withdrawal from records of the Tribunal of Court Exhibit No. 328 (Disposes of Paper No. 430). |
| 437 | 16 | September | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Document No. 9016B (Disposes of Paper No. 418). |

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| 438 | 16 | September | Request of Defense that Order (Paper No. 297) be amended so as to grant authority to Lt. Bernard A. Hargadon to withdraw exhibits and documents (See Order No. 442). |
| 439 | 17 | September | Request for production of witness. |
| ** | 17 | September | Hearing in Court Room. Trial of case continues. |
| ** | 18 | September | Hearing in Court Room. Trial of case continues. |
| 440 | 18 | September | Certificate nominating Counsel. |
| 441 | 18 | September | Receipt of International Prosecution Section for IPS Exhibit No. 328, withdrawn under Court Order No. 436. |
| 442 | 18 | September | Order amending previous orders re: Receipts for withdrawal of court exhibits, adding name of Lt. Bernard A. Hargadon (Disposes of Paper No. 438). |
| ** | 19 | September | Hearing in Conference Room: Application of Defense (Paper No. 438) to amend previous orders relative to withdrawal of exhibits and receipts therefor and to authorize signature of Lt. Bernard A. Hargadon on said receipts; Granted, Order No. 441. On request of accused YOSHIJIRO UMEZU for production of witness; continued for further consideration. On application of Prosecution (Paper No. 442) under Rule 6(b)(1) pertaining to Document No. 58; Continued for further consideration. On application of Prosecution (Paper No. 423) under Rule 6(b)(1) pertaining to IPS Documents Nos. 2457, 2527 et al; Granted with certain exceptions (Order No. 443) |
| ** | 19 | September | Hearing in Court Room. Prosecution Exhibits Nos. 477 and 478 marked for identification. |
| 443 | 19 | September | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 2457, 2527, et al. (Disposes of Paper No. 423 in respect to certain of the documents only). |

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| ** | 20 | September | Hearing in Court Room. Prosecution Exhibits Nos. 479 to 486J inc. marked for identification. |
| ** | 23 | September | Hearing in Court Room. Prosecution Exhibits Nos. 486K, 486L, and Nos. 437 to 516 inc. marked for identification. |
| ** | 24 | September | Hearing in Court Room. Prosecution Exhibits Nos. 517 to 548 inc. marked for identification. |
| ** | 25 | September | Hearing in Court Room. Prosecution Exhibits Nos. 549 to 562 inc. marked for identification. |
| ** | 26 | September | Hearing in Court Room. Prosecution Exhibits Nos. 563 to 590 inc. marked for identification. |
| 444 | 26 | September | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Document No. 174. |
| 445 | 26 | September | Withdrawal of Counsel, and certificates nominating Counsel. |
| 446 | 26 | September | Certificate nominating Counsel. |
| 447 | 26 | September | Order in re: The production of witnesses and of documents for the Defense, under Charter Provisions, -- Section III, Article 9, Paragraph E. |
| 448 | 27 | September | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Document No. 794A. |
| 449 | 27 | September | Certificate testifying to inability to serve summons on Sakai, Takashi, requested as a witness on behalf of the Defense. |
| ** | 27 | September | Hearing in Court Room. Prosecution Exhibits Nos. 591 to 609 inc. marked for identification. Prosecution moved to place General Orders providing for appointment four members of Tribunal into evidence; Defense objected and matter was continued for further hearing. |
| 450 | 30 | September | Certificate nominating Counsel. |

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| ** | 30 | September | Hearing in Court Room. Prosecution Exhibits Nos. 610 to 613A inc. marked for identification. |
| ** | 30 | September | Hearing in Conference Room; On oral motion of Defense to be permitted to move in open court to rescind, vacate or modify order (Paper No. 447) relative to applications for witnesses to be produced for accused. Will refer matter to colleagues. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|--|
| ** | 30 | September | Hearing in Court Room. Prosecution Exhibits Nos. 610 to 613A inc. marked for identification. |
| ** | 30 | September | Hearing in Conference Room; On oral motion of Defense to be permitted to move in open court to rescind, vacate or modify order (Paper No. 447) relative to applications for witnesses to be produced for accused. Will refer matter to colleagues. |

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
Charles A. Mantz, Clerk of the Court

DOCKET AND CHRONOLOGY OF PROCEEDINGS
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| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|-------------------------|------------|---------------------|--|
| ** | 1 | October | Hearing in Court Room; Argument of counsel on question of presenting Indo-China phase of case in French language. Permission granted to extent suggested by Chief Prosecutor. |
| ** | 2 | October | Hearing in Conference Room; Further consideration of application (Paper No. 423) of Prosecution under Rule 6(b)(1) pertaining to various IPS documents; Granted with additions as requested by the Defense (See Order No. 452). |
| ** | 2 | October | Hearing in Court Room; Prosecution Exhibits Nos. 614 to 621 inc. marked for identification. Tribunal called up for hearing oral motion of Defense to rescind or vacate Order (Paper No. 447) relative to applications for witnesses to be produced for Defense; Matter continued for further consideration. |
| 451 | 3 | October | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents 260A, et al. (See Order No. 463). |
| 452 | 2 | October | Order granting application of Prosecution for further exemptions from Rule 6(b)(1) with respect to IPS Documents. (Disposes of Paper No. 423). |
| ** | 3 | October | Hearing in Court Room; Prosecution Exhibits Nos. 622 to 637 inc. marked for identification. |
| ** | 4 | October | Hearing in Conference Room; On oral application of Prosecution for consent to employ Russian Language in Russian phase of case; To be referred to entire Tribunal. On application (Paper No. 444) under Rule 6(b)(1) pertaining to IPS Document No. 174; Granted with direction to prosecution to process certain other portions for Defense (See Order No. 459). On application (Paper No. 448) of Prosecution under Rule 6(b)(1) pertaining to |

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IPS Document No. 794A; Granted (See Order No. 453). On Amendment (Paper No. 431) to application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents No. 2457 et al; Granted (See Order No. 455). On application (Paper No. 422) of Prosecution under Rule 6 (b)(1) pertaining to Exhibit No. 58; Granted, with direction to Prosecution to process certain other portions for Defense (See Order No. 460). On request (Paper No. 439) of accused HEITARO KIMURA for production of witness; Granted (See Order No. 456) Further ruled that order relative to applications by Defense for witnesses to be produced be vacated for present with days for hearings to be determined later.

453 4 October Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Document No. 794A (Disposes of Paper No. 448).

454 4 October Certificate nominating Council.

455 4 October Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Document No. 608 (Disposes of Paper No. 431).

456 4 October Order granting application of accused HEITARO KIMURA for the production of Lt. Col. Sugita, Ichiji, as a witness (Disposes of Paper No. 439).

** 4 October Hearing in Court Room; Prosecution Exhibits Nos. 638 to 651 inc. marked for identification. Prosecution presented oral application for consent to employ Russian language in Russian phase of case; Granted with certain exceptions.

457 7 October Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents No. 487, 1112, 2339 and 2611. (See Order No. 482).

458 7 October Application of Prosecution that subpoenas tecum be issued to SCAP directing said section to turn over to Tribunal all trial records in the Yamashita and Horne cases. (See Order No. 464).

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| 459 | 4 | October | Order granting application of Prosecution from exemption from Rule 6(b)(1) with respect to Court Exhibit No. 174. (See Order Nos. 444 and 480). |
| 460 | 4 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 58 (See Orders Nos. 422 and 481). |
| ** | 7 | October | Hearing in Court Room; Prosecution Exhibits Nos. 652 to 665 inc. marked for identification. |
| ** | 8 | October | Hearing in Conference Room; On Application (Paper No. 451) of Prosecution under Rule 6(b)(1) with respect to IFS Documents Nos. 2604A and 11 others; Granted (See Order No. 463). On application (Paper No. 458) of Prosecution for subpoena duces tecum directing SC/P to produce records in Yamashita and Homma cases; Granted (See Order No. 464). |
| 461 | 8 | October | Return of service of summons. |
| 462 | 8 | October | Certificate nominating Counsel. |
| 463 | 8 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS Documents Nos. 2604A et al. (Disposes of Paper No. 451). |
| 464 | 8 | October | Order granting application of Prosecution for a subpoena duces tecum for Yamashita and Homma records. (Disposes of Paper No. 458). |
| 465 | 8 | October | Certificate nominating Counsel. |
| ** | 8 | October | Hearing in Court Room; Prosecution Exhibits Nos. 666 to 672 inc. marked for identification. |
| ** | 9 | October | Hearing in Court Room; Prosecution Exhibits Nos. 673 to 691 inc. marked for identification. |
| 466 | 9 | October | Oath of witness. |
| 467 | 10 | October | Request of accused HIITARO KIMURA for the production of several witnesses. (See order No. 484). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| 459 | 4 | October | Order granting application of Prosecution from exemption from Rule 6(b)(1) with respect to Court Exhibit No. 174. (See Order Nos. 444 and 480). |
| 460 | 4 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 58 (See Orders Nos. 422 and 481). |
| ** | 7 | October | Hearing in Court Room; Prosecution Exhibits Nos. 652 to 665 inc. marked for identification. |
| ** | 8 | October | Hearing in Conference Room; On Application (Paper No. 451) of Prosecution under Rule 6(b)(1) with respect to IFS Documents Nos. 2604A and 11 others; Granted (See Order No. 463). On application (Paper No. 458) of Prosecution for subpoena duces tecum directing SC/P to produce records in Yamashita and Homma cases; Granted (See Order No. 464). |
| 461 | 8 | October | Return of service of summons. |
| 462 | 8 | October | Certificate nominating Counsel. |
| 463 | 8 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS Documents Nos. 2604A et al. (Disposes of Paper No. 451). |
| 464 | 8 | October | Order granting application of Prosecution for a subpoena duces tecum for Yamashita and Homma records. (Disposes of Paper No. 458). |
| 465 | 8 | October | Certificate nominating Counsel. |
| ** | 8 | October | Hearing in Court Room; Prosecution Exhibits Nos. 666 to 672 inc. marked for identification. |
| ** | 9 | October | Hearing in Court Room; Prosecution Exhibits Nos. 673 to 691A inc. marked for identification. |
| 466 | 9 | October | Oath of witness. |
| 467 | 10 | October | Request of accused HILITARO KIMURA for the production of several witnesses. (See order No. 484). |

| <u>PAPEL NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 10 | October | Hearing in Court Room; Prosecution Exhibits Nos. 692 to 706 inc. marked for identification. |
| 468 | 10 | October | Oath of witness. |
| ** | 11 | October | Hearing in Court Room; Prosecution Exhibits Nos. 707 to 733 inc. marked for identification, 733 having not been admitted when court adjourned. |
| 469 | 11 | October | Application of Prosecution for leave to have evidence in chief of Joseph W. Ballantine, Prosecution witness presented in form of prepared statement instead of by oral examination. (See Order No. 483). |
| 470 | 14 | October | Motion of Prosecution for leave to withdraw motion made 7 October 1946 (Paper No. 458) for subpoena directed to SCAP, requiring that section to turn over trial records in Yamashita and Homma cases. (See Order No. 475). |
| 471 | 14 | October | Certificate nominating Council. |
| ** | 14 | October | Hearing in Court Room; Prosecution Exhibits Nos. 734 to 747 inc. marked for identification, and Exhibits Nos. 732A and 733A were admitted, basic documents for which having been previously introduced for identification only and marked Exhibits 732 and 733 respectively. |
| 472-473 | 14 | October | Oaths of witnesses. |
| ** | 15 | October | Hearing in Conference Room; On application (Paper No. 457) of Prosecution under Rule 6(b)(1) respecting IFS documents Nos. 485, et al; Granted (See Order No. 482); On application (Paper No. 469) of Prosecution for leave to have evidence of Joseph W. Ballantine presented in form of a prepared statement; Granted (See Order No. 484); On application (Paper No. 470) of Prosecution to withdraw application heretofore made (Paper No. 458) for subpoena duces tecum directed to SCAP requesting production of trial records in Yamashita and Homma cases; Granted (See Order No. 475), former order of October 8, 1946 (No. 464) ordered vacated. |

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| | | | On matter of certain errors in transcript of Conference Room session of 4 October 1946 relative to Paper numbers 422 and 444; Correction orders to be entered nun pro tunc. |
| 474 | 15 | October | Application of Prosecution under Rule 6(b) (1) pertaining to IFS documents Nos. 1618 and others (See Order No. 489). |
| ** | 15 | October | Hearing in Court Room; Prosecution Exhibits Nos. 748 to 758 inc. marked for identification. |
| 475 | 16 | October | Order granting motion of Prosecution to withdraw application for subpoena duces tecum for Yawshita and Homma records, etc. (Disposes of Paper No. 470) |
| 476 | 15 | October | Oath of witness. |
| 477 | 15 | October | Withdrawal of Counsel. |
| 478 | 15 | October | Certificate nominating Counsel. |
| 479 | 15 | October | Request of accused SHUNFOKU HITA for production of witnesses (See Order No. 485). |
| 480 | 15 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 58. (Disposes of Papers Nos. 422 and 459). |
| 481 | 15 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to Court Exhibit No. 174. (Disposes of Papers Nos. 444 and 460). |
| 482 | 15 | October | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS documents Nos. 487 and others. (Disposes of Paper No. 457). |
| 483 | 15 | October | Order granting application of Prosecution for leave to present evidence of Joseph W. Ballantine in a prepared statement. (Disposes of Paper No. 469). |
| ** | 16 | October | Hearing in Court Room; Prosecution Exhibits Nos. 759 to 788A inc. marked for identification. |

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| ** | 17 | October | Hearing in Court Room; Prosecution Exhibits Nos. 789 to 825 inc. marked for identification. |
| ** | 18 | October | Hearing in Conference Room; On application (Paper No. 479) of accused SHUNOKU HATA for production of witnesses; Granted (See Order No. 483); On application (Paper No. 467) of accused HIITARO KIMURA for production of witnesses and documents; Granted (See Order No. 484). |
| 484 | 18 | October | Order granting application of accused KIMURA HIITARO, for production of witnesses and documents. (Disposes of Paper No. 467). |
| 485 | 18 | October | Order granting application of accused HATA, SHUNOKU, for production of witnesses. (Disposes of Paper No. 479). |
| ** | 18 | October | Hearing in Court Room; Prosecution Exhibits Nos. 826 to 838 inc. marked for identification. Hearing on oral motion of Defense that Tribunal direct Marshal to serve summons on witness Hattamura, Torokatsu; Court ruled that subpoena previously served on witness has placed him in custody of Tribunal, and that he is to remain in custody of Russian authorities to be dealt with by them as directed by Tribunal. |
| 486-487 | 18 | October | Oaths of witnesses. |
| ** | 21 | October | Hearing in Court Room; Prosecution had marked for identification Exhibits Nos. 839 to 844 inc., and tendered certificates of source of authentication to be attached to Exhibits Nos. 757, 692, 732, 704, 734, 736, 694, 737, 738 and 740. |
| 488 | 21 | October | Certificate nominating Counsel. |
| ** | 22 | October | Hearing in Court Room; Prosecution Exhibits Nos. 845 to 852 inc. marked for identification. |
| ** | 22 | October | Hearing in Conference Room; On application (Paper No. 474) of Prosecution for exemption from Rule 6(b)(1) with respect to IFS documents Nos. 1618 and others; Granted (See Order No. 489), certain additional |

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parts to be processed for Defense.

489 22 October Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IFS documents Nos. 1618, 903 and others. (Dismissal of Paper No. 474).

490 22 October Certificate nominating Counsel.

491 23 October Certificate testifying to illness of accused IWANE MATSUI.

** 23 October Hearing in Court Room; Prosecution Exhibits Nos. 853 to 861 inc. marked for identification.

492 24 October Order in re:-The production of witnesses and of documents for the Defense, under Charter Provisions, and vacating Order of 26 September, 1946 (vacates order No. 447).

** 24 October Hearing in Court Room; Trial of case continues.

493 24 October Certificate testifying to illness of accused IWANE MATSUI.

494-496 24 October Certificates nominating Counsel.

** 25 October Hearing in Court Room; Trial of case continues.

497 25 October Certificate testifying to illness of accused IWANE MATSUI.

498 25 October Oath of Court Reporter, Floy Eder.

** 28 October Hearing in Court Room; Trial of case continues.

499 28 October Certificate testifying to illness of accused IWANE MATSUI.

500 29 October Certificate testifying to illness of accused IWANE MATSUI.

501 29 October Application of Prosecution for leave to withdraw applications (Powers Nos. 253 and 299) heretofore filed under Rule 6(b)(1) (See Order No. 500).

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| 502 | 29 | October | Order permitting Lt. Col. P. F. Terioshkin, Prosecution witness, to leave Japan. (Oral motion). |
| 503-504 | 29 | October | Returns of Service of Summons. |
| ** | 29 | October | Hearing in Court Room; Prosecution Exhibits Nos. 862 to 869 inc. marked for identification. Oral motion of IFS for order permitting Lt. Col. P. F. Terioshkin, witness, to leave Japan, Granted (See Order No. 502). |
| 505 | 29 | October | Oath of witness. |
| ** | 30 | October | Hearing in Court Room; Prosecution Exhibits Nos. 870 to 878 inc. marked for identification. |
| 506 | 30 | October | Oath of Court Reporter, Irene F. Kilmann. |
| 507 | 31 | October | Certificate testifying to illness of accused KIICHIRO HIRANUMI. |
| ** | 31 | October | Hearing in Conference Room: On application (Paper No. 501) of Prosecution to withdraw applications dated 1 July 1946 (Paper No. 253) and 18 July 1946 (Paper No. 299); Granted. (See Order No. 509). |
| ** | 31 | October | Hearing in Court Room; Prosecution Exhibits Nos. 879 to 911A inc. marked for identification. Oral application of Defense for order requiring production of original documents which were basis of AICIS Report No. 131 entitled "Research Report-Japan's Decision to Fight" Court Exhibit No. 809; Granted, Order to issue. |
| 508 | 1 | Nov. | Motion of Defense relative to opening statements by the Defense, also surrations and arguments, and for permission to call and recall witnesses as may be dictated by logical development of the defense case. (under consideration) |
| 509 | 31 | October | Order granting application of Prosecution for leave to withdraw IFS applications, papers Nos. 253 and 299. (Disposes of Paper No. 501). |

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| 510 | 31 | October | Order granting application of accused for production of documents in possession of Washington, D. C. Document Center. (Disposes of Oral Motion). |
| ** | 1 | November | Hearing in Conference Room: Hearing ex parte on oral motion of accused KINGOIC HASHIMOTO for order amending order (Paper No. 492) by deleting name of said accused from list to be heard 11 November 1946, etc. Granted. (See Order No. 511). |
| 511 | 1 | November | Order amending order made 24 October 1946 re Production of Witnesses and Documents for defense, in respect to accused KINGOIC HASHIMOTO only. (Disposes of oral motion). |
| 512 | 1 | November | Return of Service of Summons. |
| ** | 1 | November | Hearing in Court Room: Prosecution Exhibits Nos. 912 to 919 inc. marked for identification. |
| 513 | 4 | November | Application of Prosecution for leave to employ Akira Terisawa to assist IPS in translation of Prosecution documents. (See Order No. 543). |
| 514 | 4 | November | Medical report on latest condition of accused SHUHEI OKAWA. |
| ** | 4 | November | Hearing in Court Room: Prosecution Exhibits Nos. 920 to 966 inc. marked for identification; Defense requested ruling regarding applications of accused relative to production of witnesses, and Court ruled that application need be made only where witnesses are to be subpoenaed. |
| 515 | 4 | November | Request of accused SADIO ARAKI for production of witnesses. |
| 516 | 4 | November | Request of accused SHUNOKU HATTI for production of witnesses. |
| 517 | 4 | November | Request of accused KINJI DOWINARI for production of witnesses. |
| ** | 5 | November | Hearing in Court Room: Prosecution Exhibits Nos. 967 to 1009 inc. marked for identification. |

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| 518 | 5 | November | Certificate nominating Counsel. |
| 519 | 5 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 520 | 5 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Conference Room: On application (Paper No. 508) of accused relative (1) to making opening statements, (2) to making summations and arguments, and (3) for permission to call and recall witnesses, etc. Under consideration. |
| 521 | 6 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 522 | 6 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1015 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Matsumura and Sejima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534). |
| 523 | 6 | November | Request of accused KIICHIRO HIRANUMA for production of witnesses. |
| 524 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 525 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 526 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 527 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 528 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 529 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of documents. |

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| 518 | 5 | November | Certificate nominating Counsel. |
| 519 | 5 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMI. |
| 520 | 5 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Conference Room: On application (Paper No. 508) of accused relative (1) to making opening statements, (2) to making surmises and arguments, and (3) for permission to call and recall witnesses, etc. Under consideration. |
| 521 | 6 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMI. |
| 522 | 6 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1045 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Maturara and Sejima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534). |
| 523 | 6 | November | Request of accused KIICHIRO HIRANUMI for production of witnesses. |
| 524 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 525 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 526 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 527 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 528 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of witness. |
| 529 | 6 | November | Request of accused SEISHIRO ITAGAKI for production of documents. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| 518 | 5 | November | Certificate nominating Counsel. |
| 519 | 5 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMI. |
| 520 | 5 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Conference Room: On application (Paper No. 508) of accused relative (1) to making opening statements, (2) to making surmises and arguments, and (3) for permission to call and recall witnesses, etc. Under consideration. |
| 521 | 6 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMI. |
| 522 | 6 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| ** | 6 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1010 to 1015 inc. marked for identification. Hearing on oral application, previously made, of Prosecution for order granting leave to IPS witnesses, Maturura and Seima, to leave Japan, Defense stated no objections; Granted leave to depart on usual terms. (See Order No. 534). |
| 523 | 6 | November | Request of accused KIICHIRO HIRANUMI for production of witnesses. |
| 524 | 6 | November | Request of accused SEISHIRO ITAKAKI for production of witness. |
| 525 | 6 | November | Request of accused SHISHIRO ITAKAKI for production of witness. |
| 526 | 6 | November | Request of accused SHISHIRO ITAKAKI for production of witness. |
| 527 | 6 | November | Request of accused SEISHIRO ITAKAKI for production of witness. |
| 528 | 6 | November | Request of accused SHISHIRO ITAKAKI for production of witness. |
| 529 | 6 | November | Request of accused SHISHIRO ITAKAKI for production of documents. |

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| 530 | 6 | November | Request of accused JIRO MIYAHARA for production of documents. |
| 531 | 6 | November | Request of accused HIROTARO KIMURA for production of witnesses. |
| 532 | 6 | November | Request of accused NAOKI HOSHINO for production of witnesses. |
| ** | 7 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1046 to 1085 inc. marked for identification. |
| 533 | 7 | November | Application of Prosecution under Rule 6 (b)(1) pertaining to IPS Documents Nos. 15, 102, and others. |
| 534 | 7 | November | Order granting leave to Major General Matsumura, Tenketsu, and Colonel Satira, Iwiso, Prosecution Witnesses, to leave Japan. (Disposes of oral application). |
| 535 | 7 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| 536 | 7 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 537 | 7 | November | Withdrawal of Counsel. |
| 538 | 7 | November | Request of accused KUNIAKI KOISO for production of witnesses. |
| 539 | 7 | November | Application of accused SADAO ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused. |
| ** | 8 | November | Hearing in Conference Room: On application (Paper No. 513) of Prosecution for leave to employ Akira Terisawa, IMTEF interpreter and translator, to assist IPS; (granted (Sec Order No. 543)). On application (Paper No. 539) of accused S/D/O ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused; Matter to be heard later. |

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| 530 | 6 | November | Request of accused JIRO MIYAMA for production of documents. |
| 531 | 6 | November | Request of accused HIITARO KIMURA for production of witnesses. |
| 532 | 6 | November | Request of accused NAOKI YOSHINO for production of witnesses. |
| ** | 7 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1046 to 1085 inc. marked for identification. |
| 533 | 7 | November | Application of Prosecution under Rule 6 (b)(1) pertaining to IPS Documents Nos. 15, 102, and others. |
| 534 | 7 | November | Order granting leave to Major General Matsumura, Tenkatsu, and Colonel Satira, Luise, Prosecution Witnesses, to leave Japan. (Disposes of oral application). |
| 535 | 7 | November | Certificate testifying to illness of accused IWANE MITSUI. |
| 536 | 7 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 537 | 7 | November | Withdrawal of Counsel. |
| 538 | 7 | November | Request of accused KUNIAKI KOISO for production of witnesses. |
| 539 | 7 | November | Application of accused SADAO ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused. |
| ** | 8 | November | Hearing in Conference Room: On application (Paper No. 513) of Prosecution for leave to employ Akira Terisawa, IMTEL interpreter and translator, to assist IPS; Granted (Sec Order No. 543). On application (Paper No. 539) of accused S/D/O ARAKI for order prohibiting Prosecution Section from interviewing, questioning, or otherwise approaching witnesses summoned for accused; Matter to be heard later. |

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| ** | 8 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1086 to 1106 inc. marked for identification. |
| 540 | 8 | November | Application of Prosecution under Rule 6 (b)(1) pertaining to IFS Documents Nos. 6250, 6251 and others |
| 541 | 8 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 542 | 8 | November | Certificate testifying to illness of accused IWANE MATSUI. |
| 543 | 8 | November | Order granting application of Prosecution for leave to employ Tribunal Translator, Akinu Terisawa. (Disposes of Paper No. 513). |

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
Charles A. Mantz, Clerk of the Court

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| 544 | 8 | November | Application of accused AKIRA MUTO for the production of witnesses (See Order No. 594). |
| ** | 12 | November | Hearing in Conference Room: On Application (Paper No. 539) of accused SADAO ARAKI for order prohibiting IFS from interviewing witnesses summoned for accused; Under consideration. On application (Paper No. 515) of accused SADAO ARAKI for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 576). On application (Paper No. 516) of accused SHUNROKI HATA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 579). On application (Paper No. 517) of accused KENJI DOHIRAKA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 585). On application (Paper No. 508) of Defense in regard to opening statements and summations; Under consideration with suggestion that Defense place detailed plan before the Tribunal. |
| ** | 12 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1107 to 1150 inc. marked for identification. |
| 545 | 12 | November | Application of accused IWANE MATSUI for production of witnesses (See Order No. 592). |
| 546 | 12 | November | Application of accused AKIRA MUTO for production of documents (See Order No. 594). |

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| 547 | 12 | November | Application of accused OSAMI NAGANO and TAKASUMI OKI for production of witnesses (See Order No. 593). |
| 548 | 12 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 549 | 13 | November | Certificate testifying to illness of accused KIICHIRO HIRANUMA. |
| 550 | 13 | November | Certificate nominating Counsel. |
| ** | 13 | November | Hearing in Conference Room. On application (Paper No. 523) of accused KIICHIRO HIRANUMA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 581). On application (Paper No. 532) of accused NAOKI HOSHINO for production of witnesses: Under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Paper No. 582). On applications (Papers Nos. 524 to 529 inc.) of accused SEISHIRO ITAGAKI for production of witnesses: Papers Nos. 524 to 528 under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in applications; Paper No. 529 granted as prayed (See Order No. 586). |
| ** | 13 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1151 to 1192 inc. marked for identification. |
| 551 | 14 | November | Withdrawal of Counsel. |
| 552 | 14 | November | Oath of witness. |
| ** | 14 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1193 to 1225 marked for identification. |

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| 553 | 14 | November | Request of accused OKINORI KAYA for production of witnesses (See Order No. 588). |
| 554 | 14 | November | Request of accused KINRYO SATO for production of witnesses and documents (See Order No. 596). |
| 555 | 14 | November | Request of TOSHIO SHIRATORI for production of witnesses (See Order No. 580). |
| 556 | 14 | November | Application of accused SHUMEI OKAWA for an order for the production of documents and witnesses (See Order No. 595). |
| ** | 15 | November | Hearing in Conference Room; On Application (Paper No. 533) of Prosecution under Rule 6 (b)(1); Granted, with provision that Prosecution process certain additional excerpts requested by the Defense (See Order No. 568). On application (Paper No. 540) of Prosecution under Rule 6 (b)(1); Granted, with provision that Prosecution process certain additional excerpts requested by the Defense (See Order No. 569). On application (Paper No. 553) of accused OKINORI KAYA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 588). On application (Paper No. 531) of accused HEITARO KIHURA for the production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 587). On application (Paper No. 538) of accused KUNIAKI KOISO for the production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 600). |

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| ** | 15 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1226 to 1235 inc. marked for identification. Application presented by Defense orally for order directing relaxation of present security measures at Sugamo Prison; Ruled that Tribunal has no responsibility for said measures and will not interfere with those who do. |
| 557 | 15 | November | Application of Prosecution under Rule 6(b)(1) pertaining to IPS Documents Nos. 405, 409, 2448 and 5333 (See Order No. 578). |
| 558 | 15 | November | Request of accused HIROSHI OSHIMA for production of witnesses and documents (See Order No. 599). |
| 559 | 15 | November | Request of accused SHIGETARO SHIMADA for production of witnesses and documents (See Order No. 642). |
| 560 | 15 | November | Request of accused HIROSHI OSHIMA for the production of additional witnesses (See Order No. 599.) |
| 561 | 15 | November | Certificate testifying to illness of accused MAMORU SHIGEMITSU. |
| 562 | 15 | November | Oath of witness. |
| ** | 18 | November | Hearing in Court Room: Prosecution Exhibits Nos. 1236 to 1245-G inc. marked for identification. Oral application of Prosecution for order permitting TATENO, Morio, IPS witness, to leave jurisdiction of Tribunal; Granted on usual terms. |
| 563 | 18 | November | No paper for this number - reserved for order not signed. |
| 564 | 18 | November | Application of Prosecution for leave to have evidence in chief of Major K. A. de Weerd presented in form of prepared statement (See Order No. 589). |
| 565 | 18 | November | Application of accused KINGORO HASHIMOTO for production of witnesses and documents (See Order No. 607). |

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| 566 | 18 | November | Request of accused YOSHIJIRO UMEZU for production of witnesses and documents (See Order No. 602). |
| 567 | 18 | November | Request of accused HIDEKI TOJO for production of witnesses and documents (See Order No. 606). |
| ** | 19 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1245-H to 1245-K inc. marked for identification. Court announced Tribunal would not sit on 28 November 1946, Thanksgiving Day. |
| 568 | 19 | November | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 15, 102, 220 and twelve others. (Disposes of Paper No. 533). |
| 569 | 19 | November | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 6250, 6251, et al. (Disposes of Paper No. 540). |
| 570 | 19 | November | Application on behalf of the Prosecution for entry of order that Tribunal take judicial notice of certain events, relative to declaration of war by Kingdom of Netherlands. (See Order No. 574). |
| 571 | 19 | November | Certificate testifying to illness of accused MAMORU SHIGEMITSU. |
| ** | 20 | November | Hearing in Conference Room; On application (Paper No. 564) of Prosecution for leave to have evidence in chief of Major K. A. de Weerd presented in form of prepared statement; Matter continued to 21 November 1946 for further hearing. On application (Paper No. 570) of Prosecution for order that Tribunal take judicial notice of certain events; Granted (See Order No. 574). On application (Paper No. 556) of accused SHUMEI OKAWA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
|---------------------|------------|---------------------|--|
| 566 | 18 | November | Request of accused YOSHIJIRO UMEZU for production of witnesses and documents (See Order No. 602). |
| 567 | 18 | November | Request of accused HIDEKI TOJO for production of witnesses and documents (See Order No. 606). |
| ** | 19 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1245-H to 1245-K inc. marked for identification. Court announced Tribunal would not sit on 28 November 1946, Thanksgiving Day. |
| 568 | 19 | November | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 15, 102, 220 and twelve others. (Disposes of Paper No. 533). |
| 569 | 19 | November | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents Nos. 6250, 6251, et al. (Disposes of Paper No. 540). |
| 570 | 19 | November | Application on behalf of the Prosecution for entry of order that Tribunal take judicial notice of certain events, relative to declaration of war by Kingdom of Netherlands. (See Order No. 574). |
| 571 | 19 | November | Certificate testifying to illness of accused MAMORU SHIGEMITSU. |
| ** | 20 | November | Hearing in Conference Room; On application (Paper No. 564) of Prosecution for leave to have evidence in chief of Major K. A. de Weerd presented in form of prepared statement; Matter continued to 21 November 1946 for further hearing. On application (Paper No. 570) of Prosecution for order that Tribunal take judicial notice of certain events; Granted (See Order No. 574). On application (Paper No. 556) of accused SHUMEI OKAWA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every |

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(Cont'd) opportunity to interrogate witnesses named in application (See Order No. 595). On application (Paper No. 547) of accused OSAMI NAGANO and TAKASUMI OKA for production of witnesses; Under consideration, also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 593). On application (Paper No. 558) of accused HIROSHI OSHIMA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 599). On application (Paper No. 554) of accused KENRYO SATO for the production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 596).

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| ** | 20 | November | Hearing in Court Room; Defense Exhibit 1246 marked for identification. |
| 572 | 20 | November | Request of accused MAMORU SHIGEMITSU for production of witnesses and documents (See Order No. 601). |
| 573 | 20 | November | Application on behalf of Prosecution for leave to present affidavit evidence by producing the original documents in evidence and reading a prepared synopsis thereof instead of extracts from each affidavit (See Order No. 590). |
| 574 | 20 | November | Order granting application of Prosecution that the Tribunal take judicial notice of declaration of war by Kingdom of Netherlands (Disposes of Paper No. 570). |
| 575 | 20 | November | Directive amending, as to witness fees, that certain directive from the Tribunal to the General Secretary dated 13 June 1946 in re summoning of witnesses. |

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(Cont'd) opportunity to interrogate witnesses named in application (See Order No. 595). On application (Paper No. 547) of accused OSAMI NAGANO and TAKASUMI OKA for production of witnesses; Under consideration, also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 593). On application (Paper No. 552) of accused HIROSHI OSHIMA for production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 599). On application (Paper No. 554) of accused KENRYO SATO for the production of witnesses and documents; Granted as to documents, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 596).

** 20 November Hearing in Court Room; Defense Exhibit 1246 marked for identification.

572 20 November Request of accused MAMORU SHIGEMITSU for production of witnesses and documents (See Order No. 601).

573 20 November Application on behalf of Prosecution for leave to present affidavit evidence by producing the original documents in evidence and reading a prepared synopsis thereof instead of extracts from each affidavit (See Order No. 590).

574 20 November Order granting application of Prosecution that the Tribunal take judicial notice of declaration of war by Kingdom of Netherlands (Disposes of Paper No. 570).

575 20 November Directive amending, as to witness fees, that certain directive from the Tribunal to the General Secretary dated 13 June 1946 in re summoning of witnesses.

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| ** | 21 | November | Hearing in Conference Room; Further hearing on application (Paper No. 564) of Prosecution for leave to present testimony of Major K.A. de Weerd by prepared statement; Ordered continued for further consideration by entire Tribunal. |
| 576 | 21 | November | Order that facilities to interview certain witnesses requested by accused ARAKI be provided, and for the production of documents (Disposes of Paper No. 515). |
| ** | 21 | November | Hearing in Court Room; Defense Exhibits Nos. 1247 and 1248 marked for identification. Oral motion of Defense to withdraw book marked "Exhibit No. 1248" and substitute photostats; ordered that copies, not necessarily photostats, be furnished. |
| ** | 22 | November | Hearing in Conference Room; On application (Paper No. 557) of Prosecution for exemption under Rule 6(b)(1) in re IPS Documents 405 et al; Matter continued to November 25th. On application (Paper No. 572) of accused MAMORU SHIGEMITSU for production of witnesses and documents; Granted as to documents; ordered issuance of summons for witness Tanaka, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 601). On application (Paper No. 559) of accused SHIGETARO SHIMADA for production of witnesses and documents; ordered issuance of summons for witnesses whose evidence had been reduced to statements and granting facilities to interrogate for those who had not been examined, and continued application for further hearing (See Order No. 642). On application (Paper No. 555) of accused TOSHIO SHIRATORI for production of witnesses; Accused asked for and received leave to amend application by adding names of Hans Marchtaler and Heinrich Stahmer; ordered issuance of summons for witnesses Saito and Chashi, |

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(Cont'd) balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 580). On application (Paper No. 564) of Prosecution for leave to present testimony of Major A.K. de Weerd in form of written statement; Court directed IPS Counsel to delete irrelevant matter and confine statement to statements of fact, and continued matter for further consideration.

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| ** | 22 | November | Hearing in Court Room; Trial of case continued. |
| 577 | 25 | November | Request of accused YOSHIJIRO UMEZU for production of a witness (See Order No. 602). |
| ** | 25 | November | Hearing in Conference Room; On application (Paper No. 567) of accused HIDEKI TOJO for production of witnesses and documents; ordered issuance of summons for witnesses Suzuki, Iwata and Omi, balance under consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application; Ordered production of all documents requested except Pearl Harbor records and reserved opinion as to these (See Order No. 606). On application (Paper No. 566) of accused YOSHIJIRO UMEZU for production of witnesses and documents; Counsel for accused asked for and received leave to amend by filing Paper No. 577 adding name of Yamagaki, Genken to list of witnesses to be called; Ordered issuance of summons for witnesses Kawabe, Ishikawa, Kasahara, Takakura, Kashiwa, and Kawagoe, balance under consideration also ordered that accused be granted every opportunity to interrogate witnesses named in application; Granted as to documents (See Order No. 602). On application (Paper No. 565) of accused KINICORO HASHIMOTO for production of witnesses and documents; Ordered that accused be given leave to examine files of Japanese War Office relative to documents requested balance under |

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| | | | consideration; also ordered that accused be granted every opportunity to interrogate witnesses named in application (See Order No. 607). |
| ** | 25 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1249 to 1265 inc. marked for identification. |
| 578 | 25 | November | Order granting application of Prosecution for exemption from Rule 6 (b)(1) with respect to IPS documents 405, 409, et al. (Disposes of Paper No. 557). |
| ** | 26 | November | Hearing in Conference Room; On application (Paper No. 573) of Prosecution for leave to present affidavit evidence by producing the original documents in evidence and reading a prepared synopsis thereof instead of extracts from each affidavit; Ordered continued to 27 November 1946. On oral application of counsel for accused HIDEKI TOJO for some action by the Tribunal to stay execution of one Harada, witness for said accused; No formal action taken. |
| ** | 26 | November | Hearing in Court Room; Prosecution Exhibit Nos. 1266 to 1272 inc. marked for identification. Oral application that Prosecution witness Admiral James O. Richardson be allowed to return to America on usual terms; Granted. Oral application of Prosecution to withdraw certain documents; Granted. Oral application of Defense that Karou Hayashi and Mr. Kashima be produced for cross examination; Under consideration. |
| 579 | 26 | November | Order that facilities to interview certain witnesses requested by accused HATA, SHUNROKU, be provided, and for the production of documents (Disposes of Paper No. 516 in part). |
| 580 | 26 | November | Order that facilities to interview certain witnesses requested by accused SHIRATORI, TOSHIO, be provided, and 2 summons (Disposes of Paper No. 555). |
| 581 | 26 | November | Order that facilities to interview cer- |

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| | | | (Cont'd) tain witnesses requested by accused HIRANUMA, KIICHIRO, be provided, and for the production of documents (Disposes of Paper No. 523). |
| ** | 27 | November | Hearing in Conference Room; On application (Paper No. 564) of Prosecution for leave to have evidence in chief of Major K.A. de Weerd presented in form of prepared statement (continued from previous date). Granted (See Order No. 589). |
| 582 | 27 | November | Order that facilities to interview certain witnesses requested by accused HOSHINO, NAOKI, be provided (Disposes of Paper No. 532). |
| ** | 27 | November | Hearing in Court Room; Prosecution Exhibits Nos. 1273 to 1283 marked for identification. Prosecution offered into evidence certain certificates of source and authenticity relating to original exhibits Nos. 618, 620, 628, 633 and 634 heretofore introduced into evidence; Ordered admitted and attached to original exhibits and that the condition under which said exhibits had been admitted be removed. Tribunal announced ruling on application of Prosecution (Paper No. 573) for leave to present evidence by producing original documents in evidence and reading prepared synopsis thereof; said application being granted with provision that Prosecution furnish Defense with translations as provided in written order. Prosecution made oral application to have stricken from record Court Exhibit No. 1029, IPS Document No. 2400-A; and it was ordered that the said Exhibit would be disregarded by the Tribunal. |
| 583 | 29 | November | Application of Prosecution under Rule 6 (b)(1) pertaining to IPS documents Nos. 552 et al (See Order No. 603). |
| 584 | 29 | November | Application of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 2790 et al (See Order No. 605). |

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| 585 | 29 | November | Order that facilities to interrogate or interview certain witnesses requested by accused DOHIHARA be provided (Disposes of Paper No. 517 in part). |
| 586 | 29 | November | Order that facilities to interview certain witnesses requested by the accused ITAGAKI be provided, and for the production of documents (Disposes of Paper No. 529, and Papers Nos. 524, to 528 inc. in part). |
| 587 | 29 | November | Order that facilities to interview a certain witness requested by the accused KIMURA be provided (Disposes of Paper No. 531 in part). |
| 588 | 29 | November | Order that facilities to interview certain witnesses requested by the accused KAYA be provided (Disposes of Paper No. 553 in part). |
| ** | 29 | November | Hearing in Court Room; Tribunal reconsidered its order of 27 November 1946 on application (Paper No. 573) of Prosecution for leave to present affidavit evidence by producing original documents and reading prepared synopsis; said application as prayed being denied and further ordered that Prosecution may tender whole of original affidavits for identification and tender excerpts, etc. Oral application of Prosecution for order permitting Lt. Col. Albert Ernest Coates, IPS witness, to leave jurisdiction of Tribunal; Granted on usual terms. |
| 589 | 2 | December | Order granting application of Prosecution for leave to present evidence of Major K.A. de Weerd in prepared statement (Disposes of Paper No. 564). |
| 590 | 2 | December | Order denying Prosecution application as prayed, and granting leave to tender affidavits for identification, introduce excerpts and read synopsis (Disposes of Paper No. 573). |
| ** | 2 | December | Hearing in Court Room; Trial of case resumed. |

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| 585 | 29 | November | Order that facilities to interrogate or interview certain witnesses requested by accused DOHIHARA be provided (Disposes of Paper No. 517 in part). |
| 586 | 29 | November | Order that facilities to interview certain witnesses requested by the accused ITAGAKI be provided, and for the production of documents (Disposes of Paper No. 529, and Papers Nos. 524, to 528 inc. in part). |
| 587 | 29 | November | Order that facilities to interview a certain witness requested by the accused KIMURA be provided (Disposes of Paper No. 531 in part). |
| 588 | 29 | November | Order that facilities to interview certain witnesses requested by the accused KAYA be provided (Disposes of Paper No. 553 in part). |
| ** | 29 | November | Hearing in Court Room; Tribunal reconsidered its order of 27 November 1946 on application (Paper No. 573) of Prosecution for leave to present affidavit evidence by producing original documents and reading prepared synopsis; said application as prayed being denied and further ordered that Prosecution may tender whole of original affidavits for identification and tender excerpts, etc. Oral application of Prosecution for order permitting Lt. Col. Albert Ernest Coates, IPS witness, to leave jurisdiction of Tribunal; Granted on usual terms. |
| 589 | 2 | December | Order granting application of Prosecution for leave to present evidence of Major K.A. de Weerd in prepared statement (Disposes of Paper No. 564). |
| 590 | 2 | December | Order denying Prosecution application as prayed, and granting leave to tender affidavits for identification, introduce excerpts and read synopsis (Disposes of Paper No. 573). |
| ** | 2 | December | Hearing in Court Room; Trial of case resumed. |

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| ** | 3 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1284 to 1306 inc. marked for identification. Tribunal ordered certain amendments and corrections in record proposed by Counsel for Defense. Oral application of Prosecution for Order permitting Brigadier Blackburn, IPS witness, to leave jurisdiction of Tribunal; Granted on usual terms. Oral application of Prosecution for leave to withdraw original Exhibit No. 1299 and substitute copy; Granted. (See Order No. 610). |
| 591 | 3 | December | Order for production of documents on behalf of accused MINAMI (Disposes of Paper No. 530). |
| 592 | 3 | December | Order that facilities to interview or interrogate certain witnesses requested by accused MATSUI be provided (Disposes of Paper No. 545 in part). |
| 593 | 3 | December | Order that facilities to interview or interrogate certain witnesses requested by accused NAGANO and OKA be provided (Disposes of Paper No. 547 in part). |
| 594 | 3 | December | Order that facilities to interview or interrogate certain witnesses requested by accused MUTO be provided, and for 11 summons, and for the production of documents (Disposes of Paper No. 546 and Paper No. 544 in part). |
| 595 | 4 | December | Order that facilities to interview or interrogate certain witnesses requested by accused OKAWA be provided, and for the production of documents (Disposes of Paper No. 556 in part). |
| 596 | 4 | December | Order for issuance of summons for witnesses on behalf of accused SATO, and for the production of documents (Disposes of Paper No. 554). |
| 597 | 4 | December | Withdrawal by Counsel and certificate nominating Counsel. |
| 598 | 4 | December | Certificate nominating Counsel. |

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| ** | 4 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1307 to 1330 inc. marked for identification. Oral application of Prosecution for leave to withdraw original Exhibit No. 1325 and substitute copy; Granted (See Order No. 611). |
| ** | 5 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1331 to 1350 inc. marked for identification. Prosecution offered into evidence IPS document No. 1086 heretofore tendered for identification only and marked Exhibit No. 687. |
| 599 | 5 | December | Order that facilities to interview or interrogate in writing certain witnesses requested by the accused OSHIMA be provided, and for the production of documents (Disposes of Paper No. 558 and Paper No. 560 in part). |
| 600 | 6 | December | Order that facilities to interview, or submit written interrogatories to, certain witnesses requested by the accused KOISO be provided, and for the production of documents (Disposes of Paper No. 638 in part). |
| 601 | 6 | December | Order granting application of accused SHIGEMITSU for issuance of summons for witnesses on his behalf, and for the production of documents (Disposes of Paper No. 572). |
| ** | 6 | December | Hearing in Conference Room; on application (Paper No. 583) of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 552 et al; Granted (See Order No. 603). On application (Paper No. 584) of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 2790 et al; Granted upon condition that documents remain in custody of Court to be made available to accused (See Order No. 605). |
| ** | 6 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1351 to 1353 inc. marked for identification. |

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| 602 | 6 | December | Order that facilities to interview or interrogate in writing certain witnesses requested by accused UMEZU be provided, and for the issuance of 7 summons, and for the production of documents (Disposes of Paper No. 566 and Paper No. 577 in part). |
| 603 | 6 | December | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS documents Nos. 552, 2749 et al (Disposes of Paper No. 583). |
| ** | 6 | December | Hearing in Court Room; Trial of the case resumed. |
| 604 | 9 | December | Application of Prosecution for medical examination and report concerning the accused SHUMEI OKAWA (See Order No. 618). |
| 605 | 9 | December | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS documents Nos. 2790, 2791, 2793 et al, and imposing conditions (Disposes of Paper No. 584). |
| ** | 9 | December | Hearing in Court Room; Trial of the case resumed. |
| ** | 10 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1354 to 139 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witnesses Major Klass A. de Weerd and Wanda O. Werff on usual terms; Granted. |
| 606 | 11 | December | Order that facilities to interview or interrogate certain witnesses requested by the accused TOJO be provided; and for the issuance of 3 summons, and for the production of documents (Disposes of Paper No. 567 in part). |
| 607 | 11 | December | Order that facilities to interrogate or interview certain witnesses requested by the accused HASHIMOTO be provided, and for the production of documents (Disposes of Paper No. 565 in part). |

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| 608 | 11 | December | Request of accused TOSHIO SHIRATORI for the production of document (See Order No. 617). |
| ** | 11 | December | Hearing in Court Room; Prosecution exhibits Nos. 1395 to 1453 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Staff Sergeant Samuel B. Moody on usual terms; Granted. |
| 609 | 12 | December | Withdrawal of Counsel and certificate nominating Counsel. |
| 610 | 12 | December | Order granting oral application of Prosecution to withdraw original court exhibit 1299 and substitute therefor a photostatic reproduction thereof. |
| 611 | 12 | December | Order granting oral application of Prosecution to withdraw original court exhibit 1325 and substitute therefor a photostatic reproduction thereof. |
| ** | 12 | December | Hearing in Court Room; Prosecution exhibits Nos. 1454 and 1455 marked for identification. Oral application of Prosecution for order dismissing IPS witness Donald F. Ingle and Lt. Col. Franklin M. Flinau on usual terms; Granted. |
| 612 | 13 | December | Certificate nominating Counsel. |
| ** | 13 | December | Hearing in Court Room; Prosecution exhibits Nos. 1456 to 1488 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witnesses Lt. Col. Austin J. Montgomery and Guy H. Stubbs on usual terms; Granted. |
| 613 | 16 | December | Prosecution application in regard to the amendment of Tribunal's orders Nos. 254, 296 and 435 concerning the production of witnesses (See Order No. 620). |

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| 614 | 16 | December | Oath of witness. |
| ** | 16 | December | Hearing in Conference Room; On application (Paper No. 608) of accused SHIRATORI, Toshio, for production of documents; Ordered continued to 18 December 1946. On application (Paper No. 604) of Prosecution for medical examination of accused OKAWA, Shumei; Ordered continued to 18 December 1946. |
| ** | 16 | December | Hearing in Court Room; Prosecution Exhibits Nos. 1489 to 1554A inc. marked for identification. Court on own motion ordered the production of certain documents from Japanese Government offices pertaining to exhibits Nos. 1468 to 1487 inc., and continued cross examination of IPS witness Suzuki, Tadakatsu until such time as the documents are produced. Oral application of Prosecution for order dismissing IPS witness Colin Fleming Brian on usual terms; Granted. |
| ** | 17 | December | Hearing in Court Room; Prosecution exhibits Nos. 1555 to 1578A inc. marked for identification. Oral application of Prosecution for order dismissing IPS witnesses Lt. Col. John Munslow Williams and Major John Kevin Lloyd on usual terms; Granted. |
| ** | 18 | December | Hearing in Conference Room; On application (Paper No. 608) of accused SHIRATORI, Toshio, for the production of certain documents; Granted (See Order No. 617). On application (Paper No. 604) of Prosecution for further medical examination of accused OKAWA, Shumei; Granted (See Order No. 618). On application (Paper No. 613) of Prosecution for order amending Tribunal's orders Nos. 254, 296, and 435; Granted (See Order No. 620). On oral applications of several accused for production of E. Ott as witness; Granted, summons to issue (See Order No. 622). |

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| ** | 18 | December | Hearing in Court Room; Prosecution exhibits Nos. 1579 to 1630 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Capt. James Barnett on usual terms; Granted. |
| 615 | 19 | December | Application of Prosecution for entry of order that Tribunal will take judicial notice of certain events, namely, German occupation of Austria and of Czecho-Slovakia (See Order No. 624). |
| ** | 19 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case; Continued to December 20, 1946. |
| ** | 19 | December | Hearing in Court Room; Prosecution exhibits Nos. 1631 to 1665-A inc. marked for identification. |
| ** | 20 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case, and for a recess; Ordered: matters to be set down for later date before entire Tribunal. |
| 616 | 20 | December | Certificate nominating Counsel. |
| ** | 20 | December | Hearing in Court Room; Prosecution exhibits Nos. 1666 to 1678 inc. marked for identification; Oral application of Prosecution for order dismissing IPS witnesses Warrant Officer William Hector Sticpewich and Captain Vivien Bullwinkel on usual terms; Granted. |
| 617 | 23 | December | Order for the production of a document on behalf of the accused SPIRATORI, Toshio (Disposes of Paper No. 608). |
| 618 | 23 | December | Order granting application of the Prosecution for further medical examination of accused OKA'A, Shumei (Disposes of Paper No. 604). |

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| ** | 18 | December | Hearing in Court Room; Prosecution exhibits Nos. 1579 to 1630 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Capt. James Parnett on usual terms; Granted. |
| 615 | 19 | December | Application of Prosecution for entry of order that Tribunal will take judicial notice of certain events, namely, German occupation of Austria and of Czecho-Slovakia (See Order No. 624). |
| ** | 19 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case; Continued to December 20, 1946. |
| ** | 19 | December | Hearing in Court Room; Prosecution exhibits Nos. 1631 to 1665-A inc. marked for identification. |
| ** | 20 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case, and for a recess; Ordered: matters to be set down for later date before entire Tribunal. |
| 616 | 20 | December | Certificate nominating Counsel. |
| ** | 20 | December | Hearing in Court Room; Prosecution exhibits Nos. 1666 to 1678 inc. marked for identification; Oral application of Prosecution for order dismissing IPS witnesses Warrant Officer William Hector Sticpewich and Captain Vivien Bullwinkel on usual terms; Granted. |
| 617 | 23 | December | Order for the production of a document on behalf of the accused SPIRATORI, Toshio (Disposes of Paper No. 608). |
| 618 | 23 | December | Order granting application of the Prosecution for further medical examination of accused OKAWA, Shumei (Disposes of Paper No. 604). |

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| ** | 18 | December | Hearing in Court Room; Prosecution exhibits Nos. 1579 to 1630 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Capt. James Barnett on usual terms; Granted. |
| 615 | 19 | December | Application of Prosecution for entry of order that Tribunal will take judicial notice of certain events, namely, German occupation of Austria and of Czecho-Slovakia (See Order No. 624). |
| ** | 19 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case; Continued to December 20, 1946. |
| ** | 19 | December | Hearing in Court Room; Prosecution exhibits Nos. 1631 to 1665-A inc. marked for identification. |
| ** | 20 | December | Hearing in Conference Room; On questions involving proposed motions of accused to dismiss indictment at close of Prosecution's case, and for a recess; Ordered: matters to be set down for later date before entire Tribunal. |
| 616 | 20 | December | Certificate nominating Counsel. |
| ** | 20 | December | Hearing in Court Room; Prosecution exhibits Nos. 1666 to 1678 inc. marked for identification; Oral application of Prosecution for order dismissing IPS witnesses Warrant Officer William Hector Sticpewich and Captain Vivien Bullwinkel on usual terms; Granted. |
| 617 | 23 | December | Order for the production of a document on behalf of the accused SPIRATORI, Toshio (Disposes of Paper No. 608). |
| 618 | 23 | December | Order granting application of the Prosecution for further medical examination of accused OKAWA, Shumei (Disposes of Paper No. 604). |

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| 619 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 254 dated 1 July, 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613). |
| 620 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 296 dated 16 July 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613 - Amends 296). |
| ** | 23 | December | Hearing in Court Room; Prosecution exhibits Nos. 1679 to 1702 inc. marked for identification. Oral application of Prosecution for order dismissing IPB witness Lt. Col. Nichols D. J. Iced Cullen on usual terms; Granted. |
| 621 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 435 dated 16 September, 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613 in re No. 435). |
| 622 | 23 | December | Order granting applications for issuance of summonses for the production of Eugen Ott as a witness on behalf of the accused OSHIMA, HIROSHI, and the accused SHIRATORI, Toshio. (Disposes of oral motion in re Papers Nos. 580 and 599). |
| 623 | 24 | December | Application of Prosecution for leave to present French case in re Class B and C offences in French language (See Order No. 630). |
| ** | 24 | December | Hearing in Court Room; Prosecution exhibits Nos. 1703 to 1705 inc. marked for identification. Tribunal announced ruling that at close of Prosecution's case Tribunal will entertain Defense motion to dismiss, |

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| 619 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 254 dated 1 July, 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613). |
| 620 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 296 dated 16 July 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613 - Amends 296). |
| ** | 23 | December | Hearing in Court Room; Prosecution exhibits Nos. 1679 to 1702 inc. marked for identification. Oral application of Prosecution for order dismissing IPB witness Lt. Col. Nichols D. J. Fred Cullen on usual terms; Granted. |
| 621 | 23 | December | Order granting, in part, the application of the Prosecution to amend that certain order of the Tribunal No. 435 dated 16 September, 1946, with regard to the production of certain defense witnesses (Disposes of Paper No. 613 in re No. 435). |
| 622 | 23 | December | Order granting applications for issuance of summonses for the production of Eugen Ott as a witness on behalf of the accused OSHIMA, HIROSHI, and the accused SHIRATORI, Toshio. (Disposes of oral motion in re Papers Nos. 580 and 599). |
| 623 | 24 | December | Application of Prosecution for leave to present French case in re Class B and C offences in French language (See Order No. 630). |
| ** | 24 | December | Hearing in Court Room; Prosecution exhibits Nos. 1703 to 1705 inc. marked for identification. Tribunal announced ruling that at close of Prosecution's case Tribunal will entertain Defense motion to dismiss, |

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| | | | (Cont'd) and that there may be a general motion on behalf of all of the accused and separate motions on behalf of individual accused. Oral application of Prosecution for order dismissing IPS witness Major Michael C. G. Ringer on usual terms; Granted. |
| ** | 26 | December | Hearing in Conference Room; On application (Paper No. 615) of Prosecution for order that the Tribunal take judicial notice of German occupation of Austria and of Czechoslovakia; Granted (See Order No. 624). |
| 624 | 26 | December | Order granting application of Prosecution that the Tribunal take judicial notice of German occupation of Austria and Czechoslovakia (Disposes of Paper No. 615). |
| ** | 26 | December | Hearing in Court Room; Prosecution exhibits Nos. 1706 to 1765-D inc. marked for identification. |
| ** | 27 | December | Hearing in Court Room; Prosecution exhibits Nos. 1766 to 1806 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Major Cornelis C. Leenheer on usual terms; Granted. Oral applications of Accused for order requiring production for cross examination of certain affidants whose affidavits had been introduced into evidence by Prosecution; Ordered that Tribunal will consider these and any similar applications. |
| 625 | 27 | December | Order granting application of Accused for leave to apply for dismissal of the case (Disposes of oral motion). |
| 626 | 27 | December | Order in re oral application of the accused TOJO and others to produce a witness for cross examination. |
| 627 | 27 | December | Withdrawal by Counsel and certificate nominating Counsel. |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 30 | December | Hearing in Conference Room; On application (Paper No. 623) of Prosecution for permission to present French phase of case relative to B and C classification of crimes of atrocities in French language; Granted on condition there is simultaneous translation (See Order No. 630). |
| ** | 30 | December | Hearing in Court Room; Prosecution exhibits Nos. 1807 to 1820-A inc. marked for identification. Tribunal ordered certain corrections and additions in transcript of 27 December 1946. Ordered that Tribunal will adjourn for two weeks at end of Prosecution's case. |
| 628 | 30 | December | Application of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 8466, 8467, 8471, 8478 (See Order No. 637). |
| ** | 31 | December | Hearing in Court Room; Trial of the case resumed. |
| 629 | 31 | December | Order granting application of the Accused for a recess at the close of Prosecution's case in chief (Disposes of oral motion). |
| 630 | 31 | December | Order granting application of Prosecution for leave to present French phase of Class B and C offenses in French language (Disposes of Paper No. 623). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1946</u> | |
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| ** | 30 | December | Hearing in Conference Room; On application (Paper No. 623) of Prosecution for permission to present French phase of case relative to B and C classification of crimes of atrocities in French language; Granted on condition there is simultaneous translation (See Order No. 630). |
| ** | 30 | December | Hearing in Court Room; Prosecution exhibits Nos. 1807 to 1820-A inc. marked for identification. Tribunal ordered certain corrections and additions in transcript of 27 December 1946. Ordered that Tribunal will adjourn for two weeks at end of Prosecution's case. |
| 628 | 30 | December | Application of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 8466, 8467, 8471, 8478 (See Order No. 637). |
| ** | 31 | December | Hearing in Court Room; Trial of the case resumed. |
| 629 | 31 | December | Order granting application of the Accused for a recess at the close of Prosecution's case in chief (Disposes of oral motion). |
| 630 | 31 | December | Order granting application of Prosecution for leave to present French phase of Class B and C offenses in French language (Disposes of Paper No. 623). |

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
CHARLES A. MANTZ, CLERK OF THE COURT

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

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| ** | 2 | January | Hearing in Court Room; Prosecution Exhibits Nos. 1821 to 1886-A inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness Lt. John Charles van Nooten on usual terms; Granted. |
| 631 | 3 | January | Application of Prosecution under Rule 6(b)(1) pertaining to certain documents 687, 684, 692, 693. (See Order No. 676). |
| 632 | 3 | January | Certificate testifying to illness of accused NAGANO, Osami. |
| ** | 3 | January | Hearing in Court Room; Prosecution Exhibits Nos. 1887 to 1958 inc. marked for identification. Oral application of Accused for order to produce OGIYA, Yorio, for cross-examination; Granted (See Order No. 638); Oral application of Prosecution for order dismissing IPS witness Capt. James S. Chisholm on usual terms; Granted. |
| ** | 3 | January | Hearing in Conference Room; On application (Paper No. 623) of Prosecution under Rule 6(b)(1) pertaining to IPS documents Nos. 8466 et al; Granted (See Order No. 637). |
| ** | 6 | January | Hearing in Court Room; Counsel for accused NAGANO, Osami, introduced into evidence documents testifying to illness and death of said accused which were marked "Exhibit No. 1959." Ordered that indictment against accused NAGANO, Osami, is discharged, and that remains be turned over to family of deceased. |
| 633 | 6 | January | Order discharging NAGANO, Osami, from the indictment (Disposes of oral application). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1947</u> | |
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| 634 | 6 | January | Certificate testifying to death of accused NAGANO, Osami. |
| 635 | 6 | January | Certificate testifying to identification of remains of accused NAGANO, Osami. |
| 636 | 6 | January | Certificate testifying to illness of accused NAGANO, Osami. |
| 637 | 6 | January | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS Documents 8466, 8467, 8471, 8478. (Disposes of Paper No. 628). |
| 638 | 6 | January | Order in re oral application of the Defense to produce OGIYA, Yorio, as a witness for cross-examination. (Disposes of oral application). |
| 639 | 7 | January | Application of Prosecution under Rule 6(b)(1) pertaining to certain IPS document (No. 2954). (See Order No. 677). |
| 640 | 7 | January | Request of accused Kenryo SATO for order changing previous order for production of witnesses and documents (See Order No. 663). |
| 641 | 7 | January | Certificate testifying to illness of accused MUTO, Akira. |
| ** | 7 | January | Hearing in Court Room; Prosecution Exhibits Nos. 1960 to 1978 inc. marked for identification. Oral application of Prosecution for leave to withdraw Exhibit No. 1965 and substitute copy; Granted. Oral application of Prosecution for leave of court to examine IPS witness TANAKA, Ryukichi, at a later date in subsequent phase of case; Granted. |
| ** | 8 | January | Hearing in Conference Room; Oral application of Defense for leave to waive certain provisions of Rule 6(b)(1); Granted (See Order No. 644). On Motion (Paper No. 508) of Defense relative to the making of opening statements and of summations and arguments; Under further consideration. |

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| 642 | 8 | January | Order that facilities to interview or interrogate certain witnesses requested by the accused SUMIDA be provided; and for issuance of 6 summons; and for the production of documents (Disposes of Paper No. 559 in part). |
| 643 | 8 | January | Application of Prosecution for leave to withdraw four reels of film entitled "Nippon Presents", Court Exhibit 1765A, B, C, D. (Disposes of Paper No. 662). |
| 644 | 8 | January | Order granting application of Defense for waiver of Rule 6(b)(1) on conditions. (Disposes of oral motion). |
| 645 | 8 | January | Acceptance of service by Defense witness, Major General ICHIDA, Jiro. |
| ** | 8 | January | Hearing in Court Room. Prosecution Exhibits Nos. 1979 to 1998 inc. marked for identification. Oral application of Prosecution for order dismissing Prosecution witness TAKAMATSU, Tadahazu, on usual terms; Granted. Oral application of Prosecution for order returning Prosecution witness OGIYA, Yorio, to his former custody; Granted. |
| 646-647 | 8 | January | Oaths of witnesses. |
| 648 | 8 | January | Receipt of Officer of Guard for War Crimes Prisoner, Hiroshi HOSHINO, to be returned to Sugamo Prison account illness. |
| 649 | 9 | January | Certificate testifying to illness of accused Akira MUTO. |
| 650 | 9 | January | Certificate testifying to illness of accused Naoki HOSHINO. |
| 651 | 9 | January | Motion of defendant SUZUKI, Teichi, to dismiss indictment (See Order No. 728). |
| ** | 9 | January | Hearing in Court Room; Prosecution Exhibits Nos. 1999 to 2026 inc. marked for identification. |
| 652 | 9 | January | Oath of witness. |
| 653-654 | 9 | January | Certificates nominating Counsel. |

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| 655 | 9 | January | Motion of defendant KAYA, Okinori, to dismiss indictment (See Order No. 728). |
| 656 | 10 | January | Certificate testifying to illness of accused Sadao ARAKI. |
| 657 | 10 | January | Certificate testifying to illness of accused Naoki HOSHINO. |
| 658 | 10 | January | Certificate testifying to illness of accused Akira MUTO. |
| ** | 10 | January | Hearing in Conference Room; On application (Paper No. 640) of accused SATO, Kenryo, to amend and correct Order No. 596; Granted (See Order No. 663). On application (Paper No. 643) of Prosecution to withdraw Exhibits Nos. 1765 A, B, C, D; Granted (See Order No. 662). On application (Paper No. 631) of Prosecution under Rule 6(b)(1) re IPS documents Nos. 687, 684 et al; Granted (See Order No. 676). |
| ** | 10 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2027 to 2034 inc. marked for identification. Oral application of Prosecution for order dismissing Prosecution witness YAMAZAKI, Shigeru, on usual terms; Granted. |
| ** | 10 | January | Hearing in Chambers; Ex-parte hearing on oral application of Prosecution for leave to present further Russian phase of case in Russian language; Under consideration and adjourned to 13 January 1947. |
| ** | 13 | January | Hearing in Chambers; Further ex-parte hearing on oral application of Prosecution to employ Russian language; Ordered that French may present arguments in French language and Russians may present arguments in Russian language, subject to consideration and order by Tribunal (Orders Nos. 710 and 714). |
| 659 | 13 | January | Certificate testifying to illness of accused ARAKI, HOSHINO, MATSUI, MUTO and TOGO. |

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| 660 | 13 | January | Withdrawal by Counsel and certificate nominating Counsel. |
| ** | 13 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2035 to 2086 inc. marked for identification. Major Moore offered language and translation corrections. Defense made oral application that Prosecution be required to produce language and translation corrections in KIDO's diary; Court ruled Prosecution may present such corrections at a time within their discretion. Oral application of Prosecution for order dismissing Prosecution witness Jesse L. Stewart on usual terms; Granted. |
| 661 | 24 | January | Motion of accused TOJO, Hideki, to dismiss the indictment (Paper No. allotted on 13 January 1947) (See Order No. 728). |
| 662 | 14 | January | Order granting withdrawal from the files of the Tribunal Court Exhibits Nos. 1765-A, B, C, and D. (Disposes of Paper No. 643). |
| 663 | 14 | January | Order amending Paper No. 596 by correcting spelling of the names of two witnesses. (Disposes of Paper No. 640 re 596). |
| 664 | 24 | January | Motion of defendant HATA, Shunroku, to dismiss. (Paper No. allotted on 14 January 1947). (See Order No. 728). |
| 665 | 14 | January | Certificate testifying to illness of accused ARAKI, MATSUI and TOGO. |
| 666-667 | 14 | January | Certificates nominating Counsel. |
| 668 | 24 | January | Motion by accused KIDO, Koichi, to dismiss the indictment at the close of the Prosecution's case. (Paper No. allotted on 14 January 1947). (See Order No. 728). |
| 669 | 24 | January | Motion to dismiss by the accused MATSUI, Iwane. (Paper No. allotted on 14 January 1947). (See Order No. 728). |

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| ** | 14 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2087 to 2108 inc. marked for identification. Oral application of Prosecution for order dismissing IPS witness John Alexander McDougall on usual terms; Granted. |
| ** | 15 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2109 to 2116-A inc. marked for identification. Oral application of Prosecution for order granting leave to withdraw certain original documents of Navy and Swiss Legation; Granted. Oral application of Prosecution for order dismissing IPS witnesses Douglas W. Bogue and Katsumi ONO on usual terms; Granted. |
| 670 | 24 | January | Motion to dismiss on behalf of the defendant MINAMI, Jiro. (Paper No. allotted on 15 January 1947). (See Order No. 728). |
| 671 | 24 | January | Motion to dismiss on behalf of the defendant OKAWA, Shumei. (Paper No. allotted on 15 January 1947). (See Order No. 728). |
| 672 | 15 | January | Number not used. Reserved for Defense paper not filed. |
| 673 | 24 | January | Motion of defendant KIMURA, Heitaro, to dismiss. (Paper No. allotted on 15 January 1947). (See Order No. 728). |
| 674 | 15 | January | Certificate testifying to illness of accused TOGO, Shigenori, and ARAKI, Sadao. |
| 675 | 24 | January | Motion of accused HOSHINO, Naoki, to dismiss. (Paper No. allotted on 15 January 1947). (See Order No. 728). |
| ** | 16 | January | Hearing in Conference Room; On application (Paper No. 639) of Prosecution for order waiving Rule 6(b)(1) with respect to IPS Document No. 2954; Granted (See Order No. 677). |

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| 676 | 16 | January | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS documents Nos. 687, 684 et al. (Disposes of Paper No. 631). |
| 677 | 16 | January | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS document No. 2954. (Disposes of Paper No. 639). |
| ** | 16 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2117 to 2157 inc. marked for identification. Oral application of Prosecution for leave to employ French language in arguments in further French phase of case; Granted. |
| 678 | 22 | January | Separate motion of accused OKA, Takazumi, to dismiss. (Paper No. allotted on 16 January 1947). (See Order No. 728). |
| 679 | 24 | January | Motion of defendant HASHIMOTO, Kingoro, to dismiss. (Paper No. allotted on 16 January 1947). (See Order No. 728). |
| 680 | 16 | January | Certificate testifying to illness of accused MATSUI, TOGO, and ARAKI. |
| 681 | 17 | January | Application of accused SHIMADA, Shigetaro, for amendment to Paper No. 559 re production of documents. (See Order No. 712). |
| 682 | 17 | January | Certificate testifying to illness of accused ARAKI, TOGO and MATSUI. |
| 683 | 24 | January | Motion to dismiss on behalf of the defendant ARAKI, Sadao. (Paper No. allotted on 17 January 1947). (See Order No. 728). |
| 684 | 27 | January | Motion to dismiss on behalf of the defendant KOISO, Kuniaki. (Paper No. allotted on 17 January 1947). (See Order No. 728). |
| ** | 17 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2158 to 2177-A inc. marked for identification. Oral application of Defense to strike from indictment all counts relative to Indo-China; |

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| 676 | 16 | January | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS documents Nos. 687, 684 et al. (Disposes of Paper No. 631). |
| 677 | 16 | January | Order granting application of Prosecution for exemption from Rule 6(b)(1) with respect to IPS document No. 2954. (Disposes of Paper No. 639). |
| ** | 16 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2117 to 2157 inc. marked for identification. Oral application of Prosecution for leave to employ French language in arguments in further French phase of case; Granted. |
| 678 | 22 | January | Separate motion of accused OKA, Takazumi, to dismiss. (Paper No. allotted on 16 January 1947). (See Order No. 728). |
| 679 | 24 | January | Motion of defendant HASHIMOTO, Kingoro, to dismiss. (Paper No. allotted on 16 January 1947). (See Order No. 728). |
| 680 | 16 | January | Certificate testifying to illness of accused MATSUI, TOGO, and ARAKI. |
| 681 | 17 | January | Application of accused SHIMADA, Shigetaro, for amendment to Paper No. 559 re production of documents. (See Order No. 712). |
| 682 | 17 | January | Certificate testifying to illness of accused ARAKI, TOGO and MATSUI. |
| 683 | 24 | January | Motion to dismiss on behalf of the defendant ARAKI, Sadao. (Paper No. allotted on 17 January 1947). (See Order No. 728). |
| 684 | 27 | January | Motion to dismiss on behalf of the defendant KOISO, Kuniaki. (Paper No. allotted on 17 January 1947). (See Order No. 728). |
| ** | 17 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2158 to 2177-A inc. marked for identification. Oral application of Defense to strike from indictment all counts relative to Indo-China; |

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Application dismissed. Oral application of Prosecution for order dismissing IPS witnesses Fernand Gabrillagues and SUZUKI, Tadakatsu, on usual terms; Granted.

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| 685 | 24 | January | Motion to dismiss of accused SHIGEMITSU, Mamoru. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 686 | 24 | January | Motion to dismiss of accused UMEZU, Yoshijiro. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 687 | 24 | January | Motion to dismiss of accused TOGO, Shigenori. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 688 | 28 | January | Individual motion to dismiss on behalf of HIROTA, Koki. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 689 | 24 | January | Motion by accused SHIMADA, Shigetaro, to dismiss the indictment. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 690 | 24 | January | Motion of accused MUTO, Akira, to dismiss. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 691 | 22 | January | Separate motion of accused Kenji DOHIMURA to dismiss. (Paper No. allotted on 20 January 1947). (See Order No. 728). |
| 692 | 20 | January | Certificate testifying to illness of accused MATSUI, Iwane. |
| ** | 20 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2178 to 2190-A inc. marked for identification. |
| 693 | 21 | January | Certificate testifying to illness of accused MATSUI, Iwane. |
| 694 | 21 | January | Return of failure of service of certain summons issued on behalf of Prosecution. |

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| ** | 21 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2191 to 2223-A inc. marked for identification. Oral application of Prosecution to amend Count No. 25 of indictment by substituting name of TCHO for TOGO; Under consideration. |
| 695 | 24 | January | Motion to dismiss of the accused ITAGAKI, Seishiro. (No. allotted on 22 January 1947). (See Order No. 728). |
| 696 | 24 | January | Motion by accused SATO, Kenryo, to dismiss the indictment. (No. allotted on 22 January 1947). (See Order No. 728). |
| ** | 22 | January | Hearing in Court Room; Prosecution Exhibit No. 2224 marked for identification. Oral application of Prosecution for order dismissing IPS witness General TANAKA, Ryukichi, on usual terms; Granted. |
| 697 | 24 | January | Motion of accused SHIRATORI, Toshio, to dismiss. (No. allotted on 23 January 1947). (See Order No. 728). |
| 698 | 23 | January | Motion of accused HIRANUMA, Kiichiro, to dismiss. (See Order No. 728). |
| ** | 23 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2225 to 2238-A inc. marked for identification. Tribunal entered its ruling relative to interrogatories pronounced to individual defendants, and ordered; That answers, statements or admissions obtained in the course of interrogation of individual accused by the Prosecution be admitted as evidence only against the accused making said answer, statement or admission. |
| 699 | 24 | January | Oath of witness. |
| ** | 24 | January | Hearing in Court Room; Prosecution Exhibits Nos. 2239 to 2282 inc. marked for identification, and Prosecution tendered into evidence corrections and additions to Exhibits Nos. 1196, 1239, 1278 and 1282, which were admitted. Application of Prosecution for leave |

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to present certain documents dealing with USSR phase after Prosecution has rested its case; Under consideration. Tribunal entered its ruling on oral application of Prosecution heretofore made to amend indictment in respect to Count No. 25 by substituting name of TOJO for TOGO, and it was ordered: granted insofar as to striking name of TOGO, but denied as to insertion of name of TOJO. Oral application of Prosecution for order dismissing IPS witness TANAKA, Shinichi, on usual terms; Granted. PROSECUTION RESTS ITS CASE IN CHIEF.

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| 700 | 27 | January | Argument in support of general motion to dismiss on behalf of all defendants. |
| 701 | 27 | January | Motion to dismiss by the accused OSHIMA, Hiroshi. (See Order No. 728). |
| 702 | 27 | January | Request of accused HIRANUMA, Kiichiro, to make corrections with reference to Motion to Dismiss, Paper No. 698. |
| ** | 27 | January | Hearing in Conference Room; Ex-parte hearing on application (Paper No. 681) of accused SHIMADA, to amend order of Tribunal dated 8 January 1947 (Paper No. 642) in respect to document to be produced on behalf of said accused; Granted with certain conditions (See Order No. 712). |
| ** | 27 | January | Hearing in Court Room; Defense submitted its motion for mistrial, and Tribunal ordered that motion will not be entertained. Defense submitted its motion on question of jurisdiction; and Tribunal ordered that matter should be properly submitted at close of trial. Defense submitted its motion attacking the authority and the powers of the Supreme Commander to appoint and institute the Tribunal; Denied, no proper foundation for motion; Exceptions saved on all matters. Following accused submitted individual motions to dismiss indictment: ARAKI, DOHIHARA, |

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to present certain documents dealing with USSR phase after Prosecution has rested its case; Under consideration. Tribunal entered its ruling on oral application of Prosecution heretofore made to amend indictment in respect to Count No. 25 by substituting name of TOJO for TOGO, and it was ordered: granted insofar as to striking name of TOGO, but denied as to insertion of name of TOJO. Oral application of Prosecution for order dismissing IPS witness TANAKA, Shinichi, on usual terms; Granted. PROSECUTION RESTS ITS CASE IN CHIEF.

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| 700 | 27 | January | Argument in support of general motion to dismiss on behalf of all defendants. |
| 701 | 27 | January | Motion to dismiss by the accused OSHIMA, Hiroshi. (See Order No. 728). |
| 702 | 27 | January | Request of accused HIRANUMA, Kiichiro, to make corrections with reference to Motion to Dismiss, Paper No. 698. |
| ** | 27 | January | Hearing in Conference Room; Ex-parte hearing on application (Paper No. 681) of accused SHIMADA, to amend order of Tribunal dated 8 January 1947 (Paper No. 642) in respect to document to be produced on behalf of said accused; Granted with certain conditions (See Order No. 712). |
| ** | 27 | January | Hearing in Court Room; Defense submitted its motion for mistrial, and Tribunal ordered that motion will not be entertained. Defense submitted its motion on question of jurisdiction; and Tribunal ordered that matter should be properly submitted at close of trial. Defense submitted its motion attacking the authority and the powers of the Supreme Commander to appoint and institute the Tribunal; Denied, no proper foundation for motion; Exceptions saved on all matters. Following accused submitted individual motions to dismiss indictment: ARAKI, DOHIHARA, |

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HOSHINO, ITAGAKI, KIDO, and KIMURA.

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| 703 | 28 | January | Memorandum brief of authorities -- Motion to dismiss indictment and counts of accused OSHIMA, Hiroshi. (See Order No. 728). |
| 704 | 28 | January | Corrections in accused OSHIMA's Motion to dismiss. |
| 705 | 28 | January | General motion to dismiss the indict- ment on behalf of all defendants. (See Order No. 728). |
| 706 | 28 | January | Motion of certain defendants for a mistrial. (Disposed of orally). |
| 707 | 28 | January | Correction in accused MATSUI's Motion to dismiss. |
| 708 | 23 | January | Addition to memorandum in support of motion of defendant SUZUKI, Teichi, to dismiss. |
| ** | 28 | January | Hearing in Court Room; Following ac- cused submitted individual motions to dismiss the indictment: KOISO, MINAMI, MUTO, OKA, OKAWA, SATO, SHIGEMITSU, SHIMADA, SUZUKI, and TOGO. |
| 709 | 29 | January | Order in re Oral application of the Prosecution to amend Count No. 25 of the Indictment. |
| 710 | 29 | January | Order granting oral application of Pro- secution to conduct the phase of the case for the Republic of France in the French language. |
| 711 | 28 | January | Request of accused SHIGEMITSU, Mamoru, for corrections to be made in motion to dismiss (Paper No. 685). |
| 712 | 29 | January | Order granting application of accused SHIMADA, Shigetaro, to amend that cer- tain order of the Tribunal No. 642 dated 8 January 1947 with regard to the production of certain documents. (Disposes of Paper No. 681 in re 642). |

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| 713 | 29 | January | Motion to dismiss on behalf of all defendants. (See Order No. 728). |
| ** | 29 | January | Hearing in Court Room; Following accused submitted individual motions to dismiss the indictment: TOGO (Presented 28 January 1947 but not completed), TOJO, UMEZU. General motion to dismiss the indictment was submitted on behalf of all the accused and argued. Major Moore presented language corrections. Prosecution submitted argument in reply to all motions of accused to dismiss. |
| 714 | 30 | January | Order granting application of Prosecution to conduct phase of case for the USSR in the Russian language. (Disposes of oral application). |
| ** | 30 | January | Hearing in Court Room; Further submission by Prosecution of its argument in response to motions of accused to dismiss indictment, said argument continuing to hour of adjournment. |
| 715 | 31 | January | Number not used. Reserved for IPS Philippine Section for paper not filed. |
| 716 | 31 | January | Order relating to subpoena heretofore issued for NAKASHIMA, Tetsuzo, witness for accused UMEZU, Yoshijiro, and directing that every facility be provided to Counsel for accused to interrogate orally or submit written interrogatories. |
| 717 | 31 | January | Order granting withdrawal from the records of the Tribunal Court Exhibits. Nos. 1251, 1252-C, 2034, et al. (Disposes of Oral application). |
| 718 | 31 | January | Certificate nominating Counsel. |
| ** | 31 | January | Hearing in Court Room; Further submission by Prosecution of its argument in response to motions of accused to dismiss indictment. Defense made its objection to use being made by Tribunal of IPS Document No. 0001; Objection to be considered and decision rendered at same time as decisions on motions to dismiss. Defense made application for |

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leave to reply to Prosecution's argument re motions to dismiss, either orally or in writing; Denied. Counsel for accused Shumei OKAWA offered into evidence affidavit of wife of accused; Document rejected for reason matter should be presented in Chambers.

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| 719 | 3 | February | Affidavit of Kane OKAWA, wife of accused Shumei OKAWA. |
| ** | 3 | February | Hearing in Court Room; Tribunal announced its ruling on motions of various accused to dismiss indictment and on general motion to dismiss, and ordered: All motions overruled and denied. Tribunal announced decision to use IPS Document No. 0001 as index to evidence and no more. Application of all accused for additional 10 days recess to prepare case; Granted 3 weeks in all, Court to reconvene at 0930 hours 24 February 1947. |
| ** | 3 | February | Hearing in Conference Room; to consider tentative agreement or offer on part of the Prosecution to assist in the processing and translation problems of the Defense. Ordered: Agreement approved so far as the approval of the Tribunal is necessary or desirable. |
| 720 | 5 | February | Application on behalf of ITAGAKI, Seishiro, for an order for the production of witnesses. (See Order No. 726). |
| 721 | 5 | February | Order granting oral application of the Defense for use of certain translating and processing facilities of the Prosecution in the course of presentation of evidence by the Defense. |
| 722 | 7 | February | Request of KIMURA, Heitaro, for an order for the production of a witness. (See Order No. 727). |

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| 723 | 5 | February | Application on behalf of the Prosecution for leave to withdraw certain documents (Judge Advocate General of the United States). (See Order No. 729). |
| 724 | 5 | February | Certificate nominating Counsel. |
| 725 | 6 | February | Request of accused OSHIMA, Hiroshi, to correct Memorandum Brief of Authorities (Paper No. 703). |
| ** | 10 | February | Hearing in Conference Room; On application (Paper No. 720) of accused ITAGAKI, Seishiro, for the production of witnesses under the Charter. Ordered: That facilities for interrogations be furnished as to the first 3 witnesses named in application, and subpoenas issued as to the other 2 persons named, who are presently confined in Sugamo Prison. (See Order No. 726). On application (Paper No. 722) of accused KIMURA, Heitaro, for the production of witnesses under the Charter; Ordered: That facilities for interrogations be furnished. (See Order No. 727). On application (Paper No. 723) of the Prosecution for leave to withdraw certain documents; Granted, as prayed, subject to concurrence between Chairman of Defense Committee and Prosecution; to be re-referred to the President in case of disagreement. (See Order No. 729). |
| 726 | 10 | February | Order that facilities to interview certain witnesses requested by accused ITAGAKI, Seishiro, be provided and for 2 summonses. (Disposes of Paper No. 720 in part). |
| 727 | 10 | February | Order that facilities to interview witness requested by accused KIMURA be provided. (Disposes of Paper No. 722 in part). |
| 728 | 10 | February | Order overruling and denying a general application on behalf of all the accused and the several applications of each accused respectively to dismiss the indictment. (Disposes of various papers). |

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| 729 | 10 | February | Order granting withdrawal from custody of the Office of the Clerk of the Tribunal certain J.A.G. reports and affidavits, and receipt of Prosecution for said documents. (Disposes of Paper No. 723). |
| 730 | 13 | February | Application on behalf of ITAGAKI, Seishiro, for an order for the production of witness. (See Order No. 733). |
| 731 | 18 | February | Application on behalf of HASHIMOTO, Kingoro, for an order for production of witness. (See Order No. 735). |
| 732 | 18 | February | Supplemental application on behalf of HASHIMOTO, Kingoro, for production of witness. (See Paper No. 607). (See Order No. 736). |
| 733 | 19 | February | Order granting issuance of summons for witness requested by ITAGAKI, Seishiro. (Disposes of Paper No. 730). |
| 734 | 19 | February | Withdrawal by Counsel and certificate nominating Counsel. |
| 735 | 24 | February | Order granting issuance of summons for witness requested by HASHIMOTO, Kingoro. (Disposes of Paper No. 731). |
| 736 | 24 | February | Order granting issuance of summons for witness requested by HASHIMOTO, Kingoro. (Disposes of Paper No. 732). |
| ** | 24 | February | Hearing in Conference Room; On Application (Paper No. 731) of accused HASHIMOTO, Kingoro, for the production of witness KUSUU, Hoshihisa. Granted, and ordered issuance of summons (See Order No. 735). On supplemental application of accused HASHIMOTO, Kingoro, for production of witness WACHI, Takaji; Granted (See Order No. 736). |
| ** | 24 | February | Hearing in Court Room; Tribunal called up for consideration the matter of an article appearing in the Pacific Stars & Stripes. Explanations and apologies were offered by persons responsible therefor. Defense submitted opening statements. |

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| 737 | 24 | February | Request of accused TOJO, Hideki, for production of witness (See Order No. 739). |
| 738 | 24 | February | Order establishing rule of procedure re: General corrections, and language corrections, of official transcript of the record. |
| ** | 25 | February | Hearing in Court Room; Opening statement for first phase of Defense was submitted. |
| ** | 26 | February | Hearing in Court Room; Defense Exhibits Nos. 2283 to 2319 inc. marked for identification. |
| 739 | 26 | February | Order for issuance of summonses for witnesses on behalf of accused TOJO, Hideki. (Disposes of Paper No. 737). |
| 740 | 26 | February | Apology of Editor of Stars & Stripes for article inadvertently published in, 24 February 1947 issue. |
| 741 | 28 | February | Oath of witness. |
| 742-744 | 28 | February | Returns of service of summonses. |

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|-------------------------|------------|---------------------|---|
| 737 | 24 | February | Request of accused TOJO, Hideki, for production of witness (See Order No. 739). |
| 738 | 24 | February | Order establishing rule of procedure re: General corrections, and language corrections, of official transcript of the record. |
| ** | 25 | February | Hearing in Court Room; Opening statement for first phase of Defense was submitted. |
| ** | 26 | February | Hearing in Court Room; Defense Exhibits Nos. 2283 to 2310 inc. marked for identification. |
| 739 | 26 | February | Order for issuance of summonses for witnesses on behalf of accused TOJO, Hideki. (Disposes of Paper No. 737). |
| 740 | 26 | February | Apology of Editor of Stars & Stripes for article inadvertently published in, 24 February 1947 issue. |
| 741 | 28 | February | Oath of witness. |
| 742-744 | 28 | February | Returns of service of summonses. |

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
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DOCKET AND CHRONOLOGY OF PROCEEDINGS
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| 745 | 3 | March | Application on behalf of accused ITAGAKI, Seishiro; OKAWA, Shumei; MINAMI, Jiro; UMEZU, Yoshijiro; HOSFINO, Naoki; for production of witnesses. (See Order No. 801). |
| 746 | 3 | March | Withdrawal by Counsel. |
| ** | 3 | March | Hearing in Court Room; Defense made oral application that certain documents be received in evidence. Tribunal ruled it would not receive evidence as to relations between the USSR and Finland, Latvia, etc. Defense Exhibits Nos. 2323 to 2326 inc. marked for identification. |
| 747 | 4 | March | Acceptance of service of summons. |
| 748- 749 | 4 | March | Oaths of witnesses. |
| 750 | 4 | March | Certificate nominating Counsel. |
| ** | 4 | March | Hearing in Conference Room; To consider matter of establishment of Rules of Procedure for examination of witnesses called by Defense on its own behalf. Matter continued for further consideration. |
| ** | 4 | March | Hearing in Court Room; Defense Exhibits Nos. 2337 to 2344 inc. marked for identification. Oral application of Defense for order dismissing Defense witness OKADA, Tadahiko; Granted. |

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| ** | 5 | March | Hearing in Court Room; CHIKAO, Fujisawa withdrew his appearance as Counsel for accused SATO. Tribunal ordered that Mr. David F. Smith, Counsel for accused HIROTA, be barred from further appearance before the Tribunal, stating grounds and conditions. Prosecution Exhibit No. 2345 and Defense Exhibit No. 2346 marked for identification. |
| 751- 752 | 6 | March | Oaths of witnesses. |
| 753 | 6 | March | Certificate testifying to illness of KAYA, Okinori. |
| 754 | 6 | March | Oath of witness. |
| ** | 6 | March | Hearing in Court Room; Defense Exhibits Nos. 2347 to 2350 inc. marked for identification. Oral application of Defense for order dismissing Defense witness MITARAI, Tatsuo; Granted. Oral applications of Defense to temporarily withdraw Defense witnesses TAMURA, Kosaku, and IFOUE, Takamura, with permission to recall them at a later date; Granted. |
| 755 | 6 | March | Order granting withdrawal from the file of the Tribunal Court Exhibits Nos. 2323, 2324, et al. (Disposes of oral motion). |
| 756 | 7 | March | Application on behalf of TOJO, Hideki, for production of witnesses (See Order No. 766). |
| 757- 758 | 7 | March | Certificates testifying to illness of KAYA, Okinori, and TOJO, Hideki, respectively. |
| 759 | 7 | March | Application for order to amend previous orders in re: Receipts for withdrawal of Court Exhibits (See Order No. 765). |
| ** | 7 | March | Hearing in Court Room; Trial of the case resumed. |
| 760 | 10 | March | Oath of witness. |

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| 761- 763 | 10 | March | Certificates testifying to illness of SHIGEMITSU, Mamoru; TOJO, Hideki; and KAYA, Okinori, respectively. |
| ** | 10 | March | Hearing in Court Room; Defense Exhibits Nos. 2351 to 2354 inc. marked for identification. Oral application of Defense to temporarily release Defense witness YAMAMOTO, Kumaichi, with permission to recall him at a later date; Granted. Oral application of Defense for order dismissing Defense witness MURATA, Shozo; Granted. |
| ** | 11 | March | Hearing in Conference Room; Further hearing on matter of procedure for examination of Defense witnesses; ORDERED that said matter be continued to 0930 hours in Open Court. On Application (Paper No. 756) of the accused TOJO for production of witnesses under the Charter; Granted (See Order No. 766). On Application (Paper No. 759) for an order amending previous orders, in re: Individuals authorized to receipt for withdrawals of Court Exhibits on behalf of Prosecution and Defense; Granted (See Order No. 765). |
| 764 | 11 | March | Acceptance of service of summons. |
| 765 | 11 | March | Order amending previous orders, in re: Receipts for the withdrawal of Court Exhibits (Disposes of Paper No. 759). |
| 766 | 11 | March | Order for the issuance of summonses for witnesses on behalf of the accused TOJO, Hideki (Disposes of Paper No. 756). |
| 767 | 11 | March | Oath of witness. |
| 768- 769 | 11 | March | Certificates testifying to illness of TOJO, Hideki, and SHIGEMITSU, Mamoru, respectively. |
| ** | 11 | March | Hearing in Court Room; Defense presented proposed rules agreed upon by Defense and Prosecution as to order of procedure of examination of Defense witnesses; ORDERED the Tribunal would take proposed rules under consideration. Defense Exhibits Nos. 2355 to 2367 inc. marked |

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for identification. Defense made oral application for order granting leave to withdraw Exhibits No. 2355 to 2360, inc.; ORDERED that said Exhibits will remain under custody of the Court, but made available for examination. Oral application of Defense for temporary release of Defense witness YAMAMOTO, Kumaichi, with permission to recall him at a later date; Granted. Oral application of Defense for order dismissing Defense witness IMOIE, Takamaro; Granted (Released conditionally on 6 March 1947). Oral application of Defense for order dismissing Defense witness ANDO, Kisa-buro; Granted.

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| 770 | 12 | March | Oath of witness. |
| 771- 772 | 12 | March | Certificates testifying to illness of TOJO, Hideki, and ARAKI, Sadao, respectively. |
| 773 | 12 | March | Oath of witness. |
| 774- 775 | 12 | March | Acceptance of service of summons. |
| ** | 12 | March | Hearing in Court Room; Defense Exhibit No. 2368 marked for identification. Oral application of Defense for order dismissing Defense witnesses YOSHINO, Shinzi, and O'ADA, Teiji; Granted. |
| 776 | 13 | March | Acceptance of service of summons. |
| 777- 778 | 13 | March | Certificates testifying to illness of ARAKI, Sadao and TOJO, Hideki, respectively. |
| 779 | 13 | March | Oath of witness. |
| 780 | 13 | March | Acceptance of service of summons. |
| 781- 782 | 13 | March | Oaths of witnesses. |

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| ** | 13 | March | Hearing in Court Room; Tribunal announced its decision on applications of Prosecution and Defense for an order establishing rules of procedure supplemental to the general rules governing examination of witnesses produced by Defense or individual accused according to set of rules agreed upon by respective Counsel and submitted to the Tribunal; Granted, with certain reservations. Oral applications of Defense for order dismissing Defense witnesses OKADA, Kisaburo, and ONO, Takoshi; Granted. Defense Exhibit No. 2369 marked for identification. |
| 783 | 14 | March | Certificate testifying to illness of TCJO, Hideki. |
| 784 | 14 | March | Oath of witness. |
| 785 | 14 | March | Acceptance of service of summons. |
| ** | 14 | March | Hearing in Court Room; Defense Exhibits Nos. 2370 to 2377 inc. marked for identification. Oral application of Defense for order dismissing Defense witness HAYAMA, Kwanji; Granted. |
| 786- 787 | 17 | March | Oaths of witnesses. |
| ** | 17 | March | Hearing in Court Room; Tribunal heard and considered matter of the right of American Defense Counsel to make objections to testimony brought out on cross examination where examination in chief had been made by Japanese Defense Counsel; ORDERED that the matter be taken under consideration. Court suggested that on general phases one American Counsel be authorized to handle objections on behalf of all the accused where examination in chief had been conducted by Japanese Counsel and that one Japanese Counsel be permitted objections where American Defense Counsel had examined in chief; also, that when individual defense was reached, the Tribunal would consider the matter further; also, where testimony on cross examination |

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| | | | affects adversely one of the accused, then American Counsel for that accused might make special objections. Oral applications of Defense for order dismissing Defense witnesses YOSHIDO, Akio, and NAKAMURA, Keinosuke; Granted. Defense Exhibit No. 2378 marked for identification. |
| 788 | 18 | March | Acceptance of service of summons. |
| 789- 790 | 18 | March | Oaths of witnesses. |
| ** | 18 | March | Hearing in Court Room; Defense Exhibit No. 2379 marked for identification. Defense presented opening statement on the "Manchurian" phase. Oral application of Defense for dismissal of Defense witness IWAMATSU, Goro, with permission to recall him at a later date; Granted. Oral applications of Defense for order dismissing Defense witnesses KIDO, Shiro, and HIZUNO, Yoshiyuki; Granted. |
| 791 | 19 | March | Certificate testifying to illness of MATSUI, Iwane. |
| ** | 19 | March | Hearing in Conference Room; On oral application of Defense to summons all witnesses to be produced by the Defense, and the Court ORDERED that said matter be taken under consideration. |
| ** | 19 | March | Hearing in Court Room; Defense Exhibits Nos. 2380 and 2381 marked for identification. |
| 792 | 20 | March | Certificate testifying to illness of MATSUI, Iwane. |
| 793 | 20 | March | Oath of witness. |
| 794 | 20 | March | Application of accused OSHIMA, Hiroshi, for temporary emergency parole to visit aged father alleged to be dying (See Order No. 795). |
| ** | 20 | March | Hearing in Conference Room; On Application (Paper No. 745) of accused ITAGAKI, OKAWA, MINAMI, UMEZU and HOSHINO, for |

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| | | | affects adversely one of the accused, then American Counsel for that accused might make special objections. Oral applications of Defense for order dismissing Defense witnesses YOSHIDO, Akio, and NAKAMURA, Keinosuke; Granted. Defense Exhibit No. 2378 marked for identification. |
| 788 | 18 | March | Acceptance of service of summons. |
| 789- 790 | 18 | March | Oaths of witnesses. |
| ** | 18 | March | Hearing in Court Room; Defense Exhibit No. 2379 marked for identification. Defense presented opening statement on the "Manchurian" phase. Oral application of Defense for dismissal of Defense witness IWAMATSU, Goro, with permission to recall him at a later date; Granted. Oral applications of Defense for order dismissing Defense witnesses KIDO, Shiro, and HIZUNO, Yoshiyuki; Granted. |
| 791 | 19 | March | Certificate testifying to illness of MATSUI, Iwane. |
| ** | 19 | March | Hearing in Conference Room; On oral application of Defense to summons all witnesses to be produced by the Defense, and the Court ORDERED that said matter be taken under consideration. |
| ** | 19 | March | Hearing in Court Room; Defense Exhibits Nos. 2380 and 2381 marked for identification. |
| 792 | 20 | March | Certificate testifying to illness of MATSUI, Iwane. |
| 793 | 20 | March | Oath of witness. |
| 794 | 20 | March | Application of accused OSHIMA, Hiroshi, for temporary emergency parole to visit aged father alleged to be dying (See Order No. 795). |
| ** | 20 | March | Hearing in Conference Room; On Application (Paper No. 745) of accused ITAGAKI, OKAWA, MINAMI, UMEZU and HOSHINO, for |

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| | | | the production of witnesses under the Charter; ORDERED granted and that evidence of these witnesses, with exception of KANAI, Shoji, be taken on affidavit and copies thereof in the English language be served on all the Justices not less than 3 days before the affidavits are produced in Court (See Order No. 801). |
| ** | 20 | March | Hearing in Court Room; Defense Exhibit No. 2382 marked for identification. |
| ** | 21 | March | Hearing in Conference Room; On Application (Paper No. 794) of accused OSHIMA for temporary emergency parole for the purpose of visiting his father; ORDERED granted "upon specified conditions" (See Order No. 795). |
| 795 | 21 | March | Order granting application of the accused OSHIMA, Hiroshi, for temporary emergency parole, subject, however, to ratification and consent of the Supreme Commander for the Allied Powers and proper security measures. (Disposes of Paper No. 794). |
| 796 | 21 | March | Application on behalf of the Defense for leave to withdraw a book entitled "Government in Japan" by Charles Fahs (Court Exhibit No. 2361). (See Order No. 802). |
| 797 | 21 | March | Oath of witness. |
| 798 | 21 | March | Certificate testifying to illness of MATSUI, Iwane. |
| ** | 21 | March | Hearing in Court Room; Oral application of Defense for order dismissing Defense witness YAMAGUCHI, Joji; Granted. |
| 799 | 24 | March | Certificate testifying to illness of MATSUI, Iwane. |
| ** | 24 | March | Hearing in Court Room; Oral application of Defense for a recess of one week; ORDERED granted, upon specified conditions. |

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| 800 | 25 | March | Certificate testifying to illness of MATSUI, Iwane. |
| 801 | 15 | April | Order granting the issuance of summonses for 13 witnesses on behalf of the accused ITAGAKI, OKAWA, IIMAH, UHEZU, and HOSHINO, upon certain terms and conditions. (Disposes of Paper No. 745). |
| 802 | 26 | March | Order granting withdrawal from the files of the Tribunal Court Exhibit No. 2361. (Disposes of Paper No. 796). |
| ** | 25 | March | Hearing in Court Room; Oral application of Defense to dismiss Defense witness KATAKURA, Tadashi; Granted. Tribunal further ORDERED, upon certain terms and conditions, a recess of 7 days for the Court, to reconvene on Wednesday, 2 April 1947 at 0930 hours (See Paper No. 844). |
| 803 | 31 | March | Acceptance of service of summons. |

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| 800 | 25 | March | Certificate testifying to illness of MITSUI, Iwane. |
| 801 | 15 | April | Order granting the issuance of summon- ses for 13 witnesses on behalf of the accused ITAGAKI, OKAWA, MINAMI, UMEZU, and HOSHINO, upon certain terms and conditions. (Disposes of Paper No. 745). |
| 802 | 26 | March | Order granting withdrawal from the files of the Tribunal Court Exhibit No. 2361. (Disposes of Paper No. 796). |
| ** | 25 | March | Hearing in Court Room; Oral application of Defense to dismiss Defense witness KATAKURA, Tadashi; Granted. Tribunal further ORDERED, upon certain terms and conditions, a recess of 7 days for the Court, to reconvene on Wednesday, 2 April 1947 at 0930 hours (See Paper No. 844). |
| 803 | 31 | March | Acceptance of service of summons. |

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INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
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| 804 | 1 | April | Certificate nominating Counsel. |
| 805 | 2 | April | Application on behalf of the Defense for leave to withdraw book entitled "Conference on the Limitation of Armament, Washington." (See Order No. 839). |
| 806-807 | 2 | April | Certificates testifying to illness of MATSUI and TOGO, respectively. |
| 808-809 | 2 | April | Oaths of witnesses. |
| ** | 2 | April | Hearing in Court Room; Defense Exhibits Nos. 2383 to 2403 inc. marked for identification. Oral application of Defense for order dismissing Defense witness SHOJI, Kanai; Granted. Defense presented a stipulation entered into between the Prosecution and the Defense as to admission of certain facts and circumstances, and the introduction of specified matters into evidence. Oral applications of Defense for orders dismissing Defense witnesses HONJO, Kazuo, and KAWAMURA, Kyoichi, Granted. |
| 810-811 | 3 | April | Certificates testifying to illness of TOGO and MATSUI, respectively. |
| 812-814 | 3 | April | Oaths of witnesses. |
| 815 | 3 | April | Stipulated facts No. 1, between Prosecution and Defense as to admission of certain facts and circumstances and the introduction of specified matters into evidence. |
| 816 | 3 | April | Stipulated facts No. 1-A between the Prosecution and Defense. |

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| ** | 3 | April | Hearing in the Conference Room; Defense made oral application for an order on the matter of obtaining statements under oath of certain officials of the Foreign Office of the British Government, etc., said statements to be made in the form of written interrogatories authorized by the Tribunal Granted. (See Order No. 877). |
| ** | 3 | April | Hearing in Court Room; Counsel for ITAGAKI made oral application for an order to withdraw from the files of the Tribunal the original documents comprising Court Exhibits Nos. 2401 and 2403, substituting in lieu thereof photostatic copies of the same. ORDERED: Denied; and said original documents will remain in the custody of the Court until further order. Oral applications of Defense for orders dismissing Defense witnesses KAWAMURA, Kyoichi and HIRATA, Yukihiro. Granted. Defense Exhibits Nos. 2404 and 2405 marked for identification. |
| 817-818 | 4 | April | Certificates testifying to illness of TOGO and MATSUI, respectively. |
| 819 | 4 | April | Oath of witness. |
| 820-821 | 8 | April | Certificates testifying to illness of TOGO and MATSUI, respectively. |
| 822-825 | 8 | April | Oaths of witnesses. |
| ** | 8 | April | Hearing in Court Room; Oral application of Defense to temporarily dismiss witness SHIMAMOTO, Masaichi; Granted. Oral application of Defense for order dismissing Defense witnesses ENDO, Saburo; SAMEJIMA, Tomoshige; KITAURA, Toyo; Granted. Defense Exhibits Nos. 2410 to 2421 inc. marked for identification. |

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| ** | 3 | April | Hearing in the Conference Room; Defense made oral application for an order on the matter of obtaining statements under oath of certain officials of the Foreign Office of the British Government, etc., said statements to be made in the form of written interrogatories authorized by the Tribunal Granted. (See Order No. 877). |
| ** | 3 | April | Hearing in Court Room; Counsel for ITAGAKI made oral application for an order to withdraw from the files of the Tribunal the original documents comprising Court Exhibits Nos. 2401 and 2403, substituting in lieu thereof photostatic copies of the same. ORDERED: Denied; and said original documents will remain in the custody of the Court until further order. Oral applications of Defense for orders dismissing Defense witnesses KAWAMURA, Kyoichi and HIRATA, Yukihiro. Granted. Defense Exhibits Nos. 2404 and 2405 marked for identification. |
| 817-818 | 4 | April | Certificates testifying to illness of TOGO and MATSUI, respectively. |
| 819 | 4 | April | Oath of witness. |
| 820-821 | 8 | April | Certificates testifying to illness of TOGO and MATSUI, respectively. |
| 822-825 | 8 | April | Oaths of witnesses. |
| ** | 8 | April | Hearing in Court Room; Oral application of Defense to temporarily dismiss witness SHIMAMOTO, Masaichi; Granted. Oral application of Defense for order dismissing Defense witnesses ENDO, Saburo; SAMEJIMA, Tomoshige; KITAURA, Toyo; Granted. Defense Exhibits Nos. 2410 to 2421 inc. marked for identification. |

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| 826 | 9 | April | Psychiatric and physical examination of OKAWA, Shumei, and report of Commanding Officer, 361st Station Hospital, dated 13 March 1947. |
| 827 | 9 | April | Report of psychiatric examination of OKAWA, Shumei, from Dr. Yushi Yuchimura, Professor in the Department of Psychiatry, Tokyo Imperial University, Head of Tokyo Municipal Hospital at Matsuzawa, dated 23 February 1947. |
| 828 | 9 | April | Medical certificate of Akira HAYASHI of the Matsuzawa Municipal Hospital, of OKAWA, Shumei, dated 30 January 1947. |
| 829 | 9 | April | Acceptance of service of summons. |
| 830-833 | 9 | April | Oaths of witnesses. |
| 834-835 | 9 | April | Certificates testifying to illness of OKA and TOGO, respectively. |
| ** | 9 | April | Hearing in Conference Room; On oral application of Counsel for the Accused HATA, to interrogate in writing or otherwise the proposed witness HARADA, Kuma-Kichi, at Singapore, on behalf of said HATA, said application setting forth that the said HARADA had been condemned to death by the British Tribunal, and could not therefore be produced before this Tribunal as a witness. ORDERED: Granted; and with request to defer the execution. (See Order No. 836). |
| ** | 9 | April | Hearing in Court Room; Oral application of Defense that the Rules of Procedure be amended to permit one American Counsel to read the affidavit of a witness into evidence as the testimony in chief of said witness, and one Japanese Counsel to conduct the oral re-direct examination of said witness where necessary; The Court directed that Counsel shall indicate in advance of the taking of evi- |

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dence of the witness who shall act for Defense; ORDERED that proposed amendment be adopted. (See Order No. 1033) Oral application of Defense for order dismissing Defense witness TANGE, Kunji; Granted. ARIMA, Narisuke, was produced as a witness for the Defense and his affidavit offered as evidence in chief. The Court rejected said tender, refused to admit the affidavit and dismissed the witness. Oral application of Defense for order dismissing Defense witness OYAMA, Ayao, with leave to recall him at a later date if necessary; Granted. Defense Exhibits Nos. 2422 to 2424 inc. marked for identification. Counsel for the Accused OKAWA, Shumei, made oral application for a decision of the Tribunal on previous applications for an order determining the physical and mental condition of said OKAWA in respect to his ability to stand trial in these proceedings. ORDERED that no further proceedings be taken at this trial on the Indictment herein against the Accused OKAWA, and stated the terms and conditions therefor. (See Order No. 892).

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| 836 | 10 | April | Order granting oral application of Accused HATA, Shunroku, to interrogate and take the affidavit of witness HARADA, Kumakichi, and request for stay of execution of the said witness. (Disposes of oral application). |
| 837 | 10 | April | Certificate testifying to illness of TOGO. |
| ** | 10 | April | Hearing in Conference Room; On Application (Paper No. 805) of the Defense for leave to withdraw from the files of the Tribunal an original document, being Court Exhibit No. 2319, and being a book entitled "Conference on the Limitation of Armament, Washington, D.C., 1921-1922"; ORDERED granted (See Order No. 839). Defense made oral application |

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for an order granting Counsel for the Defense leave to withdraw an Accused from the dock during the course of trial for the purpose of consultation with his counsel, with leave of the Court first had and obtained; ORDERED said matter to be taken under consideration.

** 10 April Hearing in Court Room; Defense made oral application for order dismissing Defense witness WACHI, Takaji; Granted. Defense had marked for identification Exhibits Nos. 2425 to 2434 inc. Defense made oral application for ruling as to whether an Accused placed on the stand and examined on his own behalf and on behalf of other Accused on matters only relative to a specific phase of the case, could be called at a later date for general examination on his own behalf; and of the extent and scope of cross-examination; or the right of Prosecution to defer cross-examination on particular testimony and later cross-examination of the Accused generally; ORDERED that an Accused may give evidence at any time, but he must give all of his testimony at that time and cannot later be recalled except in exceptional instances where the ends of justice so require and with leave of the Court first had and obtained. Accused MINAMI sworn and testified.

838 11 April Certificate testifying to illness of TOGO.

** 11 April Hearing in Court Room; Defense asked for a ruling of the Tribunal on the extent of the scope of cross-examination of an Accused; ORDERED the cross-examination would be unrestricted where the Accused is called for himself or as a witness for one or more of the Accused. Defense Exhibit No. 2435 marked for identification.

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| 839 | 14 | April | Order granting withdrawal from the files of the Tribunal of Court Exhibit No.2319. (Desposes of Paper No. 805). |
| 840 | 14 | April | Certificate testifying to illness of TOGO. |
| 841 | 14 | April | Certificate nominating Counsel. |
| ** | 14 | April | Hearing in Court Room; Trial of case resumed. |
| 842 | 15 | April | Certificate testifying to illness of TOGO. |
| ** | 15 | April | Hearing in Court Room; Defense Exhibit No. 2436 marked for identification. |
| 843 | 16 | April | Certificate testifying to illness of TOGO. |
| 844 | 16 | April | Order granting application of the accused for a 7-day (see 16 April 1947) recess upon specified terms and conditions. (Desposes of oral application). |
| 845 | -- | -- | Cancelled (see Paper No. 892) re: Okawa. |
| ** | 16 | April | Hearing in Court Room; Defense Exhibit No. 2437 marked for identification. |
| 846-847 | 17 | April | Certificates testifying to illness of HIRANUMA and TOGO, respectively. |
| 848-850 | 17 | April | Oaths of witnesses. |
| ** | 17 | April | Hearing in Court Room; The Accused MINAMI, Jiro, was excused as a witness. Defense made oral applications for orders dismissing Defense witnesses UEDA, Kenkichi; and MATSUKI, Tamotsu; Granted; Defense Exhibits Nos. 2438 to 2440-A inc. marked for identification. |
| 851 | 18 | April | Request of Accused KIMURA for the production of a witness under the Charter. (See Order No. 876). |
| 852-853 | 18 | April | Oaths of witnesses. |

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| 854-855 | 18 | April | Certificates testifying to illness of HIRANUMA and TOGO, respectively. |
| 856-858 | 18 | April | Oaths of witnesses. |
| ** | 18 | April | Hearing in Conference Room; On the matter of the appointment of a Commission to take the testimony of ISHIHARA, Kenji, alleged to be too ill to travel; ORDERED that said testimony be taken before a Commission, and designated The Honorable Mr. Justice Northcroft, Member of the Tribunal from New Zealand, as the Justice before whom said testimony would be taken. |
| ** | 18 | April | Hearing in Court Room; Defense made oral applications for orders dismissing Defense witnesses TAKAMURA, Iwao; NANAMI, Toshio; KAGOSHIMA, Torao, and ISHIMARU, Shizuma; Granted. Defense Exhibits Nos. 2441 to 2462 inc. marked for identification. |
| 859-860 | 21 | April | Oaths of witnesses. |
| 861-862 | 21 | April | Certificates testifying to illness of HIRANUMA and TOGO, respectively. |
| 863 | 21 | April | Acceptance of service of summons. |
| ** | 21 | April | Hearing in Conference Room; On Application (Paper No. 851) of the accused KIMURA for the production of a witness under the Charter and issuance of a summons for Lt. Gen. Albert Kretschmer; ORDERED granted. (See Order No. 876). |
| ** | 21 | April | Hearing in Court Room; Defense made oral applications for orders dismissing Defense witnesses NAMBA, Tsunekazu; MUTO, Tomio; and OKUMURA, Shinji; Granted. Prosecution Exhibit No. 2463, and Defense Exhibits Nos. 2464 to 2474 inc. marked for identification |
| 863 | 21 | April | Acceptance of service of summons. |

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| 864 | 22 | April | Withdrawal by Counsel. |
| 865-866 | 22 | April | Certificates testifying to illness of TOGO and HIRANUMA, respectively. |
| 867-870 | 22 | April | Oaths of witnesses. |
| ** | 22 | April | Hearing in Court Room; Defense Exhibits Nos. 2475 to 2481 inc. marked for identification. Defense made oral applications for orders dismissing Defense witnesses TANAKA, Shizuka; KAWABE, Shozo (Masakazu); SAKURAI, Tokutarō; Granted. |
| 871-872 | 23 | April | Certificates testifying to illness of TOGO and HIRANUMA, respectively. |
| 873-875 | 23 | April | Oaths of witnesses. |
| ** | 23 | April | Hearing in Court Room; Defense Exhibits Nos. 2482 to 2488 inc. marked for identification. Defense made oral applications for orders dismissing Defense witnesses WACHI, Tsunezo; WACHI, Takaji; HASHIMOTO, Gun; Granted. |
| 876 | 24 | April | Order granting application of the accused KIMURA for the issuance of summons for witness on his behalf. (Disposes of paper No. 851). |
| 877 | 24 | April | Order granting oral application of Counsel for the accused SHIGEMITSU to submit written statement and written interrogatories to certain witnesses, and granting Prosecution right to submit cross-interrogatories to said witnesses. (See 3 April 1947). |
| 878 | 24 | April | Request by the Defense for production of witness John R. Deane. (See Order No.899). |
| 879-880 | 24 | April | Certificates testifying to illness of TOGO and HIRANUMA, respectively. |
| 881-882 | 24 | April | Oaths of witnesses. |

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| 883 | 24 | April | Request by the Defense for production of witnesses HATANO, Konichi, and OTSUKA, Reizo. (See Order No. 886). |
| 884 | 24 | April | Request of accused MUTO for production of witness. (See Order No. 914). |
| ** | 24 | April | Hearing in Conference Room; On oral application of Defense for ruling on documentary evidence offered and rejected by the Tribunal; ORDERED that the originals of such rejected evidence be filed in the office of the Clerk of the Tribunal under a rejected series numbering, with summary notations of their contents; and same shall be considered a part of the record. (See Order No. 900). |
| ** | 24 | April | Hearing in Court Room; Defense made oral applications for orders dismissing Defense witnesses TANAKA, Shinichi; KAWABE, Torashiro; SHIBAYAMA, Kaneshiro, and ISHIKAWA, Jun; Granted. Defense Exhibits Nos. 2489 to 2494 inc. marked for identification. |
| 885 | 25 | April | Commission to take deposition of ISHIHARA, Kanji. (See 18 April 1947). |
| 886 | 25 | April | Order for the issuance of summonses for witnesses for the Defense. (Disposes of Paper No. 883). |
| 887-888 | 25 | April | Certificates testifying to illness of HIRANUMA and TOGO, respectively. |
| 889-891 | 25 | April | Oaths of witnesses. |
| ** | 25 | April | Hearing in Conference Room; On Application (Paper No. 883) of the Defense for production of witnesses under the Charter. Also oral application was made to amend written application to read "Communists activities in China" in the place and stead of "Communists activities in Japan"; ORDERED that the written application be so amended. Further ORDERED that the application for production of witnesses be |

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| | | | granted and summonses issued (See Order No. 886). |
| ** | 25 | April | Hearing in Court Room; Defense Exhibits Nos. 2495 to 2504 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses KAYASHIMA, Takashi; KATSURA, Shizuo; SAKURAI, Fumio; Granted. |
| 892 | 28 | April | Order with reference to OKAWA, Shumei, in re: further trial proceedings under the Indictment. (See Paper No. 604). |
| 893 | 28 | April | Request of accused UMEZU, Yoshijiro, for production of a witness. (See Order No. 915). |
| 894-895 | 28 | April | Certificates testifying to illness of TOGO and HIRANUMA, respectively. |
| 896-897 | 28 | April | Acceptance of service of summons. |
| ** | 28 | April | Hearing in Conference Room: On Application (Paper No. 878) of the Defense for the production of a witness; ORDERED granted. (See Order No. 899). |
| ** | 28 | April | Hearing in Court Room; Defense Exhibits Nos. 2505 to 2510 inc. marked for identification. Oral application of Defense for order dismissing Defense witness FURUYAMA, Katsuo; Granted. |
| 898 | 29 | April | Request by Defense for production of witness NONAKA, Sanzo. |
| 899 | 29 | April | Order granting application of Defense to interrogate and secure testimony of a witness for the Defense and ordering that facilities be provided. (Disposes of Paper No. 878). |
| 900 | 29 | April | Order providing for register of documents offered in evidence and rejected by the Tribunal. (See 24 April 1947- Disposes of oral application. |

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| | | | granted and summonses issued (See Order No. 886). |
| ** | 25 | April | Hearing in Court Room; Defense Exhibits Nos. 2495 to 2504 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses KAYASHIMA, Takashi; KATSURA, Shizuo; SAKURAI, Fumio; Granted. |
| 892 | 28 | April | Order with reference to OKAWA, Shumei, in re: further trial proceedings under the Indictment. (See Paper No. 604). |
| 893 | 28 | April | Request of accused UMEZU, Yoshijiro, for production of a witness. (See Order No. 915). |
| 894-895 | 28 | April | Certificates testifying to illness of TOGO and HIRANUMA, respectively. |
| 896-897 | 28 | April | Acceptance of service of summons. |
| ** | 28 | April | Hearing in Conference Room: On Application (Paper No. 878) of the Defense for the production of a witness; ORDERED granted. (See Order No. 899). |
| ** | 28 | April | Hearing in Court Room; Defense Exhibits Nos. 2505 to 2510 inc. marked for identification. Oral application of Defense for order dismissing Defense witness FURUYAMA, Katsuo; Granted. |
| 898 | 29 | April | Request by Defense for production of witness MONAKA, Sanzo. |
| 899 | 29 | April | Order granting application of Defense to interrogate and secure testimony of a witness for the Defense and ordering that facilities be provided. (Disposes of Paper No. 878). |
| 900 | 29 | April | Order providing for register of documents offered in evidence and rejected by the Tribunal. (See 24 April 1947- Disposes of oral application. |

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| 901 | 29 | April | Certificate nominating Counsel. |
| 902-904 | 29 | April | Certificates testifying to illness of OKA, HIRANUMA, and TOGO. |
| ** | 29 | April | Hearing in Court Room; Defense Exhibits Nos. 2511 to 2513 inc. marked for identification. |
| 905-907 | 30 | April | Certificates testifying to illness of OKA, HIRANUMA, and TOGO. |
| 908-909 | 30 | April | Oaths of witnesses. |
| ** | 30 | April | Hearing in Court Room; Defense Exhibits Nos. 2514 to 2517 inc. marked for identification. |
| 910 | 1 | May | Canceled. |
| 911 | 1 | May | Oaths of witness. |
| 912 | 1 | May | Acceptance of service of summons. |
| 913 | 1 | May | Certificate nominating Counsel. |
| ** | 1 | May | Hearing in Conference Room; On Application (Paper No. 884) of the accused MUTO, Akira, for the production of witness under the Charter; Granted (See Order No. 914). On Application (Paper No. 893) of the accused UMEZU, Yoshijiro, for the production of a witness under the Charter; Granted (See Order No. 915). On application (Paper No 898) of the Defense for the production of the witness NONAKA, Sanzo; ORDERED: Said matter to be taken under consideration. |
| ** | 1 | May | Hearing in Court Room; Defense Exhibit No. 2518 marked for identification. Oral application of Defense for order dismissing Defense witness OKAMOTO, Suemasa; Granted. |
| 914 | 2 | May | Order for the production of witness requested by the accused MUTO, Akira. (Disposes of Paper No. 884). |

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| 915 | 2 | May | Order granting the application of the accused UMEZU, Yoshijiro, for the production of a witness. (Disposes of Paper No. 893) |
| 916 | 2 | May | Certificate testifying to illness of TOGO. |
| 917-918 | 2 | May | Oaths of witnesses. |
| ** | 2 | May | Hearing in Court Room; Defense Exhibits Nos. 2519 to 2529 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses TAKEDA, Isamu; AOKI, Takeshi; and TOTSUKA, Michitaro; Granted. |
| 919 | 5 | May | Certificate testifying to illness of TOGO. |
| 920-926 | 5 | May | Oaths of witnesses. |
| ** | 5 | May | Hearing in Court Room; Defense Exhibits Nos. 2530 to 2540 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses KOBAYASHI, Yoshito; NAKAYAMA, Yasuto, HIDAKA, Shinrokuro, HIRAMOTO, Michitake; and YAMAMOTO, Yoshio; Granted. |
| 927 | 6 | May | Certificate testifying to illness of TOGO. |
| 928-936 | 6 | May | Oaths of witnesses. |
| ** | 6 | May | Hearing in Court Room; Defense Exhibits Nos 2541 to 2557 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses ENOMOTO, Juji; TSUKAMOTO, Hirotsugu; KIKKAWA, Masaharu; YOSHIKAWA, Genzo; YOSHIHASHI, Kaizo; SAITO, Torao; OHKI, Eiichi; OGAWA, Saburo; MIYAZAKI, Shuichi, IKEDA, Ryuzaburo; and MORIOIKA, Takashi; Granted. |
| 937-939 | 7 | May | Oaths of witnesses. |
| 940 | 7 | May | Acceptance of service of summons. |
| ** | 7 | May | Hearing in Court Room; Defense Exhibits Nos 2558 to 2560 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses |

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| | | | MASUDA, Kanetoshi; SUZUKI, Tadasumi; AKAGI, Kiyoji; OYAMA, Furio; and KAWABE, Masakazu; Granted. |
| 941-945 | 8 | May | Oaths of witnesses. |
| ** | 8 | May | Hearing in Court Room; Defense Exhibits Nos. 2561 to 2573 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses KAWABE, Masakazu; HASEGAWA, Kiyoshi; AMANO, Shoichi; USHIJIMA, Sado; SANO, Torata; YOKOYAMA, Isamu; Granted. Oral Application of Defense Counsel A.G. Lazarus, for a recess until Monday 12 May 1947; Granted, |
| 946-949 | 12 | May | Oaths of witnesses. |
| 950 | 12 | May | Withdrawal by Counsel, and Certificate nominating Counsel. |
| ** | 12 | May | Hearing in Court Room; Defense Exhibits Nos. 2574 to 2578 inc. marked for identification. Oral application of Prosecution for an order dismissing Prosecution witness Col. David D. Barrett, Granted. Oral application of Defense for orders dismissing NAKAMURA, Tatsuji; MORI, Tokuji; KAWAMOTO, Yoshitaro; Granted. |
| 951 | 13 | May | Request by accused KIMURA, Heitaro, for production of witness TANAKA, Nobuo. (See Order No. 953). |
| ** | 13 | May | Hearing in Court Room; Defense Exhibits Nos. 2579 to 2582 inc. marked for identification. Oral application of Defense for orders dismissing Defense witnesses NAKAYAMA, Yasuto; OIKAWA, Genshichi; Granted. |
| 952 | 14 | May | Request by accused TOGO, Shigenori, for production of witness SATO, Naotake. (See Order No. 962). |
| 953 | 14 | May | Order for the issuance of a subpoena for a witness requested by accused KIMURA. (Disposes of Papers Nos. 951 and 722). |

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| 954-956 | 14 | May | Oaths of witnesses. |
| ** | 14 | May | Hearing in Conference Room; On Application (Paper No. 951) of Accused KIMURA for production of witness, Lt. Gen. TANAKA Nobuo; Granted (See Order No. 953). On Application (Paper No. 952) of Accused TOGO for production of witness SATO, Naotako; Granted (See Order No. 962). On Oral application of Defense to produce witnesses now in Sugamo Prison that permission be granted to interrogate said witnesses in War Ministry Building; Granted (See Order No. 966). On oral application of Defense that accused be withdrawn from dock for consultation with Counsel; ORDERED said matter taken under consideration. On oral application of Defense for production of Prosecution witnesses for cross-examination who testified by affidavit in Russian Phase; ORDERED said matter taken under consideration. |
| ** | 14 | May | Hearing in Court Room; Defense Exhibit Nos. 2583 and 2584 marked for identification. Oral applications of Defense for the dismissal of Defense witnesses KAWABE, Torashiro; FUJII, Shigeru; BABA, Shaochi; SHIMIZU, Tozo; Granted. |
| 957 | 15 | May | Request of accused TOGO, Shigenori for the production of witnesses TAKEUCHI, Ryuji and NISHIMURA, Kumao. (See Order No. 958). |
| 958 | 15 | May | Order for the production of witnesses requested by the accused TOGO, Shigenori. (Disposes of Paper No. 957). |
| 959 | 15 | May | Request of accused SATO, Kenryo, for the production of documents from Central Intelligence Group, Washington, D.C. (See Order No. 964). |
| 960 | 15 | May | Request of accused MINAMI, Jiro, for the production of documents from Central Intelligence Group, Washington, D.C. (See Order No. 963). |

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| 961 | 15 | May | Acceptance of service of summons. |
| ** | 15 | May | Hearing in Conference Room; On Application (Paper No. 957) of the Accused TOGO for the production of witnesses TAKEUCHI, Ryuji, and NISHIMURA, Kumao; Granted. (See Order No. 958) |
| ** | 15 | May | Hearing in Court Room; Defense Exhibits Nos. 2585 to 2589 inc. marked for identification. Oral application of Defense for order dismissing Defense witness SHIMIZU, Tozo; Granted. Oral application by Capt. Brooks to permit J.C. Howard to act in his place during his absence as Counsel for accused KOISO and MINAMI; Granted. |
| 962 | 16 | May | Order for the production of witness requested by the accused TOGO, Shigenori. (Disposes of Paper No. 952). |
| 963 | 16 | May | Order for the production of documents on behalf of the accused MINAMI, Jiro. (Disposes of Paper No. 960). |
| 964 | 16 | May | Order for the production of documents on behalf of the accused SATO, Kenryo. (Disposes of Paper No. 959). |
| 965 | 16 | May | Oaths of witness. |
| ** | 16 | May | Hearing in Conference Room; On Application (Paper No 960) of the Defense for documents from the Central Intelligence Group, Washington, D.C.; Granted (See Order No. 963). On Application (Paper No. 959) of the Defense for the production of documents and witnesses for the accused SATO, Kenryo; Granted (See Order No. 964). On oral application of the Defense for the production of witness SAITO, Yoshie; Granted (See Order No. 967). |
| ** | 16 | May | Hearing in Court Room; Defense Exhibits Nos. 2590 to 2612 inc. marked for identification. |

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| 966 | 19 | May | Order for the production of prospective witnesses for the accused, for the purpose of interrogation. (Disposes of oral Application.) |
| 967 | 19 | May | Order for the issuance of a summons for a witness on behalf of the Defense. (Disposes of oral application). |
| 968-970 | 19 | May | Certificates nominating Counsel. |
| ** | 19 | May | Hearing in Court Room; Defense Exhibits Nos. 2613 to 2619 inc. marked for identification. |
| ** | 20 | May | Hearing in Conference Room; On the matter of the appointment of a Commission to take the testimony of KAGESA, Sadaaki; ORDERED that said testimony be taken before a Commission, the name of the Justice before whom said testimony would be taken to be announced in Open Court the following day. |
| ** | 20 | May | Hearing in Court Room; Defense Exhibits Nos. 2620 to 2622 inc., and 766A, 767A and 767B marked for identification. |
| 971 | 21 | May | Commission to take the deposition of Defense witness KAGESA, Sadaaki, before the Hon. Justice Northcroft, designated Commissioner. |
| 972-973 | 20 | May | Oaths of witnesses. |
| ** | 21 | May | Hearing in Court Room; Defense Exhibits Nos. 2623 to 2629 inc. and 753A marked for identification. Oral applications of Defense for order dismissing Defense witness HASHIMOTO, Gun; Granted. |
| 974 | 22 | May | Motion of Defense Counsel for relief from applicable rules covering distribution of photostat copies of reports released by the U.S. Tariff Commission, because of paper shortage. (See Order No. 990). |
| 975 | 22 | May | Request of Defense for the production of |

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| | | | witnesses OTA, Saburo, and OHASHI, Chuichi, (See order No. 982). |
| 976-977 | 22 | May | Oaths of witnesses. |
| 978 | -- | -- | Canceled. |
| 979 | 22 | May | Order releasing Charles A. Mantz and ap- pointing Paul M. Lynch as Clerk of the Court. |
| ** | 22 | May | Hearing in Court Room; Defense Exhibits Nos. 2630 to 2636 inc. marked for identi- fication. Defense made oral application for orders dismissing Defense witnesses TANAKA, Ryukichi; ISONO, Yuso, and HAYA- SHI, Kaoru, Granted. |
| 980-981 | 23 | May | Oaths of witnesses. |
| ** | 23 | May | Hearing in Conference Room; On Applicat- ion (Paper No. 975) of Defense for the production of witness OHASHI, Shuichi; Granted (See Order No. 982). |
| ** | 23 | May | Hearing in Court Room; Defense Exhibits 2637 to 2647A marked for identification. Oral application of Defense Counsel to withdraw certain Accused from the dock to confer with Counsel; ORDERED: Granted, subject to certain security measures. Oral applications of Defense for orders dismis- sing Defense witnesses MATSUDAIRA, Koto, and MIURA, Kazuichi; Granted. |
| 982 | 26 | May | Order for the production of witnesses on behalf of the Defense. (Disposes of Paper No. 975). |
| 983-985 | 26 | May | Oaths of witnesses. |
| 986-987 | 26 | May | Acceptance of service of summons. |
| 988 | 26 | May | Oaths of witness. |
| ** | 26 | May | Hearing in Court Room; Defense Exhibits Nos. 2648 to 2656 marked for identifica- |

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| | | | | tion. Oral applications of Defense for order dismissing Defense witnesses TANAKA, Ryukichi; YANO, Mitsuji; HATTORI, Takushiro Granted. |
| 989 | 27 | May | | Acceptance of service of summons. |
| ** | 27 | May | | Hearing in Court Room; Defense Exhibits Nos. 2657 to 2660 inc. marked for identification. Oral application of Defense for order dismissing Defense witness OGISU, Rippei; Granted. |
| 990 | 28 | May | | Order permitting limited number of copies of Documents Nos. 500-(A-D) B, C, E and F and 500 A-1 through 500 A-37 to be submitted by Defense. (Disposes of Paper No.974) |
| 991-992 | 28 | May | | Acceptance of service of summons. |
| ** | 28 | May | | Hearing in Conference Room; On Application (Paper No. 974) of Defense for processing certain reports; Granted (See Order No.990) |
| ** | 28 | May | | Hearing in Court Room; Defense Exhibits Nos 2661 to 2671 inc. marked for identification. Oral application of Defense for order dismissing Defense witness OTA, Saburo; Granted. |
| 993 | 29 | May | | Acceptance of service of summons. |
| 994-995 | 29 | May | | Oaths of witnesses. |
| ** | 29 | May | | Hearing in Court Room; Defense Exhibits Nos. 2672 to 2676 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses KASAHARA, Yukio; YANO, Masao; and FUTAMI, Akishuro; Granted. |
| 996-998 | 2 | June | | Oaths of witnesses. |
| ** | 2 | June | | Hearing in Court Room; Defense Exhibits Nos. 2677 to 2680 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses TANAKA, Shinichi; HANAWA, Yoshiyuki; IIMURA, Minoru, |

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| | | | and YAMAMURA, Haruo; Granted. |
| 999-1001 | 3 | June | Oaths of witnesses. |
| 1002 | 3 | June | Request of Defense for production of documents of the Kwantung Army by Soviet Forces at Hsingking, Manchuria during years 1931 to 1945 inc. (See Order No: 1003). |
| ** | 3 | June | Hearing in Court Room; Defense Exhibits Nos. 2681 to 2689 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses Lt. Col. Homer C. Blake; KOZUKI, Yoshio; IIMURA, Mincru; and UKAI, Yoshio; Granted. |
| 1003 | 4 | June | Order for the production of documents requested by the Defense. (Disposes of Paper No. 1002). |
| 1004-1006 | 4 | June | Oaths of witnesses. |
| ** | 4 | June | Hearing in Conference Room; On Application (Paper No. 1002) of Defense for production of certain documents; Granted (See Order No. 1003). |
| ** | 4 | June | Hearing in Court Room; Defense Exhibits Nos. 2690 to 2705 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses FUJITA, Masamichi, and SATO, Naotake; Granted. |
| 1007-1008 | 5 | June | Certificated nominating Counsel. |
| 1009 | 5 | June | Oaths of witness. |
| ** | 5 | June | Hearing in Court Room; Defense Exhibits Nos. 2706 to 2708 inc., and Prosecution Exhibit No. 2709, marked for identification. Oral applications by Defense for the dismissal of Defense witnesses TAKAYAMA, Nobutake, and HASHIMOTO, Gun; Granted. |
| 1010-1011 | 6 | June | Acceptance of service of summonses. |

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| | | | and YAMAMURA, Haruo; Granted. |
| 999-1001 | 3 | June | Oaths of witnesses. |
| 1002 | 3 | June | Request of Defense for production of documents of the Kwantung Army by Soviet Forces at Hsingking, Manchuria during years 1931 to 1945 inc. (See Order Nos 1003). |
| ** | 3 | June | Hearing in Court Room; Defense Exhibits Nos. 2681 to 2689 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses Lt. Col. Homer C. Blake; KOZUKI, Yoshio; IIMURA, Mincru; and UKAI, Yoshio; Granted. |
| 1003 | 4 | June | Order for the production of documents requested by the Defense. (Disposes of Paper No. 1002). |
| 1004-1006 | 4 | June | Oaths of witnesses. |
| ** | 4 | June | Hearing in Conference Room; On Application (Paper No. 1002) of Defense for production of certain documents; Granted (See Order No. 1003). |
| ** | 4 | June | Hearing in Court Room; Defense Exhibits Nos. 2690 to 2705 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses FUJITA, Masamichi, and SATO, Naotake; Granted. |
| 1007-1008 | 5 | June | Certificated nominating Counsel. |
| 1009 | 5 | June | Oaths of witness. |
| ** | 5 | June | Hearing in Court Room; Defense Exhibits Nos. 2706 to 2708 inc., and Prosecution Exhibit No. 2709, marked for identification. Oral applications by Defense for the dismissal of Defense witnesses TAKAYAMA, Nobutake, and HASHIMOTO, Gun; Granted. |
| 1010-1011 | 6 | June | Acceptance of service of summonses. |

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| | | | and YAMAMURA, Haruo; Granted. |
| 999-1001 | 3 | June | Oaths of witnesses. |
| 1002 | 3 | June | Request of Defense for production of documents of the Kwantung Army by Soviet Forces at Hsingking, Manchuria during years 1931 to 1945 inc. (See Order Nos 1003). |
| ** | 3 | June | Hearing in Court Room; Defense Exhibits Nos. 2681 to 2689 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses Lt. Col. Homer C. Blake; KOZUKI, Yoshio; IIMURA, Mincru; and UKAI, Yoshio; Granted. |
| 1003 | 4 | June | Order for the production of documents requested by the Defense. (Disposes of Paper No. 1002). |
| 1004-1006 | 4 | June | Oaths of witnesses. |
| ** | 4 | June | Hearing in Conference Room; On Application (Paper No. 1002) of Defense for production of certain documents; Granted (See Order No. 1003). |
| ** | 4 | June | Hearing in Court Room; Defense Exhibits Nos. 2690 to 2705 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses FUJITA, Masamichi, and SATO, Naotake; Granted. |
| 1007-1008 | 5 | June | Certificated nominating Counsel. |
| 1009 | 5 | June | Oaths of witness. |
| ** | 5 | June | Hearing in Court Room; Defense Exhibits Nos. 2706 to 2708 inc., and Prosecution Exhibit No. 2709, marked for identification. Oral applications by Defense for the dismissal of Defense witnesses TAKAYAMA, Nobutake, and HASHIMOTO, Gun; Granted. |
| 1010-1011 | 6 | June | Acceptance of service of summonses. |

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| ** | 6 | June | Hearing in Conference Room; On oral application of Defense for production of witness MATSUDA, Genji, or Motoji; Granted. |
| ** | 6 | June | Hearing in Court Room; Defense Exhibits Nos. 2712 and Prosecution Exhibits Nos. 2709A, 2710, 2710A, 2711, 2711A, 719B, 719C and 719D marked for identification. Oral application for an order dismissing Defense witness YANO, Mitsuji; Granted with right to recall. |
| 1012-1014 | 9 | June | Acceptance of service of summonses. |
| ** | 9 | June | Hearing in Court Room; Defense Exhibits Nos. 2713 to 2715 inc. and Prosecution Exhibit No. 719E marked for identification. |
| 1015 | 10 | June | Order permitting the absence of accused from the dock during progress of the trial. (Disposes of oral application). |
| 1016 | 10 | June | Withdrawal by Counsel. |
| 1017 | 10 | June | Certificate testifying to illness of SHIRATORI. |
| ** | 10 | June | Hearing in Court Room; Defense Exhibits Nos. 2716 to 2721 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses UGAKI, Kazushige, and INOUE, Takamoro; Granted. Oral application of Defense for a six weeks' recess to permit Defense to process documents and present a more orderly case. ORDERED taken under advisement. |
| 1018-1019 | 11 | June | Acceptance of service of summonses. |
| ** | 11 | June | Hearing in Court Room; The Court announced that due consideration of Defense Counsels' request for a six weeks' recess had been given, and ORDERED: Said recess granted, commencing 23 June 1947. (See Order No. 1039). Deposition of KAGESA, Sadaaki, was read. |

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| 1020 | 12 | June | Order authorizing production of certain documents requested by Defense. (Disposes of oral application). |
| 1021-1022 | 12 | June | Certificates nominating Counsel. |
| ** | 12 | June | Hearing in Court Room; Defense Exhibits Nos. 2722 to 2734 inc. marked for identification. Oral application for order that witness SAITO, Ryoel, be stood down until his affidavit be re-drafted; Granted. |
| 1023 | 13 | June | Oaths of witness. |
| 1024-1028 | 13 | June | Acceptance of service of summonses. |
| ** | 13 | June | Hearing in Court Room; Defense Exhibits Nos. 2735 to 2744 inc. marked for identification. Oral application by Defense for order dismissing Defense witness USHIBA, Tomohiko; Granted. |
| ** | 16 | June | Hearing in Court Room; Defense Exhibits Nos. 2744A and 2745 marked for identification. |
| 1029 | 17 | June | Oaths of witness. |
| ** | 17 | June | Hearing in Court Room; Prosecution Exhibit Nb. 2746 marked for identification. Oral application by Defense for an order dismissing Defense witness Heinrich Stahmer; Granted. |
| 1030-1031 | 18 | June | Acceptance of service of summonses. |
| 1032 | 18 | June | Oaths of witness. |
| ** | 18 | June | Hearing in Court Room; Defense Exhibits Nos. 2747 to 2751 inc. marked for identification. Oral application by Defense for an order dismissing Defense witness NAGAI, Yatsuji; Granted. |
| 1033 | 19 | June | Consent order adopting rules supplementary to the general rules of the Tribunal with |

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| 1020 | 12 | June | Order authorizing production of certain documents requested by Defense. (Disposes of oral application). |
| 1021-1022 | 12 | June | Certificates nominating Counsel. |
| ** | 12 | June | Hearing in Court Room; Defense Exhibits Nos. 2722 to 2734 inc. marked for identification. Oral application for order that witness SAITO, Ryoei, be stood down until his affidavit be re-drafted; Granted. |
| 1023 | 13 | June | Oaths of witness. |
| 1024-1028 | 13 | June | Acceptance of service of summonses. |
| ** | 13 | June | Hearing in Court Room; Defense Exhibits Nos. 2735 to 2744 inc. marked for identification. Oral application by Defense for order dismissing Defense witness USHIBA, Tomohiko; Granted. |
| ** | 16 | June | Hearing in Court Room; Defense Exhibits Nos. 2744A and 2745 marked for identification. |
| 1029 | 17 | June | Oaths of witness. |
| ** | 17 | June | Hearing in Court Room; Prosecution Exhibit Nb. 2746 marked for identification. Oral application by Defense for an order dismissing Defense witness Heinrich Stahmer; Granted. |
| 1030-1031 | 18 | June | Acceptance of service of summonses. |
| 1032 | 18 | June | Oaths of witness. |
| ** | 18 | June | Hearing in Court Room; Defense Exhibits Nos. 2747 to 2751 inc. marked for identification. Oral application by Defense for an order dismissing Defense witness NAGAI, Yatsuji; Granted. |
| 1033 | 19 | June | Consent order adopting rules supplementary to the general rules of the Tribunal with |

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| | | | respect to the examination of witnesses as requested by the Prosecution and Defense. (Disposes of oral application). |
| ** | 19 | June | Hearing in Court Room; Defense Exhibits Nos. 2752 to 2765A marked for identification. Oral application of Defense for order dismissing Defense witness Alfred F. KRESTCHMER; Granted. |
| 1034 | 20 | June | Request by accused MINAMI, Jiro, for production of documents formerly kept in Japanese War Ministry. (See Order No. 1040). |
| ** | 24 | June | Hearing in Conference Room; On Application (Paper No. 1034) of the Accused MINAMI, Jiro, for production of documents; Granted. (See Order No. 1040). |
| 1035 | 25 | June | Acceptance of service of summons. |

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
PAUL H. LYNCH, CLERK OF THE COURT

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

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| 1036- 1038 | 27 | June | Acceptance of Service of Summons. |
| 1039 | 27 | June | Order granting Application of Defense Counsel for recess of the Tribunal (Disposes of oral application). |
| 1040 | 1 | July | Order for the production of certain documents necessary to the defense of the Accused MINAMI under the Charter. (Disposes of Paper No. 1034). |
| 1041- 1043 | 1 | July | Acceptance of Service of Summons. |
| 1044 | 1 | July | Certificate nominating Counsel. |
| 1045- 1047 | 8 | July | Acceptance of Service of Summons. |
| 1048 | 8 | July | Application on behalf of OKA, Takazumi, for an order for the production of witnesses. |
| 1049- 1051 | 11 | July | Acceptance of Service of Summons. |
| 1052 | 11 | July | Application on behalf of ITAGAKI, Seishiro, for an order for the production of witnesses. (See Order No. 1057) |
| 1053 | 11 | July | Application on behalf of ITAGAKI, Seishiro, for an order for the production of witnesses. (See Order No. 1058). |
| 1054- 1056 | 15 | July | Acceptance of Service of Summons. |

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| 1057 | 17 | July | Order for the production of witnesses requested by the Accused ITAGAKI, Seishiro, under the Charter. (Disposes of Paper No. 1052). |
| 1058 | 17 | July | Order for the production of certain witnesses necessary to the defense of the Accused ITAGAKI, Seishiro, under the Charter. (Disposes of Paper No. 1053). |
| 1059 | 17 | July | Certificate nominating Counsel. |
| 1060 | 22 | July | Acceptance of service of summons. |
| 1061 | 22 | July | Summons to testify on NOGUCHI, Yuzuru. (Not served). |
| 1062 | 25 | July | Withdrawal by Counsel. |
| 1063- 1065 | 25 | July | Acceptance of Service of Summons. |
| 1066 | 28 | July | Request of accused TOGO, Shigenori, for production of witnesses YAMAMOTO, Kumaichi, and Kurt MEISNER. (See Order No. 1067). |
| ** | 28 | July | Hearing in Conference Room: On application (Paper No. 1066) by Defense for production of witnesses YAMAMOTO, Kumaichi and Kurt MEISNER. Granted. (See Order No. 1067). Discussion with reference to Paper No. 602 but no formal action taken and matter referred to Prosecution Section. |
| 1067 | 29 | July | Order for the production of certain witnesses necessary to the defense of accused TOGO, Shigenori. (Disposes of Paper No. 1066). |
| 1068- 1070 | 30 | July | Acceptance of Service of Summons. |
| 1071 | 30 | July | Request of accused SHIMADA, Shigetaro and OKA, Takazumi for production of witness Paul W. Wenneker. (See Order No. 1072). |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH - 1947</u> | |
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| 1057 | 17 | July | Order for the production of witnesses requested by the Accused ITAGAKI, Seishiro, under the Charter. (Disposes of Paper No. 1052). |
| 1058 | 17 | July | Order for the production of certain witnesses necessary to the defense of the Accused ITAGAKI, Seishiro, under the Charter. (Disposes of Paper No. 1053). |
| 1059 | 17 | July | Certificate nominating Counsel. |
| 1060 | 22 | July | Acceptance of service of summons. |
| 1061 | 22 | July | Summons to testify on NOGUCHI, Yuzuvu. (Not served). |
| 1062 | 25 | July | Withdrawal by Counsel. |
| 1063- 1065 | 25 | July | Acceptance of Service of Summons. |
| 1066 | 28 | July | Request of accused TOGO, Shigenori, for production of witnesses YAMAMOTO, Kumaichi, and Kurt MEISNER. (See Order No. 1067). |
| ** | 28 | July | Hearing in Conference Room: On application (Paper No. 1066) by Defense for production of witnesses YAMAMOTO, Kumaichi and Kurt MEISNER. Granted. (See Order No. 1067). Discussion with reference to Paper No. 602 but no formal action taken and matter referred to Prosecution Section. |
| 1067 | 29 | July | Order for the production of certain witnesses necessary to the defense of accused TOGO, Shigenori. (Disposes of Paper No. 1066). |
| 1068- 1070 | 30 | July | Acceptance of Service of Summons. |
| 1071 | 30 | July | Request of accused SHIMADA, Shigetaro and OKA, Takazumi for production of witness Paul W. Wenneker. (See Order No. 1072). |

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| ** | 30 | July | Hearing in Conference Room: On application (Paper No. 1071) of accused SHIMADA, Shigetaro and OKA, Takazumi, for the production of witness Paul W. Wencker. Granted. (See Order No.1072). |
| 1072 | 1 | August | Order for the production of witness requested by accused SHIMADA, Shigetaro and OKA, Takazumi. (Disposes of Paper No. 1071). |
| 1073 | 4 | August | Request by defense for directions on behalf of accused HOSHINO, OSHIMA, KAYA and SUZUKI. |
| 1074-1078 | 4 | August | Acceptance of Service of Summons. |
| ** | 4 | August | Hearing in the Court Room: Trial of the case was resumed (after a recess of six weeks) and Defense Exhibits Nos. 2766, 2766-A, 2766-B and 2767 marked for identification. |
| 1079-1080 | 5 | August | Oaths of witnesses. |
| 1081-1082 | 5 | August | Acceptance of Service of Summons. |
| ** | 5 | August | Hearing in Court Room; Defense Exhibits Nos. 2768 to 2782 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses OKADA, Kikusaburo; ADACHI, Yasuo; and OKAZAKI, Ayakato; Granted. |
| 1083-1086 | 6 | August | Acceptance of Service of Summons. |
| 1087 | 6 | August | Oaths of witnesses. |
| ** | 6 | August | Hearing in Court Room; Defense Exhibits Nos. 2783 to 2798 inc. marked for identification. Oral application of Defense for order dismissing Defense witness HASUMI, Yasushi; Granted. |

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| 1088 | 7 | August | Request of accused TOGO, Shigenori for production of witnesses KANEYAMA, Kazuji; YUKI, Shiroji; and KASE, Toshikazu. (See Order No. 1091). |
| 1089-1090 | 7 | August | Oaths of witnesses. |
| ** | 7 | August | Hearing in Court Room; Defense Exhibits Nos. 2799 to 2814 inc. marked for identification. Oral applications of Defense for orders dismissing Defense Witnesses UEMURA, Kogoro and MIZUNO, Itaro; Granted. |
| 1091 | 8 | August | Order for the production of certain witnesses necessary to defense of accused TOGO, Shigenori. (Disposes of Paper No. 1088). |
| 1092-1093 | 8 | August | Acceptance of Service of Summons. |
| 1094 | 8 | August | Request by Defense to withdraw a summons for the production of Eugene OTT as a witness on behalf of accused OSHIMA, Hiroshi, and SHIRATORI, Toshio. (See Order No. 1107). |
| 1095-1096 | 8 | August | Acceptance of Service of Summons. |
| 1097-1098 | 8 | August | Oaths of witnesses. |
| 1099 | 8 | August | Acceptance of service of Summons. |
| ** | 8 | August | Hearing in Conference Room; On application (Paper No. 1088) of accused TOGO, Shigenori, for production of certain witnesses. Granted. (See Order No. 1091). |
| ** | 8 | August | Hearing in Court Room; Defense Exhibits Nos. 2815 to 2837 inc. marked for identification. Oral applications of Defense for orders dismissing Defense witnesses ISHIZAWA, Yutaka, and SHINA, Etsusaburo; Granted. |

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| 1100 | 11 | August | Oaths of witness |
| ** | 11 | August | Hearing in Court Room; Defense Exhibits Nos. 2838 to 2848 inc. marked for identification. Oral application of Defense to dismiss Defense witness ISHIBASHI, Tansan; Granted. |
| 1101 | 12 | August | Application by Defense for leave to withdraw book entitled "Sharing our Fate" - Defense Exhibit No. 2589 - to return to owner. (See Order No. 1106) |
| 1102 | 12 | August | Summons to testify on Eugen Ott. Returned not served. (Reference Paper No. 1094). |
| 1103- 1105 | 12 | August | Acceptance of Service of Summons. |
| 1106 | 13 | August | Order granting the withdrawal from the files of the Tribunal of Exhibit No. 2589 for identification only. (Disposes of Paper No. 1101). |
| 1107 | 13 | August | Order withdrawing a summons for the production of Eugen Ott as a witness on behalf of accused OSHIMA, Hiroshi and accused SHIRATORI, Toshio. (Disposes of paper No. 1094). |
| 1108 | 13 | August | Request by accused TOGO, Shigenori, for the production of Eugen Ott as a witness. (See Order No. 1109). |
| ** | 13 | August | Hearing in Conference Room; On application (Paper No. 1073) for directions on behalf of accused HOSHINO, OSHIMA, KAYA and SUZUKI: Referred to all Judges. On application (Paper No. 1094) for an order withdrawing a summons for the production of Eugen Ott as a witness on behalf of accused OSHIMA, Hiroshi and SHIRATORI, Toshio. Granted. (See Order No. 1107). On application of Defense (Paper No. 1101) for permission to withdraw book entitled "Sharing our Fate" - Defense Exhibit No. 2589; Granted (See Order No. 1106) |

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| ** | 13 | August | Hearing in Court Room; Defense Exhibits Nos. 2860 to 2881 inc. marked for identification. |
| 1109 | 14 | August | Order for the production of a certain witness necessary to the defense of accused TOTO, Shigenori. (Disposes of Paper No. 1108). |
| 1110- 1115 | 14 | August | Acceptance of Service of Summons. |
| ** | 14 | August | Hearing in Conference Room; On Application (Paper No. 1108) by Defense for production of a witness on behalf of accused TOGO, Shigenori. Granted. (See Order No. 1109). |
| ** | 14 | August | Hearing in Court Room; Defense Exhibits Nos. 2882 to 2914 inc. marked for identification. |
| 1116- 1118 | 15 | August | Acceptance of service of summons. |
| ** | 15 | August | Hearing in Court Room; Defense Exhibits Nos. 2915 to 2951 inc. marked for identification. |
| 1119- 1120 | 18 | August | Oaths of witnesses. |
| ** | 18 | August | Hearing in Court Room; Defense Exhibits Nos. 2952 to 2963 inc. marked for identification. Oral application of Defense to dismiss Defense witnesses YAMAMOTO, Kumaichi; KASE, Toshikazu; and MATSUDAIRA, Yasumasa; Granted. |
| 1121 | 19 | August | Application by Prosecution for extension of time in which to present witnesses. (See Order No. 1238) |
| 1122- 1123 | 19 | August | Oaths of witnesses. |

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| ** | 19 | August | Hearing in Court Room; Defense Exhibits Nos. 2964 to 2974 inc. and Prosecution Exhibit No. 2975 marked for identification. Oral applications of Defense to dismiss Defense witnesses KAMEYAMA, Kazuji; YUKI, Shiroji; and Col. Refus S. Bratton, Granted. Oral application by Defense that each Accused be examined orally. To be argued further at a time to be fixed by Court. |
| 1124 | 20 | August | Certificate nominating Counsel. |
| ** | 20 | August | Hearing in Conference Room; On application (Paper No. 1121) of Prosecution for an extension of time within which to present certain witnesses. Decisions reserved until a later date. |
| ** | 20 | August | Hearing in Conference Room; On Oral application by Prosecution that witness YAMAMOTO, Kumaichi, be required to remain in Tokyo for a period of three weeks. Ordered said witness is technically in custody of Court for period of three weeks and should remain in Tokyo; Court will consider any request by him for liberty to proceed to other places in Japan. |
| ** | 20 | August | Hearing in Court Room; Defense Exhibits Nos. 2975-A to 2979-A inc. marked for identification. Oral application of Defense to dismiss Defense witness YAMAMOTO, Kumaichi; Granted. |
| 1125- 1136 | 21 | August | Oaths of witnesses. |
| ** | 21 | August | Hearing in Court Room; Defense Exhibits Nos. 2980 to 2998 inc. marked for identification. Oral applications of Defense for orders dismissing witnesses SAWAMOTO, Yorio; SHIMIZU, Mitsumi; YANO, Shikazo; ENOMOTO, Juji; YOSHIDA, Hidemi; HAYASHI, Hisao; KONDO, Shunsuke; OBARA, Junichi; MUKAWA, Nisaburo; SUZUKI, Suguru; GOTO, Yuzuru; and IWASAKI, Asashichi; Granted. |

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| 1137 | 22 | August | Request of IRAKI, Sadao for the production of witnesses, (See Order No. 1174). |
| 1138 | 22 | August | Oaths of witnesses. |
| ** | 22 | August | Hearing in Court Room; Defense Exhibits Nos. 2999 to 3003-B inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses YAKAMATSU, Makoto; ENOMOTO, Juji; and NOMURA, Naokuni; Granted. |
| 1139- 1142 | 25 | August | Oaths of witnesses. |
| ** | 25 | August | Hearing in Court Room; Defense Exhibits Nos. 3004 to 3009, inc., marked for identification. Oral applications by Defense for orders dismissing Defense witnesses YOSHIDA, Hidemi; KONDO, Nabutake; MIYO, Tatsukichi; FUJIBA, Mitsuo and GENDA, Minoru; Granted. |
| 1143- 1147 | 26 | August | Oaths of witnesses. |
| ** | 26 | August | Hearing in Court Room; Defense Exhibits Nos. 3010 to 3018 inc. marked for identification. Oral application by Defense for orders dismissing Defense witnesses GENDA, Minoru; KUSAKA, Ryunosuke; ENOMOTO, Juji; SAWADA, Shigeru; KONDO, Nobutake; ABE, Katsuo; TERAI, Kunizo; and YAMAMOTO, Chikao; Granted. |
| 1148 | 27 | August | Withdrawal by Counsel and certificate nominating Counsel. |
| 1149 | 27 | August | Certificate nominating Counsel. |
| 1150- 1154 | 27 | August | Oaths of witnesses. |

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| ** | 27 | August | Hearing in Court Room; Defense Exhibits Nos. 3019 to 3027 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses SATO, Takegoro; Miyo, Tatsukichi; HIGASA, Ken; NISHIRUA, Susumu; YOSHINAGA, Yoshitaka; and YOSHIDA, Dosuke; Granted. |
| 1155-1173 | 28 | August | Acceptance of Service of Summons. |
| ** | 28 | August | Hearing in Court Room; Defense Exhibits Nos. 3028 to 3039 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses TANAKA, Shinichi; MIYAMA, Yuzo; IIMURA, Minoru; AKANE, Kazuo; and YAMAMOTO, Yoshio; Granted. |
| 1174 | 29 | August | Order dismissing the application of the accused ARAKI, Sadao, requesting issuance of subpoenas for witnesses. (Disposes of Paper No. 1137). |
| 1175-1176 | 29 | August | Acceptance of Service of Summons. |
| 1177 | 29 | August | Application of TOJO, Hideki, for production of witnesses. (See Order No. 1187). |
| 1178-1185 | 29 | August | Oaths of witnesses. |
| ** | 29 | August | Hearing in conference Room; On application (Paper No. 1137) of accused ARAKI, Sadao, for production of certain witnesses. Hearing fixed for 0900 and 1315 hours, and Counsel failing to appear on behalf of said petition, it was ordered that the application be dismissed. (See Order No. 1174). |

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| ** | 27 | August | Hearing in Court Room; Defense Exhibits Nos. 3019 to 3027 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses S.ATO, Takegoro; Miyo, Tatsukichi; HIGASHI, Ken; NISHIRUA, Susumu; YOSHINAGA, Yoshitaka; and YOSHIDA, Dosuke; Granted. |
| 1155- 1173 | 28 | August | Acceptance of Service of Summons. |
| ** | 28 | August | Hearing in Court Room; Defense Exhibits Nos. 3028 to 3039 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses TANAKA, Shinichi; MIYAMA, Yuzo; IIMURA, Minoru; AKANE, Kazuo; and YAMAMOTO, Yoshio; Granted. |
| 1174 | 29 | August | Order dismissing the application of the accused ARAKI, Sadao, requesting issuance of subpoenas for witnesses. (Disposes of Paper No. 1137). |
| 1175- 1176 | 29 | August | Acceptance of Service of Summons. |
| 1177 | 29 | August | Application of TOJO, Hideki, for production of witnesses. (See Order No. 1187). |
| 1178- 1185 | 29 | August | Oaths of witnesses. |
| ** | 29 | August | Hearing in conference Room; On application (Paper No. 1137) of accused ARAKI, Sadao, for production of certain witnesses. Hearing fixed for 0900 and 1315 hours, and Counsel failing to appear on behalf of said petition, it was ordered that the application be dismissed. (See Order No. 1174). |

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| ** | 29 | August | Hearing in Court Room; Defense Exhibits Nos. 3040 to 3051 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses MATSUMOTO, Shinichi; IUDO, Tadao; ISHII, Masami; SUZUKI, Kunji; and YAMAZAKI, Shigeru; Granted. President of Tribunal announced Court would recess for Labor Day, 1 September 1947. |
| 1186 | 2 | September | Application of ARAKI, Sadao for the production of witnesses. (See Order No. 1239). |
| 1187 | 2 | September | Order for the production of witnesses necessary to the defense of accused TOJO, Hideki. (Disposes of Paper No. 1177). |
| 1188-1193 | 2 | September | Acceptance of Service of Summons. |
| 1194-1198 | 2 | September | Oaths of witnesses. |
| ** | 2 | September | Hearing in Conference Room; On application (Paper No. 1186) of the accused ARAKI, Sadao, for production of 21 witnesses for his individual defense. Decision reserved until after consultation with other Judges. On application (Paper No. 1177) of accused TOJO, Hideki, for production of certain witnesses; Granted. (See Order No. 1187). |
| ** | 2 | September | Hearing in Court Room; Defense Exhibits Nos. 3052 to 3066 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses YAMAMOTO, Chikao; TOMOIKAWA, Sadatoshi; OHASHI, Tatsuo; OKOCHI, Den-shichi; ARIMA, Shizuka; TAKATA, Toshitane; and YAMAMOTO, Yoshio; Granted. |
| 1199-1210 | 3 | September | Oaths of witnesses. |

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| ** | 3 | September | Hearing in Court Room; Defense Exhibits Nos. 3054C and 3067 to 3082 inc. marked for identification; Oral applications by Defense for orders dismissing witnesses KONDO, Jotaro; SUGITA, Kazuji; ICHINOHE, Kimiya; INADA, Masazumi; SAWADA, Shigeru; KOMODA, Koichi; OKADA, Yoshimasa; KOYASEKO, Kaname; TOSHIMA, Fusataro; SUZUKI, Teiji; YONEYAMA, Yon-eshika; and KURODA, Shigenori; Granted. |
| 1211 | 4 | September | Application on behalf of the Defense for leave to withdraw from the files of the Tribunal Court Exhibits Nos. 3053 and 3054. (See Order No. 1222). |
| 1212-1221 | 4 | September | Oaths of witnesses. |
| ** | 4 | September | Hearing in Court Room; Defense Exhibits Nos. 3089 to 3095 inc. marked for identification. Oral application by Defense for orders dismissing Defense witnesses ABE, Yoshimitsu; SHIMODA, Chiochi; OKABE, Eiichi; IKEJIRI, Satoshi; SAKURAI, Tokutaro; ICHIDA, Jiro; YOSHIDA Gompachi; SHIMAZU, Hisanage; YAMAGUCHI, Eiji; and KOBAYASHI, Shujiro, Granted. |
| 1222 | 5 | September | Order granting the withdrawal from the files of the Tribunal of Exhibits Nos. 3053 and 3054 for identification only, (Disposes of Paper No. 1211). |
| 1223-1224 | 5 | September | Oaths of witnesses. |
| 1225-1226 | 5 | September | Acceptance of Service of Summons. |
| ** | 5 | September | Hearing in Conference Room; On application (Paper No. 1048) on behalf of OKA, Takazumi, for the production of two certain witnesses. Ordered referred to the whole Court. Hearing on application (Paper No. 1211) on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits Nos. 3053 and 3054. Granted. (See Order No. 1222) |

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| ** | 5 | September | Hearing in Court Room; Defense Exhibits Nos 3096 to 3102 inc. marked for identification. Ruling announced by President that under the Charter any Accused may give evidence if he sees fit; also ruled that Accused shall not sit at the bar with Counsel. David F. Smith, Counsel for HIROTA, appeared before the Tribunal in reference to his expulsion of March 5, 1947. Withdrew as Counsel. Oral applications by Defense for orders dismissing Defense witnesses KOSHI, Saburo; NISHIURA, Susumu; KOBAYASHI, Shujiro; YASUDA, Tsuneo; KODAMA, Kyuzo; and MURATA, Shozo. Granted |
| 1227 | 8 | September | Acceptance of Service of Summons. |
| 1228- 1232 | 8 | September | Oaths of witnesses. |
| 1233 | 8 | September | Withdrawal of Counsel, and certificate nominating Counsel. |
| ** | 8 | September | Hearing in Court Room; Defense Exhibits Nos. 3103 to 3137 inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses WATANABE, Yasuji; ODAJIMA, Tadashi; KUBOTA, Tokujiro; YOSHIE, Seiichi; and OYAMA, Ayao; Granted. |
| ** | 9 | September | Hearing in Court Room; Defense Exhibits Nos. 3138 to 3157-E inc. marked for identification. Oral applications by Defense for orders dismissing Defense witnesses SAITO, Yoshie and HATANA, Kanichi. Granted. President announced ruling for the Tribunal regarding Paper No. 1186, request for subpoenas for certain witnesses for accused ARAKI, Ordered: For the time being subpoenas will not be issued. Affidavits have been obtained from those witnesses and can be tendered in ordinary way and will be dealt with on their merit. If witness is required for examination or cross examination, his attendance will be directed, and if necessary, subpoena will issue. (See Order No. 1239). |

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| 1234 | 10 | September | Application by Defense for leave to withdraw certain documents. (See Order No. 1274). |
| 1235- 1236 | 10 | September | Acceptance of Service of Summons. |
| 1237 | 10 | September | Oaths of witnesses. |
| ** | 10 | September | Hearing in Court Room; Defense Exhibits Nos. 3158 to 3161 inc. marked for identification. The President announced a ruling for the Tribunal regarding Paper No. 1121 for the production of certain witnesses now held in custody in Russia. The time for producing these witnesses was extended until 17 October 1947. (See Order No. 1238). Oral application by Prosecution for an order of the Tribunal to delimit the scope of the individual phases strictly to the presentation of evidence solely on the question of the individual participation; and request of Defense to reply in full on September 11. Ordered: The Court will hear the Defense on September 11 at 0930 hours. Accused ARAKI called to stand as witness in his own behalf. |
| 1238 | 11 | September | Order granting Prosecution an extension of time to October 17, 1947, within which to present certain witnesses for cross-examination. Entered nunc pro tunc in Court Journal on September 24, 1947. (Disposes of Paper No. 1121). |
| 1239 | 11 | September | Order denying the application of accused ARAKI for the issuance of subpoenas for certain witnesses under the Charter. Entered nunc pro tunc in Court Journal on September 24, 1947. (Disposes of Paper No. 1186). |
| 1240- 1241 | 11 | September | Acceptance of service of summons. |

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| ** | 11 | September | Hearing in Court Room; Trial was resumed upon the examination of the accused ARAKI, Sadao, as witness in his own behalf, and Defense Exhibits Nos. 3162 to 3163-B inc. marked for identification. Defense replied to oral application of Prosecution to delimit the scope of the individual phases. Order Decision is reserved and the Tribunal takes under advisement said application. |
| 1242 | 12 | September | Acceptance of service of summons. |
| 1243 | 12 | September | Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits Nos. 3058 and 3060. (See Order No. 1275). |
| ** | 12 | September | Hearing in Court Room; Trial resumed by further cross examination of accused ARAKI as a witness in his own behalf. Defense Exhibits Nos. 3164 to 3165 inc. marked for identification. |
| 1244- 1249 | 15 | September | Oaths of witnesses. |
| ** | 15 | September | Hearing in Court Room; Trial resumed by further cross examination of accused ARAKI. Oral application that accused ARAKI be released from the witness stand to resume his place in the dock. Grant Oral applications by Defense for order dismissing MASAKI, Jinsaburo; OMORI, Sogen; TODOKI, Sakae; NAKAMURA, Kazu ARITA, Hachiro; and ISHIVATA, Sotaro, who appeared as witness by and on behalf of accused ARAKI: Granted. Defense Exhibits Nos. 3166 to 3170 inc. marked for identification. |
| 1250- 1256 | 16 | September | Oaths of witnesses. |

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| ** | 16 | September | Hearing in Court Room; Defense Exhibits Nos. 3171 to 3176 inc. marked for identification. Oral applications by Defense for orders dismissing witnesses IIMURA, Minoru; IWAMATSU, Goro; YOKOMI Mitsuteru; TAKAMURA, Sakahiko; TOMITA, Kenji; NAKAJIMA, Torakichi; MATSUYAMA Tsunejiro; and MATSUMOTO, Takizo, who appeared as witnesses on behalf of accused ARAKI: Granted. |
| 1257-1261 | 17 | September | Oaths of witnesses. |
| ** | 17 | September | Hearing in Court Room; Prosecution Exhibits Nos. 3177 and 3177-A and Defense Exhibits Nos. 3178 to 3185 inc. marked for identification. Oral applications of Defense for orders dismissing AIZAWA Makoto; SHIBAYAMA, Kaneshiro; KURAJIMA Kazue; YAZAKI, Kanju; WATASE, Ryosuke, and SAKURAI, Tokusaburo, who appeared by and on behalf of the accused DOHII: Granted. |
| 1262-1267 | 18 | September | Oaths of witnesses. |
| ** | 18 | September | Hearing in Court Room; Accused DOHII, by his Counsel, presented and had marked for identification Exhibits Nos. 3186 to 3189 inc. Oral applications of Defense for orders dismissing witnesses HATTORI, Takushiro; FUJII, Hiroshi; KAWABE, Torashiro; and TATSUMI, Yichi, who appeared on behalf of accused DOHII: Granted. Accused HASHIMOTO, by his Counsel, had marked for identification Exhibits Nos. 3190 to 3195, inc. Oral applications by Defense for orders dismissing witnesses OBATA, Minoru; OGAWA Kiichi; and SUZUKI, Takashi, who appeared as witnesses by and on behalf of the accused HASHIMOTO: Granted. |
| 1268-1269 | 19 | September | Oaths of witnesses. |

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| ** | 19 | September | Hearing in Court Room; Trial resumed by further cross examination of accused HASHIMOTO. Oral application of Defense that accused HASHIMOTO be excused from witness stand. Granted. Accused HATA by his counsel, had marked for identification Exhibits Nos. 3196 to 3198 in Oral applications of Defense for order dismissing witnesses UGAKI, Issei; and MIYANO, Masatoshi who appeared as witnesses by and on behalf of accused HAT. Granted. |
| 1270 | 22 | September | Request that Order (Paper No. 346) be amended. (See Order No. 1276). |
| 1271-1273 | 22 | September | Oaths of witnesses. |
| ** | 22 | September | Hearing in Court Room; Prosecution Exhibits Nos. 3199, 3199-A and 3201 marked for identification. Oral applications by Defense for orders dismissing witnesses YONAI, Mitsumasa; ARITA, Hiro; NODA, Kengo; INUMA, Mamoru; and OIKAWA, Koshiro, who appeared by and on behalf of accused HATA: Granted. Accused HATA, by his Counsel, had marked for identification Exhibits Nos. 3200 and 3202 to 3205 inc. |
| 1274 | 23 | September | Order granting leave to withdraw from files of the Tribunal Court Exhibit No. 2798 for identification only, and Defense Documents Nos. 1626 and 1835. (Disposes of Paper No. 1234). |
| 1275 | 23 | September | Order granting withdrawal from the files of the Tribunal Court Exhibits Nos. 3058 and 3060 for identification only (Disposes of Paper No. 1243). |
| 1276 | 23 | September | Order amending order of 8 August 1946 substituting Administration officers. (Disposes of Paper No. 1270). |
| 1277-1280 | 23 | September | Oaths of witnesses. |

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| ** | 23 | September | Hearing in Conference Room; On application (Paper No. 1234) on behalf of the Defense for leave to withdraw certain documents (Exhibit 2798, and Defense Documents 1626 and 1835). Granted as prayed (See Order No. 1275). On application (Paper No. 1243) on behalf of Defense for leave to withdraw from files of the Tribunal Court Exhibits Nos. 3058 and 3060; Granted (See Order No. 1275). On application (Paper No. 1270) that Order (Paper No. 346) be amended to substitute the name of Mr. Yale Maxon or Miss Francis Mattson as persons to whom exhibits and documents might be delivered by the Registry in the place and stead of Lt. Gunner E. Ohberg; Granted (See Order No. 1276). |
| ** | 23 | September | Hearing in Court Room: Accused HATA, by his Counsel, had marked for identification Exhibit No. 3206. Oral applications by Defense for orders dismissing witnesses SAKADA, Shigero and TANAKA, Ryukichi, who appeared by and on behalf of accused HATA: Granted. Accused HOSHINO, by his Counsel, had marked for identification Exhibits Nos. 3207 to 3214 inc. Oral application by Defense for orders dismissing witnesses Dr. Charles Nelson Spinks; Francis R. Millard; ISHIWATA, Sotaro; MATSUKI, Tamotsu; TAKAKURA, Tadashi; and MURAKAMI, Kyoichi, who appeared by and on behalf of accused HOSHINO: Granted. |
| 1281 | 21 | September | Acceptance of service of summons. |
| 1282- 1286 | 24 | September | Oaths of witnesses. |

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| ** | 24 | September | Hearing in Court Room: Accused HOSHINO by his Counsel, had marked for identification Exhibits Nos. 2797-A, 3216, 3216-A, and 3217 to 3220 inc. Prosecution had marked for identification Exhibits Nos. 3215 and 3215-A. Oral applications by Defense for orders dismissing witnesses OBATA, Tadayoshi; OSHIMA, Hiroo; MURAKAMI, Hajimu; and INADA, Shuichi, who appeared by and on behalf of accused HOSHINO; Granted. Oral applications of G. C. Williams to withdraw as Counsel for accused HOSHINO; Granted. Accused HIRANUMA, by his Counsel, had marked for identification Exhibits Nos. 3221 to 3230 inc. Oral applications of Defense for orders dismissing witnesses SAITO, Yoshie; MURATA Goro; and SHIOTA, Hiroshige, who appeared by and on behalf of accused HIRANUMA: Granted. |
| 1287-1288 | 25 | September | Oaths of witnesses. |
| ** | 25 | September | Hearing in Court Room: Accused HIRANUMA by his Counsel, had marked for identification Exhibit No. 3231. Oral applications by Defense for orders dismissing witnesses OKADA, Keisuke and HIRANUMA Setsuko, who appeared by and on behalf of accused HIRANUMA: Granted. F. N. Warren, Counsel for accused HIRANUMA, rested the individual case of said accused with reservations as to whether the accused will testify; objection interposed by Prosecution who requested ruling on whether an accused might be questioned later. Decision: The position on the record is clear. The accused HIRANUMA has not tendered himself as a witness. If he did, he would give his direct testimony and be subject to cross-examination by the Prosecution like any other witness. As to the position under the Charter, the Tribunal will interrogate the accused if and when it sees fit. No question of the accused offering himself under this provision of the Charter arises. It is the right of the Tribunal to interrogate if it sees fit. |

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The accused HIRANUMI must decide for himself whether he intends to give evidence or not personally. Accused HIROTA, by his Counsel, had marked for identification Exhibit No. 3232.

** 26 September Hearing in Court Room; Accused HATA, by his Counsel, had marked for identification Exhibits Nos. 3205-A, 3205-B and 3233. Oral applications by Defense for orders dismissing witnesses KAMEYAMA, Kazuji; NODA, Kengo; and TANAKA, Rikichi, who appeared by and on behalf of accused HATA: Granted. Accused HIROTA, by his Counsel, had marked for identification Exhibits Nos. 3234 to 3241 inc. Oral application by Defense for order dismissing witness KAMEYAMA, Kazuji, who appeared by and on behalf of accused HIROTA: Granted.

1289 29 September Withdrawal of Counsel and certificate nominating Counsel.

** 29 September Hearing in Court Room; Prosecution Exhibits Nos. 3242 and 3242-A marked for identification. Accused HIROTA, by his Counsel, had marked for identification Exhibits Nos. 3243 to 3247 inc. Oral application by Defense for order dismissing witness KUROASHIMA, Kazue, who appeared by and on behalf of accused HIROTA; Granted.

1290 30 September Motion of HIROTA, Koki, for an order to preclude certain interrogatories to The Honorable Sir Robert Craigie, former Ambassador of Great Britain to Japan by cable.

1291-
1293 30 September Oaths of witnesses.

** 30 September Hearing in Court Room; Accused HIROTA, by his Counsel, had marked for identification Exhibits Nos. 3248 to 3261 inc. Oral applications by Defense for order dismissing witnesses TSUGITA, Daisaburo and INO, Hiroya, who appeared by and on behalf of accused HIROTA: Granted.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
PAUL M. LYNCH, CLERK OF THE COURT

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

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| 1420 | 1 | December | Certificate testifying to illness of accused MATSUI. |
| 1421- 1422 | 1 | December | Acceptance of service of summons. |
| ** | 1 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused OSHIMA, and Prosecution Exhibits Nos. 3518, 3519 and 3520 marked for identification. |
| 1423 | 2 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 2 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused OSHIMA, and Prosecution Exhibits Nos. 3521 and 3522 marked for identification. Accused OSHIMA by his counsel, had marked for identification Exhibits Nos. 3523, 3523-A, 3523-B, 3523-C and 3524. Oral application by Defense that OSHIMA be dismissed from the witness stand to resume his place in the dock; Granted. |
| 1424- 1426 | 3 | December | Oaths of witnesses. |
| 1427 | 3 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 3 | December | Hearing in Court Room: Prosecution Exhibits Nos. 3503-B, 3528 and 3529 marked for identification. Accused SATO, by his counsel, had marked for identification Exhibits Nos. |

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(cont'd) 3 December 3525-3527 and 3530-3535. Oral applications by Defense for orders dismissing witnesses YOSHIE, Seichi; MINOMIYA, Yoshikiyo; and HARA, Shiro who appeared by and on behalf of accused SATO. Granted. Accused SHIGEMITSU, by his counsel, had marked for identification Exhibits Nos. 3536-3540.

1428 4 December Certificate testifying to illness of accused MATSUI.

** 4 December Hearing in Court Room: Accused SHIGEMITSU, by his counsel, had marked for identification Exhibits Nos. 3541-3558-A inc.; accused SHIMADA, by his counsel, had marked for identification Exhibit No. 3559. Prosecution had marked for identification Exhibit No. 3560. Oral application by Defense for order dismissing OIKAWA, Kushiro, who appeared as witness by and on behalf of accused SHIMADA. Granted.

1429 5 December Order for the production of certain witnesses necessary to the defense of accused SHIRATORI, Toshio, under the Charter. (Disposes of Paper #1414).

1430-1432 5 December Oaths of witnesses.

1433 5 December Certificate testifying to illness of accused MATSUI.

** 5 December Hearing in Conference Room: On request by SHIRATORI (Paper No. 1414) for the production of eight witnesses under the Charter. Ordered: Granted as prayed. (See Order No. 1429).

** 5 December Hearing in Court Room: Accused SHIMADA, by his counsel, had marked for identification Exhibits Nos.

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(cont'd) 5 December 3561-3567 inc. Oral applications by Defense for orders dismissing witnesses SAWAMOTO, Yorio; TOMIOKA, Sadatoshi; NIJIMA, Noburo; and MITO, Hisashi, who appeared by and on behalf of accused SHIMADA. Granted. Accused SHIMADA called to stand as witness in own behalf.

1434 8 December Certificate testifying to illness of accused MATSUI.

1435-1442 8 December Acceptance of service of summons.

** 8 December Hearing in Court Room: Trial resumed by further cross-examination of accused SHIMADA. Prosecution Exhibits Nos. 3568-3572 inc marked for identification.

1443 9 December Application for release of books filed in 6(b)1. (See order No. 1452).

1444 9 December Certificate testifying to illness of accused MATSUI.

1445 9 December Oath of witness.

** 9 December Hearing in Court Room: Accused SHIMADA, by his counsel, had marked for identification Exhibits Nos. 3573, 3574, and 3574-A. Oral application by Defense that accused SHIMADA be dismissed from witness stand to resume his place in dock. Granted. Accused SHIRATORI, by his counsel, had marked for identification Exhibits Nos. 3575-3586 inc. Oral applications by Defense for orders dismissing witnesses YATSUGI, Kazuo and UGAKI, Issei, who appeared by and on behalf of accused SHIRATORI. Granted.

1446 10 December Certificate testifying to illness of accused MATSUI.

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| (cont'd) | 5 | December | 3561-3567 inc. Oral applications by Defense for orders dismissing witnesses SAWAMOTO, Yorio; TOMIOKA, Sadatoshi; NIJIMA, Noburo; and MITO, Hisashi, who appeared by and on behalf of accused SHIMADA. Granted. Accused SHIMADA called to stand as witness in own behalf. |
| 1434 | 8 | December | Certificate testifying to illness of accused MATSUI. |
| 1435- 1442 | 8 | December | Acceptance of service of summons. |
| ** | 8 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused SHIMADA. Prosecution Exhibits Nos. 3568-3572 inc marked for identification. |
| 1443 | 9 | December | Application for release of books filed in 6(b)1. (See order No. 1452). |
| 1444 | 9 | December | Certificate testifying to illness of accused MATSUI. |
| 1445 | 9 | December | Oath of witness. |
| ** | 9 | December | Hearing in Court Room: Accused SHIMADA, by his counsel, had marked for identification Exhibits Nos. 3573, 3574, and 3574-A. Oral application by Defense that accused SHIMADA be dismissed from witness stand to resume his place in dock. Granted. Accused SHIRATORI, by his counsel, had marked for identification Exhibits Nos. 3575-3586 inc. Oral applications by Defense for orders dismissing witnesses YATSUGI, Kazuo and UGAKI, Issei, who appeared by and on behalf of accused SHIRATORI. Granted. |
| 1446 | 10 | December | Certificate testifying to illness of accused MATSUI. |

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| 1447- | 10 | December | Oaths of witnesses. |
| 1451 | | | |
| ** | 10 | December | Hearing in Court Room: Accused SHIRATORI, by his counsel, had marked for identification Exhibits Nos. 3587-3595 inc. Oral applications by Defense for orders dismissing witnesses NAGAI, Mikize; SAITO, Yoshie; UNO, Masuko and ARIMA, Yoriyasu, who appeared by and on behalf of accused SHIRATORI. Granted. Accused SHIRATORI called to stand as witness in own behalf. |
| ** | 10 | December | Hearing in Conference Room: On application (Paper No. 1443) for release of books filed in 6(b)1, to be returned to their owner, Owen Cunningham. Ordered: Granted with certain modifications. (See Order No. 1452). |
| 1452 | 11 | December | Order authorizing the Clerk to release certain books to Owen Cunningham, Counsel for the accused OSHIMA, Hiroshi. (Disposes of Paper No. 1443). |
| 1453 | 11 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 11 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused SHIRATORI. Prosecution Exhibits Nos. 3596-3599 inc. marked for identification. |
| 1454 | 12 | December | Certificate testifying to illness of accused MATSUI. |
| 1455 | 12 | December | Oath of witness. |
| ** | 12 | December | Hearing in Court Room: Trial resumed by further redirect examination of accused SHIRATORI. Accused SHIRATORI, by his counsel, offered into evidence but the Tribunal rejected the document entitled "Pamphlet of League of Nations", but |

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(cont'd) 12 December admitted said pamphlet for identification only and it received Exhibit No. 3600. Oral application by Defense that accused SHIRATORI be dismissed from witness stand to resume his place in the dock. Granted. Accused SUZUKI, by his counsel, had marked for identification Exhibits Nos. 3601-3606 inc. Prosecution had marked for identification Exhibits Nos. 3607 and 3607-A. Accused SUZUKI called to stand as a witness in own behalf.

1456 15 December Certificate testifying to illness of accused MATSUI.

** 15 December Hearing in Court Room: Trial resumed by further cross-examination of accused SUZUKI, Prosecution Exhibit No. 3608 marked for identification. Oral application by Defense for order dismissing SUZUKI from witness stand. Granted. Accused TOGO, by his counsel, had marked for identification Exhibit No. 3609.

1457 16 December Certificate testifying to illness of accused MATSUI.

1458-1462 16 December Oaths of witnesses.

** 16 December Hearing in Court Room: Accused TOGO, by his counsel, had marked for identification Exhibits Nos. 3609-A to 3625 inc. President announced additions to the rules of procedure relative to summations and evidence in mitigation. Oral applications by Defense for orders dismissing witnesses NOGUCHI, Yoshio; NARITA, Katsushiro; YAMAJI, Akira; KAMEYAMA, Kazuji; KASAHARA, Yukio; and SHUDO, Yasuo, who appeared by and on behalf of accused TOGO. Granted.

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| 1463 | 17 | December | Amendment to the rules of procedure by the adoption and promulgation of Rules 10 and 11. |
| 1464- 1465 | 17 | December | Oaths of witnesses. |
| 1466 | 17 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 17 | December | Hearing in Court Room: Accused TOGO, by his counsel, had marked for identification Exhibits Nos. 3626 to 3646 inc. and 687-B and 92-L. Oral applications by Defense for orders dismissing witnesses INOUE, Takajiro; TOMIYOSHI, Eiji; YAMAMOTO, Kumaichi; and MATSUDAIRA, Yasumasa, who appeared by and on behalf of accused TOGO. Granted, Accused TOGO called to stand as witness in own behalf. |
| 1467 | 18 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 18 | December | Hearing in Court Room: Trial resumed by further examination and cross-examination of accused TOGO. |
| 1468 | 19 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 19 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused TOGO. |
| 1469 | 22 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 22 | December | Hearing in Court Room: Prosecution Exhibits Nos. 3647-3651 inc. marked for identification. Cross-examination of accused TOGO continued. |

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| ** | 23 | December | Hearing in Court Room: Prosecution Exhibit No. 3652 marked for identification. Cross-examination of accused TOGO continued. |
| ** | 24 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused TOGO. Court adjourned at 1200 hours for Christmas holiday. |
| 1470 | 26 | December | Certificate testifying to illness of accused SHIRATORI. |
| 1471 | 26 | December | Oath of witness. |
| 1472 | 26 | December | Appointment of counsel. |
| ** | 26 | December | Hearing in Court Room: Accused TOGO by his counsel, had marked for identification Exhibits Nos. 3653, 3654 and 3654-A. Oral application by Defense for order releasing accused TOGO from witness stand to resume his place in dock. Granted. Accused TOJO called to stand as witness in own behalf and had marked for identification his affidavit, which was given Exhibit No. 3655. |
| ** | 29 | December | Hearing in Court Room: Accused TOJO by his counsel, had marked for identification Exhibits Nos. 3656 to 3666 inc. Examination of accused TOJO continued. |
| 1473 | 29 | December | Certificate testifying to illness of accused MATSUI. |
| ** | 30 | December | Hearing in Court Room: Accused TOJO by his counsel, had marked for identification Exhibits Nos. 3667 to 3686 inc. Cross-examination of accused TOJO continued. |
| ** | 31 | December | Hearing in Court Room: Trial resumed by further cross-examination of accused TOJO. Ordered: That the Tribunal adjourned at 1200 hours, to reconvene at 0930 hours Friday, 2 January 1948 |

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| 1474 | 2 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Document No. 3150. (See Order No. 1505). |
| 1475 | 2 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Document No. 3150. (See Order No. 1505). |
| ** | 2 | January | Hearing in Court Room: Trial resumed by further cross-examination of accused TOJO. |
| ** | 5 | January | Hearing in Court Room: Trial resumed by further cross-examination of accused TOJO. Prosecution Exhibits Nos. 3687 and 3688 marked for identification. |
| 1476 | 6 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Documents Nos. 3008, 3030-B, 3030-C 3333, 3146-A and 3196-A. (See Order No. 1506) |
| 1477 | 6 | January | Request by accused UMEZU for production of a certain witness. (See Order No. 1479). |
| 1478 | 6 | January | Certificate testifying to illness of accused MATSUI on 5 January 1948 |
| 1479 | 6 | January | Order for the production of a certain witness necessary for the defense of the accused UMEZU, Yoshijiro, under the Charter. (Disposes of Paper No. 1477). |
| ** | 6 | January | Hearing in Conference Room: On Request by the accused UMEZU (Paper No. 1477) for the Production of a certain witness necessary to his defense. Ordered: Granted as prayed. (See Order No. 1479). |
| ** | 6 | January | Hearing in Court Room: Trial resumed by further cross-examination of accused TOJO. |

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| 1480 | 7 | January | Application to reopen the case of the accused OSHIMA for the purpose of offering additional evidence. (See Order No. 1491). |
| 1481- 1482 | 7 | January | Oaths of witnesses. |
| ** | 7 | January | Hearing in Conference Room: On oral application to reopen the case of the accused ARAKI and to reconsider documents previously rejected; and on application (Paper No. 1480) to reopen the case of the accused OSHIM for the purpose of offering additional testimony; and on application to reopen the individual case of HIROTA for the purpose of offering certain additional evidence. After hearing the arguments of counsel the matter was referred to all Judges for their consideration. |
| ** | 7 | January | Hearing in Court Room: Defense made oral application that the accused TOJO be dismissed from witness stand to resume his place in dock. Granted. Accused UMEZU, by his counsel, had marked for identification Exhibits Nos. 3689, 3690, 3691, 3693, 3693-A and 3694-3699 inc. Prosecution had marked for identification Exhibits Nos. 3692, 3700 and 3701. Oral application by Defense for order dismissing witness NISHIO, Toshizo, who appeared by and on behalf of accused UMEZU. Granted. |
| 1483 | 8 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Documents Nos. 3048, 3091, 3098 and 3332. (See Order No. 1507). |
| 1484 | 8 | January | Application for leave to reopen the case on behalf of accused HOSHINO, Naoki. (See Order No. 1485). |
| 1485 | 8 | January | Order granting leave to reopen the |

| <u>PAPER</u> <u>NUMBER</u> | <u>DAY</u> | <u>MONTH-1947</u> | |
|-------------------------------|------------|-------------------|--|
| (cont'd) | 8 | January | case of accused HOSHIINO for the purpose of presenting certain documents. (Disposes of Paper No. 1484). |
| 1486 | 8 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Document No. 3150. (See Order No. 1505). |
| 1487- 1489 | 8 | January | Oaths of witnesses. |
| ** | 8 | January | Hearing in Court Room: Accused UMEZU, by his counsel, had marked for identification Exhibits Nos. 3702-3709 inc. Oral applications by Defense for orders dismissing witnesses TAKEI, Scitaro; INOUE, Tadao; SHIMOMURA, Sadamu; and IKEDA, Sunihisa, who appeared by and on behalf of accused UMEZU. Granted. Counsel for accused SHIMADA made oral application to reopen and permit accused SHIMADA to take witness stand. Granted. Pacific phase reopened and the Defense had marked for identification Exhibits Nos. 3710-3714 inc. Tribunal gave decision relative to reopening of individual cases. Accused ARAKI, by his counsel, had marked for identification Exhibit No. 3715, and accused HIROTA had marked for identification Exhibits Nos. 3716-A, 3716-B, 3716-C and 3717. |
| 1490 | 9 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Documents Nos. 3150-39A and 3350. (See Order No. 1508). |
| 1491 | 9 | January | Order granting permission to reopen case of accused OSHIMA for purpose of offering additional testimony. (Disposes of Paper No. 1480). |
| 1492 | 9 | January | Order granting permission to reopen the case of accused ARAKI and denying review of Tribunal's previous |

| <u>PAPER NUMBER</u> | <u>DAY</u> | <u>MONTH-1947</u> | |
|-------------------------|------------|-------------------|---|
| (cont'd) | 9 | January | decision rejecting documents. (Disposes of oral application). |
| 1493 | 9 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Documents Nos. 3104(2), 3217-A 3217-B, 3030-Q. (See Order No. 1509). |
| 1494 | 9 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Document No. 3349. (See Order No. 1511). |
| 1495- 1496 | 9 | January | Oaths of witnesses. |
| ** | 9 | January | Hearing in Court Room: Accused SHIMADA, by his counsel, had marked for identification Exhibit No.3718. Accused HOSEINO, by his counsel, had marked for identification Exhibits Nos. 3719-3723 inc. Oral applications by Defense for orders dismissing witnesses SHIMADA, who appeared in his own behalf; KOJIMA, Hideo; and GODO, Takuo who appeared by and on behalf of accused OSFIMA. Grante |
| 1497 | 12 | January | Motion of accused HIROTA to reopen his case for the purpose of offering certain additional evidence. (Nunc pro tunc for January 8). (See Order No. 1499). |
| 1498 | 12 | January | Request of accused KIDO, Koichi, for the return of a document. (See Order No. 1512). |
| 1499 | 12 | January | Order granting permission to reopen the individual case of HIROTA, Koki for purpose of offering additional evidence. (Disposes of Paper No. 1497). |
| 1500 | 12 | January | Application on behalf of Prosecution under Rule 6(b)1 pertaining to IPS Documents Nos. 3354, 3030-K, 3055. (See Order No. 1510). |

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|-------------------------|------------|-------------------|--|
| 1501 | 12 | January | Certificate testifying to illness of accused MATSUI. |
| 1502- 1503 | 12 | January | Oaths of witnesses. |
| ** | 12 | January | Hearing in Conference Room: On Papers Nos. 1474, 1475, 1476, 1483, 1486, 1490, 1493 and 1500, being applications on behalf of the Prosecution for an order of exemption from the provisions of Rule 6(b)1 with respect to certain documents. Ordered: Each application granted as prayed. On request (Paper No. 1498) of accused KIDO, Koichi, for the return of a document. Granted. (See order No. 1512). |
| ** | 12 | January | Hearing in Court Room: Defense Exhibits Nos. 3724-3730 inc., 3732 and 3733 marked for identification. Prosecution had marked for identification Exhibit No. 3731, and accused TOGC, by his counsel had marked for identification Exhibit No. 3734. Oral applications by Defense for orders dismissing witnesses H.C. Blake; KATAKURA, Tadashi; OBI, Tetsuzo; and OGOSHI, Kenji. Granted. Defense rested its case with certain reservations and Prosecution commenced rebuttal. |
| 1504 | 13 | January | Order allowing accused SHIMADA, Shigetaro to reopen his individual case. (Nunc pro tunc as of January 8). Disposes of oral application). |
| ** | 13 | January | Hearing in Court Room: Prosecutor Exhibits Nos. 3735, 3735-A, 3735-B, 3736, 3736-A, 3737 and 3737-A, and Defense Exhibit No. 3738 marked for identification. |
| 1505 | 14 | January | Order granting applications of Prosecution for exemption from Rule 6(b)1 with respect to IPS Document |

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| (cont'd) | 14 | January | No. 3150. (Disposes of Paper Nos. 1474, 1475 and 1486). |
| 1506 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Documents Nos. 3008, 3030-B, 3030-C, 3333, 3146-A and 3196-A. (Disposes of Paper No. 1476). |
| 1507 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Documents Nos. 3048, 3091, 3008 and 3332. (Disposes of Paper No. 1483). |
| 1508 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Documents Nos. 3150-39-A and 3350. (Disposes of Paper No. 1490). |
| 1509 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Documents Nos. 3104(2), 3217-A, 3217-B and 3030-Q. (Disposes of Paper No. 1493). |
| 1510 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Documents Nos. 3354, 3030-K and 3055. (Disposes of Paper No. 1500). |
| 1511 | 14 | January | Order granting application of Prosecution for exemption from Rule 6(b)1 with respect to IPS Document No. 3349. (Disposes of Paper No. 1494). |
| 1512 | 14 | January | Order for the return of the Diary of KIDO, Koichi, for 1930-1945 inc. (Ex. No. 178 for identification). (Disposes of Paper No. 1498). |
| 1513 | 14 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 14 | January | Hearing in Conference Room: On |

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| (cont'd) | 14 | January | application (Paper No. 1494) on behalf of Prosecution for an order of exemption from the provisions of Rule 6(b)1 with reference to Document No. 3349. Granted. (See Order No. 1511). |
| ** | 14 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3739, 2406, 2407, 3740, 3457, 3741, 3741-A, 3741-B, 3742, 3743, 3744 and 3745, marked for identification. |
| 1514 | 15 | January | Application on behalf of the defendant ITAKAKI, Seishiro, for leave to withdraw from the files of the Tribunal Court Exhibits Nos. 2401 and 2403. (See Order No. 1522). |
| 1515- 1516 | 15 | January | Oaths of witnesses. |
| ** | 15 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3746-3751 inc., and Defense Exhibits Nos. 3752 and 3753 marked for identification. Oral applications by Prosecution for order dismissing witness MURAYAMA, Tomiji. Granted. |
| 1517 | 16 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 16 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3751-A and 3754-3762A inc. marked for identification. Oral application by Prosecution for order dismissing witness KONOYE, Mrs. Yasuko; Granted. |
| 1518 | 19 | January | Application on behalf of the defendant TOGO, Shigenori, for leave to withdraw certain documents. (See Order No. 1523). |
| 1519 | 19 | January | Certificate testifying to illness of accused SHIRATORI. |

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| ** | 19 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3763-3789-A inc. marked for identification. |
| 1520 | 20 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 20 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3790-3804-A inc. marked for identification. |
| 1521 | 21 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 21 | January | Hearing in Conference Room: On Application (Paper No. 1514) on behalf of defendant ITAGAKI, Seishiro, for leave to withdraw from the files of the Tribunal Court Exhibits Nos. 2401 and 2403. Granted. (See Order No. 1522). On application (Paper No. 1518) on behalf of defendant TOGO, Shigenori, for leave to withdraw certain documents. Granted. (See Order No. 1523). |
| ** | 21 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3804-B to 3819 inc. marked for identification. |
| 1522 | 22 | January | Order granting withdrawal from the files of the Tribunal of Court Exhibits Nos. 2401 and 2403. (Disposes of Paper No. 1514). |
| 1523 | 22 | January | Order granting withdrawal from the files of the Tribunal of Court Exhibits Nos. 3643 and 3654. (Disposes of paper No. 1518). |
| 1524 | 22 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 22 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3820-3837 inc. marked for identification. |
| 1525 | 23 | January | Certificate testifying to illness of accused SHIRATORI. |

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|---------------------|------------|-------------------|--|
| ** | 23 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3569 and 3838-3849 inc. marked for identification. Oral application by Prosecution for order dismissing witness NAKAHARA, Jiro. Granted. |
| 1526 | 26 | January | Certificate testifying to illness of accused SHIRATORI. |
| 1527-1528 | 26 | January | Oaths of witnesses. |
| 1529 | 26 | January | Certificate testifying to illness of accused SHIRATORI (Nunc pro tunc - January 15, 1948). |
| ** | 26 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3850-3854 inc., and 698 and 3651 marked for identification. Oral application by Prosecution that witness KANDA, Masatane, be stood down until 0930 hours on 27 January. Granted. |
| 1530 | 27 | January | Oath of witness. |
| 1531 | 27 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 27 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3855-3857 inc. marked for identification. Oral applications by Prosecution for orders dismissing witnesses Grebennik, Kuzma and KANDA, Masatane. Granted. |
| 1532 | 28 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 28 | January | Hearing in Court Room: Prosecution Exhibit No. 3858 marked for identification. Oral application by Prosecution for order dismissing witness Bykov, Afinogen Erastovich. Granted. Court ordered Prosecution witness Chogdan, Puntsugin be stood down until an interpreter for the Mongol- |

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| (cont'd) | 28 | January | ian language can be procured. Oral application by Defense for a ten-day recess in order to prepare evidence to meet Prosecution's rebuttal. Ordered: Application will be taken under advisement. |
| 1533 | 29 | January | Certificate testifying to illness of accused SHIRATORI. |
| 1534 | 29 | January | Certificate testifying to illness of accused DOHIHARA. |
| ** | 29 | January | Hearing in Court Room: Prosecution Exhibits Nos. 3859-3862-A inc. marked for identification. Oral application by Prosecution for order dismissing witness von Petersdorf, Fritz. Granted. |
| 1535 | 30 | January | Certificate testifying to illness of accused SHIRATORI. |
| ** | 30 | January | Hearing in Court Room: Defense Exhibit No. 3864 and Prosecution Exhibits Nos. 3836 and 3865 marked for identification. Oral application by Prosecution for order dismissing witness Chogdan, Puntsugin. Granted. L.J. McManus, counsel for accused ARAKI, made oral application to tender evidence in surrebuttal on behalf of ARAKI. Granted. Accused ARAKI, by his counsel, had marked for identification Exhibit No. 3866 and accused HATA, by his counsel, had marked for identification Exhibit No. 3867. |

5 DECEMBER 1947

I N D E X
Of
EXHIBITS

| <u>Doc. No.</u> | <u>Def. No.</u> | <u>Pros. No.</u> | <u>Description</u> | <u>For Ident.</u> | <u>In Evidence</u> |
|-----------------|-----------------|------------------|--|-------------------|--------------------|
| 2889 | 3561 | | Affidavit of SAWAMOTO, Yorio | | 34605 |
| 2911 | 3562 | | Affidavit of TOMIOKA, Sadatoshi | | 34626 |
| 2888 | 3563 | | Affidavit of NIIJIMA, Nobuo | | 34630 |
| 2891 | 3564 | | Affidavit of MITO, Hisashi | | 34635 |
| 2892 | 3565 | | Affidavit of SHIMADA, Shigetaro | | 34646 |
| 1739 | 3566 | | Document on the Formation of the Anti-Japanese Joint Encirclement by Great Britain, United States and the Nether- lands, dated 16 April 1941 | | 34682 |
| 1482 | 3567 | | Document on the Anglo- American Policy of Encirclement Against Japan in the Southern Pacific Ocean - Anglo- American Activities Against Japan as Viewed from the Economic Standpoint | | 34682 |

NOTE:

The attached pages are corrected pages and should be substituted for the corresponding pages in the record.

1 H.R.I., the President of the Privy Council, would
2 ask important questions on His Majesty's behalf,
3 the Emperor should give a warning in conclusion
4 that the Supreme War Command should exert every
5 effort in order to bring about a diplomatic success
6 inasmuch as the present decision was such an
7 important one that it might lead to a war in which
8 our national fortunes would be staked."

9 Now, after reading that to you, does that
10 refresh your recollection that H.R.I., the President
11 of the Privy Council, did ask questions?

12 A I have been able to recall just now, through
13 the passage just read by Counsel Logan. At that
14 time the question of whether or not to continue
15 negotiations, whether this will be brought up first
16 or not, was mentioned by the President of the Privy
17 Council, Mr. H.R.I.

18 Q And, as a matter of fact, Admiral, you were
19 the only one that answered H.R.I.'s questions on that
20 at that meeting, is that right?

21 A At that time, I attended the meeting
22 representing M.G.M.O and the Navy. Because I felt
23 that I was representing M.G.M.O and the Navy, I
24 expressed my views in that capacity. It was said
25 afterwards, that M.G.M.O was silent because he had

1 attended by Chief Aide-de-camp to His Majesty
2 HASUNUMA and others appeared in the Imperial front
3 chamber in an imposing military costume wearing the
4 attached decoration of the Grand Order, and ordered
5 to grant an audience to Admiral SHIMADA, Shigetaro
6 and also to Navy Minister OIKAWA and Chief of Naval
7 General Staff NAGANO who were to be present there.
8 The Admiral, after expressing the greetings of his
9 return when he prudently approached to the Throne,
10 made a detailed report to His Majesty about those
11 war conditions during his one year and half service
12 such as the Chinese coastal blockade operations,
13 the Navy 'eagles' /T.N. pilots/ bombing of Chung-
14 king and the hinterlands of China, the occupation
15 of French Indo-China, the morale of the officers
16 and men in the front, and so forth, to which His
17 Majesty, while standing all the while, eagerly
18 listened and condescendingly granted him a gracious
19 Imperial Message approving his merits. His Majesty
20 thus rewarded him for his meritorious services."
21

22 I will not read the remaining paragraph
23 at this time.

24 CROSS-EXAMINATION (CONTINUED) BY
25 CAPTAIN ROBINSON:

Q Admiral SHIMADA, in your affidavit at page

31 OCTOBER 1946

I N D E X

Of

EXHIBITS

(cont'd)

| <u>Doc. No.</u> | <u>Pros. No.</u> | <u>Def. No.</u> | <u>Description</u> | <u>For Ident.</u> | <u>In Evidence</u> |
|-----------------|------------------|-----------------|--|-------------------|--------------------|
| 6032 | 902 | | Deposition of Abisa | | 9134 |
| 6031 | 903 | | ditto Lanen | | 9135 |
| 6029 | 904 | | ditto Ajidrik | | 9136 |
| 6010 | 905 | | ditto Johaniz | | 9137 |
| 6011 | 906 | | ditto Abream | | 9138 |
| 6028 | 907 | | ditto Lajina | | 9139 |
| 2378- A | 908 | | File of correspondence obtained from the Office at Honolulu Between the Head Office of NYK and its various branches | | 9140 |
| 794 | 909 | | Notes of the Privy Council Regarding the Introduction of the Revised Bill of the Parliamentary Law to the Diet re the Special Appointment of Administrative Officials of the South Seas Government | 9158-A | |
| 794- A | 909-A | | Excerpt therefrom | | 9158-B |
| 1124 | 910 | | A Book entitled "Minutes of the Committee Meetings for the year 1930, Secretariat of the Privy Council" | 9160 | |
| 1124- A | 910-A | | Excerpt therefrom | | 9160 |
| 891 | 911 | | A Book entitled "A Record of the Privy Council Concerning the Ratification of the London Naval Treaty of 1930" dated 1 October 1930 | 9168 | |
| 891- A | 911-A | | Excerpt therefrom | | 9168 |

I N D E X
Of
EXHIBITS

| <u>Pros.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|----------------------------|---------------------------|---|-----------------------------|------------------------------|
| 421 | | Report of the U. S. Treasury Attache at Shanghai dated 21 Feb 1939 entitled "Opium as a Large Source of Revenue for Japanese" | | 4871 |
| 422 | | Report of the U. S. Treasury Attache at Shanghai dated 14 January 1939 entitled "Japanese Organizing Opium Merchants Union Under Cover of Charity" | | 4874 |
| 423 | | Affidavit of HARADA Kumakichi | | 4875 |
| 423 | | Affidavit of Lt. James M. McEwen of the U. S. Army | | 4875 |
| 424 | | Report of the U. S. Treasury Attache at Shanghai dated 5 Apr 1939 entitled "Puppet Government Promulgates Opium Administration Regulations" | | 4878 |
| 425 | | Report of the U. S. Treasury Attache in Shanghai dated 21 Jan 1941 entitled "Japanese Opium Monopoly Organization Here to Increase Opium Selling Price" | | 4886 |
| 426 | | Report of the U. S. Treasury Attache at Shanghai dated 21 July 1939 entitled "Japan's Plan for Drug Monopoly in East China" | | 4894 |
| 427 | | Report of the U. S. Treasury Attache at Shanghai dated 8 Aug 1939 entitled "Formosan Cocaine Factory" | | 4899 |
| 429 | | "The Work of Opium Suppression dated 25 May 1946 | | 4908 |

I N D E X

Of

EXHIBITS

| <u>Pros.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|----------------------------|---------------------------|--|-----------------------------|------------------------------|
| 430 | | Letter from U. S. Army Military Government in Korea; Subject: Production, Manufacture, Import and Export of Narcotics in Korea from 1930 to 1945 | | 4919 |
| 431 | | Report of the Permanent Central Opium Board, Geneva, dated 29 January 1946 | | 4920 |
| 432 | | Letter from the United States to the Consul at Geneva, Switzerland, dated 12 Feb 1946 including a Letter from the Chief of the Drug Control Service of the Secretariat of the League of Nations to the American Consul at Geneva | | 4926 |
| 433 | | Letter, enclosure and aide-memoire from the U.S. Ambassador to Japan on the Subject "Narcotic Drug Traffic in Occupied Areas of China dated 14 April 1939 | | 4926 |
| 434 | | Letter from the Dept of State to Lt. Colonel Hornaday dated 26 Dec 1945 | | 4941 |
| 435 | | Collection of Laws and Regulations - North China Political Council | | 4967 |

12 SEPTEMBER 1947

I N D E X
Of
EXHIBITS

| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| | | 3164 | Book entitled "Pertaining to the Whole Japanese Nation" (written in Japanese) | 28364 | |
| 2406 | | 3164-A | Excerpts (4) therefrom | | 28364 |
| | | 3165 | Book entitled "Secret Manchurian Diary" (written in Japanese) | 28380 | |
| 620-P | | 3165-A | Excerpt therefrom | | 28380 |
| | | | AFTERNOON RECESS | | 28384 |

NOTE:

The attached pages are corrected pages and should be substituted for the corresponding pages in the record.

1 I offer the book for identification.

2 CLERK OF THE COURT: The book, written in
3 Japanese, entitled "Secret Manchurian Diary" will re-
4 ceive exhibit number 3165 for identification only.

5 (Whereupon, the document above re-
6 ferred to was marked prosecution exhibit 3165
7 for identification.)

8 MR. COMYNS CARR: Now I tender the excerpt,
9 which the witness agrees has his personal signature,
10 in evidence.

11 THE PRESIDENT: Admitted on the usual terms.

12 CLERK OF THE COURT: Prosecution document No.
13 620-P will receive exhibit No. 3165-A.

14 (Whereupon, the document above re-
15 ferred to was marked prosecution exhibit 3165-A
16 and received in evidence.)

17 MR. COMYNS CARR: I will read only the bottom
18 part of the document:

19 "Original Telegram Handwritten.

20 "Minister - Signature of ARAKI, Vice Minister-
21 Signature of YANAGAWA.

22 "Bureau Chief - Signature of SHIGEATSU,
23 Section Chief - Signature of YAMASHITA.

24 "Member of the Section - Signature of SUZUKI.

25 "Re: Congratulations to Manchukuo. Telegram

1 THE PRESIDENT: The objection is sustained
2 and the document rejected.

3 MR. McMANUS: I shall now request that the
4 witness IWAMATSU Goro be recalled to the witness stand
5 so that I may complete the reading of exhibit 2378.

6 THE PRESIDENT: Mr. Brown.

7 MR. BROWN: The prosecution objects to the
8 portions which it is proposed to read on pages 5, 6,
9 and 7. Apart from one statement of evidence which the
10 prosecution does not challenge, it deals entirely with
11 character.

12 MR. McMANUS: If the Tribunal pleases, this
13 document has already been admitted by the Tribunal.
14 It is an exhibit -- 2378; and, at the time when the
15 witness was on the stand, I requested leave to re-
16 call the witness so that I could complete the reading
17 as I had not completed it at that time because it did
18 not deal with the certain portion of the case I was
19 then putting in.

20 THE PRESIDENT: The witness is still on
21 his former oath.
22
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24
25

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17 as I had not completed it at that time because it did
18 not deal with the certain portion of the case I was
19 then putting in.

20 THE PRESIDENT: The witness is still on
21 his former oath.
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G O R O I W A M A T S U, recalled as a witness on behalf of the defense, having been previously sworn, testified through Japanese interpreters as follows:

THE PRESIDENT: We must hear you further, Mr. McManus. We cannot recall this instantly.

MR. McMANUS: If your Honor pleases, this witness was secretary to General ARAKI when he was Education Minister.

THE PRESIDENT: Was the whole document admitted?

MR. McMANUS: Yes, it was admitted, if the Tribunal pleases.

THE PRESIDENT: Mr. Brown.

I N D E X

Of

EXHIBITS

| <u>Doc.</u> <u>No.</u> | <u>Def.</u> <u>No.</u> | <u>Pros.</u> <u>No.</u> | <u>Description</u> | <u>For</u> <u>Ident.</u> | <u>In</u> <u>Evidence</u> |
|---------------------------|---------------------------|----------------------------|--|-----------------------------|------------------------------|
| 2996 | 3868 | | Excerpt from the Record of the Trial United States of America vs. Shigeru SAWADA, et al before the Military Commission Convened by the Commanding General U.S. Army Forces, China - Volume IV (pp. 401-404) 1 May 1946 | | 38620 |
| 3010B | 3869 | | SAIONJI-HARADA Memoirs - Chapter 103 (24 October 1933) | | 38638 |
| | 3870 | | SAIONJI-HARADA Memoirs - Chapter 146 (29 August 1934) | 38643 | |
| 3011D | 3870-A | | Excerpt therefrom | | 38643 |
| 3011C | 3871 | | SAIONJI-HARADA Memoirs - Chapter 146 (24 August 1934) | | 38646 |
| | 3872 | | SAIONJI-HARADA Memoirs - Chapter 155 (14 November 1934) | 38647 | |
| 3011G | 3872-A | | Excerpt therefrom | | 38648 |
| | 3873 | | SAIONJI-HARADA Memoirs - Chapter 161 (30 December 1934) | 38650 | |
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| 3013C | 3874-A | | Excerpt therefrom | | 38653 |
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| 3021 | 3885 | | Sworn Deposition of HASHIMOTO, Gun | | 38722 |
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| 3038 | 3887 | | Sworn Deposition of YAMAMOTO, Kumaichi | | 38728 |
| 3057 | 3888 | | Excerpt from the SAI-ONJI-HARADA Memoirs - Chapter 321 (18 April 1939) | | 38750 |
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| 3022 | 3896 | | Reasons for the Necessity of Continual Functioning of the Bureau in Charge of Japanese Nationals in Enemy Countries as Office Established Specially during the War-time, and the Necessity of an Increase of the Staff of Chancellors Allotted to the Bureau | | 38784 |
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| | 3902 | | Book entitled "Report of Activities for the Year 1941" (printed in Japanese) | 38846 | |
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| 2978 | 3903 | | Affidavit of TANAKA, Ryukichi | | 38849 |
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| 3080 | 3910 | | Sworn Deposition of MATSUSHIMA, Shikao | | 38874 |
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NOTE:

The attached pages are corrected pages and should be substituted for the corresponding pages in the record.

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| 2102 | 3300-A | | Excerpt from "Lost Politics - Memoirs of Prince KONOYE" | | 30093 |
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| 2471 | 3301 | | Affidavit of YAMAWAKI, Masataka (omitting par.7) | | 30101 |
| 1005(21) | | 3302 | Secret Telegram dated 21 April 1939 | | 30114 |
| 3171-B | | 3303 | Excerpt from the 6 January 1939 issue of Chugai Shiyogyo Shimpo "Execution of Seven Items - HIRANUMA Requested by the Army" | | 30120 |
| 625 | | 3304 | "Army Records of the China Incident, 1939," Volume 7 | | 30126 |
| 1979 | 3305 | | Affidavit of OKADA, Yoshimasa | | 30149 |

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| 2102 | 3300-A | | Excerpt from "Lost Politics - Memoirs of Prince KONOYE" | | 30093 |
| 2104 | 3300-B | | Ditto | | 30095 |
| 2103 | 3300-C | | Ditto | | 30097 |
| 2471 | 3301 | | Affidavit of YAMAWAKI, Masataka (omitting par.7) | | 30101 |
| 1005(21) | | 3302 | Secret Telegram dated 21 April 1939 | | 30114 |
| 3171-B | | 3303 | Excerpt from the 6 January 1939 issue of Chugai Shiyogyo Shimpo "Execution of Seven Items - HIRANUMA Requested by the Army" | | 30120 |
| 625 | | 3304 | "Army Records of the China Incident, 1939," Volume 7 | | 30126 |
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| ISHIWATA, Sotaro (recalled) | 30547 |
| Direct by Mr. Levin | 30547 |
| (Witness excused) | 30549 |

SAWADA

DIRECT

1 because we have no other way of presenting it other
2 than by way of the one living witness who has seen
3 that letter.

4 THE PRESIDENT: The name "HATA" appears on
5 your proof of documents.

6 MR. LAZARUS: Before I was going to go any
7 further, Mr. President, I was going to tell you that
8 I am not sure whether General HATA will, on the advice
9 of counsel, take the stand. We have not prepared
10 an affidavit. If he does take the stand it will be
11 only for examination by the prosecution or by the
12 Tribunal. There will be no affidavit.

13 THE PRESIDENT: That rule was laid down and
14 was followed after much consideration by the Members
15 of the Tribunal in conference, and no departure is
16 likely.

17 MR. LAZARUS: In view of the special circum-
18 stances of this case and the all-important character
19 of this letter, I respectfully submit to the Tribunal
20 that it ought to reconsider that rule just for this
21 one incident, Mr. President. I feel that it is so
22 important that perhaps I would not be considered
23 impudent if I ask the Tribunal to consider this one
24 case in and of itself.

25 THE PRESIDENT: We have no favorites among

Destiny of China," written by Chiang Kai-shek.

1
2 In this document, Chiang Kai-shek clearly
3 states that China had resolved to make wholesale
4 resistance against Japan after the outbreak of the
5 Lukouchiao affair, and that she drove Japan into an
6 endless war by colluding with the communist army, and
7 by exercising complete restraint upon Japan strategically
8 and politically, thus bringing Japan's efforts for
9 peace to naught.

10 This document vividly shows who is responsible
11 for the China Incident and it will make clear the reason
12 why the efforts of ITAGAKI and others were doomed to
13 failure.

14 THE PRESIDENT: Judge Hsiang.

15 JUDGE HSIANG: Your Honor, in connection with
16 this document and the next two or three defense documents
17 listed on the revised order of proof, Judge Yu Kwei
18 will act for the prosecution. Judge Kwei is a member
19 of the Shanghai Bar Association, and a former judge
20 of the Shanghai High Court.

21 THE PRESIDENT: Judge Kwei.

22 JUDGE KWEI: May it please the Tribunal, the
23 prosecution objects to the introduction of this docu-
24 ment for the following reasons:

25 In the first place, the book in question was
originally written in Chinese; it was not written in

1 "Mr. Pestalozzi: Don't worry yourself for you
2 will have them by Christmas, I suppose.

3 "Captain Faucet: Thank you."

4 Next I offer in evidence defense document 2640.
5 This is a report of investigation on Prisoner of War
6 Camps in Korea by the representatives of the Red Cross
7 in the year 1944.

8 THE PRESIDENT: Admitted on the usual terms.

9 THE CLERK OF THE COURT: Defense document
10 2640 will receive exhibit No. 3310.

11 (Whereupon, the document above
12 referred to was marked defense exhibit
13 No. 3310 and received in evidence.)

14 MR. SASAGAWA: I now read exhibit No. 3310.

15 THE PRESIDENT: Not all of it, surely?

16 MR. SASAGAWA: Yes, your Honor. The point is
17 very difficult to take off which portion not to read.

18 THE PRESIDENT: According to the document,
19 the report was made four years before the visits it
20 records, and in the other documents, particularly
21 3308, there is some peculiar statement about temperature
22 and the area of buildings.

23 They require some revision. They may be
24 capable of explanation, but explanation about the date,
25 of course, is difficult to give.

1 "Mr. Pestalozzi: Don't worry yourself for you
2 will have them by Christmas, I suppose.

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21 3308, there is some peculiar statement about temperature
22 and the area of buildings.

23 They require some revision. They may be
24 capable of explanation, but explanation about the date,
25 of course, is difficult to give.

ITAGAKI

CROSS

Q You still haven't answered my questions.
1 Now let me ask you another one.

2 THE PRESIDENT: Judge Nyi, there are very
3 many important matters about which this witness may
4 be cross-examined, but there is a limited amount of
5 time to be given to each. You have been a very long
6 time on this issue. There is an immense amount of
7 evidence on the prosecution side about the Mukden
8 issue. Do you want to add to it extensively?
9

10 JUDGE NYI: If your Honor please, I want to
11 get a direction from the Tribunal if this is consid-
12 ered by the Court to be cumulative.

13 THE PRESIDENT: The amount of time that you
14 are spending on this is not warranted by the results
15 you are getting.

16 JUDGE NYI: We would ask if the Court is
17 interested to hear further evidence about this Muk-
18 den Incident, if the Court does not think it is
19 cumulative.

20 THE PRESIDENT: You are avoiding what I am
21 putting to you. I am telling you, in effect, you
22 are spending a lot of time in trying to get something,
23 but you are getting nothing. It is our duty under
24 the Charter not to waste time on details, and you
25 are not even getting details.

1 MR. LEVIN: We offer in evidence defense
2 document No. 2611, the evidence of the witness
3 ISHIWATA, Sotaro.

4 THE PRESIDENT: What has happened to 1416?

5 MR. LEVIN: Oh, that was withdrawn,
6 Mr. President.

7 - - -

8 S O T A R O I S H I W A T A, recalled as a
9 witness on behalf of the defense, having been
10 previously sworn, testified through Japanese
11 interpreters as follows:

12 THE PRESIDENT: You are still on your
13 former oath.

14 MR. LEVIN: Will Captain Van Meter kindly
15 hand the witness defense document No. 2611?

16 DIRECT EXAMINATION

17 BY MR. LEVIN:

18 Q Does your signature and seal appear on this
19 document?

20 A Yes.

21 Q Are the contents of same true and correct?

22 A Yes, true and correct.

23 MR. LEVIN: I now offer in evidence defense
24 document No. 2611, the affidavit of the witness
25 ISHIWATA, Sotaro.

1 THE PRESIDENT: Admitted on the usual
2 terms.

3 CLERK OF THE COURT: Defense document
4 No. 2611 will receive exhibit No. 3321.

5 (Whereupon, the document above
6 referred to was marked defense exhibit
7 No. 3321 and received in evidence.)

8 MR. LEVIN: I read defense document No. 2611,
9 exhibit 3321, omitting formal parts:

10 "I, ISHIWATA, Sotaro, served as Vice-
11 Minister of Finance during the period KAYA, Okinori
12 was Minister of Finance in the First KONOYE Cabinet
13 from June, 1937 to May, 1938. During this period,
14 I did not hear or read about any Five-Year Plan for
15 essential industries or any Five-Year Plan for
16 Ammunition Industry said to have been made by the
17 War Ministry. Needless to say, the Ministry of
18 Finance did not make any reference nor take into
19 consideration any such plans or parts thereof.

20 "On this 19th day of September, 1947.

21 "At Tokyo."

22 THE PRESIDENT: Is there any cross-examina-
23 tion?

24 MR. WILEY: May it please the Tribunal, in
25 regard to this matter, we refer the Tribunal to

1 exhibit No. 2227, page 15891 of the transcript,
2 and exhibits 841 and 842, pages of the transcript,
3 8261-8264.

4 There will be no cross-examination.

5 MR. LEVIN: May the witness be excused
6 on the usual terms?

7 THE PRESIDENT: He is excused accordingly.

8 (Whereupon, the witness was excused.)

9 THE PRESIDENT: We will adjourn now until
10 half-past nine on Monday morning.

11 (Whereupon, at 1600, an adjournment
12 was taken until Monday, 13 October 1947, at
13 0930.)

14 - - -
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25

31 December 1946

NOTE:

Attached hereto is the continuation
of the INDEX OF EXHIBITS from pages 183
through to 260 inclusive, Exhibit Nos. 1249
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| 6257 | 1249 | | Affidavit of James O. Richardson, Admiral, U.S.N., (Ret) | 11173 | 11238 |
| 6250 | 1250 | | Memorandum of Conversations between the American and Japanese Delegations, 29 October, 1934, at Claridges | | 11178 |
| 6251 | 1251 | | Book entitled "The Department of State Conference Series No. 24, the London Naval Conference 1935" | 11180 | |
| 6251-A | 1251-A | | Excerpt from above book entitled "The Department of State Conference Series No. 24, the London Naval Conference 1935" | | 11180 |
| 17 | 1252 | | Combined Fleet Top Secret Operation Orders No. 1, 2, and 7 | | 11193 |
| 6254-A | 1253-A | | Aerial Reconnaissance Photographs of Wotje Island taken by U. S. Navy Photographic Intelligence Unit | | 11200 |
| 6254-B | 1253-B | | Ditto | | 11200 |
| 6254-C | 1253-C | | Japanese Blueprint Map of Wotje Island dated 10 November 1940, captured by American Forces landing at Kwajalein in February 1944 | | 11200 |

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| 6255 | 1254 | | Book entitled "Japanese Messages Concerning Military Installations, Ship Movements, etc." | 11204 | |
| 6255-A | 1254-A | | Excerpt therefrom | | 11205 |
| 6258 | 1255 | | Sketch Map of Pearl Harbour after the Attack of 7 December 1941 (JICPOA D-1071) | | 11206 |
| 6255-C | 1256 | | Message from Tokyo (TOGO) to Honolulu (RIYOJI) dated 15 November 1941 | | 11209 |
| 6255-D | 1257 | | Message from Honolulu (KITA) to Tokyo, dated 18 November 1941 | | 11210 |
| 6255-E | 1258 | | Message from Tokyo (TOGO) to Honolulu, dated 2 December 1941 | | 11211 |
| 6256-A | 1259 | | Affidavit of Otto Kuehn dated 1 January 1942 | | 11213 |
| 6256-B | 1260 | | Affidavit of Otto Kuehn dated 3 January 1942 (1941) | | 11213 |
| 6255-F | 1261 | | Message from Honolulu (KITA) to Tokyo, dated 3 December 1941 | | 11216 |
| 6255-G | 1262 | | Message from Honolulu to Tokyo, dated 5 December 1941 | | 11220 |

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| 6255 | 1254 | | Book entitled "Japanese Messages Concerning Military Installations, Ship Movements, etc." | 11204 | |
| 6255-A | 1254-A | | Excerpt therefrom | | 11205 |
| 6258 | 1255 | | Sketch Map of Pearl Harbour after the Attack of 7 December 1941 (JICPOA D-1071) | | 11206 |
| 6255-C | 1256 | | Message from Tokyo (TOGO) to Honolulu (RIYOJI) dated 15 November 1941 | | 11209 |
| 6255-D | 1257 | | Message from Honolulu (KITA) to Tokyo, dated 18 November 1941 | | 11210 |
| 6255-E | 1258 | | Message from Tokyo (TOGO) to Honolulu, dated 2 December 1941 | | 11211 |
| 6256-A | 1259 | | Affidavit of Otto Kuehn dated 1 January 1942 | | 11213 |
| 6256-B | 1260 | | Affidavit of Otto Kuehn dated 3 January 1942 (1941) | | 11213 |
| 6255-F | 1261 | | Message from Honolulu (KITA) to Tokyo, dated 3 December 1941 | | 11216 |
| 6255-G | 1262 | | Message from Honolulu to Tokyo, dated 5 December 1941 | | 11220 |

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| 6255-H | 1263 | | Message dated 6 December 1941 from Honolulu to Tokyo (#253) | | 11221 |
| 6255-I | 1264 | | Message from Honolulu to Tokyo, dated 6 December 1941 (#254) | | 11224 |
| 1627 | 1265 | | "Allied Translator and Interpreter Section, Supreme Commander for the Allied Powers Research Report No. 132, dated 1 December 1945, the Pearl Harbour Operation" | | 11227 |
| 1021 | 1266 | | Meeting of Investigation Committee of the Privy Council, 10 December 1941 | | 11303 |
| 1022 | 1267 | | Privy Council Meeting Minutes, dated 10 December 1941 | | 11305 |
| 1632W-(91) | 1268 | | Extract from Entry from Marquis KIDO's Diary, dated 16 December 1941 | | 11308 |
| 1632W-(92) | 1269 | | Extract from Entry from Marquis KIDO's Diary, dated 18 December 1941 | | 11309 |
| 1811 | 1270 | | A Report of Study Concerning Hostilities on the Outbreak of War | 11311 | |
| 1811-A | 1270-A | | Excerpts therefrom | | 11313 |

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| 4076-A | 1271 | | Report (telegram) by Dr. Ott to Berlin dated 29 January 1942, containing an analysis of Speeches in the Diet at the end of January 1942, by the Accused TOJO, TOGO and SUZUKI | | 11339 |
| 4076-B | 1272 | | Statement for the purpose of obtaining decorations on the part of the Germans to be given various high Japanese Governmental Officials | | 11349 |
| 1632W (116) | 1273 | | Extract from Entry from Marquis KIDO's Diary, dated 1 September 1942 | | 11359 |
| 1632W (101) | 1274 | | Extract from Entry from Marquis KIDO's Diary, dated 13 May 1943 | | 11363 |
| 1170 | 1275 | | Meeting of the Investigation Committee on the Conclusion of a Treaty Between Japan and Thailand Concerning Thai Territory in Malaya and Shan Areas, held 18 August 1943 | | 11364 |
| 1632W (105) | 1276 | | Extract from Entry from Marquis KIDO's Diary, dated 6 January 1944 | | 11367 |
| 1632W (106) | 1277 | | Extract from Entry from Marquis KIDO's Diary, dated 17 July 1944 | | 11372 |

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| 1632W (113) | 1278 | | Extract from Entry from Marquis KIDO's Diary, dated 18 July 1944 | | 11377 |
| 1632W (114) | 1279 | | Extract from Entry from Marquis KIDO's Diary, dated 19 July 1944 | | 11381 |
| 1632W (119) | 1280 | | Extract from Entry from Marquis KIDO's Diary, dated 20 July 1944 | | 11383 |
| 1632W (117) | 1281 | | Extract from Entry from Marquis KIDO's Diary, dated 4 April 1945 | | 11384 |
| 1632W (118) | 1282 | | Extract from Entry from Marquis KIDO's Diary, dated 5 April 1945 | | 11388 |
| 1632W (107) | 1283 | | Extract from Entry from Marquis KIDO's Diary, dated 9 August 1945 | | 11393 |
| 823B(1) | 1284 | | Foreign Office Announcements 1940 (Excerpt from Exhibit No. 777 for Identification) April 15, 1940: Foreign Minister ARITA Replies to Newspaperman on the Question of the Netherlands East Indies | | 11671 |
| 823B(2) | 1285 | | Foreign Office Announcements 1940 (Further excerpt from Exhibit No. 777 for identification) May 11, 1940: Statement of the Foreign Office Spokesman concerning the Maintenance of <u>Status Quo</u> of the Netherlands East Indies | | 11674 |

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| 823B(3) | 1286 | | Foreign Office Announcements 1940 (Excerpt from Exhibit No. 777 for identification) May 13, 1940: Statement of the Foreign Office Spokesman concerning the Netherlands East Indies | | 11676 |
| 220-N | 1287 | | Press Release issued by the Department of State on 11 May 1940 | | 11679 |
| 220-P | 1288 | | Excerpts from Memorandum by the Secretary of State in Washington, dated 16 May 1940 | | 11680 |
| 220-M | 1289 | | Excerpt from Telegram from the United States Ambassador in the Soviet Union to the United States Secretary of State, dated 24 March 1941 | | 11686 |
| 487 | 1290 | | Book entitled: "Addresses to Young Men" by the accused HASHIMOTO | 11689 | |
| 487-B | 1290-A | | Excerpt therefrom | | 11689 |
| 1644 | 1291 | | Statement of the Imperial Japanese Government concerning the Future of East Asia, dated 3 November 1938 | | 11695 |
| 220-R | 1292 | | Telegram from the United States Secretary of State to the United States Ambassador in Japan, dated 22 June 1940 | | 11702 |

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| 220-S | 1293 | | Memorandum by the United States Ambassador in Japan, dated 24 June 1940 | | 11705 |
| 1632FF | 1294 | | Entry from Marquis KIDO's Diary, dated 27 June 1940 (Exhibit No. 178 previously marked for identification) | | 11708 |
| 1632GG | 1295 | | Entry from Marquis KIDO's Diary, dated 1 July 1940 (Exhibit No. 178 previously marked for identification) | | 11710 |
| 220-T | 1296 | | Oral Statement by the Japanese Minister for Foreign Affairs to the United States Ambassador to Japan on 28 June 1940 | | 11711 |
| 823B(4) | 1297 | | Foreign Office Announcements 1940 (Excerpt from exhibit No. 777 for identification) August 1, 1940: Announcement by the Japanese Government | | 11714 |
| 1632HH | 1298 | | Entry from Marquis KIDO's Diary, dated 10 August 1940 (Exhibit No. 178 for identification) | | 11717 |
| 587 | 1299 | | Article by OSHIMA, Hiroshi, Lieutenant General, former Ambassador to Germany, appearing in 27 October 1940 edition of YOMIURI Newspaper | 11728 | |
| 587-A | 1299-A | | Excerpt therefrom | | 11734 |

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| 1204-E | 1300 | | Address of Mr. Yosuke MATSUOKA, Minister for Foreign Affairs at the 76th Session of the Imperial Diet, dated 21 January 1941 | | 11740 |
| 2748-A | 1301 | | Certificate from the Japanese Foreign Office certifying prosecution documents 2748A(1) to 2748A(20) | | 11742 |
| 2748A(11) | 1302 | | Telegram from Foreign Minister MATSUOKA to the Japanese Delegate YOSHIZAWA in Batavia, dated 28 January 1941 | | 11742 |
| 1632W(47) | 1303 | | Entry from Marquis KIDO's Diary, dated 1 February 1941 (Exhibit No. 178 previously marked for identification) | | 11743 |
| 4038-D | 1304 | | Memorandum for the German Foreign Minister concerning German-Japanese Economic Questions, dated Berlin, 21 March 1941 | | 11748 |
| 2137-F | 1305 | | Decision by Imperial Headquarters in April 1941 (Exhibit No. 540 previously marked for identification) | | 11751 |
| 2137-H | 1306 | | Re Acceleration of Measures in the South. "Decision of Liaison Conference" dated 25 June 1941 /Showa 16/ | | 11753 |

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| 821 | 1307 | | Parent document: Collections of the Official Announcements of the Foreign Ministry No. 14, for 1935 | 11768 | |
| 821-B | 1307-A | | Excerpt therefrom: Announced on October 31. Item 17, Establishment of the Permanent Conciliation Commission between Japan and the Netherlands | | 11768 |
| 2623 | 1308 | | Statement by Dr. Hubertus J. Van Mook, Lieutenant Governor-General of the Netherlands Indies, Batavia | | 11771 |
| 2611 | 1309 | | Book entitled: "The Netherlands Indies and Japan, Battle on Paper, 1940-1941" by Dr. H. J. Van Mook | 11776 | |
| 2611 | 1309-A | | Excerpt therefrom | | 11717 |
| 2137-E | 1310 | | Decision of Liaison Conference 27 July 1940 /SHOWA 15/ Gist of Main Points in Regard to Dealing with the Situation to Meet the Change in World Conditions | | 11794 |
| 2748A(2) | 1311 | | Demands against the Dutch Indies | | 11798 |
| 2748A(6) | 1312 | | Telegram from the Japanese Envoy (KOBAYASHI) in Batavia to Foreign Minister MATSUOKA, dated 13 September 1940 | | 11813 |

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| 2748A(8) | 1313 | | Telegram to Foreign Minister MATSUOKA from Delegate KOBAYASHI dated 18 October 1940 | | 11817 |
| 2748A(18) | 1314 | | Telegram from MATSUOKA to SAITO, dated 3 September 1940 | | 11821 |
| 2748A(19) | 1315 | | Telegram from Japanese Commerce Minister KOBAYASHI in Batavia to Foreign Minister MATSUOKA in Tokyo, dated 18 September 1940 | | 11822 |
| 2748A(20) | 1316 | | Telegram from Delegate SAITO to Foreign Minister MATSUOKA, dated 25 October 1940 | | 11835 |
| 2137-G | 1317 | | Cabinet Decision 25 October 1940 /SHOWA 15/ Re Measures for Economic Development of Netherlands East Indies (A further document from exhibit No. 540 previously marked for identification) | | 11837 |
| 2748A(10) | 1318 | | Telegram from Delegate YOSHIZAWA in Batavia to Foreign Minister MATSUOKA, dated 27 January 1941 | | 11856 |
| 2631 | 1319 | | Telegram from Delegate YOSHIZAWA in Batavia to Foreign Minister MATSUOKA, dated 6 February 1941 | | 11858 |
| 2748A(12) | 1320 | | Telegram from Prime Minister KONOYE to the Japanese Delegate in Batavia, YOSHIZAWA, dated 28 March 1941 | | 11864 |

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| 2748A(18) | 1314 | | Telegram from MATSUOKA to SAITO, dated 3 September 1940 | | 11821 |
| 2748A(19) | 1315 | | Telegram from Japanese Commerce Minister KOBAYASHI in Batavia to Foreign Minister MATSUOKA in Tokyo, dated 18 September 1940 | | 11822 |
| 2748A(20) | 1316 | | Telegram from Delegate SAITO to Foreign Minister MATSUOKA, dated 25 October 1940 | | 11835 |
| 2137-G | 1317 | | Cabinet Decision 25 October 1940 /SHOWA 15/ Re Measures for Economic Development of Netherlands East Indies (A further document from exhibit No. 540 previously marked for identification) | | 11837 |
| 2748A(10) | 1318 | | Telegram from Delegate YOSHIZAWA in Batavia to Foreign Minister MATSUOKA, dated 27 January 1941 | | 11856 |
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| 2748A(13) | 1321 | | Telegram from Foreign Minister MATSUOKA to the Japanese Delegate in Batavia, YOSHI-ZAWA, dated 23 May 1941 | | 11868 |
| 2748A(14) | 1322 | | Telegram from the Japanese Delegate in Batavia, YOSHI-ZAWA, to Foreign Minister MATSUOKA, dated 7 June 1941 | | 11874 |
| 2748A(15) | 1323 | | Telegram to the Japanese Delegate in Batavia, YOSHI-ZAWA, from Foreign Minister MATSUOKA, dated 14 June 1941 | | 11879 |
| 2339 | 1324 | | Japan Year Book for the Year 1943-1944 | 11883 | |
| 2339-D | 1324-A | | Excerpt therefrom (p. 205) (July 28, 1941) | | 11883 |
| 2613 | 1325 | | Official Report by the Bureau of East Asiatic Affairs of the Netherlands Indies Government on the Organization of the Japanese Intelligence Service in the Netherlands Indies, dated 27 October 1941 | | 11885 |
| 2612 | 1326 | | Official Report of the Netherlands East Indies Government on Japanese Subversive Activities in the Netherlands Indies | 11893 | |
| 2612-A | 1326-A | | Excerpt therefrom | | 11893 |
| 2612-B | 1326-B | | Letter from Mr. KUBO, Tatsuji, dated 24 December 1938 | | 11900 |

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| 2339 | 1324 | | Japan Year Book for the Year 1943-1944 | 11883 | |
| 2339-D | 1324-A | | Excerpt therefrom (p. 205) (July 28, 1941) | | 11883 |
| 2613 | 1325 | | Official Report by the Bureau of East Asiatic Affairs of the Netherlands Indies Government on the Organization of the Japanese Intelligence Service in the Netherlands Indies, dated 27 October 1941 | | 11885 |
| 2612 | 1326 | | Official Report of the Netherlands East Indies Government on Japanese Subversive Activities in the Netherlands Indies | 11893 | |
| 2612-A | 1326-A | | Excerpt therefrom | | 11893 |
| 2612-B | 1326-B | | Letter from Mr. KUBO, Tatsuji, dated 24 December 1938 | | 11900 |

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| 2612-D | 1326-C | | Letter dated 15 March 1935 (Further excerpt from exhibit No. 1326 for identification) | | 11905 |
| 2612-C | 1326-D | | Further excerpt from exhibit No. 1326 and reproduced as an Appendix to that Exhibit | | 11907 |
| 2612-E | 1326-E | | Letter dated 30 May 1940 (Further excerpt from exhibit No. 1326 for identification) | | 11910 |
| 15-B | 1327 | | Excerpt from Exhibit No. 803 (For identification) being an Intercepted Telegram sent from Batavia to Tokyo on 2 September 1941. (Sender, YOSHIZAWA, Japanese Consul-General in Batavia) | | 11915 |
| 1585-A | 1328 | | List of Questions Drawn up for the Liaison Conference between the Government and Imperial Headquarters at the end of October, 1941 | | 11923 |
| 1559-A | 1329 | | Answers to above Questions | | 11928 |
| 2612-F | 1330 | | Intercepted Telegram sent by the Japanese Consul-General in Batavia to the Japanese Consuls in various places in the Netherlands Indies on 29 November 1941 (Excerpt from Exhibit No. 2(12)) | | 11938 |

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| 2685 | 1331 | | Regulations of the Sixth Committee Approved by the Prime Minister, 2 December 1941- Amended 23 January 1942 | | 11944 |
| 1492 | 1332 | | Outline of the Economic Counter-Plans for the Southern Area, dated 12 December 1941 | | 11948 |
| 1112 | 1333 | | A Draft marked "Foreign Ministry Top Secret" and entitled: "Policy Towards Neutral Powers and other Problems" | 11959 | |
| 1112-A | 1333-A | | Excerpt therefrom entitled: "Summarized Plan for Management of the South Sea Area" dated 14 December 1941 | | 11960 |
| 1987-B | 1334 | | The Fundamental Principles of the Remedial Measures for Southern Regions to be occupied as a result of the Great East Asia War (Excerpt from Prosecution's document marked exhibit No. 679 for identification) | | 11968 |
| 1621-C | 1335 | | Establishment of East Asia Maneuvers for the First Period of Total War (Excerpt from exhibit No. 689 marked for identification) | | 11974 |
| 2402-B | 1336 | | Draft of Basic Plan for Establishment of Greater East Asia Co-Prosperity Sphere, dated 27 January /SHOWA 17/ 1942 | | 12010 |

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| 1555-M | 1337 | | Concerning the Opening of Hostilities Against Netherlands Forces - Statement of the Government Issued by the Board of Information on 12 January 1942 (An excerpt from exhibit No. 879 for identification) | | 12025 |
| 1038 | 1338 | | Minister of State Shigenori TOGO's Speech, 22 January 1942 | 12027 | |
| 1038-A | 1338-A | | Excerpt therefrom | | 12027 |
| 1038-B | 1338-B | | Minister of State Hideki TOJO's Speech, dated 22 January 1942 | | 12034 |
| 2624-A | 1339 | | A Sworn statement of Major G. L. Reinderhoff, Royal Netherlands Indies Army | | 12043 |
| 2618 | 1340 | | A Sworn Statement dated 20 May 1946 by Colonel C. van den Hoogenbend, Royal Netherlands Indies Army | | 12047 |
| 2620-A | 1341 | | A Sworn Statement dated 10 April 1946 by J. T. van Amstel (Militia Sailor) | | 12049 |
| 2622-A | 1342 | | A Sworn Statement dated 22 June 1946 by Lieutenant A. F. P. Hulsewe, Royal Netherlands Navy Reserve | | 12054 |
| 2674 | 1343 | | ATIS Report dated 11 August 1943 Containing an Account of the Netherlands Indies Operations (captured enemy document) | 12060 | |

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| 2674-A | 1343-A | | Excerpt therefrom | | 12061 |
| 2754 | 1344 | | Course of Events leading up to Decisions on Political Control and Reversion of the East Indies in the Second World War | | 12068 |
| 2339 | 1345 | | The Japan Year Book 1943-1944 (pp. 200 and 202) | | 12096 |
| 2339-C | 1346 | | Excerpt from the above (pp. 1049 to 1051) The Assembly of Greater East Asiatic Nations - Joint Declaration Adopted on 6 November 1943 | | 12098 |
| 468 | 1347 | | Address of His Excellency General Hideki TOJO, Representative of Japan, dated 5 November 1943 | 12103 | |
| 468-A | 1347-A | | Excerpt therefrom | | 12103 |
| 2755 | 1348 | | Policy in Regard to the Independence of the East Indies | | 12110 |
| 2758 | 1349 | | Measures for the Netherlands East Indies Independence, Data for Foreign Minister's Explanation, 17 July 1945 | | 12116 |
| 2759 | 1350 | | Decision of the Supreme War Plans Council No. 27, 17 July 1945, re Measures for the East Indies Independence | | 12120 |

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| 2750 | 1351 | | A Sworn Statement by Klaas A. de Weerd, Major, Artillery, Royal Netherlands Indies Army | | 12129 |
| 2756 | 1352 | | Notification Regarding Measures Ensuing from the Proclamation of Admission of the Independence of the East Indies, dated September, 1944 | | 12215 |
| 2757 | 1353 | | Basic Outline of Propaganda and Enlightenment Attendant on the Proclamation re Recognition of the Independence of the East Indies, dated 7 September 1944, /SHOWA 19/ | | 12221 |
| 2854 | 1354 | | Schedule and attached Certificate of Titles of all Publications of the Total War Research Institute (98 publications) | | 12345 |
| 2747 | 1355 | | List of 317 separate Reports prepared from the Judge Advocate Service of the U.S. Army on Atrocities reported in the Philippines (accompanied by a certificate executed by Colonel Alva C. Carpenter, Chief of Legal Section, SCAP) | | 12381 |
| 2871 | 1356 | | Map of the Philippines showing by dots the places where Japanese Atrocities occurred according to information contained in the above mentioned list of Reports | | 12381 |

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| 2730 | 1357 | | Radiographic Report sent 9 July 1946 by Legal Section, SCAP, to the War Department in Washington re Total number of deaths in the Philippines by Murder, Cruelty, Torture, Starvation and Neglect among American and Filipino civilians and members of the Armed Forces | | 12382 |
| 2885 | 1358 | | Chart prepared by the War Department at Washington based in part on the Report submitted by the Legal Section, SCAP | | 12383 |
| 2801 | 1359 | | Summary of Evidence of Report No. 11 of the List of Reports on Atrocities committed at the Headquarters of the Philippine Red Cross in Manila in February of 1945 | | 12385 |
| 2813 | 1360 | | Summary of evidence of JAG Report No. 88 on the massacre of the house of Dr. Moreta at 417 Isaac Peral Street, Manila in February 1945 | | 12405 |
| 2812 | 1361 | | Summary of evidence of JAG Report No. 70 on the massacre in the house of Dr. Price at Colorado Street in Manila in February 1945 | | 12407 |
| 2845 | 1362 | | Affidavit of Basilio Umagap on Atrocities at the Fons residence in Manila in February 1945 | | 12410 |

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| 2802 | 1363 | | Summary of evidence of JAG Report No. 27 on the massacre at De La Salle College in Manila in February 1945 | | 12411 |
| 2849 | 1364 | | Transcript of the testimony of Nena Alban at the trial of former Japanese General Masaharu HOMMA in Manila during the early days of the Japanese Occupation in 1942 | | 12414 |
| 2838 | 1365 | | Summary of evidence of JAG Report No. 66 on the massacre at the German Club in February 1945 in Manila | | 12421 |
| 2874 | 1366 | | Transcript of the testimony of Mariano del Rosario in the trial of YAMASHITA | | 12422 |
| 2873 | 1367 | | Transcript of the testimony of Rosalinda Andoy in the YAMASHITA trial in Manila | | 12426 |
| 2798 | 1368 | | Summary of evidence of JAG Report No. 53 on the massacre of over 200 civilians at St. Paul's College in Manila in February 1945 | | 12434 |
| 2864 | 1369 | | Summary of evidence of JAG Report No. 63 on Looting, Burning and Murder of civi- lians in the Campos residence in Manila during February 1945 | | 12436 |

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| 2814 | 1370 | | Summary of evidence of JAG Report No. 84 on the Massacre of more than 1000 civilians at Lipa, Batangas Province, Luzon, in February 1945 | | 12437 |
| 2794 | 1371 | | Summary of evidence of JAG Report No. 117 on Additional Massacres in Lipa, Batangas Province, Luzon, in March 1945 | | 12440 |
| 2720 | 1372 | | Affidavit of Apolinaria Navarro on Atrocities in Suloc, Santo Tomas in March 1945 | | 12441 |
| 2839 | 1373 | | Summary of evidence of JAG Report No. 106 on the massacre of 194 Filipino civilians at Santo Tomas and the burning of the town in February 1945 | | 12443 |
| 2790 | 1374 | | Summary of evidence of JAG Report No. 69 on the Massa- cre of civilians at Bauan, in February 1945 | | 12446 |
| 2796 | 1375 | | Summary of evidence of JAG Report No. 90 on the Massa- cre of 320 Filipino civilians in Taal in February 1945 | | 12447 |
| 2797 | 1376 | | Summary of evidence of JAG Report No. 96 on the massa- cre of 300 civilians at Cuenca in February 1945 and March 1945 | | 12449 |

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| 2794 | 1371 | | Summary of evidence of JAG Report No. 117 on Additional Massacres in Lipa, Batangas Province, Luzon, in March 1945 | | 12440 |
| 2720 | 1372 | | Affidavit of Apolinaria Navarro on Atrocities in Sulo, Santo Tomas in March 1945 | | 12441 |
| 2839 | 1373 | | Summary of evidence of JAG Report No. 106 on the massacre of 194 Filipino civilians at Santo Tomas and the burning of the town in February 1945 | | 12443 |
| 2790 | 1374 | | Summary of evidence of JAG Report No. 69 on the Massacre of civilians at Bauan, in February 1945 | | 12446 |
| 2796 | 1375 | | Summary of evidence of JAG Report No. 90 on the Massacre of 320 Filipino civilians in Taal in February 1945 | | 12447 |
| 2797 | 1376 | | Summary of evidence of JAG Report No. 96 on the massacre of 300 civilians at Cuenca in February 1945 and March 1945 | | 12449 |

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| 2834 | 1377 | | Summary of evidence of JAG Report No. 101 on the Massacre of at least 107 Filipino civilians at San Jose in February and March 1945 | | 12450 |
| 2810 | 1378 | | Summary of evidence of JAG Report No. 74 on the Murder of 39 civilians at Lucaro in March 1945 | | 12451 |
| 2793 | 1379 | | Summary of evidence of JAG Report No. 126 on the Massacre of more than 100 Filipino civilians at Tapel in July 1945 | | 12452 |
| 2800 | 1380 | | Summary of evidence of JAG Report No. 197 on the Murders, Looting and Burning of the town of Calauang, in February 1945 | | 12453 |
| 2884 | 1381 | | Transcript of the testimony of Jose Habana in the trial of YAMASHITA re Massacre at Calamba, during February 1945 | | 12454 |
| 2806 | 1382 | | Summary of evidence of JAG Report on the burning of the Barrio of Nanipil and the Murders of civilians on Titig Mountain in April 1945 | | 12456 |
| 2823 | 1383 | | Summary of evidence of JAG Report No. 267 on the Execution of 21 Filipino prisoners at Barrio Angad, Banguad, Abra, in November 1944 | | 12460 |

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| 2883 | 1384 | | Transcript of the testimony of Mariano Bayaras, Mayor of Basco, Batanes Island in the YAMASHITA trial re Atrocities in Basco in May-September 1945 | | 12461 |
| 2827 | 1385 | | Summary of evidence of JAG Report No. 304 on the Execution of Charles Putnam, Thomas Daggott, Captain Vicente Pinon and six other unarmed Filipinos in March 1944, Alaminos, Pangasinan | | 12463 |
| 2807 | 1386 | | Summary of evidence of JAG Report on the Massacre of approximately 500 Filipino civilians at Dapdap, Penson Island, Camotes Islands, Cebu Province in December 1944 | | 12464 |
| 2835 | 1387 | | Summary of evidence of JAG Report No. 137 on the Murder of 5 civilians in Corvantes Ilocos Sur, in August 1945 | | 12468 |
| 2725 | 1388 | | Affidavit of Isidro Cabusas re Torture and Murder at Cordova, Cebu, in August 1944 | | 12469 |
| 2833 | 1389 | | Summary of evidence of JAG Report No. 253 on the Murder, Torture and Rape of civilians at Bogo, Cebu, during August, September, October and November 1944 | | 12471 |

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| 2818 | 1390 | | Summary of evidence of JAG Report No. 180 on Torture and Murder of civilians at Dumanjug, Cebu, in August 1944 | | 12472 |
| 2791 | 1391 | | Summary of evidence of JAG Report No. 174 on Execu- tions of Filipino civilians at Calbayog, Samar, in July 1943 | | 12472 |
| 2859 | 1392 | | Summary of evidence of JAG Report No. 298 on the Massa- cre of 37 civilians in Pilar, Camotes Island, Cebu, in December 1944 | | 12473 |
| 2816 | 1393 | | Summary of evidence of JAG Report No. 142 on the Murder of 11 American Baptist teachers of the faculty of the Central Philippine Col- lege and the Murder of 6 other Americans at Camp Hope- vale near Tapaz, Capiz, in December 1943 | | 12474 |
| 2836 | 1394 | | Summary of evidence of JAG Report No. 140 on Punitive expeditions on Panay Island by Japanese Forces against civilians in September and October 1943 | | 12476 |
| 2829 | 1395 | | Summary of evidence of JAG Report No. 303 on the Murder of 30 or more Filipinos at San Charles in August 1943 and February 1944 | | 12481 |

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| 2828 | 1396 | | Summary of evidence of JAG Report No. 300 on Murder of 35 Filipinos at Malaiba, Vallehermose, in February 1944 | | 12482 |
| 2821 | 1397 | | Summary of evidence of JAG Report No. 263 of the Murder of 90 Filipino civilians on the shores of the Tagburos River, Palawan Island, March 1945 | | 12483 |
| 2832 | 1398 | | Summary of evidence of JAG Report No. 291 re Murder and Rape near Jagna, Bohol, from April to October 1945 | | 12484 |
| 2843 | 1399 | | Summary of evidence of JAG Report No. 290 on the Murder, Rape and Torture of civilians in the vicinity of Tagbilaran, Bohol, June to September 1942 and July 1944 | | 12485 |
| 2719 | 1400 | | Affidavit of Jose C. Tupaz on the Murder of 24 men and three women at Tigbuan, Iloilo Province, in August 1943 | | 12486 |
| 2727 | 1401 | | Affidavit of Nonito Tubungbanwa re the Massacre of civilians at the Barrio of Lungao, Iloilo, in September 1943 | | 12487 |
| 2724 | 1402 | | Affidavit of Cayetano Narra re the Crucifixion of a Filipino in the Barrio Progreso, Ajuy, Iloilo, in September 1943 | | 12488 |

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| 2721 | 1403 | | Affidavit of Lorenzo Polito re Atrocities committed in Inopanacan and Canangay, Leyte, in March 1944 | | 12489 |
| 2729 | 1404 | | Affidavit of Radimode (More on Atrocities committed at Barrio Rayah, Municipal District of Wato, Lanao Province, in August 1942) | | 12490 |
| 2841 | 1405 | | Summary of evidence of JAG Report No. 233 re Conditions existing in the prisoner-of-war camp at Davao Penal Colony and the Davao City Civilian Internment Camp from 1942 to 1944 | | 12491 |
| 2803 | 1406 | | Summary of evidence of JAG Report No. 166 on the Murder of approximately 89 Filipinos at Tugbak, Davao, in May 1945 | | 12493 |
| 2728 | 1407 | | Affidavit of Miguel Estimada re the Rape of two women at Bacaca, Davao City, in May 1945 | | 12494 |
| 2856 | 1408 | | Summary of evidence of JAG Report No. 282 on the Atrocities at Barrio San Roque and Sitio Bitute, Zamboanga City, Mindanao, in March 1945 | | 12496 |
| 2822 | 1409 | | Summary of evidence of JAG Report No. 265 on Murder of 5 Filipinos in the hospital area at the Barrio of Umagos, Mandampog, Balingasag, Oriental Misamis, in October 1944 | | 12498 |

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| 2824 | 1410 | | Summary of evidence of JAG Report No. 272 on Murder of 2 Filipinos at Butuan, Agusan, Mindanao, during the early part of March 1945 | | 12499 |
| 2825 | 1411 | | Summary of evidence of JAG Report No. 281 re the Murder of 29 civilians at Ranao-Pilayan, Cotabato, Mindanao, in June 1944 | | 12500 |
| 2857 | 1412 | | Summary of evidence of JAG Report No. 302 on Murder, Torture and Lootings in and around Vigan, Ilocos Sur from December 1941 to April 1945 | | 12500 |
| 2817 | 1413 | | Summary of evidence of JAG Report No. 109 on Tortures and Murders at Fort Santiago, from January 1942 to February 1945 | | 12502 |
| 2877 | 1414 | | Transcript of the testimony of Justina Manlisik in the YAMASHITA trial describing Atrocities in Tanauan, Batangas, in February 1945 | | 12507 |
| 2820 | 1415 | | Summary of evidence of JAG Report No. 262 on Mistreatment and Torture of civilians by Japanese Kempei-Tai at Dumaguete, during June 1944 to March 1945 | | 12507 |

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| 2804 | 1416 | | Summary of evidence of JAG Report No. 161 on Torture and Murder of Japanese Kempei-Tai at Bacolod, Negros Occidental, in February and March 1945 | | 12508 |
| 2723 | 1417 | | Affidavit of Leonora Palacio Villas re the Torture received by her brothers Fidel and Florentino and herself in Palo, Leyte, in February 1942 | | 12510 |
| 2726 | 1418 | | Affidavit of Tayambong Chagse re the Torture he received at Kabayo, Atok, Mountain Province, in March 1943 | | 12513 |
| 2865 | 1419 | | Summary of evidence of JAG Report No. 55 re Torture and Starvation of Dr. Gilbert Isham Cullen, an American citizen in the Provincial Prison of Iloilo City, in May 1942 | | 12517 |
| 2735 | 1420 | | Transcript of the testimony of Henry Keys, War Correspondent of the London Daily Express in the YAMASHITA trial describing the Atrocities at Intramures, in February 1945, particularly about Rufina Mercade | 12520 | 12845 |
| 2844 | 1421 | | Summary of evidence of JAG Report No. 61 on Mass Rape at the Bay View Hotel, Miramar Apartments, Boulevard Apartments and Alhambra Apartments in February 1945 | | 12520 |

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| 2709 | 1422 | | Affidavit of Easter Garcia Moras re Mass Rape by Japanese soldiers and officers at the Bay View Hotel in February 1945 | | 12529 |
| 2886 | 1423 | | Transcript of testimony of Nena Alban in the trial of HOMMA, Masaharu | | 12536 |
| 2847 | 1424 | | Transcript of the testimony of Apolinaria Due Tuazon in the HOMMA, Masaharu trial | | 12539 |
| 2872 | 1425 | | Transcript of the testimony re Raping of Caestina de la Rosa in the HOMMA trial in January 1942 at Bansic, Hermosa, Bataan | | 12541 |
| 2848 | 1426 | | Transcript of the testimony of Amadeo Cabe in the HOMMA trial on the Rape of two American women in Manila in January 1942 | | 12543 |
| 2876 | 1427 | | Transcript of the testimony of Juan Etuijera in the YAMASHITA trial re Rape at Obando, Katangalan, in February 1945 | | 12545 |
| 2858 | 1428 | | Summary of evidence of JAG Report No. 287 on Arson, Rape and Robbery at Bali-lihan and Sikatune, Bohol, in September 1945 | | 12546 |

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| 2862 | 1429 | | Transcript of the testimony of Francisca Bernardo de Luna re How she was raped at Sampaloc, Talavera, Nueva Ecija, in January 1942 | | 12547 |
| 2868 | 1430 | | Transcript of testimony of Vicente Arias in the YAMASHITA trial re the burning of certain buildings in Manila in February 1945 | | 12549 |
| 2811 | 1431 | | Summary of evidence of JAG Report No. 71 on the Bombing of Manila in December 1941 (Then declared an open city) | | 12551 |
| 2866 | 1432 | | Transcript of testimony in the YAMASHITA trial of Dominador Santos, Deputy Chief of the Detective Bureau, Manila Police Department, re the dynamiting and burning of the Singer Building in Manila in February 1945 | | 12553 |
| 2867 | 1433 | | Transcript of the testimony of Amando Alvarez in the YAMASHITA trial re How the Japanese set fire to the Bank of the Philippine Islands Building in Manila in February 1945 | | 12554 |

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| 2861 | 1434 | | Transcript of the testimony of Rosa Calalong in the YAMASHITA trial re Rape in the Manila Cathedral and the Burning of the Cathedral in February 1945 | | 12556 |
| 2881 | 1435 | | Transcript of testimony of Juan P. Juan in the YAMASHITA trial re the Burning of the Philippine Red Cross Building by Japanese soldiers in February 1945 | | 12559 |
| 2880 | 1436 | | Summary Report dated 27 September 1946 of the physical destruction and other losses suffered in the Philippines, caused by Japanese aggression during December 8, 1941, to July 4, 1945 | | 12561 |
| 2815 | 1437 | | Summary of evidence of JAG Report No. 151 on the Murder of civilians and the wanton destruction of property in Malvor and Batangas Provinces, in January and February 1945 | | 12564 |
| 2707 | 1438 | | Allied Translators Interpreter Service Research Report No. 72 | 12566 | |
| 2707-D | 1438-A | | Mimeographed and handwritten file of the Manila Navy Defense Force and Southwestern Area Fleet Operation Orders dated 23 December 1944 to 14 February 1945 | | 12566 |

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| 2707-K | 1438-B | | English translation of Extracts from a Diary dated 24 October 1944 to 31 December 1944 of Warrant Officer YAMAGUCHI, Yoshimi | | 12567 |
| 415 | 1439 | | English translation of Extracts from a captured diary of Private 1st Class MATSUOKA, Itoji, dated 19 December, presumably 1944, to 27 March 1945 | | 12569 |
| 426 | 1440 | | English translation of an Extract from the captured diary kept by a Japanese soldier, dated 24 April 1944 to 23 January 1945 | | 12570 |
| 2776 | 1441 | | English translation of Extracts from a captured notebook diary belonging to a member of Akatsuki 16709 Force, dated from 31 July 1944 to 21 February 1945 | | 12571 |
| 428 | 1442 | | English translation of an excerpt taken from a loose handwritten sheet containing battle report, dated 13 April, presumably 1945, issued by commanding officer of Ijichi Unit | | 12572 |
| 2749 | 1443 | | English translation of an extract from a bound, printed and mimeographed file containing censored matters entitled: "Police Affairs B, No. 2 (Incoming Reports on Public Order)" dated 1 July 1943 to 12 January 1944 | | 12573 |

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| 2777 | 1444 | | English translation of an excerpt from the bound handwritten notebook diary, dated 14 November 1943 to 17 April 1945, belonging to a member of the FUJITA Unit 3330 Force | | 12574 |
| 425 | 1445 | | English translation of extract from a captured bound diary notebook, dated July 1944 -- 22 May 1945 (owner and unit not stated) | | 12575 |
| 2707-H | 1446 | | English translation of a captured Japanese "Memorandum concerning the training of all officers and men for the prevention" dated 18 November 1944, which makes admission and confirmation of the practice of cannibalism | | 12576 |
| 2850 | 1447 | | Extract from statement made by prisoner-of-war YANAGIZAWA, Eiji, captured by Australian troops at Marasupe | | 12577 |
| 2713 | 1448 | | Affidavit of Major-General Edward P. King, Commanding-General of the American-Filipino Forces that surrendered on Bataan in April 1942 | | 12592 |
| | 1449 | | Transcript of the testimony in the HOMMA trial of Basilio Hernandez, Chief of Casualty Division of the Filipino Army on the number of Filipino troops on Bataan | | 12596 |

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| 2809 | 1450 | | Summary of evidence of JAG Report No. 75 on deaths, mistreatment of and living conditions at Camp O'Donnell between the period of April 1942 to December 1942, where more than 1500 American prisoners-of-war and approximately 26,000 Filipino prisoners died | | 12597 |
| 2831 | 1451 | | Summary of evidence of the Report on Atrocities at Bataan General Hospitals No. 1 and 2, in April 1945 | | 12601 |
| 2799 | 1452 | | Summary of evidence of JAG Report No. 189 on mistreatment and improper conditions of American and Filipino prisoners-of-war in Corregidor in the summer of 1942 | | 12604 |
| 2870 | 1453 | | Affidavit of James E. Strawhorn re Tortures, etc., at the Prisoners-of-War Camp at Nicholes Field and Pasay | | 12606 |
| 2826 | 1454 | | Summary of evidence of JAG Report No. 285 on the Death March from Camp Keithley to Iligan, Lanao, Mindanao, on 4 July 1942 | | 12668 |
| 2869 | 1455 | | Summary of evidence of JAG Report No. 49 on the Mistreatment and Murders at the Prisoner-of War Camp at Puerto Princesa, Palawan, during 1942 to 1945 | | 12669 |

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| 2742 | 1456 | | Affidavit of Major Charles Thomas Brown on Mistreatment and Improper Conditions at the Tayabas Detail in the summer of 1945 | | 12725 |
| 2855 | 1457 | | Summary of evidence of JAG Report No. 210 on the transportation of prisoners-of-war under improper conditions from Davao Penal Colony, Mindanao, to Manila from 6 June to 26 June 1944 | | 12730 |
| 2808 | 1458 | | Summary of evidence of JAG Report No. 76 on Mistreatment and Improper Conditions existing at Bilibid Prison, Manila from May 1942 to February 1945 | | 12732 |
| 2795 | 1459 | | Summary of evidence of JAG Report No. 99 on Mistreatment and Improper Conditions at Cabanatuan Camp during September 1942 to May 1943 | | 12734 |
| 2830 | 1460 | | Summary of evidence of JAG Report No. 207 re the Mistreatment and Improper Conditions at the American Prisoners-of-War Camp at Gapan between May and June 1942 | | 12776 |

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| 2837 | 1461 | | Summary of evidence of JAG Report No. 72 on the Murder of two American captured fliers at Cebu City in March 1945 | | 12778 |
| 552 | 1462 | | Allied Translator and Interpreter Section Southwest Pacific Area Research Report No. 65 (Suppl No. 1) dated March 29, 1945 | 12779 | |
| 552-A | 1462A | | English translation of Extracts from a captured booklet entitled "Japanese Instructions on How to Interrogate | | 12779 |
| 2707-F | 1463 | | English translation of an extract from a mimeographed manual entitled: "Reference on Detection and Disposal of Land Mines" issued September 1943 by the Japanese Army Engineer School | | 12780 |
| 2707-R | 1464 | | English translation of an extract from instructions issued 5 February (year not stated) by the Commanding General of the 16th Division | | 12781 |

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| 2837 | 1461 | | Summary of evidence of JAG Report No. 72 on the Murder of two American captured fliers at Cebu City in March 1945 | | 12778 |
| 552 | 1462 | | Allied Translator and Interpreter Section Southwest Pacific Area Research Report No. 65 (Suppl No. 1) dated March 29, 1945 | 12779 | |
| 552-A | 1462A | | English translation of Extracts from a captured booklet entitled "Japanese Instructions on How to Interrogate | | 12779 |
| 2707-F | 1463 | | English translation of an extract from a mimeographed manual entitled: "Reference on Detection and Disposal of Land Mines" issued September 1943 by the Japanese Army Engineer School | | 12780 |
| 2707-R | 1464 | | English translation of an extract from instructions issued 5 February (year not stated) by the Commanding General of the 16th Division | | 12781 |

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| 2707-S | 1465 | | Extract from instructions dated 3-21 April 1944, for treatment of prisoners, taken from a file of miscellaneous orders belonging to TOHIRA Military Police Section 33 Infantry Regiment, 16 Division, presumably the Tacloban Military Police Detachment commanded by a Captain TOHIRA | | 12782 |
| 2718 | 1466 | | Captured loose handwritten sheet containing an account of a visit to Muntinglupa Prison in the Philippines, kept by a specified number of TORII 8th Unit, dated 24 October (year not stated) | | 12784 |
| 10-Y | 1467 | | Certificate of Mr. Arthur A. Sandusky re the authenticity of documents 10-B through 10-X | | 12786 |
| 10-B | 1468 | | American Government note to the Japanese Government thru the Swiss Government dated 18 December 1941 re the Geneva Prisoner-of-War Convention | | 12787 |

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| 10-C | 1469 | | Japanese Government note of 4 February 1942, directed to the American Government thru the Swiss Government | | 12787 |
| 10-D | 1470 | | American Government note of 14 February 1942, directed to the Japanese Government through the Swiss Government | | 12789 |
| 10-E | 1471 | | Japanese Note transmitted on 24 February 1942, through the Swiss Government | | 12790 |
| 10-F | 1472 | | Foreign Minister TOGO's communication of February 1942, directed to the American Government through the Swiss Government | | 12791 |
| 10-G | 1473 | | American Note of 19 March 1942 informing the Japanese Government of the rations provided for Japanese internees detained by American forces | | 12792 |
| 10-H | 1474 | | American Note of 3 April 1942 directed to the Japanese Government through the Swiss Government | | 12793 |
| 10-I | 1475 | | American Government note of 21 May 1942 directed to the Japanese Government through the Swiss Government | | 12795 |
| 10-J | 1476 | | American note of 17 November 1942 directed to the Japanese Government through the Swiss Government | | 12796 |

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| 10-K | 1477 | | American Government note of 12 December 1942 directed to the Japanese Government re Barbarous Conditions at Fort Santiago, Santo Tomas, Davao, and other internment camps in the Philippines | | 12797 |
| 10-L | 1478 | | American Government note of 5 April 1943 directed to the Japanese Government through the Swiss Government | | 12802 |
| 10-M | 1479 | | Undated American Government note transmitted 5 February 1944 by the Swiss Minister in Tokyo to the Japanese Foreign Office | | 12803 |
| 10-N | 1480 | | American Government note of 21 June 1944 re Swiss representatives to be permitted by the Japanese Government to visit internment camps | | 12811 |
| 10-P | 1481 | | American note of 11 September 1944 to the Japanese Government through the Swiss government | | 12812 |
| 10-S | 1482 | | American Government note of 10 March 1945 directed to the Japanese Government through the Swiss Government | | 12812 |
| 10-T | 1483 | | American note of 6 April 1945 to the Japanese Government through the Swiss Government | | 12814 |

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| 10-U | 1484 | | American note directed to the Japanese Government through the Swiss Government, dated 19 May 1945 | | 12815 |
| 10V | 1485 | | American Government note of 19 May 1945 addressed to the Japanese Government through the Swiss Government | | 12816 |
| 10-W | 1486 | | American Government note of 8 June 1945 directed to the Japanese Government through the Swiss Government | | 12817 |
| 10-X | 1487 | | American Government note of 31 July 1945 directed to the Japanese Government through the Swiss Government | | 12818 |
| 2882 | 1488 | | Transcripts of Allied Station broadcasts monitored by the Foreign Office in Japan on Treatment of Allied prisoners-of-war, recorded between 24 January 1944 and December 19, 1944 | | 12821 |
| 2782 | 1489 | | Affidavit of SUZUKI, Tadakatsu dated 12 November 1946 | | 12832 |
| 1469-D | 1490 | | Letter dated 29 January 1942 from the Japanese Minister of Foreign Affairs to the Swiss Minister | | 12878 |
| 1469-B | 1491 | | Letter dated 13 February 1942 from Japanese Ministry of Foreign Affairs to the Swiss Minister | | 12878 |

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| 1469-C | 1492 | | Copy of letter dated 20 February 1942 from the Swiss Minister to Shigenori TOGO, Japanese Foreign Minister | | 12879 |
| 1469-A | 1493 | | Letter dated 2 March 1942 from the Japanese Ministry of Foreign Affairs to the Swiss Minister | | 12879 |
| 847-D | 1494 | | Letter from the Argentine Minister in Tokyo on behalf of Great Britain and the Dominions, dated 3 January 1942 | | 12879 |
| 847-E | 1495 | | Letter from the Argentine Minister in Tokyo dated 5 January 1942 to TOGO - National and Racial customs of the prisoners with regard to food and clothing | | 12882 |
| 1465-C | 1496 | | Letter dated 29 January 1942 from the Minister for Foreign Affairs TOGO to the Argentine Minister | | 12882 |
| 5430 | 1497 | | Synopsis of Evidence "Singapore" A. At time of Capitulation | | 12893 |
| 5129 | 1498 | | Declaration of Wong Sin Joon | 12894 | |
| 5129 | 1498-A | | Excerpt therefrom | | 1289 |
| 5374 | 1499 | | Affidavit of A. F. Ball | 12895 | |

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| 5374 | 1499-A | | Excerpt therefrom | | 12896 |
| 5051 | 1500 | | Affidavit of C. W. Perry | 12896 | |
| 5051 | 1500-A | | Excerpt therefrom | | 12896 |
| 5047-B | 1501 | | Affidavit of Rev. G. Polain | 12896 | |
| 5047-B | 1501-A | | Excerpt therefrom | | 12897 |
| 5242 | 1502 | | Affidavit of L. W. McCann | 12898 | |
| 5242 | 1502-A | | Excerpt therefrom | | 12899 |
| 5045 | 1503 | | Affidavit of G. A. Croft | 12899 | |
| 5045 | 1503-A | | Excerpt therefrom | | 12899 |
| 5081 | 1504 | | Affidavit of Lieutenant Colonel C. P. Heath, D. S. O. | 12901 | |
| 5081 | 1504-A | | Excerpt therefrom | | 12902 |
| 5044 | 1505 | | Affidavit of L. W. Wright | 12902 | |
| 5044 | 1505-A | | Excerpt therefrom | | 12903 |
| 5052-B | 1506 | | Affidavit of F. C. Stuart | 12904 | |
| 5052-B | 1506-A | | Excerpt therefrom | | 12904 |
| 5373 | 1507 | | Declaration of J. W. Craven | 12907 | |
| 5373 | 1507-A | | Excerpt therefrom | | 12907 |
| 5063 | 1508 | | Synopsis of Evidence "Singapore" - B - Prisoners of War in Internment | 12908 | |

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| 5063 | 1508-A | | Excerpt therefrom | | 12909 |
| 5061 | 1509 | | Affidavit of Lieutenant F. Ramsbotham | 12909 | |
| 5061 | 1509-A | | Excerpt therefrom | | 12910 |
| 5080 | 1510 | | Affidavit of Lieutenant Colonel C.P. Heath, D.S. O. | 12910 | |
| 5080 | 1510-A | | Excerpt therefrom | | 12911 |
| 5130 | 1511 | | Affidavit of Sergeant G.V. D. Picozzi | 12912 | |
| 5130 | 1511-A | | Excerpt therefrom | | 12912 |
| 5428 | 1512 | | Affidavit of Lieutenant F. G. Wells | 12913 | |
| 5428 | 1512-A | | Excerpt therefrom | | 12914 |
| 5395 | 1513 | | Affidavit of Lieutenant P. V. Dean | 12914 | |
| 5395 | 1513-A | | Excerpt therefrom | | 12914 |
| 5397 | 1514 | | Affidavit of Lieutenant A. G. Weynton | 12927 | |
| 5397 | 1514-A | | Excerpt therefrom | | 12927 |
| 5077 | 1515 | | Affidavit of Major J.W.D. Bull | 12928 | |
| 5077 | 1515-A | | Excerpt therefrom | | 12928 |
| 5064-B | 1516 | | Affidavit of Major B.L.W. Clarke | 12929 | |
| 5064-B | 1516-A | | Excerpt therefrom | | 12929 |

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| 5063 | 1508-A | | Excerpt therefrom | | 12909 |
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EXH # 8

SPECIAL PROCLAMATION

**ESTABLISHMENT OF AN INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST**

WHEREAS, the United States and the Nations allied therewith in opposing the illegal wars of aggression of the Axis Nations, have from time to time made declarations of their intentions that war criminals should be brought to justice;

WHEREAS, the Governments of the Allied powers at war with Japan on the 26th July 1945 at Potsdam, declared as one of the terms of surrender that stern justice shall be meted out to all war criminals including those who have visited cruelties upon our prisoners;

WHEREAS, by the Instrument of Surrender of Japan executed at Tokyo, Bay, Japan, on the 2nd September 1945, the signatories for Japan, by command of and in behalf of the Emperor and the Japanese Government accepted the terms set forth in such Declaration at Potsdam;

WHEREAS, by such instrument of Surrender, the authority of the Emperor and the Japanese Government to rule the state of Japan is made subject to the Supreme Commander for the Allied powers, who is authorized to take such steps as he deems proper to effectuate the terms of surrender;

WHEREAS, the undersigned has been designated by the Allied powers as Supreme Commander for the Allied powers to carry into effect the terms of Surrender of the Japanese forces;

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WHEREAS, the Governments of the United States, Great Britain and Russia at the Moscow Conference, 26th December 1945, having considered the effectuation by Japan of the Terms of Surrender, with the concurrence of China have agreed that the Supreme Commander shall issue all orders for the implementation of the Terms of Surrender.

NOW, THEREFORE, I, Douglas MacArthur, as Supreme Commander for the Allied Powers, by virtue of authority so conferred upon me, in order to implement the Terms of Surrender which requires the meting out of stern justice to war criminals, do order and provide as follows:

ARTICLE 1. There shall be established an International Military Tribunal for the Far East for the trial of those persons charged individually, or members of organizations, or in both capacities, with offenses which include crimes against peace.

ARTICLE 2. The Constitution, jurisdiction and functions of this Tribunal are those set forth in the charter of the International Military Tribunal for the Far East, approved by me this day.

ARTICLE 3. Nothing in this Order shall prejudice the jurisdiction of any other international, national or occupation court, commission or other tribunal established or to be

...

- 3 -

established in Japan or in any territory of a United
Nation with which Japan has been at war, for the trial
of war criminals.

Given under my hand at Tokyo, this 19th day of
January, 1946

DOUGLAS MACARTHUR
General of the Army, United States Army
Supreme Commander for the Allied Powers

EXH-2

15

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

GENERAL ORDERS)
NO.....20)

APJ 500
26 April 1946

General Orders No. 1, General Headquarters, Supreme Commander for the Allied Powers, 19 January 1946, subject as below, is superseded. The Charter of the International Military Tribunal for the Far East established by Proclamation of the Supreme Commander for the Allied Powers, 19 January 1946, is amended, and as amended, reads as follows:

CHARTER OF THE
INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

SECTION I

CONSTITUTION OF TRIBUNAL

ARTICLE 1. Tribunal Established. The International Military Tribunal for the Far East is hereby established for the just and prompt trial and punishment of the major war criminals in the Far East. The permanent seat of the Tribunal is in Tokyo.

ARTICLE 2. Members. The Tribunal shall consist of not less than six members nor more than eleven members, appointed by the Supreme Commander for the Allied Powers from the names submitted by the Signatories to the Instrument of Surrender, India, and the Commonwealth of the Philippines.

ARTICLE 3. Officers and Secretariat.

a. President. The Supreme Commander for the Allied Powers shall appoint a Member to be President of the Tribunal.

b. Secretariat.

- (1) The Secretariat of the Tribunal shall be composed of a General Secretary to be appointed by the Supreme Commander for the Allied Powers and such assistant secretaries, clerks, interpreters, and other personnel as may be necessary.
- (2) The General Secretary shall organize and direct the work of the Secretariat.
- (3) The Secretariat shall receive all documents addressed to the Tribunal, maintain the records of

(GO 20, GHQ, SCAP, 1946)

the Tribunal, provide necessary clerical services to the Tribunal and its members, and perform such other duties as may be designated by the Tribunal.

ARTICLE 4. Convening and Quorum, Voting, and Absence.

a. Convening and Quorum. When as many as six members of the Tribunal are present, they may convene the Tribunal in formal session. The presence of a majority of all members shall be necessary to constitute a quorum.

b. Voting. All decisions and judgments of this Tribunal, including convictions and sentences, shall be by a majority vote of those members of the Tribunal present. In case the votes are evenly divided, the vote of the President shall be decisive.

c. Absence. If a member at any time is absent and afterwards is able to be present, he shall take part in all subsequent proceedings; unless he declares in open court that he is disqualified by reason of insufficient familiarity with the proceedings which took place in his absence.

SECTION II

JURISDICTION AND GENERAL PROVISIONS

ARTICLE 5. Jurisdiction Over Persons and Offenses. The Tribunal shall have the power to try and punish Far Eastern war criminals who as individuals or as members of organizations are charged with offenses which include crimes against peace. The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

a. Crimes against Peace: Namely, the planning, preparation, initiation or waging of a declared or undeclared war of aggression, or a war in violation of international law, treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;

b. Conventional War Crimes: Namely, violations of the laws or customs of war;

c. Crimes against Humanity: Namely, murder, extermination, enslavement, deportation, and other inhumane acts committed before or during the war, or persecutions on political or racial grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated. Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common

(GO 20, GMR, SC.P, 1946)

plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any person in execution of such plan.

ARTICLE 6. Responsibility of Accused. Neither the official position, at any time, of an accused, nor the fact that an accused acted pursuant to order of his government or of a superior shall, of itself, be sufficient to free such accused from responsibility for any crime with which he is charged, but such circumstances may be considered in mitigation of punishment if the Tribunal determines that justice so requires.

ARTICLE 7. Rules of Procedure. The Tribunal may draft and amend rules of procedure consistent with the fundamental provisions of this Charter.

ARTICLE 8. Counsel.

a. Chief of Counsel. The Chief of Counsel designated by the Supreme Commander for the Allied Powers is responsible for the investigation and prosecution of charges against war criminals within the jurisdiction of this Tribunal and will render such legal assistance to the Supreme Commander as is appropriate.

b. Associate Counsel. Any United Nation with which Japan has been at war may appoint an Associate Counsel to assist the Chief of Counsel.

SECTION III

FAIR TRIAL FOR ACCUSED

ARTICLE 9. Procedure for Fair Trial. In order to insure fair trial for the accused the following procedure shall be followed:

a. Indictment. The indictment shall consist of a plain, concise, and adequate statement of each offense charged. Each accused shall be furnished, in adequate time for defense, a copy of the indictment, including any amendment, and of this Charter, in a language understood by the accused.

b. Language. The trial and related proceedings shall be conducted in English and in the language of the accused. Translations of documents and other papers shall be provided as needed and requested.

c. Counsel for Accused. Each accused shall have the right to be represented by counsel of his own selection, subject to the disapproval of such counsel at any time by the Tribunal. The accused shall file with the General Secretary of the Tribunal the name of

(GO 20, GIC, SCAT, 1946)

his counsel. If an accused is not represented by counsel and in open court requests the appointment of counsel, the Tribunal shall designate counsel for him. In the absence of such request the Tribunal may appoint counsel for an accused if in its judgment such appointment is necessary to provide for a fair trial.

d. Evidence for Defense. An accused shall have the right, through himself or through his counsel (but not through both), to conduct his defense, including the right to examine any witness, subject to such reasonable restrictions as the Tribunal may determine.

e. Production of Evidence for the Defense. An accused may apply in writing to the Tribunal for the production of witnesses or of documents. The application shall state where the witness or document is thought to be located. It shall also state the facts proposed to be proved by the witness or the document and the relevancy of such facts to the defense. If the Tribunal grants the application the Tribunal shall be given such aid in obtaining production of the evidence as the circumstances require.

ARTICLE 10. Applications and Motions before Trial. All motions, applications, or other requests addressed to the Tribunal prior to the commencement of trial shall be made in writing and filed with the General Secretary of the Tribunal for action by the Tribunal.

SECTION IV

POWERS OF TRIBUNAL AND CONDUCT OF TRIAL

ARTICLE 11. Powers. The Tribunal shall have the power:

a. To summon witnesses to the trial, to require them to attend and testify, and to question them.

b. To interrogate each accused and to permit comment on his refusal to answer any question.

c. To require the production of documents and other evidentiary material.

d. To require of each witness an oath, affirmation, or such declaration as is customary in the country of the witness, and to administer oaths.

e. To appoint officers for the carrying out of any task designated by the Tribunal, including the power to have evidence taken on commission.

ARTICLE 12. Conduct of Trial. The Tribunal shall:

a. Confine the trial strictly to an expeditious hearing of

(GO 20, GHO, SC.P, 1946)

the issues raised by the charges.

b. Take strict measures to prevent any action which would cause any unreasonable delay and rule out irrelevant issues and statements of any kind whatsoever.

c. Provide for the maintenance of order at the trial and deal summarily with any contumacy, imposing appropriate punishment, including exclusion of any accused or his counsel from some or all further proceedings, but without prejudice to the determination of the charges.

d. Determine the mental and physical capacity of any accused to proceed to trial.

ARTICLE 13. Evidence.

a. Admissibility. The Tribunal shall not be bound by technical rules of evidence. It shall adopt and apply to the greatest possible extent expeditious and non-technical procedure, and shall admit any evidence which it deems to have probative value. All purported admissions or statements of the accused are admissible.

b. Relevance. The Tribunal may require to be informed of the nature of any evidence before it is offered in order to rule upon the relevance.

c. Specific evidence admissible. In particular, and without limiting in any way the scope of the foregoing general rules, the following evidence may be admitted:

- (1) A document, regardless of its security classification and without proof of its issuance or signature, which appears to the Tribunal to have been signed or issued by any officer, department, agency or member of the armed forces of any government.
- (2) A report which appears to the Tribunal to have been signed or issued by the International Red Cross or a member thereof, or by a doctor of medicine or any medical service personnel, or by an investigator or intelligence officer, or by any other person who appears to the Tribunal to have personal knowledge of the matters contained in the report.
- (3) An affidavit, deposition or other signed statement.
- (4) A diary, letter or other document, including sworn or unsworn statements, which appear to the Tribunal to contain information relating to the charge.

(GO 20, GHR, SCAP, 1946)

- (5) A copy of a document or other secondary evidence of its contents, if the original is not immediately available.

d. Judicial Notice. The Tribunal shall neither require proof of facts of common knowledge, nor of the authenticity of official government documents and reports of any nation nor of the proceedings, records, and findings of military or other agencies of any of the United Nations.

e. Records, Exhibits, and Documents. The transcript of the proceedings, and exhibits and documents submitted to the Tribunal, will be filed with the General Secretary of the Tribunal and will constitute part of the Record.

ARTICLE 14. Place of Trial. The first trial will be held at Tokyo, and any subsequent trials will be held at such places as the Tribunal decides.

ARTICLE 15. Course of Trial Proceedings. The proceedings at the Trial will take the following course:

- a. The indictment will be read in court unless the reading is waived by all accused.
- b. The Tribunal will ask each accused whether he pleads "guilty" or "not guilty."
- c. The prosecution and each accused (by counsel only, if represented) may make a concise opening statement.
- d. The prosecution and defense may offer evidence, and the admissibility of the same shall be determined by the Tribunal.
- e. The prosecution and each accused (by counsel only, if represented) may examine each witness and each accused who gives testimony.
- f. Accused (by counsel only, if represented) may address the Tribunal.
- g. The prosecution may address the Tribunal.
- h. The Tribunal will deliver judgment and pronounce sentence.

SECTION V

JUDGMENT AND SENTENCE

ARTICLE 16. Penalty. The Tribunal shall have the power to

(GO 20, GHQ, SCAF, 1946)

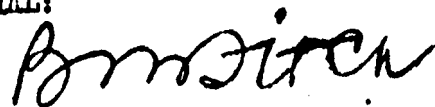
impose upon an accused, on conviction, death, or such other punishment as shall be determined by it to be just.

ARTICLE 17. Judgment and Review. The judgment will be announced in open court and will give the reasons on which it is based. The record of the trial will be transmitted directly to the Supreme Commander for the Allied Powers for his action. Sentence will be carried out in accordance with the Order of the Supreme Commander for the Allied Powers, who may at any time reduce or otherwise alter the sentence, except to increase its severity.

By command of General MacARTHUR:

RICHARD J. MARSHALL
Major General, General Staff Corps,
Chief of Staff.

OFFICIAL:



B. M. FITCH,
Brigadier General, AGD,
Adjutant General.

Treaty Series 392

INTERNATIONAL—PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

CONVENTION

BETWEEN THE

UNITED STATES AND CERTAIN POWERS

FOR THE

PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

Signed at The Hague July 29, 1899.

Ratification advised by the Senate February 5, 1900.

Ratified by the President of the United States April 7, 1900.

Ratification deposited with the Netherlands Government September 4, 1900.

Proclaimed November 1, 1901.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA,

A PROCLAMATION.

Whereas a Convention for the pacific settlement of international disputes was concluded and signed on July 29, 1899, by the Plenipotentiaries of the United States of America, Germany, Austria-Hungary, Belgium, China, Denmark, Spain, the United Mexican States, France, Great Britain and Ireland, Greece, Italy, Japan, Luxembourg, Montenegro, the Netherlands, Persia, Portugal, Roumania, Russia, Servia, Siam, Sweden and Norway, Switzerland, Turkey and Bulgaria, the original of which Convention, in the French language, is word for word as follows:

CONVENTION POUR LE REGLEMENT
PACIFIQUE DES CONFLITS INTER-
NATIONAUX.

[Translation.]

Sa Majesté l'Empereur d'Alle-
magne, Roi de Prusse; Sa Ma-
jesté l'empereur d'Autriche, Roi
de Bohême etc. et Roi Aposto-

His Majesty the Emperor of Ger-
many, King of Prussia; His
Majesty the Emperor of Austria,
King of Bohemia etc. and Apos-

lique de Hongrie; Sa Majesté le Roi des Belges; Sa Majesté l'Empereur de Chine; Sa Majesté le Roi de Danemark; Sa Majesté le Roi d'Espagne et en Son Nom Sa Majesté la Reine-Régente du Royaume; le Président des Etats-Unis d'Amérique; le Président des Etats-Unis Mexicains; le Président de la République Française; Sa Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, Impératrice des Indes; Sa Majesté le Roi des Hellènes; Sa Majesté le Roi d'Italie; Sa Majesté l'Empereur du Japon; Son Altesse Royale le Grand-Duc de Luxembourg, Duc de Nassau; Son Altesse le Prince de Monténégro; Sa Majesté la Reine des Pays-Bas; Sa Majesté Impériale le Schah de Perse; Sa Majesté le Roi de Portugal et des Algarves etc.; Sa Majesté le Roi de Roumanie; Sa Majesté l'Empereur de Toutes les Russies; Sa Majesté le Roi de Serbie; Sa Majesté le Roi de Siam; Sa Majesté le Roi de Suède et de Norvège; le Conseil Fédéral Suisse; Sa Majesté l'Empereur des Ottomans et Son Altesse Royale le Prince de Bulgarie

Animés de la ferme volonté de concourir au maintien de la paix générale;

Résolus à favoriser de tous leurs efforts le règlement aimable des conflits internationaux;

tolic King of Hungary; His Majesty the King of the Belgians; His Majesty the Emperor of China; His Majesty the King of Denmark; His Majesty the King of Spain and in His Name Her Majesty the Queen Regent of the Kingdom; the President of the United States of America; the President of the United Mexican States; the President of the French Republic; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Majesty the King of the Hellenes; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; His Highness the Prince of Montenegro; Her Majesty the Queen of the Netherlands; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves etc.; His Majesty the King of Roumania; His Majesty the Emperor of all the Russias; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden and Norway; the Swiss Federal Council; His Majesty the Emperor of the Ottomans and His Royal Highness the Prince of Bulgaria

Animated by a strong desire to concert for the maintenance of the general peace;

Resolved to second by their best efforts the friendly settlement of international disputes;

Reconnaissant la solidarité qui unit les membres de la société des nations civilisées;

Voulant étendre l'empire du droit et fortifier le sentiment de la justice internationale;

Convaincus que l'institution permanente d'une juridiction arbitrale, accessible à tous, au sein des Puissance indépendantes peut contribuer efficacement à ce résultat;

Considérant les avantages d'une organisation générale et régulière de la procédure arbitrale;

Estimant avec l'Auguste Initiateur de la Conférence Internationale de la Paix qu'il importe de consacrer dans un accord international les principes d'équité et de droit sur lesquels reposent la sécurité des Etats et le bien-être des Peuples;

Désirant conclure une Convention à cet effet ont nommé pour Leurs plénipotentiaires, savoir:

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE:

Son Excellence le COMTE DE MÜNSTER, Prince de Derneburg, Son Ambassadeur à Paris.

SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE DE HONGRIE:

Son Excellence le COMTE R. DE WELERSHEIM, Son Ambassadeur extraordinaire et plénipotentiaire.

M. ALEXANDRE OKOLICSANYI D'OKOLICSNA, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

Recognizing the solidarity which unites the members of the society of civilized nations;

Desirous of extending the empire of law, and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a Court of Arbitration, accessible to all, in the midst of the independent Powers, will contribute effectively to this result;

Having regard to the advantages attending the general and regular organization of arbitral procedure;

Sharing the opinion of the august Initiator of the International Peace Conference that it is expedient to record in an international Agreement the principles of equity and right on which are based the security of States and the welfare of peoples;

Being desirous of concluding a Convention to this effect, have appointed as their Plenipotentiaries, to-wit:—

HIS MAJESTY THE EMPEROR OF GERMANY, KING OF PRUSSIA:

His excellency COUNT DE MÜNSTER, Prince of Derneburg, His Ambassador at Paris.

HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA ETC., AND APOSTOLIC KING OF HUNGARY:

His Excellency COUNT R. DE WELERSHEIM, His Ambassador Extraordinary and Plenipotentiary.

MR. ALEXANDER OKOLICSANYI D'OKOLICSNA, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Reconnaissant la solidarité qui unit les membres de la société des nations civilisées;

Voulant étendre l'empire du droit et fortifier le sentiment de la justice internationale;

Convaincus que l'institution permanente d'une juridiction arbitrale, accessible à tous, au sein des Puissances indépendantes peut contribuer efficacement à ce résultat;

Considérant les avantages d'une organisation générale et régulière de la procédure arbitrale;

Estimant avec l'Auguste Initiateur de la Conférence Internationale de la Paix qu'il importe de consacrer dans un accord international les principes d'équité et de droit sur lesquels reposent la sécurité des Etats et le bien-être des Peuples;

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SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE DE HONGRIE:

Son Excellence le COMTE R. DE WELERSHEIM, Son Ambassadeur extraordinaire et plénipotentiaire:

M. ALEXANDRE OKOLICSANYI D'OKOLICSNA, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

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MR. ALEXANDER OKOLICSANYI D'OKOLICSNA, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

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Voulant étendre l'empire du droit et fortifier le sentiment de la justice internationale;

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SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE DE HONGRIE:

Son Excellence le COMTE R. DE WELERSHEIMB, Son Ambassadeur extraordinaire et plénipotentiaire.

M. ALEXANDRE OKOLICSANYI D'OKOLICSNA, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

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HIS MAJESTY THE EMPEROR OF AUSTRIA, KING OF BOHEMIA ETC., AND APOSTOLIC KING OF HUNGARY:

His Excellency COUNT R. DE WELERSHEIMB, His Ambassador Extraordinary and Plenipotentiary.

MR. ALEXANDER OKOLICSANYI D'OKOLICSNA, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

SA MAJESTÉ LE ROI DES BELGES:

Son Excellence M. AUGUSTE BEERNAERT, Son Ministre d'État, Président de la Chambre des Représentants.

M. le COMTE DE GRELLE ROGIER, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

M. le CHEVALIER DESCAMPS, Sénateur.

SA MAJESTÉ L'EMPEREUR DE CHINE:

M. YANG YÜ, Son Envoyé extraordinaire et Ministre plénipotentiaire à St. Pétersbourg.

SA MAJESTÉ LE ROI DE DANEMARK:

Son Chambellan FR. E. DE BILLE, Son Envoyé extraordinaire et Ministre plénipotentiaire à Londres.

SA MAJESTÉ LE ROI D'ESPAGNE ET EN SON NOM, SA MAJESTÉ LA REINE-RÉGENTE DU ROYAUME:

Son Excellence le DUC DE TETUAN, Ancien Ministre des Affaires Etrangères.

M. W. RAMIREZ DE VILLA URRUTIA, Son Envoyé extraordinaire et Ministre plénipotentiaire à Bruxelles.

M. ARTHUR DE BAGUER, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

Son Excellence M. ANDREW D. WHITE, Ambassadeur des États-Unis à Berlin.

M. SETH LOW, Président de l'Université "Columbia" à New-York.

HIS MAJESTY THE KING OF THE BELGIANS:

His Excellency MR. AUGUSTE BEERNAERT, His Minister of State, President of the Chamber of Representatives.

COUNT DE GRELLE ROGIER, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

The CHEVALIER DESCAMPS, Senator.

HIS MAJESTY THE EMPEROR OF CHINA:

MR. YANG YÜ, His Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg.

HIS MAJESTY THE KING OF DENMARK:

His Chamberlain FR. E. DE BILLE, His Envoy Extraordinary and Minister Plenipotentiary at London.

HIS MAJESTY THE KING OF SPAIN AND IN HIS NAME, HER MAJESTY THE QUEEN REGENT OF THE KINGDOM:

His Excellency the DUKE OF TETUAN, formerly Minister of Foreign Affairs.

MR. W. RAMIREZ DE VILLA URRUTIA, His Envoy Extraordinary and Minister Plenipotentiary at Brussels.

MR. ARTHUR DE BAGUER, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

His Excellency MR. ANDREW D. WHITE, Ambassador of the United States at Berlin.

MR. SETH LOW, President of Columbia University, New York.

M. STANFORD NEWEL, Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

M. ALFRED T. MAHAN, Capitaine de Vaisseau.

M. WILLIAM CROZIER, Capitaine d'Artillerie.

LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS:

M. DE MIER, Envoyé extraordinaire et Ministre plénipotentiaire à Paris.

M. ZENIL, Ministre-Résident à Bruxelles.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

M. LÉON BOURGEOIS, Ancien Président du Conseil, Ancien Ministre des Affaires Étrangères, Membre de la Chambre des Députés.

M. GEORGES BIHOUD, Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

M. le BARON D'ESTOURNELLES DE CONSTANT, Ministre plénipotentiaire, Ministre de la Chambre des Députés.

SA MAJESTÉ LA REINE DU ROYAUME UNI DE LA GRANDE BRETAGNE ET D'IRLANDE, IMPÉRATRICE DES INDES:

Son Excellence le Très Honorable BARON PAUNCFOTE DE PRESTON, Membre du Conseil Privé de Sa Majesté, Son Ambassadeur extraordinaire et plénipotentiaire à Washington.

SIR HENRY HOWARD, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

SA MAJESTÉ LE ROI DES HELLENES:

MR. STANFORD NEWEL, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

CAPTAIN ALFRED T. MAHAN.

CAPTAIN WILLIAM CROZIER.

THE PRESIDENT OF THE UNITED MEXICAN STATES:

MR. DE MIER, Envoy Extraordinary and Minister Plenipotentiary at Paris.

MR. ZENIL, Minister Resident at Brussels.

THE PRESIDENT OF THE FRENCH REPUBLIC:

MR. LÉON BOURGEOIS, formerly President of the Council, formerly Minister of Foreign Affairs, Member of the Chamber of Deputies.

MR. GEORGES BIHOUD, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

THE BARON D'ESTOURNELLES DE CONSTANT, Minister Plenipotentiary, Member of the Chamber of Deputies.

HER MAJESTY THE QUEEN OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, EMPRESS OF INDIA:

His Excellency the Right Honorable BARON PAUNCFOTE OF PRESTON, Member of Her Majesty's Privy Council, Her Ambassador Extraordinary and Plenipotentiary at Washington.

SIR HENRY HOWARD, Her Envoy Extraordinary and Minister Plenipotentiary at The Hague.

HIS MAJESTY THE KING OF THE HELLENES:

M. N. DELYANNI, Ancien Président du Conseil, Ancien Ministre des Affaires Étrangères, Son Envoyé extraordinaire et Ministre plénipotentiaire à Paris.

SA MAJESTÉ LE ROI D'ITALIE:

Son Excellence le COMTE NIGRA, Son Ambassadeur à Vienne, Sénateur du Royaume.

M. le COMTE A. ZANNINI, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye.

M. le COMMANDEUR GUIDO POMPILJ, Député au Parlement Italien.

SA MAJESTÉ L'EMPEREUR DU JAPON:

M. I. MOTONO, Son Envoyé extraordinaire et Ministre plénipotentiaire à Bruxelles.

SON ALTESSE ROYALE LE GRAND DUC DE LUXEMBOURG, DUC DE NASSAU:

Son Excellence M. EYSCHEN, Son Ministre d'État, Président du Gouvernement Grand-Ducal.

SON ALTESSE LE PRINCE DE MONTÉNÉGRO:

Son Excellence M. le CONSEILLER PRIVÉ ACTUEL DE STAAL, Ambassadeur de Russie à Londres.

SA MAJESTÉ LA REINE DES PAYS-BAS:

M. le JONKHEER A. P. C. VAN KARNEBEEK, Ancien Ministre des Affaires Étrangères, Membre de la Seconde Chambre des États-Généraux

M. le GÉNÉRAL J. C. C. DEN BEER POORTUGAEL, Ancien Ministre de la Guerre, Membre du Conseil d'État.

MR. N. DELYANNI, formerly President of the Council, formerly Minister of Foreign Affairs, His Envoy Extraordinary and Minister Plenipotentiary at Paris.

HIS MAJESTY THE KING OF ITALY:

His Excellency COUNT NIGRA, His Ambassador at Vienna, Senator of the Kingdom.

COUNT A. ZANNINI, His Envoy Extraordinary and Minister Plenipotentiary at The Hague.

COMMANDER GUIDO POMPILJ, Deputy in the Italian Parliament.

HIS MAJESTY THE EMPEROR OF JAPAN:

MR. I. MOTONO, His Envoy Extraordinary and Plenipotentiary at Brussels.

HIS ROYAL HIGHNESS THE GRAND DUKE OF LUXEMBURG, DUKE OF NASSAU.

His Excellency Mr. EYSCHEN, His minister of State, President of the Grand Ducal Government.

HIS HIGHNESS THE PRINCE OF MONTENEGRO:

His Excellency the present PRIVY COUNCILLOR DE STAAL, Ambassador of Russia at London.

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

JONKHEER A. P. C. VAN KARNEBEEK, formerly Minister of Foreign Affairs, Member of the Second Chamber of the States-General.

GENERAL J. C. C. DEN BEER POORTUGAEL, formerly Minister of War, Member of the Council of State.

M. T. M. C. ASSER, Membre du
Conseil d'État.

M. E. N. RAHUSEN, Membre de
la Première Chambre des États-
Généraux.

SA MAJESTÉ IMPÉRIALE LE
SCHAH DE PERSE:

Son Aide de Camp GÉNÉRAL
MIRZA RIZA KHAN, Arfa-ud-Dov-
leh, Son Envoyé extraordinaire
et Ministre plénipotentiaire à St.
Pétersbourg et à Stockholm.

SA MAJESTÉ LE ROI DE PORTU-
GAL ET DES ALGARVES, ETC.:

M. le COMTE DE MACEDO, Pair
du Royaume, Ancien Ministre de
la Marine et des Colonies, Son
Envoyé extraordinaire et Minis-
tre plénipotentiaire à Madrid.

M. D'ORNELLAS ET VASCONCEL-
LOS, Pair du Royaume, Son En-
voyé extraordinaire et Ministre
plénipotentiaire à St. Pétersbourg.

M. le COMTE DE SELIR, Son En-
voyé extraordinaire et Ministre
plénipotentiaire à la Haye.

SA MAJESTÉ LE ROI DE ROU-
MANIE:

M. ALEXANDRE BELDIMAN, Son
Envoyé extraordinaire et Minis-
tre plénipotentiaire à Berlin.

M. JEAN N. PAPINIU, Son En-
voyé extraordinaire et Ministre
plénipotentiaire à la Haye.

SA MAJESTÉ L'EMPEREUR DE
TOUTES LES RUSSIES:

Son Excellence M. le CONSEIL-
LER PRIVÉ ACTUEL DE STAAL, Son
Ambassadeur à Londres.

M. DE MARTENS, Membre Per-
manent du Conseil du Ministère

Mr. T. M. C. ASSER, Member of
the Council of State.

Mr. E. N. RAHUSEN, Member
of the First Chamber of the
States-General.

HIS IMPERIAL MAJESTY THE
SHAH OF PERSIA:

His Aid-de-Camp GENERAL
MIRZA RIZA KHAN, Arfa-ud-Dov-
leh, His Envoy Extraordinary
and Minister Plenipotentiary at
St. Petersburg and at Stockholm.

HIS MAJESTY THE KING OF POR-
TUGAL AND OF THE ALGARVES,
ETC.:

COUNT DE MACEDO, Peer of the
Kingdom, formerly Minister of
the Navy and of the Colonies, His
Envoy Extraordinary and Minis-
ter Plenipotentiary at Madrid.

Mr. D'ORNELLAS ET VASCON-
CELLOS, Peer of the Kingdom,
His Envoy Extraordinary and
Minister Plenipotentiary at St.
Petersburg.

COUNT DE SELIR, His Envoy
Extraordinary and Minister
Plenipotentiary at The Hague.

HIS MAJESTY THE KING OF
ROUMANIA:

Mr. ALEXANDER BELDIMAN,
His Envoy Extraordinary and
Minister Plenipotentiary at Ber-
lin.

Mr. JEAN N. PAPINIU, His En-
voy Extraordinary and Minister
Plenipotentiary at The Hague.

HIS MAJESTY THE EMPEROR OF
ALL THE RUSSIAS:

His Excellency the present
PRIVY COUNCILLOR DE STAAL,
His Ambassador at London.

Mr. DE MARTENS, Permanent
Member of the Council of the

Impérial des Affaires Etrangères,
Son Conseiller Privé.

SON CONSEILLER D'ETAT ACTUEL DE BASILY, Chambellan, Directeur du Premier Département du Ministère Impérial des Affaires Etrangères.

SA MAJESTÉ LE ROI DE SERBIE:

M. MIYATOVITCH, Son Envoyé extraordinaire et Ministre plénipotentiaire à Londres et à la Haye.

SA MAJESTÉ LE ROI DE SIAM:

M. PHYA SURIYA NUVATR, Son Envoyé extraordinaire et Ministre plénipotentiaire à St. Pétersbourg et à Paris.

M. PHYA VISUDDHA SURIYASAKTI, Son Envoyé extraordinaire et Ministre plénipotentiaire à la Haye et à Londres.

SA MAJESTÉ LE ROI DE SUÈDE ET DE NORVÈGE:

M. le BARON DE BILDT, Son Envoyé extraordinaire et Ministre plénipotentiaire à Rome.

LE CONSEIL FÉDÉRAL SUISSE:

M. le DR. ARNOLD ROTH, Envoyé extraordinaire et Ministre plénipotentiaire à Berlin.

SA MAJESTÉ L'EMPEREUR DES OTTOMANS:

Son Excellence TURKHAN PACHA, Ancien Ministre des Affaires Etrangères, Member de Son Conseil d'Etat.

NOURY Bey, Secrétaire-Général au Ministère des Affaires Etrangères.

SON ALTESSE ROYALE LE PRINCE DE BULGARIE:

M. le DR. DIMITRI STANCIOFF, Agent Diplomatique à St. Pétersbourg.

Imperial Ministry of Foreign Affairs, His Privy Councillor.

His present COUNCILLOR OF STATE DE BASILY, Chamberlain, Director of the First Department of the Imperial Ministry of Foreign Affairs.

HIS MAJESTY THE KING OF SERBIA:

MR. MIYATOVITCH, His Envoy Extraordinary and Minister Plenipotentiary at London and at The Hague.

HIS MAJESTY THE KING OF SIAM:

PHYA SURIYA NUVATR, His Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg and at Paris.

PHYA VISUDDHA SURIYASAKTI, His Envoy Extraordinary and Minister Plenipotentiary at The Hague and at London.

HIS MAJESTY THE KING OF SWEDEN AND NORWAY:

BARON DE BILDT, His Envoy Extraordinary and Minister Plenipotentiary at Rome.

THE SWISS FEDERAL COUNCIL:

DR. ARNOLD ROTH, Envoy Extraordinary and Minister Plenipotentiary at Berlin.

HIS MAJESTY THE EMPEROR OF THE OTTOMANS:

His Excellency TURKHAN PACHA, formerly Minister of Foreign Affairs, Member of His Council of State.

NOURY Bey, Secretary-General at the Ministry of Foreign Affairs.

HIS ROYAL HIGHNESS THE PRINCE OF BULGARIA:

DR. DIMITRI STANCIOFF, Diplomatic Agent at St. Petersburg.

M. le MAJOR CHRISTO HESSAPTCHEIEFF, Attaché Militaire à Belgrade.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

TITRE I.—DU MAINTIEN DE LA PAIX GÉNÉRALE.

ARTICLE 1.

En vue de prévenir autant que possible le recours à la force dans les rapports entre les Etats, les Puissances signataires conviennent d'employer tous leurs efforts pour assurer le règlement pacifique des différends internationaux.

TITRE II.—DES BONS OFFICES ET DE LA MÉDIATION.

ARTICLE 2.

En cas de dissentiment grave ou de conflit, avant d'en appeler aux armes, les Puissances signataires conviennent d'avoir recours, en tant que les circonstances le permettront, aux bons offices ou à la médiation d'une ou de plusieurs Puissances amies.

ARTICLE 3.

Indépendamment de ce recours, les Puissances signataires jugent utile qu'une ou plusieurs Puissances étrangères au conflit offrent de leur propre initiative, en tant que les circonstances s'y prêtent, leurs bons offices ou leur médiation aux Etats en conflit.

MAJOR CHRISTO HESSAPTCHEIEFF, Military Attaché at Belgrade.

Who, after communication of their full powers, found in good and due form have agreed on the following provisions:

TITLE I.—ON THE MAINTENANCE OF THE GENERAL PEACE.

ARTICLE I.

With a view to obviating, as far as possible, recourse to force in the relations between States, the Signatory Powers agree to use their best efforts to insure the pacific settlement of international differences.

TITLE II.—ON GOOD OFFICES AND MEDIATION.

ARTICLE II.

In case of serious disagreement or conflict, before an appeal to arms, the Signatory Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers.

ARTICLE III.

Independently of this recourse, the Signatory Powers recommend that one or more Powers, strangers to the dispute, should, on their own initiative, and as far as circumstances may allow, offer their good offices or mediation to the States at variance.

Le droit d'offrir les bons offices ou la médiation appartient aux Puissances étrangères au conflit, même pendant le cours des hostilités.

L'exercice de ce droit ne peut jamais être considéré par l'une ou l'autre des Parties en litige comme un acte peu amical.

ARTICLE 4.

Le rôle de médiateur consiste à concilier les prétentions opposées et à apaiser les ressentiments qui peuvent s'être produits entre les Etats en conflit.

ARTICLE 5.

Les fonctions du médiateur cessent du moment où il est constaté, soit par l'une des Parties en litige, soit par le médiateur lui-même, que les moyens de conciliation proposés par lui ne sont pas acceptés.

ARTICLE 6.

Les bons offices et la médiation, soit sur le recours des Parties en conflit, soit sur l'initiative des Puissances étrangères au conflit, ont exclusivement le caractère de conseil et n'ont jamais force obligatoire.

ARTICLE 7.

L'acceptation de la médiation ne peut avoir pour effet, sauf convention contraire, d'interrompre, de retarder ou d'entraver la mobilisation et autres mesures préparatoires à la guerre.

Powers, strangers to the dispute, have the right to offer good offices or mediation, even during the course of hostilities.

The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act.

ARTICLE IV.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance.

ARTICLE V.

The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediator himself, that the means of reconciliation proposed by him are not accepted.

ARTICLE VI.

Good offices and mediation, either at the request of the parties at variance, or on the initiative of Powers strangers to the dispute, have exclusively the character of advice and never having binding force.

ARTICLE VII.

The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

Si elle intervient après l'ouverture des hostilités, elle n'interrompt pas, sauf convention contraire, les opérations militaires en cours.

ARTICLE 8.

Les Puissances signataires sont d'accord pour recommander l'application, dans les circonstances qui le permettent, d'une Médiation spéciale sous la forme suivante.

En cas de différend grave compromettant la Paix, les Etats en conflit choisissent respectivement une Puissance à laquelle ils confient la mission d'entrer en rapport direct avec la Puissance choisie d'autre part, à l'effet de prévenir la rupture des relations pacifiques.

Pendant la durée de ce mandat dont le terme, sauf stipulation contraire, ne peut excéder trente jours, les Etats en litige cessent tout rapport direct au sujet du conflit, lequel est considéré comme déferé exclusivement aux Puissances médiatrices. Celles-ci doivent appliquer tous leurs efforts à régler le différend.

En cas de rupture effective des relations pacifiques, ces Puissances demeurent chargées de la mission commune de profiter de toute occasion pour rétablir la paix.

TITRE III.—DES COMMISSIONS INTERNATIONALES D'ENQUÊTE.

ARTICLE 9.

Dans les litiges d'ordre international n'engageant ni l'hon-

If mediation occurs after the commencement of hostilities it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

ARTICLE VIII.

The Signatory Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:—

In case of a serious difference endangering the peace, the States at variance choose respectively a Power, to whom they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, unless otherwise stipulated, can not exceed thirty days, the States in conflict cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers, who must use their best efforts to settle it.

In case of a definite rupture of pacific relations, these Powers are charged with the joint task of taking advantage of any opportunity to restore peace.

TITRE III.—ON INTERNATIONAL COMMISSIONS OF INQUIRY.

ARTICLE IX.

In differences of an international nature involving neither

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ARTICLE IX.

In differences of an international nature involving neither

neur ni des intérêts essentiels et provenant d'une divergence d'appréciation sur des points de fait, les Puissances signataires jugent utile que les Parties qui n'auraient pu se mettre d'accord par les voies diplomatiques instituent, en tant que les circonstances le permettront, une Commission internationale d'enquête chargée de faciliter la solution de ces litiges en éclaircissant, par un examen impartial et consciencieux, les questions de fait.

ARTICLE 10.

Les Commissions internationales d'enquête sont constituées par convention spéciale entre les Parties en litige.

La convention d'enquête précise les faits à examiner et l'étendue des pouvoirs des commissaires.

Elle règle la procédure.

L'enquête a lieu contradictoirement.

La forme et les délais à observer, en tant qu'ils ne sont pas fixés par la convention d'enquête, sont déterminés par la commission elle-même.

ARTICLE 11.

Les Commissions internationales d'enquête sont formées, sauf stipulation contraire, de la manière déterminée par l'article 32 de la présente Convention.

ARTICLE 12.

Les Puissances en litige s'engagent à fournir à la Commission internationale d'enquête, dans la

honour nor vital interests, and arising from a difference of opinion on points of fact, the Signatory Powers recommend that the parties, who have not been able to come to an agreement by means of diplomacy, should as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE X.

The International Commissions of Inquiry are constituted by special agreement between the parties in conflict.

The Convention for an inquiry defines the facts to be examined and the extent of the Commissioners' powers.

It settles the procedure.

On the inquiry both sides must be heard.

The form and the periods to be observed, if not stated in the inquiry Convention, are decided by the Commission itself.

ARTICLE XI.

The International Commissions of Inquiry are formed, unless otherwise stipulated, in the manner fixed by Article XXXII of the present convention.

ARTICLE XII.

The powers in dispute engage to supply the International Commission of Inquiry, as fully as

plus large mesure qu'Elles jugeront possible, tous les moyens et toutes les facilités nécessaires pour la connaissance complète et l'appréciation exacte des faits en question.

ARTICLE 13.

La Commission internationale d'enquête présente aux Puissances en litige son rapport signé par tous les membres de la Commission.

ARTICLE 14.

Le rapport de la Commission internationale d'enquête, limité à la constatation des faits, n'a nullement le caractère d'une sentence arbitrale. Il laisse aux Puissances en litige une entière liberté pour la suite à donner à cette constatation.

TITRE IV.—DE L'ARBITRAGE INTERNATIONAL.

CHAPITRE I.—*De la Justice Arbitrale.*

ARTICLE 15.

L'arbitrage international a pour objet le règlement de litiges entre les Etats par des juges de leur choix et sur la base du respect du droit.

ARTICLE 16.

Dans les questions d'ordre juridique, et en premier lieu dans les questions d'interprétation ou d'application des conventions internationales, l'arbitrage est reconnu par les Puissances signa-

they may think possible, with all means and facilities necessary to enable it to be completely acquainted with and to accurately understand the facts in question.

ARTICLE XIII.

The International Commission of Inquiry communicates its Report to the conflicting Powers, signed by all the members of the Commission.

ARTICLE XIV.

The report of the International Commission of Inquiry is limited to a statement of facts, and has in no way the character of an Arbitral Award. It leaves the conflicting Powers entire freedom as to the effect to be given to this statement.

TITRE IV.—ON INTERNATIONAL ARBITRATION.

CHAPTER I.—*On the System of Arbitration.*

ARTICLE XV.

International arbitration has for its object the settlement of differences between States by judges of their own choice, and on the basis of respect for law.

ARTICLE XVI.

In questions of a legal nature, and especially in the interpretation or application of International Conventions, arbitration is recognized by the Signatory Powers as the most effective, and at

taires comme le moyen le plus efficace et en même temps le plus équitable de régler les litiges qui n'ont pas été résolus par les voies diplomatiques.

ARTICLE 17.

La convention d'arbitrage est conclue pour des contestations déjà nées ou pour des contestations éventuelles.

Elle peut concerner tout litige ou seulement les litiges d'une catégorie déterminée.

ARTICLE 18.

La convention d'arbitrage implique l'engagement de se soumettre de bonne foi à la sentence arbitrale.

ARTICLE 19.

Indépendamment des traités généraux ou particuliers qui stipulent actuellement l'obligation du recours à l'arbitrage pour les Puissances signataires, ces Puissances se réservent de conclure, soit avant la ratification du présent Acte, soit postérieurement, des accords nouveaux, généraux ou particuliers, en vue d'étendre l'arbitrage obligatoire à tous les cas qu'Elles jugeront possible de lui soumettre.

CHAPITRE II.—*De la Cour Permanente d'Arbitrage.*

ARTICLE 20.

Dans le but de faciliter le recours immédiat à l'arbitrage pour les différends internationaux qui n'ont pu être réglés par la voie

the same time the most equitable, means of settling disputes which diplomacy has failed to settle.

ARTICLE XVII.

The Arbitration Convention is concluded for questions already existing or for questions which may arise eventually.

It may embrace any dispute or only disputes of a certain category.

ARTICLE XVIII.

The Arbitration Convention implies the engagement to submit loyally to the Award.

ARTICLE XIX.

Independently of general or private Treaties expressly stipulating recourse to arbitration as obligatory on the Signatory Powers, these Powers reserve to themselves the right of concluding, either before the ratification of the present Act or later, new Agreements, general or private, with a view to extending obligatory arbitration to all cases which they may consider it possible to submit to it.

CHAPTER II.—*On the Permanent Court of Arbitration.*

ARTICLE XX.

With the object of facilitating an immediate recourse to arbitration for international differences, which it has not been possible to

diplomatique, les Puissances signataires s'engagent à organiser une Cour permanente d'arbitrage, accessible en tout temps et fonctionnant, sauf stipulation contraire des Parties, conformément aux Règles de procédure insérées dans la présente Convention.

ARTICLE 21.

La Cour permanente sera compétente pour tous les cas d'arbitrage, à moins qu'il n'y ait entente entre les Parties pour l'établissement d'une juridiction spéciale.

ARTICLE 22.

Un Bureau international établi à la Haye sert de greffe à la Cour.

Ce Bureau est l'intermédiaire des communications relatives aux réunions de celle-ci.

Il a la garde des archives et la gestion de toutes les affaires administratives.

Les Puissances signataires s'engagent à communiquer au Bureau international de La Haye une copie certifiée conforme de toute stipulation d'arbitrage intervenue entre elles et de toute sentence arbitrale les concernant et rendue par des juridictions spéciales.

Elles s'engagent à communiquer de même au Bureau, les lois, règlements et documents constatant éventuellement l'exécution des sentences rendues par la Cour.

ARTICLE 23.

Chaque Puissance signataire désignera, dans les trois mois qui

settle by diplomacy, the Signatory Powers undertake to organize a permanent Court of Arbitration, accessible at all times and operating, unless otherwise stipulated by the parties, in accordance with the Rules of Procedure inserted in the present Convention.

ARTICLE XXI.

The Permanent Court shall be competent for all arbitration cases, unless the parties agree to institute a special Tribunal.

ARTICLE XXII.

An International Bureau, established at The Hague, serves as record office for the Court.

This Bureau is the channel for communications relative to the meetings of the Court.

It has the custody of the archives and conducts all the administrative business.

The Signatory Powers undertake to communicate to the International Bureau at The Hague a duly certified copy of any conditions of arbitration arrived at between them, and of any award concerning them delivered by special Tribunals.

They undertake also to communicate to the Bureau the Laws, Regulations, and documents eventually showing the execution of the awards given by the Court.

ARTICLE XXIII.

Within the three months following its ratification of the pres-

suivront la ratification par elle du présent acte, quatre personnes au plus, d'une compétence reconnue dans les questions de droit international, jouissant de la plus haute considération morale et disposées à accepter les fonctions d'arbitres.

Les personnes ainsi désignées seront inscrites, au titre de membres de la Cour, sur une liste qui sera notifiée à toutes les Puissances signataires par les soins du Bureau.

Toute modification à la liste des arbitres est portée, par les soins du Bureau, à la connaissance des Puissances signataires.

Deux ou plusieurs Puissances peuvent s'entendre pour la désignation en commun d'un ou de plusieurs membres.

La même personne peut être désignée par des Puissances différentes.

Les membres de la Cour sont nommés pour un terme de six ans. Leur mandat peut être renouvelé.

En cas de décès ou de retraite d'un membre de la Cour, il est pourvu à son remplacement selon le mode fixé pour sa nomination.

ARTICLE 24.

Lorsque les Puissances signataires veulent s'adresser à la Cour permanente pour le règlement d'un différend survenu entre elles, le choix des arbitres appelés à former le Tribunal compétent pour statuer sur ce différend, doit être fait dans la liste générale des membres de la Cour.

ent Act, each Signatory Power shall select four persons at the most, of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of Arbitrators.

The persons thus selected shall be inscribed, as members of the Court, in a list which shall be notified by the Bureau to all the Signatory Powers.

Any alteration in the list of Arbitrators is brought by the Bureau to the knowledge of the Signatory Powers.

Two or more Powers may agree on the selection in common of one or more Members.

The same person can be selected by different Powers.

The Members of the Court are appointed for a term of six years. Their appointments can be renewed.

In case of the death or retirement of a member of the Court, his place shall be filled in accordance with the method of his appointment.

ARTICLE XXIV.

When the Signatory Powers desire to have recourse to the Permanent Court for the settlement of a difference that has arisen between them, the Arbitrators called upon to form the competent Tribunal to decide this difference, must be chosen from the general list of members of the Court.

A défaut de constitution du Tribunal arbitral par l'accord immédiat des Parties, il est procédé de la manière suivante:

Chaque Partie nomme deux arbitres et ceux-ci choisissent ensemble un surarbitre.

En cas de partage des voix, le choix de surarbitre est confié à une Puissance tierce, désignée de commun accord par les Parties.

Si l'accord ne s'établit pas à ce sujet, chaque Partie désigne une Puissance différente et le choix du surarbitre est fait de concert par les Puissances ainsi désignées.

Le Tribunal étant ainsi composé, les parties notifient au Bureau leur décision de s'adresser à la Cour et les noms des arbitres.

Le Tribunal arbitral se réunit à la date fixée par les Parties.

Les membres de la Cour, dans l'exercice de leurs fonctions et en dehors de leur Pays, jouissent des privilèges et immunités diplomatiques.

ARTICLE 25.

Le Tribunal arbitral siège d'ordinaire à la Haye.

Le siège ne peut, sauf le cas de force majeure, être chargé par le Tribunal que de l'assentiment des Parties.

ARTICLE 26.

Le Bureau international de la Haye est autorisé à mettre ses locaux et son organisation à la

Failing the direct agreement of the parties on the composition of the Arbitration Tribunal, the following course shall be pursued:

Each party appoints two Arbitrators, and these together choose an Umpire.

If the votes are equal, the choice of the Umpire is intrusted to a third Power, selected by the parties by common accord.

If an agreement is not arrived at on this subject, each party selects a different Power, and the choice of the Umpire is made in concert by the Powers thus selected.

The Tribunal being thus composed, the parties notify to the Bureau their determination to have recourse to the Court and the names of the Arbitrators.

The Tribunal of Arbitration assembles on the date fixed by the parties.

The Members of the Court, in the discharge of their duties and out of their own country, enjoy diplomatic privileges and immunities.

ARTICLE XXV.

The Tribunal of Arbitration has its ordinary seat at The Hague.

Except in cases of necessity, the place of session can only be altered by the Tribunal with the assent of the parties.

ARTICLE XXVI.

The International Bureau at The Hague is authorized to place its premises and its staff at the

disposition des Puissances signataires pour le fonctionnement de toute juridiction spéciale d'arbitrage.

La juridiction de la Cour permanente peut être étendue, dans les conditions prescrites par les Règlements, aux litiges existant entre des Puissances non signataires ou entre des Puissances signataires et des Puissances non signataires, si les Parties sont convenues de recourir à cette juridiction.

ARTICLE 27.

Les Puissances signataires considèrent comme un devoir, dans le cas où un conflit aigu menacerait d'éclater entre deux ou plusieurs d'entre Elles, de rappeler à celles-ci que la Cour permanente leur est ouverte.

En conséquence, Elles déclarent que le fait de rappeler aux Parties en conflit les dispositions de la présente Convention, et le conseil donné, dans l'intérêt supérieur de la paix, de s'adresser à la Cour permanente ne peuvent être considérés que comme actes de Bons Offices.

ARTICLE 28.

Un Conseil administratif permanent composé des représentants diplomatiques des Puissances signataires accrédités à la Haye et du Ministre des Affaires Etrangères des Pays-Bas qui remplira les fonctions de Président, sera constitué dans cette ville le plus tôt possible après la ratification du présent Acte par neuf Puissances au moins.

disposal of the Signatory Powers for the operations of any special Board of Arbitration.

The jurisdiction of the Permanent Court, may, within the conditions laid down in the Regulations, be extended to disputes between non-Signatory Powers, or between Signatory Powers and non-Signatory Powers, if the parties are agreed on recourse to this Tribunal.

ARTICLE XXVII.

The Signatory Powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them.

Consequently, they declare that the fact of reminding the conflicting parties of the provisions of the present Convention, and the advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions.

ARTICLE XXVIII.

A Permanent Administrative Council, composed of the Diplomatic Representatives of the Signatory Powers accredited to The Hague and of the Netherland Minister for Foreign Affairs, who will act as President, shall be instituted in this town as soon as possible after the ratification of the present Act by at least nine Powers.

Le Conseil sera chargé d'établir et d'organiser le Bureau international, lequel demeurera sous sa direction et sous son contrôle.

Il notifiera aux Puissances la constitution de la Cour et pourvoira à l'installation de celle-ci.

Il arrêtera son règlement d'ordre ainsi que tous autres règlements nécessaires.

Il décidera toutes les questions administratives qui pourraient surgir touchant le fonctionnement de la Cour.

Il aura tout pouvoir quant à la nomination, la suspension ou la révocation des fonctionnaires et employés du Bureau.

Il fixera les traitements et salaires et contrôlera la dépense générale.

La présence de cinq membres dans les réunions dûment convoquées suffit pour permettre au Conseil de délibérer valablement. Les décisions sont prises à la majorité des voix.

Le Conseil communique sans délai aux Puissances signataires les règlements adoptés par lui. Il leur adresse chaque année un rapport sur les travaux de la Cour, sur le fonctionnement des services administratifs et sur les dépenses.

ARTICLE 29.

Les frais du Bureau seront supportés par les Puissances signataires dans la proportion établie pour le Bureau international de l'Union postale universelle.

This Council will be charged with the establishment and organization of the International Bureau, which will be under its direction and control.

It will notify to the Powers the constitution of the Court and will provide for its installation.

It will settle its Rules of Procedure and all other necessary Regulations.

It will decide all questions of administration which may arise with regard to the operations of the Court.

It will have entire control over the appointment, suspension or dismissal of the officials and employés of the Bureau.

It will fix the payments and salaries, and control the general expenditure.

At meetings duly summoned the presence of five members is sufficient to render valid the discussions of the Council. The decisions are taken by a majority of votes.

The Council communicates to the Signatory Powers without delay the Regulations adopted by it. It furnishes them with an annual Report on the labours of the Court, the working of the administration, and the expenses.

ARTICLE XXIX.

The expenses of the Bureau shall be borne by the Signatory Powers in the proportion fixed for the International Bureau of the Universal Postal Union.

CHAPITRE III.—*De la Procédure Arbitrale.*

ARTICLE 30.

En vue de favoriser le développement de l'arbitrage, les Puissances signataires ont arrêté les règles suivantes qui seront applicables à la procédure arbitrale, en tant que les Parties ne sont pas convenues d'autres règles.

ARTICLE 31.

Les Puissances qui recourent à l'arbitrage signent un acte spécial (compromis) dans lequel sont nettement déterminés l'objet du litige ainsi que l'étendue des pouvoirs des arbitres. Cet acte implique l'engagement des Parties de se soumettre de bonne foi à la sentence arbitrale.

ARTICLE 32.

Les fonctions arbitrales peuvent être conférées à un arbitre unique ou à plusieurs arbitres désignés par les Parties à leur gré, ou choisis par Elles parmi les membres de la Cour permanente d'arbitrage établie par le présent Acte.

A défaut de constitution du Tribunal par l'accord immédiat des Parties, il est procédé de la manière suivante :

Chaque Partie nomme deux arbitres et ceux-ci choisissent ensemble un surarbitre.

En cas de partage des voix, le choix de surarbitre est confié à une Puissance tierce, désignée de commun accord par les Parties.

CHAPTER III.—*On Arbitral Procedure.*

ARTICLE XXX.

With a view to encourage the development of arbitration, the Signatory Powers have agreed on the following Rules which shall be applicable to arbitral procedure, unless other rules have been agreed on by the parties.

ARTICLE XXXI.

The Powers who have recourse to arbitration sign a special Act ("Compromis"), in which the subject of the difference is clearly defined, as well as the extent of the Arbitrators' powers. This Act implies the undertaking of the parties to submit loyally to the award.

ARTICLE XXXII.

The duties of Arbitrator may be conferred on one Arbitrator alone or on several Arbitrators selected by the parties as they please, or chosen by them from the members of the Permanent Court of Arbitration established by the present Act.

Failing the constitution of the Tribunal by direct agreement between the parties, the following course shall be pursued :

Each party appoints two arbitrators, and these latter together choose an Umpire.

In case of equal voting, the choice of the Umpire is intrusted to a third Power, selected by the parties by common accord.

Si l'accord ne s'établit pas à ce sujet, chaque Partie désigne une Puissance différente et le choix du surarbitre est fait de concert par les Puissances ainsi désignées.

ARTICLE 33.

Lorsqu'un Souverain ou un Chef d'Etat est choisi pour arbitre, la procédure arbitrale est réglée par Lui.

ARTICLE 34.

Le surarbitre est de droit Président du Tribunal.

Lorsque le Tribunal ne comprend pas de surarbitre il nomme lui-même son président.

ARTICLE 35.

En cas de décès, de démission ou d'empêchement, pour quelque cause que ce soit, de l'un des arbitres, il est pourvu à son remplacement selon le mode fixé pour sa nomination.

ARTICLE 36.

Le siège du Tribunal est désigné par les Parties. A défaut de cette désignation le Tribunal siège à la Haye.

Le siège ainsi fixé ne peut, sauf le cas de force majeure, être changé par le Tribunal que de l'assentiment des Parties.

ARTICLE 37.

Les Parties ont le droit de nommer auprès du Tribunal des délégués ou agents spéciaux, avec la mission de servir d'intermédiaires entre Elles et le Tribunal.

If no agreement is arrived at on this subject, each party selects a different Power, and the choice of the Umpire is made in concert by the Powers thus selected.

ARTICLE XXXIII.

When a Sovereign or the Chief of a State is chosen as Arbitrator, the arbitral procedure is settled by him.

ARTICLE XXXIV.

The Umpire is by right President of the Tribunal.

When the Tribunal does not include an Umpire, it appoints its own President.

ARTICLE XXXV.

In case of the death, retirement, or disability from any cause of one of the Arbitrators, his place shall be filled in accordance with the method of his appointment.

ARTICLE XXXVI.

The Tribunal's place of session is selected by the parties. Failing this selection the Tribunal sits at The Hague.

The place thus fixed can not, except in case of necessity, be changed by the Tribunal without the assent of the parties.

ARTICLE XXXVII.

The parties have the right to appoint delegates or special agents to attend the Tribunal, for the purpose of serving as intermediaries between them and the Tribunal.

Elles sont en outre autorisées à charger de la défense de leurs droits et intérêts devant le Tribunal, des conseils ou avocats nommés par Elles à cet effet.

ARTICLE 38.

Le tribunal décide du choix des langues dont il fera usage et dont l'emploi sera autorisé devant lui.

ARTICLE 39.

La procédure arbitrale comprend en règle générale deux phases distinctes: l'instruction et les débats.

L'instruction consiste dans la communication faite par les agents respectifs, aux membres du Tribunal et à la Partie adverse, de tous actes imprimés ou écrits et de tous documents contenant les moyens invoqués dans la cause. Cette communication aura lieu dans la forme et dans les délais déterminés par le Tribunal en vertu de l'article 49.

Les débats consistent dans le développement oral des moyens des Parties devant le Tribunal.

ARTICLE 40.

Toute pièce produite par l'une des Parties doit être communiquée à l'autre Partie.

ARTICLE 41.

Les débats sont dirigés par Président.

Ils ne sont publics qu'en vertu d'une décision du Tribunal, prise avec l'assentiment des Parties.

They are further authorized to retain, for the defense of their rights and interests before the Tribunal, counsel or advocates appointed by them for this purpose.

ARTICLE XXXVIII.

The Tribunal decides on the choice of languages to be used by itself, and to be authorized for use before it.

ARTICLE XXXIX.

As a general rule the arbitral procedure comprises two distinct phases; preliminary examination and discussion.

Preliminary examination consists in the communication by the respective agents to the members of the Tribunal and to the opposite party of all printed or written Acts and of all documents containing the arguments invoked in the case. This communication shall be made in the form and within the periods fixed by the Tribunal in accordance with Article XLIX.

Discussion consists in the oral development before the Tribunal of the arguments of the parties.

ARTICLE XL.

Every document produced by one party must be communicated to the other party.

ARTICLE XLI.

The discussions are under the direction of the President.

They are only public if it be so decided by the Tribunal, with the assent of the parties.

Ils sont consignés dans des procès-verbaux rédigés par des secrétaires que nomme le Président. Ces procès-verbaux ont seuls caractère authentique.

ARTICLE 42.

L'instruction étant close, le Tribunal a le droit d'écarter du débat tous actes ou documents nouveaux qu'une des Parties voudrait lui soumettre sans le consentement de l'autre.

ARTICLE 43.

Le Tribunal demeure libre de prendre en considération les actes ou documents nouveaux sur lesquels les agents ou conseils des Parties appelleraient son attention.

En ce cas, le Tribunal a le droit de requérir la production de ces actes ou documents, sauf l'obligation d'en donner connaissance à la Partie adverse.

ARTICLE 44.

Le Tribunal peut, en outre, requérir des agents des Parties la production de tous actes et demander toutes explications nécessaires. En cas de refus le Tribunal en prend acte.

ARTICLE 45.

Les agents et les conseils des Parties sont autorisés à présenter oralement au Tribunal tous les moyens qu'ils jugent utiles à la défense de leur cause.

They are recorded in the *procès-verbaux* drawn up by the Secretaries appointed by the President. These *procès-verbaux* alone have an authentic character.

ARTICLE XLII.

When the preliminary examination is concluded, the Tribunal has the right to refuse discussion of all fresh Acts or documents which one party may desire to submit to it without the consent of the other party.

ARTICLE XLIII.

The Tribunal is free to take into consideration fresh Acts or documents to which its attention may be drawn by the agents or counsel of the parties.

In this case, the Tribunal has the right to require the production of these Acts or documents, but is obliged to make them known to the opposite party.

ARTICLE XLIV.

The Tribunal can, besides, require from the agents of the parties the production of all Acts, and can demand all necessary explanations. In case of refusal, the Tribunal takes note of it.

ARTICLE XLV.

The agents and counsel of the parties are authorized to present orally to the Tribunal all the arguments they may think expedient in defence of their case.

ARTICLE 46.

Ils ont le droit de soulever des exceptions et incidents. Les décisions du Tribunal sur ces points sont définitives et ne peuvent donner lieu à aucune discussion ultérieure.

ARTICLE 47.

Les membres du Tribunal ont le droit de poser des questions aux agents et aux conseils des Parties et de leur demander des éclaircissements sur les points douteux.

Ni les questions posées, ni les observations faites par les membres du Tribunal pendant le cours des débats ne peuvent être regardées comme l'expression des opinions du Tribunal en général ou de ses membres en particulier.

ARTICLE 48.

Le Tribunal est autorisé à déterminer sa compétence en interprétant le compromis ainsi que les autres traités qui peuvent être invoqués dans la matière, et en appliquant les principes du droit international.

ARTICLE 49.

Le Tribunal a le droit de rendre des ordonnances de procédure pour la direction du procès, de déterminer les formes et délais dans lesquels chaque Partie devra prendre ses conclusions et de procéder à toutes les formalités que comporte l'administration des preuves.

ARTICLE 50.

Les agents et les conseils des Parties ayant présenté tous les

ARTICLE XLVI.

They have the right to raise objections and points. The decisions of the Tribunal on those points are final, and can not form the subject of any subsequent discussion.

ARTICLE XLVII.

The members of the Tribunal have the right to put questions to the agents and counsel of the parties, and to demand explanations from them on doubtful points.

Neither the questions put nor the remarks made by members of the Tribunal during the discussions can be regarded as an expression of opinion by the Tribunal in general, or by its members in particular.

ARTICLE XLVIII.

The Tribunal is authorized to declare its competence in interpreting the "Compromis" as well as the other Treaties which may be invoked in the case, and in applying the principles of international law.

ARTICLE XLIX.

The Tribunal has the right to issue Rules of Procedure for the conduct of the case, to decide the forms and periods within which each party must conclude its arguments, and to arrange all the formalities required for dealing with the evidence.

ARTICLE L.

When the agents and counsel of the parties have submitted all

éclaircissements et preuves à l'appui de leur cause, le Président prononce la clôture des débats.

ARTICLE 51.

Les délibérations du Tribunal ont lieu à huis clos. Toute décision est prise à la majorité des membres du Tribunal.

Le refus d'un membre de prendre part au vote doit être constaté dans le procès-verbal.

ARTICLE 52.

La sentence arbitrale, votée à la majorité des voix, est motivée. Elle est rédigée par écrit et signée par chacun des membres du Tribunal.

Ceux des membres qui sont restés en minorité peuvent constater, en signant, leur dissentiment.

ARTICLE 53.

La sentence arbitrale est lue en séance publique du Tribunal, les agents et les conseils de Parties présents ou dûment appelés.

ARTICLE 54.

La sentence arbitrale, dûment prononcée et notifiée aux agents des Parties en litige décide définitivement et sans appel la contestation.

ARTICLE 55.

Les Parties peuvent se réserver dans le compromis de demander la revision de la sentence arbitrale.

explanations and evidence in support of their case, the President pronounces the discussion closed.

ARTICLE LI.

The deliberations of the Tribunal take place in private. Every decision is taken by a majority of members of the Tribunal.

The refusal of a member to vote must be recorded in the *procès-verbal*.

ARTICLE LII.

The award, given by a majority of votes, is accompanied by a statement of reasons. It is drawn up in writing and signed by each member of the Tribunal.

Those members who are in the minority may record their dissent when signing.

ARTICLE LIII.

The award is read out at a public meeting of the Tribunal, the agents and counsel of the parties being present, or duly summoned to attend.

ARTICLE LIV.

The award, duly pronounced and notified to the agents of the parties at variance, puts an end to the dispute definitely and without appeal.

ARTICLE LV.

The parties can reserve in the "Compromis" the right to demand the revision of the award.

Dans ce cas et sauf convention contraire, la demande doit être adressée au Tribunal qui a rendu la sentence. Elle ne peut être motivée que par la découverte d'un fait nouveau qui eût été de nature à exercer une influence décisive sur la sentence et qui, lors de la clôture des débats, était inconnu du tribunal lui-même et de la Partie qui a demandé la revision.

La procédure de revision ne peut être ouverte que par une décision du Tribunal constatant expressément l'existence du fait nouveau, lui reconnaissant les caractères prévus par le paragraphe précédent et déclarant à ce titre la demande recevable.

Le compromis détermine le délai dans lequel la demande de revision doit être formée.

ARTICLE 56.

La sentence arbitrale n'est obligatoire que pour les Parties qui ont conclu le compromis.

Lorsqu'il s'agit de l'interprétation d'une convention à laquelle ont participé d'autres Puissances que les Parties en litige, celles-ci notifient aux premières le compromis qu'elles ont conclu. Chacune de ces Puissances a le droit d'intervenir au procès. Si une ou plusieurs d'entre elles ont profité de cette faculté, l'interprétation contenue dans la sentence est également obligatoire à leur égard.

In this case, and unless there be an agreement to the contrary, the demand must be addressed to the Tribunal which pronounced the award. It can only be made on the ground of the discovery of some new fact calculated to exercise a decisive influence on the award, and which, at the time the discussion was closed, was unknown to the Tribunal and to the party demanding the revision.

Proceedings for revision can only be instituted by a decision of the Tribunal expressly recording the existence of the new fact, recognizing in it the character described in the foregoing paragraph, and declaring the demand admissible on this ground.

The "Compromis" fixes the period within which the demand for revision must be made.

ARTICLE LVI.

The award is only binding on the parties who concluded the "Compromis."

When there is a question of interpreting a Convention to which Powers other than those concerned in the dispute are parties, the latter notify to the former the "Compromis" they have concluded. Each of these Powers has the right to intervene in the case. If one or more of them avail themselves of this right, the interpretation contained in the award is equally binding on them.

ARTICLE 57.

Chaque Partie supporte ses propres frais et une part égale des frais du Tribunal.

Dispositions générales.

ARTICLE 58.

La présente Convention sera ratifiée dans le plus bref délai possible.

Les ratifications seront déposées à la Haye.

Il sera dressé du dépôt de chaque ratification un procès-verbal, dont une copie, certifiée conforme, sera remise par la voie diplomatique à toutes les Puissances, qui ont été représentées à la Conférence Internationale de la Paix de la Haye.

ARTICLE 59.

Les Puissances non signataires qui ont été représentées à la Conférence Internationale de la Paix pourront adhérer à la présente Convention. Elles auront à cet effet à faire connaître leur adhésion aux Puissances contractantes, au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et communiquée par celui-ci à toutes les autres Puissances contractantes.

ARTICLE 60.

Les conditions auxquelles les Puissances qui n'ont pas été représentées à la Conférence Internationale de la Paix, pourront adhérer à la présente Con-

ARTICLE LVII.

Each party pays its own expenses and an equal share of those of the Tribunal.

General provisions.

ARTICLE LVIII.

The present Convention shall be ratified as speedily as possible.

The ratifications shall be deposited at The Hague.

A *procès-verbal* shall be drawn up recording the receipt of each ratification, and a copy duly certified shall be sent, through the diplomatic channel, to all the Powers who were represented at the International Peace Conference at The Hague.

ARTICLE LIX.

The non-Signatory Powers who were represented at the International Peace Conference can adhere to the present Convention. For this purpose they must make known their adhesion to the Contracting Powers by a written notification addressed to the Netherlands Government, and communicated by it to all the other Contracting Powers.

ARTICLE LX.

The conditions on which the Powers who were not represented at the International Peace Conference can adhere to the present Convention shall form the sub-

vention, formeront l'objet d'une entente ultérieure entre les Puissances contractantes.

ARTICLE 61.

S'il arrivait qu'une des Hautes Parties contractantes dénonçât la présente Convention, cette dénonciation ne produirait ses effets qu'un an après la notification faite par écrit au Gouvernement des Pays-Bas et communiquée immédiatement par celui-ci à toutes les autres Puissances contractantes.

Cette dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée.

En foi de quoi, les Plénipotentiaires ont signé la présente Convention et l'ont revêtue de leurs sceaux.

Fait à la Haye, le vingt-neuf juillet mil huit cent quatre-vingt dix-neuf, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances contractantes.

Pour l'Allemagne:

(L. S.) MUNSTER DERNEBURG.

Pour l'Autriche-Hongrie:

(L. S.) WELSERSHEIMB.

(L. S.) OKOLICSANYI.

Pour la Belgique:

(L. S.) A. BEERNAERT.

(L. S.) CTE. DE GRELLE ROGIER.

(L. S.) CHR. DESCAMPS.

Pour la Chine:

(L. S.) YANG YU.

Pour le Danemark:

(L. S.) F. BILLE.

ject of a subsequent Agreement among the Contracting Powers.

ARTICLE LXI.

In the event of one of the High Contracting Parties denouncing the present Convention, this denunciation would not take effect until a year after its notification made in writing to the Netherlands Government, and by it communicated at once to all the other Contracting Powers.

This denunciation shall only affect the notifying Power.

In faith of which the Plenipotentiaries have signed the present Convention and affixed their seals to it.

Done at The Hague, the 29th July, 1899, in a single copy, which shall remain in the archives of the Netherlands Government, and copies of it, duly certified, be sent through the diplomatic channel to the Contracting Powers.

For Germany:

(L. S.) MUNSTER DERNEBURG.

For Austria-Hungary:

(L. S.) WELSERSHEIMB.

(L. S.) OKOLICSANYI.

For Belgium:

(L. S.) A. BEERNAERT.

(L. S.) CTE. DE GRELLE ROGIER.

(L. S.) CHR. DESCAMPS.

For China:

(L. S.) YANG YU.

For Denmark:

(L. S.) F. BILLE.

Pour l'Espagne:

(L. S.) EL DUQUE DE TETUAN.
 (L. S.) W. R. DE VILLA URRUTIA.
 (L. S.) ARTURO DE BAGUER.

Pour les Etats-Unis d'Amérique:

(L. S.) ANDREW D. WHITE.
 (L. S.) SETH LOW.
 (L. S.) STANFORD NEWEL.
 (L. S.) A. T. MAHAN.
 (L. S.) WILLIAM CROZIER.

Sous réserve de la déclaration
 faite dans la séance plénière
 de la Conférence de 25 juillet
 1899.

Pour les Etats-Unis Mexicains:

A. DE MIER.
 J. ZENIL.

Pour la France:

(L. S.) LÉON BOURGEOIS.
 (L. S.) G. BIHOUD.
 (L. S.) D'ESTOURNELLES DE
 CONSTANT.

Pour la Grande Bretagne et l'Ir-
lande:

(L. S.) PAUNCEFOTE.
 (L. S.) HENRY HOWARD.

Pour la Grèce:

(L. S.) N. DELYANNI.

Pour l'Italie:

(L. S.) NIGRA.
 (L. S.) A. ZANNINI.
 (L. S.) G. POMPILJ.

Pour le Japon:

(L. S.) I. MOTONO.

Pour le Luxembourg:

(L. S.) EYSCHEN.

Pour le Monténégro:

(L. S.) STAAL.

Pour les Pays-Bas:

(L. S.) V. KARNEBEEK.
 (L. S.) DEN BEER POORTUGAEL.
 (L. S.) T. M. C. ASSER.
 (L. S.) E. N. RAHUSEN.

For Spain:

(L. S.) EL DUQUE DE TETUAN.
 (L. S.) W. R. DE VILLA URRUTIA.
 (L. S.) ARTURO DE BAGUER.

For the United States of America:

(L. S.) ANDREW D. WHITE.
 (L. S.) SETH LOW.
 (L. S.) STANFORD NEWEL.
 (L. S.) A. T. MAHAN.
 (L. S.) WILLIAM CROZIER.

Under reserve of the declaration
 made at the plenary sitting of
 the Conference on the 25th of
 July, 1899.

For the United Mexican States:

(L. S.) A. DE MIER.
 (L. S.) J. ZENIL.

For France:

(L. S.) LÉON BOURGEOIS.
 (L. S.) G. BIHOUD.
 (L. S.) D'ESTOURNELLES DE
 CONSTANT.

For Great Britain and Ireland:

(L. S.) PAUNCEFOTE.
 (L. S.) HENRY HOWARD.

For Greece:

(L. S.) N. DELYANNI.

For Italy:

(L. S.) NIGRA.
 (L. S.) A. ZANNINI.
 (L. S.) G. POMPILJ.

For Japan:

(L. S.) I. MOTONO.

For Luxemburg:

(L. S.) EYSCHEN.

For Montenegro:

(L. S.) STAAL.

For the Netherlands:

(L. S.) V. KARNEBEEK.
 (L. S.) DEN BEER POORTUGAEL.
 (L. S.) T. M. C. ASSER.
 (L. S.) E. N. RAHUSEN.

Pour la Perse:

(L. S.) MIRZA RIZA KHAN, Arfaud-Dovleh.

Pour le Portugal:

(L. S.) CONDE DE MACEDO.

(L. S.) AGOSTINHO D'ORNELLAS DE VASCONCELLOS.

(L. S.) CONDE DE SELIR.

Pour la Roumanie:

(L. S.) A. BELDIMAN.

(L. S.) J. N. PAPINIU.

Sous les réserves, formulées aux articles 16, 17 et 19 de la présente Convention (15, 16 et 18 du projet présenté par le Comité d'Examen) et consignées aux procès-verbal de la séance de la Troisième Commission du 20 juillet 1899.

Pour la Russie:

(L. S.) STAAL.

(L. S.) MARTENS.

(L. S.) A. BASILY.

Pour la Serbie:

(L. S.) CHEDO MIYATOVITCH.

Sous les réserves, consignées au procès-verbal de la Troisième Commission du 20 juillet 1899.

Pour le Siam:

(L. S.) PHYA SURIYA NUVATR.

(L. S.) VISUDDHA.

Pour les Royaumes Unis de Suède et de Norvège:

(L. S.) BILDT.

Pour la Suisse:

(L. S.) ROTH.

Pour la Turquie:

(L. S.) TURKHAN.

(L. S.) MEHEMED NOURY.

Sous réserve de la déclaration faite dans la séance plénière de la Conférence du 25 juillet 1899.

For Persia:

(L. S.) MIRZA RIZA KHAN, Arfaud-Dovleh.

For Portugal:

(L. S.) CONDE DE MACEDO.

(L. S.) AGOSTINHO D'ORNELLAS DE VASCONCELLOS.

(L. S.) CONDE DE SELIR.

For Roumania:

(L. S.) A. BELDIMAN.

(L. S.) J. N. PAPINIU.

Under the reserves formulated in Articles 16, 17 and 19 of the present Convention (15, 16 and 18 of the project presented by the Committee on Examination) and recorded in the procès-verbal of the sitting of the Third Commission of July 20, 1899.

For Russia:

(L. S.) STAAL.

(L. S.) MARTENS.

(L. S.) A. BASILY.

For Servia:

(L. S.) CHEDO MIYATOVITCH.

Under the reserves recorded in the procès-verbal of the Third Commission of July 20, 1899.

For Siam:

(L. S.) PHYA SURIYA NUVATR.

(L. S.) VISUDDHA.

For the United Kingdoms of Sweden and Norway:

(L. S.) BILDT.

For Switzerland:

(L. S.) ROTH.

For Turkey:

(L. S.) TURKHAN.

(L. S.) MEHEMED NOURY.

Under reserve of the declaration made in the plenary sitting of the Conference of July 25, 1899.

Pour la Bulgarie:

(L. S.) D. STANCIOFF.

(L. S.) MAJOR HESSAPTCHIEFF.

Certifié pour copie conforme,
Le Secrétaire Général du Département des Affaires Etrangères.

(L. S.) L. H. RUYSSENAERS.

LA HAYE, le 31, janvier 1900.

For Bulgaria:

(L. S.) D. STANCIOFF.

(L. S.) MAJOR HESSAPTCHIEFF.

Certified as a true copy, The Secretary General of the Department of Foreign Affairs,

(L. S.) L. H. RUYSSENAERS.

THE HAGUE, January 31, 1900.

And whereas the said Convention was signed by the Plenipotentiaries of the United States of America under reservation of the following declaration:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions;"

And whereas the said Convention was duly ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, and by the Governments of the other Powers aforesaid with the exception of China and Turkey;

And whereas, in pursuance of the stipulations of Article LVIII of the said Convention the ratifications of the said Convention were deposited at The Hague on the 4th. day of September, 1900, by the Plenipotentiaries of the Governments of the United States of America, Germany, Austria-Hungary, Belgium, Denmark, Spain, France, Great Britain, Italy, the Netherlands, Persia, Portugal, Roumania, Russia, Siam, Sweden and Norway and Bulgaria; on the 6th. day of October, 1900, by the Plenipotentiary of the Government of Japan; on the 16th. day of October, 1900, by the Plenipotentiary of the Government of Montenegro; on the 29th. day of December, 1900, by the Plenipotentiary of the Government of Switzerland; on the 4th. day of April, 1901, by the Plenipotentiary of the Government of Greece; on the 17th. day of April, 1901, by the Plenipotentiary of the Government of Mexico; on the 11th. day of May, 1901, by the Plenipotentiary of the Government of Servia; and on the 12th. day of July, 1901, by the Plenipotentiary of the Government of Luxembourg.

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause

thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the reserve made in the aforesaid declaration of the Plenipotentiaries of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of November in the year of our Lord one thousand nine hundred and one, [L. s.] and of the Independence of the United States, the one hundred and twenty-sixth.

THEODORE ROOSEVELT

By the President:

JOHN HAY,
Secretary of State.

thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the reserve made in the aforesaid declaration of the Plenipotentiaries of the United States.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of November in the year of our Lord one thousand nine hundred and one, [L. S.] and of the Independence of the United States, the one hundred and twenty-sixth.

THEODORE ROOSEVELT

By the President:

JOHN HAY,
Secretary of State.

0

Doc. No. 0001: Chronological Summary.

Doc. No. 002: Statement and Analysis by
Prosecution's Section.

Doc. No. 699A: Summary of Outstanding Anglo-Japanese
Cases in China.

Doc. No. 831-B: Statement of Source and Authenticity.

Also:

Opening Statement of Division I.

Defence Opening Statement.

Medical Certificate, Examination
Results and Psychiatric Examination.

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Results and Psychiatric Examination.

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第五 第二回平和會議諸條約

國際紛爭平和的處理條約

一九〇七年(明治四〇年)十一月八日海牙三於十四印

一九一二年(明治四十五年)二月六日批准
一九一二年(明治四十五年)二月二三日批准
一九一二年(明治四十五年)一月二三日公布

獨逸皇帝普魯西國皇帝陛下、亞米利加合衆國大統
領、亞爾然丁共和國大統領、奧地利國皇帝「ボ
ミヤ」國皇帝洪牙利國皇帝陛下、白耳義國皇帝陛
下、「ボリグ」ア共和國大統領、伯刺西爾合衆國大
統領、勃爾牙利國公殿下、智利共和國大統領、清國
皇帝陛下、格倫比亞共和國大統領、玖馬共和國臨
時總督、丁抹國皇帝陛下、「ドミニカ」共和國大統
領、「エクトル」共和國大統領、西班牙國皇帝陛

第五 第二回平和會議諸條約 (國際紛爭平和的處理條約)

No. 5. DEUXIEME CONFERENCE
DE LA PAIX

CONVENTION
POUR LE
RÈGLEMENT PACIFIQUE DES CON-
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Signée à La Haye, le 18 Octobre 1907 (40^{me} année de
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SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE,
ROI DE PRUSSE; LA PRÉSIDENT DES ÉTATS-UNIS
D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE
ARGENTINE; SA MAJESTÉ L'EMPEREUR D'AUTRI-
CHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE
DE HONGRIE; SA MAJESTÉ LE ROI DES BELGES;
LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE;
LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-
UNIS DU BRÉSIL; SON ALTESSE ROYALE LE
PRINCE DE BULGARIE; LE PRÉSIDENT DE LA
RÉPUBLIQUE DE CHILI; SA MAJESTÉ L'EMPEREUR

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下、佛蘭西共和國大統領、大不列顛愛爾蘭聯合王國
 大不列顛海外領土皇帝印度皇帝陛下、希臘國皇帝
 陛下、「グアテマラ」共和國大統領、「ハイチ」共和國
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 森堡國大公「ナッソー」公殿下、墨西哥合衆國大統
 領「モンテネグロ」國公殿下、塔威國皇帝陛下、
 巴拿馬共和國大統領「バラゲー」共和國大統領、
 和蘭國皇帝陛下、秘魯共和國大統領、波斯國皇帝
 陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬
 尼亞國皇帝陛下、全露西亞國皇帝陛下、「ナルグ
 ドル」共和國大統領、塞爾比亞國皇帝陛下、暹羅
 國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、土耳
 其國皇帝陛下、東「ウルグエー」共和國大統領、「グ
 ネズエラ」合衆國大統領、一般平和ノ維持ニ協力
 スルノ堅實ナル意思ヲ有シ全力ヲ竭シテ國際紛争
 ノ友好的處理ヲ補助スルニ決シ文明國間ノ各員ヲ
 結合スル運帶賈務ヲ認識シ法ノ領域ヲ擴張スルト
 共ニ國際的正義ノ威ヲ鞏固ナラシムコトヲ欲シ
 諸獨立國ノ間ニ於ケル各國ノ領ルヲ得ヘキ仲裁
 判ノ常設制度カ右ノ目的ヲ達スルニ有效ナルヘキ

DE CHINE; LE PRÉSIDENT DE LA RÉPUBLIQUE
 DE COLOMBIE; LE GOUVERNEUR PROVISOIRE DE
 LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI
 DE DANEMARK; LE PRÉSIDENT DE LA REPUBLI-
 QUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPU-
 BLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI
 D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE
 FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-
 UNI DE GRANDE BRETAGNE ET D'IRLANDE ET
 DES TERRITOIRES BRITANNIQUES AU DELÀ DES
 MERS, EMPEREUR DES INDES; SA MAJESTÉ LE
 ROI DES HELLÈNES; LE PRÉSIDENT DE LA RÉ-
 PUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA
 RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITA-
 LIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON
 ALTESSE ROYALE LE GRAND-DUC DE LUXEM-
 BOURG, DUC DE NASSAU; LE PRÉSIDENT DES
 ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE
 LE PRINCE DE MONTÉNÉGR0; SA MAJESTÉ LE
 ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPU-
 BLIQUE DE PANAMA; LE PRÉSIDENT DE LA
 RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA
 REINE DES PAYS-BAS; LE PRÉSIDENT DE LA
 RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE

ヲ確信シ仲裁裁判手續ニ關スル一般且正則ナル組
織ノ有益ナルコトヲ考慮シ萬國平和會議ノ至尊ナ
ル發議者ト共ニ國安民福ノ基礎タル公平正理ノ原
則ヲ國際的合意ニ依リテ定立スルノ須要ナルヲ認
メ之カ爲審査委員會及仲裁裁判部ノ實地ノ運用ヲ
一層確實ニ保障シ且簡易ナル手續ニ依リ得ヘキ性
質ノ紛争ヲ仲裁裁判ニ付スルコトヲ容易ナラシメ
ムコトヲ希望シ國際紛争平和的處理ニ關スル第一
回平和會議ノ事業ニ若干ノ修正ヲ加ヘ且之ヲ增補
スルヲ必要ト認メタリ締約國ハ之カ爲新ナル條約
ヲ締結スルニ決シ各左ノ全權委員ヲ任命セリ

LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE
PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ
LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR
DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA
RÉPUBLIQUE DU SALVADOR; SA MAJESTÉ LE ROI
DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA
MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL
SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS;
LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE
L'URUGUAY; LE PRÉSIDENT ÉTATS-UNIS DE VÉ-
NÉZUÉLA :

Animés de la ferme volonté de concourir au
maintien de la paix générale;
Résolus à favoriser de tous leurs efforts le
règlement amiable des conflits internationaux;
Reconnaissant la solidarité qui unit les mem-
bres de la société des nations civilisées;
Voulant étendre l'empire du droit et fortifier
le sentiment de la justice internationale;
Convaincus que l'institution permanente d'une
juridiction arbitrale accessible à tous, au sein des
Puissances indépendantes, peut contribuer effica-
cément à ce résultat,
Considérant les avantages d'une organisation

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第五 第二回平和會議諸條約

國際紛爭平和的處理條約

一九〇七年(明治四〇年)一月八日海牙三於中開印

一九一二年(明治四五年)二月六日批准
一九一二年(明治四五年)一月二日公佈

獨逸皇帝普魯西國皇帝陛下、亞米利加合衆國大統
領、亞爾然丁共和國大統領、奧地利國皇帝「ボヘ
ミア」國皇帝洪牙利國皇帝陛下、白耳義國皇帝陛
下、「ボリゲン」共和國大統領、伯刺西爾合衆國大
統領、勃爾牙利國公陛下、智利共和國大統領、清國
皇帝陛下、格倫比亞共和國大統領、玖馬共和國臨
時總督、丁抹國皇帝陛下、「ドミニカ」共和國大統
領、「エクアドル」共和國大統領、西班牙國皇帝陛

第五 第二回平和會議諸條約 (國際紛爭平和的處理條約)

No. 5. DEUXIEME CONFERENCE
DE LA PAIX

CONVENTION
POUR LE
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D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE
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CHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE
DE HONGRIE; SA MAJESTÉ LE ROI DES BELGES;
LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE;
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UNIS DU BRÉSIL; SON ALTESSE ROYALE LE
PRINCE DE BULGARIE; LE PRÉSIDENT DE LA
RÉPUBLIQUE DE CHILI; SA MAJESTÉ L'EMPEREUR

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| <p>諾威國皇帝陛下 前內閣議長、前法學教授、和蘭國駐劄兼丁株國 駐劄特命全權公使、常設仲裁裁判所裁判官フ ランシス、ハイゲルブ</p> <p>巴拿馬共和國大統領 ベリサリオ、ポラス 「バラグエー」共和國大統領</p> <p>佛國駐劄特命全權公使エウセビオ、マチャイン</p> <p>比律悉駐在領事、伯爵ジエー、ダ、モンソー、 ド、ベルシャンダ</p> <p>和蘭國皇帝陛下 前外務大臣、下院議員ドブルグエ、ア、ラ、シ、ド、 ボーフォー</p> <p>國務大臣、參事院議員、常設仲裁裁判所裁判官</p> | <p>SA MAJESTÉ LE ROI DE NORVÈGE : Son Excellence M. FRANCIS HAGERUP, ancien président du conseil, ancien professeur de droit, Son envoyé extraordinaire et ministre pléni- potentiaire à La Haye et à Copenhague, mem- bre de la cour permanente d'arbitrage.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA : M. BELBARIO PORRA.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY : Son Excellence M. EUSEBIO MACHAÏN, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris ; M. le comte G. DU MONCEAU DE BERGENDAL, consul de la République à Bruxelles.</p> <p>SA MAJESTÉ LA REINE DES PAYS- BAS : M. W. H. DE BEAUFORT, Son ancien ministre des affaires étrangères, membre de la seconde cham- bre des états-généraux ; Son Excellence M. T. M. C. ASSER, Son ministre</p> |
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下、佛蘭西共和國大統領、大不列顛愛爾蘭聯合王國
 大不列顛海外領土皇帝印度皇帝陛下、希臘國皇帝
 陛下、^一「グアラマラ」共和國大統領、^二「ハイチ」共和國
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 結合スル運帶義務ヲ認識シ法ノ領域ヲ擴張スルト
 共ニ國際的正義ノ威ヲ鞏固ナラシメムコトヲ欲シ
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 判ノ常設制度カ右ノ目的ヲ達スルニ有效ナルヘキ

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DE CHINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI DE DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE, SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLÈNES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGR0; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE

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LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT ÉTATS-UNIS DE VÉNEZUÉLA:

Animés de la ferme volonté de concourir au maintien de la paix générale;

Résolus à favoriser de tous leurs efforts le règlement amiable des conflits internationaux;

Reconnaissant la solidarité qui unit les membres de la société des nations civilisées;

Voulant étendre l'empire du droit et fortifier le sentiment de la justice internationale;

Convaincus que l'institution permanente d'une juridiction arbitrale accessible à tous, au sein des Puissances indépendantes, peut contribuer efficacement à ce résultat,

Considérant les avantages d'une organisation

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| <p>獨逸皇帝普魯西國皇帝陛下</p> <p>國務大臣、土耳其國駐劄特命全權大使、男爵ハル シムド、ビールスタイン</p> | <p>général et régulière de la procédure arbitrale ;</p> <p>Estimant avec l'Auguste Initiateur de la Conférence internationale de la Paix qu'il importe de consacrer dans un accord international les principes d'équité et de droit sur lesquels reposent la sécurité des États et le bien-être des peuples ;</p> <p>Désireux, dans ce but, de mieux assurer le fonctionnement pratique des Commissions d'enquête et des tribunaux d'arbitrage et de faciliter le recours à la justice arbitrale lorsqu'il s'agit de litiges de nature à comporter une procédure sommaire ;</p> <p>Ont jugé nécessaire de réviser sur certains points et de compléter l'œuvre de la Première Conférence de la Paix pour le règlement pacifique des conflits internationaux ;</p> <p>Les Hautes Parties contractantes ont résolu de conclure une nouvelle Convention à cet effet et ont nommé pour Leurs Plénipotentiaires, savoir :</p> <p>SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE :</p> <p>Son Excellence le baron MARSHALL DE BIBERSTEIN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople ;</p> |
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| <p>雅典大學國際法教授、常設仲裁裁判所裁判官 ジールジマストレイイト</p> <p>「グアテマラ」共和國大統領</p> <p>和蘭國駐劄兼英國駐劄代理公使、常設仲裁裁判所裁判官ホセ、チブレ、マチャド</p> <p>獨逸國駐劄代理公使エンリケ、ゴメス、カリリヨ</p> <p>「ハイチ」共和國大統領</p> <p>佛國駐劄特命全權公使ジャン、ジヨセフ、ダルンアル</p> <p>米國駐劄特命全權公使ジ、エス、レジャー</p> <p>前國際公法教授、「ポルト・フランス」組合辯護士ビエール、エダクニール</p> <p>伊太利國皇帝陛下</p> <p>上院議員、佛國駐劄特命全權大使、常設仲裁裁判所裁判官、伊國委員長、伯爵ジヨセフ、トルニエリ</p> | <p>M. GEORGES SREFF, professeur de droit international à l'université d'Athènes, membre de la cour permanente d'arbitrage.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA :</p> <p>M. JOSÉ TIBLE MACHADO, chargé d'affaires de la République à La Haye et à Londres, membre de la cour permanente d'arbitrage ;</p> <p>M. ENRIQUE GÓMEZ CARILLO, chargé d'affaires de la République à Berlin.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI :</p> <p>Son Excellence M. JEAN JOSEPH DALBÉMAR, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris ;</p> <p>Son Excellence M. J. N. LÉGER, envoyé extraordinaire et ministre plénipotentiaire de la République à Washington ;</p> <p>M. PIERRE HUDICOURT, ancien professeur de droit international public, avocat au barreau de Port au Prince.</p> <p>SA MAJESTÉ LE ROI D'ITALIE :</p> <p>Son Excellence le Comte JOSEPH TORNIELLI BRUBATI DI VERGANO, Sénateur du Royaume,</p> |
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| <p>本會議特派委員、コンセイエー、アンチーム、ド、レガシオン、帝国外務省法律顧問、常設仲裁裁判所裁判官、ドクトル、ヨハンネス、クリーゲ</p> <p>亞米利加合衆國大統領</p> <p>特命大使、ジョセフ、エマ、チ、ポート</p> <p>特命大使、ホレス、ポーター</p> <p>特命大使、ユリア、エム、ロイス</p> <p>和蘭國駐劄特命全權公使、デヴラド、ジーン、ヒル</p> <p>海軍少將、全權公使、チャールス、エス、スベリー</p> <p>陸軍少將、合衆國陸軍軍法會議長、全權公使、ジョージ、ビー、デーヴィス</p> <p>全權公使、ウィリアム、アイブ、ブカナン</p> | <p>M. le dr. JOHANNES KRIEGE, Son envoyé en mission extraordinaire à la présente Conférence, Son conseiller intime de légation et juriconsulte au ministère Impérial des affaires étrangères, membre de la cour permanente d'arbitrage.</p> <p>LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:</p> <p>Son Excellence M. JOSEPH H. CHOATE, ambassadeur extraordinaire;</p> <p>Son Excellence M. HORACE PORTER, ambassadeur extraordinaire;</p> <p>Son Excellence M. URIAH M. ROSE, ambassadeur extraordinaire;</p> <p>Son Excellence M. DAVID JAYNE HILL, envoyé extraordinaire et ministre plénipotentiaire de la République à La Haye;</p> <p>M. CHARLES S. SPERRY, contre-amiral, ministre plénipotentiaire;</p> <p>M. GEORGES B. DAVIS, général de brigade, chef de la justice militaire de l'armée fédérale, ministre plénipotentiaire;</p> <p>M. WILLIAM I. BUCHANAN; ministre plénipotentiaire.</p> |
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| <p>亞爾然丁共和國大統領</p> <p>前外務大臣、伊國駐留特命全權公使、常設仲裁裁判所裁判官ロケ、サエンツ、ベニヤ</p> <p>前外務及教務大臣、下院議員、常設仲裁裁判所裁判官ルイス、エム、ドラゴ</p> <p>前外務及教務大臣、常設仲裁裁判所裁判官カ ルロス、ロドリゲス、ラレタ</p> <p>奥地利國皇帝ボヘミア、國皇帝洪牙利國皇帝陸 下</p> <p>「コンセイエー、アンチム」、特命全權大使 ゲイタン、メレド、カボスマレー</p> <p>希臘國駐留特命全權公使、男爵シール、ド、 マキオ</p> | <p>LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE :</p> <p>Son Excellence M. ROQUE SAENZ PENA, ancien ministre des affaires étrangères, envoyé extraordinaire et ministre plénipotentiaire de la République à Rome, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. LUIS M. DRAGO, ancien ministre des affaires étrangères et des cultes de la République, député national, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. CARLOS RODRIGUEZ LARRETA, ancien ministre des affaires étrangères et des cultes de la République, membre de la cour permanente d'arbitrage.</p> <p>SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME, ETC., ET ROI APOSTOLIQUE DE HONGRIE :</p> <p>Son Excellence M. GAÉAN MÉREY DE KAPOSMÉRE, Son conseiller intime, Son ambassadeur extraordinaire et plénipotentiaire ;</p> <p>Son Excellence M. le baron CHARLES DE MACCHIO, Son envoyé extraordinaire et ministre plénipotentiaire à Athènes.</p> |
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| <p>白耳義國皇帝陛下 國務大臣、代議院議員、佛國學士院會員、白耳義國學士院會員、羅馬尼亞國學士院會員、國際法學會名譽會員、常設仲裁裁判所裁判官 ベルナルル 國務大臣、前司法大臣ジ、フ、イン、デン、ヒ、エ、ル 和蘭國駐劄特命全權公使、羅馬尼亞國學士院會員、男爵ギ、ョ、ー、ム</p> | <p>SA MAJESTÉ LE ROI DES BELGES: Son Excellence M. BEERNAERT, Son ministre d'état, membre de la chambre des représentants, membre de l'institut de France et des académies Royales de Belgique et de Roumanie, membre d'honneur de l'institut de droit international, membre de la cour permanente d'arbitrage; Son Excellence M. J. VAN DEN HEUVEL, Son ministre d'état, ancien ministre de la justice; Son Excellence M. le baron GUILLAUME, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye, membre de l'académie Royale de Roumanie.</p> |
| <p>「ボリウエア」共和國大統領 外務大臣、常設仲裁裁判所裁判官クラウヂオ、ビニラ 英國駐劄特命全權公使フ、エ、ル、ナ、ン、ド、エ、グ、ラ、</p> | <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE: Son Excellence M. CLAUDIO FINILLA, ministre des affaires étrangères de la République, membre de la cour permanente d'arbitrage; Son Excellence M. FERNANDO E. GUACHALLA, ministre plénipotentiaire à Londres.</p> |
| <p>伯刺西爾合衆國大統領 特命全權大使、常設仲裁裁判所裁判官ルイ、バルボサ</p> | <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL: Son Excellence M. RUY BARBOSA, ambassadeur extraordinaire et plénipotentiaire, membre de la cour permanente d'arbitrage;</p> |

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| <p>和蘭國駐劄特命全權公使エツアルド、エフ、エス、トス、サントス、リスボア</p> <p>物蘭牙利國公殿下</p> <p>陸軍參謀少將、侍從將官ウルバン、ウイナロン</p> <p>大審院檢察總長イワン、カランジエーロン</p> <p>智利共和國大統領</p> <p>英國駐劄特命全權公使ドミンゴ、ガナ</p> <p>獨逸國駐劄特命全權公使アウグスト、マテ</p> <p>前陸軍大臣、前代議院議長、前亞爾然丁國駐劄特命全權公使カルロス、コンチヤ</p> <p>清國皇帝陛下</p> <p>特命大使陸徵祥</p> | <p>Son Excellence M. EDUARDO F. S. DOS SANTOS LISBOA, envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>SON ALTESSE ROYALE LE PRINCE DE BULGARIE;</p> <p>M. VRBAN VINAROFF, général-major de l'état-major, Son général à la suite;</p> <p>M. IVAN KARANDJOUOFF, procureur-général de la cour de cassation.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE CHILI:</p> <p>Son Excellence M. DOMINGO GANA, envoyé extraordinaire et ministre plénipotentiaire de la République à Londres;</p> <p>Son Excellence M. AUGUSTO MATTE, envoyé extraordinaire et ministre plénipotentiaire de la République à Berlin;</p> <p>Son Excellence M. CARLOS CONCHA, ancien ministre de la guerre, ancien président de la chambre des députés, ancien envoyé extraordinaire et ministre plénipotentiaire à Buenos Aires.</p> <p>SA MAJESTÉ L'EMPEREUR DE CHINE:</p> <p>Son Excellence M. LOU-TSENG-TSIANG, Son ambassadeur extraordinaire;</p> |
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| <p>和蘭國駐劄特命全權公使錢尙</p> <p>格倫比亞共和國大統領</p> <p>陸軍將官ホルヘ、ホルグイン</p> <p>サンチャゴ、ベレス、トリアナ</p> <p>佛國駐劄特命全權公使、陸軍將官マルセリアノ、バルガス</p> <p>玖馬共和國臨時總督</p> <p>「ハバナ」大學國際法教授、上院議員アントニオ、サンチェス、デ、アスタヤンテ</p> <p>米國駐劄特命全權公使ゴンサロ、デ、クエサダ、イ、アロスタグイ</p> <p>前「ハバナ」中學校長、上院議員マヌエル、サンタ、クリ</p> <p>丁 株國皇帝陛下</p> <p>侍從、米國駐劄特命全權公使コンスタンチン、</p> | <p>Son Excellence M. TSIEN-SUN, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE:</p> <p>M. JORGE HOLGUIN, général;</p> <p>M. SANTIAGO PÉREZ TRIANA;</p> <p>Son Excellence M. MARCELIANO VARGAS, général, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris.</p> <p>LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA:</p> <p>M. ANTONIO SANCHEZ DE BUSTAMANTE, professeur de droit international à l'université de la Havane, sénateur de la République;</p> <p>Son Excellence M. GONZALO DE QUESSADA Y ARGENTEGUI, envoyé extraordinaire et ministre plénipotentiaire de la République à Washington;</p> <p>M. MANUEL SANGUILY, ancien directeur de l'institut d'enseignement secondaire de la Havane, sénateur de la République.</p> <p>SA MAJESTÉ LE ROI DE DANEMARK:</p> <p>Son Excellence M. CONSTANTIN BRUN, Son cham-</p> |
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| <p>ブロン</p> <p>海軍少將 クリスマン、フレデリック、シメル ル</p> <p>侍従、外務省課長 アクセル、グニテル</p> <p>「ドミニカ」共和国大統領</p> <p>前外務大臣、常設仲裁裁判所裁判官 フランシ スコ、ヘンリクス、イ、カルヴァハル</p> <p>共和国専門学校長、常設仲裁裁判所裁判官 ア ポリナル、テヘラ</p> <p>「エクアドル」共和国大統領</p> <p>佛國駐劄兼西班牙國駐劄特命全權公使 ヴィク トル、レンドン</p> <p>代理公使 エンリケ、ドルン、イ、デ、アルスア</p> <p>西班牙國皇帝陛下</p> <p>上院議員、前外務大臣、英國駐劄特命全權大 使 ドブルグニエ、ル、デ、グイ、リヤウル、イ、チャ</p> | <p>bellan, Son envoyé extraordinaire et ministre plénipotentiaire à Washington ;</p> <p>M. CHRISTIAN FREDERIK SCHELLER, contre-amiral;</p> <p>M. AXEL VEDEL, Son chambellan, chef de section au ministère Royal des affaires étrangères.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE :</p> <p>M. FRANCISCO HENRIQUEZ Y CARVAJAL, ancien secrétaire d'état au ministère des affaires étran- gères de la République, membre de la cour permanente d'arbitrage ;</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR :</p> <p>Son Excellence M. VICTOR RENDÓN, envoyé ex- traordinaire et ministre plénipotentiaire de la République à Paris et à Madrid ;</p> <p>M. ENRIQUE DORN Y DE AISUA, chargé d'affaires. SA MAJESTÉ LE ROI D'ESPAGNE :</p> <p>Son Excellence M. W. R. DE VILLA-URRUTIA, sénateur, ancien ministre des affaires étrangères, Son ambassadeur extraordinaire et plénipoten- tiaire à Londres ;</p> |
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| <p>和蘭國駐劄特命全權公使 ホセ、デ、ラ、リカ、イ、カルウ。</p> <p>下院議員、伯爵ガブリエル、マカラ、イ、ガマゾ、デ、モルトラ。</p> <p>佛蘭西共和國大統領</p> <p>特命大使、上院議員、前内閣議長、前外務大臣、常設仲裁裁判所裁判官レオン、ブールジョア。</p> <p>上院議員、一等全權公使、常設仲裁裁判所裁判官、男爵デスツールネル、ド、コンスタン。</p> <p>巴里大學法科大學教授、名譽全權公使、外務省法律顧問、佛蘭西士院會員、常設仲裁裁判所裁判官ルイ、ルノー。</p> <p>和蘭國駐劄特命全權公使 マルスラン、ペレ。</p> | <p>Son Excellence M. JOSE DE LA RICA Y CALVO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye ;</p> <p>M. GABRIEL MAURA Y GAMAZO, comte de Mortera, député aux Cortès.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE :</p> <p>Son Excellence M. LEON BOURGEOIS, ambassadeur extraordinaire de la République, sénateur, ancien président du conseil des ministres, ancien ministre des affaires étrangères, membre de la cour permanente d'arbitrage ;</p> <p>M. le baron D'ESTOURNELLES DE CONSTANT, sénateur, ministre plénipotentiaire de première classe, membre de la cour permanente d'arbitrage ;</p> <p>M. LOUIS RENAULT, professeur à la faculté de droit à l'université de Paris, ministre plénipotentiaire honoraire, jurisconsulte du ministère des affaires étrangères, membre de l'institut de France, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. MARCELLIN PELLET, envoyé extraordinaire et ministre plénipotentiaire de la République Française à La Haye.</p> |
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| <p>大不列顛愛爾蘭聯合王國大不列顛海外領土皇帝印度皇帝陛下</p> | <p>SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :</p> |
| <p>樞密顧問官、特命大使、常設仲裁裁判所裁判官「サー」エドワード・フライ</p> | <p>Son Excellence the Right Honourable Sir EDWARD FRY, G. C. B., membre du conseil privé, Son ambassadeur extraordinaire, membre de la cour permanente d'arbitrage ;</p> |
| <p>樞密顧問官、常設仲裁裁判所裁判官「サー」アーネスト・メイソン・サトウ</p> | <p>Son Excellence the Right Honourable Sir ERNEST MASON SATOW, G. C. M. G., membre du conseil privé, membre de la cour permanente d'arbitrage ;</p> |
| <p>樞密顧問官、前國際法學會長、男爵ドナルド・ジェームス・マッケイ・レイ</p> | <p>Son Excellence the Right Honourable DONALD JAMES MACKAY BARON REAY, G. C. S. I., G. C. I. E., membre du conseil privé ancien président de l'institut de droit international ;</p> |
| <p>和蘭國駐留時命全權公使「サー」ヘンリー・ブリード</p> | <p>Son Excellence Sir HENRY HOWARD, K. C. M. G., C. B., Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> |
| <p>希臘國皇帝陛下 獨逸國駐留時命全權公使クレオン・リツ・ラングベ</p> | <p>SA MAJESTÉ LE ROI DES HELLENES : Son Excellence M. CLÉON RIZO RANGABÉ, Son envoyé extraordinaire et ministre plénipotentiaire à Berlin ;</p> |

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出立人
人及
呼聲

府ニ宛テ之ヲ爲スヘシ實地ニ就キ一切ノ證據蒐集
手續ヲ行フトキ亦同シ

右請求ヲ受ケタル國ハ其ノ國內法規ニ遵ヒ爲シ得
ヘキ方法ニ依リ其ノ請求ヲ履行スヘク且其ノ主權
又ハ安寧ニ害アリト認ムル場合ヲ除クノ外之ヲ拒
ムコトヲ得ス

委員會ハ又常ニ其ノ開會地ノ所屬國ノ媒介ニ依頼
スルコトヲ得

第二十五條

證人及鑑定人ノ呼出ハ當事者ノ請求ニ依リ又ハ職
權ヲ以テ委員會之ヲ爲シ且如何ナル場合ニ於テモ
證人及鑑定人所在地ノ所屬國政府ノ媒介ニ依ルモ
ノトス

證人ノ訊問ハ委員會ノ定ムル順序ニ從ヒ代理人及
顧問出席ノ上順次各別ニ之ヲ行フ

sance contractante, la Commission s'adressera
directement au Gouvernement de cette Puissance.
Il en sera de même s'il s'agit de faire procéder
sur place à l'établissement de tous moyens de
prouve.

Les requêtes adressées à cet effet seront exécutées
suivant les moyens dont la Puissance requise dis-
pose d'après sa législation intérieure. Elles ne
peuvent être refusées que si cette Puissance les
juge de nature à porter atteinte à Sa souveraineté
ou à Sa sécurité.

La Commission aura aussi toujours la faculté
de recourir à l'intermédiaire de la Puissance sur
le territoire de laquelle elle a son siège.

ARTICLE 25.

Les témoins et les experts sont appelés à la
requête des Parties ou d'office par la Commission,
et, dans tous les cas, par l'intermédiaire du Gou-
vernement de l'État sur le territoire duquel ils
se trouvent.

Les témoins sont entendus, successivement et
séparément, en présence des agents et des conseils
et dans un ordre à fixer par la Commission.

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ク、エム、セー、アッセル

退職陸軍中將、前陸軍大臣、參事院議員「ヨ
ンクヘール」ジ、セー、セー、デン、ペール、ボ
ルチゲール

特務侍從武官、退職海軍中將、前海軍大臣「ヨ
ンクヘール」ジ、ア、ロエル

前司法大臣、下院議員「ジ、ア、ロエフ

認爲共和國大統領

佛國駐荷蘭英國駐荷特命全權公使、常設仲裁
裁判所裁判官「カルロス」ジ、カンダモ

波斯國皇帝陛下

佛國駐荷特命全權公使、常設仲裁裁判所裁判
官「サド、カン、モムタズ」ス、タルタネー

d'état, membre du conseil d'état, membre de la
cour permanente d'arbitrage;

Son Excellence le jonkheer J. C. C. DEN BEER
POORTUGAEL, lieutenant-général en retraite,
ancien ministre de la guerre, membre du conseil
d'état;

Son Excellence le jonkheer J. A. RÖELL, Son aide
de camp en service extraordinaire, vice-amiral
en retraite, ancien ministre de la marine;

M. J. A. LOEFF, Son ancien ministre de la justice,
membre de la seconde chambre des états-
généraux.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DU PÉROU :

Son Excellence M. CARLOS G. CANDAMO, envoyé
extraordinaire et ministre plénipotentiaire de la
République à Paris et à Londres, membre de
la cour permanente d'arbitrage.

SA MAJESTÉ IMPERIALE LE SCHAH
DE PERSE :

Son Excellence SAMAD KHAN MONTAZOË SAL-
TANËH, Son envoyé extraordinaire et ministre
plénipotentiaire à Paris, membre de la cour
permanente d'arbitrage;

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| <p>和蘭國駐劄特命全權公使ミルツ、アーメド、カン、サチグ、ウル、ムルカ</p> <p>葡萄牙國及「アルガルヴ」皇帝陛下</p> <p>參事院議員、「ベール、ヂ、ロワイヨーム」、前外務大臣、英國駐劄特命全權公使、特命全權大使、侯爵、ソングラル</p> <p>和蘭國駐劄特命全權公使、伯爵、セリール</p> <p>瑞西國駐劄特命全權公使アルベルト、ドリウ、イラ</p> <p>羅馬尼亞國皇帝陛下</p> <p>獨逸國駐劄特命全權公使アレキサンドル、ベルデマン</p> <p>和蘭國駐劄特命全權公使エドガール、マゴロルダト</p> | <p>Son Excellence MIRZA AHMED KHAN SADIGH UL MULK, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>SA MAJESTÉ LE ROI DE PORTUGAL ET DES AIGARVES, etc.:</p> <p>Son Excellence M. le marquis DE SOVERAI, Son conseiller d'état, pair du Royaume, ancien ministre des affaires étrangères, Son envoyé extraordinaire et ministre plénipotentiaire à Londres, Son ambassadeur extraordinaire et plénipotentiaire;</p> <p>Son Excellence M. le comte DE SELIR, Son envoyé extraordinaire et plénipotentiaire à La Haye;</p> <p>Son Excellence M. ALBERTO D'OLIVEIRA, Son envoyé extraordinaire et ministre plénipotentiaire à Berne.</p> <p>SA MAJESTÉ LE ROI DE ROUMANIE:</p> <p>Son Excellence M. ALEXANDRE BELDIMAN, Son envoyé extraordinaire et ministre plénipotentiaire à Berlin.</p> <p>Son Excellence M. EDGAR MAVEKORDATO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> |
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| <p>聲明又ハ 供與ノ程</p> | <p>第二十二條 委員會ハ有益ナリト認ムル説明又ハ報告ヲ一方又ハ他方ノ當事者ニ請求スルコトヲ得</p> <p>第二十三條 當事者ハ保爭事實ヲ完全ニ知悉シ且精確ニ會得スルニ必要ナル一切ノ方法及便宜ヲ其ノ爲シ得ヘシト認ムル限充分ニ審査委員會ニ提供スヘキモノトス</p> <p>當事者ハ委員會ノ呼出ラ受ケタル自國領土ニ在ル證人又ハ鑑定人ノ出頭ヲ保障スル爲メ國內法規ニ依リ爲シ得ル手段ヲ盡スヘキモノトス</p> <p>證人又ハ鑑定人ニシテ委員會ニ出頭スルコト能ハサルトキハ當事者ハ其ノ當該官憲ヲシテ之カ訊問ヲ爲サシムヘシ</p> <p>第二十四條 委員會カ締約國タル第三國ノ領土ニ於テ爲スコトアルヘキ一切ノ通告ハ委員會ヨリ直接ニ當該國政</p> | <p>ARTICLE 22.</p> <p>La Commission a le droit de solliciter de l'une ou l'autre Partie telles explications ou informations qu'elle juge utiles.</p> <p>ARTICLE 23.</p> <p>Les Parties s'engagent à fournir à la Commission d'enquête, dans la plus large mesure qu'Elles jugeront possible, tous les moyens et toutes les facilités nécessaires pour la connaissance complète et l'appréciation exacte des faits en question.</p> <p>Elles s'engagent à user des moyens dont Elles disposent d'après leur législation intérieure, pour assurer la comparution des témoins ou des experts se trouvant sur leur territoire et cités devant la Commission.</p> <p>Si ceux-ci ne peuvent comparaitre devant la Commission, Elles feront procéder à leur audition devant leurs autorités compétentes.</p> <p>ARTICLE 24.</p> <p>Pour toutes les notifications que la Commission aurait à faire sur le territoire d'une tierce Puis-</p> |
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| <p>別 書</p> | <p>第十九條 審査ハ對審ノ上之ヲ行フ 各當事者ハ豫定ノ期日ニ於テ場合ニ依リ事實ノ説 明書及如何ナル場合ニ於テモ事實ノ真相ヲ示スニ 有益ナリト認メタル證書、文書其ノ他ノ書類並陳 述ヲ爲サシムト欲スル證人及鑑定人ノ名簿ヲ委 員會及他ノ當事者ニ送付スヘシ</p> | <p>ARTICLE 19. L'enquête a lieu contradictoirement. Aux dates prévues, chaque Partie communique à la Commission et à l'autre Partie les exposés des faits, s'il y a lieu, et dans tous les cas, les actes, pièces et documents qu'Elle juge utiles à la découverte de la vérité, ainsi que la liste des témoins et des experts qu'elle désire faire entendre.</p> |
| <p>附會地ノ</p> | <p>第二十條 委員會ハ當事者ノ承諾ヲ得タル上取調ノ爲有益ナ リト認メタル地ニ一時移轉シ又ハ一人若ハ數人ノ 委員ヲ同地ニ派遣スルコトヲ得但シ右取調ヲ爲ス ヘキ地ノ所屬國ノ許可ヲ得ルコトヲ要ス</p> | <p>ARTICLE 20. La Commission a la faculté, avec l'assentiment des Parties, de se transporter momentanément sur les lieux où elle juge utile de recourir à ce moyen d'information, ou d'y déléguer un ou plusieurs de ses membres. L'autorisation de l'État sur le territoire duquel il doit être procédé à cette information devra être obtenue.</p> |
| <p>檢査及陪</p> | <p>第二十一條 一切ノ事實上ノ檢査及實地ノ臨檢ハ當事者ノ代理 人及顧問出席ノ上又ハ之ニ對シ正式ニ呼出ヲ爲シ タル後之ヲ行フコトヲ要ス</p> | <p>ARTICLE 21. Toutes constatations matérielles, et toutes visites des lieux doivent être faites en présence des agents et conseils des Parties ou eux dûment appelés.</p> |

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| <p>全露西亞國皇帝陛下 「コンセイエー、ブリグニ、アクチニエル」、佛國 駐劄特命全權大使ネリドフ 「コンセイエー、ブリグニ」、外務省常任顧問官、 常設仲裁裁判所裁判官ド、マルタンズ 「コンセイエー、デタ、アクチニエル」、侍從、和 蘭國駐劄特命全權公使チャリコフ 「ラルグドル」共和國大統領 佛國駐劄代理公使、常設仲裁裁判所裁判官ニ ドロ、ジ、マ、チ、ク 英國駐劄代理公使サンチアゴ、ペレス、トリア ナ 塞爾比亞國皇帝陛下 陸軍將官、參事院議長カウ、グ、ル、イ、チ</p> | <p>SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES: Son Excellence M. NELIDOW, Son conseiller privé actuel, Son ambassadeur à Paris; Son Excellence M. DE MARTENS, Son conseiller privé, membre permanent du conseil du ministère Impérial des affaires étrangères, membre de la cour permanente d'arbitrage; Son Excellence M. TCHARYKOW, Son conseiller d'état actuel, Son chambellen, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye. LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR: M. PEDRO I. MATHEU, chargé d'affaires de la République à Paris, membre de la cour permanente d'arbitrage; M. SANTIAGO PEREZ TRIANA, chargé d'affaires de la République à Londres. SA MAJESTÉ LE ROI DE SERBIE: Son Excellence M. SAVA GROUITCH, général, président du conseil d'état;</p> |
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| <p>伊國駐劄特命全權公使、常設仲裁裁判所裁判官 ミロヴァン、ミロヴァノヴィチ</p> <p>英國駐劄兼和蘭國駐劄特命全權公使、ミシェル、 ミリチ、グイチ</p> <p>暹羅國皇帝陛下 陸軍少將モム、チャチデー、ウドム 公使館參事官キー、コラチオニ、ドレソ</p> <p>陸軍大尉ル、アング、ビニヴァルト、ナリ、ニー、バ ル</p> <p>瑞典國「ゴツ」及「ヴェンデ」皇帝陛下 前司法大臣、丁、採國駐劄特命全權公使、常設仲 裁裁判所裁判官ク、スミット、ヒ、ル、マル、レ、オ、ナ ルド、ハ、ム、マル、ス、キ、ョ、ルド</p> <p>前無省大臣、前高等法院評定官、常設仲裁裁判 所裁判官ヨ、ハン、ネス、ヘル、ネル</p> | <p>Son Excellence M. MILOVAN MILOVANOVITCH, Son envoyé extraordinaire et ministre plénipotentiaire à Rome, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. MICHEL MILICHEVITCH, Son envoyé extraordinaire et ministre plénipotentiaire à Londres et à La Haye</p> <p>SA MAJESTÉ LE ROI DE SIAM :</p> <p>MOM CHATDEJ UDOM, major-général ;</p> <p>M. C. CORRAGONI D'ORLÉANS, Son conseiller de légation ;</p> <p>LUANG BHUVANARTH NARUBAI, capitaine.</p> <p>SA MAJESTÉ LE ROI DE SUÈDE, DES GOTHES ET DES VENDES :</p> <p>Son Excellence M. KNUT HJALMAR LEONARD HAMMARSKJOLD, Son ancien ministre de la justice, son envoyé extraordinaire et ministre plénipotentiaire à Copenhague, membre de la cour permanente d'arbitrage ;</p> <p>M. JOHANNES HELLNER, Son ancien ministre sans portefeuille, ancien membre de la cour suprême de Suède, membre de la cour permanente d'arbitrage.</p> |
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| <p>書記官長</p> <p>第十六條 委員會ハ海牙以外ノ地ニ開會スルトキハ書記官長一人ヲ任命シ其ノ事務所ヲ以テ委員會ノ書記局ニ充ツ</p> <p>書記局ハ委員長ノ指揮ノ下ニ委員會會場ノ設備、調書ノ作成及審査繼續中記録ノ保管ヲ掌リ記録ハ後之ヲ海牙國際事務局ニ引渡スヘキモノトス</p> <p>規畫手續</p> <p>第十七條 締約國ハ審査委員會ノ設置及執務ヲ容易ナラシムル爲メ當導者ニ於テ別段ノ規則ヲ採用セサル限左ノ規定ヲ審査手續ニ適用スルコトヲ義務ス</p> <p>手續</p> <p>第十八條 委員會ハ特別審査條約又ハ本條約中ニ規定セナル手續ノ細目ヲ定メ且將據調ニ關スル一切ノ手續ヲ行フ</p> | <p>ARTICLE 16.</p> <p>Si la Commission siège ailleurs qu'à La Haye, elle nomme un Secrétaire-Général dont le bureau lui sert de greffe.</p> <p>Le greffe est chargé, sous l'autorité du Président, de l'organisation matérielle des séances de la Commission, de la rédaction des procès-verbaux et, pendant le temps de l'enquête, de la garde des archives qui seront ensuite versées au Bureau international de La Haye.</p> <p>ARTICLE 17.</p> <p>En vue de faciliter l'institution et le fonctionnement des Commissions d'enquête, les Puissances contractantes recommandent les règles suivantes qui seront applicables à la procédure d'enquête en tant que les Parties n'adopteront pas d'autres règles.</p> <p>ARTICLE 18.</p> <p>La Commission réglera les détails de la procédure non prévus dans la convention spéciale d'enquête ou dans la présente Convention, et procédera à toutes les formalités que comporte l'administration des preuves.</p> |
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| <p>委員ノ補</p> | <p>四十五條及第五十七條ニ定メタル方法ニ依リ之ヲ組織スルモノトス</p> <p>第十三條</p> <p>委員ノ一人又ハ補助委員アル場合ニ於テ其ノ一人死亡シ辭任シ又ハ原因ノ如何ニ拘ラス支障アルトキハ其ノ任命ノ爲ニ定メタル方法ニ依リ之ヲ補闕ス</p> | <p>quête sont formées de la manière déterminée par les articles 45 et 57 de la présente Convention.</p> <p>ARTICLE 13.</p> <p>En cas de décès, de démission ou d'empêchement, pour quelque cause que ce soit, de l'un des Commissaires, ou éventuellement de l'un des assessseurs, il est pourvu à son remplacement selon le mode fixé pour sa nomination.</p> |
| <p>特別代理</p> | <p>第十四條</p> <p>當事者ハ自己ヲ代表シ且自己ト審査委員會トノ間ノ媒介者タルヘキ特別代理人ヲ審査委員會ニ簡派スルコトヲ得</p> | <p>ARTICLE 14.</p> <p>Les Parties ont le droit de nommer auprès de la Commission d'enquête des agents spéciaux avec la mission de Les représenter et de servir d'intermédiaires entre Elles et la Commission.</p> |
| <p>顧問又ハ人</p> | <p>第十五條</p> <p>當事者ハ又顧問又ハ辯護人ヲ任命シテ委員會ニ於テ自己ノ利益ヲ開陳辯護セシムルコトヲ得</p> | <p>Elles sont, en outre, autorisées à charger des conseils ou avocats nommés par elles, d'exposer et de soutenir leurs intérêts devant la Commission.</p> |
| <p>書記官</p> | <p>常設仲裁裁判所國際事務局ハ之ヲ海牙ニ閉合スル委員會ノ書記局ニ充テ且其ノ廳舎及施設ヲ審査委員會執務ノ爲締約國ノ用ニ供スヘシ</p> | <p>ARTICLE 15.</p> <p>Le Bureau international de la Cour permanente d'arbitrage sert de greffe aux Commissions qui siègent à La Haye, et mettra ses locaux et son organisation à la disposition des Puissances contractantes pour le fonctionnement de la Commission d'enquête.</p> |

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| <p>瑞西聯邦政府</p> <p>英國駐劄象和蘭國駐劄特命全權公使ガストン・カルラン</p> <p>陸軍參謀大佐、シエネガア大學教授エーシェーン、ボレル</p> <p>「チーリヒ」大學法學教授マックス・フリーベル</p> <p>土耳其國皇帝陛下</p> <p>特命大使、ミニストル、ドレグカフ「チメルカ」ンバシヤ</p> <p>伊國駐劄特命全權大使レシッド・ベイ</p> <p>海軍中將メヘメッド・バシヤ</p> <p>東「ウルグエー」共和國大統領</p> <p>前大統領、常設仲裁裁判所裁判官ホセ、バトレイ、オールドニエス</p> <p>前上院議長、佛國駐劄特命全權公使、常設仲裁裁判所裁判官ファン・ペー、カストロ</p> | <p>LE CONSEIL FÉDÉRAL SUISSE :</p> <p>Son Excellence M. GASTON CARLIN, envoyé extraordinaire et ministre plénipotentiaire de la Confédération suisse à Londres et à La Haye ;</p> <p>M. EUGÈNE ROBEL, colonel d'état major-général, professeur à l'université de Genève ;</p> <p>M. MAX HUBER, professeur de droit à l'université de Zürich.</p> <p>SA MAJESTÉ L'EMPEREUR DES OTTOMANS :</p> <p>Son Excellence TURKHAN PACHA, Son ambassadeur extraordinaire, ministre de Pevkaf ;</p> <p>Son Excellence RECHID BEY, Son ambassadeur à Rome ;</p> <p>Son Excellence MEHEMMED PACHA, vice-amiral.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY :</p> <p>Son Excellence M. JOSÉ BATLLE Y ORDOSEZ, ancien président de la République, membre de la cour permanente d'arbitrage.</p> <p>Son Excellence M. JUAN P. CASTRO, ancien président du sénat, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris, membre de la cour permanente d'arbitrage.</p> |
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「ウニオズエラ」合衆國大統領
 獨逸國駐劄代理公使ホセ、ヒル、フェルトウ
 因テ各全權委員ハ其ノ良好妥當ナリト認メラレタ
 ル委任狀ヲ寄託シタル後左ノ條項ヲ協定セリ

第一章
 一般平和ノ維持

第一條
 國家間ノ關係ニ於テ兵力ニ訴フルコトヲ成ルヘク
 豫防セムカ爲メ締約國ハ國際紛争ノ平和的處理ヲ確
 保スルニ付其ノ全カラ竭カムコトヲ約定ス

第二章
 周旋及居中調停

第二條
 締約國ハ重大ナル意見ノ衝突又ハ紛争ヲ生シタル

一般平和ノ維持

國際紛争
平和的處理

周旋及
居中調停

締約國ハ

LE PRÉSIDENT DES ÉTATS UNIS DE VÉNEZUÉLA :

M. JOSÉ GIL FORTOUL, chargé d'affaires de la République à Berlin.

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

TITRE I.

Du maintien de la paix générale.

ARTICLE PREMIER.

En vue de prévenir autant que possible le recours à la force dans les rapports entre les États, les Puissances contractantes conviennent d'employer tous leurs efforts pour assurer le règlement pacifique des différends internationaux.

TITRE II.

Des bons offices et de la médiation.

ARTICLE 2.

En cas de dissentiment grave ou de conflit,

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審査條約ハ又場合ニ依リ委員會ノ開會地及之ヲ變更スルノ權能、委員會ノ使用スヘキ國語及委員會ニ於テ使用スルコトヲ許スヘキ國語、各當事者カ事實ノ説明書ヲ提出スヘキ期日其ノ他當事者間ニ約定セル一切ノ條件ヲ定ム

當事者カ補助委員ノ任命ヲ必要ト認ムルトキハ審査條約ヲ以テ其ノ任命方法及權限ヲ定ム

第十一條
 審査條約ヲ以テ委員會ノ開會地ヲ指定セザリシトキハ海牙ニ於テ開會スルモノトス
 審査委員會ハ當事者ノ承諾ヲ得ルニ非ケレハ一旦定メタル開會地ヲ變更スルコトヲ得ス
 審査條約ヲ以テ使用スヘキ國語ヲ定メザリシトキハ委員會之ヲ定ム

第十二條
 審査委員會ハ反對ノ規定アルニ非ケレハ本條約第

開會地(委員會)

組

Elle détermine également, s'il y a lieu, le siège de la Commission et la faculté de se déplacer, la langue dont la Commission fera usage et celles dont l'emploi sera autorisé devant elle, ainsi que la date à laquelle chaque Partie devra déposer son exposé des faits, et généralement toutes les conditions dont les Parties sont convenues.

Si les Parties jugent nécessaire de nommer des assessseurs, la convention d'enquête détermine le mode de leur désignation et l'étendue de leurs pouvoirs.

ARTICLE 11.

Si la convention d'enquête n'a pas désigné le siège de la Commission, celle-ci siégera à La Haye.

Le siège une fois fixé ne peut être changé par la Commission qu'avec l'assentiment des Parties.

Si la convention d'enquête n'a pas déterminé les langues à employer, il en est décidé par la Commission.

ARTICLE 12.

Sauf stipulation contraire, les Commissions d'en-

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| 國際調查委員會 | <p>第三章 國際調查委員會</p> <p>第九條 締約國ハ名譽又ハ重要ナル利益ニ關係セス軍ニ事 實上ノ見解ノ異ナルヨリ生シタル國際紛争ニ關シ 外交上ノ手段ニ依リ妥協ヲ遂ケルコト能ハサルシ 當事者カ事情ノ許ス限國際調查委員會ヲ設ケテ之 シテ公平誠實ナル審理ニ依リテ事實問題ヲ明ニシ 右紛争ノ解決ヲ容易ニスルノ任ニ當ラシムルヲ以 テ有益ニシテ且希望スヘキコトト認ム</p> <p>第十條 國際調查委員會ハ紛争當事者間ノ特別條約ヲ以テ 之ヲ構成ス</p> <p>審理條約ハ審理スヘキ事實ヲ明定シ委員會組織ノ 方法及期限並委員ノ權限ヲ定ム</p> | <p>TITRE III. Des Commissions internationales d'enquête.</p> <p>ARTICLE 9. Dans les litiges d'ordre international n'engageant ni l'honneur ni des intérêts essentiels et provenant d'une divergence d'appréciation sur des points de fait, les Puissances contractantes jugent utile et désirable que les Parties qui n'auraient pu se mettre d'accord par les voies diplomatiques instituent, en tant que les circonstances le permettront, une Commission internationale d'enquête chargée de faciliter la solution de ces litiges en éclaircissant, par un examen impartial et consciencieux, les questions de fait.</p> <p>ARTICLE 10. Les Commissions internationales d'enquête sont constituées par convention spéciale entre les Parties en litige. La convention d'enquête précise les faits à examiner; elle détermine le mode et le délai de formation de la Commission et l'étendue des pouvoirs des Commissaires.</p> |
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| 提供 | <p>場合ニ於テ兵力ニ訴フルニ先テ事情ノ許ス限其ノ 交戦國中ノ一國又ハ數國ノ周旋又ハ居中調停ニ依 頼スルコトヲ約定ス</p> <p>第三條 締約國ハ右依頼ニ關係ナク紛争以外ニ立ツ一國又 ハ數國カ事情ノ許ス限自己ノ發意ヲ以テ周旋又ハ 居中調停ヲ紛争國ニ提供スルコトヲ有益ニシテ且 希望スヘキコトト認ム</p> <p>紛争以外ニ立ツ國ハ交戦中ト雖其ノ周旋又ハ居中 調停ヲ提供スルノ權利ヲ有ス</p> <p>紛争國ハ右權利ノ行使ヲ友誼ニ反レルモノト看做 スコトヲ得ス</p> <p>第四條 居中調停者ノ本分ハ紛争國ノ主張ヲ調停シ且其ノ 間ニ惡感情ヲ生シタルトキ之ヲ緩和スルニ在ルモ ノトス</p> | <p>avant d'en appeler aux armes, les Puissances contractantes conviennent d'avoir recours, en tant que les circonstances le permettront, aux bons offices ou à la médiation d'une ou de plusieurs Puissances amies.</p> <p>ARTICLE 3. Indépendamment de ce recours, les Puissances contractantes jugent utile et désirable qu'une ou plusieurs Puissances étrangères au conflit offrent de leur propre initiative, en tant que les circonstances s'y prêtent, leurs bons offices ou leur médiation aux États en conflit. Le droit d'offrir les bons offices ou la médiation appartient aux Puissances étrangères au conflit, même pendant le cours des hostilités. L'exercice de ce droit ne peut jamais être considéré par l'une ou l'autre des Parties en litige comme un acte peu amical.</p> <p>ARTICLE 4. Le rôle du médiateur consiste à concilier les prétentions opposées et à apaiser les ressentiments qui peuvent s'être produits entre les États en conflit.</p> |
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| 了戦ノ終 | <p align="center">第五條</p> <p>居中調停者ノ職務ハ其ノ提供シタル調停方法ノ受諾セラレタルコトヲ紛争當事者ノ一方又ハ居中調停者ニ於テ認メタル時終止スルモノトス</p> | <p align="center">ARTICLE 5.</p> <p>Les fonctions du médiateur cessent du moment où il est constaté, soit par l'une des Parties en litige, soit par le médiateur lui-même, que les moyens de conciliation proposés par lui ne sont pas acceptés.</p> |
| 紛争及居 中調停ノ 効 | <p align="center">第六條</p> <p>國及居中調停ハ紛争國ノ依頼ニ因テ紛争以外ニ立ツ國ノ發意ニ出ツルヲ問ハス全ク勸告ノ性質ヲ有スルニ止リ決シテ拘束力ヲ有スルコトナシ</p> | <p align="center">ARTICLE 6.</p> <p>Les bons offices et la médiation, soit sur le recours des Parties en conflit, soit sur l'initiative des Puissances étrangères au conflit, ont exclusivement le caractère de conseil et n'ont jamais force obligatoire.</p> |
| 居中調停 ノ要 件 | <p align="center">第七條</p> <p>居中調停ノ受諾ハ反對ノ約定アルニ非テレハ之カ爲動員其ノ他戰爭ノ準備ヲ中止シ遲延シ又ハ阻害スルノ結果ヲ生スルコトナシ</p> <p>開戦ノ後右ノ受諾アリタルトキハ反對ノ約定アルニ非テレハ之カ爲進行中ノ軍事的行動ヲ中止スルコトナシ</p> | <p align="center">ARTICLE 7.</p> <p>L'acceptation de la médiation ne peut avoir pour effet, sauf convention contraire, d'interrompre, de retarder ou d'entraver la mobilisation et autres mesures préparatoires à la guerre.</p> <p>Si elle intervient après l'ouverture des hostilités, elle n'interrompt pas, sauf convention contraire, les opérations militaires en cours.</p> |

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| 調停 中 居 中 | <p align="center">第八條</p> <p>締約國ハ事情ノ許ス限左ノ手續ニ依ル特別居中調停ノ適用ヲ欲スルコトニ一致ス</p> <p>平和ヲ破ルノ虞アル重大ナル紛争ヲ生シタル場合ニ於テハ紛争國ハ平和關係ノ斷絶ヲ豫防スル爲各一國ヲ選定シ他方ノ選定シタル國ト直接ノ交渉ヲ開クノ任務ヲ委託ス</p> <p>右委任ノ期間ハ反對ノ規定アルニ非テレハ三十日ヲ超ニタルモノトシ其ノ期間中紛争國ハ紛争事件ヲ居中調停國ニ一任シタルモノト看做シ之ニ關スル一切ノ直接交渉ヲ中止ス右居中調停國ハ紛争ヲ處理スルニ全ク力ヲ竭スヘキモノトス</p> <p>平和關係ノ現實ニ斷絶シタル場合ニ於テ右居中調停國ハ尚平和ヲ回復スルノ機會アル毎ニ之ヲ利用スルノ共同任務ヲ負フモノトス</p> | <p align="center">ARTICLE 8.</p> <p>Les Puissances contractantes sont d'accord pour recommander l'application, dans les circonstances qui le permettent, d'une médiation spéciale sous la forme suivante.</p> <p>En cas de différend grave compromettant la paix, les États en conflit choisissent respectivement une Puissance à laquelle ils confient la mission d'entrer en rapport direct avec la Puissance choisie d'autre part, à l'effet de prévenir la rupture des relations pacifiques.</p> <p>Pendant la durée de ce mandat dont le terme, sauf stipulation contraire, ne peut excéder trente jours, les États en litige cessent tout rapport direct au sujet du conflit, lequel est considéré comme déferé exclusivement aux Puissances médiatrices. Celles-ci doivent appliquer tous leurs efforts à régler le différend.</p> <p>En cas de rupture effective des relations pacifiques, ces Puissances demeurent chargées de la mission commune de profiter de toute occasion pour rétablir la paix.</p> |
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| <p>法作仲 庭裁 ノ 力約</p> | <p>部ニ付與シタル場合ヲ除クノ外裁判所ノ干 與スル限ニ在ラス</p> <p>二 一國ニ對シ他ノ一國カ其ノ國民ニ支拂ハル ヘキモノトシテ請求スル契約上ノ債務ヨリ 生シタル紛争ニシテ其ノ解決ニ付仲裁裁判 ノ提議カ受諾セラレタルモノニ關スルトキ 但シ他ノ方法ニ依リ仲裁契約ヲ定ムルコト ヲ受諾ノ條件トシタルトキハ右規定ヲ適用 セス</p> <p>第五十四條</p> <p>前條ノ場合ニ於テハ第四十五條第三項乃至第六項 ニ定メタル方法ニ依リテ指定セララル五人ノ委員 ヲ以テ組織スヘキ委員會ニ於テ仲裁契約ヲ作成 ス</p> <p>第五ノ委員ハ當然委員長タルモノトス</p> <p>第五十五條</p> <p>仲裁裁判ノ職務ハ之ヲ當事者カ隨意ニ指定シ又ハ 本條約ニ依リテ設置シタル常設仲裁裁判所ノ裁判</p> |
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| <p>arbitral le pouvoir de décider cette question préalable;</p> <p>2° d'un différend provenant de dettes contrac- tuelles réclamées à une Puissance par une autre Puissance comme dues à ses nationaux, et pour la solution duquel l'offre d'arbitrage a été acceptée. Cette disposition n'est pas applicable si l'accepta- tion a été subordonnée à la condition que le com- promis soit établi selon un autre mode.</p> <p>ARTICLE 54.</p> <p>Dans les cas prévus par l'article précédent, le compromis sera établi par une commission com- posée de cinq membres désignés de la manière prévue à l'article 45 alinéas 3 à 6.</p> <p>Le cinquième membre est de droit Président de la commission.</p> <p>ARTICLE 55.</p> <p>Les fonctions arbitrales peuvent être conférées à un arbitre unique ou à plusieurs arbitres dési-</p> |
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| <p>証人ノ取</p> | <p>第二十六條</p> <p>証人ノ取問ハ委員長之ヲ行フ</p> <p>委員會ノ委員ハ各證人ニ對シ其ノ供述ヲ明瞭ナラ シメ若クハ之ヲ補充スル爲メ又ハ事實ノ真相ヲ明ニス ルニ必要ナル程度ニ於テ證人ニ關係アル一切ノ事 項ヲ取調フル爲メ適當ナルト認ムル質問ヲ爲スコト ヲ得</p> <p>當事者ノ代理人及顧問ハ證人ノ供述ヲ中斷シ又ハ 證人ニ直接ノ質問ヲ爲スコトヲ得ス但シ其ノ有益 ナルト認ムル補足的質問ヲ證人ニ對シ爲サムコト ヲ委員長ニ請求スルコトヲ得</p> |
| <p>証人ノ供</p> | <p>第二十七條</p> <p>證人ハ供述ヲ爲スニ當リ何等ノ文書ヲモ朗讀スル コトヲ得ス但シ報告スヘキ事實ノ性質上覺書又ハ 文書ヲ用キルコトヲ必要トスルトキハ委員長ノ許 可ヲ得テ之ヲ使用スルニ得</p> |
| <p>証人ノ調</p> | <p>第二十八條</p> <p>證人供述ノ調書ハ即時ニ之ヲ作成シ證人ニ讀附カ</p> |

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| <p>ARTICLE 26.</p> <p>L'interrogatoire des témoins est conduit par le Président.</p> <p>Les membres de la Commission peuvent néan- moins poser à chaque témoin les questions qu'ils croient convenables pour éclaircir ou compléter sa déposition, ou pour se renseigner sur tout ce qui concerne le témoin dans les limites nécessaires à la manifestation de la vérité.</p> <p>Les agents et les conseils des Parties ne peuvent interrompre le témoin dans sa déposition, ni lui faire aucune interpellation directe, mais peuvent demander au Président de poser au témoin telles questions complémentaires qu'ils jugent utiles.</p> |
| <p>ARTICLE 27.</p> <p>Le témoin doit déposer sans qu'il lui soit permis de lire aucun projet écrit. Toutefois, il peut être autorisé par le Président à s'aider de notes ou documents si la nature des faits rapportés en nécessité l'emploi.</p> |
| <p>ARTICLE 28.</p> <p>Procès-verbal de la déposition du témoin est</p> |

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| <p>注 作 成 條 約 力 方</p> | <p>部ニ付與シタル場合ヲ除クノ外裁判所ノ干 與スル限ニ在ラス</p> <p>二 一國ニ對シ他ノ一國カ其ノ國民ニ支拂ヘル ヘキモノトシテ請求スル契約上ノ債務ヨリ 生シタル紛争ニシテ其ノ解決ニ付仲裁裁判 ノ提議カ受諾セラレタルモノニ關スルトキ 但シ他ノ方法ニ依リ仲裁契約ヲ定ムルコト ヲ受諾ノ條件トシタルトキハ右規定ヲ適用 セス</p> <p>第五十四條</p> <p>前條ノ場合ニ於テハ第四十五條第三項乃至第六項 ニ定メタル方法ニ依リテ指定セララル五人ノ委員 ヲ以テ組織スヘキ委員會ニ於テ仲裁契約ヲ作成 ス</p> <p>第五ノ委員ハ當然委員長タルモノトス</p> <p>第五十五條</p> <p>仲裁裁判ノ職務ハ之ヲ當事者カ隨意ニ指定シ又ハ 本條約ニ依リテ設置シタル常設仲裁裁判所ノ裁判</p> |
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arbitral le pouvoir de décider cette question préalable;

2° d'un différend provenant de dettes contractuelles réclamées à une Puissance par une autre Puissance comme dues à ses nationaux, et pour la solution duquel l'offre d'arbitrage a été acceptée. Cette disposition n'est pas applicable si l'acceptation a été subordonnée à la condition que le compromis soit établi selon un autre mode.

ARTICLE 54.

Dans les cas prévus par l'article précédent, le compromis sera établi par une commission composée de cinq membres désignés de la manière prévue à l'article 45 alinéas 3 à 6.

Le cinquième membre est de droit Président de la commission.

ARTICLE 55.

Les fonctions arbitrales peuvent être conférées à un arbitre unique ou à plusieurs arbitres dési-

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| <p>証 人 ノ 取 調</p> | <p>第二十六條</p> <p>証人ノ取調ハ委員長之ヲ行フ</p> <p>委員會ノ委員ハ各證人ニ對シ其ノ供述ヲ明瞭ナラ シメ若ハ之ヲ補充スル爲メ又ハ事實ノ真相ヲ明ニス ルニ必要ナル程度ニ於テ證人ニ關係アル一切ノ事 項ヲ取調フル爲メ適當ナリト認ムル質問ヲ爲スコト ヲ得</p> <p>當事者ノ代理人及顧問ハ證人ノ供述ヲ中斷シ又ハ 證人ニ直接ノ質問ヲ爲スコトヲ得ス但シ其ノ有益 ナリト認ムル補足的質問ヲ證人ニ對シ爲サムコト ヲ委員長ニ請求スルコトヲ得</p> |
| <p>証 人 ノ 供 述</p> | <p>第二十七條</p> <p>證人ハ供述ヲ爲スニ當リ何等ノ文書ヲモ明讀スル コトヲ得ス但シ報告スヘキ事實ノ性質上覺書又ハ 文書ヲ用ケルコトヲ必要トスルトキハ委員長ノ許 可ヲ得テ之ヲ使用スルニ得</p> |
| <p>證 人 ノ 調 書</p> | <p>第二十八條</p> <p>證人供述ノ調書ハ即時ニ之ヲ作成シ證人ニ讀閉カ</p> |

ARTICLE 26.

L'interrogatoire des témoins est conduit par le Président.

Les membres de la Commission peuvent néanmoins poser à chaque témoin les questions qu'ils croient convenables pour éclaircir ou compléter sa déposition, ou pour se renseigner sur tout ce qui concerne le témoin dans les limites nécessaires à la manifestation de la vérité.

Les agents et les conseils des Parties ne peuvent interrompre le témoin dans sa déposition, ni lui faire aucune interpellation directe, mais peuvent demander au Président de poser au témoin telles questions complémentaires qu'ils jugent utiles.

ARTICLE 27.

Le témoin doit déposer sans qu'il lui soit permis de lire aucun projet écrit. Toutefois, il peut être autorisé par le Président à s'aider de notes ou documents si la nature des faits rapportés en nécessité l'emploi.

ARTICLE 28.

Procès-verbal de la déposition du témoin est

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スヘシ證人ハ之ニ對シ所要ノ變更又ハ追加ヲ爲ス
コトヲ得有變更及追加ハ之ヲ供述ノ次ニ記載ス

供述ノ全部ヲ讀聞カセタル後ハ證人ヲシテ署名ヲ
爲サシムヘシ

第二十九條

代理人ハ審査ノ進行中又ハ其ノ終ニ於テ事實ノ眞
相ヲ知ル爲有益ナリト認ムル言明、請求又ハ事實
ノ要領ヲ書面ヲ以テ委員會及相手方ニ提出スルコ
トヲ得

第三十條

委員會ノ評議ハ秘密會ニ於テ之ヲ行ヒ且之ヲ秘密
ニ付ス

一切ノ決定ハ委員ノ多數決ニ依ル

委員中投票ニ加ルコトヲ拒ム者アルトキハ其ノ旨
調査ニ記載スヘシ

第三十一條

委員會ハ公開セシ且審査ニ關スル調査其ノ他ノ文

最聲明

決定

委員會ヲ
公開セシ

dressé séance tenante et lecture en est donnée au témoin. Le témoin peut y faire tels changements et additions que bon lui semble et qui sont consignés à la suite de sa déposition.

Lecture faite au témoin de l'ensemble de sa déposition, le témoin est requis de signer.

ARTICLE 29.

Les agents sont autorisés, au cours ou à la fin de l'enquête, à présenter par écrit à la Commission et à l'autre Partie tels dires, réquisitions ou résumés de fait, qu'ils jugent utiles à la découverte de la vérité.

ARTICLE 30.

Les délibérations de la Commission ont lieu à huis clos et restent secrètes.

Toute décision est prise à la majorité des membres de la Commission.

Le refus d'un membre de prendre part au vote doit être constaté dans le procès-verbal.

ARTICLE 31.

Les séances de la Commission ne sont publi-

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用スルコトヲ許スヘキ國語其ノ他當邦者間ニ約定
セル一切ノ條件ヲ定ム

第五十二條

常設裁判所ハ當事者カ仲裁契約ノ作成ヲ該裁判所
ニ委託スルコトニ一致シタルトキハ之ヲ作成スル
ノ權限ヲ有ス

裁判所ハ左ノ場合ニ於テハ外交上ノ手段ニ依リ合
意ノ成立セザラシ後ハ單ニ當事者ノ一方ヨリ請求
アルトキニ於テモ亦前項ノ權限ヲ有ス

一 本條約實施後締結セラレ又ハ更新セラレタ
ル總括的仲裁裁判條約ニシテ各紛爭ニ付仲
裁契約ノ作成ヲ豫見シ且明白ニモ又暗黙ニ
モ其ノ作成ニ關スル裁判所ノ權限ヲ否認セ
ザルモノノ中ニ規定スル紛爭ニ關スルトキ
但シ他ノ當事者ニ於テ該紛爭カ義務的仲裁
裁判ニ付スヘキ紛爭ノ種類ニ屬セスト認ム
ルコトヲ宣言シタルトキハ仲裁裁判條約カ
此ノ先決問題ヲ決定スルノ權限ヲ仲裁裁判

仲裁
契約
作成

la langue dont il fera usage et celles dont l'emploi sera autorisé devant lui, et généralement toutes les conditions dont les Parties sont convenues.

ARTICLE 53.

La Cour permanente est compétente pour l'établissement du compromis, si les Parties sont d'accord pour s'en remettre à elle.

Elles est également compétente, même si la demande est faite seulement par l'une des Parties, après qu'un accord par la voie diplomatique a été vainement essayé, quand il s'agit :

1° d'un différend rentrant dans un Traité d'arbitrage général conclu ou renouvelé après la mise en vigueur de cette Convention et qui prévoit pour chaque différend un compromis et n'exclut pour l'établissement de ce dernier ni explicitement ni implicitement la compétence de la Cour. Toutefois, le recours à la Cour n'a pas lieu si l'autre Partie déclare qu'à son avis le différend n'appartient pas à la catégorie des différends à soumettre à un arbitrage obligatoire à moins que le Traité d'arbitrage ne confère au Tribunal

第三節

CHAPTER III.

DE LA PROCÉDURE ARBITRALE.

仲裁規則

仲裁裁判手續

第五十一條

規則 仲裁裁判ノ發達ヲ助クルノ目的ヲ以テ締約國ハ當事者カ別段ノ規則ヲ協定セザリシ場合ニ於テ仲裁裁判手續ニ適用スヘキ左ノ規則ヲ定ム

ARTICLE 51.

En vue de favoriser le développement de l'arbitrage, les Puissances contractantes ont arrêté les règles suivantes qui sont applicables à la procédure arbitrale, en tant que les Parties ne sont pas convenues d'autres règles.

第五十二條

仲裁契約

仲裁契約ニ依頼スル諸國ハ其ノ紛争ノ目的、仲裁裁判官ヲ指定スヘキ期間、第六十三條ノ發達ヲ爲スヘキ方式、順序及期間並各當事者カ費用ノ豫納金トシテ寄託スヘキ金額ヲ定メタル仲裁契約ニ記名ス

ARTICLE 52.

Les Puissances qui recourent à l'arbitrage signent un compromis dans lequel sont déterminés l'objet du litige, le délai de nomination des arbitres, la forme, l'ordre et les délais dans lesquels la communication visée par l'article 63 devra être faite, et le montant de la somme que chaque Partie aura à déposer à titre d'avance pour les frais.

仲裁契約ハ又必要ニ應ジ仲裁裁判官指定ノ方法、裁判部ノ有スルコトアルヘキ一切ノ特別權能、其ノ開廷地、其ノ使用スヘキ國語及裁判部ニ於テ使

Le compromis détermine également, s'il y a lieu, le mode de nomination des arbitres, tous pouvoirs spéciaux éventuels du Tribunal, son siège,

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書ハ當事者ノ同意ヲ得テ爲シタル委員會ノ決定ニ依ルニ非カレバ之ヲ公表セズ

ques et les procès-verbaux et documents de l'enquête ne sont rendus publics qu'en vertu d'une décision de la Commission, prise avec l'assentiment des Parties.

第三十二條

報告書ノ形

當事者ヨリ一切ノ説明及證據ヲ提出シ各證人ノ訊問終了シタルトキハ委員長ハ審査ノ終結ヲ宣告シ委員會ハ評議及報告書調製ノ爲停會ス

ARTICLE 32.

Les Parties ayant présenté tous les éclaircissements et preuves, tous les témoins ayant été entendus, le Président prononce la clôture de l'enquête et la Commission s'ajourne pour délibérer et rédiger son rapport.

第三十三條

報告書ノ署名

委員會ノ各委員ハ報告書ニ署名ス
委員中署名ヲ拒ム者アルトキハ其ノ旨ヲ記載ス但シ報告書ハ之ニ拘ラス有效トス

ARTICLE 33.

Le rapport est signé par tous les membres de la Commission.
Si un des membres refuse de signer, mention en est faite; le rapport reste néanmoins valable.

第三十四條

報告書ノ朗讀

委員會ノ報告書ハ當事者ノ代理者及顧問出席ノ上又ハ之ニ對シ正式ニ呼出ヲ爲シタル後公開廷ニ於テ之ヲ朗讀ス
各當事者ニ報告書ノ原本ヲ交付ス

ARTICLE 34.

Le rapport de la Commission est lu en séance publique, les agents et les conseils des Parties présents ou dûment appelés.

Un exemplaire du rapport est remis à chaque Partie.

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| <p>效果 報告ノ</p> | <p>第三十五條 委員會ノ報告書ハ單ニ事實ノ認定ニ止リ仲裁判決ノ性質ヲ有スルコトナシ右認定ニ對シ如何ナル結果ヲ付スヘキヤハ全ク當事者ノ自由タルヘシ</p> | <p>ARTICLE 35. Le rapport de la Commission, limité à la constatation des faits, n'a nullement le caractère d'une sentence arbitrale. Il laisse aux Parties une entière liberté pour la suite à donner à cette constatation.</p> |
| <p>費用</p> | <p>第三十六條 當事者ハ各自ノ費用ヲ負擔シ且委員會ノ費用ヲ均等ニ分擔ス</p> | <p>ARTICLE 36. Chaque Partie supporte ses propres frais et une part égale des frais de la Commission.</p> |
| <p>國際 仲裁</p> | <p>第四章 國際仲裁裁判</p> | <p>TITRE IV DE L'ARBITRAGE INTERNATIONAL.</p> |
| <p>仲裁 裁判</p> | <p>第一節 仲裁裁判</p> | <p>CHAPITRE I. DE LA JUSTICE ARBITRALE.</p> |
| <p>目的</p> | <p>第三十七條 國際仲裁裁判ハ國家間ノ紛争ヲ其ノ選定シタル裁判官ヲシテ法ノ尊重ヲ基礎トシ處理セシムルコトヲ目的トス 仲裁裁判ニ依頼スルコトハ誠實ニ其ノ判決ニ服從スルノ約定ヲ包含ス</p> | <p>ARTICLE 37. L'arbitrage international a pour objet le règlement de litiges entre les États par des juges de leur choix et sur la base du respect du droit. Le recours à l'arbitrage implique l'engagement de se soumettre de bonne foi à la sentence.</p> |

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| <p>費用</p> | <p>評議會ハ供給及手當ヲ定メ且全般ノ支出ヲ監督ス 評議會ハ正式ニ召集セラレタル會合ニ於テ九人以上ノ出席者アルトキハ有效ノ評議ヲ爲スコトヲ得決議ハ多數決ニ依ル 評議會ハ其ノ採用シタル諸規則ヲ遲滞ナク締約國ニ通知シ毎年裁判所ノ事業、事務ノ執行及支出ニ關スル報告書ヲ締約國ニ提出ス報告書中ニハ又本條約第四十三條第三項及第四項ニ基キ各國ヨリ事務局ニ送付スル書類中重要事項ノ要領ヲ掲クヘシ</p> <p>第五十條 事務局ノ費用ハ萬國郵便聯合總管理局ノ爲ニ定メタル比例ニ依リ締約國之ヲ負擔ス 加盟國ノ負擔スヘキ費用ハ其ノ加盟力効力ヲ生スル日ヨリ之ヲ計算ス</p> | <p>Il fixe les traitements et salaires, et contrôle la dépense générale. La présence de neuf membres dans les réunions dûment convoquées suffit pour permettre au Conseil de délibérer valablement. Les décisions sont prises à la majorité des voix. Le Conseil communique sans délai aux Puissances contractantes les règlements adoptés par lui. Il leur présente chaque année un rapport sur les travaux de la Cour, sur le fonctionnement des services administratifs et sur les dépenses. Le rapport contient également un résumé du contenu essentiel des documents communiqués au Bureau par les Puissances en vertu de l'article 43 alinéas 3 et 4.</p> <p>ARTICLE 50. Les frais du Bureau seront supportés par les Puissances contractantes dans la proportion établie pour le Bureau international de l'Union postale universelle. Les frais à la charge des Puissances adhérentes seront comptés à partir du jour où leur adhésion produit ses effets.</p> |
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兩國間ニ紛爭ヲ生シタル場合ニ於テハ其ノ一方ハ何時ニテモ國際事務局ニ宛テ該紛爭ヲ仲裁裁判ニ付スルノ意向アル旨ノ宣言ヲ含ム文書ヲ送ルコトヲ得

事務局ハ直ニ右宣言ヲ他ノ一方ニ通知スルコトヲ要ス

第四十九條

常設評議會ハ和蘭國ニ駐劄スル締約國ノ外交代表者及和蘭國外務大臣ヲ以テ組織シ國際事務局ヲ指揮監督ス和蘭國外務大臣ハ議長ノ職務ヲ行フ

評議會ハ庶務規程其ノ他必要ナル諸規則ヲ定ム

評議會ハ裁判所ノ職務執行ニ關シテ生スルコトアルヘキ事務上ノ一切ノ問題ヲ決定ス

評議會ハ事務局ノ役員及雇員ノ任命、停職及罷免ニ關スル全權ヲ有ス

常設評議會

En cas de conflit entre deux Puissances, l'une d'Elles pourra toujours adresser au Bureau International une note contenant sa déclaration qu'Elle serait disposée à soumettre le différend à un arbitrage.

Le Bureau devra porter aussitôt la déclaration à la connaissance de l'autre Puissance.

ARTICLE 49.

Le Conseil administratif permanent, composé des Représentants diplomatiques des Puissances contractantes accrédités à La Haye et du Ministre des Affaires Etrangères des Pays-Bas, qui remplit les fonctions de Président, a la direction et le contrôle du Bureau International.

Le Conseil arrête son règlement d'ordre ainsi que tous autres règlements nécessaires.

Il décide toutes les questions administratives qui pourraient surgir touchant le fonctionnement de la Cour.

Il a tout pouvoir quant à la nomination, la suspension ou la révocation des fonctionnaires et employés du Bureau.

104-35

第三十八條

締約國ハ法律問題或中國際條約ノ解釋又ハ適用ノ問題ニ關シテ外交上ノ手段ニ依リ解決スルコト能ハクシテ紛爭ヲ處理スルニハ仲裁裁判ヲ以テ最モ有效ニシテ且最公平ナル方法ナリト認ム

故ニ前記ノ問題ニ關スル紛爭ヲ生シタルトキハ締約國ニ於テ事情ノ許ス限仲裁裁判ニ依頼セムコトヲ希望ス

第三十九條

仲裁裁判條約ハ既ニ生シタル又ハ將來生スルコトアルヘキ紛爭ノ爲ニ之ヲ締結ス

仲裁裁判條約ハ總テノ紛爭又ハ特種ノ紛爭ノミニ關スルコトヲ得

第四十條

締約國間ニ仲裁裁判ニ依頼スヘキ義務ヲ現ニ規定シタル總括的又ハ特別的條約ノ有無ニ拘ラス締約

承認

國際紛爭平和的處理條約ノ範圍

新條約的規定

ARTICLE 38.

Dans les questions d'ordre juridique, et en premier lieu, dans les questions d'interprétation ou d'application des Conventions internationales, l'arbitrage est reconnu par les Puissances contractantes comme le moyen le plus efficace et en même temps le plus équitable de régler les litiges qui n'ont pas été résolus par les voies diplomatiques.

En conséquence, il serait désirable que, dans les litiges sur les questions susmentionnées, les Puissances contractantes eussent, le cas échéant, recours à l'arbitrage, en tant que les circonstances le permettraient.

ARTICLE 39.

La convention d'arbitrage est conclue pour des contestations déjà nées ou pour des contestations éventuelles.

Elle peut concerner tout litige ou seulement les litiges d'une catégorie déterminée.

ARTICLE 40.

Indépendamment des Traités généraux ou particuliers qui stipulent actuellement l'obligation

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| <p>73-101</p> <p>常設仲裁所</p> | <p>國ハ仲裁裁判ニ付スルコトヲ得ヘシト認ムル一切ノ場合ニ義務的仲裁裁判ヲ普及セシムルカ爲メ總括的又ハ特別的新協定ヲ締結スヘキコトヲ留保ス</p> <p>第二節 常設仲裁裁判所</p> <p>第四十一條 締約國ハ外交上ノ手段ニ依リテ處理スルコト能ハサルシ國際紛争ヲ直ニ仲裁裁判ニ付スルヲ容易ナラシムルノ目的ヲ以テ何時タリトモ依頼スルコトヲ得ヘク且當事者間ニ反對ノ規約ナキ限本條約ニ揭ケタル手續ニ依リテ其ノ職務ヲ行フヘキ常設仲裁裁判所ヲ第一回平和會議ニ依リ設置セラレタル儘維持スルコトヲ約定ス</p> <p>第四十二條 常設裁判所ハ特別裁判ヲ開クコトニ付當事者間ニ</p> |
| <p>常設仲裁所ノ維持</p> <p>常 務</p> | |

du recours a Parbitrage pour les Puissances contractantes, ces Puissances se réservent de conclure des accords nouveaux, généraux ou particuliers, en vue d'étendre l'arbitrage obligatoire à tous les cas qu'Elles jugeront possible de lui soumettre.

CHAPITRE II.

DE LA COUR PERMANENTE

D'ARBITRAGE.

ARTICLE 41.

Dans le but de faciliter le recours immédiat à l'arbitrage pour les différends internationaux qui n'ont pu être réglés par la voie diplomatique, les Puissances contractantes s'engagent à maintenir, telle qu'elle a été établie par la Première Conférence de la Paix, la Cour permanente d'arbitrage, accessible en tout temps et fonctionnant, sauf stipulation contraire des Parties, conformément aux règles de procédure insérées dans la présente Convention.

ARTICLE 42.

La Cour permanente est compétente pour tous

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| <p>104-101</p> <p>事務局ノ紛争</p> | <p>第四十七條 事務局ハ仲裁裁判ニ關スル一切ノ特別裁判ノ職務ノ爲メ其ノ廳舎及施設ヲ締約國ノ用ニ供スルコトヲ得</p> <p>常設裁判所ノ裁判權ハ當事者カ其ノ裁判ニ訴フルコトヲ約定シタルトキハ規則ニ定メタル條件ニ從ヒ之ヲ非締約國間又ハ締約國ト非締約國トノ間ニ存スル紛争ニ及スルコトヲ得</p> |
| <p>紛争ニ對スル注意</p> | <p>第四十八條 締約國ハ其ノ二國又ハ數國ノ間ニ激烈ナル紛争ノ起ラムトスル場合ニ於テハ常設仲裁裁判所ニ訴フルノ途アルコトヲ之ニ注意スルヲ以テ其ノ義務ナリト認ム</p> <p>故ニ締約國ハ紛争當事者ニ對シ本條約ノ規定アルコトヲ注意シ且平和ノ重要ナル利益ノ爲メ常設裁判所ニ訴フヘキコトヲ勸告スルハ全ク周旋ノ行爲ニ外ナラサルモノト認ムヘキコトヲ宣言ス</p> |

ARTICLE 47.
Le Bureau est autorisé à mettre ses locaux et son organisation à la disposition des Puissances contractantes pour le fonctionnement de toute juridiction spéciale d'arbitrage.

La juridiction de la Cour permanente peut être étendue, dans les conditions prescrites par les règlements, aux litiges existant entre des Puissances non contractantes ou entre des Puissances contractantes et des Puissances non contractantes, si les Parties sont convenues de recourir à cette juridiction.

ARTICLE 48.

Les Puissances contractantes considèrent comme un devoir, dans le cas où un conflit aigu menacerait d'éclater entre deux ou plusieurs d'entre Elles, de rappeler à celles-ci que la Cour permanente leur est ouverte.

En conséquence, Elles déclarent que le fait de rappeler aux Parties en conflit les dispositions de la présente Convention, et le conseil donné, dans l'intérêt supérieur de la paix, de s'adresser à la Cour permanente, ne peuvent être considérés que comme actes de bons offices.

二月ノ期間内ニ右兩國間ニ合意成立シ能ハサルト
キハ兩國ハ常設裁判所裁判官名簿ニ就キ當事者ノ
指定シタル裁判官ニ非ス且當事者ノ執レノ國民ニ
モ非サル者ノ中ヨリ各二人ノ候補者ヲ出シ抽籤
ヲ以テ該候補者中上級仲裁裁判官タルヘキ者ヲ定
ム

Si, dans un délai de deux mois, ces deux
Puissances n'ont pu tomber d'accord, chacune
d'elles présente deux candidats pris sur la liste
des Membres de la Cour permanente, en dehors
des Membres désignés par les Parties et n'étant
les nationaux d'aucune d'Elles. Le sort détermine
lequel des candidats ainsi présentés sera le sur-
arbitre.

第四十六條

ARTICLE 46.

裁判部構成セラレタルトキハ當事者ハ直ニ裁判所
ニ訴フルノ決意、仲裁契約ノ正文及仲裁裁判官ノ
氏名ヲ事務局ニ通告スヘシ

Dès que le Tribunal est composé, les Parties
notifient au Bureau leur décision de s'adresser à
la Cour, le texte de leur compromis, et les noms
des arbitres.

事務局ハ遲滯ナク各仲裁裁判官ニ對シ仲裁契約及
其ノ裁判部ノ他ノ裁判官ノ氏名ヲ通知スヘシ

Le Bureau communique sans délai à chaque
arbitre le compromis et les noms des autres
Membres du Tribunal.

裁判部ハ當事者ノ定メタル期日ヲ以テ開廷シ事務
局ハ其ノ準備ヲ爲スヘシ

Le Tribunal se réunit à la date fixée par les
Parties. Le Bureau pourvoit à son installation.

裁判部裁判官ハ其ノ職務ノ執行ニ關シ自國以外ニ
於テ外來官ノ特權及免除ヲ享有ス

Les Membres du Tribunal, dans l'exercice de
leurs fonctions et en dehors de leur pays, jouissent
des privilèges et immunité diplomatiques.

仲裁契約

104-40

協定アル場合ヲ除クノ外一切ノ仲裁事件ヲ管轄ス
ルモノトス

les cas d'arbitrage, à moins qu'il n'y ait entente
entre les Parties pour l'établissement d'une juri-
diction spéciale.

第四十三條

ARTICLE 43.

常設裁判所ハ之ヲ海牙ニ置ク
國際事務局ハ之ヲ裁判所書記局ニ充テ裁判開廷ニ
關スル通信ヲ媒介シ記録ヲ保管シ及一切ノ事務ヲ
處理ス

La Cour permanente a son siège à La Haye.
Un Bureau International sert de greffe à la
Cour; il est l'intermédiaire des communications
relatives aux réunions de celle-ci; il a la garde des
archives et la gestion de toutes les affaires admi-
nistratives.

締約國ハ其ノ相互間ニ定メタル仲裁裁判ニ關スル
一切ノ約款及自國ニ關シ特別裁判ニ於テ爲シタル
一切ノ仲裁判決ノ認證原本ヲ成ルヘク速ニ事務局
ニ送付スルコトヲ約定ス

Les Puissances contractantes s'engagent à
communiquer au Bureau, aussitôt que possible,
une copie certifiée conforme de toute stipulation
d'arbitrage intervenue entre Elles et de toute sen-
tence arbitrale Les concernant et rendue par des
juridictions spéciales.

締約國ハ又裁判所ノ下シタル判決ノ執行ヲ認證スル
ニ足ルヘキ法律、規則及文符ヲ事務局ニ送付スル
コトヲ約定ス

Elles s'engagent à communiquer de même au
Bureau les lois, règlements et documents constan-
tant éventuellement l'exécution des sentences ren-
dues par la Cour.

第四十四條

ARTICLE 44.

各締約國ハ國際法上ノ問題ニ堪能ノ名アリテ選

Chaque Puissance contractante désigne quatre

國際事務

仲裁契約

104-37

104-38

高シ且仲裁裁判官ノ任務ヲ受諾スルノ意アル者四人以下ヲ任命ス

前項ニ依リ任命セラレタル者ハ裁判所裁判官トシテ名簿ニ記入シ右名簿ハ事務局ヨリ之ヲ各締約國ニ通告スヘシ

事務局ハ仲裁裁判官ノ名簿ニ變更アル毎ニ之ヲ締約國ニ通告ス

二國又ハ數國ニ協議ノ上一人又ハ數人ノ裁判官ヲ共同ニ任命スルコトヲ得

同一人ハ數國ヨリ任命セララルコトヲ得

裁判所裁判官ノ任期ハ六年トス但シ再任セララルコトヲ得

裁判所裁判官中死亡又ハ退職シタル者アルトキハ其ノ任命ノ爲ニ定メタル方法ニ依リ更ニ六年ヲ任期トシテ之ヲ補闕ヲ行フ

personnes au plus d'une compétence reconnue dans les questions de droit international, jouissant de la plus haute considération morale et disposées à accepter les fonctions d'arbitre.

Les personnes ainsi désignées sont inscrites, au titre de Membres de la Cour, sur une liste qui sera notifiée à toutes les Puissances contractantes par les soins du Bureau.

Toute modification à la liste des arbitres est portée, par les soins du Bureau, à la connaissance des Puissances contractantes.

Deux ou plusieurs Puissances peuvent s'entendre pour la désignation en commun d'un ou de plusieurs Membres.

La même personne peut être désignée par des Puissances différentes.

Les Membres de la Cour sont nommés pour un terme de six ans. Leur mandat peut être renouvelé.

En cas de décès ou de retraite d'un Membre de la Cour, il est pourvu à son remplacement selon le mode fixé pour sa nomination, et pour une nouvelle période de six ans.

仲裁裁判官ノ選定

第四十五條

締約國カ共ノ相互間ニ生シタル紛争ヲ處理セムカ爲ニ常設裁判所ニ訴ヘムト欲スル場合ニ於テ其ノ紛争ヲ判定スルニ付當該裁判部ヲ組織スヘキ仲裁裁判官ノ選定ハ裁判所裁判官ノ總名簿ニ就キテ之ヲ爲スコトヲ要ス

仲裁裁判部ノ構成ニ付當事者ノ合意ナキ場合ニ於テハ左ノ方法ニ依ル

當事者ハ各自二人ノ仲裁裁判官ヲ指定スヘシ其ノ内一人ニ限リ自國民又ハ自國カ常設裁判所裁判官トシテ任命シタル者ノ中ヨリ之ヲ選定スルコトヲ得右仲裁裁判官ハ合同シテ一人ノ上級仲裁裁判官ヲ選定ス

投票相半シタル場合ニ於テハ當事者ノ協議ヲ以テ指定シタル第三國ニ上級仲裁裁判官ノ選定ヲ委託ス

右指定ニ關スル合意成立セザルトキハ當事者ハ各自異ナル一國ヲ指定シ其ノ指定セラレタル國ハ協議ヲ以テ上級仲裁裁判官ヲ選定ス

ARTICLE 45.

Lorsque les Puissances contractantes veulent s'adresser à la Cour permanente pour le règlement d'un différend survenu entre Elles, le choix des arbitres appelés à former le Tribunal compétent pour statuer sur ce différend, doit être fait dans la liste générale des Membres de la Cour.

A défaut de constitution du Tribunal arbitral par l'accord des Parties, il est procédé de la manière suivante :

Chaque Partie nomme deux arbitres, dont un seulement peut être son national ou choisi parmi ceux qui ont été désignés par Elle comme Membres de la Cour permanente. Ces arbitres choisissent ensemble un sur-arbitre.

En cas de partage des voix, le choix du sur-arbitre est confié à une Puissance tierce, désignée de commun accord par les Parties.

Si l'accord ne s'établit pas à ce sujet, chaque Partie désigne une Puissance différente et le choix du sur-arbitre est fait de concert par les Puissances ainsi désignées.

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官中ヨリ選定シタル一人又ハ數人ノ仲裁裁判官ニ
委託スルコトヲ得

裁判部ノ構成ニ付當事者ノ合意ナキトキハ第四十
五條第三項乃至第六項ニ規定スル方法ニ從フモノ
トス

第五十六條

君主共ノ他國ノ元首ニシテ仲裁者ニ選定セラレタ
ルトキハ仲裁裁判手續ハ仲裁者之ヲ定ム

第五十七條

上級仲裁裁判官ハ當然裁判長タルモノトス
裁判部ニ上級仲裁裁判官ナキトキハ裁判部自ラ其
ノ裁判長ヲ指定ス

第五十八條

第五十四條ニ規定スル委員會ニ於テ仲裁契約ヲ作
成シタル場合ニハ反對ノ規約アルニ非サレバ該委
員會自ラ仲裁裁判部ヲ組織ス

第五 第二回平和會議議案條約 (國際紛争平和的處理條約)

47

gnés par les Parties à leur gré, ou choisis par Elles parmi les Membres de la Cour permanente d'arbitrage établie par la présente Convention.

A défaut de constitution du Tribunal par l'accord des Parties, il est procédé de la manière indiquée à l'article 45 alinéas 3 à 6.

ARTICLE 56.

Lorsqu'un Souverain ou un Chef d'État est choisi pour arbitre, la procédure arbitrale est réglée par Lui.

ARTICLE 57.

Le surarbitre est de droit Président du Tribunal.

Lorsque le Tribunal ne comprend pas de surarbitre, il nomme lui-même son Président.

ARTICLE 58.

En cas d'établissement du compromis par une commission, telle qu'elle est visée à l'article 54, et sauf stipulation contraire, la commission elle-même formera le Tribunal d'arbitrage.

104-48

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| 仲裁 裁判官 | <p>第五十九條 仲裁裁判官中死亡シ辭職シ又ハ原因ノ如何ニ拘ラ ス支障ヲ生シタル者アルトキハ其ノ指定ノ爲ニ定 メタル方法ニ依リ之カ補闕ヲ行フ</p> | <p>ARTICLE 59. En cas de décès, de démission ou d'empêche- ment, pour quelque cause que ce soit, de l'un des arbitres, il est pourvu à son remplacement selon le mode fixé pour sa nomination.</p> |
| 開庭地 ノ | <p>第六十條 裁判部ハ當事者ニ於テ指定ヲ爲ササルトキハ之ヲ 海牙ニ開ク 裁判部ハ第三國ノ領土ニ於テハ其ノ同意ヲ得ルニ 非サレハ開庭スルコトヲ得ス 裁判部ハ當事者ノ承諾ヲ得ルニ非サレハ一旦定メ タル開庭地ヲ變更スルコトヲ得ス</p> | <p>ARTICLE 60. A défaut de désignation par les Parties, le Tribunal siège à La Haye. Le Tribunal ne peut siéger sur le territoire d'une tierce Puissance qu'avec l'assentiment de celle-ci. Le siège une fois fixé ne peut être changé par le Tribunal qu'avec l'assentiment des Parties.</p> |
| 國 語 | <p>第六十一條 仲裁契約ヲ以テ使用スヘキ國語ヲ定メサリシトキ ハ裁判部之ヲ定ム</p> | <p>ARTICLE 61. Si le compromis n'a pas déterminé les langues à employer, il en est décidé par le Tribunal.</p> |
| 特別代理 人 | <p>第六十二條 當事者ハ自己ト裁判部トノ間ノ媒介者タルヘキ特 別代理人ヲ裁判部ニ簡派スルコトヲ得</p> | <p>ARTICLE 62. Les Parties ont le droit de nommer auprès du Tribunal des agents spéciaux, avec la mission de</p> |

104-61

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| 作 成 ノ 條 | <p>國ニ非ナルモノハ本條約ニ加盟スルコトヲ得 加盟セムト欲スル國ハ書面ヲ以テ其ノ意思ヲ和蘭 國政府ニ通告シ且加盟書ヲ送付シ之ヲ和蘭國政府 ノ文庫ニ寄託スヘシ 和蘭國政府ハ直ニ通告書及加盟書ノ認證原本ヲ第 二回平和會議ニ招請セラレタル爾後ノ諸國ニ送付 シ且通告書ヲ接受シタル日ヲ通知スヘシ</p> | <p>convies à la Deuxième Conférence de la Paix pourront adhérer à la présente Convention. La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera dé- posé dans les archives dudit Gouvernement. Ce Gouvernement transmettra immédiatement à toutes les autres Puissances convies à la Deu- xième Conférence de la Paix copie certifiée con- forme de la notification ainsi que de l'acte d'ad- hésion, en indiquant la date à laquelle il a reçu la notification.</p> |
| 加 入 ノ 條 | <p>第九十四條 第二回平和會議ニ招請セラレザリシ諸國カ本條約 ニ加盟シ得ヘキ條件ハ後日締約國間ノ協商ニ依リ テ之ヲ定ム</p> | <p>ARTICLE 94. Les conditions auxquelles les Puissances qui n'ont pas été convies à la Deuxième Conférence de la Paix, pourront adhérer à la présente Cou- vention, formeront l'objet d'une entente ultérieure entre les Puissances contractantes.</p> |
| 登 載 ノ 條 | <p>第九十五條 本條約ハ第一回ノ批准書寄託ニ加リタル諸國ニ對 シテハ其ノ寄託ノ證書ノ日附ヨリ六十日ノ後又其 ノ後ニ批准シ又ハ加盟スル諸國ニ對シテハ和蘭國</p> | <p>ARTICLE 95. La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances</p> |

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配入

政府カ右批准又ハ加盟ノ通告ヲ接受シタルトキヨ
リ六十日ノ後ニ其ノ効力ヲ生スルモノトス

第九十六條

締約國中本條約ヲ廢棄セムト欲スルモノアルトキ
ハ書面ヲ以テ其ノ旨和蘭國政府ニ通告スヘシ和蘭
國政府ハ直ニ通告書ノ認證原本ヲ爾餘ノ諸國ニ送
付シ且通告書ヲ接受シタル日ヲ通知スヘシ

廢棄ハ其ノ通告カ和蘭國政府ニ到達シタルトキヨ
リ一年ノ後右通告ヲ爲シタル國ニ對シテノ其ノ
効力ヲ生スルモノトス

第九十七條

和蘭國外務省ハ帳簿ヲ備ヘ置キ第九十二條第三項
及第四項ニ依リ爲シタル批准書寄託ノ日ヲ加盟
(第九十三條第二項)又ハ廢棄第九十六條第一項
ノ通告ヲ接受シタル日ヲ記入スルモノトス

qui ratifieront ultérieurement ou qui adhéreront,
soixante jours après que la notification de leur
ratification ou de leur adhésion aura été reçue par
le Gouvernement des Pays-Bas.

ARTICLE 96.

S'il arrivait qu'une des Puissances contrac-
tantes voulût dénoncer la présente Convention, la
dénonciation sera notifiée par écrit au Gouverne-
ment des Pays-Bas qui communiquera immédiate-
ment copie certifiée conforme de la notification à
toutes les autres Puissances en leur faisant savoir
la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à
l'égard de la Puissance qui l'aura notifiée et un
an après que la notification en sera parvenue au
Gouvernement des Pays-Bas.

ARTICLE 97.

Un registre tenu par le Ministère des Affaires
Etrangères des Pays-Bas indiquera la date du
dépôt de ratifications effectué en vertu de l'article
92 alinéas 3 et 4, ainsi que la date à laquelle
auront été reçues les notifications d'adhésion

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各締約國ハ右帳簿ヲ閱覽シ且其ノ認證抄本ヲ請求
スルコトヲ得

右認證トシテ各全權委員本條約ニ署名ス

千九百七年十月十八日海牙ニ於テ本書一通ヲ作リ
之ヲ和蘭國政府ノ文庫ニ寄託シ其ノ認證原本ヲ外
交上ノ手續ニ依リ締約國ニ交付スヘキモノトス

第一 獨逸國

マルシヤル

クローグ

第二 亞米利加合衆國

ジョセフ、エマ、チャ、ヒート

ホレス、ポーター

ユー、エム、ロイス

デグランド、ジェーン、ヒル

シー、エス、スペリー

(article 93 alinéa 2) ou de dénonciation (article
96 alinéa 1).

Chaque Puissance contractante est admise à
prendre connaissance de ce registre et à en de-
mander des extraits certifiés conformes.

En foi de quoi, les Plénipotentiaires ont revêtu
la présente Convention de leurs signatures.

Fait à La Haye, le dix-huit Octobre mil neuf
cent sept, en un seul exemplaire qui restera dé-
posé dans les archives du Gouvernement des Pay-
Bas et dont des copies certifiées conformes, seront
remises par la voie diplomatique aux Puissances
contractantes.

1. Pour l'Allemagne :

MARSHALL.

KRIEGE.

2. Pour les États-Unis d'Amérique :

JOSEPH H. CHOATE.

HORACE PORTER.

U. M. ROSE.

DAVID JAYNE HILL.

C. S. SPERRY.

第五 第二回平和會議附條約 (國聯紛爭平和的處理條約)

ツィリアム、アイ、ブカナン

千九百七年十月十六日ノ總會議ニ於テ爲シタル宣言ヲ留
保ス

第三 亞爾然丁國

ロケ、サエンツ、ベニヤ

ルイス、エム、ドラゴ

セー、ロドリゲス、ラレタ

第四 奧地利、洪牙利國

メレー

男爵マツキオ

第五 白耳義國

ア、ベルナル

ジー、ツアン、デン、ヒューベル

ギィヨーム

第六 「ボリウイア」國

クラウヂオ、ビニラ

第七 伯朝西爾國

ルイ、バルボサ

第五十三條第三項、第三項及第四項ヲ留保ス

第八 物爾牙利國

WILLIAM I. BUCHANAN.

Sous réserve de la Déclaration faite dans la
séance plénière de la Conférence du 16 Octo-
bre 1907.

3. *Pour l'Argentine :*

ROQUE SAENZ PENA.

LUIS M. DRAGO.

C. RÚEZ IARRETA.

4. *Pour l'Autriche-Hongrie :*

MEREY.

Baron MACCHIO.

5. *Pour la Belgique :*

A. BEERNAERT.

J. VAN DEN HEUVEL.

GUILLAUME.

6. *Pour la Bolivie :*

CLAUDIO PINILLA.

7. *Pour le Brésil :*

RUY BARBOSA.

Avec réserves sur l'article 53, alinéas 2, 3 et 4.

8. *Pour la Bulgarie :*

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批准書ハ海牙ニ寄託ス
 第一回ノ批准書寄託ハ之ニ加リタル諸國ノ代表者
 及和蘭國外務大臣ノ署名シタル通告ヲ以テ之ヲ證
 ス
 爾後ノ批准書寄託ハ和蘭國政府ニ宛テ且批准書ヲ
 添附シタル通告書ヲ以テ之ヲ爲ス

第一回ノ批准書寄託ニ關スル通告、前項ニ揭ケタ
 ル通告書及批准書ノ認許證本ハ和蘭國政府ヨリ外
 交上ノ手續ヲ以テ直ニ之ヲ第二回平和會議ニ招請
 セラレタル諸國及本條約ニ加盟スル他ノ諸國ニ交
 付スヘシ前項ニ揭ケタル場合ニ於テハ和蘭國政府
 ハ同時ニ通告ヲ接受シタル日ヲ通知スルモノトス

第九十三條

第二回平和會議ニ招請セラレタル諸國ニシテ記名

記名國

Les ratifications seront déposées à La Haye.

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratification, sera immédiatement remise, par les soins du Gouvernement des Pays-Bas et par la voie diplomatique, aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement Leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 93.

Les Puissances non signataires qui ont été

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顧問又ハ
 代理人
 當事者ハ又顧問又ハ辯護人ヲ任命シ裁判部ニ於テ
 其ノ權利及利益ヲ辯護セシムルコトヲ得

常設裁判所裁判官ハ之ヲ裁判所裁判官ニ任命シタ
 ル國ノ爲ニスルノ外代理人、顧問又ハ辯護人ノ職
 務ヲ行フコトヲ得ス

第六十三條

仲裁裁判手續ハ原則トシテ準備書面提出及辯論ノ
 二段ニ分ツ

準備書面提出トハ各代理人ヨリ陳述書、答辯書及
 必要アルトキハ辯駁書ヲ裁判部裁判官及相手方ニ
 送達スルヲ謂フ當事者ハ右書面ニ其ノ申立中ニ援
 用シタル一切ノ文書其ノ他ノ書類ヲ添付ス送達ハ
 仲裁契約ヲ以テ定メタル順序及期間ニ於テ直接ニ
 又ハ國際事務局ヲ經テ之ヲ行フモノトス

仲裁契約ヲ以テ定メタル期間ハ合意アルトキハ當

準備書面

servir d'intermédiaires entre Elles et le Tribunal.

Elles sont en outre autorisées à charger de la défense de leurs droits et intérêts devant le Tribunal, des conseils ou avocats nommés par Elles à cet effet.

Les Membres de la Cour permanente ne peuvent exercer les fonctions d'agents, conseils ou avocats, qu'en faveur de la Puissance qui les a nommés Membres de la Cour.

ARTICLE 63.

La procédure arbitrale comprend en règle générale deux phases distinctes: l'instruction écrite et les débats.

L'instruction écrite consiste dans la communication faite par les agents respectifs, aux membres du Tribunal et à la Partie adverse, des mémoires, des contre-mémoires et, au besoin, des répliques; les Parties y joignent toutes pièces et documents invoqués dans la cause. Cette communication aura lieu, directement ou par l'intermédiaire du Bureau international, dans l'ordre et dans les délais déterminés par le compromis.

Les délais fixés par le compromis pourront

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| <p>通文者ノ送</p> | <p>事者ニ於テ又裁判部カ正當ナル決定ヲ與フル爲必 要アリト認ムルトキハ裁判部ニ於テ之ヲ伸長スル コトヲ得 辯論トハ裁判部ニ於ケル當事者ノ事由ノ口頭演述 ヲ謂フ</p> | <p>être prolongés de commun accord par les Parties, ou par le Tribunal quand il le juge nécessaire pour arriver à une décision juste.</p> <p>Les débats consistent dans le développement oral des moyens des Parties devant le Tribunal.</p> |
| <p>証書ノ時間</p> | <p>第六十四條 當事者ノ一方ヨリ提出シタル一切ノ文書ハ其ノ認 證原本ヲ他ノ一方ニ送達スヘキモノトス</p> | <p>ARTICLE 64.</p> <p>Toute pièce produite par l'une des Parties doit être communiquée, en copie certifiée conforme, à l'autre Partie.</p> |
| <p>辯論</p> | <p>第六十五條 特別ナル事情アル場合ヲ除ク外裁判部ハ準備書 面提出終結ノ後ニ非ケレバ開廷セズ</p> | <p>ARTICLE 65.</p> <p>A moins de circonstances spéciales, le Tribunal ne se réunit qu'après la clôture de l'instruction.</p> |
| <p>調書</p> | <p>第六十六條 辯論ハ裁判長之ヲ指揮ス 辯論ハ當事者ノ承諾ヲ經テ爲シタル裁判部ノ決定 ニ依ルノ外之ヲ公開セズ 辯論ハ之ヲ裁判長ノ任命スル書記官ノ作成スル調 書ニ記載シ裁判長及書記官ノ一名之ニ署名ス此ノ 調書ニ限公正ナル性質ヲ有ス</p> | <p>ARTICLE 66.</p> <p>Les débats sont dirigés par le Président.</p> <p>Ils ne sont publics qu'en vertu d'une décision du Tribunal, prise avec l'assentiment des Parties.</p> <p>Ils sont consignés dans des procès-verbaux rédigés par des secrétaires que nomme le Président. Ces procès-verbaux sont signés par le</p> |

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| <p>附則</p> | <p>ヲ代表セシム 右代理人ハ裁判部ト之ヲ任命シタル政府トノ間ノ 媒介者タルヘキモノトス</p> | <p>bunai par un agent qui sert d'intermédiaire entre le Tribunal et le Gouvernement qui l'a désigné.</p> |
| <p>第九十條</p> | <p>第九十條 裁判手續ハ悉ク書面ニ依ルモノトス但シテ當事者 ハ證人及鑑定人ノ出頭ヲ請求スルコトヲ得裁判部 ハ當事者雙方ノ代理人並出頭セシムルヲ有益ナリ ト認メタル鑑定人及證人ニ對シ口頭ノ説明ヲ求ム ルコトヲ得</p> | <p>ARTICLE 90.</p> <p>La procédure a lieu exclusivement par écrit. Toutefois, chaque Partie a le droit de demander la comparution de témoins et d'experts. Le Tribunal a, de son côté, la faculté de demander des explications orales aux agents des deux Parties, ainsi qu'aux experts et aux témoins dont il juge la comparution utile.</p> |
| <p>第五章</p> | <p>第五章 附則</p> | <p>TITRE V. DISPOSITIONS FINALES.</p> |
| <p>第九十一條</p> | <p>第九十一條 本條約ハ正式ニ批准セラレタル上締約國間ノ關係 ニ於テ千八百九十九年七月二十九日ノ國際紛爭平 和的處理條約ニ代ルヘキモノトス</p> | <p>ARTICLE 91.</p> <p>La présente Convention dûment ratifiée remplacera, dans les rapports entre les Puissances contractantes, la Convention pour le règlement pacifique des conflits internationaux de 29 Juillet 1899.</p> |
| <p>第九十二條</p> | <p>第九十二條 本條約ハ成ルヘク速ニ批准スヘシ</p> | <p>ARTICLE 92.</p> <p>La présente Convention sera ratifiée aussitôt que possible.</p> |

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| <p>仲裁裁判官ノ選定</p> | <p>通用ス</p> <p>第八十七條</p> <p>紛争當事者ハ各一人ノ仲裁裁判官ヲ指定ス右兩人ノ仲裁裁判官ハ一人ノ上級仲裁裁判官ヲ選定ス若其選定ニ關シ合意成立セザルトキハ仲裁裁判官ハ常設裁判所裁判官ノ總名簿ニ就キ各當事者ノ指定シタル裁判官ニ非ス且其ノ孰レノ國民ニモ非ザル者ノ中ヨリ各二人ノ候補者ヲ出シ抽籤ヲ以テ該候補者中上級仲裁裁判官タルヘキ者ヲ定ム</p> <p>上級仲裁裁判官ハ裁判長ト爲ル裁判部ノ決定ハ多數決ニ依ル</p> | <p>fluentes, et sous réserve, le cas échéant, de l'application des dispositions du Chapitre III qui ne seraient pas contraires.</p> <p>ARTICLE 87.</p> <p>Chacune des Parties en litige nomme un arbitre. Les deux arbitres ainsi désignés choisissent un surarbitre. S'ils ne tombent pas d'accord à ce sujet, chacun présente deux candidats pris sur la liste générale des Membres de la Cour permanente en dehors des Membres indiqués par chacune des Parties Elles-mêmes et n'étant les nationaux d'aucune d'Elles; le sort détermine lequel des candidats ainsi présentés sera le surarbitre.</p> <p>Le surarbitre préside le Tribunal, qui rend ses décisions à la majorité des voix.</p> |
| <p>提出書ノ</p> | <p>第八十八條</p> <p>裁判部ハ豫メ何等ノ合意ナキトキハ其ノ構成後直ニ當事者雙方ヨリ陳述書ヲ提出スヘキ期間ヲ定ム</p> | <p>ARTICLE 88.</p> <p>A défaut d'accord préalable, le Tribunal fixe, dès qu'il est constitué, le délai dans lequel les deux Parties devront lui soumettre leurs mémoires respectifs.</p> |
| <p>代理人</p> | <p>第八十九條</p> <p>各當事者ハ一人ノ代理人ヲシテ裁判部ニ於テ自己</p> | <p>ARTICLE 89.</p> <p>Chaque Partie est représentée devant le Tri-</p> |

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| <p>裁判ノ終</p> | <p>第六十七條</p> <p>裁判部ハ準備書面提出終結ノ後ハ當事者ノ一方ヨリ相手方ノ承諾ヲ得スシテ提出セムト欲スル新ナル一切ノ證書其ノ他ノ書類ニ付辯論ヲ拒絶スルコトヲ得</p> | <p>Président et par un des secrétaires; ils ont seuls caractère authentique.</p> <p>ARTICLE 67.</p> <p>L'instruction étant close, le Tribunal a le droit d'écarter du débat tous actes ou documents nouveaux qu'une des Parties voudrait lui soumettre sans le consentement de l'autre.</p> |
| <p>書シタル式</p> | <p>第六十八條</p> <p>裁判部ハ當事者ノ代理人又ハ顧問カ其ノ注意ヲ求めルコトアルヘキ新ナル證書其ノ他ノ書類ヲ參酌スルノ自由ヲ有ス</p> <p>右ノ場合ニ於テ裁判部ハ右證書其ノ他ノ書類ノ提出ヲ請求スルコトヲ得但シ其ノ旨相手方ニ通知スルコトヲ要ス</p> | <p>ARTICLE 68.</p> <p>Le Tribunal demeure libre de prendre en considération les actes ou documents nouveaux sur lesquels les agents ou conseils des Parties appelleraient son attention.</p> <p>En ce cas, le Tribunal a le droit de requérir la production de ces actes ou documents, sauf l'obligation d'en donner connaissance à la Partie adverse.</p> |
| <p>出書ノ類</p> | <p>第六十九條</p> <p>裁判部ハ又當事者ノ代理人ニ一切ノ證書ヲ提出ヲ請求シ且必要ナル一切ノ説明ヲ求めルコトヲ得其ノ拒絶アル場合ニハ其ノ旨ヲ記録ス</p> | <p>ARTICLE 69.</p> <p>Le Tribunal peut, en outre, requérir des agents des Parties la production de tous actes et demander toutes explications nécessaires: En cas de refus, le Tribunal en prend acte.</p> |

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| 送付 頭ノ陳 | <p>第七十條 當事者ノ代理人及顧問ハ其ノ申立ヲ辯護スル爲有 益ナリト認ムル一切ノ事由ヲ口頭ニテ仲裁裁判部 ニ陳述スルコトヲ得</p> | <p>ARTICLE 70. Les agents et les conseils des Parties sont autorisés à présenter oralement au Tribunal tous les moyens qu'ils jugent utiles à la défense de leur cause.</p> |
| 中抗 問辯又ハ 議ハ | <p>第七十一條 當事者ノ代理人及顧問ハ抗辯ヲ爲シ又ハ中間爭議 ヲ起スコトヲ得之ニ關スル裁判部ノ決定ハ確定的 ニシテ更ニ之ヲ論議スルヲ得サルモノトス</p> | <p>ARTICLE 71. Ils ont le droit de soulever des exceptions et des incidents. Les décisions du Tribunal sur ces points sont définitives et ne peuvent donner lieu à aucune discussion ultérieure.</p> |
| 断代 ス間 質問野及 | <p>第七十二條 裁判部裁判官ハ當事者ノ代理人及顧問ニ質問ヲ爲 シ且疑ハシキ事項ニ關シテ説明ヲ求ムルコトヲ 得 辯論ノ進行中裁判部裁判官カ爲シタル質問又ハ發 言ハ裁判部全體又ハ裁判官各自ノ意見ヲ表明シタ ルモノト認ムルコトヲ得ス</p> | <p>ARTICLE 72. Les membres du Tribunal ont le droit de poser des questions aux agents et aux conseils des Parties et de leur demander des éclaircissements sur les points douteux. Ni les questions posées, ni les observations faites par les membres du Tribunal pendant le cours des débats ne peuvent être regardées comme l'expression des opinions du Tribunal en général ou de ses membres en particulier.</p> |

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| 規 定 | <p>若紛爭當事者以外ノ諸國カ加リタル條約ノ解釋ニ 關スルモノナルトキハ紛爭當事者ハ適當ノ時期ニ ニ之ヲ各記名國ニ通知スヘシ右諸國ハ各訴訟ニ參 加スルノ權利ヲ有ス一國又ハ數國カ此ノ權能ヲ利 用シタルトキハ判決中ニ包含スル解釋ハ其ノ國ニ 對シテモ亦等シク效力ヲ有スルモノトス</p> | <p>Lorsqu'il s'agit de l'interprétation d'une Convention à laquelle ont participé d'autres Puissances que les Parties en litige, celles-ci avertissent en temps utile toutes les Puissances signataires. Chacune de ces Puissances a le droit d'intervenir au procès. Si une ou plusieurs d'entre Elles ont profité de cette faculté, l'interprétation contenue dans la sentence est également obligatoire à leur égard.</p> |
| 取 用 | <p>第八十五條 當事者ハ各自ノ費用ヲ負擔シ且裁判部ノ費用ヲ均 等ニ分擔ス</p> | <p>ARTICLE 85. Chaque Partie supporte ses propres frais et une part égale des frais du Tribunal.</p> |
| 調 停 手 續 | <p>第 四 節 仲裁裁判簡易手續</p> | <p>CHAPITRE IV. DE LA PROCÉDURE SOMMAIRE D'ARBITRAGE.</p> |
| 規 定 | <p>第八十六條 締約國ハ簡易ナル手續ニ依リ得ヘキ性質ノ紛爭ニ 關シ仲裁裁判ノ運用ヲ容易ナラシムル爲別段ナル 規約ナキ場合ニ適用スヘキ次ノ規定ヲ設ク但シ第 三節ノ條項ニシテ右規定ニ抵觸セサルモノハ之ヲ</p> | <p>ARTICLE 86. En vue de faciliter le fonctionnement de la justice arbitrale, lorsqu'il s'agit de litiges de nature à comporter une procédure sommaire, les Puissances contractantes arrêtent les règles ci-après qui seront suivies en l'absence de stipulations di-</p> |

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| 再審 | <p align="center">第八十三條</p> <p>當事者ハ仲裁契約ニ於テ仲裁判決ニ對スル再審ノ請求ヲ留保スルコトヲ得</p> <p>右ノ場合ニ於テハ反對ノ規約アルニ非サレハ判決ヲ爲シタル裁判部ニ請求ヲ爲スコトヲ要ス右請求ハ判決ニ對シ決定的影響ヲ與フヘキ性質ヲ有スル新事實ニシテ辯論終結ノトキ裁判部及再審ヲ請求スル當事者カ知ラザリシモノヲ發見シタル場合ニ限之ヲ爲スコトヲ得</p> <p>再審ノ手續ハ裁判部ニ於テ特ニ新事實ノ存在ヲ確認シ其ノ事實カ前項ニ掲ケル特質ヲ有スルコトヲ認識シ且之ニ因リ請求カ受理スヘキモノナルコトヲ宣言スル決定ヲ爲スニ非サレハ之ヲ開始スルコトヲ得ス</p> <p>再審ノ請求ヲ爲スヘキ期間ハ仲裁契約ニ於テ之ヲ定ム</p> |
| 仲裁判決ノ拘束力 | <p align="center">第八十四條</p> <p>仲裁判決ハ紛争當事者ニ對シテノミ效力ヲ有ス</p> |

ARTICLE 83.

Les Parties peuvent se réserver dans le compromis de demander la révision de la sentence arbitrale.

Dans ce cas, et sauf stipulation contraire, la demande doit être adressée au Tribunal qui a rendu la sentence. Elle ne peut être motivée que par la découverte d'un fait nouveau qui eût été de nature à exercer une influence décisive sur la sentence et qui, lors de la clôture des débats, était inconnu du Tribunal lui-même et de la Partie qui a demandé la révision.

La procédure de révision ne peut être ouverte que par une décision du Tribunal constatant expressément l'existence du fait nouveau, lui reconnaissant les caractères prévus par le paragraphe précédent et déclarant à ce titre la demande recevable.

Le compromis détermine le délai dans lequel la demande de révision doit être formée.

ARTICLE 84.

La sentence arbitrale n'est obligatoire que pour les Parties en litige.

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| 仲裁契約ノ解釋 | <p align="center">第七十三條</p> <p>裁判部ハ仲裁契約及事件ニ關シテ援用シ得ヘキ其ノ他ノ憲章及書類ヲ解釋シ且法律上ノ原則ヲ適用シテ自己ノ權限ヲ定ムルコトヲ得</p> |
| 裁判部ノ權限 | <p align="center">第七十四條</p> <p>裁判部ハ裁判指揮ノ爲手續上ノ命令ヲ發シ各當事者カ辯論ヲ終結スヘキ方式、順序及期間ヲ定メ且證據調ニ關スル一切ノ手續ヲ行フコトヲ得</p> |
| 方法ノ提 | <p align="center">第七十五條</p> <p>當事者ハ紛争決定ノ爲必要ナル一切ノ方法ヲ其ノ爲シ得ヘシト認ムル限充分ニ裁判部ニ提出スヘシ</p> |
| 第三國ノ領土ニ於テ之ノ通告 | <p align="center">第七十六條</p> <p>裁判部カ締約國タル第三國ノ領土ニ於テ爲スヘキ一切ノ通告ハ裁判部ヨリ直接ニ當該國政府ニ宛テ</p> |

ARTICLE 73.

Le Tribunal est autorisé à déterminer sa compétence en interprétant le compromis ainsi que les autres actes et documents qui peuvent être invoqués dans la matière, et en appliquant les principes du droit.

ARTICLE 74.

Le Tribunal a le droit de rendre des ordonnances de procédure pour la direction du procès, de déterminer les formes, l'ordre et les délais dans lesquels chaque Partie devra prendre ses conclusions finales, et de procéder à toutes les formalités que comporte l'administration des preuves.

ARTICLE 75.

Les Parties s'engagent à fournir au Tribunal, dans la plus large mesure qu'Elles jugeront possible, tous les moyens nécessaires pour la décision du litige.

ARTICLE 76.

Pour toutes les notifications que le Tribunal aurait à faire sur le territoire d'une tierce Puis-

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| <p>裁判官ノ 職務ノ終</p> | <p>之ヲ爲スヘシ實地ニ就キ一切ノ證據蒐集手續ヲ行 フトキ亦同シ</p> <p>右ニ關スル請求ヲ受ケタル國ハ其ノ國內法規ニ遵 ヒ爲シ得ヘキ方法ニ依リ其ノ請求ヲ履行スヘク且 其ノ主權又ハ安寧ニ害アリト認ムル場合ヲ除クノ 外之ヲ拒ムコトヲ得ス</p> <p>裁判部ハ又常ニ其ノ開廷地ノ所屬國ノ媒介ニ依 ルコトヲ得</p> <p style="text-align: center;">第七十七條</p> <p>當事者ノ代理人及顧問カ各共ノ申立ヲ支持スル一 切ノ説明及證據提出ヲ終リタルトキハ裁判長ハ辯 論ノ終結ヲ宣告ス</p> <p style="text-align: center;">第七十八條</p> <p>裁判部ノ評議ハ秘密會ニ於テ行ヒ且之ヲ秘密ニ付 ス</p> | <p>sance contractante, le Tribunal s'adressera directe- ment au Gouvernement de cette Puissance. Il en sera de même s'il s'agit de faire procéder sur place à l'établissement de tous moyens de preuve.</p> <p>Les requêtes adressées à cet effet seront exé- cutées suivant les moyens dont la Puissance re- quise dispose d'après sa législation intérieur. Elles ne peuvent être refusées que si cette Pui- sance les juge de nature à porter atteinte à sa souveraineté ou à sa sécurité.</p> <p>Le Tribunal aura aussi toujours la faculté de recourir à l'intermédiaire de la Puissance sur le territoire de laquelle il a son siège.</p> <p style="text-align: center;">ARTICLE 77.</p> <p>Les agents et les conseils des Parties ayant présenté tous les éclaircissements et preuves à l'appui de leur cause, le Président prononce la clôture des débats.</p> <p style="text-align: center;">ARTICLE 78.</p> <p>Les délibérations du Tribunal ont lieu à huis clos et restent secrètes.</p> |
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| <p>裁判官ノ 職務ノ終</p> <p>裁判官ノ 職務ノ終</p> <p>裁判官ノ 職務ノ終</p> <p>裁判官ノ 職務ノ終</p> | <p>一切ノ決定ハ裁判官ノ多數決ニ依ル</p> <p style="text-align: center;">第七十九條</p> <p>仲裁判決ニハ理由ヲ附シ裁判官ノ氏名ヲ掲ケ裁判 長及裁判部書記局員又ハ其ノ職務ヲ行フ書記官之 ニ署名ス</p> <p style="text-align: center;">第八十條</p> <p>判決ハ當事者ノ代理人及顧問出席ノ上又ハ之ニ對 シ正式ノ呼出ヲ爲シタル後公開廷ニ於テ之ヲ朗讀 ス</p> <p style="text-align: center;">第八十一條</p> <p>正式ニ言渡ヲ爲シ且當事者ノ代理人ニ通告シタル 判決ハ確定的ニ終審トシテ紛争ヲ決定ス</p> <p style="text-align: center;">第八十二條</p> <p>判決ノ解釋及執行ニ關シ當事者間ニ起ルコトアル ヘキ一切ノ紛争ハ反對ノ規約アルニ非ザレバ該判 決ヲ言渡シタル裁判部ノ裁判ニ付スヘシ</p> | <p>Toute décision est prise à la majorité de ses membres.</p> <p style="text-align: center;">ARTICLE 79.</p> <p>La sentence arbitrale est motivée. Elle men- tionne les noms des arbitres; elle est signée par le Président et par le greffier ou le secrétaire fai- sant fonctions de greffier.</p> <p style="text-align: center;">ARTICLE 80.</p> <p>La sentence est lue en séance publique, les agents et les conseils des Parties présents ou dû- ment appelés.</p> <p style="text-align: center;">ARTICLE 81.</p> <p>La sentence, dûment prononcée et notifiée aux agents des Parties, décide définitivement et sans appel la contestation.</p> <p style="text-align: center;">ARTICLE 82.</p> <p>Tout différend qui pourrait surgir entre les Parties, concernant l'interprétation et l'exécution de la sentence, sera, sauf stipulation contraire, soumis au jugement du Tribunal qui l'a rendu.</p> |
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三—五

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| <p>陸軍少將ウイナロフ イウヅン、カランジ、イロフ</p> <p>第九 智利 國 ドミンゴ、ガナ アウグスト、マテ カルロス、コンチャ 十月七日ノ第一委員會第七回會議ニ於テ第三十九條ニ關 シテ爲シタル軍部ヲ担保ス</p> <p>第十 清 國 陸徵祥 錢 恂</p> <p>第十一 哥倫比亞 國 ホルヘ、ホルグイン エス、ペレス、トリアナ エム、ヴァルガス</p> <p>第十二 坎馬共和國 アントニオ、エスタ、ブスタマンテ ゴンザロ、デ、クエサダ マヌエル、サン、グイリ</p> | <p>Général-Major VINAROFF. Iv. KARANDJOUJOFF.</p> <p>9. <i>Pour le Chili :</i> DOMINGO GANA. AUGUSTO MATTE. CARLOS CONCHA. <i>Sous la réserve de la déclaration formulée à propos de l'article 39 dans la septième sé- ance du 7 Octobre de la première Commission.</i></p> <p>10. <i>Pour la Chine :</i> LOUTSENGTSIANG. TSIENSUN.</p> <p>11. <i>Pour la Colombie :</i> JORGE HOIGUIN. S. PEREZ TRIANA. M. VARGAS.</p> <p>12. <i>Pour la République de Cuba :</i> ANTONIO S. DE BUSTAMANTE. GONZALO DE QUESADA. MANUEL SANGUILY.</p> |
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第十三 丁 抹國

セー、ブロン

第十四 「ドミニカ」共和國

ドクトル、ヘンリケス、イ、カルグア、ル

アポリナル、テヘラ

第十五 「エクアドル」共和國

グタトル、エム、レンドン

エドロン、イ、デア、アルスア

第十六 西班牙國

ドブルガ、エル、デ、グ、イ、リヤ、ウル、チヤ

ホセ、デ、ラ、リカ、イ、カルグ、

ガブリエル、マウラ

第十七 佛蘭西國

レオン、ブールジョア

デスツール、ネルド、コンスタン

エル、ルノ

マルスラン、ベレ

第十八 大不列顛國

エドワード、フライ

アーネスト、サトウ

13. Pour le Danemark :

C. BRUN.

14. Pour la République Dominicaine :

dr. HENRIQUEZ Y. CARVAJAL.
APOLINAR TEJERA.

15. Pour l'Equateur :

VICTOR M. RENDON.
E. DORN Y DE ALSÚA.

16. Pour l'Espagne :

W. R. DE VILLA URRUTIA.
JOSÉ DE LA RICA Y CALVO.
GABRIEL MAURA.

17. Pour la France :

LÉON BOURGEOIS.
D'ESTOURNELLES DE CONSTANT,
L. RENAULT.
MARCELLIN BELLET.

18. Pour la grande-Bretagne :

EDW. FRY.
ERNEST SATOW.

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チルカン

千九百十七年十月十六日ノ第九回總會議ノ議案録ニ記入ス
フレタル宣誓ヲ留保ス

第四十三 「ウルグエー」國

ホセ、バトレ、イ、オールド、ニエス

第四十四 「ウニズエラ」國

ジ、ヒル、フ、エル、トル

TURKHAN.

Sous réserve des déclarations portées au pro-
cès-verbal de la 9^e séance plénière de la Con-
férence du 16 Octobre 1907

43. Pour l'Uruguay :

JOSÉ BATLLE Y ORDOÑEZ.

44. Pour le Vénézuéla :

J. GIL FORTOUL.

「ボイランド」國加盟

(大正二年七月二日)
外務省告示第三〇號

波蘭國ハ本年五月二十六日附テ以テ國際紛争平和
的處理ニ關スル千九百十七年十月十八日ノ海牙條約
ニ加盟シタル趣和蘭國外務大臣ノ通牒ニ基キ今般
在海牙常設仲裁裁判所書記長官ヨリ報告アリタリ

「フィンランド」國加盟

(大正二年七月二日)
外務省告示第三三號

芬蘭國政府ハ千九百十七年十月十八日海牙ニ於テ署

名ノ國際紛争平和的處理條約ニ加盟シタル趣今般
在本邦和蘭國公使ヨリ通牒アリタリ

「チッコスロヴァキア」國加盟

(大正二年七月五日)
外務省告示第三四號

「チッコスロヴァキア」共和國政府ハ千九百十七年十
月十八日海牙ニ於テ署名ノ國際紛争平和的處理條
約ニ加盟シタル趣今般在本邦和蘭國公使ヨリ通牒
アリタリ

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アルラン
 エス、チヤリコフ
 第三十七 「サルヴァドル」國
 ベー、ジー、アラウ
 エス、ペレス、トリアナ
 第三十八 塞爾比亞國
 エス、グロウイチ
 エム、ジエー、ミロヴァノヴィチ
 エム、ジエー、ミリチエヴィチ
 第三十九 暹羅國
 モム、チャチデー、ウドム
 セー、コラチオニ、ドレリ
 ルアング、ビヴァナルト、ナリニール
 第四十 瑞典國
 ヨハンネス、ヘルネル
 第四十一 瑞西國
 カルラン
 第五十三條第二項ヲ留保ス
 第四十二 土耳其國

MARTENS.
 N. TCHARYKOW.
 37. *Pour le Salvador :*
 P. J. MATHEU.
 S. PÉREZ TRIANA.
 38. *Pour la Serbie :*
 S. GROUÏTCH.
 M. G. MILOVANOVITCH.
 M. G. MILITCHEVITCH.
 39. *Pour le Siam :*
 MON CHATIDEJ UDOM.
 C. CORRAGIONI D'ORELLI.
 LUANG BHÜVANARTH NARÜBAL.
 40. *Pour la Suède :*
 JOH. HELLNER.
 41. *Pour la Suisse :*
 CARLIN.
 Sous réserve de l'article 53, chiffre 2°.
 42. *Pour la Turquie :*

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レ
 ヘンリー、バード
 第十九 希臘國
 クレオン、リツ、ランガバ
 ジョール、ジエ、ストレイト
 第五十三條第二項ヲ留保ス
 第二十 「グアテマラ」國
 ホセ、チアブレ、マチャド
 第二十一 「ハイチ」國
 ダルベマル、ジャン、ジョセフ
 ジー、エス、レジー
 ビエール、エヂクール
 第二十二 伊太利國
 ポンピリ
 ジー、フジナト
 第二十三 日本國
 佐藤愛徳
 第四十八條第三項、第四項、第五十三條第二項及第五十
 四條ヲ留保ス
 第二十四 盧森堡國
 アイシエン

REAY.
 HENRY HOWRD.
 19. *Pour la Grèce :*
 CLÉON RIZO RANGABÉ.
 GEORGES STREIT.
 Avec le réserve de l'alinéa 2 de l'article 53.
 20. *Pour le Guatémala :*
 JOSÉ TIBLE MACHADO.
 21. *Pour la Haïti :*
 DALBÉMAR JN JOSEPH.
 J. N. LÉGER.
 PIERRE HUDICOURT.
 22. *Pour l'Italie :*
 POMPILJ.
 G. FUSINATO.
 23. *Pour le Japon :*
 AIMARO SATO.
 Avec réserve des alinéas 3 et 4 de l'article 48,
 de l'alinéa 2 de l'article 53 et de l'article 54.
 24. *Pour le Luxembourg :*
 EYSCHEN.

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伯爵ド、ウレリ

第二十五 墨西哥國
 シエ、ア、エストラダ
 エス、ベ、ド、ミエ
 エフ、エル、デ、ラ、バラ

第二十六 「モンテネグロ」國
 ネリドフ
 アルタンス
 エス、チ、リコフ

第二十七 「ニカラグ」國

第二十八 諾威國
 エフ、バーゲル

第二十九 巴拿馬國
 ベ、ポラス

第三十 「パラグアイ」國
 シエ、ヂ、モンソ

第三十一 和蘭國
 ドブルグ、ア、シ、ド、ホ、フ、イ、ル
 テ、エ、ム、セ、ア、セル

Cte De VILLERS.

25. *Pour le Mexique :*
 G. A. ESTEVA.
 S. B. DE MIER.
 F. L. DE LA BARRA.

26. *Pour le Monténégro :*
 NELIDOW.
 MARTENS.
 N. TCHARYKOW.

27. *Pour le Nicaragua :*

28. *Pour la Norvège :*
 F. HAGERUP.

29. *Pour le Panama :*
 B. PORRAS.

30. *Pour le Paraguay :*
 J. DU MONCEAU.

31. *Pour les Pays-Bas :*
 W. H. DE BEAUFORT.
 T. M. C. ASSER.

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デン、ベ、ル、ポ、ル、チ、ゲ、ル

シ、ア、ロ、エ、ル

シ、ア、ロ、エ、フ

第三十二 秘魯國
 セ、ジ、エ、カ、ン、ダ、モ

第三十三 波斯國
 モ、タ、ズ、サ、ル、タ、ネ、エ、ム、サ、マ、ド、カ、ン

サ、ヂ、ウ、ル、ム、ク、エ、ム、ア、メ、ド、カ、ン

第三十四 葡萄牙國
 侯爵デ、ソ、ヴ、ラ、ル
 伯爵デ、セ、リ、ル
 アルベルト、ドリヴェイラ

第三十五 羅馬尼亞國
 エドガール、マヴロコルダト
 千八百九十九年七月二十九日ノ國際紛争平和的處理條約
 ニ署名ノ際羅馬尼亞國全權委員ノ爲シタル同一ノ担保
 ヲ爲ス

第三十六 露西亞國
 ネリドフ

DEN BEER POORTUGAEL.
 J. A. RÖELL.
 J. A. LOEFF.

32. *Pour le Pérou :*
 C. G. CANDAMO.

33. *Pour la Perse :*
 MONTAZOS-SALTANEH M. SAMAD
 KHAN.
 SADIGH UL MULK M. AHMED
 KHAN.

34. *Pour le Portugal :*
 MARQUIS DE SOVERAL.
 CONDE DE SELIR.
 ALBERTO D'OLIVEIRA.

35. *Pour la Roumanie :*
 EDG. MAVROCORDATO.
 Avec les mêmes réserves formulées par les
 Plénipotentiaires Roumains à la signature de
 la Convention pour le Règlement pacifique
 des conflits internationaux du 29 Juillet 1899.

36. *Pour la Russie :*
 NELIDOW.

TREATY SERIES, No. 536
PACIFIC SETTLEMENT
OF INTERNATIONAL DISPUTES

CONVENTION
BETWEEN THE UNITED STATES OF AMERICA
AND OTHER POWERS

Signed at The Hague, October 18, 1907.
Ratification advised by the Senate of the United States, with understanding and declarations, April 2, 1908.
Ratified by the President of the United States, February 23, 1909.
Ratification of the United States of America deposited with the Netherland Government, November 27, 1909.
Proclaimed by the President of the United States, February 28, 1910.

By The President Of The United States of America.

A PROCLAMATION.

WHEREAS a Convention for the Pacific Settlement of International Disputes was concluded and signed at The Hague on October 18, 1907, by the respective Plenipotentiaries of the United States of America, Germany, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, China, Colombia, Cuba, Denmark, the Dominican Republic, Ecuador, Spain, France, Great Britain, Greece, Guatemala, Haiti, Italy, Japan, Luxemburg, Mexico, Montenegro, Norway, Panama, Paraguay, the Netherlands, Peru, Persia, Portugal, Roumania, Russia, Salvador, Servia, Siam, Sweden, Switzerland, Turkey, Uruguay, and Venezuela, the original of which Convention, being in the French language is word for word as follows:

(Translation)

I.

CONVENTION

For The Pacific Settlement Of International Disputes

His majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His majesty the Emperor of Austria; King of Bohemia, etc., and Apostolic King of Hungary; His majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His majesty the King of Spain; the President of the French Republic; His majesty the King of the United Kingdom of Great Britain and Ireland and of the British dominions beyond the Seas, Emperor of India; His majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His majesty the King of Italy; His majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxembourg; Duke of Nassau; the President of the United Mexican States; His Royal Highness the Prince of Montenegro; His majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His majesty the King of Portugal and of the Algarves, etc; His majesty the King of Rumania; His majesty the Emperor of All the Russias; the President of the Republic of Salvador; His majesty the King of Serbia; His majesty the King of Siam; His majesty the King of Sweden; the Swiss Federal Council; His majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela:

Animated by the sincere desire to work for the maintenance of general peace;

Resolved to promote by all the efforts in their power the friendly settlement of international disputes;

Recognizing the solidarity uniting the members of the society of civilized nations;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a tribunal of arbitration accessible to all, in the midst of independent powers, will contribute effectively to this result;

Having regard to the advantages attending the general and regular organization of the procedure of arbitration:

Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an international agreement the principles of equity and right on which are based the security of states and the welfare of peoples;

Being desirous, with this object of insuring the better working in practice of commissions of inquiry and tribunals of arbitration, and of facilitating recourse to arbitration in cases which allow of a summary procedure;

Have deemed it necessary to revise in certain particulars and to complete the work of the First Peace Conference for the pacific settlement of international disputes;

The High Contracting Parties have resolved to conclude a new convention for this purpose, and have appointed the following as their plenipotentiaries:

List of plenipotentiaries follows:

Who, after having desposited their full powers, found in good and due form, have agreed upon the following:

PART I. THE MAINTENANCE OF GENERAL PEACE

ARTICLE 1.

With view to obviating as far as possible resources to force in the relations between states, the Contracting Powers agree to use their best efforts to insure the pacific settlement of international differences.

PART II. GOOD OFFICES AND MEDIATION

ARTICLE 2.

In case of serious disagreement or dispute, 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.

ARTICLE 3.

Independently of this recourse, the Contracting Powers deem it expedient and desirable that one or more powers, strangers to the dispute, should, on their own initiative and as far as circumstances may allow, offer their good offices or mediation to the states at variance.

Powers strangers to the dispute have the right to offer good offices or mediation even during the course of hostilities.

The exercise of this right can never be regarded by either of the parties in dispute as an unfriendly act.

ARTICLE 4.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the states at variance.

ARTICLE 5.

The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute or by the mediator himself, that the means of reconciliation proposed by him are not accepted.

ARTICLE 6.

Good offices and mediation undertaken either at the request of the parties in dispute or on the initiative of powers strangers to the dispute have exclusively the character of advice, and never have binding force.

ARTICLE 7.

The acceptance of mediation cannot, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

If it takes place after the commencement of hostilities, the military operations in progress are not interrupted in the absence of an agreement in the contrary.

ARTICLE 8.

The Contracting Powers are agreed in recommending the application when circumstances allow, of special mediation in the following form:

In case of serious difference endangering peace, the states at variance choose respectively a power, to which they intrust the mission of entering into direct communication with the power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the states in dispute cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating powers, which must use their best efforts to settle it.

In case of a definite rupture of pacific relations, these powers are charged with the joint task of taking advantage of any opportunity to restore peace.

ARTICLE 9.

In disputes of an international nature involving neither honor nor vital interests, and arising from a difference of opinion on points of fact, the Contracting Powers deem it expedient and desirable that the parties who have not been able to come to an agreement by means of diplomacy should, as far as circumstances allow, institute an international commission of inquiry, to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE 10.

International commissions of inquiry are constituted by special agreement between the parties in dispute.

The inquiry convention defines the facts to be examined; it determines the mode and time in which the commission is to be formed and the extent of the powers of the commissioners.

It also determines, if there is need, where the commission is to sit, and whether it may remove to another place, the language the commission shall use and the languages the use of which shall be authorized before it, as well as the date on which each party must deposit its statement of facts, and generally speaking, all the conditions upon which the parties have agreed.

If the parties consider it necessary to appoint assessors, the convention of inquiry shall determine the mode of their selection and the extent of their powers.

ARTICLE 11.

If the inquiry convention has not determined where the commission is to sit, it will sit at The Hague.

The place of meeting, once fixed cannot be altered by the commission except with the assent of the parties.

If the inquiry convention has not determined what languages are to be employed, the question shall be decided by the commission.

ARTICLE 12.

Unless an undertaking is made to the contrary, commissions of inquiry shall be formed in the manner determined by articles 45 and 57 of the present convention.

ARTICLE 13.

Should one of the commissioners or one of the assessors, should there be any, either die, or resign, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him.

ARTICLE 14.

The parties are entitled to appoint special agents to attend the commission of inquiry, whose duty it is to represent them and to act as intermediaries between them and the commission.

They are further authorized to engage counsel or advocates, appointed by themselves, to state their case and uphold their interests before the commission.

ARTICLE 15.

The International Bureau of the Permanent Court of Arbitration acts as registry for the commission which sit at The Hague, and shall place its offices and staff at the disposal of the Contracting Powers for the use of the commission of inquiry.

ARTICLE 16.

If the commission meets elsewhere than at The Hague, it appoints a secretary general, whose office serves as registry.

It is the function of the registry, under the control of the president, to make the necessary arrangements for the sitting of the commission, the preparation of the minutes, and, while the inquiry lasts, for the charge of the archives, which shall subsequently be transferred to the International Bureau at The Hague.

ARTICLE 17.

In order to facilitate the constitution and working of commissions of inquiry, the Contracting Powers recommend the following rules, which shall be applicable to the inquiry procedure in so far as the parties do not adopt other rules.

ARTICLE 18.

The commission shall settle the details of the procedure not covered by the special inquiry convention or the present convention, and shall arrange all the formalities required for dealing with the evidence.

ARTICLE 19.

On the inquiry both sides must be heard.

At the dates fixed, each party communicates to the commission and to the other party the statements of facts, if any, and, in all cases, the instruments, papers, and documents which it considers useful for ascertaining the truth, as well as the list of witnesses and experts whose evidence it wishes to be heard.

ARTICLE 20.

The commission is entitled, with the assent of the parties, to move temporarily to any place where it considers it may be useful to have recourse to this means of inquiry or to send one or more of its members. Permission must be obtained from the state on whose territory it is proposed to hold the inquiry.

ARTICLE 21.

Every investigation, and every examination of a locality, must be made in the presence of the agents and counsel of the parties or after they have been duly summoned.

ARTICLE 22.

The commission is entitled to ask either party for such explanations and information as it considers necessary.

ARTICLE 23.

The parties undertake to supply the commission of inquiry, as fully as they may think possible, with all means and facilities necessary to enable it to become completely acquainted with, and to accurately understand, the facts in question.

They undertake to make use of the means at their disposal, under their municipal law, to insure the appearance of the witnesses or experts who are in their territory and have been summoned before the commission.

If the witnesses or experts are unable to appear before the commission, the parties will arrange for their evidence to be taken before the qualified officials of their own country.

ARTICLE 24.

For all notices to be served by the commission in the territory of a third Contracting Power, the commission shall apply direct to the Government of the said power. The same rule applies in the case of steps being taken on the spot to procure evidence.

The requests for this purpose are to be executed so far as the means at the disposal of the power applied to under its municipal law allow. They cannot be rejected unless the power in question considers they are calculated to impair its sovereign rights or its safety.

The commission will equally be always entitled to act through the power on whose territory it sits.

ARTICLE 25.

The witnesses and experts are summoned on the request of the parties or by the commission of its own motion, and, in every case, through the Government of the state in whose territory they are.

The witnesses are heard in succession and separately, in the presence of the agents and counsel, and in the order fixed by the commission.

ARTICLE 26.

The examination of witnesses is conducted by the president.

The members of the commission may, however, put to each witness questions which they consider likely to throw light on and complete his evidence, or get information on any point concerning the witness within the limits of what is necessary in order to get at the truth.

The agents and counsel of the parties may not interrupt the witness when he is making his statement, nor put any direct question to him, but they may ask the president to put such additional questions to the witness as they think expedient.

ARTICLE 27.

The witness must give evidence without being allowed to read any written draft. He may, however, be permitted by the president to consult notes or documents if the nature of the facts referred to necessitates their employment.

ARTICLE 28.

A minute of the evidence of the witness is drawn up forthwith and read to the witness. The latter may make such alterations and additions as he thinks necessary, which will be recorded at the end of his statement.

When the whole of his statement has been read to the witness, he is asked to sign it.

ARTICLE 29.

The agents are authorized, in the course of or at the close of the inquiry, to present in writing to the commission and to the other party such statements, requisitions, or summaries of the facts as they consider useful for ascertaining the truth.

ARTICLE 30.

The commission considers its decisions in private and the proceedings are secret.

All questions are decided by a majority of the members of the commission.

If a member declines to vote, the fact must be recorded in the minutes.

ARTICLE 31.

The sittings of the commission are not public, nor the minutes and documents connected with the inquiry published except in virtue of a decision of the commission taken with the consent of the parties.

ARTICLE 32.

After the parties have presented all the explanations and evidence, and the witnesses have all been heard, the president declares the inquiry terminated, and the commission adjourns to deliberate and to draw up its report.

ARTICLE 33.

The report is signed by all members of the commission.

If one of the members refuses to sign, the fact mentioned; but the validity of the report is not affected.

ARTICLE 28.

A minute of the evidence of the witness is drawn up forthwith and read to the witness. The latter may make such alterations and additions as he thinks necessary, which will be recorded at the end of his statement.

When the whole of his statement has been read to the witness, he is asked to sign it.

ARTICLE 29.

The agents are authorized, in the course of or at the close of the inquiry, to present in writing to the commission and to the other party such statements, requisitions, or summaries of the facts as they consider useful for ascertaining the truth.

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ARTICLE 31.

The sittings of the commission are not public, nor the minutes and documents connected with the inquiry published except in virtue of a decision of the commission taken with the consent of the parties.

ARTICLE 32.

After the parties have presented all the explanations and evidence, and the witnesses have all been heard, the president declares the inquiry terminated, and the commission adjourns to deliberate and to draw up its report.

ARTICLE 33.

The report is signed by all members of the commission.

If one of the members refuses to sign, the fact mentioned; but the validity of the report is not affected.

ARTICLE 34.

The report of the commission is read at a public sitting, the agents and counsel of the parties being present or duly summoned.

A copy of the report is given to each party.

ARTICLE 35.

The report of the commission is limited to a statement of facts, and has in no way the character of an award. It leaves to the parties entire freedom as to the effect to be given to the statement.

ARTICLE 36.

Each party pays its own expenses and an equal share of the expenses incurred by the commission.

PART IV. INTERNATIONAL ARBITRATION

Chapter I.-The system of arbitration

ARTICLE 37.

International arbitration has for its object the settlement of disputes between states by judges of their own choice and on the basis of respect for law.

Recourse to arbitration implies an engagement to submit in good faith to the award.

ARTICLE 38.

In questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the Contracting Powers as the most effective and, at the same time, the most equitable means of settling disputes which diplomacy has failed to settle.

Consequently, it would be desirable that, in disputes about the above-mentioned questions, the Contracting Powers should, if the case arose, have recourse to arbitration, in so far as circumstances permit.

ARTICLE 39.

The arbitration convention is concluded for disputes already existing and for disputes which may arise in the future.

It may embrace any dispute or only disputes of a certain category.

ARTICLE 40.

Independently of general or private treaties expressly stipulating recourse to arbitration as obligatory on the Contracting Powers, the said powers reserve to themselves the right of concluding new agreements, general or particular, with a view to extending compulsory arbitration to all cases which they may consider it possible to submit to it.

Chapter III. The Permanent Court of Arbitration

ARTICLE 41.

With the object of facilitating an immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy, the Contracting Powers undertake to maintain the Permanent Court of Arbitration, as established by the First Peace Conference, accessible at all times and operating, unless otherwise stipulated by the parties, in accordance with the rules of procedure inserted in the present condition.

ARTICLE 42.

The Permanent Court is competent for all arbitration cases, unless the parties agree to institute a special tribunal.

ARTICLE 43.

The Permanent Court sits at The Hague.

An International Bureau serves as registry for the Court. It is the channel for communications relative to the meetings of the Court; it has charge of the archives and conducts all the administrative business.

The Contracting Powers undertake to communicate to the Bureau, as soon as possible, a certified copy of any conditions of arbitration arranged at between them and of any award concerning them delivered by a special tribunal.

They likewise undertake to communicate to the Bureau the laws, regulations, and documents eventually showing the execution of the awards given by the Court.

ARTICLE 44.

Each Contracting Power selects four persons at the most, of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of arbitrator.

The persons thus selected are inscribed, as members of the Court, in a list which shall be notified to all the Contracting Powers by the Bureau.

Any alteration in the list of arbitrators is brought by the Bureau to the knowledge of the Contracting Powers.

Two or more powers may agree on the selection in common of one or more members.

The same person can be selected by different powers. The members of the Court are appointed for a term of six years. These appointments are renewable.

Should a member of the Court die or resign, the same procedure is followed for appointing him. In this case the appointment is made for a fresh period of six years.

ARTICLE 45.

When the Contracting Powers wish to have recourse to the Permanent Court for the settlement of a difference which has arisen between them, the arbitrators called upon to form the tribunal with jurisdiction to decide must be chosen from the general list of members of the Court.

Failing the direct agreement of the parties on the composition of the arbitration tribunal, the following course shall be pursued:

Each party appoints two arbitrators, of whom one only can be its national or chosen from among the persons selected by it as members of the Permanent Court. These arbitrators together choose an umpire.

If the votes are equally divided, the choice of the umpire is intrusted to a third power, selected by the parties by common accord.

If an agreement is not arrived at on this subject, each party selects a different power, and the choice of the umpire is made in concert by the powers thus selected.

If within two months time these two powers cannot come to an agreement, each of them presents two candidates taken from the list of members of the Permanent Court, exclusive of the members selected by the parties and not being national of either of them. Drawing lots determines which of the candidates thus presented shall be umpire.

ARTICLE 46.

The tribunal being thus composed, the parties notify to the Bureau their determination to have recourse to the Court, the text of their compromis and the names of the arbitrators.

The Bureau communicates without delay to each arbitrator the complaints, and the names of the other members of the tribunal.

The tribunal assembles at the date fixed by the parties. The Bureau makes the necessary arrangements for the meeting.

The members of the tribunal, in the exercise of their duties and out of their own country, enjoy diplomatic privileges and immunities.

ARTICLE 47.

The Bureau is authorized to place its offices and staff at the disposal of the Contracting Powers for the use of any special board of arbitration.

The jurisdiction of the Permanent Court may, within the conditions laid down in the regulations, be extended to disputes between non-contracting powers or between contracting powers and noncontracting powers, if the parties are agreed on recourse to this tribunal.

ARTICLE 48.

The Contracting Powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them.

Consequently, they declare that the fact of reminding the parties of the provisions of the present convention, and the advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions.

In case of dispute between two powers, one of them can always address to the International Bureau a note containing a declaration that it would be ready to submit the dispute to arbitration.

The Bureau must at once inform the other power of the declaration.

ARTICLE 49.

The Permanent Administrative Council, composed of the diplomatic representatives of the Contracting Powers accredited to The Hague and of the Netherlands Minister for Foreign Affairs, who will act as President, is charged with the direction and control of the International Bureau.

The Council settles its rules of procedure and all other necessary regulation.

The Bureau communicates without delay to each arbitrator the complaints, and the names of the other members of the tribunal.

The tribunal assembles at the date fixed by the parties. The Bureau makes the necessary arrangements for the meeting.

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ARTICLE 48.

The Contracting Powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them.

Consequently, they declare that the fact of reminding the parties at variance of the provisions of the present convention, and the advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions.

In case of dispute between two powers, one of them can always address to the International Bureau a note containing a declaration that it would be ready to submit the dispute to arbitration.

The Bureau must at once inform the other power of the declaration.

ARTICLE 49.

The Permanent Administrative Council, composed of the diplomatic representatives of the Contracting Powers accredited to The Hague and of the Netherland Minister for Foreign Affairs, who will act as President, is charged with the direction and control of the International Bureau.

The Council settles its rules of procedure and all other necessary regulation.

The Bureau communicates without delay to each arbitrator the composition, and the names of the other members of the tribunal.

The tribunal assembles at the date fixed by the parties. The Bureau makes the necessary arrangements for the meeting.

The members of the tribunal, in the exercise of their duties and out of their own country, enjoy diplomatic privileges and immunities.

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The Bureau must at once inform the other power of the declaration.

ARTICLE 49.

The Permanent Administrative Council, composed of the diplomatic representatives of the Contracting Powers accredited to The Hague and of the Netherland Minister for Foreign Affairs, who will act as President, is charged with the direction and control of the International Bureau.

The Council settles its rules of procedure and all other necessary regulation.

It decides all questions of administration which may arise with regard to the operations of the Court.

It has entire control over the appointment, suspension, or dismissal of the officials and employees of the Bureau.

It fixes the compensation and salaries, and controls the general expenditures.

At meeting duly summoned, the presence of nine members is sufficient to render valid the discussions of the Council. The decisions are taken by a majority of votes.

The Council communicates to the Contracting Powers without delay the regulations adopted by it. It furnishes them with an annual report on the labors of the Court, the working of the administration, and the expenditure. The report likewise contains a resume of what is important in the documents communicated to the Bureau by the powers in virtue of article 43, paragraphs 3 and 4.

ARTICLE 50.

The expense of the Bureau shall be borne by the Contracting Powers in the proportion fixed for the International Bureau of the Universal Postal Union.

The expenses to be charged to the adhering powers shall be reckoned from the date on which their adhesion comes into force.

Chapter III.-Arbitration procedure.

ARTICLE 51.

With a view to encouraging the development of arbitration, the Contracting Powers have agreed on the following rules, which are applicable to arbitration procedure, unless other rules have been agreed on by the parties.

ARTICLE 52.

The powers which have recourse to arbitration sign a compromis, in which the subject of the dispute is clearly defined, the time allowed for appointing arbitrators, the form, order, and time in which the communication referred to in article 63 must be made, and the amount of the sum which each party must deposit in advance to defray the expenses.

The compromis likewise defines, if there is occasion, the manner of appointing arbitrators, any special powers which may eventually belong to the tribunal, where it shall meet, the language it shall use, and the languages the employment of which shall be authorized before it, and, generally speaking, all the conditions on which parties are agreed.

ARTICLE 53.

The Permanent Court is competent to settle the compromis, if the parties are agreed to have recourse to it for the purpose.

It is similarly competent, even if the request is made by only one of the parties, when all attempts to reach an understanding through the diplomatic channel have failed, in the case of:

1. A dispute covered by a general treaty of arbitration concluded or renewed after the present convention has come into force, and providing for a compromis in all disputes and not either explicitly or implicitly excluding the settlement of the compromis from the competence of the Court. Recourse cannot, however, be had to the Court if the other party declares that in its opinion the dispute does not belong to the category of disputes which can be submitted to compulsory arbitration, unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question.

2. A dispute arising from contract debts claimed from one power by another power as due to its nationals, and for the settlement of which the offer of arbitration has been accepted. This arrangement is not applicable if acceptance is subject to the condition that the compromis should be settled in some other way.

ARTICLE 54.

In the cases contemplated in the preceding article, the compromis shall be settled by a commission consisting of five members selected in the manner arranged for in article 45, paragraphs 3 to 6.

The fifth member is president of the commission ex officio.

ARTICLE 55.

The duties of arbitrator may be conferred on one arbitrator alone or on several arbitrators selected by the parties as they please, or chosen by them from the members of the Permanent Court of Arbitration established by the present convention.

Failing the constitution of the tribunal by direct agreement between the parties, the course referred to in article 45, paragraphs 3 to 6, is followed.

ARTICLE 56.

When a sovereign or the chief of a state is chosen as arbitrator, the arbitration procedure is settled by him.

ARTICLE 57.

The umpire is president of the tribunal ex officio. When the tribunal does not include an umpire, it appoints its own president.

ARTICLE 58.

When the compromis is settled by a commission, as contemplated in article 54, and in the absence of an agreement to the contrary, the commission itself shall form the arbitration tribunal.

ARTICLE 59.

Should one of the arbitrators either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him.

ARTICLE 60.

The tribunal sits at The Hague, unless some other place is selected by the parties.

The tribunal can sit in the territory of a third power only with the latter's consent.

The place of meeting once fixed cannot be altered by the tribunal except with the consent of the parties.

ARTICLE 61.

If the question as to what languages are to be used has not been settled by the compromis, it shall be decided by the tribunal.

ARTICLE 62.

The parties are entitled to appoint special agents to attend the tribunal to act as intermediaries between themselves and the tribunal.

They are further authorized to retain for the defense of their rights and interests before the tribunal, counsel or advocates appointed by themselves for this purpose.

The members of the Permanent Court may not act as agents, counsel, or advocates except on behalf of the power which appointed them members of the Court.

ARTICLE 63.

As a general rule, arbitration procedure comprises two distinct phases: pleadings and oral discussions.

The pleadings consist in the communication by the respective agents to the members of the tribunal and the opposite party of cases, counter-cases, and, if necessary, of replies; the parties annex thereto all papers and documents called for in the case. This communication shall be made either directly or through the intermediary of the International Bureau, in the order and within the time fixed by the compromis.

The time fixed by the compromis may be extended by mutual agreement by the parties, or by the tribunal when the latter considers it necessary for the purpose of reaching a just decision.

The discussion consist in the oral development before the tribunal of the arguments of the parties.

ARTICLE 64.

A certified copy of every document produced by one party must be communicated to the other party.

ARTICLE 65.

Unless special circumstances arise, the tribunal does not meet until the pleadings are closed.

ARTICLE 66.

The discussions are under the control of the president.

They are public only if it be so decided by the tribunal, with the assent of the parties.

They are recorded in minutes drawn up by the secretaries appointed by the president. These minutes are signed by the president and by one of the secretaries and alone have an authentic character.

ARTICLE 67.

After the close of the pleadings, the tribunal is entitled to refuse discussion of all new papers or documents which one of the parties may wish to submit to it without the consent of the other party.

ARTICLE 68.

The tribunal is free to take into consideration new papers or documents to which its attention may be drawn by the agents or counsel of the parties.

In this case, the tribunal has the right to require the production of these papers or documents, but is obliged to make them known to the opposite party.

ARTICLE 69.

The tribunal can, besides, require from the agents of the parties the production of all papers, and can demand all necessary explanations. In case of refusal the tribunal takes note of it.

ARTICLE 70.

The agents and the counsel of the parties are authorized to present orally to the tribunal all the arguments they may consider expedient in defense of their case.

ARTICLE 71.

They are entitled to raise objections and points. The decisions of the tribunal on these points are final and cannot form the subject of any subsequent discussion.

ARTICLE 72.

The members of the tribunal are entitled to put questions to the agents and counsel of the parties, and to ask them for explanations on doubtful points.

Neither the questions put, nor the remarks made by members of the tribunal in the course of the discussions, can be regarded as an expression of opinion by the tribunal in general or by its members in particular.

ARTICLE 73.

The tribunal is authorized to declare its competence in interpreting the compromis, as well as the other papers and documents which may be invoked, and in applying the principles of law.

ARTICLE 74.

The tribunal is entitled to issue rules of procedure for the conduct of the case, to decide the forms, order, and time in which each party must conclude its arguments, and to arrange all the formalities required for dealing with the evidence.

ARTICLE 75.

The parties undertake to supply the tribunal, as fully as they consider possible, with all the information required for deciding the case.

ARTICLE 76.

For all notices which the tribunal has to serve in the territory of a third Contracting Power, the tribunal shall apply direct to the Government of that power. The same rule applies in the case of steps being taken to procure evidence on the spot.

The requests for this purpose are to be executed as far as the means at the disposal of the power: applied to under its municipal law allow. They cannot be rejected unless the power in question considers them calculated to impair its own sovereign rights or its safety.

The Court will equally be always entitled to act through the power on whose territory it sits.

ARTICLE 77.

When the agents and counsel of the parties have submitted all the explanations and evidence in support of their case, the president shall declare the discussion closed.

ARTICLE 78.

The tribunal considers its decisions in private and the proceedings remain secret.

All questions are decided by a majority of the members of the tribunal.

ARTICLE 79.

The award must give the reasons on which it is based. It contains the names of the arbitrators; it is signed by the president and registrar or by the secretary acting as registrar.

ARTICLE 80.

The award is read out in public sitting, the agents and counsel of the parties being present or duly summoned to attend.

ARTICLE 81.

The award, duly pronounced and notified to the agents of the parties, settles the dispute definitively and without appeal.

ARTICLE 82.

Any dispute arising between the parties as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the tribunal which pronounced it.

ARTICLE 83.

The parties can reserve in the compromis the right to demand the revision of the award.

In this case and unless there be an agreement to the contrary, the demand must be addressed to the tribunal which pronounced the award. It can be made only on the ground of the discovery of some new fact calculated to exercise a decisive influence upon the award and which was unknown to the tribunal and to the party which demanded the revision at the time the discussion was closed.

Proceedings for revision can be instituted only by a decision of the tribunal expressly recording the existence of the new fact, recognizing in it the character described in the preceding paragraph, and declaring the demand admissible on this ground.

The compromis fixes the period within which the demand for revision must be made.

ARTICLE 84.

The award is not binding except on the parties in dispute.

When it concerns the interpretation of a convention to which powers other than those in dispute are parties, they shall inform all the signatory powers in good time. Each of these powers is entitled to intervene in the case. If one or more avail themselves of this right, the interpretation contained in the award is equally binding on them.

ARTICLE 85.

Each party pays its own expenses and an equal share of the expenses of the tribunal.

Chapter IV.-Arbitration by summary procedure

ARTICLE 86.

With a view to facilitating the working of the system of arbitration in disputes admitting of a summary procedure, the Contracting Powers adopt the following rules, which shall be observed in the absence of other arrangements and subject to the reservation that the provisions of chapter III apply so far as may be.

ARTICLE 87.

Each of the parties in dispute appoints an arbitrator. The two arbitrators thus selected choose an umpire. If they do not agree on this point, each of them proposes two candidates taken from the general list of the members of the Permanent Court exclusive of the members appointed by either of the parties and not being nationals of either of them; which of the candidates thus proposed shall be the umpire is determined by lot.

The umpire presides over the tribunal, which gives its decisions by a majority of votes.

ARTICLE 88.

In the absence of any previous agreement the tribunal, as soon as it is formed, settles the time within which the two parties must submit their respective cases to it.

ARTICLE 89.

Each party is represented before the tribunal by an agent, who serves as intermediary between the tribunal and the Government which appointed him.

ARTICLE 90.

The proceedings are conducted exclusively in writing. Each party, however, is entitled to ask that witnesses and experts should be called. The tribunal, has, for its part, the right to demand oral explanations from the agents of the two parties, as well as from the experts and witnesses whose appearance in court it may consider useful.

PART V. FINAL PROVISIONS

ARTICLE 91.

The present convention, duly ratified, shall replace, as between the Contracting Powers, the Convention for the Pacific Settlement of International Disputes of the 29th of July, 1899.

ARTICLE 92.

The present convention shall be ratified, as soon as possible

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a proces-verbal signed by the representatives of the powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the proces-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification, shall be immediately sent by the Netherland Government, through the diplomatic channel, to the powers invited to the Second Peace Conference, as well as to the other powers which shall have adhered to the convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform the powers of the date on which it received the notification.

ARTICLE 93.

Nonsignatory powers which have been invited to the Second Peace Conference may adhere to the present convention.

The power which desires to adhere notifies its intentions in writing to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

This Government shall immediately forward to all the other powers invited to the Second Peace Conference a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

ARTICLE 94.

The conditions on which the powers which have not been invited to the Second Peace Conference may adhere

to the present convention shall form the subject of a subsequent agreement between the Contracting Powers.

ARTICLE 95.

The present convention shall take effect, for those powers which participate in the first deposit of ratifications, sixty days after the date of the proces-verbal of this deposit, and, in the case of the powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

ARTICLE 96.

In the event of one of the Contracting Parties wishing to denounce the present convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other powers informing them of the date on which it was received.

The denunciation shall have effect only in regard to the notifying power, and one year after the notification has reached the Netherland Government.

ARTICLE 97.

A register kept by the Netherland Minister of Foreign Affairs shall give the date of the deposit of ratifications effected in virtue of article 92, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (article 93, paragraph 2) or of denunciation (article 96, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

IN FAITH WHEREOF, the plenipotentiaries have appended their signatures to the present convention.

^{DONE} at The Hague, the 18th of October, 1907, in a copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Contracting Powers.

(signatures follow)

Certified a true copy:

The Secretary-General
of the Ministry of Foreign Affairs of the Netherlands,
VAN NEMEN

au Comité central au sujet de l'affectation définitive donnée à la quantité totale d'opium existant dans le monde entier, les gouvernements des pays où l'usage de l'opium préparé est temporairement autorisé fourniront chaque année au Comité, de la manière qui sera prescrite par celui-ci, outre les statistiques prévues à l'article 22, trois mois au plus après la fin de l'année, des statistiques aussi complètes et exactes que possible, relatives à l'année précédente :

1) De la fabrication d'opium préparé et des matières premières employées à cette fabrication ;

2) De la consommation d'opium préparé.

Il est entendu que le Comité n'aura aucun pouvoir de poser des questions ou d'exprimer une opinion quelconque au sujet de ces statistiques et que les dispositions de l'article 24 ne seront pas applicables en ce qui touche aux questions visées par le présent article, sauf si le Comité vient à constater l'existence, dans une mesure appréciable, de transactions internationales illicites.

Board as to the disposal of the world's supply of raw opium, the Governments of the countries where the use of prepared opium is temporarily authorised shall, in a manner to be prescribed by the Board, in addition to the statistics provided for in Article 22, forward annually to the Board, within three months after the end of the year, as complete and accurate statistics as possible relative to the preceding year showing :

(1) The manufacture of prepared opium, and the raw material used for such manufacture ;

(2) The consumption of prepared opium.

It is understood that it shall not be within the competence of the Board to question or to express any opinion upon these statistics, and that the provisions of Article 24 are not applicable to the matters dealt with in this Article, except in cases where the Board may find that illicit international transactions are taking place on an appreciable scale.

ARTICLE 24.

1. Le Comité central surveillera d'une façon constante le mouvement du marché international. Si les renseignements dont il dispose le portent à conclure qu'un pays donné accumule des quantités exagérées d'une substance visée par la présente Convention et risque ainsi de devenir un centre de trafic illicite, il aura le droit de demander des explications au pays en question par l'entremise du Secrétaire général de la Société des Nations.

2. S'il n'est fourni aucune explication dans un délai raisonnable, ou si les explications données ne sont pas satisfaisantes, le Comité central aura le droit d'attirer, sur ce point, l'attention des gouvernements de toutes les Parties contractantes ainsi que celle du Conseil de la Société des Nations, et de recommander qu'aucune nouvelle exportation des substances auxquelles s'applique la présente Convention, ou de l'une quelconque d'entre elles, ne soit effectuée, à destination du pays en question, jusqu'à ce que le Comité ait signalé qu'il a obtenu tous les apaisements quant à la situation dans ce

ARTICLE 24.

1. The Central Board shall continuously watch the course of the international trade. If the information at its disposal leads the Board to conclude that excessive quantities of any substance covered by the present Convention are accumulating in any country, or that there is a danger of that country becoming a centre of the illicit traffic, the Board shall have the right to ask, through the Secretary-General of the League, for explanations from the country in question.

2. If no explanation is given within a reasonable time or the explanation is unsatisfactory, the Central Board shall have the right to call the attention of the Governments of all the Contracting Parties and of the Council of the League of Nations to the matter, and to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country in regard to the said substances. "The Board shall at the same

pays en ce qui concerne lesdites substances. Le Comité central notifiera en même temps au gouvernement du pays intéressé la recommandation qu'il a faite.

3. Le pays intéressé pourra porter la question devant le Conseil de la Société des Nations.

4. Tout gouvernement d'un pays exportateur qui ne sera pas disposé à agir selon la recommandation du Comité central pourra également porter la question devant le Conseil de la Société des Nations.

S'il ne croit pas devoir le faire, il informera immédiatement le Comité central qu'il n'est pas disposé à se conformer à la recommandation du Conseil, en donnant, si possible, ses raisons.

5. Le Comité central aura le droit de publier un rapport sur la question et de le communiquer au Conseil, qui le transmettra aux gouvernements des Parties contractantes.

6. Si, dans un cas quelconque, la décision du Comité central n'est pas prise à l'unanimité, les avis de la minorité devront également être exposés.

time notify the Government of the country concerned of the recommendation made by it.

3. The country concerned shall be entitled to bring the matter before the Council of the League.

4. The Government of any exporting country which is not prepared to act on the recommendation of the Central Board shall also be entitled to bring the matter before the Council of the League.

If it does not do so, it shall immediately inform the Board that it is not prepared to act on the recommendation, explaining, if possible, why it is not prepared to do so.

5. The Central Board shall have the right to publish a report on the matter and communicate it to the Council, which shall thereupon forward it to the Governments of all the Contracting Parties.

6. If in any case the decision of the Central Board is not unanimous, the views of the minority shall also be stated.

dans les cas qui pourront être déterminés par le Comité, envoyées par télégramme, sauf si les quantités descendent au-dessous d'un minimum qui sera fixé pour chaque substance par le Comité central.

3. En fournissant les statistiques, conformément au présent article, les gouvernements indiqueront séparément les quantités importées ou achetées en vue des besoins de l'Etat, afin qu'il soit possible de déterminer les quantités requises dans le pays pour les besoins généraux de la médecine et de la science. Le Comité central n'aura aucun pouvoir de poser des questions ou d'exprimer une opinion quelconque quant aux quantités importées ou achetées en vue des besoins de l'Etat ou quant à l'usage qui en sera fait.

4. Au sens du présent article, les substances détenues, importées ou achetées par l'Etat en vue d'une vente éventuelle, ne sont pas considérées comme véritablement détenues, importées ou achetées pour les besoins de l'Etat.

ARTICLE 23.

Afin de compléter les renseignements fournis

the quantities fall below a minimum amount which shall be fixed in the case of each substance by the Board.

3. In furnishing the statistics in pursuance of this Article, the Governments shall state separately the amounts imported or purchased for Government purposes, in order to enable the amounts required in the country for general medical and scientific purposes to be ascertained. It shall not be within the competence of the Central Board to question or to express any opinion on the amounts imported or purchased for Government purposes or the use thereof.

4. For the purposes of this Article, substances which are held, imported, or purchased by the Government for eventual sale are not regarded as held, imported or purchased for Government purposes.

ARTICLE 23.

In order to complete the information of the

締約國ハ本章ノ適用アル物質ノ製造、輸入、販賣、分配、輸出及使用ヲ専ラ醫藥用及學術用ニ制限スル爲有效ナル法令又ハ規則ヲ制定スベシ締約國ハ右物質ヲ他ノ目的ニ使用スルコトヲ防止スル爲互ニ協力スベシ

第六條

締約國ハ本章ノ適用アル物質ヲ製造シ、輸入シ、販賣シ、分配シ又ハ輸出スル一切ノ者及此等ノ者ガ右製造又ハ取引ヲ行フ建物ヲ取締ルベシ右目的ノ爲締約國ハ左記事項ヲ爲スベシ

- (イ) 第四條(ロ)、(ハ)及(ト)ニ掲グル物質ノ製造ヲ之ガ爲特許セラレタル建造物及場所ノミニ制限スルコト
- (ロ) 前記物質ノ製造、輸入、販賣、分配又ハ輸出ニ従事スル一切ノ者ヲシテ此等ノ行爲ニ従事スル爲ニハ特許狀又ハ許可證ヲ受ケシムルコト
- (ハ) 右ノ者ヲシテ前記物質ノ製造量、輸入、輸出、販賣及其ノ他一切ノ分配ヲ其ノ帳簿ニ記

入セシムルコト右要件ハ醫師ノ投藥シタル量又ハ正當ニ免許セラレタル藥劑師ガ處方箋ニ基キ販賣シタル量ニ對シテハ必シモ適用セラレザルベシ但シ各ノ場合ニ於テ醫師又ハ藥劑師ハ處方箋ヲ整理保存スルコトヲ要ス

第七條

締約國ハ本章ノ適用アル物質ヲ免許セラレザル者ニ交付スルコト又ハ右ノ者ガ之ヲ所持スルコトヲ國內取引上禁止スルノ措置ヲ執ルベシ

第八條

國際聯盟保健委員會ガ在巴里公衆衛生國際事務局常設委員會ニ意見及報告ヲ求ムル爲問題ヲ付託シタル後ニ於テ本章ニ掲グル麻酔劑ノ何レカラ含有スル製劑ガ該麻酔劑ト複合セシメラレ且該麻酔劑ノ再製ヲ實際上不可能ナラシムル藥物ノ爲ニ藥品習慣性ヲ生ゼシメ得ザルコトヲ發見スルトキハ保健委員會ハ右發見ヲ國際聯盟理事會ニ通知スベシ理事會ハ右發見ヲ締約國ニ通知スベク然ル上ハ本條約ノ規定ハ該製劑ニ適用セラレザルベシ

ス、サライグ、エル」ノ雌草ノ乾燥シタル、花
又ハ果實ノ附ク枝端ニシテ未ダ樹脂ヲ抽出セ
ザルモノヲ謂フ

第二章

生阿片及「コカ」葉ノ國內取締

第二條

締約國ハ生阿片ノ生産、分配及輸出ノ有效ナル取
締ヲ確保スル爲法令及規則ヲ制定スルコトヲ約ス
但シ右ニ關スル法令及規則ガ既ニ存スル場合ハ此
ノ限ニ在ラズ締約國ハ又千九百十二年ノ「ヘーグ」
條約第一條又ハ本條約ニ依リ制定セラレタル右法
令及規則ヲ時時ニ審査シ且必要ニ應ジ一層強固ナ
ラシムルコトヲ約ス

第三條

締約國ハ其ノ商業状態ノ異同ヲ參酌シ生阿片又ハ
「コカ」葉ノ輸出又ハ輸入ヲ許可スベキ都市、港其
ノ他ノ地ノ數ヲ制限スベシ

第三章

製造シタル藥品ノ國內取締

第四條

本章ノ規定ハ左ノ物質ニ之ヲ適用ス

藥用阿片

(イ) 粗製「コカイン」及「エタゴニン」

(ロ) 「モルヒネ」、「デアセチールモルヒネ」、「コ
カイン」及其ノ各鹽類

(ニ) 藥局方所定タルト否トヲ問ハズ、○・ニ・パ
ーセント」ヨリ多量ノ「モルヒネ」又ハ○・一

「パーセント」ヨリ多量ノ「コカイン」ヲ含有ス
ル一切ノ製劑(所謂戒烟劑ヲ含ム)

(ホ) 「デアセチールモルヒネ」ヲ含有スル一切ノ
製劑

(ヘ) 印度大麻ノ「ガレヌス」製劑(越幾斯及丁
炭)

(ト) 第十條ニ基キ本條約ガ適用セララルコトア
ルベキ其ノ他ノ麻醉劑

第五條

レザルベキ旨ヲ記載スルモノノ提出ヲ必要ト
スルコト

(ロ) 印度大麻ニ關シ本條約第十三條ニ依ル輸出
許可證ヲ發給スルニ先チ輸入國政府ノ發給ス
ル特別輸入證明書ニシテ輸入ガ認許セラ
ル旨及專ラ醫藥用又ハ學術用ノ爲ニ必要トセラ
ル旨ヲ記載スルモノノ提出ヲ必要トスルコ
ト

二 締約國ハ印度大麻及特ニ其ノ樹脂ノ國際的不
正取引ヲ防止スルニ適スル有效ナル取締ヲ實行
スベシ

第五章

國際取引ノ取締

第十二條

各締約國ハ本條約ノ適用アル物質ノ何レカノ輸入
毎ニ各別ノ輸入許可證ヲ受クルコトヲ必要ト爲ス
ベシ右許可證ニハ輸入セラルベキ量、輸入者ノ名
及住所並ニ輸出者ノ名及住所ヲ記載スベシ
輸入許可證ニハ輸入ガ行ハルルコトヲ要スベキ期

間ヲ明示スベク又二回以上ノ荷送ヲ以テスル輸入
ヲ許スコトヲ得

第十三條

一 各締約國ハ本條約ノ適用アル物質ノ何レカノ
輸出毎ニ各別ノ輸出許可證ヲ受クルコトヲ必要
ト爲スベシ右許可證ニハ輸出セラルベキ量、輸
出者ノ名及住所並ニ輸入者ノ名及住所ヲ記載ス
ベシ

二 締約國ハ右輸出許可證ヲ發給スルニ先チ輸入
國政府ノ發給ニ係リ且輸入ガ認許セララル旨ヲ
證明スル輸入證明書ヲ、輸出許可證ヲ申請スル
個人又ハ商社ヨリ提出スルコトヲ必要ト爲スベ
シ

各締約國ハ出來得ル限リ本條約附屬ノ輸入證明
書ノ様式ヲ採用スルコトヲ約ス

三 輸出許可證ニハ輸出ガ行ハルルコトヲ要スベ
キ期間ヲ明示スベク且輸入證明書ノ番號及日附
並ニ該證明書ヲ發給シタル官憲ヲ記載スベシ

四 輸出許可證ノ原本ハ送荷ニ添附セラルベク又
輸出許可證ヲ發給スル政府ハ輸入國政府ニ原本

向ヲ防止スル爲ノ一切ノ適當ナル措置ヲ執ルベシ但シ該國政府ガ特別ノ轉向證明書ニ依リ右轉向ヲ許可シタル場合ハ此ノ限ニ在ラズ轉向證明書ハ送荷ガ轉向セラレントスル國ノ政府ヨリノ第十三條ニ從ヘル輸入證明書ヲ受領シタル後ニ於テノミ發給セラルベク且第十三條ニ依リ輸出許可證ニ記載セラルルコトヲ必要トセラルル所ト同一ノ事項及送荷ガ最初ニ輸出セラレタル國ノ名ヲ之ニ記載スベシ輸出許可證ニ適用セラルル第十三條ノ一切ノ規定ハ轉向證明書ニ均シク適用セラルベシ

又送荷ノ轉向ヲ許可スル國ノ政府ハ其ノ領域ニ到著ノ際送荷ニ添附シアル原輸出許可證(又ハ轉向證明書)ノ謄本ヲ留置キ之ヲ發給シタル政府ニ返還シ同時ニ轉向ガ許可セラレタル國ノ名ヲ通告スベシ

三 輸送ガ空路ニ依リ行ハレツツアル場合ニ於テ本條ノ前諸規定ハ航空機ガ著陸スルコトナクシテ第三國ノ領域上ヲ通過スルニ於テハ適用セラレザルベシ航空機ガ該國ノ領域内ニ著陸スルニ

於テハ右諸規定ハ事情ノ許ス限リ適用セラルベシ

四 本條第一號乃至第三號ハ本條約ノ適用アル物質ガ直過スル場合ニ之ニ對シ締約國ノ何レカガ行フコトアルベキ取締ヲ制限スル國際取極ノ規定ヲ害スルコトナシ

五 本條ノ規定ハ諸物質ノ郵便ニ依ル輸送ニ適用セラレザルベシ

第十六條

本條約ニ掲グル何レカノ物質ノ送荷ニシテ締約國ノ領域内ニ陸揚セラレ且保稅倉庫ニ入レラルルモノハ仕向國政府ノ發給スル輸入證明書ニシテ輸入ガ認許セラルル旨ヲ證明スルモノガ保稅倉庫ニ對スル管轄權ヲ有スル官憲ニ提出セララルル場合ノ外之ヲ保稅倉庫ヨリ引出スコトヲ得ザルベシ

特別許可證ハ右ノ如ク引出サルル各送荷ニ付右官憲ニ依リ發給セラルベク且前記第十三條、第十四條及第十五條ニ付輸出許可證ニ代ルベシ

第十七條

本條用及實施之規定自應由自由港及自由地帶之其領地內十

第四十條

一 入於自由港及自由地帶之貨物其稅則應由該地帶之政府決定之

二 自由港及自由地帶之政府得對於該地帶之貨物之輸入及輸出

三 自由港及自由地帶之政府得對於該地帶之貨物之運送及貯藏

四 自由港及自由地帶之政府得對於該地帶之貨物之加工及製造

五 自由港及自由地帶之政府得對於該地帶之貨物之販賣及運送

六 自由港及自由地帶之政府得對於該地帶之貨物之稅則及關稅

七 自由港及自由地帶之政府得對於該地帶之貨物之檢驗及證明

八 自由港及自由地帶之政府得對於該地帶之貨物之保險及倉庫

九 自由港及自由地帶之政府得對於該地帶之貨物之運輸及搬運

十 自由港及自由地帶之政府得對於該地帶之貨物之貯藏及保管

第五十條

一 自由港及自由地帶之政府得對於該地帶之貨物之稅則及關稅

二 自由港及自由地帶之政府得對於該地帶之貨物之檢驗及證明

三 自由港及自由地帶之政府得對於該地帶之貨物之保險及倉庫

四 自由港及自由地帶之政府得對於該地帶之貨物之運輸及搬運

五 自由港及自由地帶之政府得對於該地帶之貨物之貯藏及保管

六 自由港及自由地帶之政府得對於該地帶之貨物之加工及製造

七 自由港及自由地帶之政府得對於該地帶之貨物之販賣及運送

八 自由港及自由地帶之政府得對於該地帶之貨物之稅則及關稅

九 自由港及自由地帶之政府得對於該地帶之貨物之檢驗及證明

十 自由港及自由地帶之政府得對於該地帶之貨物之保險及倉庫

國際聯盟理事會ハ委員會ト協議ノ上本條約ニ基ク
委員會ノ義務遂行上委員會ノ完全ナル技術上ノ獨
立ヲ確保スル目的ヲ以テ委員會ノ組織及運用ニ付
必要ナル措置ヲ爲スト共ニ行政的事項ニ關スル事
務總長ニ依ル職員ノ監督ヲ規定スベシ
事務總長ハ委員會ノ指名ニ基キ且理事會ノ承認ヲ
得テ委員會ノ書記及職員ヲ任命スベシ

第二十一條

締約國ハ醫藥用、學術用及其ノ他ノ目的ノ爲ノ次
年中ノ國內消費用トシテ其ノ領域内ニ輸入セラル
ベキ本條約ニ掲グル物質ノ各數量ノ見積ヲ第十九
條ニ基キ設置セラルル常設中央委員會ニ毎年十二
月三十一日前ニ送付スルコトヲ約ス
右見積ハ關係政府ヲ拘束スルモノト看做サレザル
ベキモ中央委員會ノ義務遂行上該委員會ノ參考ニ
供セラルルコトヲ其ノ目的トス
右一年ノ期間中ニ於テ何レカノ國ガ事情ノ爲其ノ
見積ヲ變更スルコトヲ必要トスル場合ニハ當該國
ハ變更セラレタル數字ヲ中央委員會ニ通報スベシ

第二十二條

一 締約國ハ中央委員會ノ指定スル方法ニ依リ年
末後三月(ハ)號ノ場合ニハ五月)内ニ能フ限り
完全且正確ナル前年ノ統計ニシテ左ノ事項ヲ記
載スルモノヲ毎年委員會ニ送付スルコトヲ約ス
(イ) 生阿片及「コカ」葉ノ生産
(ロ) 本條約第三章第四條(ロ)、(ハ)及(ト)ニ掲グル物
質ノ製造及右製造ニ使用セラレタル原料。本
條約ニ掲グラレザル其ノ他ノ誘導體ノ製造ニ
使用セラレタル右物質ノ數量ハ別ニ之ヲ記載
スベシ
(ハ) 本條約第二章及第三章ニ掲グル物質ノ在庫
品ニシテ政府用以外ノ目的ノ爲ノ國內消費用
トシテ卸商ノ手ニ在ルカ又ハ政府ノ保有スル
モノ
(ニ) 本條約第二章及第三章ニ掲グル物質ノ政府
用以外ノ消費
(ホ) 本條約ニ掲グル各物質ニシテ不正ナル輸入
又ハ輸出ノ爲沒收セラレタルモノノ數量。沒
收セラレタル物質ガ處分セラレタル方法ハ右

第二十四條

- 一 中央委員會ハ常ニ國際取引ノ趨勢ヲ監視スベシ委員會ガ其ノ有スル情報ニ依リ本條約ニ掲グル物質ノ過度ノ數量ガ何レカノ國ニ於テ集積シツツアルコト又ハ該國ガ不正取引ノ中心ト爲ルノ虞アルコトヲ斷定スルニ至ル場合ニハ委員會ハ聯盟事務總長ヲ通ジテ當該國ノ説明ヲ求ムルノ權利ヲ有スベシ
- 二 何等ノ説明ガ相當ノ期間内ニ與ヘラレズ又ハ説明ガ不充分ナル場合ニハ中央委員會ハ右ニ關シ一切ノ締約國政府及國際聯盟理事會ノ注意ヲ喚起シ且委員會ガ本條約ニ掲グル諸物質又ハ其ノ何レカニ付該國ニ於ケル狀況ニ満足スル旨ヲ報告スル迄右物質ノ新ナル輸出ガ該國ニ對シ爲サレザルベキコトヲ勸告スルノ權利ヲ有スベシ委員會ハ其ノ爲シタル勸告ヲ同時ニ該國政府ニ通告スベシ
- 三 該國ハ右事件ヲ聯盟理事會ニ提出スルコトヲ得ベシ
- 四 中央委員會ノ勸告ニ基キ行動スルコトヲ欲セ

ザル輸出國政府モ亦右事件ヲ聯盟理事會ニ提出スルコトヲ得ベシ

右政府ガ斯ノ如ク爲サザル場合ニハ該政府ハ直ニ委員會ニ對シ右勸告ニ基キ行動スルコトヲ欲セザル旨ヲ出來得レバ其ノ理由ヲ説明シテ通知スベシ

五 中央委員會ハ右事件ニ關スル報告ヲ公表シ且之ヲ理事會ニ通報スルノ權利ヲ有スベク然ル上ハ理事會ハ之ヲ一切ノ締約國政府ニ送付スベシ

六 何レカノ場合ニ於テ中央委員會ノ決議ガ全會一致ヲ得ザルトキハ少數意見モ亦之ヲ示スベシ

七 何レノ國モ該國ニ直接關係アル問題ガ審議セラルル中央委員會ノ會議ニ代表者ヲ出スコトヲ招請セラルベシ

第二十五條

締約國ノ何レカガ調査ヲ要スト認ムル事項ニ付委員會ノ注意ヲ喚起スルコトハ該締約國ノ友誼的權利タルベシ但シ本條ハ何等委員會ノ權能ヲ擴張スルモノト解セラレザルベシ

ニ本條約ヲ實施スル爲公布セラルル法令及規則ヲ
國際聯盟事務總長ヲ通シテ相互ニ通報スベシ

第三十一條

本條約ハ締約國間ニ於テハ千九百二十二年一月二十
三日「ヘーグ」ニ於テ署名セラレタル條約第一章、
第三及第五章ノ規定ニ代ルモノトシ該規定ハ締
約國ト本條約ノ締約國ニ非ザル右「ヘーグ」條約
ノ締約國トノ間ニ於テハ其ノ效力ヲ存續ス

第三十二條

一 本條約ノ解釋又ハ適用ニ關シ締約國間ニ生ズ
ル紛争ニシテ右締約國ガ外交ノ手段ニ依リ解決
スルコトヲ得ザリシモノヲ能フ限リ友誼的方法
ヲ以テ解決スル爲紛争當事國ハ司法的解決又ハ
仲裁裁判ノ手續ニ訴フルニ先チ國際聯盟理事會
ガ之ガ爲任命スルコトアルベキ專門機關ニ勸告
的意見ヲ求ムル爲右紛争ヲ付託スルコトヲ得
二 勸告的意見ハ紛争ガ專門機關ニ付託セラレタ
ル日ヨリ起算シテ六月内ニ與ヘラルベシ但シ右
期間ガ紛争當事國間ノ相互ノ協定ニ依リ延長セ

ラルトキハ此ノ限ニ在ラズ專門機關ハ其ノ與
フル勸告的意見ヲ當事國ガ受諾スベキヤ否ヤヲ
當事國ニ於テ決定スベキ期間ヲ定ムベシ
三 勸告的意見ハ各紛争當事國ガ之ヲ受諾スルニ
非ザレバ紛争當事國ヲ拘束セザルベシ
四 直接ニ又ハ前記專門機關ノ勸告ニ基キ解決ス
ルコト能ハザリシ紛争ハ何レカノ現存條約ノ適
用ニ依リ又ハ特ニ締結セラルル取極ニ基キ仲裁
裁判又ハ其ノ他ノ方法ニ依リ解決ニ至ル場合ニ
非ザレバ該紛争當事國ノ何レカ一國ノ請求ニ依
リ常設國際司法裁判所ニ付託セラルベシ
五 手續ハ常設國際司法裁判所ニ對シ同裁判所規
程第四十條ニ定メラルル方法ニ依リ開始セラル
ベシ
六 國際聯盟理事會ニ依リ任命セラルル專門機關
ニ勸告的意見ヲ求ムル爲紛争ヲ付託シ又ハ仲裁
裁判ニ訴フルノ紛争當事國ノ決定ハ國際聯盟事
務總長ニ依リ他ノ締約國ニ通告セラルベク右締
約國ハ該手續ニ參加スルノ權利ヲ有スベシ
七 紛争當事國ハ專門機關又ハ仲裁裁判所ニ於テ

員會ヲ招請スルコトヲ國際聯盟理事會ニ依頼ス
七
會議ハ中央委員會及其ノ事務ノ費用ヲ聯盟事務
局ノ費用中ニ包含セシムル様決定スルコトヲ國
際聯盟理事會ニ要請ス
聯盟國ニ非ザル締約國ハ理事會トノ協定ニ依リ
定メラルベキ割合ニ從ヒ右費用中自國ノ負擔分
ヲ負擔スベキモノトス
本議定書ニ署名スルニ當リ「ベルシ」國委員ハ左
ノ宣言ヲ爲シタリ
本國政府ノ訓令ニ基キ行動スル「ベルシ」國委
員ハ政府ノ承認ヲ條件トシ且國際聯盟ガ「ベル
シ」國ノ宣言ニ記載セラレタル同國ノ要求ヲ承
認スルコトヲ條件トシテ條約ニ署名スル旨宣言
ス
本議定書ニ署名スルニ當リ暹羅國委員ハ左ノ宣言
ヲ爲シタリ

條約及本最終議定書ニ署名スルニ際シ暹羅國代
表ハ、會議ノ議題中ニ當初存セザリシ印度大麻
ノ件ニ關シテハ何等ノ訓令ヲ有セザルニ依リ、
第三章ニ付テハ印度大麻ノ「カレヌス」製劑ニ
關シ又第四章及第五章ニ付テハ印度大麻ノミニ
關シ暹羅國代表ニ於テ留保ヲ爲スノ已ムヲ得ザ
ルニ至レルコトヲ宣言セント欲ス
右證據トシテ各委員ハ本議定書ニ署名セリ
千九百二十五年二月十九日「ジ・ハーグ」ニ於テ本
書一通ヲ作成シ之ヲ國際聯盟事務局ノ記録ニ寄託
ス本書ノ認證原本ハ會議ニ代表セラレタル一切ノ
國ニ送付セラルベシ
議長 ヘルルーフ・ガール
事務總長 レーナル・クラウヂ
「アルバニア」國 ビーグリニシテイ
獨逸國 ハーフィン・エックハルト
ゴットフリート・アシュマン

| | | | |
|-----------|-----------------|----------------------|-----------------|
| 「オーストラリア」 | エム、エル、シエバド | 「ルクセンブルグ」國 | セー、アシ、シエ、グエルヌ |
| 白耳義國 | フェルナン、ベルツェル | | ール |
| | ドクトル、エフ、エー、エル、デ | 和蘭國 | グイー、ウラトウム |
| | ー、ド、ミットナール | | ジエー、ビシ、エム、グーベルグ |
| 「ボリヴィア」國 | アルテュロ、ビント、エスカリ | | エー、デイ、エー、デ、カイト、 |
| | エル | | アングリノ |
| 「ブラジル」國 | ペドロ、ベルナムプロ | 「ベルギー」國 | ブリンス、アルフ、エド、ドウ |
| | エツチ、ゴフラス | | レ、ミルザ、リザ、カールン |
| 英帝國 | アルコム、デレグ、インニ | 「ポーランド」國 | ホヅコ |
| 西班牙國 | エミリオ、デ、バラシオス | 「ポルトガル」國 | エー、エム、バルトロミ、 |
| 佛蘭西國 | ジエー、ブールゴア | | フレイラ |
| | ア、キルシ | | アール、ジエー、ロドリゲス |
| 希臘國 | グツシリ、デンドラミス | 「セルブ、クロアチア、スロヴェニア」王國 | |
| 「ハンガリー」國 | デ、バラニアイ、ツェルタン | | エム、ヨヴァノヴィチ |
| 日本國 | 賀來佐賀太郎 | 暹羅國 | ダムラス |
| | 杉村陽太郎 | 「ウルグアイ」國 | イー、イー、ブエロ |

第二十六條

本條約ノ締約國ニ非ザル國ニ付テハ中央委員會ガ其ノ有スル情報ニ依リ該國ガ不正取引ノ中心ト爲ルノ虞アルコトヲ断定スルニ至ル場合ニハ該委員會ハ第二十四條ニ明示セラルル所ト同一ノ措置ヲ執ルコトヲ得右ノ場合ニ於テハ委員會ハ該國ヘノ通告ニ關シテハ同條ニ示セル措置ヲ執ルベシ
第二十四條第三號、第四號及第七號ハ右ノ場合ニ適用セラルベシ

第二十七條

中央委員會ハ其ノ事業ニ關スル年報ヲ聯盟理事會ニ提出スベシ右年報ハ公表セラルベク且一切ノ締約國ニ通報セラルベシ
中央委員會ハ本條約第二十一條、第二十二條、第二十三條、第二十四條、第二十五條又ハ第二十六條ニ基キ其ノ受領スル見積、統計、情報及説明ガ投機者ノ行動ヲ容易ナラシメ又ハ締約國ノ正當ナル商業ヲ阻害スルガ如キ方法ニ依リ公表セラレザルベキコトヲ確保スル爲一切ノ必要ナル措置ヲ執

ルベシ

第七章

一般規定

第二十八條

各締約國ハ本條約ノ規定ヲ實施スル該國ノ法令又ハ規則ニ對スル違反ヲ相當ノ刑罰(場合ニ依リテハ關係物質ノ沒收ヲ含ム)ヲ以テ處罰スベキコトヲ約束ス

第二十九條

締約國ハ其ノ法域外ノ何レカノ場所ノ法令ニシテ本條約ニ掲グル事項ニ關スルモノニ對スル犯罪ヲ構成スル行爲ヲ右場所ニ於テ爲スコトヲ得シメ又ハ之ヲ援助スル目的ヲ以テ締約國ノ法域内ニ於テ爲テレタル行爲ヲ罰シ得ル様立法的措置ヲ執リ得ルヤ否ヤヲ最好意ヲ以テ審査スベシ

第三十條

締約國ハ本條約ニ掲グル事項ニ關スル自國ノ現存法令及規則ニシテ未ダ通報セラレ居ラザルモノ並

第三十七條

國際聯盟事務總長ハ本條約ニ署名シ、之ヲ批准シ、之ニ加入シ又ハ之ヲ廢棄シタル當事國ヲ表示スル特別ノ記録ヲ保存スベシ右記録ハ締約國及聯盟國ヲシテ何時ニテモ之ヲ閱覽スルコトヲ得シムベク又聯盟理事會ノ指示ニ從ヒ成ルベク廢之ヲ公表スベシ

第三十八條

本條約ハ國際聯盟事務總長ニ宛テタル文書ニ依リ之ヲ廢棄スルコトヲ得廢棄ハ事務總長ガ右廢棄書ヲ受領シタル日ノ後一年ニシテ效力ヲ生ズベク且廢棄ヲ爲シタル締約國ニ關シテノミ有效トス國際聯盟事務總長ハ右廢棄書ノ受領ヲ本條約ノ署名國又ハ加入國タル國際聯盟ノ一切ノ聯盟國及其ノ他ノ署名國又ハ加入國ニ通知スベシ

第三十九條

本條約ニ署名シ又ハ加入スル國ハ其ノ本條約ノ受諾ガ其ノ主權若ハ權力ノ下ニ在ル又ハ其ノ國際聯盟ノ爲ニ委任統治ヲ受諾シタル殖民地 海外屬地、

保護領又ハ海外地域ノ何レカ又ハ全部ヲ含マザル旨ヲ其ノ署名、批准又ハ加入ノ際宣言スルコトヲ得ベク且右宣言ニ依リ除外セララルル右殖民地、海外屬地、保護領又ハ地域ノ爲ニ其ノ後ニ於テ第三十五條ノ規定ニ從ヒ加入スルコトヲ得廢棄又ハ右殖民地、海外屬地、保護領又ハ地域ニ付各別ニ之ヲ爲スコトヲ得ベク且第三十八條ノ規定ハ右廢棄ニ適用セララルベシ

右證據トシテ前記各全權委員ハ本條約ニ署名セリ

千九百二十五年二月十九日「ジュネーヴ」ニ於テ本會一通ヲ作成シ之ヲ國際聯盟事務局ノ記録ニ寄託保存ス認證際本ハ會議ニ代表セラレタル一切ノ國及國際聯盟ノ一切ノ聯盟國ニ送付セララルベシ

「アルバニア」國 「ビュブリニシテ」
「獨逸國」 「バー、フオン、エツカルト」

千九百二十五年二月十六日ノ總會ノ議事録ニ附屬セル留保ヲ條件トス

「ハー、フアウ、エー」

第十三條第四號、第十五條ノ對當條項及第

「ウルグアイ」國

委員

瑞西國駐劄特會全權公使

「エンリケ、ブエロ」

「ヴェネズエラ」國

委員

「ジュネーヴ」駐在領事

「ドクトル、フランシスコ、ジエ、ヂエアル」

會議ハ千九百二十四年十一月十七日ト千九百二十五年二月十九日トノ間ニ於テ會合ヲ開催セリ

會議ハ本日ノ日附ヲ有スル危險ナル藥品ニ關スル條約ヲ採擇セリ

會議ハ又本日ノ日附ヲ有スル議定書ヲ採擇セリ

會議ハ又左ノ決議ヲ採擇セリ

會議ハ本日署名セラレタル危險ナル藥品ニ關ス

ル條約ヲシテ其ノ完全ナル效果ヲ舉グルコトヲ得シムル爲ニハ條約第三十九條ニ掲グル殖民地、屬地、保護領及地域ニ於テ右條約ガ成ルベク廣ク適用セララルベキコトノ緊要ナルコトヲ認ム依テ會議ハ關係國政府ガ能ク限り遲滯ナク右目的ノ爲ニ必要ナル手段ヲ執ルベキコト及條約ノ適用ヨリ除外セララルル殖民地、屬地、保護領又ハ地域ノ數ガ最少限度迄減ゼラルベキコトノ切實ナル希望ヲ表明ス

二

會議ハ左ノ場合ニ於テ各政府ガ其ノ旗ノ下ニ航行スル船舶ヲ以テスル、條約ニ掲グル物質ノ送荷ノ運搬ヲ禁止スルコトノ可能ナリヤ否キヲ考慮スベキコトヲ勸告ス

(一) 條約ノ規定ニ從ヒ右送荷ニ關シ輸出許可證ガ發給セラレ且送荷ニ右許可證又ハ發給セララルコトアルベキ轉向證明書ノ公ノ贈

本方添附セラレタル場合ニ非サル場合

(二) 輸出許可證又ハ轉向證明書ニ掲グル仕向地以外ノ仕向地ニ向ケラルル場合

三

會議ハ一切ノ國ガ不正取引ノ禁止ニ付相互ニ能ク限リ密接ニ協力スベキコト及該國ガ本問題ニ付法令施行ノ任務ヲ有スル當該官憲ニ對シ他國ニ於ケル相當官憲ト直接ニ通信スルコトヲ許可スベキコトヲ勸告ス

四

會議ハ條約ニ掲グル物質ヲ取引スルコトヲ政府ニ依リ特許セララルル商人ニ對シ、之ヲシテ不正取引ニ従事スルコトナカラシムベキ有效ナル保障ト爲ルベキ充分ナル金額ヲ供託シ又ハ之ニ代ルベキ保證ヲ立ツルコトヲ或場合ニ要求スルノ望マシキコトニ付注意ヲ喚起ス

五

會議ハ或阿片生産國ニ於ケル阿片ノ生産ノ制限ト關聯セル困難ニ付テハ慎重ナル調査(該國ノ政府ト協力シテ)ヲ爲シ且該國ニ於ケル阿片ノ生産ヲ醫藥用及學術用ニ必要ナル數量ニ達スル迄制限スルコトヲ可能ナラシムル爲執ルコトヲ得ベキ措置ニ關シ勸告スルノ目的ヲ以テ、該國ガ希望スル場合ニハ該國ヲ觀察スル爲委員會ヲ任命スベシトシ、會議ノ議事中心ニ於テ特ニ「ベルシ」國代表ニ依リ爲サレタル提議ヲ審査スルコトヲ國際聯盟理事會ニ依頼ス

六

會議ハ藥品習慣性ヲ生ゼシメ得ザル製劑ニ關スル決議及條約ノ規定ノ適用ヲ受クルコトアルベキ一切ノ他ノ藥品ニ關スル勸告ガ右條約ノ實施後直ニ通告セラレ得ル様第八條及第十條ニ掲グル生産物ニ關シ公衆衛生國際事務局ニ諮問スルノ適當ナルベキヤ否ヤヲ直ニ考慮スル爲保健委

ル手續中ニ生ズル國際法上ノ問題又ハ本條約ノ解釋ニ關スル問題ニシテ當事國ノ一方ノ請求ニ基キ該專門機關又ハ仲裁裁判所ガ右紛争ノ解決ニ常設國際司法裁判所ニ依ル決定ヲ必要トスト宣言スルモノヲ右司法裁判所ニ提出スベシ

第三十三條

本條約ハ佛蘭西語及英吉利語ノ本文ヲ以テ共ニ正文トシ本日ノ日附ヲ有スベク且本條約ヲ作成シタル會議ニ代表セラレタル國、國際聯盟ノ聯盟國及署名ノ爲國際聯盟理事會ヨリ條約ノ原本ヲ送付セラレタル國ノ署名ノ爲千九百二十五年九月三十日迄關キ置カルベシ

第三十四條

本條約ハ批准ヲ要ス批准書ハ國際聯盟事務總長ニ之ヲ寄託スベク事務總長ハ之ヲ受領テ本條約ノ署名國タル聯盟國及其ノ他ノ署名國ニ通知スベシ

第三十五條

本條約ヲ作成シタル會議ニ代表セラレ且本條約ヲ

署名セザリシ國、國際聯盟ノ聯盟國又ハ加入ノ爲國際聯盟理事會ヨリ條約ノ原本ヲ送付セラレタル國ハ何レモ千九百二十五年九月三十日ノ後本條約ニ加入スルコトヲ得

加入ハ國際聯盟事務局ノ記錄ニ寄託スル爲事務總長ニ送付スル文書ニ依リ之ヲ爲スベシ事務總長ハ直ニ該寄託ヲ本條約署名國タル國際聯盟ノ聯盟國及其ノ他ノ署名國ニ通知スベシ

第三十六條

本條約ハ第十九條ニ從ヒ中央委員會ヲ任命スベキ國ノ七國ヲ含ム十國ニシテ共ノ中少クトモ二國ガ聯盟理事會常任代表國タルベキモノニ依リ批准セララルル迄實施セラレザルベシ其ノ實施ノ日ハ國際聯盟事務總長ガ必要ナル批准書ノ最後ノモノヲ受領シタル後九十日目トス爾後本條約ハ各締約國ニ付其ノ批准書又ハ加入ノ通告ノ受領後九十日ニシテ效力ヲ生ズベシ

事務總長ハ國際聯盟規約第十八條ノ規定ニ從ヒ本條約ヲ其ノ實施ノ日ニ於テ登錄スベシ

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| <p>「ラトヴィア」國 「エストニア」國 「ラトヴィア」國 「エストニア」國 「フィンランド」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國</p> | <p>「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國</p> | <p>「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國 「エストニア」國</p> |
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| 丁抹國 | エー、オルゾングルグ(批准ラ 條件トス) |
| 西班牙國 | エミリオ、デ、パラス、オス ジョー、グ、アルゴア ア、キルシエ |
| 佛蘭西國 | 佛蘭西國政府ハ第二十二條第二號ニ掲グル 三月毎ノ統計ヲ賤ニ付與セラレタル期間内 ニ規則的ニ作成シ得ルヤ否ヤニ付、其ノ權 カノ下ニ在ル殖民地、保護領及委任統治地 域ニ關シ一切ノ留保ヲ爲スコトヲ已ムラ得 ズト爲スモノナリ シェ、イ、ペー ア、イ、カー |
| 希臘國 | 政府ノ承認ヲ條件トス ゾラシリ、デ、ン、ドラ、ミス 「ハンガリー」國 ドクトル、バラニア、ア、イ、ツ、タル タン 賀來佐實太郎 杉村陽太郎 日本國 |

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| 專門委員 | 「エー、ヂ、イ、エ、イ、ヂ、カ、イ、ト、ア、ン、ゲ、リ、ン」 「エチ、ア、ン、エ、ン、ホ、ル、ス、ト、ラ、ン、ゲ、ル、 ゲン」 「ベルシ」國 |
| 委員 | 前司法大臣、大使 「ア、リ、ン、ス、ミ、ル、ガ、リ、ザ、カ、イ、ン、ア、ル、フ、 エ、ド、ド、ク、レ」 「ポーランド」國 |
| 委員 | 前保健大臣、國際衛生事務局ニ派遣ノ「ホーラ ント」國政府委員 「ドクトル、ダ、ブ、リ、エ、イ、ホ、ヅ、コ」 「ポルトガル」國 |
| 委員 | 瑞西國駐劄特命全權公使 「バルトロミ、フ、エ、イ、ラ」 澳門知事 |
| 專門委員 | 「ポクトル、ロ、ドリ、ゴ、ロ、ドリ、ダ、ス」 「ル、イ、ア、ニ、ア、國」 |
| 委員代理 | 瑞西國駐劄特命全權公使 「エ、ス、ビ、エ、イ、コ、ム、ネ、イ、ス」 |
| 總領事 | 「イ、イ、チ、ム、シ、ウ、ク」 「ジ、ム、ネ、イ、グ」駐在副領事 「ヂ、イ、モ、リ、オ、イ、ド」 「セルブ、ク、ロ、ア、イ、ト、ス、ロ、ヴ、エ、イ、ヌ」王國 |
| 委員 | 瑞西國駐劄特命全權公使 「エ、ム、ヨ、グ、ア、ン、ダ、イ、チ」 商務院監察官 「ミ、リ、ダ、マ、ヨ、ビ、ル、セ」 |
| 專門委員 | 「セルブ、ク、ロ、ア、イ、ト、ス、ロ、ヴ、エ、イ、ヌ」王國 組合聯合會書記 「ドラ、ガ、ン、ミ、リ、チ、ダ、イ、チ」 |

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| <p>暹羅國 委員 佛蘭西國駐領特命全權公使 「ブリンズ、シャルマン」 和蘭國駐在代理公使 「ブリンズ、ダムラス」</p> <p>瑞典國 委員 在「ジエネーヴ」社會問題顧問 「ドクトル、エリク、バルドルフ、スジストラン ド」</p> <p>瑞西國 委員 聯邦政務省外務局長、全權公使 「ティニヘルト」 聯邦公衆保健部長 「ドクトル、カリエール」 經濟省前商局長補 「ベキニ」 瑞西商工業聯合會理事會一等書記</p> | <p>「アルフ、テッガー」 專門委員 聯邦政務省外務局書記官 「セクレタン」 「チラコスロヴキア」國 委員 國際聯盟ニ派遣ノ常任委員、瑞西國駐領特命 全權公使 「エフ、ウヰグネルカ」 委員代理 公使館一等書記官 「ジャン、ライセル」</p> <p>土耳其國 委員 農務省次官 「メーメド、スレヤ、ベイ」 「コンスタンティノブル」農業學校農藝化學 教授 教授「ヌリ、ゲイン、ベイ」</p> |
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| <p>二十二條第二號ノ適用ノ一時的停止ヲ條件 トス 聯邦政府ハ同政府ニ特別ノ事情アルニ依リ 輸出許可證又ハ轉向證明書ノ原本ノ輸入國 政府ヘノ送付ヲ規定スル前記規定ノ適用ヲ 一時的ニ且右事情ノ存続スル限り停止スル ノ權能ヲ留保ス但シ同政府ハ阿片及他ノ危 險ナル藥品ノ取引ニ關スル諮問委員會ノ勸 告ニ從ヒ採擇セラレタル輸入及輸出證明書 ノ制度ヲ引續キ適用スベシ同一ノ理由ニ依 リ且又右特別ノ事情ガ存続スル限り聯邦政 府ハ三月毎ノ統計ノ中央委員會ヘノ送付ヲ 定ムル規定ノ適用ヲ一時停止スルノ權能ヲ 留保ス但シ同政府ハ引續キ年報ヲ作成スベ シ</p> <p>埃地利國 エマリヒ、ブフリニゲル 白耳義國 フメルナン、ベルフェル ドクトル、エフ・エー・エル・ ゲイ、ド、ミットナール 「ブラジル」國 ベドロ、ベルナムプロ</p> | <p>エツ、ゴラニツ 英帝國 マルコム、デレグ、シニ、 「カナダ」 アール、ダンデニランド 「オーストラリア」聯邦 エム、エル、シニバド 南阿弗利加聯邦 ジエ、エス、スミット 「ニール、ジラント」 ジエ、アリン 第三十九條ニ基キ本條約ハ「ニール、ジラ ント」ノ名ニ於テ西部「サモア」ノ委任統治 地域ノ爲ニ受諾セラル 千九百二十五年九月十一日 ジエ、エー 印度 アール、スパーリング 「アイランド」自由國 マイケル、マクキワイト 「ブルガリア」國 デイ、ミコフ 「チリ」國 エミリオ、ペロ、シ 「キニヤ」國 アリス、テイ、ス、デ、ア、グ、エ ロイ、ベ、タン、ク、イル、ト</p> |
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| <p>(一) 藥品カ入 手セラルル 輸出國ノ商 社ノ名及住 所 (ハ) ヨリノ</p> <p>(二) 遵守スベ キ特別條件 ヲ記載スル コト例ヘバ 郵便ニ依リ 輸入スベカ ラズト謂ス ガ如シ (ニ) ヲ條件トスル</p> <p>輸入ヲ認許シ且輸入セラレントスル 發荷ハ左記目的ノ爲必要ナリト認メ タルコトヲ茲ニ證明ス</p> <p>(一) 正當ナル目的ノ爲 (生阿片及 「コカ」葉ノ場合) (註)</p> | <p>(二) 専ラ醫藥用又ハ學術用ノ爲 (本條約第三章ノ適用アル藥品 及印度大麻ノ場合) ノ官省ノ爲署名ス (署名) (官廳)</p> <p>. (日附)</p> <p>(註) 阿片煙膏ノ使用ヲ未ダ禁止セラレズ且阿片煙膏製造ノ爲 生阿片ヲ輸入スルコトヲ認マシキ場合ニ於テハ該國者ニハ輸入 セラルベキ生阿片ガ、完全ナル禁止ニ至ル迄ノ政府ノ制限ノ 下ニ於ケル使用ノ爲ノ阿片煙膏製造用トシテ必要ナル量及右 生阿片ガ再輸出セラレザルベキ量ヲ記載スベシ</p> |
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| <p>國際聯盟ニ派遣ノ「フィンランド」國事務局局 長、公使館書記官 「ウルホトイウエラ」</p> <p>佛蘭西國 委員 殖民大臣 「ダラディエ」 外務省亞細亞局長補、全權公使 「クランシツン」</p> <p>補助委員 殖民省政務局長 「デュシェーヌ」 印度支那稅關及稅務局長 「キルシエ」 藥劑監察官、巴里藥學大學教授兼副總長 「ペロ」 領事 「ブールゴア」</p> <p>專門委員 殖民官 「シエロン」</p> | <p>希臘國 委員 瑞西國駐在代理公使 「ウラシリ、デンドラミス」</p> <p>專門委員 「アタリス」大學藥化學教授、希臘最高公衆保 健委員會委員 教授「イ・エム、ジエ、エマニエル」</p> <p>「ハンガリー」國 委員 國際聯盟ニ派遣ノ「ハンガリー」王國事務局 局長 「ツェルタン、バラニアイ」</p> <p>印度 委員 「ジエ、カンベル」 「エフ、クレイトン」 「ジエ、シー、アルトン」</p> <p>專門委員 「ジエ、エ、レヴェット、イエイシ」</p> |
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| <p>「アイムランド」自由國 國際聯盟ニ派遣ノ「アイムランド」自由國代表者 「イムランド」自由國 伊太利國 委員 前司法大臣 「アルフレド・フランシオニ」 「バデア」大學藥化學研究所所長 「教授」シ・オ・エム・エム・ビエトロ・スベ 「カ」 稅關及間接稅務局次長 「ボクトル・シ・オ・エム・エム・ギド・フ 「アリス」 日本國 委員 前臺灣總督府總務長官 實來佐賀太郎 國際聯盟帝國事務局次長、大使館參事官 杉村陽太郎 佛國駐獨特會全權公使、政治學博士 「ヨングヘルム・シ・オ・エム・ルトン」 阿片及他ノ危險ナル藥品ノ取引ニ關スル國際 聯盟諮問委員會議長 「ダナリ・シ・オ・フン・ウラトム」 公衆保健部主任監察官 「ボクトル・シ・オ・エム・グレイセル」</p> | <p>「セルブ、クロアチア、スロヴェニア」王國 エム・ヨグ・イン・グイ・チ 暹羅國 ダムラス 「スーダン」 クエ・シ・オ・ス・タ・リ バウル・デ・ニ・ヘルト 瑞西國 瑞西國代表が會議ノ第三十六回總會ニ於テ</p> |
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| <p>爲シタル宣言ニシテ第二十二條第二號ニ揭 グル三月毎ノ統計ノ送付ニ關スルモノヲ授 用シツク 「チラコスロヴァキア」國 「セルブ、クロアチア、スロヴェニア」國 「イ・イ・イ・ア・エ・ロ</p> | <p>附屬書 輸入證明書ノ様式 國際阿片條約 輸入公認證明書 輸入證明書ノ様式 輸入者ノ 名、住所及 職業 (イ)ニ依ル (ロ) 輸入セラ ルべき藥品 ノ精確ナル 種類及數量 (ロ)ノ</p> |
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シタルモノニシテ「モルヒネ」含有量ノ如何
ヲ問ハズ單ニ包装及輸送ニ必要ナル程度ノ加
工ヲ爲シタルモノヲ謂フ

藥用阿片—藥用阿片トハ粉狀、粒狀又ハ其ノ他
ノ形狀ノモノタルト中性物ヲ混ズルモノタル
トヲ問ハズ内國藥局方ノ定ムル所ニ從ヒ醫藥
用ニ適應セシムルニ必要ナル加工ヲ爲シタル
生阿片ヲ謂フ

「モルヒネ」—「モルヒネ」トハ阿片ノ主要ナル
「アルカロイド」ニシテ $C_{17}H_{21}NO_5$ ノ化學式
ヲ有スルモノヲ謂フ

「ジアセチールモルヒネ」—「ジアセチールモル
ヒネ」トハ $C_{21}H_{27}NO_5$ ノ化學式ヲ有スル「ヂ
アセチールモノヒネ」(「ヂアモルヒネ」、「ヘ
ロイン」)ヲ謂フ

「コカ」葉—「コカ」葉トハ古加樹科ニ屬スル「エ
リトロキシロン」、「コカ」、「ラマルク」、「エリトロ
キシロン」、「ノグ」、「グラナランス(モリス)」、「ヒ
エロニムス」及其ノ變種ノ葉並ニ右屬ノ他ノ
種ノ葉ニシテ之ヨリ直接又ハ化學的方法ニ依

リ「コカイン」ヲ抽出スルコトヲ得ベキモノ
ヲ謂フ

粗製「コカイン」—粗製「コカイン」トハ「コカ」
葉ヨリノ抽出物ニシテ直接又ハ間接ニ「コカ
イン」ノ製造ニ使用セラレ得ベキモノヲ謂フ

「コカイン」—「コカイン」トハ「メチール・ベン
ツィイル」、「レーグ」、「エクゴニン」(二〇「パーセ
ント」、「クロロフォルム」溶液ニ於ケル比旋光
度 ($[\alpha]_D^{20}$) 左旋一六・四度)ニシテ $C_{17}H_{21}$
 NO_4 ノ化學式ヲ有スルモノヲ謂フ

「エクゴニン」—「エクゴニン」トハ「レーグ」、「エ
クゴニン」(五「パーセント」水溶液ニ於ケル比
旋光度 ($[\alpha]_D^{20}$) 左旋四五・六度)ニシテ C_{15}
 $H_{15}NO_3 \cdot H_2O$ ノ化學式ヲ有スルモノ及工業
上「レーグ」、「エクゴニン」ノ再製ニ供シ得ベ
キ一切ノ「レーグ」、「エクゴニン」誘導體ヲ謂
フ

印度大麻—印度大麻トハ商業上如何ナル名稱ヲ
以テ指示セラルルヲ問ハズ大麻(「カンナビ

生國片一(「ハムブルグ」) 生國片一(「ハムブルグ」) 生國片一(「ハムブルグ」)

締約ハ本條ニ付在ノ定義ヲ採用スルコトヲ約

第一條

第一條

ニテハ左ノ如ク決定セ

右ノ各員其ノ全權委任ヲシテ之ニシテ

「ロンドン」

瑞西聯邦政府駐瑞特命全權公使「ク

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「キュバ」共和國大統領

獨逸國駐劄兼地地利共和國駐劄特命全權公使

「アリストテレス、デ、アグエロ、イ、ベレン
クイルト」

丁抹國皇帝陛下

國際聯盟ニ派遣ノ丁抹國代表者、瑞西聯邦政

府駐劄特命全權公使「エー、オルデンプル
グ」

西班牙國皇帝陛下

瑞西聯邦政府駐劄特命全權公使「イー、デ、バ
ラシオス」

佛蘭西共和國大統領

佛蘭西國領事「ジュー、ブールゴア」

印度支那稅關及稅務局長「アー、キルシエ」

希臘共和國大統領

瑞西國駐在代理公使「ヴァシリ、デンドラミ
ス」

「ハンガリー」國攝政殿下

國際聯盟ニ派遣ノ「ハンガリー」王國事務局

局長「ドクトル、ツォルタン、バラニアイ」

日本國皇帝陛下

前臺灣總督府總務長官賀來佐賀太郎

國際聯盟帝國事務局次長、大使館參事官杉村
陽太郎

「ラトヴィア」共和國大統領

社會福利大臣「ダブリュー、ジー、サルナイス」

「ルクセンブルグ」國大公殿下

「ジュネーヴ」駐在「ルクセンブルグ」國領事

「シヤール、ヴェルメール」

「ニカラグア」共和國大統領

國際聯盟ニ派遣ノ常任委員、「ジュネーヴ」駐

在「ニカラグア」國領事「エー、ソチイレ」

和蘭國皇帝陛下

阿片及他ノ危險ナル藥品ノ取引ニ關スル國際

聯盟諮問委員會委員「ダブリュー、ジー、フア
ン、ウエットラム」

公衆保健部主任監察官「ドクトル、ジュー、ビ
ー、エム、クーベルグ」

蘭領印度政廳支那事務局書記官「エー、ディー、
エー、デ、カート、アングレリノ」

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| <p>「アムステルダム」大 「ブリュッセル」大 「ワシントン」大 「ロンドン」大 「パリ」大 「ベルリン」大 「モスクワ」大 「ワルシャワ」大 「ブダペスト」大 「ソフィヤ」大 「ブダペスト」大 「ワルシャワ」大 「ソフィヤ」大</p> | <p>「アムステルダム」大 「ブリュッセル」大 「ワシントン」大 「ロンドン」大 「パリ」大 「ベルリン」大 「モスクワ」大 「ワルシャワ」大 「ブダペスト」大 「ソフィヤ」大 「ブダペスト」大 「ワルシャワ」大 「ソフィヤ」大</p> | <p>「アムステルダム」大 「ブリュッセル」大 「ワシントン」大 「ロンドン」大 「パリ」大 「ベルリン」大 「モスクワ」大 「ワルシャワ」大 「ブダペスト」大 「ソフィヤ」大 「ブダペスト」大 「ワルシャワ」大 「ソフィヤ」大</p> |
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| <p>「ダンチャヒ」自由市(註)</p> <p>委員 前保健大臣、國際衛生事務局「ポーランド」國政府委員 「ドクトル、ダブリニ、ホツコ」</p> <p>専門委員 發學會員、「ダンチャヒ」保健局長 「ドクトル、カール、スタデ」 (註) 自由市ノ代表ハ會議終了前脱退セリ</p> <p>「ドミニカン」共和國</p> <p>委員 「コレイヂマド、フランス」胎生學研究所生物學者、醫學及理學博士 「ドクトル、エル、エム、ベタンセス」</p> <p>「エジプト」國</p> <p>委員 在巴里及「ブリュセル」「エジプト」國公使館書記官、「國際衛生事務局」「エジプト」國政府委員 「ドクトル、モハメド、アブデル、サラム、エル、グインディ」</p> | <p>委員代理 「カイロ」公衆保健局官立一般病院副主事 「ドクトル、エー、エフ、チ、ヤーフリーツ、ペイ」 農務省局長補 「モハメド、カメル、ペイ」</p> <p>西班牙國</p> <p>委員 瑞西國駐劄特命全權公使 「エミリオ、デ、バラシオス」 內務省藥劑部長 「ドクトル、フランシスコ、プスタマンテ、ロメロ」 在「バルセロナ」醫學博士 「ドクトル、アントニオ、バガドル、イ、コネス、デ、レオン」</p> <p>委員代理 「ジエノーヴ」駐在領事 「ジエアン、デ、アレンザナ」</p> <p>「フィンランド」國</p> <p>委員</p> |
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DEUXIÈME CONFÉRENCE DE L'OPIUM
CONVENTION.

*Signée à Genève, le 19 Février 1925.
Ratifiée le 26 Juillet 1928.
Ratification déposée au Secrétariat de la Société des Nations,
le 10 Octobre 1928.
Promulguée à Tokio, le 28 Décembre 1928.*

L'ALBANIE, L'ALLEMAGNE, L'AUTRICHE, LA BELGIQUE, LE BRÉSIL, L'EMPIRE BRITANNIQUE, LE CANADA, LE COMMONWEALTH D'AUSTRALIE, L'UNION SUD-AFRICAINE, LA NOUVELLE-ZÉLANDE, L'ÉTAT LIBRE D'IRLANDE ET L'INDE, LA BULGARIE, LE CHILI, CUBA, LE DANEMARK, L'ESPAGNE, LA FRANCE, LA GRÈCE, LA HONGRIE, LE JAPON, LA LETTONIE, LE LUXEMBOURG, LE NICARAGUA, LES PAYS-BAS, LA PERSE, LA POLOGNE, LE PORTUGAL, LE ROYAUME DES SERBES, CROATES ET SLOVÈNES, LE SIAM, LE SOUDAN, LA SUISSE, LA TCHÉCOSLOVAQUIE ET L'URUGUAY,

Considérant que l'application des dispositions

SECOND OPIUM CONFERENCE
CONVENTION.

*Signed at Geneva, February 19, 1925.
Ratified July 26, 1928.
Ratification deposited at the Secretariat of the League of Nations,
October 10, 1928.
Promulgated at Tokyo, December 28, 1928.*

ALBANIA, GERMANY, AUSTRIA, BELGIUM, BRAZIL, THE BRITISH EMPIRE, CANADA, THE COMMONWEALTH OF AUSTRALIA, THE UNION OF SOUTH AFRICA, NEW ZEALAND, THE IRISH FREE STATE AND INDIA, BULGARIA, CHILE, CUBA, DENMARK, SPAIN, FRANCE, GREECE, HUNGARY, JAPAN, LATVIA, LUXEMBURG, NICARAGUA, THE NETHERLANDS, PERSIA, POLAND, PORTUGAL, THE KINGDOM OF THE SERBS, CROATS AND SLOVENES, SIAM, SUDAN, SWITZERLAND, CZECHOSLOVAKIA AND URUGUAY,

Taking note of the fact that the application

de la Convention de La Haye du 23 janvier 1912 par les Parties contractantes a eu des résultats de grande importance, mais que la contrebande et l'abus des substances visées par la Convention continuent encore sur une grande échelle;

Convaincues que la contrebande et l'abus de ces substances ne peuvent être supprimés effectivement qu'en réduisant d'une façon plus efficace la production et la fabrication de ces substances et en exerçant sur le commerce international un contrôle et une surveillance plus étroits que ceux prévus dans ladite Convention;

Désireuses de prendre de nouvelles mesures en vue d'atteindre le but visé par ladite Convention et de compléter et de renforcer ses dispositions;

Conscientes que cette réduction et ce contrôle exigent la coopération de toutes les Parties contractantes;

Confiantes que cet effort humanitaire recevra l'adhésion unanime des pays intéressés:

Les Hautes Parties contractantes ont décidé

of the provisions of the Hague Convention of January 23rd, 1912, by the Contracting Parties has produced results of great value, but that the contraband trade in and abuse of the substances to which the Convention applies still continue on a great scale;

Convinced that the contraband trade in and abuse of these substances cannot be effectually suppressed except by bringing about a more effective limitation of the production or manufacture of the substances, and by exercising a closer control and supervision of the international trade, than are provided for in the said Convention;

Desirous therefore of taking further measures to carry out the objects aimed at by the said Convention and to complete and strengthen its provisions;

Realising that such limitation and control require the close co-operation of all the Contracting Parties;

Confident that this humanitarian effort will meet with the unanimous adhesion of the nations concerned:

Have decided to conclude a Convention for

保健次官

「ドクトル、ジビー、エー、アムヨット」

國際聯盟ニ派遣ノ「カナダ」自治領顧問

哲學博士「ドクトル、ダブリュー、エー、リッデル」

「チリ」國

委員

「ドクトル、エー、ジョー、ス、アレズ、ヘ、ロ、ス」

支那國

委員

特命大使兼米國駐劄全權公使

施肇基

和蘭國駐劄特命全權公使

王廣圻

英國駐在代理公使、全權公使

朱兆莘

顧問兼專門委員

「ジョンズ、ホブキンス」大學政治學教授

教授「ドクトル、ダブリュー、ダブリュー、ウ、ロビ」

專門委員

在「ワシントン」支那國公使館書記官

「ドクトル、朱文翰」

在巴里支那國公使館書記官

朱世全

在「ヘーグ」支那國公使館書記官

謝維麟

外交部書記官

「ドクトル、顧養來」

「キュー」國

委員

獨逸國駐劄兼奧地利國駐劄特命全權公使

「ドクトル、アリス、ライ、テ、ス、デ、ア、グ、エ、ロ、イ、ベ、ラ、ン、ク、ル、ト」

「丁扶」國

委員

國際聯盟ニ派遣ノ王國政府代表者、瑞西國駐劄特命全權公使

「アンドレアス、カール、デン、ブル、グ」

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| <p>「シント・ブリアン」駐在「オーストラリア」 聯邦書記官 「エム・エル・シエボ」</p> <p>白耳義國 委員 瑞西國駐劄特命全權公使 「フェルナン・ベルツェル」 主任藥劑監察官 「ドクトル・エフ・ド・ミットナール」</p> <p>「ポリグア」國 委員 在佛國「ポリグア」國公使館一等書記官 「ドクトル・アルテ・ロ・ビント・エスカリエ ル」</p> <p>「ブラジル」國 委員 「リオ・デ・ジ・ネイロ」精神病院醫長 「ドクトル・ファン・ベルト・ゴツァツ」 「リオ・デ・ジ・ネイロ」大學醫學部教授 「ドクトル・ベドロ・ベルナムブコ」</p> | <p>英帝國 委員 子爵「セシル・オウ・チェルウッド」 副次官 「マルコム・デレグリンニエ」</p> <p>專門委員 內務省 「ジー・デー・カーワン」 內務省 「エム・デー・ベリンズ」 外務省法律顧問補 「エツチ・ダブリス・マルキン」</p> <p>「ブルガリア」國 委員 瑞西國駐在代理公使 「デイミトリ・ニコフ」</p> <p>「カナダ」 委員 樞密顧問官、保健大臣、除隊兵授產大臣 「バチラ、オウ、アーツ」醫學博士「ケン リエス・ペランド」</p> |
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| <p>de conclure une Convention à cet effet et ont désigné pour leurs plénipotentiaires :</p> <p><i>Le Président du Conseil Suprême d'Albanie :</i> M. B. BLINISHTI, Directeur du Secrétariat albanais auprès de la Société des Nations.</p> <p><i>Le Président du Reich allemand :</i> M. H. VON ECKARDT, Envoyé extraordinaire et Ministre plénipotentiaire.</p> <p><i>Le Président de la République d'Autriche :</i> M. Emerich PFLÜGL, Ministre plénipotentiaire, Représentant du Gouvernement fédéral d'Autriche auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi des Belges :</i> M. Fernand PELTZER, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse ; Le D^r Ferdinand DE MYTTENAERE, Inspecteur principal des pharmacies.</p> <p><i>Le Président des États-Unis du Brésil :</i> Le D^r Humberto GOTUZZO, Médecin en chef de l'assistance aux aliénés de Rio de Janeiro ;</p> | <p>this purpose.</p> <p>The High Contracting Parties have accordingly appointed as their Plenipotentiaries :</p> <p><i>The President of the Supreme Council of Albania :</i> M. B. BLINISHTI, Director of the Albanian Secretariat accredited to the League of Nations.</p> <p><i>The President of the German Reich :</i> M. H. VON ECKARDT, Envoy Extraordinary and Minister Plenipotentiary.</p> <p><i>The President of the Austrian Republic :</i> M. Emerich PFLÜGL, Minister Plenipotentiary, Representative of the Austrian Federal Government accredited to the League of Nations.</p> <p><i>His Majesty the King of the Belgians :</i> M. Fernand PELTZER, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council ; Dr. Ferdinand DE MYTTENAERE, Chief Inspector of Pharmacies.</p> <p><i>The President of the United States of Brazil :</i> Dr. Humberto GOTUZZO, Medical Director of the Rio de Janeiro Mental Hospital ;</p> |
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| <p>Le D^r Pedro PERNAMBUCO, Professeur agrégé à la Faculté de Médecine de l'Université de Rio de Janeiro.</p> <p>Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes : Sir Malcolm DELEIVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint ;</p> <p>et</p> <p>pour le Dominion du Canada : l'Honorable R. DANDURAND, Sénateur, Délégué à la sixième Assemblée de la Société des Nations ;</p> <p>pour le Commonwealth d'Australie : M. M. L. SHEPHERD, I.S.O., Secrétaire officiel du Commonwealth d'Australie en Grande-Bretagne ;</p> <p>pour l'Union Sud-Africaine : M. J. S. SMIT, Haut Commissaire dans le Royaume-Uni ;</p> <p>pour le Dominion de la Nouvelle-Zélande : l'Honorable Sir James ALLEN, K.C.B., Haut Commissaire pour la Nouvelle-Zélande dans</p> | <p>Dr. Pedro PERNAMBUCO, Professor in the Faculty of Medicine at the University of Rio de Janeiro.</p> <p>His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India : Sir Malcolm DELEIVINGNE, K.C.B., Assistant Under-Secretary of State ;</p> <p>and</p> <p>for the Dominion of Canada : The Honourable R. DANDURAND, Senator, Delegate to the Sixth Assembly of the League of Nations ;</p> <p>for the Commonwealth of Australia : Mr. M. L. SHEPHERD, I.S.O., Official Secretary for the Commonwealth of Australia in Great Britain ;</p> <p>for the Union of South Africa : Mr. J. S. SMIT, High Commissioner for the Union of South Africa in the United Kingdom ;</p> <p>for the Dominion of New Zealand : The Honourable Sir James ALLEN, K. C. B., High Commissioner for New Zealand in the</p> |
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| <p>請セムコトヲ要求ス</p> <p>總會ハ又達成セララル何レカノ協定中ニ含マルルコトアルベキ原則ヘノ聯盟國又ハ千九百二十一年ノ條約ノ當事國タル一切ノ國ノ加入ヲ確保スル目的ヲ以テ右會議ヲ右諸國ヲ含マシムル様擴張スルコトノ望マシキコトヲ聯盟理事會ニ於テ考慮センコトヲ提議ス</p> <p>聯盟理事會ハ會議ノ議長トシテ左記ヲ指名セリ</p> <p>獨逸國駐劄丁抹國特命全權公使 「ヘルムフ、ザール」</p> <p>國際聯盟事務總長ハ會議ノ事務總長トシテ左記ヲ指名セリ 「デーム、ヘリ、チニ、クラウヂ」</p> <p>左ノ諸國ハ會議ニ參加シ且之ガ爲左記諸員ヨリ成ル代表ヲ任命セリ</p> <p>「アルバニア」國</p> <p>委員</p> <p>國際聯盟ニ派遣ノ常設事務局局長、瑞西國駐在總領事 「ベノイト、ブリニシ、テ」</p> | <p>獨逸國</p> <p>委員</p> <p>特命全權公使 「ハー、フ、エン、エ、カ、ルト」</p> <p>「ジ、ネ、ウ、グ」駐在總領事 「ゲ、ア、シ、マン」</p> <p>獨逸國衛生局高級參事官 「ドクトル、アンセル、ミノ」</p> <p>亞米利加合衆國</p> <p>委員</p> <p>下院外交委員會委員長 「ス、ライ、グ、ン、ジ、ホ、ー、ター」</p> <p>僧正「チ、ア、ル、ズ、エ、チ、ア、ブ、レ、ント」</p> <p>委員代理</p> <p>軍醫總監補 「ル、バ、ト、ブ、ル」</p> <p>「ハ、ミ、ル、ト、ン、ラ、イ、ト」夫人 「エ、ド、ウ、ン、エ、ル、ネ、グ、ル」</p> <p>「オ、イ、ス、ト、ラ、リ、ア」</p> <p>委員</p> |
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| <p>「グレートブリタン」駐在「オーストラリア」 聯邦書記官 「エム、エル、シニャト」</p> <p>白耳義國 委員 瑞西國駐劄特命全權公使 「フメルナン、ベルツェル」 主任藥劑監督官 「ドクトル、エフ、ド、ミットナール」</p> <p>「ボリウイア」國 委員 在佛國「ボリウイア」國公使第一等書記官 「ドクトル、アルテニコ、ヒント、エスカリエ ル」</p> <p>「ブラジル」國 委員 「リオ、デ、ジ、ネイロ」精神病院醫長 「ドクトル、フンベルト、ゴツツゾ」 「リオ、デ、ジ、ネイロ」大學醫學部教授 「ドクトル、ペドロ、ベルナムゴ」</p> | <p>英帝國 委員 子爵「セシル、オヴ、チェルウッド」 副次官 「マルコム、デレグリンニ」 專門委員 內務省 「ジー、デー、カーワン」 內務省 「エム、デー、ベリンズ」 外務省法律顧問補 「エツチ、ダブリン、マルキン」</p> <p>「ブルガリア」國 委員 瑞西國駐在代理公使 「デイミトリ、ニコフ」</p> <p>「カナダ」 委員 樞密顧問官、保健大臣、除隊兵授產大臣 「パチヌラ、オヴ、アーツ」、醫學博士「くん リ、エス、ペランド」</p> |
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| <p>de conclure une Convention à cet effet et ont désigné pour leurs plénipotentiaires:</p> <p><i>Le Président du Conseil Suprême d'Albanie:</i> M. B. BLINISHTI, Directeur du Secrétariat albanais auprès de la Société des Nations.</p> <p><i>Le Président du Reich allemand:</i> M. H. VON ECKARDT, Envoyé extraordinaire et Ministre plénipotentiaire.</p> <p><i>Le Président de la République d'Autriche:</i> M. Emerich PFLÜGL, Ministre plénipotentiaire, Représentant du Gouvernement fédéral d'Autriche auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi des Belges:</i> M. Fernand PELTZER, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse; Le D^r Ferdinand DE MYTTENAERE, Inspecteur principal des pharmacies.</p> <p><i>Le Président des Etats-Unis du Brésil:</i> Le D^r Humberto GOTUZZO, Médecin en chef de l'assistance aux aliénés de Rio de Janeiro;</p> | <p>this purpose.</p> <p>The High Contracting Parties have accordingly appointed as their Plenipotentiaries:</p> <p><i>The President of the Supreme Council of Albania:</i> M. B. BLINISHTI, Director of the Albanian Secretariat accredited to the League of Nations.</p> <p><i>The President of the German Reich:</i> M. H. VON ECKARDT, Envoy Extraordinary and Minister Plenipotentiary.</p> <p><i>The President of the Austrian Republic:</i> M. Emerich PFLÜGL, Minister Plenipotentiary, Representative of the Austrian Federal Government accredited to the League of Nations.</p> <p><i>His Majesty the King of the Belgians:</i> M. Fernand PELTZER, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council; Dr. Ferdinand DE MYTTENAERE, Chief Inspector of Pharmacies.</p> <p><i>The President of the United States of Brazil:</i> Dr. Humberto GOTUZZO, Medical Director of the Rio de Janeiro Mental Hospital;</p> |
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Le D^r Pedro PERNAMBUCO, Professeur agrégé à la Faculté de Médecine de l'Université de Rio de Janeiro.

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Dominions britanniques au delà des mers, Empereur des Indes : Sir Malcolm DELEIVINGNE, K.C.B., Sous-Secrétaire d'Etat adjoint ;

et

pour le Dominion du Canada :

l'Honorable R. DANDURAND, Sénateur, Délégué à la sixième Assemblée de la Société des Nations ;

pour le Commonwealth d'Australie :

M. M. L. SHEPHERD, I.S.O., Secrétaire officiel du Commonwealth d'Australie en Grande-Bretagne ;

pour l'Union Sud-Africaine :

M. J. S. SMIT, Haut Commissaire dans le Royaume-Uni ;

pour le Dominion de la Nouvelle-Zélande :

l'Honorable Sir James ALLEN, K.C.B., Haut Commissaire pour la Nouvelle-Zélande dans

Dr. Pedro PERNAMBUCO, Professor in the Faculty of Medicine at the University of Rio de Janeiro.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India : Sir Malcolm DELEIVINGNE, K.C.B., Assistant Under-Secretary of State ;

and

for the Dominion of Canada :

The Honourable R. DANDURAND, Senator, Delegate to the Sixth Assembly of the League of Nations ;

for the Commonwealth of Australia :

Mr. M. L. SHEPHERD, I.S.O., Official Secretary for the Commonwealth of Australia in Great Britain ;

for the Union of South Africa :

Mr. J. S. SMIT, High Commissioner for the Union of South Africa in the United Kingdom ;

for the Dominion of New Zealand :

The Honourable Sir James ALLEN, K. C. B., High Commissioner for New Zealand in the

請セムコトヲ要求ス

總會ハ又達成セララル何レカノ協定中ニ含マルルコトアルベキ原則ヘノ聯盟國又ハ千九百十二年ノ條約ノ當事國タル一切ノ國ノ加入ヲ確保スル目的ヲ以テ右會議ヲ右諸國ヲ含マシムル様擴張スルコトノ望マシキコトヲ聯盟理事會ニ於テ考慮センコトヲ提議ス

聯盟理事會ハ會議ノ議長トシテ左記ヲ指名セリ

獨逸國駐劄丁株國特命全權公使

「ヘルムフ、ザレン」

國際聯盟事務總長ハ會議ノ事務總長トシテ左記ヲ指名セリ

「デーム、レ、チニル、クラウヂ」

左ノ諸國ハ會議ニ參加シ且之ガ爲左記諸員ヨリ成ル代表ヲ任命セリ

「アルバニア」國

委員

國際聯盟ニ派遣ノ常設事務局局長、瑞西國駐在總領事

「ベノイト、ブリニシテ」

獨逸國

委員

特命全權公使

「ヘー、フ、エン、エ、カ、ルト」

「ジ、ネ、ー、グ」駐在總領事

「ゲ、ー、ア、シ、エ、マン」

獨逸國衛生局高級參事官

「ド、ク、トル、ア、ン、ゼ、ル、ミ、ノ」

亞米利加合衆國

委員

下院外交委員會委員長

「ス、タ、イ、ヴ、ン、ジ、ー、ボ、ー、ター」

僧正「チ、ー、ル、ズ、エ、フ、チ、ア、ブ、レ、ント」

委員代理

軍醫總監補

「ル、ー、バ、ト、ブ、ル」

「ハ、ミ、ル、ト、ン、ラ、イ、ト」夫人

「エ、ド、ウ、ン、エ、ル、ネ、グ、ル」

「オーストラリア」

委員

WASEY STERRY

TCHÉCOSLOVAQUIE

CZECHOSLOVAKIA

Ferdinand VEVERKA

第二阿片會議

最終議定書

一九二五年(大正十四年)二月二十九日「シニョーグ」ニ於テ署名シ
一九二八年(昭和三年)二月二十八日 告 示

千九百二十三年九月二十七日附國際聯盟總會ノ決議ニ從ヒ招請セラレタル第二國際阿片會議六千九百二十四年十一月十七日「シニョーグ」ノ「バレー、デ、ナシオン」ニ會合セリ

右總會ノ決議左ノ如シ

總會ハ、諮問委員會ガ、千九百二十二年ノ總會ニ依リ採擇セラレタル第四決議ニ於テ表明セラレタル希望ニ從ヒ、現在利用シ得ベキ情報ハ製造セラレベキ「モルヒネ」、「ヘロイン」又ハ「コ

カイン」及其ノ夫々ノ鹽類ノ數量ノ制限、右製造ノ目的其ノ他醫藥用及學術用ノ目的ノ爲輸入セラレベキ生阿片及「ココ」葉ノ數量ノ制限並ニ右醫藥用及學術用ノ目的ノ爲必要ナル數量ニ達スル迄ノ輸出用生阿片及「ココ」葉ノ生産ノ制限ニ關スル問題ヲ協定締結ノ目的ヲ以テ關係國政府ニ於テ審査スルコトヲ可能ナラシムル旨報告シタルコトヲ、満足ヲ以テ了承シタルニ依リ、聯盟理事會ニ對シテ亞米利加合衆國代表者ニ依リ提出セラレタル原則及諮問委員會ノ勸告ニ基キ聯盟ガ採擇シタル方針ヲ實現スルノ手段トシテ第五決議ニ掲ゲラルル會議ノ後能ク限リ直ニ開催セラレベキ前記目的ノ爲ノ會議ニ全權ヲ有スル代表者ヲ派遣スル様關係國政府ヲ招

le Royaume-Uni ;
pour l'Etat libre d'Irlande :
M. Michael MACWHITE, Représentant de l'Etat libre d'Irlande auprès de la Société des Nations ;
pour l'Inde :
M. R. SPERLING, Envoyé extraordinaire et Ministre plénipotentiaire de Sa Majesté Britannique près le Conseil fédéral suisse.
Sa Majesté le Roi des Bulgares :
M. Dimitri MIKOFF, Chargé d'affaires en Suisse.
Le Président de la République du Chili :
M. Emilio BELLO-CODESIDO, Ambassadeur, Président de la Délégation du Chili à la sixième Assemblée de la Société des Nations.
Le Président de la République de Cuba :
M. Aristides de AGÜERO Y BETHENCOURT, Envoyé extraordinaire et Ministre plénipotentiaire près le Président du Reich allemand et près le Président de la République d'Autriche.
Sa Majesté le Roi de Danemark :

United Kingdom ;
for the Irish Free State :
Mr. Michael MACWHITE, Representative of the Irish Free State accredited to the League of Nations ;
for India :
Mr. R. SPERLING, His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.
His Majesty the King of the Bulgars :
M. Dimitri MIKOFF, Chargé d'Affaires in Switzerland.
The President of the Republic of Chile :
M. Emilio BELLO-CODESIDO, Ambassador, President of the Chilean Delegation to the Sixth Assembly of the League of Nations.
The President of the Cuban Republic :
M. Aristides de AGÜERO Y BETHENCOURT, Envoy Extraordinary and Minister Plenipotentiary to the President of the German Reich and to the President of the Austrian Republic.
His Majesty the King of Denmark :

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| <p>M. A. OLDENBURG, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Représentant du Danemark auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi d'Espagne :</i> M. E. DE PALACIOS, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.</p> <p><i>Le Président de la République Française :</i> M. G. BOURGOIS, Consul de France ; M. A. KIRCHER, Directeur des douanes et régie d'Indo-Chine.</p> <p><i>Le Président de la République Hellénique :</i> M. Vassili DENDRAMIS, Chargé d'affaires en Suisse.</p> <p><i>Son Altesse Sérénissime le Gouverneur de Hongrie :</i> Le Dr Zoltán BARANYAI, Directeur du Secrétariat royal hongrois auprès de la Société des Nations.</p> <p><i>Sa Majesté l'Empereur du Japon :</i> M. S. KAKU, ancien Gouverneur civil du Gouvernement général de Taïwan ; M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef-adjoint du Bureau impérial du Japon</p> | <p>M. A. OLDENBURG, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Representative of Denmark accredited to the League of Nations.</p> <p><i>His Majesty the King of Spain :</i> M. E. DE PALACIOS, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.</p> <p><i>The President of the French Republic :</i> M. G. BOURGOIS, French Consul ; M. A. KIRCHER, Director of Customs and Excise in Indo-China.</p> <p><i>The President of the Hellenic Republic :</i> M. Vassili DENDRAMIS, Chargé d'Affaires in Switzerland.</p> <p><i>His Serene Highness the Governor of Hungary :</i> Dr. Zoltán BARANYAI, Head of the Royal Hungarian Secretariat accredited to the League of Nations.</p> <p><i>His Majesty the Emperor of Japan :</i> M. S. KAKU, former Civil Governor of the General Government of Taiwan ; M. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese</p> |
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| LETTONIE | | LATVIA |
| | W. G. SALNAIS | |
| LUXEMBOUG | | LUXEMBURG |
| | Ch. G. VERMAIRE | |
| NICARAGUA | | NICARAGUA |
| | A. SOTTILE | |
| PAYS-BAS | | THE NETHERLANDS |
| | v. WETTUM. J. B. M. COEBERGH | |
| | A. D. A. de KAT ANGELINO | |
| PERSE | | PERSIA |
| | Prince ARFA-OD-DOVLEH MIRZA RIZA KHAN | |
| PORTUGAL | | PORTUGAL |
| | A. M. Bartholomeu FERREIRA | |
| | R. J. RODRIGUES | |
| ROYAUME DES SERBES, CROATES ET SLOVÈNES | | KINGDOM OF THE SERBS, CROATS AND SLOVENES |
| | M. JOVANOVITCH | |
| SIAM | | SIAM |
| | DAMRAS | |
| SOUDAN | | SUDAN |

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| COMMONWEALTH D'AUSTRALIE | COMMONWEALTH OF AUSTRALIA |
| | M. L. SHEPHERD |
| UNION SUD- AFRICAINNE | UNION OF SOUTH AFRICA |
| | J. S. SMIT |
| NOUVELLE-ZÉLANDE | NEW ZEALAND |
| | J. ALLEN |
| INDE | INDIA |
| | R. SPERLING |
| BULGARIE | BULGARIA |
| | D. MIKOFF |
| CHILI | CHILE |
| | Emilio BELLO-C. |
| CUBA | CUBA |
| | Aristides DE AGÜERO Y BETHENCOURT |
| GRECE | GREECE |
| | <i>Ad referendum</i> |
| | Vassili DENDRAMIS |
| JAPON | JAPAN |
| | S. KAKU. Y. SUGIMURA |

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| <p>à la Société des Nations.</p> <p><i>Le Président de la République de Lettonie :</i> M. W. G. SALNAIS, Ministre de la Prévoyance sociale.</p> <p><i>Son Altesse Royale la Grande-Duchesse de Luxembourg :</i> M. Charles VERMAIRE, Consul de Luxembourg à Genève.</p> <p><i>Le Président de la République de Nicaragua :</i> M. A. SOTTILE, Consul de Nicaragua à Genève, Délégué permanent auprès de la Société des Nations.</p> <p><i>Sa Majesté la Reine des Pays-Bas :</i> M. W. G. VAN WETTUM, Membre de la Commission consultative de l'opium et autres drogues nuisibles de la Société des Nations ;</p> <p>L. Dr J. B. M. COEBERGH, Inspecteur principal du Service de la Santé publique ; M. A. D. A. DE KAT ANGELINO, Secrétaire pour les affaires chinoises au Gouvernement des Indes néerlandaises.</p> <p><i>Sa Majesté impériale le Shah de Perse :</i> Son Altesse le Prince Mirza Riza Khan ARFA-</p> | <p>Bureau accredited to the League of Nations.</p> <p><i>The President of the Latvian Republic :</i> M. W. G. SALNAIS, Minister of Social Welfare.</p> <p><i>Her Royal Highness the Grand Duchess of Luxembourg :</i> M. Charles VERMAIRE, Luxemburg Consul at Geneva.</p> <p><i>The President of the Republic of Nicaragua :</i> M. A. SOTTILE, Nicaraguan Consul at Geneva, Permanent Delegate accredited to the League of Nations.</p> <p><i>Her Majesty the Queen of the Netherlands :</i> M. W. G. VAN WETTUM, Member of the Advisory Committee of the League of Nations on the Traffic in Opium and other Dangerous Drugs.</p> <p>Dr. J. B. M. COEBERGH, Chief Inspector of Public Health Service.</p> <p>M. A. D. A. DE KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies.</p> <p><i>His Imperial Majesty the Shah of Persia :</i> His Highness Prince Mirza Riza Khan ARFA-</p> |
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| <p>OD-DOVLEH, Ambassadeur, Représentant du Gouvernement impérial auprès de la Société des Nations.</p> <p><i>Le Président de la République Polonaise :</i></p> <p>Le Dr W. CHODZKO, ancien Ministre d'hygiène publique, Délégué du Gouvernement polonais à l'Office international d'hygiène publique.</p> <p><i>Le Président de la République Portugaise :</i></p> <p>M. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse ;</p> <p>Le Dr Rodrigo J. RODRIGUES, Gouverneur de Macao.</p> <p><i>Sa Majesté le Roi des Serbes, Croates et Slovènes :</i></p> <p>M. M. YOVANOVITCH, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi de Siam :</i></p> <p>Son Altesse Sérénissime le Prince DAMRAS, Chargé d'affaires aux Pays-Bas.</p> <p><i>Son Excellence le Gouverneur général du Soudan :</i></p> | <p>OD-DOVLEH, Ambassador, Representative of the Imperial Government accredited to the League of Nations.</p> <p><i>The President of the Polish Republic :</i></p> <p>Dr. W. CHODZKO, former Minister of Public Health, Delegate of the Polish Government to the "Office international d'hygiène publique".</p> <p><i>The President of the Portuguese Republic :</i></p> <p>M. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council ;</p> <p>Dr. Rodrigo J. RODRIGUES, Governor of Macao.</p> <p><i>His Majesty the King of the Serbs, Croats and Slovenes :</i></p> <p>M. M. YOVANOVITCH, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.</p> <p><i>His Majesty the King of Siam :</i></p> <p>His Serene Highness Prince DAMRAS, Chargé d'Affaires to the Netherlands.</p> <p><i>His Excellency the Governor-General of the Sudan :</i></p> |
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| <p>la Convention relative aux stupéfiants, signée à la date d'aujourd'hui. Les articles 33 et 35 de la Convention sont applicables au présent Protocole.</p> <p>En foi de quoi le présent Protocole a été dressé à Genève le dix-neuf février 1925 en un seul exemplaire qui sera déposé dans les archives du Secrétariat de la Société des Nations et dont copie certifiée conforme sera remise à tous les États représentés à la Conférence et à tout Membre de la Société des Nations.</p> | <p>the Convention relating to Dangerous Drugs signed this day. Articles 33 and 35 of the Convention are applicable to the present Protocol.</p> <p>In faith whereof the present Protocol was drawn up at Geneva the nineteenth day of February 1925, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all States represented at the Conference and to all Members of the League of Nations.</p> |
| <p>ALBANIE</p> <p>B. BLINISHI</p> <p>ALLEMAGNE</p> <p>H. von ECKARDT</p> <p>EMPIRE BRITANNIQUE</p> <p>Malcolm DELEVINGNE</p> <p>CANADA</p> <p>W. A. RIDDELL</p> | <p>ALBANIA</p> <p>GERMANY</p> <p>BRITISH EMPIRE</p> <p>CANADA</p> |

I.

Les Etats signataires du present Protocole, reconnaissant qu'ils ont le devoir, aux termes du chapitre I de la Convention de la Haye, d'exercer sur la production, la distribution et l'exportation de l'opium brut, un contrôle suffisant pour arrêter le trafic illicite, s'engagent à prendre les mesures nécessaires pour empêcher complètement, dans un délai de cinq ans à dater de ce jour, que la contrebande de l'opium ne constitue un obstacle sérieux à la suppression effective de l'usage de l'opium préparé dans les territoires où cet usage est temporairement autorisé.

II.

La question de savoir si l'engagement mentionné à l'article I a été complètement exécuté sera décidée, à la fin de ladite période de cinq ans, par une Commission qui sera constituée par le Conseil de la Société des Nations.

III.

Le présent Protocole entrera en vigueur, pour chacun des Etats signataires, en même temps que

I.

The States signatory to the present Protocol, recognising that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorised.

II.

The question whether the undertaking referred to in Article I has been completely executed shall be decided, at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.

III.

The present Protocol shall come into force for each of the signatory States at the same time as

Sir Wasey STERRY, C. B. E., Secrétaire juridique du Gouvernement du Soudan.

Le Conseil fédéral suisse :

M. Paul DINICHERT, Ministre plénipotentiaire, Chef de la Division des Affaires étrangères du Département politique fédéral.

Le Président de la République Tchécoslovaque :

M. Ferdinand VEVERKA, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

Le Président de la République de l'Uruguay :

M. Enrique E. BUERO, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

qui, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

CHAPITRE I.—DÉFINITIONS.

ARTICLE 1^{er}.

Aux fins de la présente Convention, les Parties

Sir Wasey STERRY, C. B. E., Legal Secretary to the Government of Sudan.

The Swiss Federal Council :

M. Paul DINICHERT, Minister Plenipotentiary, Head of the Foreign Affairs Division of the Federal Political Department.

The President of the Czechoslovak Republic :

M. Ferdinand VEVERKA, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Representative accredited to the League of Nations.

The President of the Republic of Uruguay :

M. Enrique E. BUERO, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

who, after communicating their full powers, found in good and due form, have agreed as follows :

CHAPTER I.—DEFINITIONS.

ARTICLE 1.

The Contracting Parties agree to adopt the

contractantes conviennent d'accepter les définitions suivantes :

Opium brut.—Par “opium brut”, on entend le suc, coagulé spontanément, obtenu des capsules du pavot somnifère (*Papaver somniferum L.*) et n'ayant subi que les manipulations nécessaires à son emballage et à son transport, quelle que soit sa teneur en morphine.

Opium médicinal.—Par “opium médicinal”, on entend l'opium qui a subi les préparations nécessaires pour son adaptation à l'usage médical soit en poudre ou granulé, soit en forme de mélange avec des matières neutres, selon les exigences de la pharmacopée.

Morphine.—Par “morphine”, on entend le principal alcaloïde de l'opium ayant la formule chimique $C_{17}H_{19}NO_3$.

Diacétylmorphine.—Par “diacétylmorphine”, on entend la diacétylmorphine (diamorphine, héroïne) ayant la formule $C_{21}H_{23}NO_6$.

Feuille de coca.—Par “feuille de coca”, on entend la feuille de l'*Erythroxyton Coca Lamarck*, de l'*Erythroxyton novo-granatense* (Morris) Hieronymus et de leurs variétés, de la famille des

following definitions for the purposes of the present Convention :

Raw Opium.—“Raw opium” means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

Medicinal Opium.—“Medicinal opium” means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

Morphine.—“Morphine” means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}NO_3$.

Diacetylmorphine.—“Diacetylmorphine” means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}NO_6$.

Coca Leaf.—“Coca leaf” means the leaf of the *Erythroxyton Coca Lamarck* and the *Erythroxyton novo-granatense* (Morris) Hieronymus and their varieties, belonging to the family of Erythroxy-

DEUXIÈME CONFÉRENCE DE L'OPIUM

PROTOCOLE

Signé à Genève, le 19 Février 1925.

Ratifié le 28 Juillet 1928.

Ratification déposée au Secrétariat de la Société des Nations, le 10 Octobre 1928.

Promulgué à Tokio, le 28 Décembre 1928.

Les soussignés, représentants de certains des Etats signataires de la Convention relative aux stupéfiants, signée à la date d'aujourd'hui, et dûment autorisés à cet effet ;

Prenant acte du Protocole signé le onze février mil neuf cent vingt-cinq par les représentants des Etats signataires de l'Accord signé le même jour relativement à l'usage de l'opium préparé.

Conviennent des dispositions suivantes :

SECOND OPIUM CONFERENCE

PROTOCOL

Signed at Geneva, February 19, 1925.

Ratified July 28, 1928.

Ratification deposited at the Secretariat of the League of Nations, October 10, 1928.

Promulgated at Tokyo, December 28, 1928.

The undersigned, representatives of certain States signatory to the Convention relating to Dangerous Drugs signed this day, duly authorised to that effect ;

Taking note of the Protocol signed the eleventh day of February one thousand nine hundred and twenty-five by the representatives of the States signatory to the Agreement signed on the same day relating to the Use of Prepared Opium :

Hereby agree as follows :

contractantes conviennent d'accepter les définitions suivantes :

Opium brut.—Par "opium brut", on entend le suc, coagulé spontanément, obtenu des capsules du pavot somnifère (*Papaver somniferum L.*) et n'ayant subi que les manipulations nécessaires à son emballage et à son transport, quelle que soit sa teneur en morphine.

Opium médicinal.—Par "opium médicinal", on entend l'opium qui a subi les préparations nécessaires pour son adaptation à l'usage médical soit en poudre ou granulé, soit en forme de mélange avec des matières neutres, selon les exigences de la pharmacopée.

Morphine.—Par "morphine", on entend le principal alcaloïde de l'opium ayant la formule chimique $C_{17}H_{19}NO_3$.

Diacétylmorphine.—Par "diacétylmorphine", on entend la diacétylmorphine (diamorphine, héroïne) ayant la formule $C_{21}H_{23}NO_5$.

Feuille de coca.—Par "feuille de coca", on entend la feuille de l'*Erythroxyton Coca Lamarck*, de l'*Erythroxyton novo-granatense* (Morris) Hieronymus et de leurs variétés, de la famille des

following definitions for the purposes of the present Convention :

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Conviennent des dispositions suivantes :

SECOND OPIUM CONFERENCE

PROTOCOL

Signed at Geneva, February 19, 1925.
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The undersigned, representatives of certain States signatory to the Convention relating to Dangerous Drugs signed this day, duly authorised to that effect ;

Taking note of the Protocol signed the eleventh day of February one thousand nine hundred and twenty-five by the representatives of the States signatory to the Agreement signed on the same day relating to the Use of Prepared Opium :

Hereby agree as follows :

I.

Les Etats signataires du present Protocole, reconnaissant qu'ils ont le devoir, aux termes du chapitre I de la Convention de la Haye, d'exercer sur la production, la distribution et l'exportation de l'opium brut, un contrôle suffisant pour arrêter le trafic illicite, s'engagent à prendre les mesures nécessaires pour empêcher complètement, dans un délai de cinq ans à dater de ce jour, que la contrebande de l'opium ne constitue un obstacle sérieux à la suppression effective de l'usage de l'opium préparé dans les territoires où cet usage est temporairement autorisé.

II.

La question de savoir si l'engagement mentionné à l'article I a été complètement exécuté sera décidée, à la fin de ladite période de cinq ans, par une Commission qui sera constituée par le Conseil de la Société des Nations.

III.

Le present Protocole entrera en vigueur, pour chacun des Etats signataires, en même temps que

I.

The States signatory to the present Protocol, recognising that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in those territories where such use is temporarily authorised.

II.

The question whether the undertaking referred to in Article I has been completely executed shall be decided, at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.

III.

The present Protocol shall come into force for each of the signatory States at the same time as

Sir Wasey STERRY, C. B. E., Secrétaire juridique du Gouvernement du Soudan.

The Swiss Federal Council:

M. Paul DINICHERT, Ministre plénipotentiaire, Chef de la Division des Affaires étrangères du Département politique fédéral.

The President of the Republic of Czechoslovakia:

M. Ferdinand VEVERKA, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

The President of the Republic of Uruguay:

M. Enrique E. BUERO, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.

qui, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

CHAPITRE I.—DÉFINITIONS.

ARTICLE 1^{er}.

Aux fins de la présente Convention, les Parties

Sir Wasey STERRY, C. B. E., Legal Secretary to the Government of Sudan.

The Swiss Federal Council:

M. Paul DINICHERT, Minister Plenipotentiary, Head of the Foreign Affairs Division of the Federal Political Department.

The President of the Czechoslovak Republic:

M. Ferdinand VEVERKA, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Representative accredited to the League of Nations.

The President of the Republic of Uruguay:

M. Enrique E. BUERO, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

who, after communicating their full powers, found in good and due form, have agreed as follows:

CHAPTER I.—DEFINITIONS.

ARTICLE 1.

The Contracting Parties agree to adopt the

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| COMMONWEALTH D'AUSTRALIE | M. L. SHEPHERD | COMMONWEALTH OF AUSTRALIA |
| UNION SUD- AFRICAINNE | J. S. SMIT | UNION OF SOUTH AFRICA |
| NOUVELLE-ZÉLANDE | J. ALLEN | NEW ZEALAND |
| INDE | R. SPERLING | INDIA |
| BULGARIE | D. MIKOFF | BULGARIA |
| CHILI | Emilio BELLO-C. | CHILE |
| CUBA | Aristides DE AGÜERO Y BETHENCOURT | CUBA |
| GRECE | <i>Ad referendum</i> Vassili DENDRAMIS | GREECE |
| JAPON | S. KAKU. Y. SUGIMURA | JAPAN |

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| <p>à la Société des Nations. <i>Le Président de la République de Lettonie :</i> M. W. G. SALNAIS, Ministre de la Prévoyance sociale. <i>Son Altesse Royale la Grande-Duchesse de Luxembourg :</i> M. Charles VERMAIRE, Consul de Luxembourg à Genève. <i>Le Président de la République de Nicaragua :</i> M. A. SOTTILE, Consul de Nicaragua à Genève, Délégué permanent auprès de la Société des Nations. <i>Sa Majesté la Reine des Pays-Bas :</i> M. W. G. VAN WETTUM, Membre de la Commission consultative de l'opium et autres drogues nuisibles de la Société des Nations ; Dr. J. B. M. COEBERGH, Inspecteur principal du Service de la Santé publique ; M. A. D. A. DE KAT ANGELINO, Secrétaire pour les affaires chinoises au Gouvernement des Indes néerlandaises. <i>Sa Majesté impériale le Shah de Perse :</i> Son Altesse le Prince Mirza Riza Khan ARFA-</p> | <p>Bureau accredited to the League of Nations. <i>The President of the Latvian Republic :</i> M. W. G. SALNAIS, Minister of Social Welfare. <i>Her Royal Highness the Grand Duchess of Luxembourg :</i> M. Charles VERMAIRE, Luxemburg Consul at Geneva. <i>The President of the Republic of Nicaragua :</i> M. A. SOTTILE, Nicaraguan Consul at Geneva, Permanent Delegate accredited to the League of Nations. <i>Her Majesty the Queen of the Netherlands :</i> M. W. G. VAN WETTUM, Member of the Advisory Committee of the League of Nations on the Traffic in Opium and other Dangerous Drugs. Dr. J. B. M. COEBERGH, Chief Inspector of Public Health Service. M. A. D. A. DE KAT ANGELINO, Secretary for Chinese Affairs to the Government of the Netherlands Indies. <i>His Imperial Majesty the Shah of Persia :</i> His Highness Prince Mirza Riza Khan ARFA-</p> |
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| <p>OD-DOVLEH, Ambassadeur, Représentant du Gouvernement impérial auprès de la Société des Nations.</p> <p><i>Le Président de la République Polonaise :</i></p> <p>Le Dr W. CHODZKO, ancien Ministre d'hygiène publique, Délégué du Gouvernement polonais à l'Office international d'hygiène publique.</p> <p><i>Le Président de la République Portugaise :</i></p> <p>M. Bartholomeu FERREIRA, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse ;</p> <p>Le Dr Rodrigo J. RODRIGUES, Gouverneur de Macao.</p> <p><i>Sa Majesté le Roi des Serbes, Croates et Slovènes :</i></p> <p>M. M. YOVANOVITCH, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi de Siam :</i></p> <p>Son Altesse Sérénissime le Prince DAMRAS, Chargé d'affaires aux Pays-Bas.</p> <p><i>Son Excellence le Gouverneur général du Soudan :</i></p> | <p>OD-DOVLEH, Ambassador, Representative of the Imperial Government accredited to the League of Nations.</p> <p><i>The President of the Polish Republic :</i></p> <p>Dr. W. CHODZKO, former Minister of Public Health, Delegate of the Polish Government to the "Office international d'hygiène publique".</p> <p><i>The President of the Portuguese Republic :</i></p> <p>M. Bartholomeu FERREIRA, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council ;</p> <p>Dr. Rodrigo J. RODRIGUES, Governor of Macao.</p> <p><i>His Majesty the King of the Serbs, Croats and Slovènes :</i></p> <p>M. M. YOVANOVITCH, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.</p> <p><i>His Majesty the King of Siam :</i></p> <p>His Serene Highness Prince DAMRAS, Chargé d'Affaires to the Netherlands.</p> <p><i>His Excellency the Governor-General of the Sudan :</i></p> |
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| <p>la Convention relative aux stupéfiants, signée à la date d'aujourd'hui. Les articles 33 et 35 de la Convention sont applicables au présent Protocole.</p> <p>En foi de quoi le présent Protocole a été dressé à Genève le dix-neuf février 1925 en un seul exemplaire qui sera déposé dans les archives du Secrétariat de la Société des Nations et dont copie certifiée conforme sera remise à tous les Etats représentés à la Conférence et à tout Membre de la Société des Nations.</p> | <p>the Convention relating to Dangerous Drugs signed this day. Articles 33 and 35 of the Convention are applicable to the present Protocol.</p> <p>In faith whereof the present Protocol was drawn up at Geneva the nineteenth day of February 1925, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations ; certified copies will be transmitted to all States represented at the Conference and to all Members of the League of Nations.</p> |
| <p>ALBANIE</p> <p>ALLEMAGNE</p> <p>EMPIRE BRITANNIQUE</p> <p>CANADA</p> | <p>ALBANIA</p> <p>GERMANY</p> <p>BRITISH EMPIRE</p> <p>CANADA</p> |
| <p>B. BLINISHTI</p> <p>H. von ECKARDT</p> <p>Malcolm DELEVINGNE</p> <p>W. A. RIDDELL</p> | |

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| <p>M. A. OLDENBURG, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Représentant du Danemark auprès de la Société des Nations.</p> <p><i>Sa Majesté le Roi d'Espagne :</i> M. E. DE PALACIOS, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse.</p> <p><i>Le Président de la République Française :</i> M. G. BOURGOIS, Consul de France ; M. A. KIRCHER, Directeur des douanes et régie d'Indo-Chine.</p> <p><i>Le Président de la République Hellénique :</i> M. Vassili DENDRAMIS, Chargé d'affaires en Suisse.</p> <p><i>Son Altesse Sérénissime le Gouverneur de Hongrie :</i> Le Dr Zoltán BARANYAI, Directeur du Secrétariat royal hongrois auprès de la Société des Nations.</p> <p><i>Sa Majesté l'Empereur du Japon :</i> M. S. KAKU, ancien Gouverneur civil du Gouvernement général de Taïwan ; M. Yotaro SUGIMURA, Conseiller d'Ambassade, Chef-adjoint du Bureau impérial du Japon</p> | <p>M. A. OLDENBURG, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Representative of Denmark accredited to the League of Nations.</p> <p><i>His Majesty the King of Spain :</i> M. E. DE PALACIOS, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.</p> <p><i>The President of the French Republic :</i> M. G. BOURGOIS, French Consul ; M. A. KIRCHER, Director of Customs and Excise in Indo-China.</p> <p><i>The President of the Hellenic Republic :</i> M. Vassili DENDRAMIS, Chargé d'Affaires in Switzerland.</p> <p><i>His Serene Highness the Governor of Hungary :</i> Dr. Zoltán BARANYAI, Head of the Royal Hungarian Secretariat accredited to the League of Nations.</p> <p><i>His Majesty the Emperor of Japan :</i> M. S. KAKU, former Civil Governor of the General Government of Taiwan ; M. Yotaro SUGIMURA, Counsellor of Embassy, Assistant Head of the Imperial Japanese</p> |
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| LETTONIE | | LATVIA |
| | W. G. SALNAIS | |
| LUXEMBOUG | | LUXEMBURG |
| | Ch. G. VERMAIRE | |
| NICARAGUA | | NICARAGUA |
| | A. SOTTILE | |
| PAYS-BAS | | THE NETHERLANDS |
| | v. WETTUM. J. B. M. COEBERGH | |
| | A. D. A. de KAT ANGELINO | |
| PERSE | | PERSIA |
| | Prince ARFA-OD-DOVLEH MIRZA RIZA KHAN | |
| PORTUGAL | | PORTUGAL |
| | A. M. Bartholomeu FERREIRA | |
| | R. J. RODRIGUES | |
| ROYAUME DES SERBES, CROATES ET SLOVÈNES | | KINGDOM OF THE SERBS, CROATS AND SLOVENES |
| | M. JOVANOVITCH | |
| SIAM | | SIAM |
| | DAMRAS | |
| SOUDAN | | SUDAN |

I.

Les Etats signataires du present Protocole, reconnaissant qu'ils ont le devoir, aux termes du chapitre I de la Convention de la Haye, d'exercer sur la production, la distribution et l'exportation de l'opium brut, un contrôle suffisant pour arrêter le trafic illicite, s'engagent à prendre les mesures nécessaires pour empêcher complètement, dans un délai de cinq ans à dater de ce jour, que la contrebande de l'opium ne constitue un obstacle sérieux à la suppression effective de l'usage de l'opium préparé dans les territoires où cet usage est temporairement autorisé.

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La question de savoir si l'engagement mentionné à l'article I a été complètement exécuté sera décidée, à la fin de ladite période de cinq ans, par une Commission qui sera constituée par le Conseil de la Société des Nations.

III.

Le present Protocole entrera en vigueur, pour chacun des Etats signataires, en même temps que

I.

The States signatory to the present Protocol, recognising that under Chapter I of the Hague Convention the duty rests upon them of establishing such a control over the production, distribution and exportation of raw opium as would prevent the illicit traffic, agree to take such measures as may be required to prevent completely, within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium in these territories where such use is temporarily authorised.

II.

The question whether the undertaking referred to in Article I has been completely executed shall be decided, at the end of the said period of five years, by a Commission to be appointed by the Council of the League of Nations.

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The present Protocol shall come into force for each of the signatory States at the same time as

Sir Wasey STERRY, C. B. E., Secrétaire juridique du Gouvernement du Soudan.

Le Conseil fédéral suisse :

M. Paul DINICHERT, Ministre plénipotentiaire, Chef de la Division des Affaires étrangères du Département politique fédéral.

Le Président de la République Tchécoslovaque :

M. Ferdinand VEVERKA, Envoyé extraordinaire et Ministre plénipotentiaire près le Conseil fédéral suisse, Délégué permanent auprès de la Société des Nations.

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CHAPITRE I.—DEFINITIONS.

ARTICLE 1^{er}.

Aux fins de la présente Convention, les Parties

Sir Wasey STERRY, C. B. E., Legal Secretary to the Government of Sudan.

The Swiss Federal Council :

M. Paul DINICHERT, Minister Plenipotentiary, Head of the Foreign Affairs Division of the Federal Political Department.

The President of the Czechoslovak Republic :

M. Ferdinand VEVERKA, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Representative accredited to the League of Nations.

The President of the Republic of Uruguay :

M. Enrique E. BUERO, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

who, after communicating their full powers, found in good and due form, have agreed as follows :

CHAPTER I.—DEFINITIONS.

ARTICLE 1.

The Contracting Parties agree to adopt the

contractantes conviennent d'accepter les définitions suivantes :

Opium brut.—Par "opium brut", on entend le suc, coagulé spontanément, obtenu des capsules du pavot somnifère (*Papaver somniferum L.*) et n'ayant subi que les manipulations nécessaires à son emballage et à son transport, quelle que soit sa teneur en morphine.

Opium médicinal.—Par "opium médicinal", on entend l'opium qui a subi les préparations nécessaires pour son adaptation à l'usage médical soit en poudre ou granulé, soit en forme de mélange avec des matières neutres, selon les exigences de la pharmacopée.

Morphine.—Par "morphine", on entend le principal alcaloïde de l'opium ayant la formule chimique $C_{17} H_{19} N O_5$.

Diacétylmorphine.—Par "diacétylmorphine", on entend la diacétylmorphine (diamorphine, héroïne) ayant la formule $C_{21} H_{23} N O_6$.

Feuille de coca.—Par "feuille de coca", on entend la feuille de l'*Erythroxyton Coca Lamarck*, de l'*Erythroxyton novo-granatense* (Morris) Hieronymus et de leurs variétés, de la famille des

following definitions for the purposes of the present Convention :

Raw Opium.—"Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

Medicinal Opium.—"Medicinal opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

Morphine.—"Morphine" means the principal alkaloid of opium having the chemical formula $C_{17} H_{19} N O_5$.

Diacetylmorphine.—"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula $C_{21} H_{23} N O_6$.

Coca Leaf.—"Coca leaf" means the leaf of the *Erythroxyton Coca Lamarck* and the *Erythroxyton novo-granatense* (Morris) Hieronymus and their varieties, belonging to the family of Erythroxy-

DEUXIÈME CONFÉRENCE DE L'OPIUM

PROTOCOLE

Signé à Genève, le 19 Février 1925.
Ratifié le 26 Juillet 1928.
Ratification déposée au Secrétariat de la Société des Nations,
le 10 Octobre 1928.
Promulgué à Tokio, le 28 Décembre 1928.

Les soussignés, représentants de certains des Etats signataires de la Convention relative aux stupéfiants, signée à la date d'aujourd'hui, et dûment autorisés à cet effet ;

Prenant acte du Protocole signé le onze février mil neuf cent vingt-cinq par les représentants des Etats signataires de l'Accord signé le même jour relativement à l'usage de l'opium préparé.

Conviennent des dispositions suivantes :

SECOND OPIUM CONFERENCE

PROTOCOL

Signed at Geneva, February 19, 1925.
Ratified July 26, 1928.
Ratification deposited at the Secretariat of the League of Nations, October 10, 1928.
Promulgated at Tokyo, December 28, 1928.

The undersigned, representatives of certain States signatory to the Convention relating to Dangerous Drugs signed this day, duly authorised to that effect ;

Taking note of the Protocol signed the eleventh day of February one thousand nine hundred and twenty-five by the representatives of the States signatory to the Agreement signed on the same day relating to the Use of Prepared Opium :

Hereby agree as follows :

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| 獨逸國 | ヘー、フェン、エツカルト | 「ルシエンブルグ」國 | セル、アシ、シエー、ヴェルター |
| 英帝國 | マルコム、デレグインニ、 | | ル |
| 「カナダ」 | ダブリニー、エー、リデル | 「ニカラガ」國 | エー、ンチン |
| 「オーストラリア」聯邦 | エム、エル、シエバト | 和蘭國 | グイ、ウエトラム |
| 南阿弗利加聯邦 | シエ、エス、スミット | | ジエ、ビー、エム、クイーベルグ |
| 「ニー、ジールラント」 | ジエ、アリン | | エー、デー、エー、デ、カート、 |
| 印度 | アール、スパーリング | | アン、グリノ |
| 「ブルガリア」國 | デー、ミコフ | 「ベルシ」國 | ブリン、ス、アルフ、オド、トウ |
| 「チリ」國 | エミリオ、ペロ、シ | | レ、ミルザ、リザ、カイン |
| 「キューバ」國 | アリス、テイ、デス、デ、アグ、エ | 「ポルトガル」國 | エー、エム、バルトロミ、 |
| | ロイ、ベ、タン、ク、イルト | | フレイラ |
| 希臘國 | 政府ノ承認ヲ條件トス | | アール、シエー、ロドリゲス |
| | ウラ、シリ、デ、ンドラ、ニス | 「セルブ、クロアト、スロヴエー、ス」王國 | エム、ヨ、グ、ア、ウ、イ、チ |
| 日本國 | 賀來佐賀太郎 | 暹羅國 | ダムラス |
| | 杉村陽太郎 | | クエー、シ、スターリ |
| 「ラトヴィア」國 | ダブリニー、ジ、サル、ナイ、ス | 「スーダン」 | クエー、シ、スターリ |
| | | 「チエコスロヴ、キア」國 | フル、ディ、ナ、ンド、ウ、エ、ヴェル、カ |

erythroxylics et la feuille d'autres espèces de ce genre dont la cocaïne pourrait être extraite directement ou obtenue par transformation chimique.

Cocaïne brute.—Par “cocaïne brute”, on entend tous produits extraits de la feuille de coca qui peuvent, directement ou indirectement, servir à la préparation de la cocaïne.

Cocaïne.—Par “cocaïne”, on entend l'éther méthylique de la benzoylécgonine lévogyre. ($[\alpha] D_{20} = -16.4$ en solution chloroformique à 20%) ayant la formule $C_{17} H_{21} NO_4$.

Ecgonine.—Par “ecgonine”, on entend l'écgonine ($[\alpha] D_{20} = -45.6$ en solution aqueuse à 5%) ayant la formule $C_8 H_{15} NO_3 \cdot H_2O$, et tous les dérivés de cette ecgonine qui pourraient servir industriellement à sa régénération.

Chanvre indien.—Par “chanvre indien”, on entend la sommité séchée, fleurie ou fructifère, des pieds femelles du *Cannabis sativa L.* de laquelle la résine n'a pas été extraite, sous quelque dénomination qu'elle soit présentée dans le commerce.

leaves and the leaf of other species of this genus from which it may be found possible to extract cocaine either directly or by chemical transformation.

Crude Cocaine.—“Crude cocaine” means any extract of the coca leaf which can be used directly or indirectly for the manufacture of cocaine.

Cocaine.—“Cocaine” means methyl-benzoyl levo-ecgonine ($[\alpha] D_{20} = -16.4$ in 20 per cent solution of chloroform), of which the formula is $C_{17} H_{21} NO_4$.

Ecgonine.—“Ecgonine” means levo-ecgonine ($[\alpha] D_{20} = -45.6$ in 5 per cent solution of water), of which the formula is $C_8 H_{15} NO_3 \cdot H_2O$, and all the derivatives of levo-ecgonine which might serve industrially for its recovery.

Indian Hemp.—“Indian hemp” means the dried flowering or fruiting tops of the pistillate plant *Cannabis sativa L.* from which the resin has not been extracted, under whatever name they may be designated in commerce.

CHAPITRE II.—CONTRÔLE INTERIEUR DE L'OPIMUM BRUT ET DES FEUILLES DE COCA.

ARTICLE 2.

Les Parties contractantes s'engagent à édicter des lois et règlements, si cela n'a pas encore été fait, pour assurer un contrôle efficace de la production, de la distribution et de l'exportation de l'opium brut; elles s'engagent également à réviser périodiquement et à renforcer, dans la mesure où cela sera nécessaire, les lois et règlements sur la matière qu'elles auront édictées en vertu de l'article 1er de la Convention de La Haye de 1912 ou de la présente Convention.

ARTICLE 3.

Les Parties contractantes limiteront, en tenant compte des différences de leurs conditions commerciales, le nombre des villes, ports ou autres localités par lesquels l'exportation ou l'importation de l'opium brut ou de feuilles de coca sera permise.

CHAPTER II.—INTERNAL CONTROL OF RAW OPIUM AND COCA LEAVES.

ARTICLE 2.

The Contracting Parties undertake to enact laws and regulations to ensure the effective control of the production, distribution and export of raw opium, unless laws and regulations on the subject are already in existence; they also undertake to review periodically, and to strengthen as required, the laws and regulations on the subject which they have enacted in virtue of Article 1 of the Hague Convention of 1912 or of the present Convention.

ARTICLE 3.

Due regard being had to the differences in their commercial conditions, the Contracting Parties shall limit the number of towns, ports or other localities through which the export or import of raw opium or coca leaves shall be permitted.

第二阿片會議 議定書

一九二五年(大正十四年)二月十九日「シニエール」ニ於テ署名
一九二八年(昭和三年)七月二十六日批准
一九二八年(昭和三年)一月二〇日批准書寄託
一九二八年(昭和三年)二月二十八日公布

本日署名セラレタル危険ナル藥品ニ關スル條約ノ或署名國ノ代表者ニシテ正當ノ委任ヲ受ケタル下名ハ

千九百二十五年二月十一日署名セラレタル阿片煙膏ノ使用ニ關スル協定ノ署名國代表者ニ依リ同日署名セラレタル議定書ヲ了承シ

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一

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止ニ重大ナル障害ヲ爲スコトヲ本日ヨリ五年以内ニ完全ニ防止スルニ必要ナルベキ措置ヲ執ルコトヲ約ス

二

第一條ニ掲ケラルル約束ガ完全ニ實行セラレタリヤ否ヤノ問題ハ國際聯盟理事會ニ依リ任命セララルベキ委員會ニ依リ右五年ノ期間ノ終ニ決定セララルベシ

三

本議定書ハ本日署名セラレタル危険ナル藥品ニ關スル條約ト同時ニ署名國ノ各ニ付實施セララルベシ條約第三十三條及第三十五條ハ之ヲ本議定書ニ適用ス

右證據トシテ千九百二十五年二月十九日「シニエール」ニ於テ本議定書一通ヲ作成シ之ヲ國際聯盟事務局ノ記録ニ寄託保存ス認證原本ハ會議ニ代表セラレタル一切ノ國及國際聯盟ノ一切ノ聯盟國ニ送付セララルベシ

「アルバニア」國 ビー、ブリスニシテ

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| <p>2) pour des besoins médicaux ou scientifiques, exclusivement (dans le cas des stupéfiants visés par le chapitre III de la Convention, et du chanvre indien).</p> <p>Pour le ministre et par son ordre...</p> <p>(Signé)</p> <p>(Titre)</p> <p>(Date).....</p> | <p>(2) Solely for medicinal or scientific purposes (in the case of drugs to which Chapter III of the Convention applies and Indian hemp).</p> <p>Signed on behalf of the Ministry of.....</p> <p>(Signature)</p> <p>(Official Rank).....</p> <p>(Date).....</p> |
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| <p>CHAPITRE III.—CONTRÔLE INTÉRIEUR DES DROGUES MANUFACTURÉES.</p> <p>ARTICLE 4.</p> <p>Les dispositions du présent chapitre s'appliquent aux substances suivantes :</p> <p>a) A l'opium médicinal ;</p> <p>b) A la cocaïne brute et à l'ecgonine ;</p> <p>c) A la morphine, diacétylmorphine, cocaïne et leurs sels respectifs ;</p> <p>d) A toutes les préparations officinales et non officinales (y compris les remèdes dits anti-opium) contenant plus de 0,2% de morphine ou plus de 0,1% de cocaïne ;</p> <p>e) A toutes les préparations contenant de la diacétylmorphine ;</p> <p>f) Aux préparations galéniques (extrait et teinture) de chanvre indien ;</p> <p>g) A tout autre stupéfiant auquel la présente Convention peut s'appliquer, conformément à l'article 10.</p> | <p>CHAPTER III.—INTERNAL CONTROL OF MANUFACTURED DRUGS.</p> <p>ARTICLE 4.</p> <p>The provisions of the present Chapter apply to the following substances :</p> <p>(a) Medicinal opium ;</p> <p>(b) Crude cocaine and ecgonine ;</p> <p>(c) Morphine, diacetylmorphine, cocaine and their respective salts ;</p> <p>(d) All preparations officinal and non-official (including the so-called anti-opium remedies) containing more than 0.2 per cent of morphine or more than 0.1 per cent of cocaine ;</p> <p>(e) All preparations containing diacetylmorphine ;</p> <p>(f) Galenical preparations (extract and tincture) of Indian hemp ;</p> <p>(g) Any other narcotic drug to which the present Convention may be applied in accordance with Article 10.</p> |
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ARTICLE 5.

Les Parties contractantes édicteront des lois ou des règlements efficaces de façon à limiter exclusivement aux usages médicaux et scientifiques la fabrication, l'importation, la vente, la distribution, l'exportation et l'emploi des substances auxquelles s'applique le présent chapitre. Elles coopéreront entre elles afin d'empêcher l'usage de ces substances pour tout autre objet.

ARTICLE 6.

Les Parties contractantes contrôleront tous ceux qui fabriquent, importent, vendent, distribuent ou exportent les substances auxquelles s'applique le présent chapitre, ainsi que les bâtiments où ces personnes exercent cette industrie ou ce commerce.

A cet effet, les Parties contractantes devront :

a) Limiter aux seuls établissements et locaux pour lesquels une autorisation existe à cet effet la fabrication des substances visées par l'article 4 b), c), g) ;

ARTICLE 5.

The Contracting Parties shall enact effective laws or regulations to limit exclusively to medical and scientific purposes the manufacture, import, sale, distribution, export and use of the substances to which this Chapter applies. They shall cooperate with one another to prevent the use of these substances for any other purposes.

ARTICLE 6.

The Contracting Parties shall control all persons manufacturing, importing, selling, distributing or exporting the substances to which this Chapter applies, as well as the buildings in which these persons carry on such industry or trade.

With this object, the Contracting Parties shall :

(a) Confine the manufacture of the substances referred to in Article 4 (b), (c) and (g) to those establishments and premises alone which have been licensed for the purpose.

c) Nom et adresse de la maison du pays exportateur qui fournit le stupéfiant. en provenance de c)

d) Indiquer toutes les conditions spéciales à observer; mentionner, par exemple, que le stupéfiant ne doit pas être expédié par la poste. sous réserve des conditions suivantes

d)

et déclarons que l'envoi destiné à l'importation est nécessaire:

1) pour les besoins légitimes (dans le cas d'opium brut et de la feuille de coca)¹;

¹ Les pays qui n'ont pas supprimé l'habitude de fumer l'opium et qui désirent importer de l'opium brut pour la fabrication de l'opium préparé doivent délivrer des certificats établissant que l'opium brut réservé à l'importation est destiné à la fabrication de l'opium préparé, que les fumeurs sont soumis aux restrictions gouvernementales, en attendant la suppression complète de l'opium et que l'opium importé ne sera pas réexporté.

(c) Name and address of firm in exporting country from which the drug is to be obtained. from (c).....

(d) State any special conditions to be observed, e. g. not to be imported through the post. subject to the following conditions

(d)

and is satisfied that the consignment proposed to be imported is required:

(1) For legitimate purposes (in the case of raw opium and the coca leaf)¹;

¹ Where the use of prepared opium has not yet been suppressed and it is desired to import raw opium for the manufacture of prepared opium, the certificate should be to the effect that the raw opium to be imported is required for the purpose of manufacturing prepared opium for use under Government restrictions pending complete suppression, and that it will not be re-exported.

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| <p>ANNEXE.</p> <p>MODÈLE DE CERTIFICAT D'IMPORTATION</p> <p>—</p> <p>CONVENTION INTERNATIONALE DE L'OPIMUM</p> <p>—</p> <p>N° <i>Certificat officiel d'importation.</i></p> <p> Nous certifions par la présente que le Ministère du chargé de l'application de la loi sur les stupéfiants visés par la Conven- tion internationale de l'opium a approuvé l'importation par:</p> <p>a) Nom, Adresse et profession de l'importateur. a)</p> <p>b) Description exacte du stupéfi- ant et quantité destinée à l'im- portation. de b)</p> | <p>ANNEX.</p> <p>MODEL FORM OF IMPORT CERTIFICATE</p> <p>—</p> <p>INTERNATIONAL OPIUM CONVENTION</p> <p>—</p> <p>No. <i>Certificate of Official Approval of Import.</i></p> <p> I hereby certify that the Min- istry of being the Ministry charged with the ad- ministration of the law relating to the dangerous drugs to which the International Opium Convention of () applies, has approved the importation by</p> <p>(a) Name, ad- dress and business of importer. (a)</p> <p>(b) Exact des- cription and amount of drug to be imported. of (b).....</p> |
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| <p>b) Exiger que tous ceux qui fabriquent, importent, vendent, distribuent ou exportent lesdites substances, soient munis d'une autorisation ou d'une permis pour se livrer à ces opérations;</p> <p>c) Exiger de ces personnes la consignation sur leurs livres des quantités fabriquées, des importations, exportations, ventes et tous autres modes de cession desdites substances. Cette règle ne s'appliquera pas nécessairement aux quantités dispensées par les médecins, non plus qu'aux ventes faites sur ordonnance médicale par des pharmaciens dûment autorisés, si les ordonnances sont, dans chaque cas, dûment conservées par le médecin ou le pharmacien.</p> <p style="text-align: center;">ARTICLE 7.</p> <p>Les Parties contractantes prendront des mesures pour prohiber, dans leur commerce intérieur, toute cession à des personnes non autorisées ou toute détention par ces personnes des substances auxquelles s'applique le présent chapitre.</p> | <p>(b) Require that all persons engaged in the manufacture, import, sale, distribution, or export of the said substances shall obtain a licence or permit to engage in these operation;</p> <p>(c) Require that such persons shall enter in their books the quantities manufactured imports, exports, sales and all other distribution of the said substances. This requirement shall not necessarily apply either to supplies dispensed by medical practitioners or to sales by duly authorised chemists on medical prescriptions, provided in each case that the medical prescriptions are filed and preserved by the medical practitioner or chemist.</p> <p style="text-align: center;">ARTICLE 7.</p> <p>The Contracting Parties shall take measures to prohibit, as regards their internal trade, the delivery to or possession by any unauthorised persons of the substances to which this Chapter applies.</p> |
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ARTICLE 8.

Lorsque le Comité d'hygiène de la Société des Nations, après avoir soumis la question au Comité permanent de l'Office international d'hygiène publique de Paris pour en recevoir avis et rapport, aura constaté que certaines préparations contenant les stupéfiants visés dans le présent chapitre ne peuvent donner lieu à la toxicomanie, en raison de la nature des substances médicamenteuses avec lesquelles ces stupéfiants sont associés et qui empêchent de les récupérer pratiquement, le Comité d'hygiène avisera de cette constatation le Conseil de la Société des Nations. Le Conseil communiquera cette constatation aux Parties contractantes, ce qui aura pour effet de soustraire au régime de la présente Convention les préparations en question.

ARTICLE 9.

Toute Partie contractante peut autoriser les pharmaciens à délivrer au public, de leur propre chef et à titre de médicaments pour l'usage im-

ARTICLE 8.

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office international d'Hygiène publique in Paris, finding that any preparation containing any of the narcotic drugs referred to in the present Chapter cannot give rise to the drug habit on account of the medicaments with which the said drugs are compounded and which in practice preclude the recovery of the said drugs, the Health Committee shall communicate this finding to the Council of the League of Nations. The Council will communicate the finding to the Contracting Parties, and thereupon the provisions of the present Convention will not be applicable to the preparation concerned.

ARTICLE 9.

Any Contracting Party may authorise the supply to the public by chemists, at their own discretion, as medicines, for immediate use in

ROYAUME DES SERBES,
CROATES ET SLOVÈNES

KINGDOM OF THE SERBS,
CROATS AND SLOVENES

M. JOVANOVIČH

SIAM

SIAM

DAMRAS

SOUDAN

SUDAN

WASEY STERRY

SUISSE

SWITZERLAND

Paul DINICHERT

en se référant à la déclaration formulée par la Délégation suisse à la 36^{ème} séance plénière de la Conférence concernant l'envoi des statistiques trimestrielles prévues à l'article 22, chiffre 2.

TCHÉCOSLOVAQUIE

CZECHOSLOVAKIA

Ferdinand VEVERKA

URUGUAY

URUGUAY

E. E. BUERO

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| LUXEMBOURG | Ch. G. VERMAIRE | LUXEMBURG |
| NICARAGUA | A. SOTTILE | NICARAGUA |
| PAYS-BAS | V. WETTUM. | THE NETHERLANDS |
| | J. B. M. COEBERGH. | |
| | A. D. A. de KAT ANGELINO | |
| PERSE | Prince ARFA-OD-DOVLEH MIRZA RIZA KHAN | PERSIA |
| <p><i>Ad referendum et sous réserve de la satisfaction qui sera donnée par la Société des Nations à la demande de la Perse exposée dans son mémorandum. O. D. C. 24.</i></p> | | |
| POLOGNE | CHODZKO | POLAND |
| PORTUGAL | A. M. Bartholomeu FERREIRA | PORTUGAL |
| | R. J. RODRIGUES | |

médiat en cas d'urgence, les préparations officinales opiacées suivantes: teinture d'opium, laudanum de Sydenham, poudre de Dover; toutefois, la dose maximum qui peut, dans ce cas, être délivrée, ne doit pas contenir plus de 0,25 gr. d'opium officinal, et le pharmacien devra faire figurer dans ses livres, conformément à l'article 6 c), les quantités fournies.

ARTICLE 10.

Lorsque le Comité d'hygiène de la Société des Nations, après avoir soumis la question au Comité permanent de l'Office international d'hygiène publique de Paris pour en recevoir avis et rapport, aura constaté que toute stupéfiant auquel la présente Convention ne s'applique pas est susceptible de donner lieu à des abus analogues et de produire des effets aussi nuisibles que les substances visées par ce chapitre de la Convention, le Comité d'hygiène informera le Conseil de la Société des Nations et lui recommandera que les dispositions de la présente Convention soient appliquées à cette substance.

urgent cases, of the following opiate official preparations: tincture of opium, Sydenham laudanum and Dover powder. The maximum dose, however, which may be supplied in such cases must not contain more than 25 centigrammes of official opium, and the chemist must enter in his books the quantities supplied, as provided in Article 6 (c).

ARTICLE 10.

In the event of the Health Committee of the League of Nations, after having submitted the question for advice and report to the Permanent Committee of the Office international d'Hygiène publique in Paris, finding that any narcotic drug to which the present Convention does not apply is liable to similar abuse and productive of similar ill-effects as the substances to which this Chapter of the Convention applies, the Health Committee shall inform the Council of the League accordingly and recommend that the provisions of the present Convention shall be applied to such drug.

Le Conseil de la Société des Nations communiquera cette recommandation aux Parties contractantes. Toute Partie contractante qui accepte la recommandation signifiera son acceptation au Secrétaire général de la Société des Nations, qui en avisera les autres Parties contractantes.

Les dispositions de la présente Convention deviendront immédiatement applicables à la substance en question dans les relations entre les Parties contractantes qui auront accepté la recommandation visée par les paragraphes précédents.

CHAPITRE IV.—CHANVRE INDIEN.

ARTICLE 11.

1. En addition aux dispositions du chapitre V de la présente Convention, qui s'appliqueront au chanvre indien et à la résine qui en est extraite, les Parties contractantes s'engagent :

a) A interdire l'exportation de la résine obtenue du chanvre indien et les préparations usuelles dont la résine est la base (telles que

The Council of the League shall communicate the said recommendation to the Contracting Parties. Any Contracting Party which is prepared to accept the recommendation shall notify the Secretary-General of the League, who will inform the other Contracting Parties.

The provisions of the present Convention shall thereupon apply to the substance in question as between the Contracting Parties who have accepted the recommendation referred to above.

CHAPTER IV.—INDIAN HEMP.

ARTICLE 11.

1. In addition to the provisions of Chapter V of the present Convention, which shall apply to Indian hemp and the resin prepared from it, the Contracting Parties undertake :

(a) To prohibit the export of the resin obtained from Indian hemp and the ordinary preparations of which the resin forms the base

ESPAGNE

SPAIN

Emilio DE PALACIOS

FRANCE

FRANCE

G. BOURGOIS A. KIRCHER

Le Gouvernement français est obligé de faire toutes ses réserves en ce qui concerne les Colonies, Protectorats et Pays sous mandat, dépendant de son autorité, sur la possibilité de produire régulièrement dans le délai strictement imparti, des statistiques trimestrielles prévues à l'alinéa 2 de l'article 22.

G. B. A. K.

GRÈCE

GREECE

Ad referendum

Vassili DENDRAMIS

HONGRIE

HUNGARY

Dr. BARANYAI Zoltán

JAPON

JAPAN

S. KAKU. Y. SUGIMURA.

LETTONIE

LATVIA

W. G. SALNAIS.

CHAPITRE V.—CONTRÔLE DU COM-
MERCE INTERNATIONAL.

ARTICLE 12.

Chaque Partie contractante exigera qu'une autorisation d'importation distincte soit obtenue pour chaque importation de l'une quelconque des substances auxquelles s'applique la présente Convention. Cette autorisation indiquera la quantité à importer, le nom et l'adresse de l'importateur, ainsi que le nom et l'adresse de l'exportateur.

L'autorisation d'importation spécifiera le délai dans lequel devra être effectuée l'importation; elle pourra admettre l'importation en plusieurs envois.

ARTICLE 13.

1. Chaque Partie contractante exigera qu'une autorisation d'exportation distincte soit obtenue pour chaque exportation de l'une quelconque des substances auxquelles s'applique la présente Convention. Cette autorisation indiquera la quantité

CHAPTER V.—CONTROL OF INTER-
NATIONAL TRADE.

ARTICLE 12.

Each Contracting Party shall require a separate import authorisation to be obtained for each importation of any of the substances to which the present Convention applies. Such authorisation shall state the quantity to be imported, the name and address of the importer and the name and address of the exporter.

The import authorisation shall specify the period within which the importation must be effected and may allow the importation in more than one consignment.

ARTICLE 13.

1. Each Contracting Party shall require a separate export authorisation to be obtained for each exportation of any of the substances to which the present Convention applies. Such authorisation shall state the quantity to be exported, the

AUTRICHE

Emerich PFLÜGL

AUSTRIA

BELGIQUE

Fernand PELTZER
D' Ferd. De MYTTENAERE

BELGIUM

BRÉSIL.

Pedro PERNAMBUCO f.
H. GOTUZZO.

BRAZIL

EMPIRE BRITANNIQUE

Malcolm DELEIVINGNE

BRITISH EMPIRE

CANADA

R. DANDURAND

CANADA

COMMONWEALTH
D'AUSTRALIE

M. L. SHEPHERD

COMMONWEALTH
OF AUSTRALIA

UNION SUD-
AFRICAINNE

J. S. SMIT

UNION OF SOUTH
AFRICA

| | |
|---|------------------|
| NOUVELLE-ZÉLANDE | NEW ZEALAND |
| J. ALLEN. | |
| Under article 39 on behalf of New Zealand the Convention is accepted for the Mandated territory of Western Samoa. | |
| J. A. 11 Sept. 1925 | |
| INDE | INDIA |
| R. SPERLING | |
| ETAT LIBRE D'IRLANDE | IRISH FREE STATE |
| Michael MacWHITE | |
| BULGARIE | BULGARIA |
| D. MIKOFF | |
| CHILI | CHILE |
| Emilio BELLO-C. | |
| CUBA | CUBA |
| Aristides DE AGÜERO Y BETHENCOURT | |
| DENEMARK | DENMARK |
| A. OLDENBURG. (sauf ratification) | |

| | |
|--|--|
| <p>hachich, esrar, chira et djamba) à destination de pays qui en ont interdit l'usage et, lorsque l'exportation en est autorisée, à exiger la production d'un certificat d'importation spécial délivré par le gouvernement du pays importateur et attestant que l'importation est approuvée pour les fins spécifiées dans le certificat et que la résine ou les dites préparations ne seront pas réexportées;</p> <p>b) A exiger, avant de délivrer, pour du chanvre indien, le permis d'exportation visé à l'article 13 de la présente Convention, la production d'un certificat d'importation spécial délivré par le gouvernement du pays importateur et attestant que l'importation est approuvée et est destinée exclusivement à des usages médicaux ou scientifiques;</p> <p>2. Les Parties contractantes exerceront un contrôle efficace de nature à empêcher le trafic international illicite du chanvre indien et, en particulier, de la résine.</p> | <p>(such as hashish, esrar, chiras, djamba) to countries which have prohibited their use, and, in cases where export is permitted, to require the production of a special import certificate issued by the Government of the importing country stating that the importation is approved for the purposes specified in the certificate and that the resin or preparations will not be re-exported;</p> <p>(b) Before issuing an export authorisation under Article 13 of the present Convention, in respect of Indian hemp, to require the production of a special import certificate issued by the Government of the importing country and stating that the importation is approved and is required exclusively for medical or scientific purposes.</p> <p>2. The Contracting Parties shall exercise an effective control of such a nature as to prevent the illicit international traffic in Indian hemp and especially in the resin.</p> |
|--|--|

expiré, le gouvernement du pays importateur renverra l'autorisation d'exportation endossée à cet effet au gouvernement du pays exportateur. L'endos spécifiera la quantité effectivement importée.

6. Si la quantité effectivement exportée est inférieure à celle qui est spécifiée dans l'autorisation d'exportation, mention de cette quantité sera faite par les autorités compétentes sur l'autorisation d'exportation et sur toute copie officielle de cette autorisation.

7. Si la demande d'exportation concerne un envoi destiné à être déposé dans un entrepôt de douane du pays importateur, l'autorité compétente du pays exportateur pourra accepter, au lieu du certificat d'importation prévu ci-dessus, un certificat spécial par lequel l'autorité compétente du pays importateur attestera qu'elle approuve l'importation de l'envoi dans les conditions susmentionnées. En pareil cas, l'autorisation d'exportation précisera que l'envoi est exporté pour être déposé dans un entrepôt de douane.

the period fixed for the importation has expired, shall return the export authorisation, with an endorsement to that effect, to the Government of the exporting country. The endorsement shall specify the amount actually imported.

6. If a less quantity than that specified in the export authorisation is actually exported, the quantity actually exported shall be noted by the competent authorities on the export authorisation and on any official copy thereof.

7. In the case of an application to export a consignment to any country for the purpose of being placed in a bonded warehouse in that country, a special certificate from the Government of that country, certifying that it has approved the introduction of the consignment for the said purpose, may be accepted by the Government of the exporting country in place of the import certificate provided for above. In such a case, the export authorisation shall specify that the consignment is exported for the purpose of being placed in a bonded warehouse.

soit tel de ses protectorats, colonies, possessions ou territoires d'outre-mer soumis à sa souveraineté ou à son autorité, ou pour lequel il a accepté un mandat de la Société des Nations, et pourra, ultérieurement et conformément à l'article 35, adhérer séparément au nom de l'un quelconque de ses protectorats, colonies, possessions ou territoires d'outre-mer, exclus par une telle déclaration.

La dénonciation pourra également s'effectuer séparément pour tout protectorat, colonie, possession ou territoire d'outre-mer; les dispositions de l'article 38 s'appliqueront à cette dénonciation.

En foi de quoi les plénipotentiaires susmentionnés ont signé la présente Convention.

FAIT à Genève, le dix-neuf février 1925, en une seule expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations; copie certifiée conforme en sera remise à tous les Etats représentés à la Conférence et à tout Membre de la Société des Nations.

sions, protectorates, or overseas territories under its sovereignty or authority, or in respect of which it has accepted a mandate on behalf of the League of Nations, and may subsequently accede, in conformity with the provisions of Article 35, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 38 shall apply to any such denunciation.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

DONE at Geneva, the nineteenth day of February, one thousand nine hundred and twenty-five, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all the States represented at the Conference and to all Members of the League of Nations.

ALBANIE

ALBANIA

B. BLINISHTI

ALLEMAGNE

GERMANY

H. von ECKARDT

Sous la réserve annexée au procès-verbal de la séance plénière du 16 février 1925.

H. v. E.

Sous réserve de la suspension provisoire de l'application de l'article 13, alinéa 4 de la disposition correspondante de l'article 15 et de l'article 22, alinéa 2.

Etant donné les conditions spéciales dans lesquelles il se trouve, le Gouvernement fédéral se réserve la faculté de suspendre provisoirement et tant que ces circonstances continuent, l'application des dispositions précitées visant l'envoi d'une copie de l'autorisation d'exportation ou du certificat de déroutement au Gouvernement du pays importateur. Il continuera, cependant, à appliquer le régime des certificats d'importation et d'exportation adopté à la suite des recommandations de la Commission Consultative du trafic de l'opium et des autres drogues nuisibles. Pour les mêmes motifs, et également tant que lesdites circonstances spéciales subsistent, le Gouvernement fédéral se réserve la faculté de suspendre provisoirement l'application de la disposition visant l'envoi au Comité central de statistiques trimestrielles. Il continuera, cependant, à faire un rapport annuel.

A exporter, le nom et l'adresse de l'exportateur, ainsi que le nom et l'adresse de l'importateur.

2. La Partie contractante exigera, avant de délivrer cette autorisation d'exportation, qu'un certificat d'importation, délivré par le gouvernement du pays importateur et attestant que l'importation est approuvée, soit produit par la personne ou la maison qui demande l'autorisation d'exportation.

Chaque Partie contractante s'engage à adopter, dans la mesure du possible, le certificat d'importation dont le modèle est annexé à la présente Convention.

3. L'autorisation d'exportation spécifiera le délai dans lequel doit être effectuée l'exportation et mentionnera le numéro et la date du certificat d'importation, ainsi que l'autorité qui l'a délivré.

4. Une copie de l'autorisation d'exportation accompagnera l'envoi et le gouvernement qui délivre l'autorisation d'exportation, en enverra copie au gouvernement du pays importateur.

5. Lorsque l'importation aura été effectuée, ou lorsque le délai fixé pour l'importation sera

name and address of the exporter and the name and address of the importer.

2. The Contracting Party, before issuing such export authorisation, shall require an import certificate, issued by the Government of the importing country and certifying that the importation is approved, to be produced by the person or establishment applying for the export authorisation.

Each Contracting Party agrees to adopt, so far as possible, the form of import certificate annexed to the present Convention.

3. The export authorisation shall specify the period within which the exportation must be effected, and shall state the number and date of the import certificate and the authority by whom it has been issued.

4. A copy of the export authorisation shall accompany the consignment, and the Government issuing the export authorisation shall send a copy to the Government of the importing country.

5. The Government of the importing country, when the importation has been effected, or when

ARTICLE 38.

La présente Convention pourra être dénoncée par notification écrite, adressée au Secrétaire général de la Société des Nations. La dénonciation deviendra effective un an après la date de sa réception par le Secrétaire général et n'aura d'effet qu'en ce qui concerne l'Etat dénonçant.

Le Secrétaire général de la Société des Nations portera à la connaissance de chacun des Membres de la Société des Nations signataires de la Convention ou y ayant adhéré, et des autres Etats qui sont signataires ou qui y ont adhéré, toute dénonciation reçue par lui.

ARTICLE 39.

Tout Etat participant à la présente Convention pourra déclarer, soit au moment de sa signature, soit au moment du dépôt de sa ratification ou de son adhésion, que son acceptation de la présente Convention n'engage pas, soit l'ensemble,

ARTICLE 38.

The present Convention may be denounced by an instrument in writing addressed to the Secretary-General of the League of Nations. The denunciation shall become effective one year after the date of the receipt of the instrument of denunciation by the Secretary-General, and shall operate only in respect of the Contracting Party which makes it.

The Secretary-General of the League of Nations shall notify the receipt of any such denunciations to all Members of the League of Nations signatories of or adherents to the Convention and to the other signatory or adherent States.

ARTICLE 39.

Any State signing or acceding to the present Convention may declare, at the moment either of its signature, ratification or accession, that its acceptance of the present Convention does not include any or all of its colonies, overseas posses-

ARTICLE 14.

En vue d'assurer dans les ports-francs et dans les zones franches l'application et l'exécution intégrale des dispositions de la présente Convention, les Parties contractantes s'engagent à appliquer les lois et règlements en vigueur dans le pays, aux ports-francs et aux zones franches situés sur leurs territoires et à y exercer la même surveillance et le même contrôle que dans les autres parties de leurs territoires, en ce qui concerne les substances visées par ladite Convention.

Toutefois, cet article n'empêche pas une des Parties contractantes d'appliquer aux dites substances des dispositions plus énergiques dans les ports-francs et les zones franches que dans les autres parties de son territoire.

ARTICLE 15.

1. Aucun envoi de l'une quelconque des substances visées par la présente Convention, si cet envoi est exporté d'un pays à destination d'un autre pays, ne sera autorisé à traverser un

ARTICLE 14.

For the purpose of ensuring the full application and enforcement of the provisions of the present Convention in free ports and free zones, the Contracting Parties undertake to apply in free ports and free zones situated within their territories the same laws and regulations, and to exercise therein the same supervision and control, in respect of the substances covered by the said Convention, as in other parts of their territories.

This Article does not, however, prevent any Contracting Party from applying, in respect of the said substances, more drastic provisions in its free ports and free zones than in other parts of its territories.

ARTICLE 15.

1. No consignment of any of the substances covered by the present Convention which is exported from one country to another country shall be permitted to pass through a third country,

5. Le recours à la Cour de Justice sera formé ainsi qu'il est prévu à l'article 40 du Statut de la Cour.

6. La décision prise par les Parties au litige de le soumettre, pour avis consultatif, à l'organisme technique désigné par le Conseil de la Société des Nations, ou de recourir à l'arbitrage, sera communiquée au Secrétaire général de la Société et, par ses soins, aux autres Parties contractantes, qui auront le droit d'intervenir dans la procédure.

7. Les Parties au litige devront porter devant la Cour permanente de Justice internationale tout point de droit international ou toute question d'interprétation de la présente Convention qui pourra surgir au cours de la procédure devant l'organisme technique ou le tribunal arbitral dont cet organisme ou ce tribunal estimerait, sur demande d'une des Parties, que la solution préalable par la Cour est indispensable pour le règlement du différend.

5. Proceedings shall be opened before the Permanent Court of International Justice in the manner laid down in Article 40 of the Statute of the Court.

6. A decision of the parties to a dispute to submit it for an advisory opinion to the technical body appointed by the Council of the League of Nations, or to resort to arbitration, shall be communicated to the Secretary-General of the League of Nations and by him to the other Contracting Parties, which shall have the right to intervene in the proceedings.

7. The parties to a dispute shall bring before the Permanent Court of International Justice any question of international law or question as to the interpretation of the present Convention arising during proceedings before the technical body or arbitral tribunal, decision of which by the Court is, on the demand of one of the parties, declared by the technical body or arbitral tribunal to be necessary for the settlement of the dispute.

ARTICLE 17.

Lorsque les substances visées par la présente Convention traverseront en transit les territoires d'une Partie contractante, ou y seront déposées en entrepôt de douane, elles ne pourront être soumises à aucune opération qui modifierait, soit leur nature, soit, sauf permission de l'autorité compétente, leur emballage.

ARTICLE 18.

Si l'une des Parties contractantes estime impossible de faire application de l'une quelconque des dispositions du présent chapitre à son commerce avec un autre pays, en raison du fait que ce dernier n'est pas partie à la présente Convention, cette Partie contractante ne sera obligée d'appliquer les dispositions du présent chapitre que dans la mesure où les circonstances le permettent.

ARTICLE 17.

No consignment of the substances covered by the present Convention while passing in transit through the territories of any Contracting Party or whilst being stored there in a bonded warehouse may be subjected to any process which would alter the nature of the substances in question or, without the permission of the competent authorities, the packing.

ARTICLE 18.

If any Contracting Party finds it impossible to apply any provision of this Chapter to trade with another country by reason of the fact that such country is not a party to the present Convention, such Contracting Party will only be bound to apply the provisions of this Chapter so far as the circumstances permit.

CHAPITRE VI.—COMITÉ CENTRAL
PERMANENT.

ARTICLE 19.

Un Comité central permanent sera nommé, dans les trois mois qui suivront l'entrée en vigueur de la présente Convention.

Le Comité central comprendra huit personnes qui, par leur compétence technique, leur impartialité et leur indépendance inspireront une confiance universelle.

Les membres du Comité central seront nommés par le Conseil de la Société des Nations.

Les Etats-Unis d'Amérique et l'Allemagne seront invités à désigner chacun une personne pour participer à ces nominations.

En procédant à ces nominations, on prendra en considération l'importance qu'il y a à faire figurer dans le Comité central, en proportion équitable, des personnes ayant une connaissance de la question des stupéfiants, dans les pays producteurs et manufacturiers, d'une part, et dans les pays consommateurs, d'autre part, et appartenant à ces pays.

CHAPTER VI.—PERMANENT
CENTRAL BOARD.

ARTICLE 19.

A Permanent Central Board shall be appointed, within three months from the coming into force of the present Convention.

The Central Board shall consist of eight persons who, by their technical competence, impartiality and disinterestedness, will command general confidence.

The members of the Central Board shall be appointed by the Council of the League of Nations.

The United States of America and Germany shall be invited each to nominate one person to participate in these appointments.

In making the appointments, consideration shall be given to the importance of including on the Central Board, in equitable proportion, persons possessing a knowledge of the drug situation, both in the producing and manufacturing countries on the one hand and in the consuming countries on the other hand, and connected with such countries.

l'organisme technique que le Conseil de la Société des Nations désignerait à cet effet.

2. L'avis consultatif devra être formulé dans les six mois à compter du jour où l'organisme dont il s'agit aura été saisi du différend, à moins que, d'un commun accord, les Parties en litige ne décident de proroger ce délai. Cet organisme fixera le délai dans lequel les Parties auront à se prononcer à l'égard de son avis.

3. L'avis consultatif ne liera pas les Parties en litige, à moins qu'il ne soit accepté par chacune d'elles.

4. Les différends qui n'auraient pu être réglés ni directement, ni, le cas échéant, sur la base de l'avis de l'organisme technique susvisé, seront portés, à la demande d'une des Parties au litige, devant la Cour permanente de Justice internationale, à moins que, par application d'une convention existante ou en vertu d'un accord spécial à conclure, il ne soit procédé au règlement du différend par voie d'arbitrage ou de toute autre manière.

advisory opinion to such technical body as the Council of the League of Nations may appoint for this purpose.

2. The advisory opinion shall be given within six months commencing from one day on which the dispute has been submitted to the technical body, unless this period is prolonged by mutual agreement between the parties to the dispute. The technical body shall fix the period within which the parties are to decide whether they will accept the advisory opinion given by it.

3. The advisory opinion shall not be binding upon the parties to the dispute unless it is accepted by each of them.

4. Disputes which it has not been found possible to settle either directly or on the basis of the advice of the above-mentioned technical body shall, at the request of any one of the parties thereto, be brought before the Permanent Court of International Justice, unless a settlement is attained by way of arbitration or otherwise by application of some existing convention or in virtue of an arrangement specially concluded.

Les membres du Comité central n'exerceront pas des fonctions qui les mettent dans une position de dépendance directe de leurs gouvernements.

Les membres du Comité exerceront un mandat d'une durée de cinq ans et seront rééligibles.

Le Comité élira son président et fixera son règlement intérieur.

Le quorum fixé pour les réunions du Comité sera de quatre membres.

Les décisions du Comité relatives aux articles 24 et 26 devront être prises à la majorité absolue de tous les membres du Comité.

ARTICLE 20.

Le Conseil de la Société des Nations, d'accord avec le Comité, prendra les dispositions nécessaires pour l'organisation et le fonctionnement du Comité, en vue de garantir la pleine indépendance de cet organisme dans l'exécution de ses fonctions techniques, conformément à la présente Convention, et d'assurer, par le Secrétaire général, le fonctionnement des services administratifs du Comité.

The members of the Central Board shall not hold any office which puts them in a position of direct dependence on their Governments.

The members shall be appointed for a term of five years, and they will be eligible for re-appointment.

The Central Board shall elect its own President and shall settle its rules of procedure.

At meetings of the Board, four members shall form a quorum.

The decisions of the Board relative to Articles 24 and 26 shall be taken by an absolute majority of the whole number of the Board.

ARTICLE 20.

The Council of the League of Nations shall, in consultation with the Board, make the necessary arrangements for the organisation and working of the Board, with the object of assuring the full technical independence of the Board in carrying out its duties under the present Convention, while providing for the control of the staff in administrative matters by the Secretary-General.

Le Secrétaire général nommera le secrétaire et les fonctionnaires du Comité central, sur la désignation dudit Comité et sous réserve de l'approbation du Conseil.

ARTICLE 21.

Les Parties contractantes conviennent d'envoyer chaque année, avant le 31 décembre, au Comité central permanent prévu à l'article 19, les évaluations des quantités de chacune des substances visées par la Convention à importer sur leurs territoires, en vue de leur consommation intérieure au cours de l'année suivante pour des fins médicales, scientifiques et autres.

Ces chiffres ne doivent pas être considérés comme ayant, pour le gouvernement intéressé, un caractère obligatoire, mais seront donnés au Comité central à titre d'indication pour l'exercice de son mandat.

Dans le cas où des circonstances obligeraient un pays à modifier, au cours de l'année, ses évaluations, ce pays communiquera au Comité central les chiffres révisés.

The Secretary-General shall appoint the secretary and staff of the Board on the nomination of the Board and subject to the approval of the Council.

ARTICLE 21.

The Contracting Parties agree to send in annually before December 31st, to the Permanent Central Board set up under Article 19, estimates of the quantities of each of the substances covered by the Convention to be imported into their territory for internal consumption during the following year for medical, scientific and other purposes.

These estimates are not to be regarded as binding on the Government concerned, but will be for the purpose of serving as a guide to the Central Board in the discharge of its duties.

Should circumstances make it necessary for any country, in the course of the year, to modify its estimates, the country in question shall communicate the revised figures to the Central Board.

rendre passibles de sanctions pénales adéquates, y compris, le cas échéant, la confiscation des substances, objet du délit, les infractions aux lois et règlements relatifs à l'application des dispositions de la présente Convention.

ARTICLE 29.

Les Parties contractantes examineront dans l'esprit le plus favorable la possibilité de prendre des mesures législatives pour punir des actes commis dans le ressort de leur juridiction en vue d'aider ou d'assister à la perpétration, en tout lieu situé hors de leur juridiction, d'un acte constituant une infraction aux lois en vigueur en ce lieu et ayant trait aux objets visés par la présente Convention.

ARTICLE 30.

Les Parties contractantes se communiqueront par l'intermédiaire du Secrétaire général de la Société des Nations, si elles ne l'ont déjà fait, leurs lois et règlements concernant les matières visées par la présente Convention, de même que

breaches of its laws or regulations by which the provisions of the present Convention are enforced shall be punishable by adequate penalties, including in appropriate cases the confiscation of the substances concerned.

ARTICLE 29.

The Contracting Parties will examine in the most favourable spirit the possibility of taking legislative measures to render punishable acts committed within their jurisdiction for the purpose of procuring or assisting the commission in any place outside their jurisdiction of any act which constitutes an offence against the laws of that place relating to the matters dealt with in the present Convention.

ARTICLE 30.

The Contracting Parties shall communicate to one another, through the Secretary-General of the League of Nations their existing laws and regulations respecting the matters referred to in the present Convention, so far as this has

Les alinéas 3, 4 et 7 de l'article 24 s'appliqueront dans ce cas.

ARTICLE 27.

Le Comité central présentera chaque année au Conseil de la Société des Nations un rapport sur ses travaux. Ce rapport sera publié et communiqué à toutes les Parties contractantes.

Le Comité central prendra toutes les mesures nécessaires pour que les évaluations, statistiques, renseignements et explications dont il dispose, conformément aux articles 21, 22, 23, 24, 25 ou 26 de la présente Convention, ne soient pas rendus publics d'une manière qui pourrait faciliter les opérations des spéculateurs ou porter atteinte au commerce légitime de l'une quelconque des Parties contractantes.

CHAPITRE VII.—DISPOSITIONS GÉNÉRALES

ARTICLE 28.

Chacune des Parties contractantes s'engage à

Paragraphs 3, 4 and 7 of Article 24 shall apply in any such case.

ARTICLE 27.

The Central Board shall present an annual report on its work to the Council of the League. This report shall be published and communicated to all the Contracting Parties.

The Central Board shall take all necessary measures to ensure that the estimates, statistics, information and explanations which it receives under Articles 21, 22, 23, 24, 25 or 26 of the present Convention shall not be made public in such a manner as to facilitate the operations of speculators or injure the legitimate commerce of any Contracting Party.

CHAPTER VII.—GENERAL PROVISIONS.

ARTICLE 28.

Each of the Contracting Parties agrees that

ARTICLE 22.

1. Les Parties contractantes conviennent d'envoyer chaque année au Comité central, trois mois (dans les cas prévus au paragraphe o) : cinq mois) au plus tard après la fin de l'année, et de la manière qui sera indiquée par le Comité, des statistiques aussi complètes et exactes que possible, relatives à l'année précédente :

a) De la production d'opium brut et de feuilles de coca ;

b) De la fabrication des substances visées au chapitre III, article 4 b) o) g), de la présente Convention et des matières premières employées pour cette fabrication. La quantité de ces substances, employée à la fabrication d'autres dérivés non visés par la Convention, sera déclarée séparément ;

o) Des stocks de substances visées par les chapitres II et III de la présente Convention, détenus par les négociants en gros ou par l'Etat, en vue de la consommation dans le pays, pour des besoins autres que les besoins de l'Etat ;

ARTICLE 22.

1. The Contracting Parties agree to send annually to the Central Board, in a manner to be indicated by the Board, within three (in the case of paragraph (o), five) months after the end of the year, as complete and accurate statistics as possible relative to the preceding year, showing :

(a) Production of raw opium and coca leaves ;

(b) Manufacture of the substances covered by Chapter III, Article 4 (b) (o) and (g) of the present Convention and the raw material used for such manufacture. The amount of such substances used for the manufacture of other derivatives not covered by the Convention shall be separately stated ;

(o) Stocks of the substances covered by Chapters II and III of the present Convention in the hands of wholesalers or held by the Government for consumption in the country for other than Government purposes ;

pays en ce qui concerne lesdites substances. Le Comité central notifiera en même temps au gouvernement du pays intéressé la recommandation qu'il a faite.

3. Le pays intéressé pourra porter la question devant le Conseil de la Société des Nations.

4. Tout gouvernement d'un pays exportateur qui ne sera pas disposé à agir selon la recommandation du Comité central pourra également porter la question devant le Conseil de la Société des Nations.

S'il ne croit pas devoir le faire, il informera immédiatement le Comité central qu'il n'est pas disposé à se conformer à la recommandation du Conseil, en donnant, si possible, ses raisons.

5. Le Comité central aura le droit de publier un rapport sur la question et de le communiquer au Conseil, qui le transmettra aux gouvernements des Parties contractantes.

6. Si, dans un cas quelconque, la décision du Comité central n'est pas prise à l'unanimité, les avis de la minorité devront également être exposés.

time notify the Government of the country concerned of the recommendation made by it.

3. The country concerned shall be entitled to bring the matter before the Council of the League.

4. The Government of any exporting country which is not prepared to act on the recommendation of the Central Board shall also be entitled to bring the matter before the Council of the League.

If it does not do so, it shall immediately inform the Board that it is not prepared to act on the recommendation, explaining, if possible, why it is not prepared to do so.

5. The Central Board shall have the right to publish a report on the matter and communicate it to the Council, which shall thereupon forward it to the Governments of all the Contracting Parties.

6. If in any case the decision of the Central Board is not unanimous, the views of the minority shall also be stated.

dans les cas qui pourront être déterminés par le Comité, envoyées par télégramme, sauf si les quantités descendent au-dessous d'un minimum qui sera fixé pour chaque substance par le Comité central.

3. En fournissant les statistiques, conformément au présent article, les gouvernements indiqueront séparément les quantités importées ou achetées en vue des besoins de l'Etat, afin qu'il soit possible de déterminer les quantités requises dans le pays pour les besoins généraux de la médecine et de la science. Le Comité central n'aura aucun pouvoir de poser des questions ou d'exprimer une opinion quelconque quant aux quantités importées ou achetées en vue des besoins de l'Etat ou quant à l'usage qui en sera fait.

4. Au sens du présent article, les substances détenues, importées ou achetées par l'Etat en vue d'une vente éventuelle, ne sont pas considérées comme véritablement détenues, importées ou achetées pour les besoins de l'Etat.

ARTICLE 23.

Afin de compléter les renseignements fournis

the quantities fall below a minimum amount which shall be fixed in the case of each substance by the Board.

3. In furnishing the statistics in pursuance of this Article, the Governments shall state separately the amounts imported or purchased for Government purposes, in order to enable the amounts required in the country for general medical and scientific purposes to be ascertained. It shall not be within the competence of the Central Board to question or to express any opinion on the amounts imported or purchased for Government purposes or the use thereof.

4. For the purposes of this Article, substances which are held, imported, or purchased by the Government for eventual sale are not regarded as held, imported or purchased for Government purposes.

ARTICLE 23.

In order to complete the information of the

au Comité central au sujet de l'affectation définitive donnée à la quantité totale d'opium existant dans le monde entier, les gouvernements des pays où l'usage de l'opium préparé est temporairement autorisé fourniront chaque année au Comité, de la manière qui sera prescrite par celui-ci, outre les statistiques prévues à l'article 22, trois mois au plus après la fin de l'année, des statistiques aussi complètes et exactes que possible, relatives à l'année précédente :

1) De la fabrication d'opium préparé et des matières premières employées à cette fabrication ;

2) De la consommation d'opium préparé.

Il est entendu que le Comité n'aura aucun pouvoir de poser des questions ou d'exprimer une opinion quelconque au sujet de ces statistiques et que les dispositions de l'article 24 ne seront pas applicables en ce qui touche aux questions visées par le présent article, sauf si le Comité vient à constater l'existence, dans une mesure appréciable, de transactions internationales illicites.

Board as to the disposal of the world's supply of raw opium, the Governments of the countries where the use of prepared opium is temporarily authorised shall, in a manner to be prescribed by the Board, in addition to the statistics provided for in Article 22, forward annually to the Board, within three months after the end of the year, as complete and accurate statistics as possible relative to the preceding year showing :

(1) The manufacture of prepared opium, and the raw material used for such manufacture ;

(2) The consumption of prepared opium.

It is understood that it shall not be within the competence of the Board to question or to express any opinion upon these statistics, and that the provisions of Article 24 are not applicable to the matters dealt with in this Article, except in cases where the Board may find that illicit international transactions are taking place on an appreciable scale.

ARTICLE 24.

1. Le Comité central surveillera d'une façon constante le mouvement du marché international. Si les renseignements dont il dispose le portent à conclure qu'un pays donné accumule des quantités exagérées d'une substance visée par la présente Convention et risque ainsi de devenir un centre de trafic illicite, il aura le droit de demander des explications au pays en question par l'entremise du Secrétaire général de la Société des Nations.

2. S'il n'est fourni aucune explication dans un délai raisonnable, ou si les explications données ne sont pas satisfaisantes, le Comité central aura le droit d'attirer, sur ce point, l'attention des gouvernements de toutes les Parties contractantes ainsi que celle du Conseil de la Société des Nations, et de recommander qu'aucune nouvelle exportation des substances auxquelles s'applique la présente Convention, ou de l'une quelconque d'entre elles, ne soit effectuée, à destination du pays en question, jusqu'à ce que le Comité ait signalé qu'il a obtenu tous les apaisements quant à la situation dans ce

ARTICLE 24.

1. The Central Board shall continuously watch the course of the international trade. If the information at its disposal leads the Board to conclude that excessive quantities of any substance covered by the present Convention are accumulating in any country, or that there is a danger of that country becoming a centre of the illicit traffic, the Board shall have the right to ask, through the Secretary-General of the League, for explanations from the country in question.

2. If no explanation is given within a reasonable time or the explanation is unsatisfactory, the Central Board shall have the right to call the attention of the Governments of all the Contracting Parties and of the Council of the League of Nations to the matter, and to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country in regard to the said substances. The Board shall at the same

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2) De la consommation d'opium préparé.

Il est entendu que le Comité n'aura aucun pouvoir de poser des questions ou d'exprimer une opinion quelconque au sujet de ces statistiques et que les dispositions de l'article 24 ne seront pas applicables en ce qui touche aux questions visées par le présent article, sauf si le Comité vient à constater l'existence, dans une mesure appréciable, de transactions internationales illicites.

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(1) The manufacture of prepared opium, and the raw material used for such manufacture ;

(2) The consumption of prepared opium.

It is understood that it shall not be within the competence of the Board to question or to express any opinion upon these statistics, and that the provisions of Article 24 are not applicable to the matters dealt with in this Article, except in cases where the Board may find that illicit international transactions are taking place on an appreciable scale.

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2. S'il n'est fourni aucune explication dans un délai raisonnable, ou si les explications données ne sont pas satisfaisantes, le Comité central aura le droit d'attirer, sur ce point, l'attention des gouvernements de toutes les Parties contractantes ainsi que celle du Conseil de la Société des Nations, et de recommander qu'aucune nouvelle exportation des substances auxquelles s'applique la présente Convention, ou de l'une quelconque d'entre elles, ne soit effectuée, à destination du pays en question, jusqu'à ce que le Comité ait signalé qu'il a obtenu tous les apaisements quant à la situation dans ce

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2. If no explanation is given within a reasonable time or the explanation is unsatisfactory, the Central Board shall have the right to call the attention of the Governments of all the Contracting Parties and of the Council of the League of Nations to the matter, and to recommend that no further exports of the substances covered by the present Convention or any of them shall be made to the country concerned until the Board reports that it is satisfied as to the situation in that country in regard to the said substances. "The Board shall at the same

d) De la consommation, en dehors des besoins de l'Etat, des substances visées aux chapitres II et III de la présente Convention ;

e) Des quantités des substances visées par la présente Convention qui auront été confisquées à la suite d'importations et d'exportations illicites ; ces statistiques indiqueront la manière dont on aura disposé des substances confisquées, ainsi que tous autres renseignements utiles relatifs à la confiscation et à l'emploi fait des substances confisquées.

Les statistiques visées *sub litteris a, b, c, d, e*, seront communiquées par le Comité central aux Parties contractantes.

2. Les Parties contractantes conviennent d'envoyer au Comité central, de la manière qui sera prescrite par celui-ci, dans les quatre semaines qui suivront la fin de chaque période de trois mois, et pour chacune des substances visées par la présente Convention, les statistiques de leurs importations et de leurs exportations, en provenance et à destination de chaque pays au cours des trois mois précédents. Ces statistiques seront,

(d) Consumption, other than for Government purposes, of the substances covered by Chapters II and III of the present Convention ;

(e) Amounts of each of the substances covered by the present Convention which have been confiscated on account of illicit import or export ; the manner in which the confiscated substances have been disposed of shall be stated, together with such other information as may be useful in regard to such confiscation and disposal.

The statistics referred to in paragraphs (a) to (e) above shall be communicated by the Central Board to the Contracting Parties.

2. The Contracting Parties agree to forward to the Central Board, in a manner to be prescribed by the Board, within four weeks after the end of each period of three months, the statistics of their imports from and exports to each country of each of the substances covered by the present Convention during the preceding three months. These statistics will, in such cases as may be prescribed by the Board, be sent by telegram, except when

7. Tout pays sera invité à se faire représenter aux séances du Comité central au cours desquelles est examinée une question l'intéressant directement.

ARTICLE 25.

Toutes les Parties contractantes auront le droit, à titre amical, d'appeler l'attention du Comité sur toute question qui leur paraîtra nécessiter un examen. Toutefois, le présent article ne pourra être interprété comme étendant les pouvoirs du Comité.

ARTICLE 26.

En ce qui concerne les pays qui ne sont pas parties à la présente Convention, le Comité central pourra prendre les mesures spécifiées à l'article 24 dans le cas où les renseignements dont il dispose le portent à conclure qu'un pays donné risque de devenir un centre de trafic illicite ; dans ce cas, le Comité prendra les mesures indiquées dans l'article en question en ce qui concerne la notification au pays intéressé.

7. Any country shall be invited to be represented at a meeting of the Central Board at which a question directly interesting it is considered.

ARTICLE 25.

It shall be the friendly right of any of the Contracting Parties to draw the attention of the Board to any matter which appears to it to require investigation, provided that this Article shall not be construed as in any way extending the powers of the Board.

ARTICLE 26.

In the case of a country which is not a party to the present Convention, the Central Board may take the same measures as are specified in Article 24, if the information at the disposal of the Board leads it to conclude that there is a danger of the country becoming a centre of the illicit traffic ; in that case the Board shall take the action indicated in the said Article as regards notification to the country concerned.

Les alinéas 3, 4 et 7 de l'article 24 s'appliqueront dans ce cas.

ARTICLE 27.

Le Comité central présentera chaque année au Conseil de la Société des Nations un rapport sur ses travaux. Ce rapport sera publié et communiqué à toutes les Parties contractantes.

Le Comité central prendra toutes les mesures nécessaires pour que les évaluations, statistiques, renseignements et explications dont il dispose, conformément aux articles 21, 22, 23, 24, 25 ou 26 de la présente Convention, ne soient pas rendus publics d'une manière qui pourrait faciliter les opérations des spéculateurs ou porter atteinte au commerce légitime de l'une quelconque des Parties contractantes.

CHAPITRE VII.—DISPOSITIONS GÉNÉRALES

ARTICLE 28.

Chacune des Parties contractantes s'engage à

Paragraphs 3, 4 and 7 of Article 24 shall apply in any such case.

ARTICLE 27.

The Central Board shall present an annual report on its work to the Council of the League. This report shall be published and communicated to all the Contracting Parties.

The Central Board shall take all necessary measures to ensure that the estimates, statistics, information and explanations which it receives under Articles 21, 22, 23, 24, 25 or 26 of the present Convention shall not be made public in such a manner as to facilitate the operations of speculators or injure the legitimate commerce of any Contracting Party.

CHAPTER VII.—GENERAL PROVISIONS.

ARTICLE 28.

Each of the Contracting Parties agrees that

ARTICLE 22.

1. Les Parties contractantes conviennent d'envoyer chaque année au Comité central, trois mois (dans les cas prévus au paragraphe o) : cinq mois) au plus tard après la fin de l'année, et de la manière qui sera indiquée par le Comité, des statistiques aussi complètes et exactes que possible, relatives à l'année précédente :

a) De la production d'opium brut et de feuilles de coca ;

b) De la fabrication des substances visées au chapitre III, article 4 b) o) g), de la présente Convention et des matières premières employées pour cette fabrication. La quantité de ces substances, employée à la fabrication d'autres dérivées non visés par la Convention, sera déclarée séparément ;

o) Des stocks de substances visées par les chapitres II et III de la présente Convention, détenus par les négociants en gros ou par l'Etat, en vue de la consommation dans le pays, pour des besoins autres que les besoins de l'Etat ;

ARTICLE 22.

1. The Contracting Parties agree to send annually to the Central Board, in a manner to be indicated by the Board, within three (in the case of paragraph (o), five) months after the end of the year, as complete and accurate statistics as possible relative to the preceding year, showing :

(a) Production of raw opium and coca leaves ;

(b) Manufacture of the substances covered by Chapter III, Article 4 (b) (o) and (g) of the present Convention and the raw material used for such manufacture. The amount of such substances used for the manufacture of other derivatives not covered by the Convention shall be separately stated ;

(o) Stocks of the substances covered by Chapters II and III of the present Convention in the hands of wholesalers or held by the Government for consumption in the country for other than Government purposes ;

rendre passibles de sanctions pénales adéquates, y compris, le cas échéant, la confiscation des substances, objet du délit, les infractions aux lois et règlements relatifs à l'application des dispositions de la présente Convention.

ARTICLE 29.

Les Parties contractantes examineront dans l'esprit le plus favorable la possibilité de prendre des mesures législatives pour punir des actes commis dans le ressort de leur juridiction en vue d'aider ou d'assister à la perpétration, en tout lieu situé hors de leur juridiction, d'un acte constituant une infraction aux lois en vigueur en ce lieu et ayant trait aux objets visés par la présente Convention.

ARTICLE 30.

Les Parties contractantes se communiqueront par l'intermédiaire du Secrétaire général de la Société des Nations, si elles ne l'ont déjà fait, leurs lois et règlements concernant les matières visées par la présente Convention, de même que

breaches of its laws or regulations by which the provisions of the present Convention are enforced shall be punishable by adequate penalties, including in appropriate cases the confiscation of the substances concerned.

ARTICLE 29.

The Contracting Parties will examine in the most favourable spirit the possibility of taking legislative measures to render punishable acts committed within their jurisdiction for the purpose of procuring or assisting the commission in any place outside their jurisdiction of any act which constitutes an offence against the laws of that place relating to the matters dealt with in the present Convention.

ARTICLE 30.

The Contracting Parties shall communicate to one another, through the Secretary-General of the League of Nations their existing laws and regulations respecting the matters referred to in the present Convention, so far as this has

rendre passibles de sanctions pénales adéquates, y compris, le cas échéant, la confiscation des substances, objet du délit, les infractions aux lois et règlements relatifs à l'application des dispositions de la présente Convention.

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ARTICLE 30.

Les Parties contractantes se communiqueront par l'intermédiaire du Secrétaire général de la Société des Nations, si elles ne l'ont déjà fait, leurs lois et règlements concernant les matières visées par la présente Convention, de même que

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The Contracting Parties shall communicate to one another, through the Secretary-General of the League of Nations their existing laws and regulations respecting the matters referred to in the present Convention, so far as this has

les lois et règlements qui seraient promulgués pour la mettre en vigueur.

ARTICLE 31.

La présente Convention remplace, entre les Parties contractantes, les dispositions des chapitres I, III et V de la Convention signée à La Haye le 23 janvier 1912. Ces dispositions resteront en vigueur entre les Parties contractantes et tout Etat partie à la Convention de La Haye, et qui ne serait pas partie à la présente Convention.

ARTICLE 32.

1. Afin de régler, autant que possible, à l'amiable les différends qui s'élèveraient entre les Parties contractantes au sujet de l'interprétation ou de l'exécution de la présente Convention et qui n'auraient pu être résolus par la voie diplomatique, les Parties en litige pourront, préalablement à toute procédure judiciaire ou arbitrale, soumettre ces différends, pour avis consultatif, à

not already been done, as well as those promulgated in order to give effect to the said Convention.

ARTICLE 31.

The present Convention replaces, as between the Contracting Parties, the provisions of Chapters I, III, and V of the Convention signed at The Hague on January 23rd, 1912, which provisions remain in force as between the Contracting Parties and any States Parties to the said Convention which are not Parties to the present Convention.

ARTICLE 32.

1. In order as far as possible to settle in a friendly manner disputes arising between the Contracting Parties in regard to the interpretation or application of the present Convention which they have not been able to settle through diplomatic channels, the parties to such a dispute may, before resorting to any proceedings for judicial settlement or arbitration, submit the dispute for an

ARTICLE 33.

La présente Convention, dont les textes français et anglais feront également foi, portera la date de ce jour et sera, jusqu'au 30 septembre 1925, ouverte à la signature de tout Etat représenté à la Conférence où fut élaborée la présente Convention, de tout Membre de la Société des Nations et de tout Etat à qui le Conseil de la Société des Nations aura, à cet effet, communiqué un exemplaire de la présente Convention.

ARTICLE 34.

La présente Convention est sujette à ratification. Les instruments de ratification seront déposés auprès du Secrétaire général de la Société des Nations, qui en notifiera le dépôt aux Membres de la Société des Nations signataires de la Convention, ainsi qu'aux autres Etats signataires.

ARTICLE 35.

A partir du 30 septembre 1925, tout Etat

ARTICLE 33.

The present Convention, of which the French and English texts are both authentic, shall bear to-day's date and shall be open for signature until the 30th day of September, 1925, by any State represented at the Conference at which the present Convention was drawn up, by any Member of the League of Nations, and by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

ARTICLE 34.

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the League of Nations, who shall notify their receipt to the Members of the League which are signatories of the Convention and to the other signatory States.

ARTICLE 35.

After the 30th day of September, 1925, the

représenté à la Conférence où fut élaborée la présente Convention et non signataire de celle-ci, tout Membre de la Société des Nations et tout Etat auquel le Conseil de la Société des Nations en aura, à cet effet, communiqué un exemplaire, pourra adhérer à la présente Convention.

Cette adhésion s'effectuera au moyen d'un instrument communiqué au Secrétaire général de la Société des Nations, et qui sera déposé dans les archives du Secrétariat. Le Secrétaire général notifiera immédiatement ce dépôt aux Membres de la Société des Nations signataires de la Convention, et aux autres Etats signataires, ainsi qu'aux Etats adhérents.

ARTICLE 36.

La présente Convention n'entrera en vigueur qu'après avoir été ratifiée par dix Puissances, y compris sept des Etats qui participeront à la nomination du Comité central, en conformité à l'article 19, dont au moins deux Etats membres

present Convention may be acceded to by any State represented at the Conference at which this Convention was drawn up and which has not signed the Convention, by any Member of the League of Nations, or by any State to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Accession shall be effected by an instrument communicated to the Secretary-General of the League of Nations to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to all the Members of the League of Nations signatories of the Convention and to the other signatory States.

ARTICLE 36.

The present Convention shall not come into force until it has been ratified by ten Powers, including seven of the States by which the Central Board is to be appointed in pursuance of Article 19, of which at least two must be per-

selon l'article 13, doivent être mentionnés dans l'autorisation d'exportation, ainsi que le nom du pays d'où cet envoi a été primitivement exporté. Toutes les dispositions de l'article 13 qui sont applicables à une autorisation d'exportation s'appliqueront également aux certificats de déroutement.

En outre, le gouvernement du pays autorisant le déroutement de l'envoi devra conserver la copie de l'autorisation primitive d'exportation (ou le certificat de déroutement) qui accompagnait ledit envoi au moment de son arrivée sur le territoire dudit pays et le retourner au gouvernement qui l'a délivré en notifiant en même temps à celui-ci le nom du pays à destination duquel le déroutement a été autorisé.

3. Dans les cas où le transport est effectué par la voie aérienne, les dispositions précédentes du présent article ne seront pas applicables si l'aéronef survole le territoire du tiers pays sans atterrir. Si l'aéronef atterrit sur le territoire dudit pays, lesdites dispositions seront appliquées dans la mesure où les circonstances le permettront.

4. Les alinéas 1 à 3 du présent article ne préjudicient pas aux dispositions de tout accord

country from which the consignment was originally exported. All the provisions of Article 13 which are applicable to an export authorisation shall be applicable equally to the diversion certificate.

Further, the Government of the country authorising the diversion of the consignment shall detain the copy of the original export authorisation (or diversion certificate) which accompanied the consignment on arrival in its territory, and shall return it to the Government which issued it, at the same time notifying the name of the country to which the diversion has been authorised.

3. In cases where the transport is being effected by air, the preceding provisions of this Article shall not be applicable if the aircraft passes over the territory of the third country without landing. If the aircraft lands in the territory of the said country, the said provisions shall be applied so far as the circumstances permit.

4. Paragraphs 1 to 3 of this Article are without prejudice to the provisions of any inter-

troisième pays—que cet envoi soit, ou non, transbordé du navire ou du véhicule utilisé—à moins que la copie de l'autorisation d'exportation (ou le certificat de déroutement, si ce certificat a été délivré conformément au paragraphe suivant) qui accompagne l'envoi ne soit soumis aux autorités compétentes de ce pays.

2. Les autorités compétentes d'un pays par lequel un envoi de l'une quelconque des substances visées par la présente Convention est autorisé à passer prendront toutes les mesures nécessaires pour empêcher le déroutement dudit envoi vers une destination autre que celle qui figure sur la copie de l'autorisation d'exportation (ou sur le certificat de déroutement) qui accompagne cet envoi, à moins que le gouvernement de ce pays n'ait autorisé ce déroutement au moyen d'un certificat spécial de déroutement. Un certificat de déroutement ne sera délivré qu'après réception d'un certificat d'importation, conformément aux dispositions de l'article 13, et émanant du Gouvernement du pays à destination duquel on se propose de dérouter ledit envoi; ce certificat contiendra les mêmes renseignements que ceux qui,

whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph) which accompanies the consignment is produced to the competent authorities of that country.

2. The competent authorities of any country through which a consignment of any of the substances covered by the present Convention is permitted to pass shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorisation (or the diversion certificate) which accompanies it, unless the Government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate, in accordance with Article 13, from the Government of the country to which it is proposed to divert the consignment, and shall contain the same particulars as are required by Article 13 to be stated in an export authorisation, together with the name of the

permanents du Conseil de la Société des Nations. La date de son entrée en vigueur sera le quatre-vingt-dixième jour après la réception, par le Secrétaire général de la Société des Nations, de la dernière des ratifications nécessaires. Ultérieurement, la présente Convention prendra effet, en ce qui concerne chacune des Parties, quatre-vingt-dix jours après la réception de la ratification ou de la notification de l'adhésion.

Conformément aux dispositions de l'article 18 du Pacte de la Société des Nations, le Secrétaire général enregistrera la présente Convention le jour de son entrée en vigueur.

ARTICLE 37.

Un recueil spécial sera tenu par le Secrétaire général de la Société des Nations, indiquant quelles Parties ont signé ou ratifié la présente Convention, y ont adhéré ou l'ont dénoncée. Ce recueil sera constamment ouvert aux Parties contractantes et aux Membres de la Société, et publication en sera faite aussi souvent que possible, suivant les indications du Conseil.

manent Members of the Council of the League. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of the necessary ratifications. Thereafter, the present Convention will take effect in the case of each Party ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the day of its coming into force.

ARTICLE 37.

A special record shall be kept by the Secretary-General of the League of Nations showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and the Members of the League at all times; it shall be published as often as possible, in accordance with the directions of the Council.

troisième pays—que cet envoi soit, ou non, transbordé du navire ou du véhicule utilisé—à moins que la copie de l'autorisation d'exportation (ou le certificat de déroutement, si ce certificat a été délivré conformément au paragraphe suivant) qui accompagne l'envoi ne soit soumis aux autorités compétentes de ce pays.

2. Les autorités compétentes d'un pays par lequel un envoi de l'une quelconque des substances visées par la présente Convention est autorisé à passer prendront toutes les mesures nécessaires pour empêcher le déroutement dudit envoi vers une destination autre que celle qui figure sur la copie de l'autorisation d'exportation (ou sur le certificat de déroutement) qui accompagne cet envoi, à moins que le gouvernement de ce pays n'ait autorisé ce déroutement au moyen d'un certificat spécial de déroutement. Un certificat de déroutement ne sera délivré qu'après réception d'un certificat d'importation, conformément aux dispositions de l'article 13, et émanant du Gouvernement du pays à destination duquel on se propose de dérouter ledit envoi; ce certificat contiendra les mêmes renseignements que ceux qui,

whether or not it is removed from the ship or conveyance in which it is being conveyed, unless the copy of the export authorisation (or the diversion certificate, if such a certificate has been issued in pursuance of the following paragraph) which accompanies the consignment is produced to the competent authorities of that country.

2. The competent authorities of any country through which a consignment of any of the substances covered by the present Convention is permitted to pass shall take all due measures to prevent the diversion of the consignment to a destination other than that named in the copy of the export authorisation (or the diversion certificate) which accompanies it, unless the Government of that country has authorised that diversion by means of a special diversion certificate. A diversion certificate shall only be issued after the receipt of an import certificate, in accordance with Article 13, from the Government of the country to which it is proposed to divert the consignment, and shall contain the same particulars as are required by Article 13 to be stated in an export authorisation, together with the name of the

permanents du Conseil de la Société des Nations. La date de son entrée en vigueur sera le quarante-deuxième jour après la réception, par le Secrétaire général de la Société des Nations, de la dernière des ratifications nécessaires. Ultérieurement, la présente Convention prendra effet, en ce qui concerne chacune des Parties, quarante-deux jours après la réception de la ratification ou de la notification de l'adhésion.

Conformément aux dispositions de l'article 18 du Pacte de la Société des Nations, le Secrétaire général enregistrera la présente Convention le jour de son entrée en vigueur.

ARTICLE 37.

Un recueil spécial sera tenu par le Secrétaire général de la Société des Nations, indiquant quelles Parties ont signé ou ratifié la présente Convention, y ont adhéré ou l'ont dénoncée. Ce recueil sera constamment ouvert aux Parties contractantes et aux Membres de la Société, et publication en sera faite aussi souvent que possible, suivant les indications du Conseil.

manent Members of the Council of the League. The date of its coming into force shall be the ninetieth day after the receipt by the Secretary-General of the League of Nations of the last of the necessary ratifications. Thereafter, the present Convention will take effect in the case of each Party ninety days after the receipt of its ratification or of the notification of its accession.

In compliance with the provisions of Article 18 of the Covenant of the League of Nations, the Secretary-General will register the present Convention upon the day of its coming into force.

ARTICLE 37.

A special record shall be kept by the Secretary-General of the League of Nations showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open to the Contracting Parties and the Members of the League at all times; it shall be published as often as possible, in accordance with the directions of the Council.

ARTICLE 38.

La présente Convention pourra être dénoncée par notification écrite, adressée au Secrétaire général de la Société des Nations. La dénonciation deviendra effective un an après la date de sa réception par le Secrétaire général et n'aura d'effet qu'en ce qui concerne l'Etat dénonçant.

Le Secrétaire général de la Société des Nations portera à la connaissance de chacun des Membres de la Société des Nations signataires de la Convention ou y ayant adhéré, et des autres Etats qui sont signataires ou qui y ont adhéré, toute dénonciation reçue par lui.

ARTICLE 39.

Tout Etat participant à la présente Convention pourra déclarer, soit au moment de sa signature, soit au moment du dépôt de sa ratification ou de son adhésion, que son acceptation de la présente Convention n'engage pas, soit l'ensemble,

ARTICLE 38.

The present Convention may be denounced by an instrument in writing addressed to the Secretary-General of the League of Nations. The denunciation shall become effective one year after the date of the receipt of the instrument of denunciation by the Secretary-General, and shall operate only in respect of the Contracting Party which makes it.

The Secretary-General of the League of Nations shall notify the receipt of any such denunciations to all Members of the League of Nations signatories of or adherents to the Convention and to the other signatory or adherent States.

ARTICLE 39.

Any State signing or acceding to the present Convention may declare, at the moment either of its signature, ratification or accession, that its acceptance of the present Convention does not include any or all of its colonies, overseas posse-

soit tel de ses protectorats, colonies, possessions ou territoires d'outre-mer soumis à sa souveraineté ou à son autorité, ou pour lequel il a accepté un mandat de la Société des Nations, et pourra, ultérieurement et conformément à l'article 35, adhérer séparément au nom de l'un quelconque de ses protectorats, colonies, possessions ou territoires d'outre-mer, exclus par une telle déclaration.

La dénonciation pourra également s'effectuer séparément pour tout protectorat, colonie, possession ou territoire d'outre-mer ; les dispositions de l'article 38 s'appliqueront à cette dénonciation.

En foi de quoi les plénipotentiaires susmentionnés ont signé la présente Convention.

FAIT à Genève, le dix-neuf février 1925, en une seule expédition qui sera déposée dans les archives du Secrétariat de la Société des Nations ; copie certifiée conforme en sera remise à tous les Etats représentés à la Conférence et à tout Membre de la Société des Nations.

sions, protectorates, or overseas territories under its sovereignty or authority, or in respect of which it has accepted a mandate on behalf of the League of Nations, and may subsequently accede, in conformity with the provisions of Article 35, on behalf of any such colony, overseas possession, protectorate or territory excluded by such declaration.

Denunciation may also be made separately in respect of any such colony, overseas possession, protectorate or territory, and the provisions of Article 38 shall apply to any such denunciation.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

DONE at Geneva, the nineteenth day of February, one thousand nine hundred and twenty-five, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified copies will be transmitted to all the States represented at the Conference and to all Members of the League of Nations.

第二阿片會議

條 約

一九二五年(大正一四年)二月一九日「ジュネーヴ」ニ於テ署名
 一九二八年(昭和三年)七月二十六日 批 准
 一九二八年(昭和三年)二月二〇日批准書寄託
 一九二八年(昭和三年)二月二十八日 公 布

「アルバニア」國、獨逸國、奧地利國、白耳義國、
 「ブラジル」國、英帝國、「カナダ」、「オーストラ
 リア」聯邦、南阿弗利加聯邦、「ニュー、ジール
 ド」、「アイルランド」自由國及印度、「ブルガリア」
 國、「チリ」國、「キューバ」國、丁抹國、西班牙國、
 佛蘭西國、希臘國、「ハンガリー」國、日本國、「ラ
 トヴィア」國、「ルクセンブルグ」國、「ニカラグア」
 國、和蘭國、「ペルシヤ」國、「ポーランド」國、「ポ
 ルトガル」國、「セルブ、クロアチヤ、スロヴエニス」
 王國、暹羅國、「スーダン」、瑞西國、「チッココスロ
 ヴァキア」國並ニ「ウルグワイ」國ハ
 千九百十二年一月二十三日ノ「ヘーグ」條約ノ條項
 ノ締約國ニ依ル適用ガ著大ナル效果ヲ齎シタルコ
 ト然レドモ右條約ノ適用アル物質ノ不正取引及濫

用ガ尙引續キ大規模ニ行ハルルコトノ事實ヲ認メ
 此等物質ノ不正取引及濫用ガ右條約ニ規定セラル
 ル所ニ比シ此等物質ノ生産又ハ製造ノ一層有效ナ
 ル制限ヲ實施シ且國際取引ノ一層嚴重ナル取締及
 監視ヲ行フニ非ザレバ有效ニ禁止セララルコト能
 ハザルコトヲ確信シ

從テ右條約ノ企圖スル目的ヲ達成シ且其ノ條項ヲ
 完全強固ナラシムル爲更ニ他ノ措置ヲ講ゼンコト
 ヲ希望シ

右制限及取締ニハ一切ノ締約國ノ密接ナル協力ヲ
 要スルコトヲ思ヒ

此ノ人道的努力ガ關係諸國全般ノ參加ヲ得ベキコ
 トヲ信ジ

之ガ爲條約ヲ締結スルコトニ決定シ

依テ締約國ハ左ノ如ク其ノ全權委員ヲ任命セリ

「アルバニア」國最高會議議長
 國際聯盟ニ派遣ノ「アルバニア」國事務局局
 長「ビー、ブリニシユテイ」

獨逸國大統領
 特命全權公使「ハー、フォン、エックアルト」

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第六十九 麻藥條約

麻藥ノ製造制限及分配取締ニ
關スル條約

一九三二年(昭和七年)七月十三日ジュネーブニ於テ署名
一九三五年(昭和十年)四月十七日批准
一九三五年(昭和十年)六月三日批准書登記
一九三五年(昭和十年)六月十三日公布
一九三五年(昭和十年)九月一日帝國ニ對シテ效力發生

目 次

- 第一章 定義(第一條)
- 第二章 見積(第二條乃至第五條)
- 第三章 製造制限(第六條乃至第九條)
- 第四章 禁止及制限(第十條乃至第十二條)
- 第五章 取締(第十三條及第十四條)
- 第六章 行政規定(第十五條乃至第十九條)
- 第七章 一般規定(第二十條乃至第三十四條)

獨逸國大統領、「アメリカ」合衆國大統領、「アルゼン
ライン」共和國大統領、埃地利共和國聯邦大統領、白

第六十九 麻藥條約 麻藥ノ製造制限及分配取締ニ關スル條約

NO. 69. STUPEFIANTS.

CONVENTION FOR LIMITING THE MANU-
FACTURE AND REGULATING THE DIS-
TRIBUTION OF NARCOTIC DRUGS.

Signed at Geneva, July 13, 1931.
Ratified April 17, 1935.
Ratification deposited June 3, 1935:
Promulgated June 12, 1935.
Effective in respect of Japan from September 1,
1935.

SUMMARY.

- CHAPTER I. DEFINITIONS (Art. 1).
- CHAPTER II. ESTIMATES (Art. 2 to 5).
- CHAPTER III. LIMITATION OF MANUFACTURE (Art. 6 to 9).
- CHAPTER IV. PROHIBITIONS AND RESTRICTIONS (Art. 10 to 12).
- CHAPTER V. CONTROL (Arts. 13 and 14).
- CHAPTER VI. ADMINISTRATIVE PROVISIONS (Art. 15 to 19).
- CHAPTER VII. GENERAL PROVISIONS (Art. 20 to 34).

THE PRESIDENT OF THE GERMAN REICH; THE
PRESIDENT OF THE UNITED STATES OF AMERICA;

八八五

丹義國皇帝陛下、「ボリウイア」共和國大統領、「アラ
 シル」合衆共和國大統領、「グレート、ブリテン」、
 「アイルランド」及「グレート、ブリテン」海外領土皇
 帝印度皇帝陛下、「チリ」共和國大統領、「コスタ、リ
 カ」共和國大統領、「キェバ」共和國大統領、「リト
 ア」共和國大統領、「アイスランド」國皇帝陛下、「ダンテツヒ」自由市ノ
 爲ニ「ポーランド」共和國大統領、「ドミニカ」共和國
 大統領、「エジプト」國皇帝陛下、「西班牙」共和國假政府
 大統領、「エチオピア」國皇帝陛下、「佛蘭西」共和國大
 統領、「希臘」共和國大統領、「アラマラ」共和國大統
 領、「ヘチアリス」及「ネチド」國並ニ屬地皇帝陛下、「伊
 太利」國皇帝陛下、「日本」國皇帝陛下、「リベリア」共和國
 大統領、「リシアニア」共和國大統領、「ルクセンブル
 グ」國大公殿下、「メキシコ」合衆國大統領、「モナコ」
 國大公殿下、「パナマ」共和國大統領、「ブラグアイ」共和
 國大統領、「和蘭國」國皇帝陛下、「ベルシヤ」國皇帝陛下、
 「ポーランド」共和國大統領、「ポルトガル」共和國大
 統領、「ルーマニア」國皇帝陛下、「サン、マリノ」共和
 國攝政官、「暹羅國」國皇帝陛下、「瑞典國」國皇帝陛下、「瑞西聯
 邦政府」、「チェコスロウキア」共和國大統領、「ウル

THE PRESIDENT OF THE ARGENTINE REPUBLIC; THE
 FEDERAL PRESIDENT OF THE AUSTRIAN REPUBLIC;
 HIS MAJESTY THE KING OF THE BELGIANS; THE
 PRESIDENT OF THE REPUBLIC OF BOLIVIA; THE
 PRESIDENT OF THE REPUBLIC OF THE UNITED STATES
 OF BRAZIL; HIS MAJESTY THE KING OF GREAT
 BRITAIN, IRELAND AND THE BRITISH DOMINIONS
 BEYOND THE SEAS, EMPEROR OF INDIA; THE PRESI-
 DENT OF THE REPUBLIC OF CHILE; THE PRESIDENT
 OF THE REPUBLIC OF COSTA RICA; THE PRESIDENT
 OF THE REPUBLIC OF CUBA; HIS MAJESTY THE
 KING OF DENMARK AND ICELAND; THE PRESIDENT
 OF THE POLISH REPUBLIC, FOR THE FREE CITY OF
 DANZIG; THE PRESIDENT OF THE DOMINICAN RE-
 PUBLIC; HIS MAJESTY THE KING OF EGYPT; THE
 PRESIDENT OF THE PROVISIONAL GOVERNMENT OF
 THE SPANISH REPUBLIC; HIS MAJESTY THE EM-
 PEROR AND KING OF THE KINGS OF ABYSSINIA; THE
 PRESIDENT OF THE FRENCH REPUBLIC; THE PRESI-
 DENT OF THE HELLENIC REPUBLIC; THE PRESIDENT
 OF THE REPUBLIC OF GUATEMALA; HIS MAJESTY THE
 KING OF HEJAZ, NEJD AND DEPENDENCIES; HIS
 MAJESTY THE KING OF ITALY; HIS MAJESTY THE
 EMPEROR OF JAPAN; THE PRESIDENT OF THE RE-
 PUBLIC OF LIBERIA; THE PRESIDENT OF THE RE-
 PUBLIC OF LITHUANIA; HER ROYAL HIGHNESS THE
 GRAND DUCHESS OF LUXEMBURG; THE PRESIDENT
 OF THE UNITED STATES OF MEXICO; HIS SERENE
 HIGHNESS THE PRINCE OF MONACO; THE PRESIDENT

「グアイ」共和國大統領、「ヴェネズエラ」合衆國大統領
 ハ
 麻薬ノ製造ヲ醫療用及學術用ノ爲ノ世界ノ正當ナル
 需要ニ制限スルコトヲ國際協定ニ依リ有效ナラシメ
 立ニ其ノ分配ヲ取締リ以テ千九百二十二年一月二十
 三日「ヘーグ」ニ於テ及千九百二十五年二月十九日
 「ジネーヴ」ニ於テ署名セラレタル國際阿片條約ノ
 規定ヲ補足センコトヲ欲シ
 之ガ爲條約ヲ締結スルコトニ決シ左ノ如ク其ノ全權
 委員ヲ任命セリ
 獨逸國大統領
 水官(休職)「ウエルネル、フライヘル、フォン、ラ
 インバーゲン」

OF THE REPUBLIC OF PANAMA; THE PRESIDENT
 OF THE REPUBLIC OF PARAGUAY; HER MAJESTY
 THE QUEEN OF THE NETHERLANDS; HIS IMPERIAL
 MAJESTY THE SHAH OF PERSIA; THE PRESIDENT OF
 THE POLISH REPUBLIC; THE PRESIDENT OF THE
 PORTUGUESE REPUBLIC; HIS MAJESTY THE KING
 OF ROUMANIA; I CAPITANI REGGENTI OF THE RE-
 PUBLIC OF SAN MARINO; HIS MAJESTY THE KING
 OF SIAM; HIS MAJESTY THE KING OF SWEDEN; THE
 SWISS FEDERAL COUNCIL; THE PRESIDENT OF THE
 CZECHOSLOVAK REPUBLIC; THE PRESIDENT OF THE
 REPUBLIC OF URUGUAY; THE PRESIDENT OF THE
 UNITED STATES OF VENEZUELA,

Desiring to supplement the provisions of the
 International Opium Conventions, signed at The
 Hague on January 23rd, 1912, and at Geneva on
 February 19th, 1925, by rendering effective by
 international agreement the limitation of the
 manufacture of narcotic drugs to the world's
 legitimate requirements for medical and scientific
 purposes and by regulating their distribution,

Have resolved to conclude a Convention for
 that purpose and have appointed as their Pleni-
 potentiaries:

The President of the German Reich:
 M. Werner Freiherr von Rheinbaben, "Sta-
 atsssekretär z.D.";

獨逸國內務省參事官「ドクトル、ウルデマール、カール」

「アメリカ」合衆國大統領
國務省「ジョン、ケイ、コールドウェル」
麻薬部長「ハリ、ジエ、アンズリンガー」
合衆國公衆衛生部精神衛生課長、醫務總監補
「ウオルター、ルイス、トレッドウェイ」

「カリフォルニア」州上院議員「サンボーン、ヤング」

「アルゼンティン」共和國大統領
伊太利國駐荷特命全權大使「ドクトル、フェルナンド、ペレス」

埃地利共和國聯邦大統領
國際聯盟ニ派遣ノ常任代表者、特命全權公使「エメリッヒ、プフルグ」
阿片及他ノ危険藥品ノ取引ニ關スル諮問委員會委員、警察部長、當中參事官「ドクトル、ブルノ、シュルツ」

Dr. Waldemar KAHLER, Ministerial Counsellor at the Ministry of Interior of the Reich.

The President of the United States of America:

Mr. John K. CALDWELL, of the Department of State;

Mr. Harry J. ANSLINGER, Commissioner of Narcotics;

Mr. Walter Lewis TREADWAY, M.D., F.A.C.P., Assistant Surgeon-General, United States Public Health, Service Chief, Division of Mental Hygiene;

Mr. Sanborn YOUNG, Member of the Senate of the State of California.

The President of the Argentine Republic:

Dr. Fernando PEREZ, Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy.

The Federal President of the Austrian Republic:

M. Emerich PFLUGL, Envoy Extraordinary and Minister Plenipotentiary, Permanent Representative accredited to the League of Nations;

Dr. Bruno SCHULTZ, Police Director and "Conseiller aulique". Member of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

白耳義國皇帝陛下
在「ハル」藥局検査長官「ドクトル、エフ、ド、ミットネール」

「ボリウエア」共和國大統領
阿片及他ノ危険藥品ノ取引ニ關スル諮問委員會委員「ドクトル、エメ、クエリッセル」

「ブラジル」合衆共和國大統領
瑞西聯邦駐荷特命全權公使「ラウル、ド、リオ、ブランコ」

「グレート、ブリテン」、「アイルランド」及「グレート、ブリテン」海外領土皇帝印度皇帝陛下
「グレート、ブリテン」及北部「アイルランド」並ニ國際聯盟ノ個個ノ聯盟國ニ非ザル英帝國ノ一切ノ部分
内務省常任次官補「サー、マルコム、デレヴィン」

「カナダ」
恩給及國民保健省麻薬部長、大佐「シー、エイチ、シャーマン」

His Majesty the King of Belgium:

Dr. F. DE MYTENAERE, Principal Inspector of Chemistry at Hal.

The President of the Republic of Bolivia:

Dr. M. CUELLAR, Member of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

The President of the Republic of the United States of Brazil:

M. Raul do RIO BRANCO, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:

For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

Sir Malcolm DELEVINGNE, K.C.B., Permanent Deputy-Under-Secretary in the Home Office.

For the Dominion of Canada:

Colonel C. H. L. SHARMAN, C.M.G., C.B.E.,

エル・シアマン」

國際聯盟ニ派遣ノ「カナダ」顧問「ドクトル、サキ
ルター、エー、リデル」

印度

印度委員會委員「ドクトル、アール、ビー、ブラニ
ビー」

「チリ」共和國大統領

國際聯盟ニ派遣ノ常設代表部員「エンリケ、ガハ
ルド」

「コスタリカ」共和國大統領

在「ジュネーヴ」領事「ドクトル、サイリアト、フィ
グエンド、ロラ」

「キューバ」共和國大統領

國際聯盟ニ派遣ノ常任代表委員、特命全權公使

「ギリエルモ、デ、ブランク」

「ドクトル、ベンハミン、プリメリス」

「丹國及「アイスランド」國皇帝陛下

在「ベルン」代理公使「グスタフ、ラスムッセン」

Chief Narcotic Division, Department
Pensions and National Health;

Dr. Walter A. RIDDELL, M.A., Ph.D., Do-
minion of Canada Advisory Officer ac-
credited to the League of Nations.

For India:

Dr. R. P. PARANJPYE, Member of the Council
of India.

The President of the Republic of Chile:

M. Enrique GAJARDO, Member of the Permanent
Delegation accredited to the League of
Nations.

The President of the Republic of Costa Rica:

Dr. Viriato FIGUEREDO LORA, Consul at Geneva.

The President of the Republic of Cuba.

M. Guillermo DE BLANCK, Envoy Extraordinary
and Minister Plenipotentiary, Permanent
Delegate accredited to the League of Nations;
Dr. Benjamin PRIMELLES.

His Majesty the King of Denmark and Iceland:

M. Gustav RASMUSSEN, Chargé d'affaires at
Berne.

「ダンチツヒ」自由市ノ爲ニ「ポーランド」共和國大統領

國際聯盟ニ派遣ノ常任代表委員、全權公使「フラ
ンソア、ソカル」

「ドミニカ」共和國大統領

在「ジュネーヴ」總領事「シャルル、アケルマン」

「エジプト」國皇帝陛下

「カイロ」警察部長兼麻薬ニ關スル中央情報局長
「タイ、ダブリエー、ラッセル、バシ」

西班牙共和國假政府大統領

外務省課長「フリオ、カサレス」

「エチオピア」國皇帝陛下

國際聯盟ニ派遣ノ代表委員、全權公使、「エント
ト」公、伯爵「ラガルド」

佛蘭西共和國大統領

佛蘭西國領事「ガストン、ブルゴア」

The President of the Polish Republic (for the Free
City of Danzig):

M. François SOKAL, Minister Plenipotentiary,
Permanent Delegate accredited to the League
of Nations.

The President of the Dominican Republic:

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His Majesty the King of Egypt:

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and Director of the Central Bureau for In-
formation with regard to Narcotics.

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the Spanish Republic:

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Plenipotentiary, Representative accredited to
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The President of the French Republic:

M. Gaston BOURGOIS, Consul of France.

エル、シアマン」

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ルター、エー、リデル」

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印度委員會委員「ドクトル、アール、ビー、バラニ
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グエン、ボラ」

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「ドクトル、ベン、ミン、アマリス」

丁 抹國及「アイスランド」國皇帝陛下

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「エジプト」國皇帝陛下

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「ライ、ダブ、リ、エ、ラ、セル、バ、シ」

西班牙共和國假政府大統領

外務省課長「フリオ、カサレス」

「エチオピア」國皇帝陛下

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佛蘭西國領事「ガストン、ブルゴア」

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希臘共和國大統領
 國際聯盟ニ派遣ノ常任代表委員「アール・ラファ
 エル」
 「グアラマラ」共和國大統領
 國立中等學校實驗心理學教師「ルイス・マルティ
 ネス・モント」
 「ヘチアース」及「ネチド」國立ニ屬地皇帝陛下
 英國駐劄特命全權公使「シェイク・ハフイズ・ア
 バ」
 伊太利國皇帝陛下
 前労働大臣、上院議員「ステファノ・カヴァツキ
 ニ」
 日本國皇帝陛下
 國際聯盟常國事務局長、全權公使澤田節藏
 行政課長、内務書記官大達茂雄
 「アメリカ」共和國大統領

The President of the Hellenic Republic:

M. R. RAPHAEL, Permanent Delegate accredited to the League of Nations.

The President of the Republic of Guatemala:

M. Luis MARTÍNEZ MONT, Professor of Experimental Psychology in Secondary Schools of State.

His Majesty the King of Hejaz, Nejd and Dependencies:

Cheik HAFIZ WAHBA, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty.

His Majesty the King of Italy:

M. Stefano CAVAZZONI, Senator, Former Minister of Labour.

His Majesty the Emperor of Japan:

M. Setsuzo SAWADA, Minister Plenipotentiary, Director of the Japanese Bureau accredited to the League of Nations;

M. Shigeo OHDACHI, Secretary at the Ministry for Home Affairs, Head of the Administrative Section.

The President of the Republic of Liberia.

國際聯盟ニ派遣ノ常任代表委員、特命全權公使
 「ドクトル・アントアン・ス・ソツタイール」
 「リニア」共和國大統領
 外務大臣「ドクトル・ドヴァス・ザウニウス」
 外務省運長「ジニオザス・サカラウスカス」
 「ルクセンブルグ」國大公陛下
 在「ジニエーヴ」領事「シャルル・ヴェルマール」
 「メキシコ」合衆國大統領
 國際聯盟ニ派遣ノ常任傍聽委員「サルヴァドル・
 アルタイネス・デ・アルヴァ」
 「モナコ」國公陛下
 在「ジニエーヴ」總領事「コンラド・エー・アンチ」
 「パナマ」共和國大統領
 在「ジニエーヴ」總領事「ドクトル・エルネスト・
 ホフマン」
 「パラグアイ」共和國大統領
 國際聯盟ニ派遣ノ常任代表委員、佛蘭西共和國

Dr. Antoine SOTTILE, Envoy Extraordinary and Minister Plenipotentiary, Permanent Delegate accredited to the League of Nations.

The President of the Republic of Lithuania:

Dr. Dovas ZAUNIUS, Minister for Foreign Affairs.

M. Juozas SAKALAUSKAS, Head of Section at the Ministry for Foreign Affairs.

Her Royal Highness the Grand-Duchess of Luxemburg:

M. Charles VERMAIRE, Consul at Geneva.

The President of the United States of Mexico:

M. Salvador MARTÍNEZ DE ALVA, Permanent Observer accredited to the League of Nations.

His Serene Highness the Prince of Monaco:

M. Conrad E. HENTSCH, Consul-General at Geneva.

The President of the Republic of Panama:

Dr. Ernesto HOFFMANN, Consul-General at Geneva.

The President of the Republic of Paraguay:

Dr. Ramón V. CABALLERO DE BEDOYA, Envoy

駐荷特命全權公使「ドクトル、ラモン、ヴェー、カバリエロ、デ、ベドヤ」

和蘭國皇帝陛下

國際阿片問題ニ關スル政府顧問「ヴェー、ヘー、ファン、ヴェントラム」

「ベルン」國皇帝陛下

國際聯盟ニ派遣ノ常任代表委員、瑞西聯邦駐荷特命全權公使「エー、セバーボデー」

「ポーランド」共和國大統領

前大臣「ヴァイトルド、ホヂコ」

「ポルトガル」共和國大統領

「ポルトガル」國國際聯盟局長、全權公使「ドクトル、アウグスト、デ、ヴァスコンセロス」

國際聯盟「ポルトガル」國事務局長、公使館一等書記官「ドクトル、アレシアンドロ、フェルラス、デ、アンドラーデ」

「ルーマニア」國皇帝陛下

Extraordinary and Minister Plenipotentiary to the President of the French Republic, Permanent Delegate accredited to the League of Nations.

Her Majesty the Queen of the Netherlands:

M. W. G. VAN WETTEM, Government Adviser for International Opium Questions.

His Imperial Majesty the Shah of Persia:

M. A. SEPATBOBY, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council, Permanent Delegate accredited to the League of Nations.

The President of the Polish Republic:

M. Witold CHODZKO, Former Minister.

The President of the Portuguese Republic:

Dr. Augusto DE VASCONCELLOS, Minister Plenipotentiary, General Director of the Portuguese Secretariat of the League of Nations; Dr. Alexandro FERRAZ DE ANDRADE, First Secretary of Legation, Chief of the Portuguese Office accredited to the League of Nations.

His Majesty the King of Roumania:

國際聯盟ニ派遣ノ特命全權公使「コンスタン、ティン、アントニアデー」

「サン、マリノ」共和國攝政官

辯護士、教授「チー、エー、フェルリ」

暹羅國皇帝陛下

國際聯盟ニ派遣ノ常任代表者、英國駐荷特命全權公使「ダムラス」殿下

瑞典國皇帝陛下

瑞西聯邦駐荷特命全權公使「エー、イー、ヴェストマン」

瑞西聯邦政府

聯邦政務省外務部長、全權公使「ポール、ディニシエール」

聯邦公衆衛生部長「ドクトル、アンリ、カリエール」

「チェコスロヴァキア」共和國大統領

國際聯盟ニ派遣ノ常任代表委員、瑞西聯邦駐荷

M. Constantin ANTONIADÉ, Envoy Extraordinary and Minister Plenipotentiary accredited to the League of Nations.

I Capitani Reggenti of the Republic of San Marino:

Professor C. E. FERRI, Advocate.

His Majesty the King of Siam:

His Serene Highness Prince DAMRAS, Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, Permanent Representative accredited to the League of Nations.

His Majesty the King of Sweden:

M. K. I. WESTMAN, Envoy Extraordinary and Minister Plenipotentiary to the Swiss Federal Council.

The Swiss Federal Council:

M. Paul DINICHERT, Minister Plenipotentiary, Chief of the Division for Foreign Affairs of the Federal Political Department; Dr. Henri CARRIERE, Director of the Federal Service of Public Health.

The President of the Czechoslovak Republic:

M. Zdeněk FIERLINGER, Envoy Extraordinary

シニ
條約

特命全權公使「ステニニク、フイエリリンゲ
ル」

「ウルグアイ」共和國大統領
瑞西聯邦駐劄特命全權公使「ドクトル、アルフレ
ド、デ、カストロ」

「ヴェネズエラ」合衆國大統領
「カラカス」醫學院會員、在「ベルス」代理公使「ド
クトル、エレン、ヘー、チアシン、イトリアゴ」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好
妥當ナルヲ認メタル後左ノ如ク協定セリ

第一章 定義

第一條

別段ノ明示アル場合ヲ除クノ外左記定義ハ本條約ヲ
通ジ適用セラルベシ

一 「シニエーヴ」條約トハ千九百二十五年二月十九
日「シニエーヴ」ニ於テ署名セラレタル國際阿片條
約ヲ謂フ

and Minister Plenipotentiary to the Swiss
Federal Council, Permanent Delegate ac-
credited to the League of Nations.

The President of the Republic of Uruguay:

Dr. Alfredo DE CASTRO, Envoy Extraordinary
and Minister Plenipotentiary to the Swiss
Federal Council.

The President of the United States of Venezuela:

Dr. L. G. CHACIN-ITRAGO, Chargé d'Affaires
at Berne, Member of the Medical Academy
of Caracas.

Who, having communicated to one another
their full powers, found in good and due form,
have agreed as follows:

CHAPTER I.—DEFINITIONS.

ARTICLE 1.

Except where otherwise expressly indicated,
the following definitions shall apply throughout
this Convention:

The term "Geneva Convention" shall
denote the International Opium Convention
signed at Geneva on February 19th, 1925.

製
品

一 藥品トハ半製ノモノナルト精製ノモノナルトヲ
問ハズ左記藥品ヲ謂フ

第一類

亞類 (イ)

(一) 「モルヒネ」及其ノ鹽類 (生阿片又ハ藥用阿
片ヨリ直接作ラレ且ニ〇「パーセント」ヲ超ユ
ル「モルヒネ」ヲ含有スル製劑ヲ含ム)

(二) 「デアセチルモルヒネ」及他ノ「モルヒネ」エ
ステル」並ニ其ノ鹽類

(三) 「コカイン」及其ノ鹽類 (「コカ」葉ヨリ直接
作ラレ且ニ〇「パーセント」ヲ超ユル「コカイ
ン」ヲ含有スル製劑ヲ含ム) 並ニ一切ノ「エク
ゴニン」エステル」及其ノ鹽類

(四) 「デヒドロオキシコデイン」(「オイコダ
ル」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽
類ナリ)、「デヒドロコデイン」(「デコヂャ
ト」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽
類ナリ)、「デヒドロモルヒネ」(「ヂラウヂャ
ト」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽
類ナリ)、「デアセチルデヒドロコデイン」即

2. The term "the drugs" shall denote the
following drugs whether partly manufactured or
completely refined.

Group I.

Sub-Group (a):

(i) Morphine and its salts, including
preparations made directly from raw or me-
dicinal opium and containing more than 20
per cent of morphine;

(ii) Diacetylmorphine and the other
esters of morphine and their salts;

(iii) Cocaine and its salts, including
preparations made direct from the coca leaf
and containing more than 0.1 per cent of
cocaine, all the esters of ecgonine and their
salts;

(iv) Dihydrohydroxycodone (of which
the substance registered under the name of
eucodal is a salt); dihydrocodeinone (of which
the substance registered under the name of
dicodide is a salt); dihydromorphinone (of
which the substance registered under the
name of dilaudide is a salt), acetyldihydro-
codeinone or acetyldemethylodihydrothebaine
(of which the substance registered under the

チ「アセチルデメチロチヒドロタバイン」(「アセチコン」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽類ナリ)、「チヒドロモルヒネ」(「パラモルフアン」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽類ナリ)、其ノ「エステル」、右物質ノ何レカノ鹽類及其ノ「エステル」ノ鹽類、「モルヒネ・エス・オキシド」(登録名「ゼノモルヒネ」)並ニ「モルヒネ・エス・オキシド」誘導體及他ノ五價窒素「モルヒネ」誘導體

亞類(ロ)

「エタコニン」、「タバイン」及其ノ鹽類並ニ「ベンジルモルヒネ」、他ノ「モルヒネエーテル」及其ノ鹽類但シ「メチルモルヒネ」(「コデイン」)、「エチルモルヒネ」及其ノ鹽類ヲ除ク

第二類

「メチルモルヒネ」(「コデイン」)、「エチルモルヒネ」及其ノ鹽類

本號ニ記載セララル物質ハ合成ノ方法ニ依リ製産セララルトキト雖モ藥品ト看做サル

第一類及第二類トハ夫々本號ノ第一類及第二類ヲ

name of acedicone is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

Sub-Group (b):

Egonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except methylmorphine (codeine), ethylmorphine and their salts.

Group II.

Methylmorphine (codeine), ethylmorphine and their salts.

The substances mentioned in this paragraph shall be considered as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall

生阿片

謂フ

生阿片トハ罂粟(「パパヴェ・ソムニファラム、エール」)實ヨリ得タル液汁ノ自然ニ凝結シタルモノニシテ「モルヒネ」含有量ノ如何ヲ問ハズ單ニ包裝及輸送ニ必要ナル程度ノ加工ヲ爲シタルモノヲ謂フ

藥用阿片

藥用阿片トハ粉狀、粒狀又ハ他ノ形状ノモノタルト中性物ヲ混スルモノタルトヲ問ハズ内國藥局方ノ定ムル所ニ從ヒ醫藥用ニ適應セシムルニ必要ナル加工ヲ爲シタル生阿片ヲ謂フ

「モルヒネ」トハ阿片ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{19}O_5N$ ノ化學式ヲ有スルモノヲ謂フ

「アセチルモルヒネ」トハ $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_5O)_2N$) ノ化學式ヲ有スル「アセチルモルヒネ」(「アモルヒネ」、「ロイノ」)ヲ謂フ

「コカ」葉

「コカ」葉トハ古加樹科ニ屬スル「エリトロキシロン」、「コカ」、「ラアルク」、「エリトロキシロン」ノ「ガキ」ラナランス(モリス)、「ヒエロニムス」及其ノ雜種ノ葉並ニ右屬ノ他ノ種ノ葉ニシテ之ヨリ直接又ハ化

respectively denote Groups I and II of this paragraph.

3. "Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L., which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

"Medical opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

"Morphine" means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}O_5N$.

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_5O)_2O_3N$).

"Coca leaf" means the leaf of the *Erythroxylon Coca* Lamarck and the *Erythroxylon novogranatense* (Morris) *Hieronimus* and their varieties, belonging to the family of Erythroxylaceæ and the leaf of other species of this genus from which it may be found possible to extract cocaine,

チ「アセチルデメチロチヒドロラバイン」(「アセチコン」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽類ナリ)、「デヒドロモルヒネ」(「パラモルフアン」ノ名ノ下ニ登録セラレタル物質ハ其ノ鹽類ナリ)、「其ノ「エステル」ノ物質ノ何レカノ鹽類及其ノ「エステル」ノ鹽類、「モルヒネ・エヌ・オキシイド」(登録名「ゼノモルヒネ」)並ニ「モルヒネ・エヌ・オキシイド」誘導體及他ノ五價元素「モルヒネ」誘導體

亞類(ロ)

「エタゴニン」、「テバイン」及其ノ鹽類並ニ「ベンジルモルヒネ」、他ノ「モルヒネエーテル」及其ノ鹽類但シ「メチルモルヒネ」(「コデイン」)、「エチルモルヒネ」及其ノ鹽類ヲ除ク

第二類

「メチルモルヒネ」(「コデイン」)、「エチルモルヒネ」及其ノ鹽類

本號ニ記載セララル物質ハ合成ノ方法ニ依リ製産セララルトキト雖モ藥品ト看做サル

第一類及第二類トハ夫々本號ノ第一類及第二類ヲ

name of acedicone is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

Sub-Group (b):

Egonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except methylmorphine (codeine), ethylmorphine and their salts.

Group II.

Methylmorphine (codeine), ethylmorphine and their salts.

The substances mentioned in this paragraph shall be considered as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall

生阿片

生阿片トハ罂粟(「パパヴェ・ソムニファラム」ノ「エ」)實ヨリ得タル液汁ノ自然ニ凝結シタルモノニシテ「モルヒネ」含有量ノ如何ヲ問ハズ單ニ包裝及輸送ニ必要ナル程度ノ加工ヲ爲シタルモノヲ謂フ

藥用阿片

藥用阿片トハ粉狀、粒狀又ハ他ノ形狀ノモノタルト中性物ヲ混ズルモノタルトヲ問ハズ内國藥局方ノ定ムル所ニ從ヒ醫藥用ニ適應セシムルニ必要ナル加工ヲ爲シタル生阿片ヲ謂フ

「モルヒネ」トハ阿片ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{19}O_5N$ ノ化學式ヲ有スルモノヲ謂フ
「デアセチルモルヒネ」トハ $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_5O)_2O_5N$) ノ化學式ヲ有スル「デアセチルモルヒネ」(「チアモルヒネ」、「ヘロイン」)ヲ謂フ

「コカ」葉

「コカ」葉トハ古加樹科ニ屬スル「エリトロキシロン」(「コカ」)、「アマルク」(「エリトロキシロン」)ノ「サナ」ラナテンス(「モリス」)、「ヒエロニムス」及其ノ變種ノ葉並ニ有屬ノ他ノ種ノ葉ニシテ之ヨリ直接又ハ化

respectively denote Groups I and II of this paragraph.

3. "Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum L.*, which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

"Medical opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopœia, whether in powder form or granulated or otherwise or mixed with neutral materials.

"Morphine" means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}O_5N$.

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_5O)_2O_5N$).

"Coca leaf" means the leaf of the *Erythroxylon Coca* Lamarek and the *Erythroxylon novogranatense* (Morris) *Hieronymus* and their varieties, belonging to the family of Erythroxylaceæ and the leaf of other species of this genus from which it may be found possible to extract cocaine,

「コカイン」
 「エケコニ」
 其 他

學的方法ニ依リ「コカイン」ヲ抽出スルコトヲ得ベキモノヲ謂フ
 「コカイン」トハ「メチル・ベンゾイル・レトバネ・エケコニン」(二〇「パーセント」「クロロホルム」溶液ニ於ケル比旋光度 $([\alpha]_{D20})$ 左旋一六四度)ニシテ $C_{17}H_{21}O_4N$ ノ化學式ヲ有スルモノヲ謂フ
 「エケコニン」トハ「レトバネ・エケコニン」(五「パーセント」水溶液ニ於ケル比旋光度 $([\alpha]_{D20})$ 左旋四五六度)ニシテ $C_9H_{15}O_3N \cdot H_2O$ ノ化學式ヲ有スルモノ及工業上「レトバネ・エケコニン」ノ再製ニ供シ得ベキ一切ノ「レトバネ・エケコニン」誘導體ヲ謂フ
 左ノ藥品ハ左記化學式ニ依リ之ヲ定ム

「デヒドロオキシコデイン」..... $C_{18}H_{21}O_4N$
 「デヒドロコデイン」..... $C_{18}H_{21}O_3N$
 「デヒドロモルヒノン」..... $C_{17}H_{19}O_3N$
 「アセチルデヒドロコデイン」又ハ「アセチルデマチロデヒドロコデ

either directly or by chemical transformation

“Cocaine” means methyl-benzoyl laevo-ecgonine $([\alpha]_{D20} = -16.4)$ in 20 per cent solution of chloroform of which the formula is $C_{17}H_{21}O_4N$.

“Eegonine” means laevo-ecgonine $([\alpha]_{D20} = -45.6)$ in 5 per cent solution of water, of which the formula is $C_9H_{15}O_3N \cdot H_2O$, and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.

The following drugs are defined by their chemical formulæ as set out below:

Dihydrohydroxycodeinone... $C_{18}H_{21}O_4N$

Dihydrocodeinone..... $C_{18}H_{21}O_3N$

Dihydromorphinone..... $C_{17}H_{19}O_3N$

Acetyldihydrocodeinone or Acetyldemethylodihydrothebaine..... $C_{20}H_{23}O_4N(C_{18}H_{20}(C_2H_5O)_3N)$

「イン」..... $C_{20}H_{23}O_4N(C_{18}H_{20}(C_2H_5O)_3N)$
 「デヒドロモルヒネ」..... $C_{17}H_{21}O_3N$
 「モルヒネ・エス・オキシド」..... $C_{17}H_{19}O_4N$
 「テバイン」..... $C_{19}H_{21}O_3N$
 「メチルモルヒネ」(「コデイン」)..... $C_{18}H_{21}O_3N(C_{17}H_{18}(CH_3O)_2N)$
 「エチルモルヒネ」..... $C_{19}H_{23}O_3N(C_{17}H_{18}(C_2H_5O)_2N)$
 「ベンジルモルヒネ」..... $C_{24}H_{26}O_3N(C_{17}H_{18}(C_7H_7O)_2N)$

四 製造トハ精製ノ何レノ過程ヲモ包含ス
 轉換トハ化學的方法ニ依ル藥品ノ變形ヲ謂フ但シ「アルカロイド」ヲ其ノ種類ニ變形スルコトヲ除ク
 一ノ藥品ガ他ノ藥品ニ轉換セラルル場合其ノ操作ハ前者ニ對スル關係ニ於テハ轉換ニシテ後者ニ對スル關係ニ於テハ製造ナリト看做サル

$(C_2H_5O)_3N$

Dihydromorphine..... $C_{17}H_{21}O_3N$

Morphine-N-Oxide..... $C_{17}H_{19}O_4N$

Thebaine..... $C_{19}H_{21}O_3N$

Methylmorphine (codeine) ... $C_{18}H_{21}O_3N(C_{17}H_{18}(CH_3O)_2N)$

Ethylmorphine..... $C_{19}H_{23}O_3N(C_{17}H_{18}(C_2H_5O)_2N)$

Benzylmorphine..... $C_{24}H_{26}O_3N(C_{17}H_{18}(C_7H_7O)_2N)$

4. The term “manufacture” shall include any process of refining

The term “conversion” shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other

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| 見 積 | 見積トハ本條約第二條乃至第五條ニ從ヒ提出セラ ルル見積ヲ謂ヒ凡テ文意ニ別段ノ要求ナキ限り補足 見積ヲモ包含ス |
| 準備在庫品 | 何レカノ藥品ニ關シ準備在庫品トハ左記ノ爲ニ要 スル在庫品ヲ謂フ |
| 輸 出 | (一) 在庫品ノ保有セララルル國又ハ領域ノ正常ナル 内部消費 |
| | (二) 右ノ國又ハ領域ニ於ケル轉換 |
| | (三) 輸出 |
| | 何レカノ藥品ニ關シ政府在庫品トハ政府ノ使用ノ 爲及例外的事情ニ應ズル爲政府ノ取締ノ下ニ保有 セララルル在庫品ヲ謂フ |
| | 文意ニ別段ノ要求ナキ限り輸出ハ再輸出ヲモ包含 スルモノト看做サル |
| | 第二章 見 積 |
| | 第 二 條 |
| 見 積ノ提出 | 一 各締約國ハ各藥品ニ付本條約ノ適用アル自國ノ 各領域ニ關シ本條約第五條ノ規定ニ依ル見積ヲ |

The term "estimates" shall denote estimates furnished in accordance with Articles 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export

CHAPTER II.—ESTIMATES.

ARTICLE 2.

1 Each High Contracting Party shall furnish annually, for each of the drugs in respect of each

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| 見 積 | 「ジュネーブ」條約第六章ニ依リ設置セララルル常 設中央委員會ニ毎年提出スベシ |
| 輸 出 | 一 締約國ガ本條約ノ適用アル自國ノ何レカノ領域 ニ關シ見積ヲ第五條第四號ニ揭ゲラルル期日迄ニ 提出セザル場合ニハ見積ハ能フ限り第五條第六號 ニ揭ゲラルル監督機關ニ依リ提出セララルベシ |
| 見 積ノ提出 | 二 常設中央委員會ハ本條約ノ適用ナキ國又ハ領域 ニ付見積ガ本條約ノ規定ニ從ヒ作成セララルコト ヲ要求スベシ右ノ何レカノ國又ハ領域ニ付見積ガ 提出セララザルトキハ監督機關ハ自ら能フ限り見 積ヲ作成スベシ |
| | 第 三 條 |
| | 締約國ハ必要ナルトキハ何レノ年ニ於テモ自國ノ何 レカノ領域ニ關シ該年ニ付テノ該領域ニ關スル補足 見積ヲ之ヲ必要ナラシムル事情ノ説明ト共ニ提出ス ルコトヲ得 |

of his territories to which this Convention applies, to the Permanent Central Board, constituted under Chapter VI of the Geneva Convention, estimates in accordance with the provisions of Article 5 of this Convention.

2. In the event of any High Contracting Party failing to furnish, by the date specified in paragraph 4 of Article 5, an estimate in respect of any of his territories to which this Convention applies, an estimate will, so far as possible, be furnished by the Supervisory Body specified in paragraph 6 of Article 5.

3. The Permanent Central Board shall request estimates for countries or territories to which this Convention does not apply to be made in accordance with the provisions of this Convention. If for any such country estimates are not furnished, the Supervisory Body shall itself, as far as possible, make the estimate.

ARTICLE 3.

Any High Contracting Party may, if necessary, in any year furnish in respect of any of his territories supplementary estimates for that territory for that year with an explanation of the circumstances which necessitate such supplementary estimates.

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| 品種ノ名稱 | <p>第四條</p> <p>一 前諸條ニ從ヒ提出セラルル各見積ハ其ノ關スル國又ハ領域ノ内部消費ニ必要ナル藥品ニ關スル限リ專ラ右ノ國又ハ領域ノ醫療用及學術用ノ需要ニ基クベシ</p> |
| 有ノ政府在座品 | <p>二 締約國ハ準備在座品ノ外政府在座品ヲ設定シ且保存スルコトヲ得</p> |
| 品種ノ氏 | <p>第五條</p> <p>一 本條約第二條乃至第四條ニ規定セラルル各見積ハ常設中央委員會ニ依リ隨時定メラレ且同委員會ニ依リ國際聯盟ノ一切ノ聯盟國及第二十七條ニ揭ゲラルル非聯盟國ニ通知セラルル様式ニ從フベシ</p> |
| 内容ノ氏 | <p>二 各見積ハ各國又ハ各領域ニ付及毎年ニ付「アルカロイド」又ハ鹽類ノ形態ノモノタルト「アルカロイド」又ハ鹽類ノ製劑ノ形態ノモノタルトヲ問ハズ各藥品ニ關シ左記ヲ示スベシ</p> <p>(イ) 醫療用及學術用ノ爲其レ自體トシテノ使用ニ</p> |

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| <p>ARTICLE 4.</p> <p>1. Every estimate furnished in accordance with the preceding Articles, so far as it relates to any of the drugs required for domestic consumption in the country or territory in respect of which it is made, shall be based solely on the medical and scientific requirements of that country or territory.</p> <p>2. The High Contracting Parties may, in addition to reserve stocks, create and maintain Government stocks.</p> |
| <p>ARTICLE 5.</p> <p>1. Each estimate provided for in Articles 2 to 4 of this Convention shall be in the form from time to time prescribed by the Permanent Central Board and communicated by the Board to all the Members of the League of Nations and to the non-member States mentioned in Article 27.</p> <p>2. Every estimate shall show for each country or territory for each year in respect of each of the drugs whether in the form of alkaloid or salts or of preparations of the alkaloids or salts:</p> <p>(a) The quantity necessary for use as</p> |

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| <p>必要ナル數量 (内部消費ノ爲ノモノタルト輸出ノ爲ノモノタルトヲ問ハズ輸出スルニ輸出許可ヲ要セザル製劑ノ製造ニ必要ナル數量ヲ含ム)</p> <p>(ロ) 内部消費ノ爲ノモノタルト輸出ノ爲ノモノタルトヲ問ハズ轉換用ニ必要ナル數量</p> <p>(ハ) 保有セント欲スル準備在座品ノ數量</p> <p>(ニ) 第四條ニ規定セラルル政府在座品ノ設定及保有ニ必要ナル數量</p> <p>各國又ハ各領域ニ付テノ見積ノ總量ハ本號(イ)及(ロ)ニ掲ゲラルル數量ノ合計ニ準備在座品及政府在座品ヲ希望ノ水準ニ達セシムルニ必要ナルコトアルベキ數量ヲ加算シ又ハ右合計ヨリ此等在座品方右水準ヲ超過スルコトアルベキ數量ヲ控除シタルモノヨリ成ルベシ但シ此等ノ加算又ハ控除ハ關係締約國ガ常設中央委員會ニ必要ナル見積ヲ適當ノ期間内ニ送付セルニ非ザル限リ考慮セラレザルベシ</p> |
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| <p>such for medical and scientific needs, including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;</p> <p>(b) The quantity necessary for the purpose of conversion, whether for domestic consumption or for export;</p> <p>(c) The amount of the reserve stocks which it is desired to maintain;</p> <p>(d) The quantity required for the establishment and maintenance of any Government stocks as provided for in Article 4.</p> <p>The total of the estimates for each country or territory shall consist of the sum of the amounts specified under (a) and (b) of this paragraph with the addition of any amounts which may be necessary to bring the reserve stocks and the Government stocks up to the desired level, or after deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall, however, not be taken into account except in so far as the High Contracting Parties concerned shall have forwarded in due course the necessary estimates to the Permanent Central Board.</p> |
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見積ノ諸

三 各見積ニハ之ニ記載セラルル諸數量ガ計算セラレタル方法ノ説明書ヲ添附スベシ右數量ガ需要ノ有リ得ベキ變動ニ對スル餘裕ヲ包含スル様計算セラレタルトキハ見積ニハ斯ク包含セラレタル餘裕取ヲ指ホスルヲ要ス第二類ニ包含セラレ又ハ包含セララルコトアルベキ何レカノ藥品ノ場合ニ於テハ他ノ藥品ノ場合ニ於ケルヨリ大ナル餘裕ノ必要ナルコトアリ得ルモノトス

期日ノ提出

四 各見積ハ其ノ關スル年ノ前年ノ八月一日以前ニ常設中央委員會ニ到達スルコトヲ要ス

補足見積ノ提出

五 補足見積ハ其ノ完了後直ニ常設中央委員會ニ送付セラレベシ

監督機關ニ對シテ

六 見積ハ監督機關ニ依リ検査セラレベシ國際聯盟ノ阿片及他ノ危險藥品ノ取引ニ關スル諮問委員會、常設中央委員會、國際聯盟保健委員會並ニ公衆衛生國際事務局ハ各有監督機關ノ一員ヲ任命スルノ權利ヲ有スベシ監督機關ノ事務局ハ國際聯盟事務總長ニ依リ設ケラルベク事務總長ハ常設中央委員會トノ密接ナル協力ヲ確保スベシ

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that in the case of any of the drugs which are or may be included in Group II, a wider margin may be necessary than in the case of the other drugs.

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

5. Supplementary estimates shall be sent to the Permanent Central Board immediately on their completion.

6. The estimates will be examined by a Supervisory Body. The Advisory Committee on the Traffic in Opium and other Dangerous Drugs of the League of Nations, the Permanent Central Board, the Health Committee of the League of Nations and the Office international d'Hygiène publique shall each have the right to appoint one member of this Body. The Secretariat of the Supervisory Body shall be provided by the Sec-

監督機關ノ

監督機關ハ政府ノ需要ニ關スルモノヲ除キ見積ノ提出セラレタル國又ハ領域ニ關シ該見積ヲ完全ナラシメ又ハ之ニ記載セラルル事項ヲ説明スル爲ニ其ノ必要ナリト認ムルコトアルベキ情報又ハ詳細ヲ更ニ要求スルヲ得ベク且斯クシテ得タル情報又ハ詳細ニ基キ關係政府ノ同意ヲ以テ見積ヲ修正スルコトヲ得第二類ニ包含セラレ又ハ包含セララルコトアルベキ何レカノ藥品ノ場合ニ於テハ概略説明ニテ足ルモノトス

同上

七 提出セラレタル見積ノ監督機關ニ依ル前記第六號ニ規定セララル検査ノ後及見積ノ提出セラレザル各國又ハ各領域ニ付テノ見積ノ有機關ニ依ル第二條ニ規定セララル決定ノ後監督機關ハ毎年十一月一日以前ニ事務總長ヲ經由シ國際聯盟ノ一切ノ聯盟國及第二十七條ニ掲ケラルル非聯盟國ニ各國又ハ各領域ニ付テノ見積ノ表ハ監督機關ガ必要ナリト認ムル限リ前記第六號ニ從ヒ與ヘラレ又ハ要求セラレタル説明ノ要領及監督機關ガ有見積若ハ

retary-General of the League of Nations, who will ensure close collaboration with the Permanent Central Board.

The Supervisory Body may require any further information or details, except as regards requirements for Government purposes, which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished in order to make the estimate complete or to explain any statement made therein, and may, with the consent of the Government concerned, amend any estimate in accordance with any information or details so obtained. It is understood that in the case of any of the drugs which are or may be included in Group II a summary statement shall be sufficient.

7. After examination by the Supervisory Body as provided in paragraph 6 above of the estimates furnished, and after the determination by that Body as provided in Article 2 of the estimates for each country or territory on behalf of which no estimates have been furnished, the Supervisory Body shall forward, not later than November 1st in each year, through the intermediary of the Secretary-General, to all the Members of the League of Nations and non-member States referred to in Article 27, a statement containing the estimates for each country or

同上

説明又ハ説明ノ要求ニ關シ其ノ表明セント欲スル
コトアルベキ意見ヲ送付スベシ

八 年中ニ常設中央委員會ニ送付セラレタル各種
見積ハ前記第六號及第七號ニ掲ゲラルル手續ニ從
ヒ監督機關ニ依リ遅滞ナク處理セララルベシ

第三章 製造制限

第六條

一 何レノ國又ハ領域ニ於テモ一年間ニ於テ何レカ
ノ藥品ノ數量ハ左記數量ノ合計ヲ超過シテ製造セ
ラルルコトナカルベシ
(イ) 右年ニ付テ右ノ國又ハ領域ニ關スル見積ノ
範圍内ニ於テ醫療用及學術用ノ爲其レ身體トシ
テノ使用ニ必要ナル數量(内部消費ノ爲ノモノ
タルト輸出ノ爲ノモノタルト間ハズ輸出スル
ニ輸出許可ヲ要セザル製劑ノ製造ニ必要ナル數

製造數量ノ

territory and, so far as the Supervisory Body
may consider necessary, an account of any ex-
planations given or required in accordance with
paragraph 6 above, and any observations which
the Supervisory Body may desire to make in re-
spect of any such estimate or explanation, or
request for an explanation.

8. Every supplementary estimate sent to the
Permanent Central Board in the course of the
year shall be dealt with without delay by the
Supervisory Body in accordance with the pro-
cedure specified in paragraphs 6 and 7 above.

CHAPTER III.—LIMITATION OF MANUFACTURE.

ARTICLE 6.

1. There shall not be manufactured in any
country or territory in any one year a quantity of
any of the drugs greater than the total of the
following quantities:

(a) The quantity required within the
limits of the estimates for that country or
territory for that year for use as such for its
medical and scientific needs including the
quantity required for the manufacture of
preparations for the export of which export

製造數量ノ

量ヲ含ム)

(ロ) 右年ニ付テ右ノ國又ハ領域ニ關スル見積ノ
範圍内ニ於テ内部消費ノ爲ノモノタルト輸出ノ
爲ノモノタルト間ハズ轉換ニ必要ナル數量
(ハ) 本條約ノ規定ニ依ル輸出ノ註文ヲ年内ニ履行
スル爲右ノ國又ハ領域ガ必要トスルコトアルベ
キ數量
(ニ) 準備在庫品ヲ右年ニ付テノ見積ニ掲ゲラルル
水準ニ維持スル爲右ノ國又ハ領域ガ必要トスル
コトアルベキ數量
(ホ) 政府在庫品ヲ右年ニ付テノ見積ニ掲ゲラルル
水準ニ維持スル爲必要トスルコトアルベキ數量

一 製造セラレタル數量ガ前記數量ノ合計ヨリ第七
條第一項ニ依ル控除ヲ爲シテ得タル數量ヲ超過ス
ルコトヲ締約國ガ年末ニ於テ發見スルトキハ右超
過量ハ翌年中ニ製造セララルベキ數量ヨリ控除セラ
ルベキモノトス締約國ハ常設中央委員會ニ自國ノ

authorisations are not required, whether such
preparations are intended for domestic con-
sumption or for export;

(b) The quantity required within the
limits of the estimates for that country or
territory for that year for conversion, whether
for domestic consumption or for export;

(c) Such quantity as may be required
by that country or territory for the execution
during the year of orders for export in ac-
cordance with the provisions of this Conven-
tion,

(d) The quantity if any, required by
that country or territory for the purpose of
maintaining the reserve stocks at the level
specified in the estimates for that year;

(e) The quantity, if any, required for
the purpose of maintaining the Government
stocks at the level specified in the estimates
for that year.

2. It is understood that, if at the end of
any year, any High Contracting Party finds that
the amount manufactured exceeds the total of the
amounts specified above, less any deductions made
under Article 7, paragraph 1, such excess shall
be deducted from the amount to be manufactured
during the following year. In forwarding their

年次統計ヲ送付スルニ當リ右超過ノ理由ヲ示スベシ

第七條

第六條ニ依リ何レカノ國又ハ領域ニ於テ一年間ニ製造セラルルモノト許サル各藥品ノ總量ヨリ左記數量ヲ控除スベシ

(一) 返還セラレタルモノヲ含ム輸入藥品ノ數量ヨリ再輸出量ヲ控除シテ得タル數量

(二) 押收セラレタル藥品ニシテ共ニ自體トシテ内部消費ノ爲又ハ轉換ノ爲ニ利用セラルルモノノ數量

當該年中二前記控除ノ何レカヲ爲シ得ザルトキハ年末ニ於テ殘存スル超過數量ハ翌年ノ見積ヨリ控除セラルベシ

第八條

何レカノ國又ハ領域ニ付テノ見積ニ從ヒ轉換ノ目的ノ爲該國又ハ該領域ニ於テ輸入セラレ又ハ製造セララルル何レカノ藥品ノ數量ハ可能ナルトキハ右見積ノ

annual statistics to the Permanent Central Board, the High Contracting Parties shall give the reasons for any such excess.

ARTICLE 7.

There shall be deducted from the total quantity of each drug permitted under Article 6 to be manufactured in any country or territory during any one year:

(i) Any amounts of that drug imported including any returned deliveries of the drug, less quantities re-exported.

(ii) Any amounts of the drug seized and utilised as such for domestic consumption or for conversion.

If it should be impossible to make any of the above deductions during the course of the current year, any amounts remaining in excess at the end of the year shall be deducted from the estimates for the following year.

ARTICLE 8.

The full amount of any of the drugs imported into or manufactured in any country or territory for the purpose of conversion in accordance with the estimates for that country or territory shall,

製造セラルルモノト許サル各藥品ノ總量ヨリ左記數量ヲ控除スベシ

何レカノ國又ハ領域ニ付テノ見積ニ從ヒ轉換ノ目的ノ爲該國又ハ該領域ニ於テ輸入セラレ又ハ製造セララルル何レカノ藥品ノ數量ハ可能ナルトキハ右見積ノ

適用

適用セラルル期間内ニ右目的ノ爲全部利用セラルベシ

控除セラルル部分ノ見積ヨリ

尤モ右期間内ニ右目的ノ爲全數量ヲ利用スルコト不可能ナル場合ニハ年末ニ於テ利用セラレズシテ殘存スル部分ハ翌年ニ付テノ右ノ國又ハ領域ニ關スル見積ヨリ控除セラルベシ

第九條

積品

本條約ノ一切ノ規定ガ實施セラレタル際何レカノ國又ハ領域ニ於ケル何レカノ藥品ノ共ノ當時ノ現存在庫品ガ該國又ハ該領域ニ付テノ見積ニ依リ保有セント欲スル該藥品ノ準備在庫品ノ數量ヲ超過スルトキハ該超過量ハ當該年中ニ於テ本條約ノ規定ニ依リ場合ニ應ジ通常輸入セラレ又ハ製造セラルベキ數量ヨリ控除セラルベシ

右ニ依ラザルトキハ本條約ノ一切ノ規定ガ實施セラレタル際現存スル超過在庫品ハ政府ニ依リ保管セララルベク且本條約ニ適合スベキ數量ニ於テノミ隨時交付セラルベシ何レカノ年中ニ於テ斯ク交付セラレタル數量ハ該年中場合ニ應ジ製造セラレ又ハ輸入セラ

if possible, be utilised for that purpose within the period for which the estimate applies.

In the event, however, of it being impossible to utilise the full amount for that purpose within the period in question, the portion remaining unused at the end of the year shall be deducted from the estimates for that country or territory for the following year.

ARTICLE 9.

If at the moment when all the provisions of the Convention shall have come into force, the then existing stocks of any of the drugs in any country or territory exceeds the amount of the reserve stocks of that drug, which according to the estimates for that country or territory, it is desired to maintain, such excess shall be deducted from the quantity which, during this year, could ordinarily be imported or manufactured as the case may be under the provisions of this Convention.

Alternatively, the excess stocks existing at the moment when all the provisions of the Convention shall have come into force shall be taken possession of by the Government and released from time to time in such quantities only as may be in conformity with the present Convention. Any

ルベキ總量ヨリ控除セラルベシ

第四章 禁止及制限

第十條

- 一 締約國ハ「デアセチルモルヒネ」其ノ鹽類及「デアセチルモルヒネ」又ハ其ノ鹽類ヲ含有スル製劑ノ其ノ領域ヨリノ輸出ヲ禁止スベシ
- 二 尤モ締約國ハ「デアセチルモルヒネ」ノ製造セラレタル國ノ政府ヨリ請求ヲ受クルトキハ該國ノ醫務用及學術用ニ必要ナル「デアセチルモルヒネ」其ノ鹽類及「デアセチルモルヒネ」又ハ其ノ鹽類ヲ含有スル製劑ノ數量ノ該國ヘノ輸出ヲ許可スルコトヲ得但シ右請求ハ輸入證明書ヲ伴ヒ且該證明書ニ指示セラルル官廳ニ仕向ケラルルコトヲ要ス
- 三 斯ク輸入セラレタル數量ハ輸入國政府ニ依リ其ノ責任ニ於テ分配セラルベシ

第十一條

quantities so released during any year shall be deducted from the total amount to be manufactured or imported as the case may be during that year.

CHAPTER IV.—PROHIBITIONS AND RESTRICTIONS.

ARTICLE 10.

- 1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts.
- 2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and is consigned to the Government Department indicated in the certificate.
- 3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

ARTICLE 11.

輸出禁止ノ

右有
許可ノ輸

右有
輸入ノ輸

品ヲ取引
ノ爲メ
製造セ
ル製劑

右有
製造
ノ開始
ヲ許ス

- 一 阿片ノ「フェナントレン、アルカロイド」又ハ「ニコチン」ノ「エゴニン、アルカロイド」ヨリ得タル製產品ニシテ本日醫藥用又ハ學術用ニ使用セラレザルモノノ取引又ハ取引ノ爲メ製造ハ該製產品ノ醫藥的又ハ學術的價值アルコトガ關係政府ノ満足シ得ル程度ニ確認セラルルニ非ザレバ何レノ國又ハ領域ニ於テモ行ハレザルベシ
- 右ノ場合ニ於テハ（政府ニ於テ右製產品ガ中毒癮ヲ生ゼシメ得ザルカ又ハ中毒癮ヲ生ゼシメ得ル製產品ニ轉換セラレ得ザルコトヲ決定スルニ非ザレバ）製造ヲ許サルル數量ハ後ニ掲ゲラルル決定アル迄醫藥用及學術用ノ爲メ右ノ國又ハ領域ノ内部ニ必要量ノ合計量ニ輸出計又ニ應スルニ必要ナル數量ヲ超過セザルベク且本條約ノ規定ガ適用セラルベシ
- 二 右製產品ノ取引又ハ取引ノ爲メ製造ヲ開始スルコトヲ許ス締約國ハ其ノ行方國際聯盟事務總長ニ直ニ通告スベク事務總長ハ他ノ締約國及聯盟保健委員會ニ之ヲ通知スベシ

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the egonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

自製之藥品ニ
依テ決定スル
條約ノ審定ニ

同上

同上

三 依テ保健委員會ハ公衆衛生國際事務局常設委員
會ニ諮問シタル後右製產品ガ中毒癮ヲ生ゼシメ得
ルモノ(其ノ結果トシテ第一類ノ亞類(イ)ニ掲ゲラ
ルル藥品ト看做サレ得ルモノ)ナルカ又ハ斯ル藥
品ニ轉換シ得ルモノ(其ノ結果トシテ第一類ノ亞
類(ロ)又ハ第二類ニ掲ゲラルル藥品ト看做サレ得
ルモノ)ナルカヲ決定スベシ

四 保健委員會ニ於テ右製產品ガ其レ自體トシテ中
毒癮ヲ生ゼシメ得ル藥品ニ非ザルモ斯ル藥品ニ轉
換シ得ルコトヲ決定スル場合ニ於テハ該藥品ガ第
一類ノ亞類(ロ)又ハ第二類ノ何レニ屬スベキヤノ問
題ハ其ノ科學的及技術的方面ノ検査ヲ爲シ得ル三
名ノ專門家委員會ニ決定ノ爲付託セラルベク右專
門家ノ内一名ハ關係政府ニ依リ選任セラレ一名ハ
聯盟阿片諮問委員會ニ依リ選任セラレ他ノ一名ハ
斯ク選任セラレタル二人ニ依リ選任セラルベシ

五 前二號ニ從ヒ到達シタル決定ハ國際聯盟事務總
長ニ通告セラルベク事務總長ハ之ヲ一切ノ聯盟國
及第二十七條ニ掲ゲラルル非聯盟國ニ通知スベシ

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office international d'Hygiène publique, decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body or three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

同上

同上

同上

同上

六 右決定ニシテ右製產品ガ中毒癮ヲ生ゼシメ得ル
カ又ハ中毒癮ヲ生ゼシメ得ル藥品ニ轉換シ得ルモ
ノナリトスルトキハ締約國ハ事務總長ヨリ其ノ旨
ノ通知ヲ受領シタル上右藥品ニ對シ其ノ第一類又
ハ第二類ノ何レニ屬スルカニ從ヒ本條約ニ定メラ
ルル適當ナル制度ヲ適用スベシ

七 何レカノ締約國ニ依リ事務總長ニ宛テラルル要
求ニ基キ右決定ハ更ニ得タル經驗ニ照シ前記手續
ニ從ヒ變更セラルルコトヲ得

第十二條

一 何レカノ藥品ノ締約國ノ領域ヘノ輸入又ハ該領
域ヨリノ輸出ハ本條約ノ規定ニ從フニ非ザレバ行
ハザルベシ

二 何レカノ藥品ノ何レカノ國又ハ領域ヘノ一年間
ニ於ケル輸入ハ第五條ニ定メラルル見積ト該年中
該國又ハ該領域ヨリ輸出セラルル數量トノ合計ヨ
リ該年中該國又ハ該領域ニ於テ製造セラルル數量
ヲ控除シテ得タル數量ヲ超過セザルベシ

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate regime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decision may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary General.

ARTICLE 12.

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

第五章 取締

第十三條

- (イ) 締約國ハ「ジネトーヴ」條約第四條ニ掲ゲラルル物質ニ適用セラルル同條約ノ規定(又ハ之ニ合致スル規定)ヲ第一類ニ於ケル一切ノ藥品ニ適用スベシ 締約國ハ又右規定ヲ「ジネトーヴ」條約第四條ニ包含セラルル「モルヒネ」及「コカイン」ノ製劑並ニ第一類ニ於ケル他ノ藥品ノ一切ノ製劑ニ適用スベシ但シ「ジネトーヴ」條約第八條ニ依リ同條約ノ規定ヨリ除外セラルルコトアルベキ製劑ハ之ヲ除ク
 - (ロ) 締約國ハ液體又ハ固體タル無力ノ物質中ニ於ケル「モルヒネ」、「コカイン」又ハ其ノ鹽類ノ液體又ハ稀薄物ニシテ「モルヒネ」〇・二「パーセント」以下又ハ「コカイン」〇・一「パーセント」以下ヲ含有スルモノヲ右割合ヲ超エテ含有スル製劑ト同様ニ取扱フベシ
- 同 上 二 締約國ハ第二類ニ包含セラレ又ハ包含セラルル

「ジネトーヴ」條約ノ規定ニ依リ適用スルモノ

同

CHAPTER V.—CONTROL.

ARTICLE 13.

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances, specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

(b) The High Contracting Parties shall treat solutions or dilutions of morphine or cocaine or their salts in an inert substance, liquid or solid, which contain 0.2 per cent or less of morphine or 0.1 per cent or less of cocaine in the same way as preparations containing more than these percentages.

2. The High Contracting Parties shall apply

第十四條

- 一 第一類ニ包含セラレ又ハ包含セラルルコトアルベキ藥品ノ本條約及「ジネトーヴ」條約ノ何レモ適用セラレザル國又ハ領域ヘノ輸出ニ對シ許可證ヲ

「ジネトーヴ」條約ノ規定ニ依リ適用スルモノ

to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith):

(a) The provisions of Articles 6 and 7 in so far as they relate to the manufacture, import, export and wholesale trade in those drugs;

(b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use;

(c) The provisions of paragraphs 1 (b), (c) and (e) and paragraph 2 of Article 22, provided:

(i) That the statistics of import and export may be sent annually instead of quarterly, and

(ii) That paragraph 1 (b) and paragraph 2 of Article 22 shall not apply to preparations containing any of these drugs.

ARTICLE 14.

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Conven-

發給シタル政府ハ許可證ノ發給ヲ直ニ常設中央委員會ニ通告スベシ但シ輸出ノ請求ガ五キログラム以上ナルトキハ右輸出ガ輸入スル國又ハ領域ニ付テノ見積ノ超過ヲ生ゼシメザルコトヲ右政府ニ於テ常設中央委員會ヨリ確ムル迄許可證ハ發給セラレザルベキモノトス常設中央委員會ガ右超過ノ生ズベキ旨ノ通告ヲ發スルトキハ政府ハ右超過ヲ生ゼシムベキ數量ノ輸出ヲ許可セザルベシ

常設中央委員會
ノ報告ニ依リ
タル

一 常設中央委員會ニ提出セラレタル輸入及輸出ノ報告ニ依リ又ハ前號ニ從ヒ同委員會ニ爲サレタル通告ニ依リ何レカノ國又ハ領域ニ輸出セラレ又ハ輸出ノ許可セラレタル數量ガ第五條ニ定メラルル該國又ハ該領域ニ付テノ見積ノ總量ト輸出セラレタルコトノ判明セル數量トノ和ヲ超過スト認メラルトキハ同委員會ハ直ニ右事實ヲ一切ノ締約國ニ通告スベク締約國ハ該年中右ノ國又ハ領域ニ對シ更ニ輸出ヲ許可セザルベシ但シ左記ノ場合ハ此ノ限ニ在ラズ

tion nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation; provided that, if the request for export amounts to 5 kilogrammes or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded. If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

2. If it appears from the import and export returns made to the Permanent Central Board or from the notifications made to the Board in pursuance of the preceding paragraph that the quantity exported or authorised to be exported to any country or territory exceeds the total of the estimates for that country or territory as defined in Article 5, with the addition of the amounts shown to have been exported, the Board shall immediately notify the fact to all the High Contracting Parties, who will not, during the currency of the year in question, authorise any new exports to that country except:

常設中央委員會
ノ報告ニ依リ
タル

(一) 補足見積ガ過剩輸入數量及所要追加數量ニ關シ提出セララルル場合又ハ
(二) 輸出國ノ政府ニ於テ輸出ガ人道ノ爲又ハ患者ノ治療ノ爲缺クベカラザルモノト認ムル例外的場合
三 常設中央委員會ハ毎年各國又ハ各領域ニ關シ前年ニ付左記ヲホス表ヲ作成スベシ
(イ) 各藥品ニ關スル見積
(ハ) (ロ) 各藥品ノ消費數量
(ハ) (ロ) 各藥品ノ製造數量
(ニ) 各藥品ノ轉換數量
(ホ) 各藥品ノ輸入數量
(ヘ) 各藥品ノ輸出數量
(ト) 輸出スルニ輸出許可ヲ要セザル製劑ノ製造ニ使用セラレタル各藥品ノ數量
右表ガ何レカノ締約國ノ本條約ニ依ル義務ヲ履行セザリシカ又ハ履行セザリシコトアルベキコトヲ示ストキハ右委員會ハ國際聯盟事務總長ヲ通告シ右

(i) In the event of a supplementary estimate being furnished for that country in respect both of any quantity over-imported and of the additional quantity required; or
(ii) In exceptional cases where the export in the opinion of the Government of the exporting country is essential in the interests of humanity or for the treatment of the sick.
3. The Permanent Central Board shall each year prepare a statement showing, in respect of each country or territory for the preceding year:
(a) The estimates in respect of each drug;
(b) The amount of each drug consumed;
(c) The amount of each drug manufactured;
(d) The amount of each drug converted;
(e) The amount of each drug imported;
(f) The amount of each drug exported;
(g) The amount of each drug used for the compounding of preparations, exports of which do not require export authorisations.
If such statement indicates that any High Contracting Party has or may have failed to carry out his obligations under this Convention, the Board shall have the right to ask for explanations,

締約國ヨリ説明ヲ求ムルノ權利ヲ有スベク此ノ場合ニハ「ジュネーヴ」條約第二十四條第二號乃至第七號ニ掲ゲラルル手續ハ適用セラルベシ

右委員會ハ爾後能ク限リ述ニ前記ノ表、委員會ガ不必要ナリト思考セザル限リ前項ニ從ヒ與ヘラレ又ハ要求セラレタル説明ノ要領及右ノ説明又ハ説明ノ要求ニ關シ其ノ表明セント欲スルコトアルベキ意見ヲ公表スベシ

常設中央委員會ハ本條約ニ依リ其ノ受領スル統計及他ノ情報ガ投機者ノ行動ヲ容易ナラシメ又ハ締約國ノ正當ナル商業ヲ阻害スルガ如キ方法ニ依リ公表セラレザルベキコトヲ確保スル爲一切ノ必要ナル措置ヲ執ルベシ

第六章 行政規定

第十五條

本條約ノ他ノ規定ニ關スル

締約國ハ其ノ領域内ニ於テ本條約ノ規定ヲ實施スル爲一切ノ必要ナル立法上又ハ他ノ措置ヲ執ルベシ

through the Secretary-General of the League of Nations, from that High Contracting Party, and the procedure specified in paragraphs 2 to 7 of Article 24 of the Geneva Convention shall apply in any such case.

The Board shall, as soon as possible thereafter, publish the statement above mentioned together with an account, unless it thinks it unnecessary, of any explanations given or required in accordance with the preceding paragraph and any observations which the Board may desire to make in respect of any such explanation or request for an explanation.

The Permanent Central Board shall take all necessary measures to ensure that the statistics and other information which it receives under this Convention shall not be made public in such a manner as to facilitate the operations of speculators or to injure the legitimate commerce of any High Contracting Party.

CHAPTER VI.—ADMINISTRATIVE PROVISIONS.

ARTICLE 15.

The High Contracting Parties shall take all necessary legislative or other measures in order to give effect within their territories to the provisions of this Convention.

監視ナルベキ

締約國ハ既ニ設置シタルニ非ザレバ左記目的ノ爲特別ノ行政機關ヲ設置スベシ

- (イ) 本條約ノ規定ヲ適用スルコト
- (ロ) 藥品取引ヲ規律シ、監視シ及取締ルコト
- (ハ) 藥品中毒癮ノ蔓延ヲ防止シ及不正取引ヲ禁遏スル爲一切ノ有用ナル措置ヲ執ルコトニ依リ中毒癮撲滅運動ヲ行フコト

第十六條

一 各締約國ハ左記ニ對シ嚴重ナル監視ヲ行フベシ

- (イ) 藥品ノ製造者ノ轉換又ハ他ノ目的ノ爲各製造業者ノ保有スル原料及既製藥品ノ數量
- (ロ) 製産セラレタル藥品又ハ藥品ヲ含有スル製劑ノ數量
- (ハ) 右製産セラレタル藥品及製劑ノ處分待ニ工場ヨリノ引渡

二 締約國ハ市場ノ情況ヲ考慮シタル上、事業ノ經濟

The High Contracting Parties shall, if they have not already done so, create a special administration for the purpose of:

- (a) Applying the provisions of the present Convention;
- (b) Regulating, supervising and controlling the trade in the drugs;
- (c) Organising the campaign against drug addiction, by taking all useful steps to prevent its development and to suppress the illicit traffic.

ARTICLE 16.

1. Each High Contracting Party shall exercise a strict supervision over:

- (a) The amounts of raw material and manufactured drugs in the possession of each manufacturer for the purpose of the manufacture or conversion of any of the drugs or otherwise;
- (b) The quantities of the drugs or preparations containing the drugs produced;
- (c) The disposal of the drugs and preparations so produced with especial reference to deliveries from the factories.

2. No High Contracting Party shall allow

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本條約ノ規定ハ他ノ法律ニ依リテ

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本條約ノ規定ハ他ノ法律ニ依リテ

本條約ノ規定ハ他ノ法律ニ依リテ

製造原料

的經營ニ必要ナル數量ヲ超過スル原料ノ數量ノ製造業者ノ手許ニ於ケル蓄積ヲ許サザルベシ製造業者ノ手許ニ保有セララル原料ノ如何ナル時ニ於ケル數量モ右製造業者ガ爾後ノ六月間ノ製造ニ要スル數量ヲ超過セザルベシ但シ政府ガ充分ナル調査ノ後例外的事情ニ依リ追加數量ノ蓄積ヲ正當ナリト認ムルトキハ此ノ限ニ在ラザルモ如何ナル場合ニ於テモ蓄積セララルコトアルベキ總量ハ一年分ノ供給量ヲ超過セザルベシ

第十七條

製造業者ノ報告

各締約國ハ自國ノ領域内ノ各製造業者ニ對シ左記ヲ記載スル四半期報告ヲ提出スルコトヲ要求スベシ
 (イ) 右製造業者ガ工場ニ受入レタル原料及各藥品ノ數量並ニ右各物質ヨリ製産セラレタル藥品又ハ他ノ製産品ノ數量製造業者ハ右受入レタル原料ノ數量ヲ報告スルニ當リ之ニ含有セラレ又ハ之ヨリ製産シ得ル「モルヒネ」、「コカイン」又ハ「エクゴニ」ノ割合ニシテ政府ノ規定スル方法ニ依リ且政府ガ充分ナリト認ムル條件ノ下ニ決定セラレタル

the accumulation in the possession of any manufacturer of quantities of raw materials in excess of those required for the economic conduct of business, having regard to the prevailing market conditions. The amounts of raw material in the possession of any manufacturer at any one time shall not exceed the amounts required by that manufacturer for manufacture during the ensuing six months, unless the Government, after due investigation, considers that exceptional conditions warrant the accumulation of additional amounts, but in no case shall the total quantities which may be accumulated exceed one year's supply.

ARTICLE 17.

Each High Contracting Party shall require each manufacturer within his territories to submit quarterly reports stating:

(a) The amount of raw materials and of each of the drugs received into the factory by such manufacturer and the quantities of the drugs, or any other products whatever, produced from each of these substances. In reporting the amounts of raw materials so received, the manufacturer shall state the proportion of morphine, cocaine or ecgonine contained in or producible therefrom as deter-

製造原料

モノヲ記載スベシ

(ロ) 右原料又ハ之ヨリ製造セラレタル製産品ノ四半期中ニ處分セラレタル數量

(ハ) 四 期末ニ於ケル残存在庫數量

各締約國ハ自國ノ領域内ノ各卸賣業者ニ對シ各藥品ニ關シ、輸出又ハ輸入ニ許可ヲ要セザル製劑ニシテ各年中輸出又ハ輸入セラレタルモノニ含有セララル右藥品ノ數量ヲ記載スル報告ヲ年末ニ於テ提出スルコトヲ要求スベシ

第十八條

製産品ノ

各締約國ハ不正取引ニ於テ其ノ押收シタル第一類ノ何レカノ藥品ガ國ノ機關ニ依リ司法手續又ハ他ノ行動ノ爲ニ必要ナラザルニ至リタルトキハ右藥品ハ政府ニ依リ又ハ其ノ取締ノ下ニ廢棄セララルカ、麻醉性ナキ物質ニ轉換セララルカ又ハ醫藥用若ハ學術用ニ充テラルベキコトヲ約ス一切ノ場合ニ於テ「デア

mined by a method prescribed by the Government and under conditions considered satisfactory by the Government;

(b) The quantities of either the raw material or the products manufactured therefrom which were disposed of during the quarter;

(c) The quantities remaining in stock at the end of the quarter.

Each High Contracting Party shall require each wholesaler within his territories to make at the close of each year a report stating, in respect of each of the drugs, the amount of that drug contained in preparations, exported or imported during the year, for the export or import of which authorisations are not required.

ARTICLE 18.

Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part

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セラルモルヒネ」ハ廢棄セラルルカ又ハ轉換セラル
ベシ

第十九條

締約國ハ何レカノ藥品又ハ之ヲ含有スル製劑ヲ販賣
スルガ爲ニ使用セラルル「レツテル」ニハ該藥品ノ含
有率ヲ示スベキヨトヲ要求スベシ右「レツテル」ニハ
又國內法令ニ於テ定メラルル藥品名ヲ示スベシ

第七章 一般規定

第二十條

一 各締約國ハ本條約實施ノ際其ノ領域ノ何レカニ
於テ何レカノ藥品ガ製造中若ハ轉換中ナルトキ又
ハ右實施ノ際若ハ爾後右製造若ハ轉換ヲ許可セン
ト欲スルトキハ國際聯盟事務總長ニ通告シ製造又
ハ轉換ガ内部需要ノ爲ノミナリヤ又ハ更ニ輸出ヲ
モ目的トスルヤ、右製造又ハ轉換ノ開始スル日、
製造セラルレ又ハ轉換セラルル藥品並ニ許可セラル
ル者又ハ商社ノ名及宛所ヲ示スベシ

對國際聯盟事務總長ニ通告スル

of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted.

ARTICLE 19.

The High Contracting Parties will require that the labels under which any of the drugs, or preparations containing those drugs, are offered for sale, shall show the percentage of the drugs. These labels shall also indicate the name of the drugs as provided for in the national legislation.

CHAPTER VII.—GENERAL PROVISIONS.

ARTICLE 20.

1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes either at that time or subsequently to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin, and the drugs to be manu-

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二 何レカノ藥品ノ製造又ハ轉換ガ何レカノ締約國
ノ領域ニ於テ止ム場合ニハ該締約國ハ事務總長ニ
其ノ旨ヲ通告シ右製造又ハ轉換ガ止ミタル又ハ止
ムベキ場所及日ヲ示シ且右藥品並ニ關係者又ハ關
係商社ノ名及宛所ヲ示スベシ

三 本條ニ依リ供與セラルル情報ハ事務總長ニ依リ
締約國ニ通知セラルベシ

第二十一條

締約國ハ本條約ヲ實施スル爲ニ公布セラルル法令及規
則ヲ國際聯盟事務總長ヲ通ジテ相互ニ通知スベク且
其ノ領域ニ於ケル本條約ノ運用ニ關スル年報ヲ阿片
及他ノ危險藥品ノ取引ニ關スル諮問委員會ニ依リ作
成セラルル様式ニ從ヒ事務總長ニ送付スベシ

第二十二條

factured or converted as well as the names and addresses of persons or firms authorised.

2. In the event of the manufacture or conversion of any of the drugs ceasing in the territory of any High Contracting Party, he shall notify the Secretary-General to that effect, indicating the place and date at which such manufacture or conversion has ceased or will cease and specifying the drugs affected, as well as the names and addresses of persons or firms concerned.

3. The information furnished under this Article shall be communicated by the Secretary-General to the High Contracting Parties.

ARTICLE 21.

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

ARTICLE 22.

年次統計ノ
提出

締約國ハ其ノ常設中央委員會ニ提出スル年次統計ニ
ハ内部消費ノ爲ノモノタルト輸出ノ爲ノモノタルト
ヲ問ハズ輸出スルニ輸出許可ヲ要セザル製劑ヲ製造
スル爲製造業者及卸賣商ガ使用シタル各藥品ノ數量
ヲ包含セシムベシ
締約國ハ又第十七條ニ從ヒ製造業者ノ作成スル報告
ノ概要ヲ右統計ニ包含セシムベシ

第二十三條

不正取引ニ
關スル資料

締約國ハ其ノ發見シタル不正取引ノ各場合ニシテ當
該藥品ノ數量ニ徴シ又ハ不正取引ノ目的ヲ以テ得ラ
レタル藥品ノ出所若ハ不正取引者ニ依リ使用セラレ
タル方法ニ關スル資料ニ徴シ重要ナルコトアルベキ
モノノ詳細事項ヲ國際聯盟事務總長ヲ通シ能ク限リ
速ニ相互ニ通知スベシ

右詳細事項ニハ能ク限リ左記ヲ示スベシ

- (イ) 當該藥品ノ種類及數量
- (ロ) 藥品ノ原産地、記號及「レツタル」

The High Contracting Parties shall include in the annual statistics furnished by them to the Permanent Central Board the amounts of any of the drugs used by manufacturers and wholesalers for the compounding of preparations whether for domestic consumption or for export for the export of which export authorisations are not required.

The High Contracting Parties shall also include a summary of the returns made by the manufacturers in pursuance of Article 17.

ARTICLE 23.

The High Contracting Parties will communicate to each other, through the Secretary-General of the League of Nations, as soon as possible, particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers.

The particulars given shall indicate as far as possible:

- (a) The kind and quantity of drugs involved;
- (b) The origin of the drugs, their marks and labels;

本條約ノ本
文及附屬條
約ノ解釋ニ
關スル資料

- (ハ) 藥品ガ不正取引ニ轉向セラレタル場所
- (ニ) 藥品ノ發送地、運送人若ハ運送取扱人又ハ荷送
人ノ名、荷送方法並ニ判明セルトキハ荷受人ノ名
及宛所
- (ホ) 密輸者ニ依リ使用セラレタル方法及経路並ニ藥
品ノ積込セラレタル船舶アルトキハ其ノ名
- (ヘ) 關係者特ニ許可又ハ免許ヲ有スル者ニ關シ政府
ノ執リタル行動及科セラレタル刑罰
- (ト) 不正取引ノ禁遏ニ資スルコトアルベキ他ノ情報

第二十四條

本條約ハ千九百十二年ノ「ヘーグ」條約及千九百二十
五年ノ「ジネネーヴ」條約ノ少クトモ一ニ依リ拘束セ
ラルル締約國間ノ關係ニ於テ此等ノ條約ヲ補足スベ
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第二十五條

本條約ノ解釋又ハ適用ニ關シ締約國間ニ何レカノ紛

- (c) The points at which the drugs were diverted into the illicit traffic;
- (d) The place from which the drugs were despatched, and the names of shipping or forwarding agents or consignors; the methods of consignment and the name and address of consignees, if known;
- (e) The methods and routes used by smugglers and names of ships, if any, in which the drugs have been shipped;
- (f) The action taken by the Government in regard to the persons involved, particularly those possessing authorisations or licences and the penalties imposed;
- (g) Any other information which would assist in the suppression of illicit traffic.

ARTICLE 24.

The present Convention shall supplement the Hague Convention of 1912 and the Geneva Convention of 1925 in the relations between the High Contracting Parties bound by at least one of these latter Conventions.

ARTICLE 25.

If there should arise between the High Con-

紛争ニ關スル紛

争發生シ外交手段ニ依リ満足ニ解決シ得ラレザルトキハ右紛争ハ當事國間ニ實施セララルル國際紛争解決ニ關スル協定ニ從ヒ解決セララルベシ

當事國間ニ實施セララルル此ノ種ノ協定ナキトキハ紛争ハ仲裁裁判又ハ司法的解決ニ付セララルベシ他ノ裁判所ノ選擇ニ關スル協定ナキ場合ニ於テ紛争ハ一切ノ紛争當事國方常設國際司法裁判所規程ニ關スル千九百二十年十二月十六日ノ議定書ノ締約國ナルトキハ當事國ノ何レカノ請求ニ依リ該裁判所ニ付託セララルベク又紛争當事國ノ何レカガ千九百二十年十二月十六日ノ議定書ノ締約國ナラザルトキハ國際紛争平和的處理ニ關スル千九百七年十月十八日ノ「ヘーグ」條約ニ從ヒ構成セララルル仲裁裁判部ニ付託セララルベシ

第二十六條

締約國ハ本條約ヲ受諾スルモ其ノ殖民地、保護領、海外領土又ハ宗主權若ハ委任統治ノ下ニ在ル地域ノ全部又ハ何レカニ關シ何等ノ義務ヲ負ハザルコトヲ

殖民地等ニ關スル適用

tracting Parties a dispute of any kind relating to the interpretation or application of the present Convention and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the Permanent Court of International Justice, if all the Parties to the dispute are Parties to the Protocol of December 16th, 1920, relating to the Statute of that Court, and, if any of the Parties to the dispute is not a Party to the Protocol of December 16th, 1920, to an arbitral tribunal constituted in accordance with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

ARTICLE 26.

Any High Contracting Party may, at the time of signature, ratification or accession, declare that, in accepting the present Convention, he does not assume any obligation in respect of all or any

署名、批准又ハ加入ノ際宣言スルコトヲ得ベク之ニ依リ本條約ハ右宣言中ニ掲ゲラルル地域ニ適用セララルベシ

締約國ハ前項ニ依リ宣言ノ目的ト爲リタル其ノ地域ノ全部又ハ何レカニ本條約ガ適用セララルルコトヲ欲スル旨ヲ爾後何時ニテモ國際聯盟事務總長ニ通知スルコトヲ得ベク之ニ依リ本條約ハ之ヲ批准シ又ハ之ニ加入スル國ノ場合ニ於ケルト同様右通知ニ掲ゲラルル一切ノ地域ニ適用セララルベシ

締約國ハ其ノ殖民地、保護領、海外領土又ハ宗主權若ハ委任統治ノ下ニ在ル地域ノ全部又ハ何レカニ對シ本條約ノ適用ナキニ至ルコトヲ欲スル旨ヲ第三十二條ニ掲ゲラルル五年ノ期間ノ満了後何時ニテモ宣言スルコトヲ得ベク之ニ依リ本條約ハ同條ノ規定ニ依リ廢棄ノ通告ニ於ケルト同様右宣言ニ掲ゲラルル地域ニ適用ナキニ至ルベシ

事務總長ハ本條ニ依リ受領シタル一切ノ宣言及通知

of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all the territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

Any High Contracting Party may, at any time after the expiration of the five-years period mentioned in Article 32, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration as if it were a denunciation under the provisions of Article 32.

The Secretary-General shall communicate to

ヲ一切ノ聯盟國及第二十七條ニ掲ケラルル非聯盟國ニ通告スベシ

第二十七條

條約ノ正本

本條約ハ佛蘭西語及英吉利語ノ本文ヲ以テ共ニ正文トシ本日ノ日附ヲ有スベク且國際聯盟ノ聯盟國又ハ本條約ヲ作成シタル會議ニ代表者ヲ出シタル非聯盟國若ハ國際聯盟理事會ガ本條約ノ際本ヲ署名ノ爲ニ送付シタル非聯盟國ノ署名ノ爲ニ千九百三十一年十二月三十一日迄開キ置カルベシ

第二十八條

批准

本條約ハ批准セラルベシ批准書ハ國際聯盟事務總長ニ送付セラルベク事務總長ハ之ガ受領ヲ一切ノ聯盟國及前條ニ掲ケラルル非聯盟國ニ通告スベシ

第二十九條

加入ノ手續

千九百三十二年一月一日以後國際聯盟ノ聯盟國又ハ

all the Members of the League and to the non-member States mentioned in Article 27, all declarations and notices received in virtue of this Article.

ARTICLE 27.

The present Convention, of which the French and English texts shall both be authoritative, shall bear this day's date, and shall, until December 31st, 1931, be open for signature on behalf of any Member of the League of Nations, or of any non-member State which was represented at the Conference which drew up this Convention, or to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

ARTICLE 28.

The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League and to the non-member States referred to in the preceding Article.

ARTICLE 29.

As from January 1st, 1932, the present Con-

第二十七條ニ掲ケラルル非聯盟國ハ本條約ニ加入スルコトヲ得
加入書ハ國際聯盟事務總長ニ送付セラルベク事務總長ハ之ガ受領ヲ一切ノ聯盟國及第二十七條ニ掲ケラルル非聯盟國ニ通告スベシ

第三十條

條約ノ正本

本條約ハ國際聯盟事務總長ガ左ノ諸國ノ内四國ヲ含ム二十五ノ國際聯盟ノ聯盟國又ハ非聯盟國ノ批准又ハ加入ヲ受領シタル後九十日ニシテ實施セラルベシ

佛蘭西國、獨逸國、グレートブリテン及北部アイルランド、聯合王國、日本國、和蘭國、瑞西國、トルコ國及アメリカ合衆國

尤モ第二條乃至第五條以外ノ本條約ノ規定ハ第二條乃至第五條ニ從ヒ提出セラルル見積ノ關スル最初ノ年ノ一月一日ヨリノニ適用セラルベキモノトス

第三十一條

vention may be acceded to on behalf of any Member of the League of Nations or any non-member State mentioned in Article 27.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-member States mentioned in that Article.

ARTICLE 30.

The present Convention shall come into force ninety days after the Secretary-General of the League of Nations has received the ratifications or accessions of twenty-five Members of the League of Nations or non-member States, including any four of the following:

France, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Netherlands, Switzerland, Turkey, and the United States of America.

Provided always that the provisions of the Convention other than Articles 2 to 5 shall only be applicable from the first of January in the first year in respect of which estimates are furnished in conformity with Articles 2 to 5.

ARTICLE 31.

批准ノ効力ヲ生ズルニ至ルベシ

本條約ノ實施ノ日ノ後受領セラルル批准又ハ加入ノ國際聯盟事務總長ガ之ヲ受領シタル日ヨリ九十日ノ期間ノ滿了ノ時ヨリ効力ヲ生ズベシ

第三十二條

廢棄ノ手續

本條約ノ實施ノ日ヨリ五年ノ期間滿了後ニ於テハ本條約ハ國際聯盟事務總長ニ寄託セラルル書面ニ依リ廢棄セラルルコトヲ得續業ハ何レカノ年ノ七月一日以前ニ事務總長ニ依リ受領セラルルトキハ翌年ノ一月二日ニ効力ヲ生ズベク七月一日後ニ受領セラルルトキハ翌年ノ七月一日以前ニ受領セラレタルモノトシテ効力ヲ生ズベシ各廢棄ハ之ヲ寄託シタル聯盟國又ハ非聯盟國ニ對シテノミ有效ナルベシ

事務總長ハ受領シタル廢棄ヲ一切ノ聯盟國及第二十七條ニ掲ケラルル非聯盟國ニ通告スベシ

Ratifications or accessions received after the date of the coming into force of this Convention shall take effect as from the expiration of the period of ninety days from the date of their receipt by the Secretary-General of the League of Nations.

ARTICLE 32.

After the expiration of five years from the date of the coming into force of this Convention, the Convention may be denounced by an instrument in writing, deposited with the Secretary-General of the League of Nations. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year. Each denunciation shall operate only as regards the Member of the League or non-member State on whose behalf it has been deposited.

The Secretary-General shall notify all the Members of the League and the non-member States mentioned in Article 27 of any denunciations received.

條約ノ改正

同時又ハ順次ノ廢棄ノ結果トシテ本條約ノ拘束ヲ受クル聯盟國及非聯盟國ノ數ガ二十五未満ニ減少スルトキハ本條約ハ右廢棄ノ最後ノモノガ本條ノ規定ニ從ヒ効力ヲ生ズベキ日ヨリ實施セラレザルニ至ルベシ

第三十三條

本條約ノ改正ノ要求ハ本條約ノ拘束ヲ受クル國際聯盟ノ聯盟國又ハ非聯盟國ニ依リ國際聯盟事務總長ニ宛テタル通知ヲ以テ何時ニテモ爲サルルコトヲ得右通知ハ事務總長ニ依リ本條約ノ拘束ヲ受クル他ノ國際聯盟ノ聯盟國又ハ非聯盟國ニ通報セラルベク其ノ三分ノ一以上ニ依リ承認セラルルトキハ締約國ハ本條約ノ改正ノ爲會合スルコトヲ約ス

第三十四條

本條約ハ其ノ實施ノ日ニ於テ國際聯盟事務總長ニ依

If, as a result of simultaneous or successive denunciations, the number of Members of the League and non-member States bound by the present Convention is reduced to less than twenty-five, the Convention shall cease to be in force as from the date on which the last of such denunciations shall take effect in accordance with the provisions of this Article.

ARTICLE 33.

A request for the revision of the present Convention may at any time be made by any Member of the League of Nations or non-member State bound by this Convention by means of a notice addressed to the Secretary-General of the League of Nations. Such notice shall be communicated by the Secretary-General to the other Members of the League of Nations or non-member States bound by this Convention, and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention.

ARTICLE 34.

The present Convention shall be registered

末

又

ヲ登錄セラルベシ

右證據トシテ前記全權委員ハ本條約ニ署名セリ

千九百三十一年七月十三日「ジネーヴ」ニ於テ本件
一通ヲ作成シ之ヲ國際聯盟事務局ノ記録ニ寄託保存
スベシ其ノ認證原本ハ一切ノ聯盟國及第二十七條ニ
掲ケラルル非聯盟國ニ送付セラルベシ

獨逸國

フライヘル、フォン、ラインバーゲン
ドクトル、カール

「アメリカ」合衆國

ジョン、ケイ、コー、オド、ウエル
ハリー、ジエー、アン、スリン、ガー
ウォルター、ルイス、トレッド、ウエイ
サンボーン、ヤング

(一) 「アメリカ」合衆國政府ハ阿片、「コカ」葉、
其ノ一切ノ誘導體及合成ノ方法ニ依リ製産

by the Secretary-General of the League of Nations on the day of its entry into force.

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention.

DONE at Geneva the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the Members of the League and to the non-member States referred to in Article 27.

GERMANY

ALLEMAGNE

Freiherr VON RHEINBAREN

UNITED STATES
OF AMERICA

ETATS-UNIS
D'AMÉRIQUE

John K. CALDWELL

Harry J. ANSLINGER

Walter Lewis TREADWAY.

Sanborn YOUNG.

(1) The Government of the United States of America reserves the right to impose, for purpose of internal control and control of import into and export from territory under

セラルル同様ノ物質ノ國內取締ノ爲及其ノ
領域ヘノ輸入又ハ其ノ領域ヨリノ輸出ノ取
締ノ爲條約ノ規定ヨリモ嚴重ナル措置ヲ課
スルノ權利ヲ留保ス

(二) 「アメリカ」合衆國政府ハ生阿片、「コカ」
葉、其ノ一切ノ誘導體及合成ノ方法ニ依リ
製産セラルル同様ノ物質ノ其ノ領域内ノ通
過ヲ取締ル爲仕向國ノ發給セル輸入許可證
ノ提出ヲ其ノ領域内ノ通過ノ許可ヲ與フル
前提條件ト爲シ得ル措置ヲ課スルノ權利ヲ
留保ス

(三) 「アメリカ」合衆國政府ハ輸出入統計ノ關
スル三月ノ期間ノ終了後六十日未滿内ニ常
設中央阿片委員會ニ右統計ヲ送付スルコト
ヲ約スルコト實行不可能ナリト認ム

(四) 「アメリカ」合衆國政府ハ政府用ノ爲購入
又ハ輸入セラレタル藥品ノ數量ヲ別ニ示ス
コトヲ約スルコト實行不可能ナリト認ム

(五) 「アメリカ」合衆國全權委員ハ本日「アメ
リカ」合衆國ノ爲ニ條約ノ製造制限及分配

its jurisdiction, of opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures stricter than the provisions of the Convention.

(2) The Government of the United States of America reserves the right to impose, for purposes of controlling transit through its territories of raw opium, coca leaves, all of their derivatives and similar substances produced by synthetic process, measures by which the production of an import permit issued by the country of destination may be made a condition precedent to the granting of permission for transit through its territory.

(3) The Government of the United States of America finds it impracticable to undertake to send statistics of import and export to the Permanent Central Opium Board short of sixty days after the close of the three-months' period to which such statistics refer.

(4) The Government of the United States of America finds it impracticable to undertake to state separately amounts of drugs purchased or imported for Government purposes.

(5) Plenipotentiaries of the United States of America formally declare that the signing of the Convention for Limiting the Manufacture and Regulating the Distribution

取締ニ關スル條約ニ署名スルコトハ該條約ニ署名シ又ハ加入スル組織又ハ實體ガ一國ノ政府ナリトシテ「アメリカ」合衆國政府ニ依リ未ダ承認セラレザル限り「アメリカ」合衆國ガ右組織又ハ實體ヲ有ノ國ノ政府トシテ承認スルモノナリトノ意義ニ解セラルベキニ非ザルコトヲ正式ニ宣言ス

(六) 「アメリカ」合衆國全權委員ハ本日署名セラレタル麻薬ノ製造制限及分配取締ニ關スル條約ヘノ「アメリカ」合衆國ノ参加ハ「アメリカ」合衆國政府ガ一國ノ政府トシテ承認セザル組織又ハ實體ニ依リ代表セラルル國ニ對シ該國ガ「アメリカ」合衆國政府ニ依リ承認セラレタル政府ヲ有スルニ至ル迄「アメリカ」合衆國ノ條約上ノ何等ノ義務ヲモ包含スルモノニ非ザルコトヲ更ニ宣言ス

ジエ、ケイ、シー
 エイチ、ジエ、エー
 ダブリュー、エル、テイ

of Narcotic Drugs, by them on the part of the United States of America on this date is not to be construed to mean that the Government of the United States of America recognises a regime or entity which signs or accedes to the Convention as the Government of a country when that regime or entity is not recognised by the Government of the United States of America as the Government of that country.

(6) The plenipotentiaries of the United States of America further declare that the participation of the United States of America in the Convention for limiting the Manufacture of and regulating the Distribution of Narcotic Drugs, signed on this date, does not involve any contractual obligation on the part of the United States of America to a country represented by a regime or entity which the Government of the United States of America does not recognise as the Government of that country until such country has a Government recognised by the Government of the United States of America.

J. K. C
 H. J. A.
 W. L. T.

エス、ワイ
 「アルゼンタイン」共和國
 政府ノ承認ヲ條件トス
 フェルナンド、ペレス
 奥地利國
 エー、プ、リ、エ、グ、ル
 ドクトル、ブルノイ、シエルツ
 白耳義國
 ドクトル、エフ、ド、ミットネール
 「ポリウエア」國
 エマ、ク、エ、リ、ア、ール
 「ブラジル」國
 ラウル、ド、リ、オ、ブ、ラン、コ
 「グレート、ブリテン」及北部「アイルランド」
 並ニ國際聯盟ノ個個ノ聯盟國ニ非ザル英帝國
 ノ一切ノ部分
 マルコム、デ、レ、ヴィン、ニ、
 「カナダ」

S. Y.
 ARGENTINE REPUBLIC RÉPUBLIQUE ARGENTINE
Ad referendum.
 Fernando PEREZ
 AUSTRIA AUTRICHE
 E. PFLÜGL
 Dr. Bruno SCHULTZ
 BELGIUM BELGIQUE
 Dr. F. DE MYTTENAERE
 BOLIVIA BOLVIE
 M. CUELLAR
 BRAZIL BRÉSIL
 Raul do RIO BRANCO
 GREAT BRITAIN AND GRANDE-BRETAGNE ET
 NORTHERN IRELAND IRLANDE DU NORD
 and all parts of the ainsi que toutes parties
 British Empire which de l'Empire britannique
 are not separate Mem- non Membres séparés de
 bers of the League of la Société des Nations
 Nations.
 Malcolm DELEIVINGNE
 CANADA CANADA

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| シー、エイチ、エル、シアミアン ダブリエー、エー、リデル 印度 アール、ビー、バラニビー 「チリ」國 エンリケ、ホータ、ガハルド、ガエー 「コスタ、リカ」國 ヴィリアト、フィグエレド、ロラ 「キューバ」國 ヘーデ、ブランク ドクトル、ベニー、プリメリエス 丁株國 グスタフ、ラスムッセン 「ダンツィヒ」自由市 エフ、ソカル 「ドミニカ」共和國 セー、アケルマン 「エジプト」國 ティー、ダブリエー、ラッセル 西班牙國 | C. H. L. SHARMAN W. A. RIDDELL INDIA R. P. PARANJPYE CHILE Enrique J. GAJARDO V. COSTA RICA Viriato FIGUEROLO LORA. CUBA G. DE BLANCK Dr B. PRIMELLES DENMARK Gustav RASMUSSEN FREE CITY OF DANZIG VILLE LIBRE DE DANTZIG F. SOKAL DOMINICAN REPUBLIC RÉPUBLIQUE DOMINICAINE Ch. ACKERMANN EGYPT T. W. RUSSELL SPAIN ESPAGNE |
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| フリオ、カサレス 「エチオピア」國 エントット公、伯爵ラガルド 佛蘭西國 佛蘭西國政府ハ第十三條ニ揭ゲラルル四半期 統計ヲ嚴ニ付與セラレタル期間内ニ規則的 ニ提出シ得ルヤ否ヤニ付其ノ權力ノ下ニ在 ル殖民地、保護領及委任統治地域ニ關シ一 切ノ留保ヲ爲ス ジエー、ブルゴア 希臘國 アール、ラファエル 「グアテマラ」國 ルイス、マルティネス、モント 「ヘジャズ」及「ネヂド」國並ニ屬地 ハフィズ、ワハバ 伊太利國 カヴァゾニ、ステファノ | Julio CASARES ABYSSINIA C ^{te} LAGARDE DUC d'ENTOTTO FRANCE Le Gouvernement francais fait toutes ses réserves en ce qui concerne les colonies, protectorats et pays sous mandat dépendant de son autorité, sur la possibilité de produire régu- lièrement dans le délai strictement imparti les statistiques trimestrielles visées par l'article 13. G. BOURGOIS GREECE R. RAPHAËL GUATEMALA Luis MARTÍNEZ MONT. HEJAZ, NEJD AND DÉPENDENCIES HEDJAZ, NEDJED ET DÉPENDANCES HAFIZ WAHBA ITALY CAVAZZONI Stefano |
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| シー、エイチ、エル、シアミアン ダブリュー、イー、エー、リデル 印度 アール、ビー、バラニビー 「チリ」國 エンリケ、ホータ、ガバルド、サエー 「コスタリカ」國 ヴィリアト、フィグエレド、ロラ 「キューバ」國 ヘー、デ、ブランク ドクトル、ベ、プリメレス 丁抹國 グスターフ、ラスムセン 「ダンツィヒ」自由市 エフ、ソカル 「ドミニカ」共和國 セー、アックルマン 「エジプト」國 タイ、ダブリュー、ラッセル 西班牙國 | C. H. L. SHARMAN W. A. RIDDELL INDIA R. P. PARANJPYE CHILE Enrique J. GAJARDO V. COSTA RICA Viriato FIGUEREDO LORA. CUBA G. DE BLANCK D ^r B. PRIMELES DENMARK Gustav RASMUSSEN FREE CITY OF DANZIG VILLE LIBRE DE DANTZIG F. SOKAL DOMINICAN REPUBLIC RÉPUBLIQUE DOMINICAINE Ch. ACKERMANN EGYPT T. W. RUSSELL SPAIN ESPAGNE |
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| フリオ、カサレス 「エチオピア」國 エントット公、伯爵ラガルド 佛蘭西國 佛蘭西國政府ハ第十三條ニ揭ケラルル四半期 統計ヲ嚴ニ付與セラレタル期間内ニ規則的 ニ提出シ得ルヤ否ヤニ付其ノ權力ノ下ニ在 ル殖民地、保護領及委任統治地域ニ關シ一 切ノ留保ヲ爲ス ジェー、ブルゴア 希臘國 アール、ラファエル 「グアテマラ」國 ルイス、マルティネス、モント 「ヘジャズ」及「ネジド」國並ニ屬地 ハフィズ、ワハバ 伊太利國 カヴァゾニ、ステファノ | Julio CAJARES ABYSSINIA C ^{te} LAGARDE DUC d'ENTOTTO FRANCE Le Gouvernement francais fait toutes ses réserves en ce qui concerne les colonies, protectorats et pays sous mandat dépendant de son autorité, sur la possibilité de produire régu- lièrement dans le délai strictement imparti les statistiques trimestrielles visées par l'article 13. G. BOURGOIS GREECE R. RAPHAËL GUATEMALA Luis MARTÍNEZ MONT. HEJAZ, NEJD AND DEPENDENCIES HEDJAZ, NEDJED ET DÉPENDANCES HAFIZ WAHBA ITALY CAVAZZONI Stefano |
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| 日本國 澤田節藏 大達茂雄 | JAPAN | S. SAWADA S. OHDACHI | JAPON |
| 「リベリア」國 ドクトル、アイ、ソフタイール 「リベリア」共和國上院ノ批准ヲ留保ス | LIBERIA | Dr A. SOTTILE Sous réserve de ratification du Sénat de la République de Libéria. | LIBÉRIA |
| 「リスマニア」國 ザウニウス | LITHUANIA | ZAGNIUS. | LITHUANIE |
| 「ルクセンブルグ」國 セ、ジエ、ウエルメール | LUXEMBURG | Ch. G. VERMAIRE | LUXEMBOURG |
| 「メキシコ」國 エセ、マルタイネス、デ、アルヴァ | MEXICO | S. MARTÍNEZ DE ALVA | MEXIQUE |
| 「モナコ」國 セ、アンチ | MONACO | C. HENRSCH. | MONACO |
| 「パナマ」國 ドクトル、エルネスト、ホフマン | PANAMA | Dr Ernesto HOFFMANN. | PANAMA |
| 「パラグアイ」國 エレウエ、カバリ、ロ、デ、ベドヤ | PARAGUAY | R. V. CABALLERO DE BEDOYA | PARAGUAY |
| 和蘭國 | THE NETHERLANDS | | PAYS-BAS |

| | | | |
|--|------------|---|-------------|
| 「ベルシア」國 エ、セ、バ、イ、ボ、デ、イ | PERSIA | V. WETTUM | PERSE |
| 「ポーランド」國 ホヂコ | POLAND | A. SEPAHBODY CHODZKO | POLOGNE |
| 「ポルトガル」國 アウグスト、デ、ヴァスコンセロス アイ、エメ、フェルラス、デ、アンドラーデ | PORTUGAL | Augusto DE VASCONCELLOS A. M. FERRAZ DE ANDRADE | PORTUGAL |
| 「ルーマニア」國 シー、アントニア、デー | ROUMANIA | C. ANTONIADE | ROUMANIE |
| 「サンマリノ」國 フェルリ、シャルル、エミール | SAN MARINO | FERRI Charles Emile | SAINT-MARIN |
| 暹羅國 ダムラス 暹羅國有常習性薬品法ハ或點ニ於テ「シエ ネーヴ」條約及本條約ヨリモ一層嚴ナルヲ 以テ我政府ハ其ノ現行法ヲ適用スルノ權利 ヲ留保ス | SIAM | DAMRAS As our Harmful Habit-forming Drugs Law goes beyond the provisions of the Geneva Convention and the pre- sent Convention on certain points, my Government reserves the right to apply our existing law. | SIAM |
| 瑞典國 コ、イ、ウエストマン | SWEDEN | K. I. WESTMAN | SUÈDE |

第六十九 麻藥條約

麻藥ノ製造制限及分配取締ニ
關スル條約

一九三二年(昭和六年)七月十三日シネアトウニ於テ署名
一九三五年(昭和十年)四月十七日批准
一九三五年(昭和十年)六月三日批准書發給
一九三五年(昭和十年)六月十三日公佈
一九三五年(昭和十年)五月一日帝國ニ對シテ效力發生

目次

- 第二章 定義(第一條)
- 第三章 見積(第二條乃至第五條)
- 第三章 製造制限(第六條乃至第九條)
- 第四章 禁止及制限(第十條乃至第十二條)
- 第五章 取締(第十三條及第十四條)
- 第六章 行政規定(第十五條乃至第十九條)
- 第七章 一般規定(第二十條乃至第三十四條)

前 又 獨逸國大統領、アメリカ合衆國大統領、アルゼン
チン共和國大統領、奧地利共和國聯邦大統領、白

NO. 69. STUPÉFIANTS.

CONVENTION FOR LIMITING THE MANU-
FACTURE AND REGULATING THE DIS-
TRIBUTION OF NARCOTIC DRUGS.

Signed at Geneva, July 13, 1931.
Ratified April 17, 1935.
Ratification deposited June 3, 1935:
Promulgated June 12, 1935.
Effective in respect of Japan from September 1,
1935.

SUMMARY.

- CHAPTER I. DEFINITIONS (Art. 1).
- CHAPTER II. ESTIMATES (Art. 2 to 5).
- CHAPTER III. LIMITATION OF MANUFACTURE (Art. 6 to 9).
- CHAPTER IV. PROHIBITIONS AND RESTRICTIONS (Art. 10 to 12).
- CHAPTER V. CONTROL (Arts. 13 and 14).
- CHAPTER VI. ADMINISTRATIVE PROVISIONS (Art. 15 to 19).
- CHAPTER VII. GENERAL PROVISIONS (Art. 20 to 34).

THE PRESIDENT OF THE GERMAN REICH; THE
PRESIDENT OF THE UNITED STATES OF AMERICA;

8942

第六十九 條 條約 原案ノ要旨及分條條約ニ關スル條約

八九四二

FILE
RETURN TO P.C.
6/17

瑞西國

ボイル、テイニシエール

ドクトル、アシエ、カリエール

「チェコスロヴァキア」國

ゼツド、フィエルリッゲル

「ウルグアイ」國

アルフレド、デ、カストロ

「ヴェネズエラ」國

政府ノ承認ヲ條件トス

エレベーター、マシン、イットリアコ

SWITZERLAND

SUISSE

Paul DINICHERT

D^r H. CARRIERE

CZECHOSLOVAKIA

TCHÉCOSLOVAQUIE

Zd. FIERLINGER

URUGUAY

URUGUAY

Alfredo DE CASTRO

VENEZUELA

VENEZUELA

Ad referendum

L. G. CHACÍN ITRIAGO

CONVENTION POUR LIMITER LA FABRI-
CATION ET REGLEMENTER LA DIS-
TRIBUTION DES STUPEFIANTS.

Signée à Genève, le 13 Juillet 1931.

Ratifiée le 17 Avril 1935.

Ratification déposée le 3 Juin 1935.

Promulguée le 12 Juin 1935.

Entrée en Vigueur pour Japon le 1^{er} Septembre 1935.

SOMMAIRE.

- CHAPITRE I. DÉFINITIONS (Art. 1).
- CHAPITRE II. ÉVALUATION (Art. 2 à 5).
- CHAPITRE III. LIMITATION DE LA FABRICATION (Art. 6 à 9).
- CHAPITRE IV. INTERDICTIONS ET RESTRICTION (Art. 10 à 12).
- CHAPITRE V. CONTRÔLE (Art. 13 et 14).
- CHAPITRE VI. DISPOSITIONS ADMINISTRATIVES (Art. 15 à 19).
- CHAPITRE VII. DISPOSITIONS GÉNÉRALES (Art. 20 à 34).

LE PRÉSIDENT DU REICH ALLEMAND; LE PRÉ-
SIDENT DES ÉTATS-UNIS D'AMÉRIQUE; LE PRÉSI-

開戦ニ關スル條約

一九〇七年(明治四〇年)一〇月二十八日海牙ニ於テ調印
 一九一二年(明治四四年)二月六日批准
 一九一二年(明治四五年)一月三日公布

獨逸皇帝普魯西國皇帝陛下、亞米利加合衆國大統
 領、亞爾然丁共和國大統領、奧地利國皇帝「ボヘ
 ミヤ」國皇帝洪牙利國皇帝陛下、白耳義國皇帝陛
 下、「ボリツシア」共和國大統領、伯刺西爾合衆國
 大統領、勃爾牙利國公殿下、智利共和國大統領、
 格倫比亞共和國大統領、玖馬共和國臨時總督、丁
 株國皇帝陛下、「ドミニカ」共和國大統領、「エタ
 ドル」共和國大統領、西班牙國皇帝陛下、佛蘭西
 共和國大統領、大不列顛愛蘭聯合王國大不列顛海
 外領土皇帝印度皇帝陛下、希臘國皇帝陛下、「グ
 ラマラ」共和國大統領、「ハイチ」共和國大統領、

第五 第二回平和會議議定條約 (開戦ニ關スル條約)

CONVENTION

RELATIVE

À L'OUVERTURE DES HOSTILITÉS.

Signée à La Haye, le 18 Octobre 1907 (40^{me} année de Meiji).

Ratifiée le 6 Novembre 1911 (44^{me} année de Meiji).

Ratification déposée le 13 Décembre de la même année.

Publiée le 13 Janvier 1912 (45^{me} année de Meiji).

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE; LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE; SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ETC., ET ROI APOSTOLIQUE DE HONGRIE; SA MAJESTÉ LE ROI DES BELGES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL; SON ALTESSE ROYALE LE PRINCE DE BULGARIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE CHILI; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI DE

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91-1

伊太利國皇帝陛下、日本國皇帝陛下、盧森堡國大公「ナソー」公殿下、墨西哥合衆國大統領、モントネグロ國公殿下、薩威國皇帝陛下、巴拿馬共和國大統領、「ブラズー」共和國大統領、和蘭國皇帝陛下、秘魯共和國大統領、普魯國皇帝陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬尼亞國皇帝陛下、桑露西亞國皇帝陛下、「サルツドル」共和國大統領、塞爾比亞國皇帝陛下、克羅國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、土耳其國皇帝陛下、東「ツルグ」共和國大統領、「クニエズエラ」合衆國大統領ハ平和關係ノ安固ヲ期スル爲メ戰爭ハ豫告ナクシテ之ヲ開始セサルヲ必要トスルコト及戰爭狀態ハ懸滞ナク之ヲ中立國ニ通告スルヲ必要トスルコトヲ考慮シ之カ爲條約ヲ締結セムコトヲ希望シ各左ノ全權委員ヲ任命セリ

DANMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLÈNES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAIÏ; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGO; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU

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獨逸皇帝普魯西國皇帝陛下

國務大臣、土耳其國駐劄特命全權大使、男爵
マルシャル、ド、ビー、ルスタイン

本會議特派委員「コンセイエー、アンチム、ド、レガシオン」、帝國外務省法律顧問、常設仲裁裁判所裁判官「ドクトル」ヨハンネス、ク
リーゲ

SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNÉZUÉLA;

Considérant que, pour la sécurité des relations pacifiques, il importe que les hostilités ne commencent pas sans un avertissement préalable;

Qu'il importe, de même, que l'état de guerre soit notifié sans retard aux Puissances neutres;

Désirant conclure une Convention à cet effet, ont nommé pour Leur Plénipotentiaires, savoir:

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE;

Son Excellence le baron MARSCHALL DE BIEBERSTEIN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople;

M. le dr. JOHANNES KRIEGE, Son envoyé en mission extraordinaire à la présente Conférence, Son conseiller intime de légation et juriconsulte au ministère Impérial des affaires étran-

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伊太利國皇帝陛下、日本國皇帝陛下、盧森堡國大公「ナッソー」公殿下、墨西哥合衆國大統領、モントネグロ國公殿下、薩威國皇帝陛下、巴拿馬共和國大統領、「パラグアイ」共和國大統領、和蘭國皇帝陛下、德意志共和國大統領、普魯國皇帝陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬尼亞國皇帝陛下、亞達西亞國皇帝陛下、「サルツドル」共和國大統領、塞爾比亞國皇帝陛下、克羅國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、土耳其國皇帝陛下、東「ツルグ」共和國大統領、「ウニエラ」合衆國大統領ハ平和關係ノ安固ヲ期スル爲戦争ハ豫告ナクシテ之ヲ開始セサルヲ必要トスルコト及戦争狀態ハ遲滞ナク之ヲ中立國ニ通告スルヲ必要トスルコトヲ考慮シ之カ爲條約ヲ締結セムコトヲ希望シ各左ノ全權委員ヲ任命セリ

DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLÈNES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGR0; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU

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獨逸皇帝兼魯西國皇帝陛下

國務大臣、土耳其國駐留特命全權大使、男爵
マルシャルド、ビーベルスタイン

本會議特派委員、「コンセイエイ」、アンチム、ド、レガシオン、帝國外務省法律顧問、常設仲裁裁判所裁判官、「ドクトル」ヨハンネス、ク
リーゲ

SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNÉZUÉLA:

Considérant que, pour la sécurité des relations pacifiques, il importe que les hostilités ne commencent pas sans un avertissement préalable;

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Son Excellence le baron MARSHALL DE BIEBERTELN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople;

M. le dr. JOHANNES KRIEGE, Son envoyé en mission extraordinaire à la présente Conférence, Son conseiller intime de légation et jurisconsulte au ministère Impérial des affaires étran-

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伊太利國皇帝陛下、日本國皇帝陛下、原森侯國大公「ナラン」公陛下、墨西哥合衆國大統領、「モンテネグロ」國公陛下、薩威國皇帝陛下、巴奈馬共和國大統領、「ブラズ」共和國大統領、和蘭國皇帝陛下、秘魯共和國大統領、海峽國皇帝陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬尼亞國皇帝陛下、塞西西原國皇帝陛下、「サルツドル」共和國大統領、塞爾比亞國皇帝陛下、暹羅國皇帝陛下、瑞典國皇帝陛下、瑞爾聯邦政府、土耳其國皇帝陛下、東「ツルグ」共和國大統領、「ウ」ネズエラ「合衆國大統領ハ平和關係ノ安固ヲ期スル爲戦争ハ豫告ナクシテ之ヲ開始セラルフ必要トスルコト及戦争狀態ハ懸断ナク之ヲ中立國ニ通告スルヲ必要トスルコトヲ考慮シ之カ爲條約ヲ締結セムコトヲ希望シ各左ノ全權委員ヲ任命セリ

DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES ILLÉNES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNEGRO; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU

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獨逸皇帝普魯西國皇帝陛下

國務大臣、土耳其國駐劄特命全權大使、男爵
マルシャルド、ド、ヒールスタイン

本會議特派委員、「コンセイエイ、アンチーム、ド、レガシオン」帝國外務省法律顧問、常設仲裁裁判所裁判官、「ドクトル」ヨハンネス、ク
リーゲ

SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA REPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNÉZUÉLA :

Considérant que, pour la sécurité des relations pacifiques, il importe que les hostilités ne commencent pas sans un avertissement préalable; Qu'il importe, de même, que l'état de guerre soit notifié sans retard aux Puissances neutres; Désirant conclure une Convention à cet effet, ont nommé pour Leur Plénipotentiaires, savoir :
SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE :

Son Excellence le baron MARSCHALL DE BIEBERSTEIN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople;

M. le dr. JOHANNES KRIEGE, Son envoyé en mission extraordinaire à la présente Conférence, Son conseiller intime de légation et jurisconsulte au ministère Impérial des affaires étran-

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伊太利國皇帝陛下、日本國皇帝陛下、盧森堡國大公「ナラン」公殿下、墨西哥合衆國大統領、「モンテネグロ」國公殿下、諾威國皇帝陛下、巴拿馬共和國大統領、「ブラズ」共和國大統領、和蘭國皇帝陛下、秘魯共和國大統領、洪都國皇帝陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬尼亞國皇帝陛下、全露西亞國皇帝陛下、「サルグド」共和國大統領、塞爾比亞國皇帝陛下、暹羅國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、土耳其國皇帝陛下、東「ツルグ」共和國大統領、「グエネズエラ」合衆國大統領ハ本和關係ノ安固ヲ期スル爲ニ戰爭ハ豫告ナクシテ之ヲ開始セザルニ必要トスルコト及戰爭狀態ハ蕪濶ナクシテ中立國ニ通告スルヲ必要トスルコトヲ考慮シ之カ爲メ條約ヲ締結セムコトヲ希望シ各左ノ全權委員ヲ任命セリ

DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLENES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGR0; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVIE, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU

91-3

獨逸皇帝兼魯西國皇帝陛下

國務大臣、土耳其國駐劄特命全權大使、男爵
アルシカル、ド、ビーベルスタイン

本會議特派委員「コンセイエー、アンチム、ド、レガシオン」、帝國外務省法律顧問、常設仲裁裁判所裁判官、「ドクトル」ヨハンネス、ク
リーゲ

SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA REPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNÉZUÉLA;

Considérant que, pour la sécurité des relations pacifiques, il importe que les hostilités ne commencent pas sans un avertissement préalable;

Qu'il importe, de même, que l'état de guerre soit notifié sans retard aux Puissances neutres;

Désirant conclure une Convention à cet effet, ont nommé pour Leur Plénipotentiaires, savoir:

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE;

Son Excellence le baron MARSCHALL DE BIEBERSTEIN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople;

M. le dr. JOHANNES KRIEGE, Son envoyé en mission extraordinaire à la présente Conférence, Son conseiller intime de légation et jurisconsulte au ministère Impérial des affaires étran-

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亞米利加合衆國大統領

特命大使 ジョセフ、エッチ、チョート

特命大使 ホレス、ポーター

特命大使 ユリア、エム、ローズ

和蘭國駐劄特命全權公使 デグ、ド、シエーン、ヒル

海軍少將、全權公使 チャールス、エス、スベリー

陸軍少將、合衆國陸軍軍法會議長、全權公使 ジョージ、ビー、デーグリス

全權公使 ウィリアム、アイ、ブカナン

亞爾然丁共和國大統領

前外務大臣、伊國駐劄特命全權公使、常設仲

gères, membre de la cour permanente d'arbitrage.

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

Son Excellence M. JOSEPH H. CHOATE, ambassadeur extraordinaire ;

Son Excellence M. HORACE PORTER, ambassadeur extraordinaire ;

Son Excellence M. URIAH M. ROSE, ambassadeur extraordinaire ;

Son Excellence M. DAVID JAYNE HILL, envoyé extraordinaire et ministre plénipotentiaire de la République à La Haye

M. CHARLES S. SPERRY, contre-amiral, ministre plénipotentiaire ;

M. GEORGES B. DAVIS, général de brigade, chef de la justice militaire de l'armée fédérale, ministre plénipotentiaire ;

M. WILLIAM I. BUCHANAN, ministre plénipotentiaire ;

LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE :

Son Excellence M. ROQUE SAENZ PESA, ancien

裁裁判所裁判官 ロケ、サエンツ、ペニヤ

前外務及教務大臣、下院議員、常設仲裁裁判所裁判官 ルイス、エム、ドラゴ

前外務及教務大臣、常設仲裁裁判所裁判官 カロス、ロドリゲス、ラレタ

埃地利國皇帝「ボヘミア」國皇帝 洪牙利國皇帝 陛下

「コンセイエー、アンチム」、特命全權大使 グレタン、メレ、ド、カボス、メレ

希臘國駐劄特命全權公使、男爵 シヤール、ド、マキオ

白耳義國皇帝陛下

國務大臣、代議院議員、佛國學士院會員、白

ministre des affaires étrangères, envoyé extraordinaire et ministre plénipotentiaire de la République à Rome, membre de la cour permanente d'arbitrage ;

Son Excellence M. LUIS M. DRAGO, ancien ministre des affaires étrangères et des cultes de la République, député national, membre de la cour permanente d'arbitrage ;

Son Excellence M. CARLOS RODRIGUEZ LARRETA, ancien ministre des affaires étrangères et des cultes de la République, membre de la cour permanente d'arbitrage.

SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME, ETC., ET ROI APOSTOLIQUE DE HONGRIE :

Son Excellence M. GAËTAN MÉREY DE KAPOSMÉRE, Son conseiller intime, Son ambassadeur extraordinaire et plénipotentiaire ;

Son Excellence M. le baron CHARLES DE MACCHIO, Son envoyé extraordinaire et ministre plénipotentiaire à Athènes.

SA MAJESTÉ LE ROI DES BELGES :

Son Excellence M. BEERNAERT, Son ministre

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耳義國學士院會員、羅馬尼亞國學士院會員、
國際法學會名譽會員、常設仲裁裁判所裁判官
ベルナール

國務大臣、前司法大臣シー、ウァン、デン、ヒ
ユーベル

和蘭國駐劄特命全權公使、羅馬尼亞國學士院
會員、男爵ギョーリム

「ボツワナ」共和國大統領

外務大臣、常設仲裁裁判所裁判官クラウヂオ、
ピニラ

英國駐劄特命全權公使フェルナンド、エ、グワ
チヤラ

伯利西爾合衆國大統領

特命全權大使、常設仲裁裁判所裁判官ルイ、
バルボサ

d'état, membre de la chambre des représentants,
membre de l'institut de France et des acadé-
mies Royales de Belgique et de Roumanie,
membre d'honneur de l'institut de droit inter-
national, membre de la cour permanente d'ar-
bitrage;

Son Excellence M. J VAN DEN HEUVEL, Son
ministre d'état, ancien ministre de la justice;

Son Excellence M. le baron GUILLAUME, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à La Haye, membre de l'académie Ro-
yale de Roumanie.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DE BOLIVIE:

Son Excellence M. CLAUDIO PINILLA, ministre
des affaires étrangères de la République, mem-
bre de la cour permanente d'arbitrage;

Son Excellence M. FERNANDO E. GUACHALLA,
ministre plénipotentiaire à Londres.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DES ÉTATS-UNIS DU BRÉSIL:

Son Excellence M. RUY BARBOSA, ambassadeur
extraordinaire et plénipotentiaire, membre de la

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和蘭國駐劄特命全權公使エダルド、エフ、
エス、ドス、サントス、リスボア

勃爾牙利國公殿下

陸軍參謀少將、侍從將官ウルバン、ヴィナロフ

大審院檢事總長イヴァン、カランジエーロフ

智利共和國大統領

英國駐劄特命全權公使ドミンゴ、ガナ

獨逸國駐劄特命全權公使アウグスト、マッテ

前陸軍大臣、前代議院議長、前亞爾然丁國駐
劄特命全權公使カルロス、コンチヤ

cour permanente d'arbitrage;

Son Excellence M. EDUARDO F. S. DOS SANTOS
LISBOA, envoyé extraordinaire et ministre
plénipotentiaire à La Haye.

SON ALTESSE ROYALE LE PRINCE
DE BULGARIE:

M. VRBAN VINAROFF, général-major de l'état-
major, Son général à la suite;

M. IVAN KARANDJULOFF, procureur-général de
la cour de cassation.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DE CHILI:

Son Excellence M. DOMINGO GANA, envoyé ex-
traordinaire et ministre plénipotentiaire de la
République à Londres;

Son Excellence M. AUGUSTO MATTE, envoyé ex-
traordinaire et ministre plénipotentiaire de la
République à Berlin;

Son Excellence M. CARLOS CONCHA, ancien mini-
stre de la guerre, ancien président de la cham-
bre des députés, ancien envoyé extraordinaire
et ministre plénipotentiaire à Buenos Aires.

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秘倫比亞共和國大統領

陸軍將官ホルヘ・ホルグイン
サンチャゴ・ペレス・トリアナ
佛國駐劄特命全權公使、陸軍將官マルセリア
ノ・ガルガス

玖馬共和國臨時總督

「ベグナ」大學國際法教授、上院議員アント
ニオ・サンチニス・デ・ボスタマンテ

米國駐劄特命全權公使ゴンザロ・デ・クエサダ、
イ・アロスタグイ

前「ベグナ」中學校長、上院議員マヌエル、
サンダグイ

丁 丹國皇帝陛下

侍從、米國駐劄特命全權公使コンスタンチン、
ブロン

LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE :

M. JORGE HOLGUIN, général ;
M. SANTIAGO PÉREZ TRIANA ;
Son Excellence M. MARCELIANO VARGAS ; général,
envoyé extraordinaire et ministre plénipoten-
tiaire de la République à Paris.

LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA :

M. ANTONIO SANCHEZ DE BUSTAMANTE, professeur
de droit international à l'université de la Ha-
vane, sénateur de la République ;
Son Excellence M. GONZALO DE QUEBADA Y
ARÓSTEGUI, envoyé extraordinaire et ministre
plénipotentiaire de la République à Washing-
ton ;
M. MANUEL SANGUILY, ancien directeur de l'in-
stitut d'enseignement secondaire de la Havane,
sénateur de la République.

SA MAJESTÉ LE ROI DE DANEMARK :

Son Excellence M. CONSTANTIN BRUN, Son cham-
bellan, Son envoyé extraordinaire et ministre
plénipotentiaire à Washington ;

海軍少將クリスチアン・フレデリク・シエ
レル
侍從、外務省課長アクセル・ヴェデル

「ドミニカ」共和國大統領

前外務大臣、常設仲裁裁判所裁判官フランシ
スコ・ヘンリケス・イ・カルヴァル

共和國専門學校長、常設仲裁裁判所裁判官ア
ポリナル・テjera

「エクアドル」共和大統領

佛國駐劄兼西班牙國駐劄特命全權公使ヴィク
トル・レンドン

代理公使エンリケ・ドロン・イ・デ・アルスア
西班牙國皇帝陛下

上院議員、前外務大臣、英國駐劄特命全權大
使ドブルグ・エル・デ・ヴィリヤウルーチヤ

M. CHRISTIAN FREDERIK SCHELLER, contre-ami-
ral ;
M. AXEL VEDEL, chambellan, chef de section au
ministère Royal des affaires étrangères.

LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE :

M. FRANCISCO HENRIQUEZ Y CARVAJAL, ancien
secrétaire d'état au ministère des affaires étran-
gères de la République, membre de la cour
permanente d'arbitrages ;
M. APOLINAR TEJERA, récteur de l'institut pro-
fessionnel de la République, membre de la
cour permanente d'arbitrage.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR :

Son Excellence M. VICTOR RENDÓN, envoyé ex-
traordinaire et ministre plénipotentiaire de la
République à Paris et à Madrid ;
M. ENRIQUE DORN Y DE ALSUA, chargé d'affaires.
SA MAJESTÉ LE ROI D'ESPAGNE :
Son Excellence M. W. R. DE VILLA-URRUTIA,
sénateur, ancien ministre des affaires étrangères,
Son ambassadeur extraordinaire et plénipoten-

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和蘭國駐劄特命全權公使モセ、デ、ラ、リカ、イ、カルグ、

下院議員、伯爵ガブリエル、マクラ、イ、ガマゾ、デ、モルテラ

佛蘭西共和國大統領

特命大使、上院議員、前内閣議長、前外務大臣、常設仲裁裁判所裁判官レオン、ブールジョア

上院議員、一等全權公使、常設仲裁裁判所裁判官、男爵テスツールネル、ド、コンスタン

巴里大學法科大學教授、名譽全權公使、外務省法律顧問、佛蘭西學士院會員、常設仲裁裁判所裁判官ルイ、ルノー

taire à Londres ;
 Son Excellence M. JOSÉ DE LA RICA Y CALVO,
 Son envoyé extraordinaire et ministre plénipotentiaire à La Haye ;
 M. GABRIEL MAURA Y GAMAZO, comte de Mortera, député aux Cortès.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE :

Son Excellence M. LÉON BOURGEOIS, ambassadeur extraordinaire de la République, sénateur, ancien président du conseil des ministres, ancien ministre des affaires étrangères, membre de la cour permanente d'arbitrage ;
 M. le baron D'ESTOURNELLES DE CONSTANT, sénateur, ministre plénipotentiaire de première classe, membre de la cour permanente d'arbitrage ;
 M. LOUIS RENAULT, professeur à la faculté de droit à l'université de Paris, ministre plénipotentiaire honoraire, juriconsulte du ministère des affaires étrangères, membre de l'institut de France, membre de la cour permanente d'arbitrage ;

和蘭國駐劄特命全權公使マルスラン、ペレ

大不列顛愛蘭聯合王國大不列顛海外領土皇帝印度皇帝陛下

樞密顧問官、特命大使、常設仲裁裁判所裁判官、サーエドワード、フライ

樞密顧問官、常設仲裁裁判所裁判官、サーアーノスト、マーンソン、サトウ

樞密顧問官、前國際法學會長、男爵ドナルド、ジエームス、マックレイ、レイ

和蘭國駐劄特命全權公使「サー」ヘンリー、ヘアード

Son Excellence M. MARCELLIN PELLET, envoyé extraordinaire et ministre plénipotentiaire de la République Française à La Haye.
 SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :
 Son Excellence the Right Honourable Sir EDWARD FRY, G. C. B., membre du conseil privé, Son ambassadeur extraordinaire, membre de la cour permanente d'arbitrage ;
 Son Excellence the Right Honourable Sir ERNEST MASON SATOW, G. C. M. G., membre du conseil privé, membre de la cour permanente d'arbitrage :
 Son Excellence the Right Honourable DONALD JAMES MACKAY Baron REAY, G. C. S. I., G. C. I., E., membre du conseil privé, ancien président de l'institut de droit international ;
 Son Excellence Sir HENRY HOWARD, K. C. M. G., C. B., Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

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和蘭國駐劄特命全權公使ホセ、デ、ラ、リカ、イ、カルガ

下院議員、伯爵ガブリエル、マウラ、イ、ガマゾ、デ、モルテラ

佛蘭西共和國大統領

特命大使、上院議員、前内閣議長、前外務大臣、常設仲裁裁判所裁判官レオン、ブールジョア

上院議員、一等全權公使、常設仲裁裁判所裁判官、男爵デスツールネル、ド、コンスタン

巴里大學法科大學教授、名譽全權公使、外務省法律顧問、佛蘭西學士院會員、常設仲裁裁判所裁判官ルイ、ルノー

tiaire à Londres;

Son Excellence M. JOSÉ DE LA RICA Y CALVO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye;

M. GABRIEL MAURA Y GAMAZO, comte de Mortera, député aux Cortès.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

Son Excellence M. LÉON BOURGEOIS, ambassadeur extraordinaire de la République, sénateur, ancien président du conseil des ministres, ancien ministre des affaires étrangères, membre de la cour permanente d'arbitrage;

M. le baron D'ESTOURNELLES DE CONSTANT, sénateur, ministre plénipotentiaire de première classe, membre de la cour permanente d'arbitrage;

M. LOUIS RENAULT, professeur à la faculté de droit à l'université de Paris, ministre plénipotentiaire honoraire, jurisconsulte du ministère des affaires étrangères, membre de l'institut de France, membre de la cour permanente d'arbitrage;

和蘭國駐劄特命全權公使マルスラン、ペレ

大不列顛愛蘭聯合王國大不列顛海外領土皇帝印
度皇帝陛下

樞密顧問官、特命大使、常設仲裁裁判所裁判官「サー」エドワード、フライ

樞密顧問官、常設仲裁裁判所裁判官「サー」アーネスト、メイソン、サトウ

樞密顧問官、前國際法學會會長、男爵ドナルド、ジュークス、マッケイ、レイ

和蘭國駐劄特命全權公使「サー」ヘンリー、ヘアード

Son Excellence M. MARCELLIN PELLET, envoyé extraordinaire et ministre plénipotentiaire de la République Française à La Haye.

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES:

Son Excellence the Right Honourable Sir EDWARD FRY, G. C. B., membre du conseil privé, Son ambassadeur extraordinaire, membre de la cour permanente d'arbitrage;

Son Excellence the Right Honourable Sir ERNEST MASON SATOW, G. C. M. G., membre du conseil privé, membre de la cour permanente d'arbitrage:

Son Excellence the Right Honourable DONALD JAMES MACKAY Baron REAY, G. C. S. I., G. C. I., E., membre du conseil privé, ancien président de l'institut de droit international;

Son Excellence Sir HENRY HOWARD, K. C. M. G., C. B., Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

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| <p>希臘國皇帝陛下 獨逸國駐劄特命全權公使クレオン、リッポラ ンガベ 雅典大學國際法教授、常設仲裁裁判所裁判官 ジ・ルジ、ストレイト 「グワテマラ」共和國大統領 和蘭國駐劄兼英國駐劄代理公使、常設仲裁裁 判所裁判官ホセ、チブレ、マチャド 獨逸國駐劄代理公使エンリケ、ゴメス、カリ リヨ 「ハイチ」共和國大統領 佛國駐劄特命全權公使ジャン、ジ・セフ、ダル ベマル 米國駐劄特命全權公使ジ、エス、レジエ 前國際公法教授「ホルトブランス」組合辯</p> | <p>SA MAJESTÉ LE ROI DES HELLENES : Son Excellence M. CLÉON RIZO RANGABÉ, Son envoyé extraordinaire et ministre plénipoten- tiaire à Berlin. M. GEORGES STREIT, professeur de droit interna- tional à l'université d'Athènes, membre de la cour permanente d'arbitrage. LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA : M. JOSÉ TIBLE MACHADO, chargé d'affaires de la République à La Haye et à Londres, membre de la cour permanente d'arbitrage ; M. ENRIQUE GÓMEZ CARILLO, chargé d'affaires de la République à Berlin. LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAITI : Son Excellence M. JEAN JOSEPH DALBÉMAR, envoyé extraordinaire et ministre plénipoten- tiaire de la République à Paris ; Son Excellence M. J. N. LÉGER, envoyé extraor- dinaire et ministre plénipotentiaire de la Ré- publique à Washington ; M. PIERRE HUDICOURT, ancien professeur de droit</p> |
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| <p>護士ビエール、ニヂクール 伊太利國皇帝陛下、 上院議員、佛國駐劄特命全權大使、常設仲裁 裁判所裁判官、伊國委員長、伯爵ジ・セフ、ト ルニエリ、ブルサチ、デ、ヴェルガノ 下院議員、外務次官「コンマンドール」ギド、 ボンビリ 參事院議員、下院議員、前文部大臣「コンマ ンドール」ギド、フジナト 日本國皇帝陛下 特命全權大使都筑馨六 和蘭國駐劄特命全權公使佐藤愛磨</p> | <p>international public, avocat au barreau de Port au Prince. SA MAJESTÉ LE ROI D'ITALIE : Son Excellence le Comte JOSEPH TORNIELLI BRU- SATI DI VERGANO, Sénateur du Royaume, ambassadeur de Sa Majesté le Roi à Paris, membre de la cour permanente d'arbitrage, président de la délégation Italienne ; Son Excellence M. le commandeur GUIDO POM- PILI, député au parlement, sous-secrétaire d'état au ministère Royal des affaires étrangères ; M. le commandeur GUIDO FUSINATO, conseiller d'état, député au parlement, ancien ministre de l'instruction. SA MAJESTÉ L'EMPEREUR DU JAPON : Son Excellence M. KEIROKU TSUDZUKI, Son am- bassadeur extraordinaire et plénipotentiaire ; Son Excellence M. ALMARO SATO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> |
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盧森堡國大公「ナッソー」公殿下

國務大臣、内閣議長アイシエン

獨逸國駐劄代理公使、伯爵ド、ウレー

墨西哥合衆國大統領

伊國駐劄特命全權公使ゴンザロ、ア、エスラ
ウ

佛國駐劄特命全權公使セバスチアン、ペー、
ド、ミエー

白耳義國駐劄兼和蘭國駐劄特命全權公使アラ
ンシスコ、エル、デ、ラ、バラ

「モンテネグロ」國公殿下

「モンセイエー、アリグ、アンベリアル、ア

SON ALTESSE ROYALE LE GRAND
DUC DE LUXEMBOURG, DUC DE
NASSAU :

Son Excellence M. EYSCHEN, Son ministre d'état,
président du gouvernement Grand Ducal ;

M. le comte DE VILLEES, chargé d'affaires du
Grand-Duché à Berlin.

LE PRÉSIDENT DES ÉTATS-UNIS
MEXICAINS :

Son Excellence M. GONZALO A. ESTENA, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Rome ;

Son Excellence M. SEBASTIAN B. DE MIER, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Paris ;

Son Excellence M. FRANCISCO L. DE LA BARRA,
envoyé extraordinaire et ministre plénipoten-
tiaire de la République à Bruxelles et à La
Haye.

SON ALTESSE ROYALE LE PRINCE
DE MONTÉNÉGRO :

Son Excellence M. NELIDOW, conseiller privé

クヂニエル」佛國駐劄露國特命全權大使ネリ
ドフ

「モンセイエー、アリグ、アンベリアル」露
國外務省常任顧問官ド、マルテンス

「モンセイエー、デタ、アンベリアル、クヂニ
エル」和蘭國駐劄露國特命全權公使チヤリコ
フ

挪威國皇帝陛下

前内閣議長、前法學教授、和蘭國駐劄兼丁株
國駐劄兼特命全權公使、常設仲裁裁判所裁判
官フランシス、ハイゲルブ

巴拿馬共和國大統領

ベリサリオ、ポラス

「パラグアイ」共和國大統領

佛國駐劄特命全權公使エウゼビオ、マチャイン

Imperial actuel, ambassadeur de Sa Majesté
l'Empereur de Toutes les Russies à Paris ;

Son Excellence M. DE MARTENS, conseiller privé
Impérial, membre permanent du conseil du
ministère Impérial des affaires étrangères de
Russie ;

Son Excellence M. TOILARYKOW, conseiller d'état
Impérial actuel, envoyé extraordinaire et mi-
nistre plénipotentiaire de sa Majesté l'Empe-
reur de Toutes les Russies à La Haye.

SA MAJESTÉ LE ROI DE NORVÈGE :

Son Excellence M. FRANCIS HAGFRUP, ancien
président du conseil, ancien professeur de droit,
Son envoyé extraordinaire et ministre pléni-
potentiaire à La Haye et à Copenhague, membre
de la cour permanente d'arbitrage.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DE PANAMA :

M. BELISARIO PORRAS.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DU PARAGUAY :

Son Excellence M. EUSEBIO MACHAÏN, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Paris ;

盧森堡大公「ナッソー」公殿下

國務大臣、内閣議長アイシエン

獨逸國駐劄代理公使、伯爵ド、グレイ

墨西哥合衆國大統領

伊國駐劄特命全權公使ゴンザロ、ア、エストラ
ウ

佛國駐劄特命全權公使セバステアン、ベリ、
ド、ミエー

白耳義國駐劄兼和蘭國駐劄特命全權公使アラ
ンシスコ、エル、デ、ラ、バラ

「モンテネグロ」國公殿下

「コンセイエー、ブリグマ、アンベリアル、ア

SON ALTESSE ROYALE LE GRAND
DUC DE LUXEMBOURG, DUC DE
NASSAU :

Son Excellence M. EYSCHEN, Son ministre d'état,
président du gouvernement Grand Ducal ;

M. le comte DE VILLEIS, chargé d'affaires du
Grand-Duché à Berlin.

LE PRÉSIDENT DES ÉTATS-UNIS
MEXICAINS :

Son Excellence M. GONZALO A. ESTENA, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Rome ;

Son Excellence M. SEBASTIAN B. DE MIER, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Paris ;

Son Excellence M. FRANCISCO L. DE LA BARRA,
envoyé extraordinaire et ministre plénipoten-
tiaire de la République à Bruxelles et à La
Haye.

SON ALTESSE ROYALE LE PRINCE
DE MONTÉNÉGRO :

Son Excellence M. NELIDOW, conseiller privé

クヂエール、佛國駐劄露國特命全權大使ネリ
ドフ

「コンセイエー、ブリグマ、アンベリアル」露
國外務省常任顧問官ド、マルタンス

「コンセイエー、デタ、アンベリアル、クヂエ
ール」、和蘭國駐劄露國特命全權公使チアリコ
フ

諾威國皇帝陛下

前内閣議長、前法學教授、和蘭國駐劄兼丁株
國駐劄兼特命全權公使、常設仲裁裁判所裁判
官フランシス、ハイゲルン

巴拿馬共和國大統領

ベリサリオ、ポラス

「パラグアイ」共和國大統領

佛國駐劄特命全權公使エウセビオ、マチャイン

Imperial actuel, ambassadeur de Sa Majesté
l'Empereur de Toutes les Russies à Paris ;

Son Excellence M. DE MARTENS, conseiller privé
Impérial, membre permanent du conseil du
ministère Impérial des affaires étrangères de
Russie ;

Son Excellence M. TCHARYKOW, conseiller d'état
Impérial actuel, envoyé extraordinaire et mi-
nistre plénipotentiaire de sa Majesté l'Empe-
reur de Toutes les Russies à La Haye.

SA MAJESTÉ LE ROI DE NORVÈGE :

Son Excellence M. FRANCIS HAGERUP, ancien
président du conseil, ancien professeur de droit,
Son envoyé extraordinaire et ministre plénipoten-
tiaire à La Haye et à Copenhague, membre
de la cour permanente d'arbitrage.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DE PANAMA :

M. BELISARIO PORRAS.

LE PRÉSIDENT DE LA RÉPUBLIQUE
DU PARAGUAY :

Son Excellence M. EUSEBIO MACHAÏN, envoyé
extraordinaire et ministre plénipotentiaire de
la République à Paris ;

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| <p>比律悉駐在領事、伯爵ジミー、デ、モンソ、 ド、ベルジヤンダル</p> <p>和蘭國皇帝陛下</p> <p>前外務大臣、下院議員トブルグマ、アツシ、 ド、ボリアール</p> <p>國務大臣、參事院議員、常設仲裁裁判所裁判 官タリ、エム、セ、アッセル</p> <p>退職陸軍中將、前陸軍大臣、參事院議員、ヨ ンクヘール、ジ、セ、セ、デン、ベ ル、ボルトケグール</p> <p>特務侍從武官、退職海軍中將、前海軍大臣、 「ヨンクヘール」ジ、ア、ロエフ</p> <p>前司法大臣、下院議員ジ、ア、ロエフ</p> <p>秘魯共和國大統領</p> <p>佛國駐劄兼英國駐劄特命全權公使、常設仲裁</p> | <p>M. le comte G. DU MONCEAU DE BERGENDAI, consul de la République à Bruxelles.</p> <p>SA MAJESTÉ LA REINE DES PAYS- BAS :</p> <p>M. W. H. DE BEAUFORT, Son ancien ministre des affaires étrangères, membre de la seconde chambre des états-généraux ;</p> <p>Son Excellence M. T. M. C. ASSER, Son ministre d'état, membre du conseil d'état, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence le jonkheer J. C. C. DEN BEER POORTUGAEL, lieutenant-général en retraite, ancien ministre de la guerre, membre du conseil d'état ;</p> <p>Son Excellence le jonkheer J. A. RÖELL, Son aide de camp en service extraordinaire, vice- amiral en retraite, ancien ministre de la ma- rine ;</p> <p>M. J. A. LOEFF, Son ancien ministre de la justice, membre de la seconde chambre des états gé- néraux.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU :</p> <p>Son Excellence M. CARLOS G. CANDAMO, envoyé</p> |
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| <p>裁判所裁判官カルロス、ジ、カンダモ</p> <p>波斯國皇帝陛下</p> <p>佛國駐劄特命全權公使、常設仲裁裁判所裁判 官サアド、カン、モムタズスカルタネー</p> <p>和蘭國駐劄特命全權公使ミルツ、ア、アムト、 カン、サデグ、ウル、ムルク</p> <p>葡萄牙國及「アルガルヴ」皇帝陛下</p> <p>參事院議員「ベール、デ、ロワイヨーム」、 前外務大臣、英國駐劄特命全權公使、特命全 權大使、侯爵デ、ソグ、ラル</p> <p>和蘭國駐劄特命全權公使、伯爵デ、セリール</p> | <p>extraordinaire et ministre plénipotentiaire de la République à Paris et à Londres, membre de la cour permanente d'arbitrage.</p> <p>SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE :</p> <p>Son Excellence SAMAD KHAN MONTAZOS SALTA- NEL, Son envoyé extraordinaire et ministre plénipotentiaire à Paris, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence MIRZA AHMED KHAN SADIGH UL MULK, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, etc. :</p> <p>Son Excellence M. le marquis DE SOVERAL, Son conseiller d'état, pair du Royaume, ancien ministre des affaires étrangères, Son envoyé extraordinaire et ministre plénipotentiaire à Londres, Son ambassadeur extraordinaire et plénipotentiaire ;</p> <p>Son Excellence M. le comte DE SELIR, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye ;</p> |
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瑞西國駐劄特命全權公使アルベルト、ドリグ
イラ

Son Excellence M. ALBERTO D'OLIVEIRA, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Berne.

羅馬尼亞國皇帝陛下

SA MAJESTÉ LE ROI DE ROUMANIE:

獨逸國駐劄特命全權公使アレキサンドル、ベ
ルヂマン

Son Excellence M. ALEXANDRE BELDIMAN, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Berlin;

和蘭國駐劄特命全權公使エドガール、マゴ
コルダト

Son Excellence M. EDGAR MAVROCORDATO, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à La Haye.

全露西亞國皇帝陛下

SA MAJESTÉ L'EMPEREUR DE TOU-
TES LES RUSSIES:

「コンセイエー、ブリグ、アクチエール」佛
國駐劄特命全權大使ネリドフ

Son Excellence M. NELIDOW, Son conseiller privé
actuel, Son ambassadeur à Paris;

「コンセイエー、ブリグ」外務省常任顧問官、
常設仲裁裁判所裁判官ト、マルテンス

Son Excellence M. DE MARTENS, Son conseiller
privé, membre permanente du conseil du
ministère Impérial des affaires étrangères,
membre de la cour permanente d'arbitrage;

「コンセイエー、ダタ、アクチエール」侍從、和
蘭國駐劄特命全權公使チャリコフ

Son Excellence M. TCHARYKOW, Son conseiller
d'état actuel, Son chambellan, Son envoyé ex-
traordinaire et ministre plénipotentiaire à La
Haye.

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「サルグアドル」共和國大統領

LE PRÉSIDENT DE LA RÉPUBLIQUE
DU SALVADOR:

佛國駐劄代理公使、常設仲裁裁判所裁判官メ
ドロ、ジー、マテウ

M. PEDRO J. MATHEU, chargé d'affaires de la
République à Paris, membre de la cour per-
manente d'arbitrage.

英國駐劄代理公使ナンチアゴ、ペレス、トリ
アナ

M. SANTIAGO PEREZ TRIANA, chargé d'affaires de
la République à Londres.

塞爾比亞國皇帝陛下

SA MAJESTÉ LE ROI DE SERBIE:

陸軍將官、參事院議長サヴ、グロヴィッチ

Son Excellence M. SAVA GROVITCH, général, pré-
sident du conseil d'état;

伊國駐劄特命全權公使、常設仲裁裁判所裁判
官ミロヴン、ミロヴン、グワチ

Son Excellence M. MILOVAN MILOVANOVITCH,
Son envoyé extraordinaire et ministre pléni-
potentiaire à Rome, membre de la cour per-
manente d'arbitrage;

英國駐劄兼和蘭國駐劄特命全權公使ミシエ、
ミリチエ、グワチ

Son Excellence M. MICHEL MILITCHEVITCH, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Londres et à La Haye.

暹羅國皇帝陛下

SA MAJESTÉ LE ROI DE SIAM:

陸軍少將モム、チャチヂー、ウドム

MOM CHATIDEJ UDOM, major-général;

公使館參事官セー、コラチオニ、ドレリ

M. C. CORRAGIONI D'ORELLI, Son conseiller de
légalion;

陸軍大尉ルアング、ビニグナルト、ナリ
パール

LUANG BHUVANARTH NARUBAL, capitaine.

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瑞西國駐劄特命全權公使アルベルト、ドリウエ
イラ

Son Excellence M. ALBERTO D'OLIVEIRA, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Berne.

羅馬尼亞國皇帝陛下

SA MAJESTÉ LE ROI DE ROUMANIE:

獨逸國駐劄特命全權公使アレキサンドル、ベ
ルマン

Son Excellence M. ALEXANDRE BELDIMAN, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Berlin;

和蘭國駐劄特命全權公使エドガール、マッロ
コルダト

Son Excellence M. EDGAR MAVROCORDATO. Son
envoyé extraordinaire et ministre plénipoten-
tiaire à La Haye.

全露西亞國皇帝陛下

SA MAJESTÉ L'EMPEREUR DE TOU-
TES LES RUSSIES:

「コンセイエー、ブリウエ、アクチエール」佛
國駐劄特命全權大使ネリドフ

Son Excellence M. NELIDOW, Son conseiller privé
actuel, Son ambassadeur à Paris;

「コンセイエー、ブリウエ」外務省常任顧問官、
常設仲裁裁判所裁判官ド、マルランヌ

Son Excellence M. DE MARTENS, Son conseiller
privé, membre permanente du conseil du
ministère Impérial des affaires étrangères,
membre de la cour permanente d'arbitrage;

「コンセイエー、デク、アクチエール」侍從、和
蘭國駐劄特命全權公使チャリコフ

Son Excellence M. TCHARYKOW, Son conseiller
d'état actuel, Son chambellan, Son envoyé ex-
traordinaire et ministre plénipotentiaire à La
Haye.

81-29

「サルグドル」共和國大統領

LE PRÉSIDENT DE LA RÉPUBLIQUE
DU SALVADOR:

佛國駐劄代理公使、常設仲裁裁判所裁判官メ
ドロ、ジー、マラウ

M. PEDRO J. MATHEU, chargé d'affaires de la
République à Paris, membre de la cour per-
manente d'arbitrage.

英國駐劄代理公使カンチアゴ、ペレス、トリ
アナ

M. SANTIAGO PEREZ TRIANA, chargé d'affaires de
la République à Londres.

塞爾比亞國皇帝陛下

SA MAJESTÉ LE ROI DE SERBIE:

陸軍將官、參事院議長サヴ、グルトイッチ

Son Excellence M. SAVA GROUITCH, général, pré-
sident du conseil d'état;

伊國駐劄特命全權公使、常設仲裁裁判所裁判
官ミロウアン、ミロウアン、グワチ

Son Excellence M. MILOVAN MILOVANOVITCH,
Son envoyé extraordinaire et ministre pléni-
potentiaire à Rome, membre de la cour per-
manente d'arbitrage;

英國駐劄兼和蘭國駐劄特命全權公使ミシェル、
ミリチエウチ

Son Excellence M. MICHEL MILITCHEVITCH, Son
envoyé extraordinaire et ministre plénipoten-
tiaire à Londres et à La Haye.

暹羅國皇帝陛下

SA MAJESTÉ LE ROI DE SIAM:

陸軍少將モム、チャチヂー、ウドム

MOM CHATIDEJ UDOM, major-général;

公使館參事官セー、コラチオニ、ドレリ

M. C. CORRAGONI D'ORELLI, Son conseiller de
légation;

陸軍大尉ルアング、ビュグナルト、ナリニー
バル

LUANG BHUVANARTH NARUBAI, capitaine.

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瑞典國「ゴツ」及「ヴェンド」皇陛下

前司法大臣、丁扶國駐特別特命全權公使、常設
仲裁裁判所裁判官クヌート、ヒヤルマル、レ
オナルド、ハトマルスキエルド

前無省大臣、前高等法院評定官、常設仲裁裁
判所裁判官ヨハンネス、ヘルネル

瑞西聯邦政府

英國駐瑞兼和蘭國駐特別特命全權公使ガスト
ン、カルラン

陸軍參謀大佐「ジエウグ」大學教授エーシェー
ン、ボレル

「チエリヒ」大學法學教授マックス、フリーベル

土耳其國皇陛下

特命大使「ミニストル」ド、レグカフ「チエル
ガン、ベシヤ

SA MAJESTÉ LE ROI DE SUÈDE, DES
GOTHS ET DES VENDES :

Son Excellence M. KNUT HJALMAR LEONARD
HAMMARSKJÖLD, Son ancien ministre de la
justice, Son envoyé extraordinaire et ministre
plénipotentiaire à Copenhague, membre de la
cour permanente d'arbitrage.

M. JOHANNES HELNER, Son ancien ministre sans
portefeuille, ancien membre de la cour supé-
rieure de Suède, membre de la cour permanente
d'arbitrage.

LE CONSEIL FÉDÉRAL SUISSE :

Son Excellence M. GASTON CARLIN, envoyé ex-
traordinaire et ministre plénipotentiaire de la
Confédération suisse à Londres et à La Haye;

M. EUGÈNE BOREL, colonel d'état-major général,
professeur à l'université de Genève;

M. MAX HUBER, professeur de droit à l'université
de Zürich.

SA MAJESTÉ L'EMPEREUR DES OT-
TOMANS :

Son Excellence TURKHAN PACHA, Son ambassadeur
extraordinaire, ministre de Pevkaf;

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五 條

伊國駐特別特命全權大使レシド、ベイ

海軍中將メヘメド、ベシヤ

東「ウルグエー」共和國大統領

前大統領、常設仲裁裁判所裁判官ホセ、バト
レイ、オールドニエス

前上院議長、佛國駐特別特命全權公使、常設仲
裁裁判所裁判官フアン、ベ、カストロ

「ウニオン」合衆國大統領

佛國駐特別代理公使ホセ、ヒル、フェルトウ

因テ各全權委員ハ其ノ良好妥當ナリト認テラレタ
ル委任状ヲ書シタル後左ノ條項ヲ協定セリ

第一條

締約國ハ理由ヲ附シタル國戰宣言ノ形式又ハ條件

Son Excellence RECHID BEY, Son ambassadeur à
Rome;

Son Excellence MEHEMMED PACHA, vice-amiral.

LE PRÉSIDENT DE LA RÉPUBLIQUE
ORIENTALE DE L'URUGUAY :

Son Excellence M. JOSÉ BATLLE Y ORDOÑEZ,
ancien président de la République, membre de
la cour permanente d'arbitrage;

Son Excellence M. JUAN P. CASTRO, ancien pré-
sident du sénat, envoyé extraordinaire et mi-
nistre plénipotentiaire de la République à
Paris, membre de la cour permanente d'arbi-
trage:

LE PRÉSIDENT DES ÉTATS-UNIS DE
VÉNÉZUÉLA :

M. José GIL FORTOUL, chargé d'affaires de la
République à Berlin.

Lesquels, après avoir déposé leurs pleins pou-
voirs, trouvés en bonne et due forme, sont convenus
des dispositions suivantes :

ARTICLE PREMIER.

Les Puissances contractantes reconnaissent que

附開戰宣言ヲ合シ最後通告ノ形式ヲ有スル明瞭且
事前ノ通告ナクシテ其ノ相互間ニ戦争ヲ開始スヘ
カラサルコトヲ承認ス

Les hostilités entre elles ne doivent pas commencer
sans un avertissement préalable et non équivoque,
qui aura, soit la forme d'une déclaration de guerre
motivée, soit celle d'un ultimatum avec déclaration
de guerre conditionnelle.

第二 條

ARTICLE 2.

戦争状態
通告状

戦争状態ハ遲滞ナク中立國ニ通告スヘク通告受領
ノ後ニ非テハ該國ニ對シ其ノ效果ヲ生セサルモ
ノトス該通告ハ電報ヲ以テ之ヲ爲スコトヲ得但シ
中立國カ實際戦争状態ヲ知リタルコト確實ナルト
キハ該中立國ハ通告ノ欠缺ヲ主張スルコトヲ得ス

L'état de guerre devra être notifié sans retard
aux Puissances neutres et ne produira effet à
leur égard qu'après réception d'une notification
qui pourra être faite même par voie télégraphique.
Toutefois, les Puissances neutres ne pourraient
invoquer l'absence de notification, s'il était établi
d'une manière non douteuse qu'en fait elles con-
naissaient l'état de guerre.

第三 條

ARTICLE 3.

拘束力

本條約第一條ハ締約國中ノ二國又ハ數國間ノ戦争
ノ場合ニ效力ヲ有スルモノトス

L'article 1 de la présente Convention produira
effet en cas de guerre entre deux ou plusieurs des
Puissances contractantes.

第二條ハ締約國タル一交戦國ト均シク締約國タル
諸中立國間ノ關係ニ付拘束力ヲ有ス

L'article 2 est obligatoire dans les rapports
entre un belligérant contractant et les Puissances
neutres également contractantes.

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第四 條

ARTICLE 4.

批准

本條約ハ成ルヘク速ニ批准スヘシ

La présente Convention sera ratifiée aussitôt
que possible.

批准書ハ海牙ニ寄託ス

Les ratifications seront déposées à La Haye.

第一回ノ批准書寄託ハ之ニ加リタル諸國ノ代表者
及和蘭國外務大臣ノ署名シタル調書ヲ以テ之ヲ證
ス

Le premier dépôt de ratifications sera constaté
par un procès-verbal signé par les représentants
des Puissances qui y prennent part et par le
Ministre des Affaires Etrangères des Pays-Bas.

爾後ノ批准書寄託ハ和蘭國政府ニ宛テ且批准書ヲ
添附シタル通告書ヲ以テ之ヲ爲ス

Les dépôts ultérieurs de ratifications se feront
au moyen d'une notification écrite adressée au
Gouvernement des Pays-Bas et accompagnée de
l'instrument de ratification.

第一回ノ批准書寄託ニ關スル調書、前項ニ掲ケタ
ル通告書及批准書ノ認證原本ハ和蘭國政府ヨリ外
交上ノ手續ヲ以テ直ニ之ヲ第二回平和會議ニ招請
セラレタル諸國及本條約ニ加盟スル他ノ諸國ニ交
付スヘシ前項ニ掲ケタル場合ニ於テハ和蘭國政府
ハ同時ニ通告書ヲ接受シタル日ヲ通知スルモノト
ス

Copie certifiée conforme du procès-verbal relatif
au premier dépôt de ratifications, des notifications
mentionnées à l'alinéa précédent ainsi que des
instruments de ratification, sera immédiatement
remise par les soins du Gouvernement des Pays-
Bas et par la voie diplomatique aux Puissances
conviées à la Dixième Conférence de la Paix,
ainsi qu'aux autres Puissances qui auront adhéré
à la Convention. Dans les cas visés par l'alinéa
précédent, ledit Gouvernement leur fera connaître
en même temps la date à laquelle il a reçu la
notification.

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| 非記名國 | <p align="center">第五條</p> <p>記名國ニ非サル諸國ハ本條約ニ加盟スルコトヲ得 加盟セムト欲スル國ハ書面ヲ以テ其ノ意思ヲ和蘭 國政府ニ通告シ且加盟書ヲ送付シ之ヲ和蘭國政府 ノ文庫ニ寄託スヘシ</p> <p>和蘭國政府ハ直ニ通告書及加盟書ノ認證謄本ヲ爾 餘ノ諸國ニ送付シ且右通告書ヲ接受シタル日ヲ通 知スヘシ</p> <p align="center">第六條</p> <p>本條約ハ第一回ノ批准書寄託ニ加リタル諸國ニ對 シテハ其ノ寄託ノ調書ノ日附ヨリ六十日ノ後又其 ノ後ニ批准シ又ハ加盟スル諸國ニ對シテハ和蘭國 政府カ右批准又ハ加盟ノ通告ヲ接受シタルトキヨ リ六十日ノ後ニ其ノ效力ヲ生スルモノトス</p> |
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| <p align="center">ARTICLE 5.</p> <p>Les Puissances non signataires sont admises à adhérer à la présente Convention.</p> <p>La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.</p> <p>Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.</p> <p align="center">ARTICLE 6.</p> <p>La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, et pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.</p> |
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91-35

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| 附 録 | <p align="center">第七條</p> <p>締約國中本條約ヲ廢棄セムト欲スルモノアルトキ ハ書面ヲ以テ其ノ旨和蘭國政府ニ通告スヘシ和蘭 國政府ハ直ニ通告書ノ認證謄本ヲ爾餘ノ諸國ニ送 付シ且右通告書ヲ接受シタル日ヲ通知スヘシ</p> <p>廢棄ハ其ノ通告カ和蘭國政府ニ到達シタルトキヨ リ一年ノ後右通告ヲ爲シタル國ニ對シテノミ效力 ヲ生スルモノトス</p> <p align="center">第八條</p> <p>和蘭國外務省ハ帳簿ヲ備ヘ置キ第四條第三項及第 四項ニ依リ爲シタル批准書寄託ノ日及加盟(第五 條第二項)又ハ廢棄(第七條第一項)ノ通告ヲ接 受シタル日ヲ記入スルモノトス</p> <p>各締約國ハ右帳簿ヲ閱覽シ且其ノ認證抄本ヲ請求 スルコトヲ得</p> |
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| <p align="center">ARTICLE 7.</p> <p>S'il arrivait qu'une des Hautes Parties contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.</p> <p>La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.</p> <p align="center">ARTICLE 8.</p> <p>Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 4 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 5, alinéa 2) ou de dénonciation (article 7, alinéa 1).</p> <p>Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.</p> |
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91-34

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| 署名國 | <p>第五條</p> <p>記名國ニ非サル諸國ハ本條約ニ加盟スルコトヲ得 加盟セムト欲スル國ハ書面ヲ以テ其ノ意思ヲ和蘭 國政府ニ通告シ且加盟書ヲ送付シ之ヲ和蘭國政府 ノ文庫ニ寄託スヘシ</p> <p>和蘭國政府ハ直ニ通告書及加盟書ノ認證原本ヲ爾 餘ノ諸國ニ送付シ且右通告書ヲ接受シタル日ヲ通 知スヘシ</p> |
| 生効ノ數 | <p>第六條</p> <p>本條約ハ第一回ノ批准書寄託ニ加リタル諸國ニ對 シテハ其ノ寄託ノ調書ノ日ヨリ六十日ノ後又其 ノ後ニ批准シ又ハ加盟スル諸國ニ對シテハ和蘭國 政府カ右批准又ハ加盟ノ通告ヲ接受シタルトキヨ リ六十日ノ後ニ其ノ効力ヲ生スルモノトス</p> |

ARTICLE 5.

Les Puissances non signataires sont admises à adhérer à la présente Convention.

La Puissance qui désire adhérer notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 6.

La présente Convention produira effet, pour les Puissances qui auront participé au premier dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt, et pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

91-35

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| 署名 | <p>第七條</p> <p>締約國中本條約ヲ廢棄セムト欲スルモノアルトキ ハ書面ヲ以テ其ノ旨和蘭國政府ニ通告スヘシ和蘭 國政府ハ直ニ通告書ノ認證原本ヲ爾餘ノ諸國ニ送 付シ且右通告書ヲ接受シタル日ヲ通知スヘシ</p> <p>廢棄ハ其ノ通告カ和蘭國政府ニ到達シタルトキヨ リ一年ノ後右通告ヲ爲シタル國ニ對シテノ効力 ヲ生スルモノトス</p> |
| 記入 | <p>第八條</p> <p>和蘭國外務省ハ帳簿ヲ備ヘ置キ第四條第三項及第 四項ニ依リ爲シタル批准書寄託ノ日並加盟(第五 條第二項)又ハ廢棄(第七條第一項)ノ通告ヲ接 受シタル日ヲ記入スルモノトス</p> <p>各締約國ハ右帳簿ヲ閱覽シ且其ノ認證抄本ヲ請求 スルコトヲ得</p> |

ARTICLE 7.

S'il arrivait qu'une des Hautes Parties contractantes voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

ARTICLE 8.

Un registre tenu par le Ministère des Affaires Etrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 4 alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article 5, alinéa 2) ou de dénonciation (article 7, alinéa 1).

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

右證據トシテ各全權委員本條約ニ署名ス

千九百七年十月十八日海牙ニ於テ本書一通ヲ作リ之ヲ和蘭國政府ノ文庫ニ寄託シ其ノ認證贖本ヲ外務省ノ手續ニ依リ第二回平和會議ニ招請セラレタル諸國ニ交付スヘキモノトス

第一 獨逸國

マルシタル

クリーゲ

第二 亞米利加合衆國

ジョセフ、エフチ、チロート

ホレミス、ポーター

ユー、エム、ローズ

デヴッド、ジェーン、ヒル

シー、エス、スベリー

ウィリアム、アイ、ブカナン

第三 亞爾然丁國

ロケ、サエンツ、ペニヤ

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leur signatures.

Fait à La Haye, le dix-huit Octobre mil neuf cent sept, en un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

1. Pour l'Allemagne :

MARSHALL.

KRIEGER.

2. Pour les États-Unis d'Amérique :

JOSEPH H. CHOATE.

HORACE PORTER.

U. M. ROSE.

DAVID JAYNE HILL.

C. S. SPERRY.

WILLIAM I. BUCHANAN.

3. Pour l'Argentine :

ROQUE SAENZ PENA.

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ルイス、エム、ドラゴ

セー、ロドリゲス、ラレタ

第四 奧地利洪牙利國

メレー

男爵マッキオ

第五 白耳義國

ア、ベルナル

ジ、ウアン、デン、ヒューベル

ギヨーム

第六 「ボリヴィア」國

クラウヂオ、ピニラ

第七 伯刺西爾國

ルイ、バルボサ

エ、リスボア

第八 勃爾牙利國

陸軍少將ウイナロフ

イヴァン、カラランジュ、ロフ

第九 智利國

ドミンゴ、ガナ

アウグスト、マテ

LUIS M. DRAGO.

C. RUEZ LARRETA.

4. Pour l'Autriche-Hongrie :

MÉREY.

Baron MACCHIO.

5. Pour la Belgique :

A. BEERNAERT.

J. VAN DEN HEUVEL.

CUILLAUME.

6. Pour la Bolivie :

CLAUDIO PINILLA.

7. Pour le Brésil :

RUY BARBOSA.

E. LISBÔA.

8. Pour la Bulgarie :

Général-Major VINAROFF.

IV. KARANDJOULOFF.

9. Pour le Chili :

DOMINGO GANA.

AUGUSTO MATTE.

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カルロス、コンチャ
 第十 清 國
 第十一 格倫比亞國
 ホルヘ、ホルグイン
 エス、ペレス、トリアナ
 エム、ヴァルガス
 第十二 欽馬共和國
 アントニオ、エス、デ、ブスタマンテ
 ゴンザロ、デ、クエサダ
 マヌエル、サングイリー
 第十三 丁 抹 國
 セー、ブロン
 第十四 「ドミニカ」共和國
 ドクトル、ヘンリケス、イ、カルヴァル
 アポリナル、テヘラ
 第十五 「エクアドル」共和國
 ヴィクトル、エム、レンドン
 エドルン、イ、デ、アルスア
 第十六 西 班 牙 國
 ドブルガミエル、デ、ヴィーリヤウル、チヤ

CARLOS CONCHA
 10. *Pour la Chine.*
 11. *Pour la Colombie :*
 JORGE HOLGUIN.
 S. PEREZ TRIANA.
 M. VARGAS.
 12. *Pour la République de Cuba :*
 ANTONIO S. DE BUSTAMANTE.
 GONZALO DE QUESADA.
 MANUEL SANGUILY.
 13. *Pour le Danemark :*
 C. BRUN.
 14. *Pour la République Dominicaine :*
 dr. HENRIQUEZ Y CARVAJAL.
 APOLINAR TEJERA.
 15. *Pour l'Equateur :*
 VICTOR M. RENDÓN.
 E. DORN Y DE ALSÚA.
 16. *Pour l'Espagne :*
 W. R. DE VILLA URRUTIA.

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ホセ、デ、ラ、リカ、イ、カルバ
 ガブリエル、マウラ
 第十七 佛 蘭 西 國
 レオン、ブールジョア
 デスツールネルド、コンスタン
 エル、ルノ
 マルスラン、ペレ
 第十八 大 不 列 顛 國
 エドワード、フライ
 アーネスト、サトウ
 レイ
 ヘンリー、ハウード
 第十九 希 臘 國
 クレオン、リゾ、ランガベ
 ジョージ、ストレイト
 第二十 「グアテマラ」國
 ホセ、ティブレ、マチャド
 第二十一 「ハイチ」國
 ダルベマル、ジャン、ジョセフ
 ジョー、エヌ、レジェー

JOSÉ DE LA RICA Y CALVO.
 GABRIEL MAURA.
 17. *Pour la France :*
 LÉON BOURGEOIS.
 D'ESTOURNELLES DE CONSTANT.
 L. RENAULT.
 MARCELLIN PELLET.
 18. *Pour la Grande-Bretagne :*
 EDW. FRY.
 ERNEST SATOW.
 REAY.
 HENRY HOWARD.
 19. *Pour la Grèce :*
 CLÉON RIZO RANGABÉ.
 GEORGES STREIT.
 20. *Pour le Guatémala :*
 JOSÉ TIBLE MACHADO.
 21. *Pour le Haïti :*
 DALBÉMAR JN JOSEPH.
 J. N. LÉGER.

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| ビエール、エヂタール 第二十二 伊 太 利 國 ボンピリ シー、フジナト 第二十三 日 本 國 佐藤愛蔵 第二十四 盧 森 堡 國 アイシエン 伯爵ド、ヴィレー 第二十五 墨 西 哥 國 ジェ、ア、エステヴァ エス、ベ、ド、ミエー エフ、エル、デ、ラ、バラ 第二十六 「モンテネグロ」國 ネリドフ マルテンス エス、チ、リ、コフ 第二十七 「ニカラグア」國 第二十八 諾 威 國 エフ、ハーゲルプ | PIERRE HUDICOURT. 22. <i>Pour l'Italie :</i> POMPII. G. FUSINATO. 23. <i>Pour le Japon :</i> AIMARO SATO. 24. <i>Pour le Luxembourg :</i> EYSCHEN. Cte DE VILLERS. 25. <i>Pour le Mexique :</i> G. A. ESTEVA. S. B. DE MIER. F. L. DE LA BARRA. 26. <i>Pour le Monténégro :</i> NELIDOW. MARTENS. N. TCHARYKOW. 27. <i>Pour le Nicaragua.</i> 28. <i>Pour la Norvège :</i> F. HAGERUP. |
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| | |
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| 第二十九 巴 拿 馬 國 ベ、ポラス 第三十 「パラグアイ」國 シー、ヂ、モンソー 第三十一 和 蘭 國 ドブルグ、アッシュド、ポーフキール テ、エム、セ、アッセル デン、ベール、ポール、チ、ゲール シ、ア、ロ、エール シ、ア、ロ、エフ 第三十二 秘 魯 國 セ、ジ、カンダモ 第三十三 波 斯 國 モムタゾス、サルタネ、エム、サマド、カン サ、ヂ、ウル、ムルク、エム、ア、ム、ア、ム、カン 第三十四 葡 萄 牙 國 アルベルト、ドリゲイラ | 29. <i>Pour le Panama :</i> B. PORRAS. 30. <i>Pour le Paraguay :</i> G. DU MONCEAU. 31. <i>Pour les Pays-Bas :</i> W. H. DE BEAUFORT. T. M. C ASSER. DEN BEER POORTUGAEL. J. A. RÖELL. J. A. LOEFF. 32. <i>Pour le Pérou :</i> C. G. CANDAMO. 33. <i>Pour la Perse :</i> MOMTAZOS-SALTANEH M. SAMAD KHAN. SADIGH UL MULK M. AHMED KHAN. 34. <i>Pour le Portugal :</i> ALBERTO D'OLIVEIRA. |
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第三十五 羅馬尼亞國

エドガール、マヴロコルダト

第三十六 露西亞國

ネリドフ

マルテンス

エヌ、チャリコフ

第三十七 「サルヴドル」國

ペー、ジ、マ、テ、ウ

エス、ペ、レ、ス、ト、リ、ア、ナ

第三十八 塞爾比亞國

エス、グ、ル、イ、フ、チ

エム、ジ、エ、ミ、ロ、ヴ、ノ、ヴ、チ

エム、ジ、エ、ミ、リ、チ、ヴ、チ

第三十九 暹羅國

モム、チャ、ヂ、ウ、ドム

セー、コ、ラ、チ、オ、ニ、ド、レ、リ

ル、ア、ン、グ、ビ、ヴ、ア、ナ、ル、ト、ナ、リ、ニ、バ、ル

第四十 瑞典國

カール、ア、ン、シ、エ、ル、ハ、マ、ル、ス、キ、ョ、ル、ド

35. *Pour la Roumanie :*

EDG. MAVROCORDATO.

36. *Pour la Russie :*

NELIDOW.

MARTENS.

N. TCHARYKOW.

37. *Pour le Salvador :*

P. J. MATHEU.

S. PEREZ TRIANA.

38. *Pour la Serbie :*

S. GROUÏTCH.

M. G. MILOVANOVITCH.

M. G. MILITCHEVITCH.

39. *Pour le Siam :*

MOM CHATIDEJ UDOM.

C. CORRAGIONI D'ORELLI.

LUANG BHUVANARTH NARÜBAL.

40. *Pour la Suède :*

K. H. L. HAMMARSKJOLD.

ヨハン、ヘル、ネ、ル

第四十一 瑞西國

カール、ラン

第四十二 土耳其國

チル、カン

第四十三 「ウルグエー」國

ホセ、バ、ト、レ、イ、オ、ル、ド、ニ、エ、ス

第四十四 「ヴェネズエラ」國

ジ、イ、ル、フ、オ、ル、ト、ウ、ル

JOH. HELLNER.

41. *Pour la Suisse :*

CARLIN.

42. *Pour la Turquie :*

TURKHAN.

43. *Pour l'Uruguay :*

JOSÉ BATLLE Y ORDOÑEZ.

44. *Pour le Venezuela :*

J. GIL FORTOUL.

「ネーランド」國加盟通告

(大正十四年七月十七日) 會照
外務省 第五八號

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第三十五 羅馬尼亞國

エドガール、マヴロコルダト

第三十六 露西亞國

ネリドフ

マルチンス

エヌ、チャリコフ

第三十七 「サルヴァドル」國

ペー、ジー、マテウ

エヌ、ペレス、トリアナ

第三十八 塞爾比亞國

エヌ、グルーイッチ

エム、ジエー、ミロヴァノヴィッチ

エム、ジエー、ミリチエヴィッチ

第三十九 暹羅國

モム、チャチヂー、ウドム

セー、コラチオニ、ドレリ

ルアング、ビニウナルト、ナリニール

第四十 瑞典國

カー、アッシュ、エル、ハムマルスキョルド

35. *Pour la Roumanie :*

EDG. MAVROCORDATO.

36. *Pour la Russie :*

NELIDOW.

MARTENS.

N. TCHARYKOW.

37. *Pour le Salvador :*

P. J. MATHEU.

S. PEREZ TRIANA.

38. *Pour la Serbie :*

S. GROUÏTCH.

M. G. MILOVANOVITCH.

M. G. MILITCHEVITCH.

39. *Pour le Siam :*

MOM CHATIDEJ UDOM.

C. CORRAGIONI D'ORELLI.

LUANG BHUVANARTH NARÛBAL.

40. *Pour la Suède :*

K. H. L. HAMMARSKJOLD.

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ヨハンネス、ヘルネル

第四十一 瑞西國

カルラン

第四十二 土耳其國

チルカン

第四十三 「ウルグエー」國

ホセ、バトレイ、オルドニエス

第四十四 「ヴェネズエラ」國

ジー、ギル、フォトル

JOH. HELLNER.

41. *Pour la Suisse :*

CARLIN.

42. *Pour la Turquie :*

TURKHAN.

43. *Pour l'Uruguay :*

JOSÉ BATLLE Y ORDOÑEZ.

44. *Pour le Venezuela :*

J. GIL FORTOUL.

「ポーランド」國加盟通告

(大正十四年七月十七日) 閣議
外務省告示第五八號

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Page 1

TREATY SERIES, NO. 538

CONVENTION

BETWEEN

THE UNITED STATES AND OTHER POWERS

RELATIVE TO THE OPENING OF HOSTILITIES

Signed at the Hague October 18, 1907
Ratification advised by the Senate March 10, 1908
Ratified by the president of the United States Feb 23, 1909
Ratification deposited with the Netherlands Govern-
ment November 27, 1909
Proclaimed February 28, 1910

By the President of the United States of America

A PROCLAMATION

Whereas a Convention relative to the opening of hostilities was concluded and signed at The Hague on October 18, 1907, by the respective Plenipotentiaries of the United States, Germany, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, Colombia, Cuba, Denmark, the Dominican Republic, Ecuador, Spain, France, Great Britain, Greece, Guatemala, Haiti, Italy, Japan, Luxemburg, Mexico, Montenegro, Norway, Panama, Paraguay, the Netherlands, Peru, Persia, Portugal, Roumania, Russia, Salvador, Servia, Siam, Sweden, Switzerland, Turkey, Uruguay, and Venezuela, the original of which Convention, being in the French language, is word for word as follows:

(Translation)

III

CONVENTION

RELATIVE TO THE OPENING OF HOSTILITIES

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Netherlands; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President

of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, &c; His Majesty the King of Roumania; His Majesty the Emperor of all the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela;

Considering that it is important in order to ensure the maintenance of pacific relations, that hostilities should not commence without previous warning.

That it is equally important that the existence of a state of war should be notified without delay to neutral Powers;

Being desirous of concluding a Convention to this effect, have appointed the following as their Plenipotentiaries:

(Here follow the names of Plenipotentiaries)

Article 2

The existence of a state of war must be notified to the neutral Powers without delay, and shall not take effect in regard to them until after the receipt of a notification, which may, however, be given by telegraph. Neutral Powers, nevertheless, cannot rely on the absence of notification if it is clearly established that they were in fact aware of the existence of a state of war.

Article 3

Article I of the present Convention shall take effect in case of war between two or more of the Contracting Powers.

Article II is binding as between a belligerent Power which is a party to the Convention and Neutral Powers which are also parties to the Convention.

Article 4

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a procès-verbal signed by the Representatives of the Powers which take part therein and by the Netherlands Minister for Foreign Affairs

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the proces-verbal relative to the first notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform them of the date on which it received the notification.

Article 5

Non-Signatory Powers may adhere to the present Convention.

The Power which wishes to adhere notifies in writing its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

The said Government shall at once forward to all other powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

Article 6

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the proces-verbal of that deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

Article 7

In event of one of the High Contracting Parties wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

Article 8

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article IV, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article V, paragraph 2) or of denunciation (Article VII, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at the Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel to the Powers which have been invited to the Second Peace Conference.

(Here follow signatures)

And whereas the Senate of the United States, by their resolution of March 10, 1908, (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Convention;

And whereas the said Convention has been duly ratified by the United States of America, by and with the advice and consent of the Senate thereof, and by the Governments of Austria-Hungary, Bolivia, Denmark, Germany, Great Britain, Mexico, the Netherlands, Russia, Salvador, and Sweden, and the ratifications of the said Governments were, under the provisions of Article 4 of the said Convention, deposited by their respective plenipotentiaries with the Netherlands Government on November 27, 1909;

And whereas in accordance with the provisions of Article 5 of the said Convention, the Government of China gave notification to the Netherlands Government on January 15, 1910, of its adherence to the said Convention;

Now, therefor, be it known that I, William Howard Taft, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the

United States and the Citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this twenty-
eighth day of February in the year of our
(SEAL) Lord one thousand nine hundred and ten, and
of the Independence of the United States of
America the one hundred and thirty-fourth.
Wm H Taft

By the President:

P C KNOX

Secretary of State

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Stw 176

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「ベルギー」国、「ポーランド」国、「ポルトガル」国、「ルーマニア」国、「セルビア」国、「クロアチア」国、
「ドイツ」国、「フランス」国、「オランダ」国、「ギリシャ」国、「トルコ」国、「スペイン」国、「ポルトガル」国、
「オーストリア」国、「イタリア」国、「ドイツ」国、「フランス」国、「オランダ」国、「ギリシャ」国、「トルコ」国、

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※ 文

五 本會議ハ人間ノ運轉事業ニ於ケル赤十字社及篤志救恤協會ノ任務ノ重要ナルコトヲ認メ同社及同協會ニ對シ其ノ平時ニ於ケル活動ノ爲トシ其ノ設備、人員ノ交通及材料ノ輸送並ニ救恤作業ニ關シ一切ノ便益及免除分國內法ノ容認スル最大範圍ニ於テ許與セラレラ其望ヲシキコトト思考ス

六 本會議ハ其ノ二委員會ノ全旨一致ノ決議ヲ採用シ交戦者ノ領域又ハ交戦者ニ依リ占領セラレタル地域ニ在ル敵國籍ヲ有スル普通人民ノ條件及之ヲ保護ニ關スル國際條約締結ノ爲十分ナル研究ノ企圖セラレノコトヲ希望ス

右證據トシテ各代表委員ハ本最終議定書ニ署名セリ

千九百二十九年七月二十七日「ジュネーヴ」ニ於テ本書一通ヲ作成ス右一通ハ瑞西聯邦政府ノ記録ニ寄存セラルベク其ノ認證本ハ本會議ニ代表者ヲ出セル一切ノ國ニ交付セラレベシ

(代表委員名省略) (署名國左ノ如シ)

獨逸國、「アメリカ合衆國、埃地利國、白耳義國、ボリグア國、「アラビヤ國、「グレート、ブリタニア及北部「アイルランド」並ニ國際聯盟ノ個個ノ聯盟國ニ非サル英帝國ノ一切ノ部分、「カナダ」、「オーストラリア」、「ニール、ジラント、南「アフリカ」、「アイルランド」自由國、印度、

「アルガリア國、「チリ國、中華民國、「コロンビヤ國、「キヤベ」國、丁抹國、「ドミニカ」共和
國、「エジプト國、西班牙國(政府ノ承認ヲ條件トス)、「エストニア國、「フィンランド國、佛
蘭西國、希臘國、「ハンガリー國、伊太利國

日本國

吉田伊三郎

下村定

三浦省三

「ラトヴィア國、「ルクセンブルグ國、「オキシニ」國、「ニカラガ」國、諾威國

和蘭國

本最終議定書ニ署名スルニ當リ和蘭國代表委員ハ次ノ留保ヲ爲ス即チ和蘭國法規ハ戰時又ハ動員ノトキニハ和蘭國ニ於ケル一切ノ篤志救恤團體ハ和蘭國赤十字協會ノ指揮ニ服セスラヌ

ルニトヲ規定ス

「グエ、ガウヂ、フジ、トロースト「グアイク

「ドクトル、ヂール

「エ、ハルベルグ

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二條約
見解及意

本會議ハ全權委員ノ署名ヲ求ムル爲本日ノ日附ヲ有スル左ノ二條約ヲ協定セリ

一 本會議ハ全權委員ノ署名ヲ求ムル爲本日ノ日附ヲ有スル左ノ二條約ヲ協定セリ

二 「オルボル、ド、ワルト」ト稱スル「サン、ジアン、ド、ジエルザレム」救護員ノ團體ノ要求ニ基キ本會議ハ「ジュネーヴ」條約ニ依リ定メラレタル戰地軍隊ニ派遣ノ救恤協會ノ地位ヲ定ムル規定ハ右ノ「オルボル、ド、ワルト」ト稱スル「サン、ジアン、ド、ジエルザレム」ノ大修道院、獨逸國ニ於ケル「サン、ジアン、ド、ジエルザレム」ノ團體及「サン、ジエルザレム」ノ團體並ニ諸國ノ右ニ類似スル救護員團體ニ關シテモ亦同シ

三 本會議ハ「ジュネーヴ」條約ノ參加國ガ戰時ニ於ケル衛生航空機ノ使用ニ關シテ必要ナル範圍ニ於テ十分ナル規定ヲ設クル爲近キ將來ニ於テ會議ヲ開催セシムルコトヲ希望ス

四 本會議ハ軍服ヲ着セザル一切ノ衛生人員ノ認識證明書ノ劃一的様式ノ研究及設定ハ「ジュネーヴ」ニ本部署有スル衛生材料規格統一國際委員會ニ回付セラレシムルコトヲ希望ス

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本會議
委員及

代表委員、陸軍中佐下村定

代表委員、在「バ」日本國大使館附海軍武官、海軍中佐三浦省三

専門委員、海軍軍醫少佐神林義治

専門委員、陸軍二等軍醫正松田彰

書記官、在「ベルヌ」日本國公使館一等書記官天城篤治

書記官、在「ジュネーヴ」日本國大使館書記官、子爵本野盛一

(中略)

本會議ハ瑞西國代表委員、全權公使「ギール、ヂニシエ」ニ依リ可會セラレタリ

本會議ハ二ノ委員會ヲ組織シタリ

第一委員會ハ「ジュネーヴ」條約ノ改訂ヲ委任セラレ「ギール、ヂニシエ」公使ニ依リ可會セラレ第二委員會ハ停廢法典ノ作成ヲ委任セラレ「バラ、ド、スカグニウ」公使ニ依リ可會セラレタリ第三委員會ハ二ノ小委員會ニ分テ其ノ一ハ「アメリカ合衆國代表委員」トシ「ベルン」公使ニ依リ他ノ一ハ「グレートブリテン代表委員」トシ「ホルヘ、ランボルト」ニ依リ可會セラレタリ

Doc 176-P48

A

日本國

(中略)

戰地軍隊ニ於ケル傷者及病者ノ狀態改善ニ關スル千九百零六年七月六日ノ「ジュネーヴ」條約改訂ノ爲及
 俘虜法典編纂ノ爲瑞西聯邦政府ニ依リ招集セラレタル本會議ハ第十回及第十一回ノ赤十字國際會議ニ
 依リ審議セラレ且承認セラレタル二條約案ヲ基礎トシ千九百一十九年七月一日ヨリ七月二十七日ニ夏
 リ「ジュネーヴ」ニ於テ討議セリ
 左ニ列記スル諸國ハ本會議ニ參加シタリ同會議ノ爲左記ノ代表委員任命セラレタリ

代表委員、瑞西國駐劄日本國特命全權公使吉田伊三郎

會 議

戰地軍隊ニ於ケル傷者及病者ノ狀態改善ニ關スル千九百
 零六年七月六日ノ「ジュネーヴ」條約改訂ノ爲及俘虜ノ待遇
 ニ關スル條約作成ノ爲招集セラレタル外交會議ノ最終議
 定書(千九百一十九年七月二十七日)

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- 「ドイツ」國
- 「アメリカ合衆國」國
- 「オーストリア」國
- 「ベルギー」國
- 「ブラジル」國
- 「チリ」國
- 「中華民國」國
- 「フランス」國
- 「エジプト」國
- 「スペイン」國
- 「エストニア」國
- 「ラトヴィア」國
- 「グレートブリテン」國

- 南「アフリカ」聯邦
- 「オーストラリア」聯邦
- 「カナダ」
- 「アイスランド」
- 「ニュージーランド」
- 「ベルギー」(適用)
- 「フランス」(適用)
- 「アンザリ」國
- 「イタリヤ」國
- 「イタリヤ」國(加入)
- 「イタリヤ」國
- 「ラトヴィア」國
- 「リスニア」國(加入)
- 「スキツコ」國

- 「アルチタ」國
- 「オランダ」國
- 「ボリチタ」國
- 「ホルガ」國
- 「ルイジアナ」國
- 「スロバキヤ」國(加入)
- 「スウェーデン」國
- 「スイス」國
- 「タシ」國
- 「トルコ」國
- 「エストニア」國

俘虜ノ待遇ニ關スル千九百一十九年七月二十七日ノ條約ハ、批
 准寄託國、加入國及適用地域左ノ如シ(昭和十六年十月末期)

選過スルノトトハハ勿論ノコトトモ前記諸例ハ甚事ヲ示スモ外邦的症例ニ付テハ類似ノ疾
 收發所ノ醫及師及混成醫員ハハ引スルニモ二ニ引スル諸例中ニ據クザラサハ又ハ該例ニ適合セザル多數ノ病症
 程度ノ結構ヲ特ニ適用セヨムルハハ
 右展義ノ解釋ハ雙手及拘束ノ結果ニ基クテ因テタシテ神無病又ハ精神病(伊摩ノ精神衰弱症)ニ似
 前記所定ノ條件ハ一般ニ成ルハハ展義ニシテ解釋シ且適用スルハ要ス

三
「ホー」癩病等

- (一) 左ニ該病者ハ入院ノ限ノ内ニ在ラス
- (二) 正當ニ確證セヨクハ一切ノ精神病者
- (三) 不治ノ器質的又ハ機能的精神病者(此ノ兩疾病ハ直接發達セラヌキハ一部類ニ屬ス)
- (四) 感力ヲ有スル時期ニ於ケル一切ノ傳染性疾患(急性傳染病、第一期梅毒及第二期梅毒ト
- (五) 中立國ニ於テ特ニ治療ノ見テ一切ノ中毒患者(特ニ瓦斯、金、鉛、水銀、砒、毒、等)ニ似
 皇座ニ於テ一切ノ「ヨリ」ヲ一切ノ「ヨリ」ニシテ中立國ニ得ル器質的變態(肝臟、脾臟、性腺、大腸、胃、等)ノ疾

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前記諸例ニ據ルニ正論ニ當ルハ必ず切ラテ命ノ切ノ旨ヨリ至リ最モ急務ノ時ニ至リテモ急務ノ時ノ急務ノ急務ヲ為スルコト也
シテ切ノ旨ヨリ至リ最モ急務ノ時ニ至リテモ急務ノ時ノ急務ノ急務ヲ為スルコト也

トモ一眼ヲ二分ノ一ノ視力ニ恢復セシムルコト能ハザル視力ノ減弱、本部長ニ屬スル他ノ眼疾患(緑内障、虹彩炎、脈絡膜炎等)

(チ) 兩耳ノ全聾或ニ片耳ノ全聾ニシテ雙度不完全ナル他耳カ一メートルノ距離ニ於テ普通ノ話聲ヲ聴取スルコト能ハザルモノ

(リ) 確實ナル一切ノ精神病者

(ル) 金屬又ハ他ノ原因ニ依ル重キ慢性中毒(鉛中毒、水銀中毒、モルヒネ中毒、ニコイシ中毒、アルコール中毒、瓦斯中毒等)

(ワ) 慢性運動器病(臨床的ニ其ノ病變ヲ證明シ得ル畸形性關節炎、痛風、リウマチス)但シ右疾患ガ重症ナルコトヲ條件トス

(ヅ) 一切ノ惡性腫瘍ニシテ被手術者ノ生命ニ危險ナキ比較的輕度ノ手術ニテハ效カナキモノ

(カ) 器質變化(肝臟、脾臟ノ著シキ慢性肥大、惡液質等)ヲ認メ得ル一切ノ「アラリア」患者

(コ) 重キ慢性皮膚病ニシテ病性ガ醫學上中立國ニ於ケル入院ニ適セザルモノ

(ク) 重キ「ク」タミシ「缺乏症(脚氣、マラグラ、慢性壞血病)

乙 入院ニ關スル特別

左ノ病氣ニ罹リタル俘虜ハ之ヲ入院セシムルベシ

(一) 現在ノ醫學的智識ニ從ヘバ中立國ニ於テ應用シ得ル手段(高山療法、サナトリウムニ於テ

ル治療等)ニ依リ治療又ハ少クトモ著シキ輕快ヲ得ル一切ノ臟器結核

(二) 呼吸器、循環器、消化器、泌尿生殖器、神経系、感覺器、運動器及皮膚ノ一切ノ疾患ニシテ治療ヲ要スルモノ但シ右疾患ガ直接送還ヲ命ズル部類ニ屬セザルカ又ハ全快ノ傾向ヲ有スル本

來ノ急性疾患ニ非ザルコトノ條件ヲ具フルヲ要ス本項ニ掲グル疾患ハ患者ガ拘束状態ニテ治療セラルヨリモ中立國ニ於テ實行シ得ル療法ノ適用ニ依リ該患者ノ爲一層良好ナル治療ノ機會ヲ與フルモノトス

俘虜ノ神經衰弱及他ノ類似ノ病症ノ如キ神經障礙ニシテ其ノ有カナル又ハ決定的ノ原因ガ戰爭若ハ拘束ノ結果ニ存スルモノハ特ニ考慮セラレベシ

正當ニ認メラレタル前項ノ患者ハ其ノ重症ノ程度又ハ體質上直接送還患者ノ取扱ヲ要セザル限リハ入院セシムルヲ要ス

精神衰弱症ニ罹レル俘虜ニシテ中立國ニ於テ入院後二月ニシテ治療セザルカ又ハ該期間後全快ノ途ニ在ラザルコト明カナル者ハ送還セラレベシ

(三) 拘束状態ニ在ルヨリモ中立國ニ於テ一層良好ナル治療ノ機會ヲ得ベキ一切ノ創傷外傷患者及右創傷繼續症但シ直接送還ヲ要セザルカ又ハ症狀ノ輕微ナラザル條件ヲ具フルヲ要ス

- (三) 一切ノ病者ニシテ醫學上二年以内ニ治療ノ見込ナキ不具者ト爲ラシムルガ如キ状態ニ在ル者
 特ニ右ノ部類ニ屬スル者左ノ如シ
- (イ) 醫學的豫想ニ依レバ中立國ニ於ケル療養ニ依リ治療又ハアウトモ著シク輕快ヲ得ベカラザル臓器ノ進行性結核症
- (ロ) 結核性ニ非ザル不治ノ呼吸器病(特ニ甚シク増進セル肺氣腫ニシテ氣管支炎ヲ伴フモノ又ハ伴ハザルモノ、氣管支擴張、重キ喘息、瓦斯中毒等)
- (ハ) 重キ慢性循環器病(例ハ代償機能障礙ノ傾向アル癱瘓症、心筋、心囊及尿管ノ比較的重症ナル諸病特ニ手術不可能ノ大ナル動脈ノ動脈瘤等)
- (ニ) 重キ慢性消化器病
- (ホ) 重キ慢性泌尿生殖器病(例ハ完全ナル微候ヲ呈シ特ニ心臟及血管ノ既ニ變性セル一切ノ慢性腎臟炎、慢性腎盂炎及膀胱炎等)
- (ヘ) 重キ慢性中樞及末梢ノ神經系病(特ニ重キ神經衰弱及ヒスアリト、確實ナル一切ノ類稱、重キ「パーセー」氏病等)
- (ト) 兩眼盲又ハ一眼盲ニシテ矯正鏡ヲ用ルルモ他眼ノ視力ニ達セザルモノ、矯正ニ依リ少ク

- ル者
- (二) 俘虜ニシテ其ノ精神的又ハ身體的健康ガ醫學的豫想ニ依レバ拘束状態ノ持續ニ依リ著シク侵害セラレモ中立國ニ於テ入院セシムルトキハ恐ラク右ノ危険ヲ除去スルコトヲ得ト認メラル
- ル者
- 丙 中立國ニ於ケル入院者ノ送還ニ關スル原則
- 中立國ニ於テ入院セル俘虜ニシテ左ノ部類ニ屬スル者ハ送還セラレ
- (一) 健康状態ガ現在健康上ノ理由ノ爲送還セラレベキ者ノ部類ニ屬スルカ又ハ屬セントスト認メラル者
- (二) 治療者ニシテ其ノ精神的若ハ身體的能力ガ著シク減退セリト認メラル者
- ニ 直接送還又ハ中立國ニ於ケル入院ニ關スル特別
- 甲 送還ニ關スル特別
- 左記ノ者ハ送還セラレ
- (一) 器官傷害ノ結果又ハ器質的又ハ機能的病變ニ冒シタル一切ノ俘虜即チ肢ノ亡失、痲痺、關節若ハ他ノ病變ニシテアウトモ一足者ハ一手ノ不全又ハ一足者ハ一手ノ亡失ニ相當スルモノ
- (二) 傷害セラレタル一切ノ俘虜ニシテ醫學上二年以内ニ治療ノ見込ナキ不具者ト爲ラシムルガ如

健康上ノ理由ノ爲ノ俘虜ノ直接送還及中立國ニ於ケル入院ニ關スル標準協定

一 直接送還及中立國ニ於ケル入院ニ關スル原則

甲 直接送還ニ關スル原則

左記ノ者ハ直接送還セラレ

(一) 醫學的豫想ニ依リ一年以内ニ恢復スルモノト推定セラレザル病者及傷者ニシテ其ノ病狀が治療ヲ要シ且其ノ精神的若ハ身體的能力が著シク減退セリト認めラルル者

(二) 恢復不能ナル病者及傷者ニシテ其ノ精神的若ハ身體的能力が著シク減退セリト認めラルル者

(三) 治療セル病者及傷者ニシテ其ノ精神的若ハ身體的能力が著シク減退セリト認めラルル者

乙 中立國ニ於ケル入院ニ關スル原則

左記ノ者ハ入院セシメラル

(一) 一年以内ニ治療スルモノト推定セラレル病者及傷者ニシテ中立國ノ提供スル手段ノ利益ヲ享フルトキハ其ノ本來ノ拘束状態ヲ維持セシムルヨリモ其ノ治療ノ一臂確管且迅速ナリト認めアラ

俘虜ノ待遇ニ關スル千九百二十九年七月二十七日ノ條約ノ附屬書

日本國

吉田伊三郎

下村 定

三浦 省三

「オランダ」國、「ルクセンブルグ」國、「マキシコ」國、「ニカラガ」國、「挪威國」和蘭國、「ベルギー」國、「ポランド」國、「ボルトガル」國、「ルーマニア」國、「セルビア」國、「クロアチア」國、「スロヴェニア」國、「王國」

暹羅國、瑞典國、瑞西國、「チリ」國、「コロンビア」國、「ウルグアイ」國、「アルゼンチン」國、「ペルー」國

獨逸國、亞米利加合衆國、埃地利國、「ギリシア」國、「アラブ」國、「グレートブリテン」及「北部」アイルランド「立」國際聯盟ノ個々ノ聯盟國ニ非ザル英帝國ノ一切ノ部分、「カナダ」、「オーストラリア」、「ニュージーランド」、「南アフリカ」、「アイルランド」自由國、印度、「ブラジル」國、「チリ」國、中國、「コロンビア」國、「キューバ」國、「丁抹國」、「ドミニカ」共和國、「エジプト」國、「ハンガリー」國、伊太利國

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未文
承認ノ批准ノ通知ニ付
加入ノ通知ニ付

廢棄

各締約國ハ本條約ヲ廢棄スルノ權能ヲ有スベシ廢棄ハ書面ヲ以テ之ヲ瑞西聯邦政府ニ通告シタル後一
年ヲ經過スルニ非ザレバ效力ヲ生ズルコトナカルベシ瑞西聯邦政府ハ右通告ヲ一切ノ締約國ノ政府ニ
通知スベシ
廢棄ハ之ヲ通告シタル國ニ對シテミ其ノ效力ヲ生ズベシ
尙右廢棄ハ廢棄國ガ參加セル戰爭中其ノ效力ヲ生ゼザルベシ此ノ場合ニ於テハ本條約ハ一年ノ期間滿
了後年和克復迄引續キ其ノ效力ヲ生ズベシ
第九十七條
本條約ノ認證原本一通ハ瑞西聯邦政府ニ依リ國際聯盟ノ記録ニ寄託セラレベシ同様ニ瑞西聯邦政府ニ
通告セラレベキ批准、加入、廢棄ハ瑞西聯邦政府ニ依リ國際聯盟ニ通知セラレベシ
右證據トシテ前記全權委員ハ本條約ニ署名セリ
千九百二十九年七月二十七日「ジュネーヴ」ニ於テ本書一通ヲ作ル右一通ハ瑞西聯邦政府ノ記録ニ寄託
保管セラレベク其ノ認證原本ハ會議ニ招請セラレタツ一切ノ國ノ政府ニ交付セラレベシ
(全權委員名省略) (署名國定、如シ)

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加入ノ効力
加入ノ効力

加入ノ効力

加入

本條約ハ少クとも二箇ノ批准書ガ寄託セラレタル後六月ニシテ實施セラレベシ
爾後本條約ハ各締約國ニ付テ其ノ批准書ノ寄託後六月ニシテ實施セラレベシ
第九十三條
本條約ハ其ノ實施ノ日ヨリ一切ノ國ニシテ其ノ名ニ於テ本條約ガ署名セラレザリシモノノ名ニ於テ爲
サル加入ノ爲開カルベシ
第九十四條
加入ハ書面ヲ以テ瑞西聯邦政府ニ對シテ通告セラレベク加入書ガ同國政府ニ到達シタル日ノ後六月ニシ
テ加入ノ効力ヲ生ズベシ
瑞西聯邦政府ハ一切ノ國ニシテ其ノ名ニ於テ本條約ガ署名セラレ又ハ加入ガ通告セラレタルモノノ政府
ニ加入ヲ通知スベシ
第九十五條
戰爭状態ハ戰爭開始前又ハ開始後交戦國ニ依リ寄託セラレタル批准及通告セラレタル加入ニ對シテ直ニ
效力ヲ生ゼシムベシ戰爭状態ニ在ル諸國ヨリ受領セラレタル批准又ハ加入ノ通知ハ最迅速ナル方法ニ
依リ瑞西聯邦政府ニ依リ爲サルベシ
第九十六條

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署名 批准 寄託
「ヘルグ」條約の補
受命の権限
委員の権限
足部ノ補

第九十二條
於テ本條約が署名セラレ又ハ加入ガ通告セラレタルモノノ政府ニ交付セラレベシ
各批准書ノ寄託ニ付調停一通作成セラレ其ノ認證原本ハ瑞西聯邦政府ニ依リ一切ノ國ニシテ其ノ名ニ
批准書ハ「ヘルグ」ニ於テ寄託セラレベシ
本條約ハ成ルベク速ニ批准セラレベシ
第九十一條
遣シタル一切ノ國ノ名ニ於テ千九百三十年二月一日迄ニ署名セラレ得ベシ
本日ノ日附ヲ有スベキ本條約ハ千九百二十九年七月一日「シムネイグ」ニ開會シタル會議ニ代表者ヲ派
第九十條
「ヘルグ」條約附屬規則第二章ヲ補足スベシ
陸戰ノ法規慣例ニ關スル「ヘルグ」條約（千八百九十九年七月二十九日ノモノタルト千九百七年十月十
八日ノモノタルト間ハズ）ニ依リ拘束セラレ且本條約ニ参加スル諸國間ノ關係ニ於テ本條約ハ右
第九十九條
第三款 最終規定
「ヘルグ」條約ニ非ズ

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前記諸規定ハ赤十字國際委員會ガ關係交戰者ノ承認ヲ得テ停戦ノ保護ノ爲メシ得ベキ博愛的活動ヲ妨
定ハ赤十字
交戰者間
理ノ紛争
旋スベシ

第九十七條
本條約ノ規定ノ適用ニ付交戰者間ニ意見ノ不一致アル場合ニハ保護國ハ右紛争ノ處理ノ爲能ク限リ周
旋スベシ
之ガ爲各保護國ハ關係交戰者ニ對シ必要ニ應ジテ適當ニ選擇セラレタル中立地域ニ於ケル右關係交戰
者ノ代表者ノ會合ヲ特ニ提議シ得ベシ交戰者ハ右趣旨ヲ以テ自己ニ對シ爲サル提議ヲ遂行スルニ努
ムベシ保護國ハ場合ニ依リ中立國ニ屬スル者又ハ赤十字國際委員會ニ依リ派遣セラレタル者ニシテ右
會合ニ参加ヲ招請セラレベキモノニ對シ關係國ノ承認ヲ求ムルコトヲ得ベシ
第九十八條
前記諸規定ハ赤十字國際委員會ガ關係交戰者ノ承認ヲ得テ停戦ノ保護ノ爲メシ得ベキ博愛的活動ヲ妨
保護國ノ代表者又ハ其ノ代表ニシテ承認ヲ受ケタル者ハ停戦ノ留置セラレタル一切ノ場所ニ例外ナク、
到ルコトヲ許可セラレベシ右代表者又ハ代表ハ停戦ニ依リ占ムラレタル一切ノ場所ニ到リ且一般ニ立
會人ナク、自ラ又ハ通譯ノ仲介ニ依リ停戦ト會談スルコトヲ得ベシ
交戰者ハ保護國ノ代表者又ハ代表ニシテ承認ヲ受ケタル者ノ職務ヲ容易ナラシムベシ軍事官憲ハ右代
表者又ハ代表ノ訪問ヲ通知セラレベシ
交戰者ハ停戦ノ國籍ヲ有スル者ガ右觀察旅行ニ参加ヲ許サルコトヲ承認スル爲協定シ得ベシ

Doe 176-P34

條約ノ
保護
ノ
適用

條約ノ
文及
送規
通知

條約ノ
適用
ノ
規則

締約國ハ本條約ノ正確ナル適用ガ交戦者ノ利益ノ保護ヲ委託セラレタル保護國ノ協力ノ可能ナルニ依リ保障セラレモナルコトヲ認ム此ノ點ニ關シ保護國ハ外交官以外ニ自國人民又ハ他ノ中立國人民ヨリ代表ヲ任命スルコトヲ得ベシ右代表ハ其ノ任務ヲ執行セントスル側ノ交戦者ノ承認ヲ受クベシ

第八十六條

第二款 監督ノ組織

ヲ瑞西聯邦政府ノ仲介ニ依リ相互ニ通知スベシ

締約國ハ本條約ノ及ノ譯文並ニ本條約ノ適用ヲ確保スル爲メ採用セシメラルコトアルベキ法律及規則

第八十五條

右條約ノ本文ハ揭示セラレタル本文ヲ知ルコトヲ得サル俘虜ノ要求アルトキハ之ニ對シ通知セラレベシ

限リ俘虜ノ母國語ニテ揭示セラレベシ

本條約及前條ニ規定セラレタル特別條約ノ本文ハ一切ノ俘虜ニ依リ参照セラレ得ベキ場所ニ於テ能ク

第八十四條

ニ俘虜管理ノ任務ヲ有スル各自ノ官憲ノ代表者ノ會合ヲ許可スルコトヲ得ベシ

本條約ノ規定ノ相互ノ適用ヲ確保シ且前記特別條約ノ締結ヲ容易ナラシムル爲メ交戦者ハ戰爭開始後直

措置アル場合ハ此ノ限ニ在ラズ

Doe 176-P33

條約ノ
特別

條約ノ
重

俘虜ハ送還ノ完了迄引續キ右協定ノ利益ヲ享有スベシ但シ前記協定若ハ將來ニ於ケル協定ニ含まレタル
反對ノ明白ナル規定又ハ同様ニ何レカノ交戦者ニ依リ其ノ留置スル俘虜ニ關シ執ララル更ニ有利ナル

スルノ權利ヲ留保ス

締約國ハ俘虜ニ關スル一切ノ問題ニシテ特ニ規律スルヲ適當ナリト認ムルモノニ關シ特別條約ヲ締結

第八十三條

ニ拘束カラ有スベシ

戰時ニ於テ交戦者ノ一ガ本條約ノ當事者タラザル場合ト雖モ本條約ノ規定ハ之ニ參加セラル交戦者ノ間

第八十二條

第一款 總則

第八編 條約ノ執行

ル場合ニ限リ俘虜ノ取扱ヲ受クルノ權利ヲ有スベシ

陷リ敵ニ於テ之ヲ抑留スルヲ有益ナリト認メタル者ハ其ノ隨伴シタル軍ノ軍事官憲ノ證明書ヲ携帶ス

通信員、新聞ノ探訪者、酒保商人、用達人ノ如キ直接ニ軍ノ一部ヲ爲サザル從軍者ニシテ敵ノ權内ニ

第八十一條

俘虜救恤
協會

第七十八條

慈善行為ノ媒介者タル目的ヲ以テ自國ノ法律ニ從ヒ正式ニ組織セラレタル俘虜救恤協會ハ其ノ博愛的
事業ヲ有效ニ遂行スル爲メ交戰者ヨリ自己及其ノ正當ノ委任アル代表者ノ爲メ軍事上ノ必要ニ依リテ定
メラレタル範圍内ニ於テ一切ノ便宜ヲ受クベシ右協會ノ代表者ハ各自軍事官憲ヨリ免許狀ノ交付ヲ受
ケ且該官憲ノ定メタル秩序及取締ニ關スル一切ノ規律ニ服スベキ旨書面ヲ以テ約シタル上收容所竝ニ
送還俘虜ノ途中休止所ニ於テ救恤品ヲ分與スルコトヲ許サルベシ

第七十九條

情報中央
部

俘虜情報中央部ハ中立國ニ設立セラレバシ赤十字國際委員會ハ必要ナリト認ムルトキハ該部ノ組織ヲ
關係國ニ提議スベシ

該部ハ俘虜ニ關スル一切ノ情報ニシテ公ノ又ハ私ノ方法ニ依リ其ノ獲得シ得ベキモノヲ蒐集スルノ任
務ヲ有スベシ該部ハ右情報ヲ俘虜ノ本國又ハ俘虜ガ服役シタル國ニ成ルベク速ニ交付スベシ
此等ノ規定ハ赤十字國際委員會ノ博愛的活動ヲ制限スルモノト解釋セラレザルベシ

第八十條

情報局ハ郵便物ニ關スル料金ノ免除竝ニ第三十八條ニ規定セラレル一切ノ免除ヲ享有スベシ

第七編 或種非軍人ニ對スル條約ノ適用

料金、諸
税ノ免除

各交戦國ハ其ノ軍ニ依リ爲サレタル俘虜ノ一切ノ捕獲ヲ成ルベク速ニ其ノ情報局ニ通知シ其ノ有スル認識ニ關スル一切ノ情報ニシテ迅速ニ關係家族ニ了知セシムルヲ得ベキモノヲ右情報局ニ供給シ且家族ガ俘虜ニ通信ヲ爲シ得ベキ公ノ宛名ヲ右情報局ニ通知スベシ

情報局ハ一方保護國ノ仲介ニ依リ及他方第七十九條ニ規定セラルル中央部ノ仲介ニ依リ前記一切ノ情報ヲ關係國ニ速ニ傳達スベシ

情報局ハ俘虜ニ關スル一切ノ問合ニ答フルノ任務ヲ有シ俘虜ノ留置、移動、宣誓解放、送還、逃走、入院、死亡ニ關スル一切ノ通報竝ニ其ノ他各俘虜ニ關シ銘銘票ヲ作成補修スル爲ニ他ノ必要ナル情報ヲ各主務官憲ヨリ受クベシ

情報局ハ該票ニ出來得ル範圍内ニ於テ且第五條ノ規定ヲ留保シテ登録番號、氏名、出生日附及出生地、當人ノ階級及所屬部隊、父ノ名及母ノ氏、災害ノ場合ニ通知スベキ者ノ宛名、負傷、捕獲ノ、留置ノ、負傷ノ、死亡ノ日附及場所竝ニ他ノ一切ノ重要ナル情報ヲ記載スベシ

各俘虜ノ認識ヲ容易ナラシムベキ一切ノ新規ノ情報ヲ含メル週刊名簿ハ關係諸國ニ交付セラルベシ
俘虜ノ銘銘票ハ平和克復後其ノ服役シタル國ニ交付セラルベシ

尙情報局ハ送還セラレ、宣誓解放セラレ、逃走シ又ハ死亡シタル俘虜ニ依リ遺留セラレタル一切ノ自用品、有價物、信書、給料帳、認識票等ヲ收集シ且之ヲ關係國ニ交付スルノ義務ヲ有スベシ

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局立情報

亡電明書

戦争開始後直ニ各交戦國並ニ交戦者ヲ收容シタル中立國ハ其ノ領域内ニ在ル俘虏ニ關スル官立情報局ヲ設置スベシ

第七十七條

第六編 俘虏ニ關スル救恤及情報局

ラレ且相應ニ維持セララルル様注意スベシ

交戦者ハ拘束中死シタル俘虏ガ鄭重ニ埋葬セララルル様及墳墓ガ有用ナル一切ノ表示ヲ有シ、尊敬ニ同様ニ死シ、證明ニ關スル詳細ニ關シテモ同一ノ規則ニ従フベシ

俘虏ノ遺言ハ内國軍人ト同一ノ條件ヲ以テ受領セラレ且作成セララルベシ

第七十六條

第五編 俘虏ノ死亡

此ノ點ニ關スル規定ガ右條約ニ挿入セラレザリシ場合ト雖モ交戦者ハ成ルベク速ニ之ガ爲連絡ヲトスベシ一切ノ場合ニ於テ俘虏ノ送還ハ平和克復後成ルベク速ニ行ハルベシ
尤モ俘虏ニシテ普通法上ノ重罪又ハ輕罪ノ爲テ送還中ノ者ハ右手續ノ終了迄及場合ニ依リ刑期ノ滿了迄留置セララル得ベシ普通法上ノ重罪又ハ輕罪ノ爲刑ノ宣告ヲ受ケタル者ニ付テモ同様ナルベシ
離散セル俘虏ヲ搜索シ且其ノ送還ヲ確保スル目的ヲ以テ交戦者ハ合意ノ上委員會ヲ設置スルヲ得ベシ

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送還規定

送還セラルベキ者ノ兵後

送還、移送ノ費用

長期拘束者ノ送還又ハ收容

勞働災害ノ被災者

交戦者ガ休戰條約ヲ締結セントスルトキハ右交戦者ハ原則トシテ俘虏ノ送還ニ關スル規定ヲ設クベシ

第七十五條

第二款 戦争終了ノ際ニ於ケル解放及送還

送還セラレタル者ハ現役ノ軍務ニ服セシメラル得ザルベシ

第七十四條

ヲ負擔セララルベシ

俘虏ノ送還ハ中立國ヘノ移送ノ費用ハ捕獲國ノ國境外ニ於テハ右俘虏ガ服役シタル軍ノ所屬國ニ依リ負擔セララルベシ

第七十三條

ハ中立國ニ於ケル收容ノ爲協定ヲ締結シ得ベシ

戦争ノ繼續中及人道上一ノ理由ノ爲メ交戦者ハ健全ナル俘虏ニシテ長期ノ拘束ヲ受ケタル者ノ直接送還又ハ中立國ニ於ケル收容ノ爲協定ヲ締結シ得ベシ

第七十二條

定ノ利益ヲ享有セシメラルベシ但シ故意ノ傷害ハ此ノ限ニ在ラス

俘虏ニシテ勞働災害ノ被災者ト爲リタル者ハ送還又ハ必要ニ應ジ中立國ニ於ケル收容ニ關シ同一ノ規定ノ利益ヲ享有セシメラルベシ但シ故意ノ傷害ハ此ノ限ニ在ラス

第七十一條

タルモノ

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送還
捕縛
及

送及
捕縛
中
及

及死
捕縛
後

知決
通

上
條

國ニ送還スルヲ禁ムルニテ

交戦ハ重傷者及重傷者タルハ伊豫カガ移送セラルヘシ海陸状態ニ至リテ後陸隊及數ニ關シテ其ノ本

第六十八條

第一 款 直接送還及中立國ニ於テ收容

第四 款 捕縛ノ終了

伊豫ハ決ニ依テ否トテ問ハル本條約第四十二條ノ規定ノ利益ヲ享受セラルコトヲ得ザルニシ

第六十七條

該決ハ右ノ通知ヨリシテ三日ノ期間満了前ニ執行セラルヘシ

伊豫國ニ送送セラルヘシ為メ遠ニ保護國ノ代表者ニ送付セラルヘシ

伊豫ニ對シテ死刑ノ言ハルハ犯行ノ性質及情狀ヨリ詳細ニ配送スル通知ハ伊豫ノ服役シタル軍ノ

第六十六條

伊豫ニ對シテ言ハレバ決ハ直ニ保護國ニ通知セラルヘシ

第六十五條

種ヲ有スルニ

一切ノ伊豫ハ自己ニテテラレクハ一切ノ地位ニ對シテ捕獲國軍ニ屬スル者トシテ同様ノ方法ニ依リテ上條ニ準

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伊受ノ右
醫ノ診察
人員
キナ付

伊受ノ右
醫ノ診察
人員
キナ付

(ハ) 伊解ニシテ其ノ服役シタカル軍ノ所屬國又ハ該國ニ依リ及認セラレタル救恤協合ニ依リ提議セララレ
ニ 基キ行動スルモノトス

(ロ) 第四十三條ニ規定スル信任者ノ申出ニ依ル但シ該信任者ハ自己ノ發意ニ依リ又ハ伊解ノ要求

(イ) 1) 收容所ノ醫官ニ對シテ直接ニ要求スル爲メ伊解

第十六條ニ規定スル混成醫員會ノ診察ヲ受クハシ

收容所ノ醫官ニ依リ指定セラレタル者ノ外ニ擧グル伊解ハ直接送還スルハ又ハ中立國ニ於ケル收容ノ爲

第七十七條

同會ノ決定ハ過半數ヲ以テ爲サレ且クハ成ルニ決シテ執行セラルベシ
病者又ハ傷者タル者ヲ診察シ且ク之ニ對シテ有用ナル一切ヲ決定スルベシ

國ニ屬シハ一名稱擧國ノ指名スル者ハ中立國醫師ノ中一各ヨリ委員長トシテ同會ハ三名ノ委員ヨリ成リ中二名ハ中立
戰爭開始後直ニ交戰者ハ混成醫員會ヲ構成スル爲メ協定スルベシ同會ハ三名ノ委員ヨリ成リ中二名ハ中立

第六十九條

屬セシタル標準協定ニ依ルベシ

中立國ニ於テ收容セシムルキムル協合ヲ定ムル該協定ノ締結ニ至ル迄ハ該國ノ協定ハ本條約ニ參照シテシテ
從テ交戰者ハ以テ成ルニ達ニ直接送還ノ原因ト爲ルベシ又ハ該國ノ協定ハ本條約ニ參照シテシテ

捕ヲテ保國ノ代表者ニ果シテ

トテハハシテ合意ヲシテ後日既ニ決メテ何日ニ決メテ

右ノ旨ニ於テ事件ノ審理ニ付ハシテ裁量ノ所ニ據テ

(イ) 適用法規ヲ記載スル事項ノ明細書

(ロ) 滞在又ハ留置ノ場所

(ハ) 伊豫ノ月籍及階級

(ニ) 右ノ通告左ノ事項ヲ含ムルニシテ

之ヲ通告スルニシテ

伊豫ニ對シテ裁判手續ノ開始ニ際シテ捕獲國ノ既ニ決メテ

第六十條

第三條

裁判所ノ代理スル責任ヲハシテ將校ノ自決ニ依リテ

裁判所及上級軍事官ノ權限ヲ留保シテ懲罰ノ收受所又ハ分遣所ノ所長トシテ懲罰權ヲ有スル將校又ハ

第五十九條

必要ト認ムル手續ヲ受ケテ且必要ニ應ジテ收受所醫務室又ハ病院ニ引取ラセムルニシ

裁判所ノ

裁判所ノ

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第六十四條

條ハニテトコトヲ律

第六十三條

國ハ保護國ニテ境

國ノ代表者ハ其國ノ利益ヲ保護スルノ義務ヲ負フ

保護國ノ利益ヲ保護スルノ義務ヲ負フ

保護國ノ利益ヲ保護スルノ義務ヲ負フ

保護國ノ利益ヲ保護スルノ義務ヲ負フ

保護國ノ利益ヲ保護スルノ義務ヲ負フ

保護國ノ利益ヲ保護スルノ義務ヲ負フ

第六十二條

保護國ノ利益ヲ保護スルノ義務ヲ負フ

第六十一條

保護國ノ利益ヲ保護スルノ義務ヲ負フ

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懲罰ニ付
被及手
紙ノ
及手

如何ナル場合ニ於テモ
ケル場所

罰ノ加重

第十一條末項ノ目的トスル規定ノ留保ノ下ニ懲罰ニ付セラレタル俘虜ニ對シ捕獲國軍内ニ行ハルル食糧制限ヲ罰ノ加重トシテ適用スルコトヲ得ベシ

尤モ右ノ制限ハ罰セラレタル俘虜ノ健康状態ガ之ヲ許ス場合ニ非ザレバ之ヲ命ズルコトヲ得ザルベシ

第五十六條

如何ナル場合ニ於テモ俘虜ハ懲罰ヲ受クル爲懲治所（刑務所、懲治監、徒刑場等）ニ移サルコトヲ得ザルベシ

懲罰ヲ受クル場所ハ衛生上ノ要求ニ適合スルモノタルベシ

罰セラレタル俘虜ハ自ら清潔ヲ保持スルコトヲ得シメラルベシ

右俘虜ハ毎日運動ヲ爲シ又ハ少クモ二時間屋外ニ留マラルコトヲ得ベシ

第五十七條

懲罰ニ付セラレタル俘虜ハ讀ミ且書クコト及手紙ヲ發受スルコトヲ許サルベシ

之ニ反シ小包及送金ハ滿期迄名宛人ニ交付セザルコトヲ得ベシ配付セラレザル小包ニシテ腐敗シ易キ食料品ヲ含ムトキハ該品ハ醫務室又ハ收容所炊事場ニ付與セララルベシ

第五十八條

懲罰ニ付セラレタル俘虜ハ其ノ要求ニ基キ日ノ診察ヲ受クルコトヲ許可セララルベシ該俘虜ハ醫師ノ

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拘留
及手

懲罰ニ付
被及手
紙ノ
及手

第五十三條

懲罰ニ付セラレタル俘虜ニシテ送還ニ關シ規定セラレタル條件ニ適合スル者ハ該罰ヲ終ヘザルコトノ理由ヲ以テ留置セララルコトヲ得ベシ

送還スベキ俘虜ニシテ刑事上ノ訴追中ノ者ハ裁判手續ノ終了迄又場合ニ依リ刑期ノ満了迄送還ヨリ除外セララルコトヲ得ベシ判決ノ結果既ニ留置中ノ者ハ其ノ終了迄留置セララルコトヲ得ベシ

交戦者ハ前項ノ理由ニ依リ送還ヲ許サレザル俘虜ノ名簿ヲ相互ニ通告スベシ

二懲罰

第五十四條

拘留ハ俘虜ニ課セラレベキ最重キ懲罰トス

同一期ノ期間ハ三十日ヲ超過スルコトヲ得ズ

右ノ三十日ノ最大限ハ俘虜ガ數箇ノ事實ニ付懲罰ヲ受クベキ場合ニ於テ右事實ガ相關聯スルト否トヲ問ハズ超過セララルコトヲ得ベシ

拘留中又ハ其ノ期間満了後俘虜ガ新ナル懲罰ヲ受ケタル場合ニ於テ拘留期間ノ何レカガ十日又ハ十日ヲ超エルトキハ兩拘留ノ間ニ少クモ三日ノ期間ヲ置クベシ

第五十五條

第四十七條

規程違反
捕虜ニ對スル

規律違反ヲ構成スル事實特ニ逃走ノ企ハ至急確認セラルベシ官等アルト否ト問ハズ一切ノ俘虜ニ對シ豫防的拘留ハ最少限度ニ止メラルベシ

裁判手續

俘虜ニ對スル裁判手續ハ事情ノ許ス限り速ニ爲サルベシ豫防的留置ハ出來得ル限り制限セラルベシ

軍刑豫防的留置ノノ

一切ノ場合ニ於テ豫防的留置期間ハ該國軍人ニ對シ認めラルル限り懲罰又ハ刑罰ノ期間ヨリ控除セラ
ルベシ

第四十八條

待遇後ノ

俘虜ハ其ノ課セラレタル刑罰又ハ懲罰ヲ終ヘタル後他ノ俘虜ト異ナル待遇ヲ受クルコトナカルベシ尤モ逃走ノ企ニ依リ罰セラレタル俘虜ハ特別ノ監視ノ下ニ置カルルコトヲ得ベシ但シ該監視ハ本條約ニ依リ俘虜ニ與ヘラルル保障ヲ何等除去スルコトヲ得ザルベシ

第四十九條

捕虜ノ官等ヲ刺殺スルコトヲ得ズ
懲罰ニ付セラレタル俘虜ハ其ノ階級ニ附帶スル特權ヲ奪ハルルコトナカルベシ特ニ自由ノ刺殺ヲ伴フ
罰ヲ受クル將校及之ニ準ズル者下士又ハ兵卒ニシテ罰セラレタル者ト同一場所ニ置カルルコトナカ
ルベシ

捕虜國ハ俘虜ノ官等ヲ刺殺スルコトヲ得ズ
懲罰ニ付セラレタル俘虜ハ其ノ階級ニ附帶スル特權ヲ奪ハルルコトナカルベシ特ニ自由ノ刺殺ヲ伴フ
罰ヲ受クル將校及之ニ準ズル者下士又ハ兵卒ニシテ罰セラレタル者ト同一場所ニ置カルルコトナカ
ルベシ

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第五十條

逃走スル者ニ對シ

逃走シタル俘虜ニシテ其ノ軍ニ違スル前又ハ之ヲ捕ヘタル軍ノ占領シタル地域ヲ離ルルニ先テ再ビ捕ヘラレタル者ハ懲罰ノミニ付セラルベシ

俘虜ニシテ其ノ軍ニ違シ又ハ之ヲ捕ヘタル軍ノ占領シタル地域ヲ離レタル後再ビ俘虜ト爲リタル者ハ前ノ逃走ニ對シテハ何等ノ罰ヲ受クルコトナカルベシ

第五十一條

逃走ノ企ハ再犯ノ再
トナルコトナシ

逃走ノ企ハ再犯ノ場合ト雖モ俘虜ガ該企中人又ハ財物ニ對シテ犯セル重罪又ハ輕罪ニ付裁判所ニ訴ヘラレタル場合ニ於テ刑ノ加重情狀トシテ考慮セラレザルベシ

逃走ヲ補助セ

逃走ノ企又ハ其ノ成爲後ニ於テ逃走ニ協同セル逃走者ノ同僚ハ其ノ理由ニ依リ懲罰ノミニ付セラルベシ

第五十二條

定刑ノ量

交戦者ハ俘虜ノ犯セル犯行ガ懲罰ニ付セラルベキヤ刑罰ニ付セラルベキヤノ問題ノ量定ニ關シ當該官憲ニ於テ最寛大ナル態度ニ出ヅル様注意スベシ

特ニ逃走又ハ逃走ノ企ニ關聯スル事實ノ量定ニ關シ然ルベシ

俘虜ハ同一事實又ハ同一訴追事項ニ關シ一度ノミ罰セララルルコトヲ得ベシ

Doc 176-P22

Doc 176-P20

第三條
軍人待遇
人符國軍
第三條
軍人待遇
人符國軍
禁止刑、
罰及受辱
之刑、
禁止刑、
罰及受辱
之刑、
禁止刑、
罰及受辱
之刑、

法律規
範命令
第三條
軍人待遇
人符國軍

俘虜ハ其ノ所在スル一切ノ地方ニ於テ軍事官憲及保護國ニ對シ自己ヲ代表スル任務ヲ有スル信任者ヲ
指定スルコトヲ許サレベシ

右ノ指定ハ軍事官憲ノ承認ヲ受ケンシ

信任者ハ合同送付品ノ接受及分配ニ當ルベシ又俘虜方其ノ間ニ相互扶助ノ制度ヲ組織スルコトヲ決定
スル場合ニハ該組織ハ該信任者ノ權限内ニ置カレベシ尚信任者ハ俘虜ニ對シ俘虜ト第七十八條ニ規定
スル救恤協會トノ關係ヲ容易ナラシムル爲メ仲介ノ勞ヲ提供スルコトヲ得ベシ

將校及之ニ準ズル者ノ收容所ニ於テハ最高級先任將校タル俘虜ハ收容所官憲ト俘虜タル將校及之ニ準
ズル者トノ間ノ仲介者トシテ認マラレベシ之ガ爲メ該將校ハ收容所官憲トノ交渉ニ際シ通譯トシテ用フ
ル爲一人ノ俘虜將校ヲ指定スル權限アルベシ

第四十四條

信任者ニシテ勞働者トシテ使役セララル場合ニハ俘虜ノ代表者トシテ其ノ活動ハ義務勞働時間内ニ
計算セラレベシ

信任者ト軍事官憲及保護國トノ通信ノ爲メ該信任者ハ一切ノ便宜ヲ與ヘラルベシ該通信ノ數ハ制限セラ
レザルベシ

俘虜ノ代表者ハ其ノ後繼者ヲシテ進行中ノ事務ニ通ゼシムル爲メ必要ナル時間ヲ與ヘラルコトナクシ
テ移轉セシメララルコトヲ得ザルベシ

第三章 俘虜ニ對スル處罰

一 總 則

第四十五條

俘虜ハ捕獲國軍ノ現行法律、規則及命令ニ服從スベシ

總テ不從順ノ行爲アルトキハ俘虜ニ對シ該法律、規則及命令ノ規定スル手段ヲ施スコトヲ得ベシ

尤モ本章ノ諸規定ヲ留保ス

第四十六條

俘虜ハ捕獲國ノ軍事官憲及裁判所ニ依リ同一事實ニ付該國軍ノ軍人ニ對スルト異ナル別ヲ課セラルル
コトナカルベシ

同一階級ニ付テハ懲罰ヲ受クル俘虜タル將校、下士又ハ兵卒ハ捕獲國軍ニ於テ同一罰ニ關シ定メラレ
タルモノヨリ不利ナル待遇ヲ受クルコトナカルベシ

一切ノ體刑、日光ニ依リ照明セラレザル場所ニ於ケル一切ノ監禁及一般ニ一切ノ殘酷ナル罰ヲ禁止ス

同様ニ個人ノ行爲ニ付團體的ノ罰ヲ課スコトヲ禁ズ

Doc 176-P19

信任者ノ
待遇

信任者ノ
指定

第四十三條

俘虜ハ其ノ所在スル一切ノ地方ニ於テ軍事官憲及保護國ニ對シ自己ヲ代表スル任務ヲ有スル信任者ヲ
指定スルコトヲ許サレベシ

右ノ指定ハ軍事官憲ノ承認ヲ受ケンシ

信任者ハ合同送付品ノ接受及分配ニ當ルベシ又俘虜方其ノ間ニ相互扶助ノ制度ヲ組織スルコトヲ決定
スル場合ニハ該組織ハ該信任者ノ權限内ニ置カレベシ尚信任者ハ俘虜ニ對シ俘虜ト第七十八條ニ規定
スル救恤協會トノ關係ヲ容易ナラシムル爲メ仲介ノ勞ヲ提供スルコトヲ得ベシ

將校及之ニ準ズル者ノ收容所ニ於テハ最高級先任將校タル俘虜ハ收容所官憲ト俘虜タル將校及之ニ準
ズル者トノ間ノ仲介者トシテ認マラレベシ之ガ爲メ該將校ハ收容所官憲トノ交渉ニ際シ通譯トシテ用フ
ル爲一人ノ俘虜將校ヲ指定スル權限アルベシ

第四十四條

信任者ニシテ勞働者トシテ使役セララル場合ニハ俘虜ノ代表者トシテ其ノ活動ハ義務勞働時間内ニ
計算セラレベシ

信任者ト軍事官憲及保護國トノ通信ノ爲メ該信任者ハ一切ノ便宜ヲ與ヘラルベシ該通信ノ數ハ制限セラ
レザルベシ

Doe 176-P 18

苦情
三關
二關
一關
制度

公文事務

文書ノ送

通信ノ
止ハ一
時スル
ニシテ

Doe 176-P 17

通信ノ檢
査及小
包ノ檢
査

送付ノ檢
査

受領ノ檢
査

送付ノ檢
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送付ノ檢
査

伊傍ハ其ノ食用又ハ披服ニ供スル爲メ食料品及其ノ他ノ物品ヲ含ム小包郵便物ヲ個人的ニ受領スルコトヲ許サルベシ小包ハ受取證ト引換ニ名宛人ニ交付セラレベシ

第三十八條 直接又ハ第七十七條ニ規定スル情報局ヲ通シテ伊傍ニ宛テラレ又ハ其ノ發シタル信書、金貨又ハ有價物ノ送付及小包郵便物ハ差出國、名宛國及通過國ニ於テ一切ノ郵便料金を免除セラレベシ

第三十九條 同様ニ伊傍ニ宛テラル贈與品及救恤品ハ輸入税其ノ他ノ諸税及國有鐵道ノ運賃ヲ免除セラレベシ

伊傍ハ承認セラレタル急用ノ場合ニハ通常ノ料金ヲ支拂ヒテ電信ヲ發スルコトヲ許サルベシ

伊傍ハ個人的ニ書籍ノ送付ヲ受クルコトヲ許サルベシ該書籍ハ檢閲セラレコトヲ得ベシ

保護國及公認救恤團體ノ代表者ハ伊傍收容所ノ圖書室ニ著作物及書籍集ヲ送付スルコトヲ得ベシ

檢閱ノ困難ヲ理由トシテ該送付物ヲ圖書室ニ交付スルヲ運延セシムルコトヲ得ザルベシ

第四十條 通信ノ檢閲ハ成ルベク送付セラル小包ノ包含スルコトアベキ食料品ノ保護ヲ確保スルニ適スル條件ノ下ニ且出來得レバ名宛人又ハ名宛人ニ依リ正當ニ認メラレタル信任者ノ面前ニ於テ爲サルベシ

軍事上又ハ政治上ノ理由ニ依リ交戦者ノ發令スル通信ノ禁止ハ一時的ノ性質ノミヲ有シ得ベク且出來得ル限リ短期間タルベシ

第四十一條 交戦者ハ伊傍ニ宛テラレ又ハ其ノ署名シタル證書、文書又ハ記録特ニ委任狀及遺言狀ノ送達ニ一切ノ便宜ヲ與フベシ

交戦者ハ必要ナル場合ニハ伊傍ノ爲メ署名ノ公證ヲ確保スルニ必要ナル措置ヲ執ルベシ

第五款 伊傍ト官憲トノ關係

第一章 拘束制度ニ關スル伊傍ノ苦情申出

第四十二條 伊傍ハ之ヲ監督スル軍事官憲ニ對シ其ノ服スル拘束ノ制度ニ關シ申請ヲ爲スノ權利ヲ有スベシ

伊傍ハ又保護國ノ代表者ニ對シ拘束ノ制度ニ關シ有スルコトアベキ苦情ノ諸點ヲ指示スル爲メニ陳述ヲ爲ス權利ヲ有スベシ

右ノ申請及苦情ノ陳述ハ迅速ニ傳達セラレベシ

該申請及苦情ノ陳述が根據ナシト認定セラレル場合ニ於テモ之が爲何等處罰セラレコトナカルベシ

第二章 伊傍ノ代表者

Doc 176-P16

外部ノ
連絡ニ関
スル措置
ノ公表
信書及郵
便葉書ニ
依ル通信

各交戦者ハ各種類ノ俘虜カ一月内ニ發送スルコトヲ許サルベキ信書及郵便葉書ノ數ヲ定期ニ定メ之ヲ
他ノ交戦者ニ通告スベシ該信書及葉書ハ郵便ニ依リ最短路ニ從ヒ送付セラレベシ懲罰的理由ヲ以テ此
等郵便物ヲ延著セシメ又ハ抑留スルコトヲ得ザルベシ
各俘虜ハ收容所到着後速クモ一週間以内ニ及病氣ノ場合ニ同様ニ其ノ家族ニ宛テ捕獲及健康状態ヲ報
知スル爲メ郵便葉書ヲ發送スルコトヲ許サルベシ該郵便葉書ハ成ルベク速ニ送付セラレベク且何等ノ方
法ヲ以テスルヲ問ハズ延滞セラルコトナカルベシ
通則トシテ俘虜ノ通信ハ其ノ母國語ヲ以テ行ハルベシ交戦者ハ他國語ニ依ル通信ヲ許スコトヲ得ベシ

第三十七條

Doc 176-P15

勞務分遣
所ノ制度
及所屬
勞務分遣
所ノ管理
及勞務分
遣ノ決定
ノ原則

(ロ) 他ノ公共團體又ハ個人ノ爲ニ爲サレタル勞働ニ對シテハ軍事官憲ト協議ノ上條件ヲ定ムベシ
俘虜ノ貸方ニ殘ル金額ハ拘束ノ終了ニ際シ俘虜ニ交付セラレベシ死亡ノ場合ニ於テハ外交手續ニ依リ
死者ノ相續人ニ移送セラレベシ
第四款 俘虜ト外部トノ連絡
第三十五條
戰爭開始後直ニ交戦者ハ本款ノ規定ノ實施ニ關シテ定メラレタル措置ヲ公表スベシ
第三十六條

收容所ノ管理、整理及保存ニ關スル勞働ニ對シテハ俘虜ハ勞働ヲ受ケザルベシ
他ノ勞働ニ使役セララルル俘虜ハ交戦者間ニ協定セラレベキ勞働ヲ受ケル權利アルベシ
該協定ハ又收容所管理都ノ留保スルコトヲ得ベキ割合、俘虜ニ屬スベキ金額及拘束中該金額ノ交付セ
ラルベキ方法ヲ規定スベシ
右協定ノ締結セララルル迄ハ俘虜ノ勞働ノ報酬ハ左ノ原則ニ從ヒ定メラルベシ
(1) 國家ノ爲ニ爲サレタル勞働ハ當該國軍ニ屬スル軍人が同一勞働ニ従事スル場合ニ於ケル現行定率
ニ從ヒ又ハ定率ナキ場合ハ爲サレタル勞働ニ比例スル率ニ從ヒ支拂ハラルベシ

第三十四條

第五章 勞務

行ニ付實ニ任ズベシ
一切ノ勞働分遣所ハ俘虜收容所ニ屬スベシ該收容所ノ所長ハ勞働分遣所内ニ於ケル本條約ノ規定ノ勸
合ノ手當、通信及小包ノ受領ニ關シテ然リトス
勞働分遣所ノ制度ハ俘虜收容所ノ制度ト同一ナルベシ特ニ其ノ衛生的條件、食糧、災害又ハ病氣ノ場
所ノ制度

第三十三條

第四章 勞働分遣所

第三款 俘虜ノ労働

第一章 總則

第二十七條

兵 卒 交戦者ハ將校及之ニ準ズル者ヲ除キ健康ナル俘虜ヲ其ノ階級及才能ニ從ヒ労働者トシテ使役スルコトヲ得ベシ

將 校 尤モ將校又ハ之ニ準ズル者自己ニ適スル労働ヲ欲スルトキハ出來得ル限リ之ヲ與フベシ
俘虜タル下士ハ特ニ報酬的作業ヲ要求セザル限リ監督労働ニノミ服セシメラルベシ

捕 虜 交戦者ハ拘束期間ヲ通ジ労働災害ノ罹災者タル俘虜ヲシテ捕獲國ノ法制上同一種類ノ労働者ニ適用セラルベキ規定ノ利益ヲ受ケシムル義務アルモノトス右捕獲國ノ法制上ノ理由ニ依リ右ノ如キ規定ノ適用ヲ受クルコト能ハザル俘虜ニ關シテハ該國ハ罹災者ニ對シ公平ニ賠償スルニ適スル一切ノ措置ヲ執ルベキコトヲ其ノ立法府ニ建議スル義務アルモノトス

第二章 労働ノ組織

第二十八條

捕獲國ハ個人ノ爲ニ働ク俘虜ノ給養、手當、俸給及勞銀ノ支拂ニ關シ全責任ヲ負フベシ

第二十九條

Doc 176-P13

捕虜ノ労働災害ノ責任ノ負

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俘虜ハ何人ト雖モ肉體的ニ不適當ナル労働ニ使役セララルコトナカルベシ

第三十條

及
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息
時
間

俘虜ノ一日ノ労働時間(往復時間ヲ含ム)ハ過度ナラザルベク且如何ナル場合ト雖モ該地方ニ於テ同一労働ニ従事スル民間労働者ノ爲認メラルル労働時間ヲ超過スルコトヲ得ザルベシ各俘虜ニ對シ每週連續二十四時間成ルベク日曜日ニ休養ヲ與ヘラルベシ

第三章 禁止労働

第三十一條

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俘虜ニ依リ爲サル労働ハ作戦行動ニ何等直接關係ナキモノタルベシ特ニ俘虜ヲ各種兵器彈藥ノ製造及運搬並ニ戦團部隊ニ宛テラレタル材料ノ運搬ニ使役スルコトヲ禁止ス

前項ノ規定ニ違犯シタルトキハ俘虜ハ命令實行ノ後若ハ實行ノ初ニ當リ第四十三條及第四十四條ニ規定スル任務ヲ有スル信任者又ハ信任者ナキ場合ハ保護國ノ代表者ノ仲介ニ依リ其ノ要求ヲ提出セシムル自由ヲ有ス

第三十二條

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俘虜ヲ不健康又ハ危険ナル労働ニ使役スベカラズ
懲罰ノ手段トシテ労働條件ノ一切ノ加重ハ禁止セラル

Doc 176-P14

Doc 176-P12

移送三開
スル措置

債權者、
移送

移送ノ場合ニハ俘虜ハ其ノ新ナル目的地ヲ公ニ宣告セラレベシ俘虜ハ其ノ個人用品、通信及自己宛小
包ヲ携帶スルコトヲ許サルベシ
舊收容所ニ宛テラレタル通信及小包ヲ遲滞ナク俘虜ニ轉送セラレル爲有用ナル一切ノ措置執ラレベシ
移送セラレタル俘虜ノ勘定ニ屬スル預金ハ該俘虜ノ新居所ノ權限アル官憲ニ轉送セラレベシ
移送ニ依リ費サレタル費用ハ捕獲國ノ負擔タルベシ

第二十六條

トナカレベシ

作戰ノ進行上必要ナラザル限り傷病俘虜ハ旅行ニ依リ其ノ恢復ヲ妨グラルル虞アル間移送セラレルコ
トナカレベシ

第二十五條

第八章 俘虜ノ移送

スベシ俘虜ヨリ取上グラレ又ハ留保セラレタル超過額ハ俘虜ニ依リ爲サレタル預金ト同様俘虜ノ勘定
ニ記入セラレベク且其ノ同意ナクシテ他ノ種ノ貨幣ニ換ヘラレコトナカレベシ
俘虜ノ勘定ノ貸方額ハ拘束ノ終了ニ際シ俘虜ニ支拂ハレベシ
拘束期間中俘虜ハ右金額ノ全部又ハ一部ヲ其ノ本國ノ銀行又ハ個人ニ移送スルニ付便宜ヲ供與セラレ
ベシ

Doc 176-P11

及所持
預金
及預金

將校ノ食
料及衣服

交戰者ハ戰爭開始後直ニ各種ノ階級及役種ノ俘虜ヲ所持スルコトヲ許サルベキ現金ノ最高限額ヲ協定
ス

第二十四條

係給トシテ俘虜ニ爲サレタル一切ノ支拂ハ俘虜ノ服役シタル國ニ依リ戰爭終了後返済セラレベシ
ケル相場適用セラレベシ

交戰者ハ右ノ支拂ニ適用セラレベキ爲替相場ヲ協定スベシ此ノ種ノ協定ナキトキハ戰爭開始ノ際ニ於
テ

第二十三條

交戰國間ノ特別協定時ニ第二十四條ニ規定スル協定ヲ留保シ俘虜タル將校及之ニ準ズル者ハ捕獲國ヨ
リ該國軍ノ相當階級ノ將校ト同一ノ係給ヲ受クベシ但シ該係給ハ俘虜方其ノ勤務シタル國ノ軍ニ於テ
受クル權利ヲ有スル係給ヲ超過スルコトヲ得ズ右係給ハ出来得レバ月ニ一回金額ヲ支拂ハルベク且捕
獲國ノ負擔ト爲ルベキ支出ガ俘虜ノ利益ノ爲ナリシ場合ト雖モ該支出ノ爲何等減額ヲ爲スコトヲ得
ズ

第七章 俘虜ノ金錢收入

該將校及之ニ準ズル者ハ捕獲國ニ依リ支拂ハルル係給ヲ以テ其ノ食糧及被服ヲ求ムベシ將校自身ニ依
ル日用品ノ管理ハ諸般ノ便宜ヲ與ヘラルベシ

將校收容所
の從者
ケ

遇候、作

通知
相互

用語

勲章及勳

將校收容所ノ用務ヲ辨ゼシムル爲將校ト同一軍ニ屬スル兵卒タル俘虜ニシテ且出來得ル限り同國語ヲ
話ス者ヲ該將校收容所ニ派遣スベシ右兵卒ノ數ハ將校及之ニ準ズル者ノ階級ヲ考慮シ充テナル數タル

第二十二條

俘虜タル將校及之ニ準ズル者ハ其ノ階級及年齡ニ相當スル敬意ヲ以テ待遇セラレベシ
國軍内ニ於テ使用セラレル稱號及階級ヲ相互的ニ通知スルノ義務ヲ有スベシ
戰爭開始後直ニ交戰者ハ相當階級ノ將校及之ニ準ズル者ノ間ニ於ケル待遇ノ平等ヲ確保スル爲ニ各自

第二十一條

第六章 將校及之ニ準ズル者ニ關スル特別規定

義採用セラレベシ

一切ノ規則、命令、通告及公告ハ俘虜ノ了解スル國語ヲ以テ通知ユラルベシ訊問ニ關シテモ同様ノ主

第二十條

階級ノ徽章及勳章ノ佩用ハ許サレベシ

第十九條

校ニ對シテ敬禮スル義務アルモノトス
俘虜タル將校ハ捕獲國ノ上級又ハ同階級ノ將校ニ對シテノ敬意スル義務アルモノトス

醫
務
所

醫
務
的
及
智
的
操
練

俘虜ハ自國軍内ニ於テ自國人ニ關シテ現ニ行ハル規則ニ依リ定メラレタル儀式ノ外捕獲國ノ一切ノ將
各俘虜收容所ハ責任アル將校ノ管下ニ置カレベシ

第十八條

第五章 俘虜收容所内ノ規律

交戰者ハ出來得ル限り俘虜ノ計畫スル智的及體育的操練ヲ獎勵スベシ

第十七條

ルコトヲ許サレベシ

俘虜ニシテ或宗派ノ司教タル者ハ該宗派ノ名稱如何ニ拘ラズ自由ニ同宗派ニ屬スル者ノ間ニ宗教ヲ司
付一切ノ自由ヲ與ヘラレ其ノ宗派ノ禮拜式ニ參列スルコトヲ得ベシ
俘虜ハ軍事官憲ノ定ムル秩序及取締ニ關スル規定ニ服スルコトヲ唯一ノ條件トシテ其ノ宗教ノ進行ニ

第十六條

第四章 俘虜ノ智的及運價的要望

俘虜ノ醫學的檢査ハ少クモ月ニ一回爲サレベシ該檢査ハ一般ノ健康狀態及清潔狀態ノ監督並ニ傳染病
特ニ結核及花柳病疾患ノ檢出ヲ目的トス

第十五條

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將校收容所ニ於ケル從軍者ノ待遇

階級及階級ノ相互通知

用語

軍章及勳章

將校收容所ノ用務ヲ辨ゼシムル爲將校ト同一軍ニ屬スル兵卒タル俘虜ニシテ且出來得ル限リ同國語ヲ話ス者ヲ該將校收容所ニ派遣スベシ右兵卒ノ數ハ將校及之ニ準ズル者ノ階級ヲ考慮シ充分ナル數タル

第二十二條

俘虜タル將校及之ニ準ズル者ハ其ノ階級及年齡ニ相當スル敬意ヲ以テ待遇セラレベシ
國軍内ニ於テ使用セラレル稱號及階級ヲ相互的ニ通知スルノ義務ヲ有スベシ
戰爭開始後直ニ交戦者ハ相當階級ノ將校及之ニ準ズル者ノ間ニ於ケル待遇ノ平等ヲ確保スル爲ニ各自

第二十一條

第六章 將校及之ニ準ズル者ニ關スル特別規定

義採用セラレベシ

一切ノ規則、命令、通告及公告ハ俘虜ノ了解スル國語ヲ以テ通知ハラルベシ訊問ニ關シテモ同様ノ主義採用セラレベシ

第二十條

階級ノ徽章及勳章ノ佩用ハ許サルベシ

第十九條

校ニ對シテ敬禮スル義務アルモノトス
俘虜タル將校ハ捕獲國ノ上級又ハ同階級ノ將校ニ對シテラノニ敬意アル義務アルモノトス

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將校收容所

智的及精神的訓練

軍

健康診断

俘虜ハ自國軍内ニ於テ自國人ニ關シテ現行ハル規則ニ依リ定メラレタル禮式ノ外捕獲國ノ一切ノ將校收容所ハ責任アル將校ノ管下ニ置カレベシ

第十八條

第五章 俘虜收容所内ノ規律

交戦者ハ出來得ル限リ俘虜ノ計畫スル智的及體育的操業ヲ獎勵スベシ

第十七條

レコトヲ許サルベシ

俘虜ニシテ或宗派ノ可數タル者ハ該宗派ノ名稱如何ニ拘ラズ自由ニ同宗派ニ屬スル者ノ間ニ宗教ヲ司付一切ノ自由ヲ與ヘラレ其ノ宗派ノ禮拜式ニ參與スルコトヲ得ベシ

第十六條

第四章 俘虜ノ智的及道徳的要望

特ニ結核及花柳病疾患ノ檢出ヲ目的トス

第十五條

俘虜ノ醫學的檢査ハ少クモ月ニ一回爲サレベシ該檢査ハ一般ノ健康狀態及清潔狀態ノ監視及ニ傳染病

Doc 176-P9

醫 療

各收容所ハ醫務室ヲ備ヘ仔虜ガ其ノ必要トスルコトアルベキ有ラユル性質ノ手當ヲ受クルコトヲ得ベシ
 必要ニ應ジ隔離室ハ傳染病患者ノ用ニ供セラレベシ
 治療ノ費用（補使用假裝置ノ費用ヲ含ム）ハ捕獲國ノ負擔タルベシ
 交戦者ハ要求アリタルトキハ治療ヲ受ケタル一切ノ仔虜ニ對シ其ノ病氣ノ性質及期間並ニ受ケタル手當ヲ示ス公ノ證明書ヲ交付スルノ義務アルベシ
 交戦者ハ特別協定ニ依リ醫師及看護人ヲ收容所内ニ留メ置キ之ト同國籍ノ仔虜ヲ介抱セシムルノ權利ヲ相互的ニ有スルコトヲ得ベシ
 仔虜ニシテ重病ニ罹リタル者又ハ其ノ病狀ガ重大ナル外科手術ヲ必要トスル者ハ捕獲國ノ費用ヲ以テ此等仔虜ヲ治療スルコトヲ得ベキ一切ノ軍用又ハ民間ノ病院ニ收容セラレベシ

第十四條

仔虜ハ運動ヲ爲シ及外氣ニ當ル機會ヲ與ヘラルベシ
 仔虜ノ生理的法則ニ適ヒ且常ニ清潔ニ保持セラレタル設備ヲ日夜供セラレベシ
 右ノ外收容所ガ出來得ル限リ設備スベキ浴場及濯水浴場ノ外ニ仔虜ハ身體ノ清潔ヲ保ツ爲充分ナル水ヲ供給セラレベシ

Doc 176-P8

衛生的措置

保 護 原 則

食 糧

仔虜ノ定糧ハ其ノ量及質ニ於テ補充部隊ノモノト同一タルベシ
 右ノ外仔虜ハ其ノ處分シ得ル食糧補品ヲ自ラ調理スル手授テ供セラレベシ
 飲料水ハ充分ニ供給セラレベシ喫煙ハ許サレベシ仔虜ハ炊事場ニ使役セラレコトヲ得ベシ
 食糧ニ關スル一切ノ團體的懲罰手段ハ之ヲ禁止ス
 第十一條

被服、下着及靴ハ捕獲國ニ依リ仔虜ニ支給セラレベシ此等用品ノ交換及修理ハ規則的ニ爲サレベシ右ノ外勞働者ハ勞働ノ性質上必要ナル場合ハ何處ニ於テモ勞働服ヲ支給セラレベシ
 各收容所内ニハ預保ヲ設ケ仔虜ヲシテ地方の市價ヲ支拂ヒテ食料品及日用品ヲ購買シ得セシムベシ
 預保ニ依リ收容所管理都ノ收ムル利益ハ仔虜ノ爲ニ利用セラレベシ
 第三章 仔虜收容所ノ衛生

交戦者ハ收容所ノ清潔及衛生ヲ確保シ且傳染病預防ノ爲必要ナル一切ノ衛生的措置ヲ執ル義務アルベシ

第十三條

第十二條

第十一條

第二章 仔虜ノ食糧及被服

留置、
閉又ハ
禁足

不健康地
及有害地
ヨリノ移

異人種及
異国籍人
ノ分離收
容
危険地域
ノ回避

宿泊所

寢室

第九條

俘虜ハ一定ノ地域外ニ出ヅル義務ヲ負ハシメテ之ヲ都市、城塞其ノ他ノ場所ニ留置スルコトヲ得ベシ
シ俘虜ハ又垣ヲ繞ラセル營内ニ留置スルコトヲ得ベシ幽閉又ハ禁足ハ已ムヲ得ザル保安又ハ衛生上ノ
手段トシテ且該手段ヲ必要トスル事情ノ繼續中ニ限り之ヲ爲スコトヲ得ベシ

不健康地ニ於テ又ハ氣候溫和ナル土地ヨリ來レル者ニ對シ有害ナル氣候ノ地ニ於テ捕ヘラレタル俘虜
ハ成ルベク速ニ一層良好ナル氣候ノ地ニ移サルベシ

交戦者ハ同一收容所内ニ異人種又ハ異国籍ノ俘虜ヲ收容スルコトヲ出來得ル限り避クベシ

俘虜ハ如何ナル時タルヲ問ハズ戰闘區域ノ戦火ニ曝サルベキ地域ニ移送サルコトナク又其ノ所在ニ
依リ或地點又ハ或地域ヲ砲爆撃ヨリ避クシムル爲ニ利用セララルコトナカルベシ

第一章 俘虜收容所ノ設備

第十條

俘虜ハ衛生及保健ニ付出來得ル限りノ保障アル建物又ハ假建物内ニ宿泊セシメラルベシ

該宿泊所ハ全然濕氣ヲ避ケ、必要ノ程度ニ保温且照明セラルベシ火災ノ危険ニ對シテハ一切ノ豫防法
講ゼラルベシ

寢室(總面積、最少氣容、寢具ノ設備及材料)ニ關シテハ捕獲國ノ補充部隊ニ對スルト同一條件タル

南洋捕獲
ノ場合

家族トノ
通信

捕獲及宛
名ニ關ス
ル相互通
告

無益ニ危
険ニ曝ス
コトヲ得
ズ
徒歩ニ依
ル後送

危險區域
ニ留置シ
得ル場合

後送セラルベシ

俘虜ニシテ負傷又ハ病氣ノ爲後送スルコトガ現地ニ留ルヨリモ一層危險ナル者ニ限り一時危險區域ニ

留置セラルルコトヲ得ベシ

俘虜ハ戰鬪區域ヨリ後送セラルル前無益ニ危險ニ曝サルルコトナカルベシ

徒歩ニ依ル俘虜ノ後送ハ通常一日二十キロメートルノ旅程ヲ以テ爲スベキモノトス但シ水及食料ノ貯

藏所ニ到達スル必要上一層長キ旅程ヲ必要トスル場合ハ此ノ限ニ在ラズ

第八條

交戦者ハ第七十七條ニ規定スル俘虜情報局ヲ通ジ成ルベク速ニ一切ノ俘虜ノ捕獲ヲ相互的ニ通告スルノ義務ヲ有ス交戦國ハ又俘虜ニ宛テタル家族ノ通信ノ到達スベキ公ノ宛名ヲ相互的ニ通告スルノ義務ヲ有ス

一切ノ俘虜ハ成ルベク速ニ第三十六條及以下ニ規定スル條件ノ下ニ自ラ家族ト通信スルコトヲ得セシメラルベシ

海洋ニ於テ捕ヘラレタル俘虜ニ關シテハ本條ノ規定ハ港ニ到着後成ルベク速ニ適用セラルベシ

第二款 俘虜收容所

Doc 176-P5

| |
|---------------|
| 危険区域 送 |
| 身分證明 有者ノ保明 |
| 金銀ノ取 |
| 保身ノ特 品 |
| 身分 ハコト能示 |
| 情報 ヲ強要セ |

若右ノ規定ニ背クトキハ同種ノ俘虜ニ與ヘタル利益ヲ制限セララルベシ

俘虜ノ所屬軍又ハ其ノ國ノ狀況ニ關スル情報ヲ獲得スル爲メ俘虜ニ何等ノ拘束モ加ヘララルコトナカルベシ

同答ヲ拒絕スル俘虜ハ脅迫、侮辱ヲ受クルコトナカルベシ又如何ナル性質タルラ間ハズ不快又ハ利益ヲ被ラシメラルコトナカルベシ

俘虜ニシテ肉體又ハ精神ノ理由ニ依リテノ身分ヲ示スコト能ハザル者ハ衛生部ニ委託セララルベシ

第六條

個人用ノ衣類及物品(武器、馬匹、軍用裝具及軍用書類ヲ除ク)故ニ金屬兜及瓦斯豫防マスクハ俘虜ノ保有タルベシ

俘虜ノ所持スル金銀、將校ノ命ニ依リ且金額ヲ檢證シタル後ニ非ザレバ取上グルコトヲ得ザラルベシ

上グル金額ニ付テハ受取證ヲ交付スベシ右金銀ハ各俘虜ノ勘定ニ記入セララルベシ

身分證明書、階級ノ徽章、勳章及貴重品ハ俘虜ヨリ取上グルコトヲ得ザラルベシ

第七條

第一條 第一款 俘虜ノ後送

第三條 拘束

俘虜ハ危險圏外ニ置カラル爲メ捕獲後成ルベク速ニ戰闘區域ヨリ充分遠サガリタル地域ニ在ル收容所ニ

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| |
|--------------|
| 姓名 氏名 |
| 階級 及官階 |
| 待遇ノ差 |
| 給與 食糧 |
| 捕獲 能力 |
| 人格 及名譽 |
| 禁止 手段 |
| 保 護 |
| 敵國ノ 内ニ屬スル |

第二條

俘虜ハ敵國ノ權内ニ屬シ之ヲ捕ヘタル個人又ハ部隊ノ權内ニ屬スルコトナシ

俘虜ハ常ニ博愛ノ心ヲ以テ取扱ハラルベク且暴行、侮辱及公衆ノ好奇心ニ對シテ特ニ保護セララルベシ

俘虜ニ對スル報復手段ハ禁止ス

第三條

俘虜ハ其ノ人格及名譽ヲ尊重セララルベキ權利ヲ有ス婦人ハ女性ニ對スル一切ノ斟酌ヲ以テ待遇セララルベシ

俘虜ハ其ノ私權ノ完全ナル享有能力ヲ保持ス

第四條

俘虜捕獲國ハ俘虜ヲ給與スルノ義務ヲ負フ

俘虜ノ待遇ノ差別ハ其ノ待遇ヲ受クル者ノ軍事ノ階級、肉體又ハ精神ノ健康狀態、職業ノ技能又ハ性ノ區別ニ基クニ非ザレバ不法トス

第五條

第二條 捕獲

俘虜ハ其ノ氏名及階級又ハ登録番號ニ付訊問ヲ受ケタルトキハ實ヲ以テ答フベキモノトス

ロウキア「共和国大統領」、トルコ「共和国大統領」、ラトル「共和国大統領」、グエネエラ「合衆共

和國大統領、

戰爭ナル極端ノ場合ニ於テ能ク限リ其ノ避クベカラザル被害ヲ輕減シ且停戦ノ状態ヲ緩和スルコトハ

一切ノ國ノ義務タルコトヲ認メ

「ヘイグ」ノ國際條約殊ニ戰爭法規及慣例ニ關スル條約並ニ之ニ附屬スル規則ヲ作成シタル原則ヲ擴張

セシコトヲ欲シ

之ガ爲條約ヲ締結スルコトニ決シ左ノ如ク各其ノ全權委員ヲ任命セリ

(中略) (帝國全權委員、吉田伊三郎、下村定、三浦省三)

因テ各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルコトヲ認メタル後左ノ如ク協定セリ

第一編 總 則

第一條

本條約ハ第七編ノ規定ヲ容スルコトナク左ノ者ニ適用セラレベシ

(一) 陸戰ノ法規慣例ニ關スル千九百七年十月十八日「ヘイグ」條約附屬規則第一條、第二條及第三條

ニ掲グル一切ノ者ニシテ敵(註)ニ捕ヘラレタル者

(二) 交戰當事者ノ軍ニ屬シ海戰又ハ空戰中ニ於テ敵ニ捕ヘラレタル一切ノ者但シ捕獲ノ狀況ガ本條約

ノ適用ヲ不可能ナラシムル場合ハ此ノ限ニ在ラズ然レドモ右ノ除外ハ本條約ノ基本原則ヲ害スル
コトヲ得ズ捕ヘラレタル者ガ停戦收容所ニ達シタルトキハ直ニ右ノ除外ハ消滅スベシ

(註) 附屬規則

第一條

戰爭ノ法規及權利義務ハ軍ニシテ軍ニ適用スルノミナラズ左ノ條件ヲ具備スル民兵及義勇兵團ニモ亦之ヲ適用ス

一 部下ノ爲ニ責任ヲ負フ者其ノ頭ニ在ルコト

二 進方ヨリ認識シ得ベキ固著ノ特殊徽章ヲ有スルコト

三 公然兵器ヲ携帯スルコト

四 其ノ動作ニ付戰爭ノ法規慣例ヲ遵守スルコト

民兵ハ義勇兵團ヲ以テ軍ノ全部又ハ一部ヲ組織スル時ニ在リテハ之ヲ軍ノ名簿中ニ包含ス

第二條

占領セラレタル地方ノ人民ニシテ敵ノ接近スルニ當リ第一條ニ依リテ組織セラルル進テ侵入軍隊ニ抵抗スル爲メ自ラ兵器ヲ

持ル者ガ公然兵器ヲ携帯シ且戰爭ノ法規慣例ヲ遵守スルトキハ之ヲ交戰者ト認ム

第三條

交戰當事者ノ兵力ハ戰闘員及非戰闘員ヲ以テ之ヲ編成スルコトヲ得敵ニ捕ハレタル場合ニ於テハ二者均シク停戦ノ取扱ヲ受

クルノ權利ヲ有ス

Doc 176-P1

前
文

獨逸國大統領、亞米利加合衆國大統領、埃地利共和國聯邦大統領、白耳義國皇帝陛下、「ボリヴィア」
共和國大統領、「ブラジル」合衆共和國大統領、「グレート、ブリテン」、「アイルランド」及「グレート、
ブリテン」海外領土皇帝印度皇帝陛下、「ブルガリア」國皇帝陛下、「チリ」共和國大統領、中華民國主
席、「コロンビア」共和國大統領、「キューバ」共和國大統領、丁抹國及「アイスランド」國皇帝陛下、「ドミ
ニカ」共和國大統領、「エジプト」國皇帝陛下、西班牙國皇帝陛下、「エストニア」共和國大統領、「フィ
ンランド」共和國大統領、佛蘭西共和國大統領、希臘共和國大統領、「ハンガリー」國攝政殿下、伊太
利國皇帝陛下、日本國皇帝陛下、「ラトヴィア」共和國大統領、「ルクセンブルグ」國大公殿下、「メキシ
コ」合衆國大統領、「ニカラガ」共和國大統領、諾威國皇帝陛下、和蘭國皇帝陛下、「ベルシ」國皇帝
陛下、「ポーランド」共和國大統領、「ポルトガル」共和國大統領、「ルーマニア」國皇帝陛下、「セルブ、
クロアチア、スロヴェニア」國皇帝陛下、暹羅國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、「チラコス

「ジエネヴァ」條約ノ原則ヲ海戰ニ應用スル條約

一九〇七年(明治四〇年)一〇月一八日海牙ニ於テ調印
一九一一年(明治四四年)二月六日批准
同 年 二月二三日批准書寄託
一九一二年(明治四五年)一月二三日公布

獨逸皇帝普魯西國皇帝陛下、亞米利加合衆國大統領、亞爾然丁共和國大統領、奧地利國皇帝「ボヘミア」國皇帝洪牙利國皇帝陛下、白耳義國皇帝陛下、「ボリツア」共和國大統領、伯刺西爾合衆國大統領、勃爾牙利國公殿下、智利共和國大統領、清國皇帝陛下、格倫比亞共和國大統領、玖馬共和國臨時總督、丁株國皇帝陛下、「ドミニカ」共和國大統領、「エクアドル」共和國大統領、西班牙國皇帝陛下、佛蘭西共和國大統領、大不列顛愛蘭聯

CONVENTION

POUR

L'ADAPTATION A LA GUERRE MARITIME DES PRINCIPES DE LA CONVENTION DE GENÈVE.

Signée à la Haye, le 18 Octobre 1907 (40^{me} année de Meiji).

Ratifiée le 6 Novembre 1911 (44^{me} année de Meiji)

Ratification déposée le 13 Décembre de la meme année.

Publiée le 13 Janvier 1912 (45^{me} année de Meiji).

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE; LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE; LE PRÉSIDENT DE LA RÉPUBLIQUE ARGENTINE; SA MAJESTÉ L'EMPEREUR D'AUTRICHE, ROI DE BOHÈME ETC., ET ROI APOSTLIQUE DE HONGRIE; SA MAJESTÉ LE ROI DES BELGES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE, LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL; SON ALTESSE ROYALE LE PRINCE DE BULGARIE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE

合王國大不列顛海外領土皇帝印度皇帝陛下、希臘
 國皇帝陛下、「グアテマラ」共和國大統領、「ハイ
 チ」共和國大統領、伊太利國皇帝陛下、日本國皇
 帝陛下、盧森堡國大公「ナッソー」公殿下、墨西
 哥合衆國大統領、「モンテネグロ」國公殿下、諾威
 國皇帝陛下、巴拿馬共和國大統領、「バラゲー」
 共和國大統領、和蘭國皇帝陛下、秘魯共和國大統
 領、波斯國皇帝陛下、葡萄牙國及「アルガルヴ」
 皇帝陛下、羅馬尼亞國皇帝陛下、全露西亞國皇帝
 陛下、「サルグドル」共和國大統領、塞爾比亞國
 皇帝陛下、暹羅國皇帝陛下、瑞典國皇帝陛下、瑞
 西聯邦政府、土耳其國皇帝陛下、東「ウルグエ」
 共和國大統領、「グエネズエラ」合衆國大統領ハ互
 ニ其ノ力ノ及フ限戰爭ニ避クヘカラサル禍害ヲ輕
 減セムコトヲ希望シ此ノ目的ヲ以テ千九百六年七
 月六日ノ「ジネヴァ」條約ノ原則ヲ海戰ニ應用セ
 ムト欲シ之ニ關スル千八百九十九年七月二十九日
 ノ條約ヲ改正スル爲條約ヲ締結スルニ決シ各左ノ
 全權委員ヲ任命セリ

CHILI; SA MAJESTÉ L'EMPEREUR DE CHINE; LE
 PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; LE
 GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE
 CUBA; SA MAJESTÉ LE ROI DE DANEMARK; LE
 PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE
 PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR;
 SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT
 DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE
 ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET
 D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU
 DELA DES MERS, EMPEREUR DES INDES; SA MAJE-
 STÉ LE ROI DES HELLÈNES; LE PRÉSIDENT DE LA
 RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE
 LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI
 D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON;
 SON ALTESSE ROYALE LE GRAND-DUC DE LUXEM-
 BOURG, DUC DE NASSAU; LE PRÉSIDENT DES
 ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE
 PRINCE DE MONTÉNÉGRE; SA MAJESTÉ LE ROI DE
 NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE
 PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU
 PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS;
 LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA
 MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA

獨逸皇帝普魯西國皇帝陛下

國務大臣、土耳其國駐劄特命全權大使、男爵
 マルシャル、ド、ビーベルスタイン

MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES,
 ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA
 MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES;
 LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR;
 SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE
 ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE
 CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPE-
 REUR DES OTTOMANS; LE PRÉSIDENT DE LA RÉ-
 PUBLIQUE ORIENTALE DE L'URUGUAY; LE PRESI-
 DENT DES ÉTATS-UNIS DE VÉNÉZUÉLA:

Egalement animés du désir de diminuer,
 autant qu'il dépend d'eux, les maux inséparables
 de la guerre;

Et voulant, dans ce but, adapter à la guerre
 maritime les principes de la Convention de
 Genève du juillet 1906;

Ont résolu de conclure une Convention à l'effet
 de réviser la Convention du 29 juillet 1899 rela-
 tive à la même matière et ont nommé pour Leurs
 Plénipotentiaires, savoir:

SA MAJESTÉ L'EMPEREUR D'ALLE-
 MAGNE, ROI DE PRUSSE:

Son Excellence le baron MARSHALL DE BIEBER-
 STEIN, Son ministre d'état, Son ambassadeur
 extraordinaire et plénipotentiaire à Constanti-
 nople;

合王國大不列顛海外領土皇帝印度皇帝陛下、希臘國皇帝陛下、「グアテマラ」共和國大統領、「ハイチ」共和國大統領、伊太利國皇帝陛下、日本國皇帝陛下、盧森堡國大公「ナッソー」公殿下、墨西哥合衆國大統領、「モンテネグロ」國公殿下、諾威國皇帝陛下、巴拿馬共和國大統領、「バラグエー」共和國大統領、和蘭國皇帝陛下、秘魯共和國大統領、波斯國皇帝陛下、葡萄牙國及「アルガルヴ」皇帝陛下、羅馬尼亞國皇帝陛下、全露西亞國皇帝陛下、「サルヴトル」共和國大統領、塞爾比亞國皇帝陛下、遊羅國皇帝陛下、瑞典國皇帝陛下、瑞西聯邦政府、土耳其國皇帝陛下、東「ウルグエー」共和國大統領、「ヴェネズエラ」合衆國大統領ハ互ニ其ノ力ノ及フ限戰爭ニ避クヘカラサル禍害ヲ輕減セムコトヲ希望シ此ノ目的ヲ以テ千九百六年七月六日ノ「シエネツァ」條約ノ原則ヲ海戰ニ應用セムト欲シ之ニ關スル千八百九十九年七月二十九日ノ條約ヲ改正スル爲條約ヲ締結スルニ決シ各左ノ全權委員ヲ任命セリ

CHILI; SA MAJESTÉ L'EMPEREUR DE CHINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE; LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA; SA MAJESTÉ LE ROI DE DANEMARK; LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR; SA MAJESTÉ LE ROI D'ESPAGNE; LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE; SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES; SA MAJESTÉ LE ROI DES HELLENES; LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA; LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI; SA MAJESTÉ LE ROI D'ITALIE; SA MAJESTÉ L'EMPEREUR DU JAPON; SON ALTESSE ROYALE LE GRAND-DUC DE LUXEMBOURG, DUC DE NASSAU; LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS; SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGRO; SA MAJESTÉ LE ROI DE NORVÈGE; LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY; SA MAJESTÉ LA REINE DES PAYS-BAS; LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU; SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE; SA

獨逸皇帝普魯西國皇帝陛下

國務大臣、土耳其國駐劄特命全權大使、男爵
マルシャル、ド、ビーベルスタイン

MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, ETC.; SA MAJESTÉ LE ROI DE ROUMANIE; SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES; LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR; SA MAJESTÉ LE ROI DE SERBIE; SA MAJESTÉ LE ROI DE SIAM; SA MAJESTÉ LE ROI DE SUÈDE; LE CONSEIL FÉDÉRAL SUISSE; SA MAJESTÉ L'EMPEREUR DES OTTOMANS; LE PRÉSIDENT DE LA RÉPUBLIQUE ORIENTALE DE L'URUGUAY; LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNÉZUÉLA:

Egalement animés du désir de diminuer, autant qu'il dépend d'eux, les maux inséparables de la guerre;

Et voulant, dans ce but, adapter à la guerre maritime les principes de la Convention de Genève du juillet 1906;

Ont résolu de conclure une Convention à l'effet de réviser la Convention du 29 juillet 1899 relative à la même matière et ont nommé pour Leurs Plénipotentiaires, savoir:

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE:

Son Excellence le baron MARSCHALL DE BIBERSTEIN, Son ministre d'état, Son ambassadeur extraordinaire et plénipotentiaire à Constantinople;

本會議特派委員、「コンセイエー、アンチー
ム、ド、レガシオン」、帝國外務省法律顧問、
常設仲裁裁判所裁判官、「ドクトル」ヨハン
ネス、クリーグ

亞米利加合衆國大統領

特命大使ジューセフ、エツチ、チ「ート

特命大使ホレニス、ポーター

特命大使ユリアー、エム、ローズ

和蘭國駐劄特命全權公使デグライド、ジエーン、
ヒル

海軍少將、全權公使チャールス、エス、スペ
リー

陸軍少將、合衆國陸軍軍法會議長、全權公使
ジョージ、ビー、デーヴィス

全權公使ウィリアム、アイ、ブカナン

M. le dr. JOHANNIS KRIEGE, Son envoyé en
mission extraordinaire à la présente Conférence,
Son conseiller intime de légation et juriscou-
sulte au ministère Impérial des affaires étran-
gères, membre de la cour permanente d'arbitrage.

LE PRÉSIDENT DES ÉTATS-UNIS
D'AMÉRIQUE :

Son Excellence M. JOSEPH H. CHOATE, ambas-
sadeur extraordinaire ;

Son Excellence M. HORACE PORTER, ambassadeur
extraordinaire ;

Son Excellence M. URIAH M. ROSE, ambassadeur
extraordinaire ;

Son Excellence M. DAVID JAYNE HULL, envoyé
extraordinaire et ministre plénipotentiaire de
la République à La Haye ;

M. CHARLES S. SPERRY, contre-amiral, ministre
plénipotentiaire ;

M. GEORGES B. DAVIS, général de brigade, chef
de la justice militaire de l'armée fédérale,
ministre plénipotentiaire ;

M. WILLIAM I. BUCHANAN, ministre pléni-
potentiaire.

亞爾然丁共和國大統領

前外務大臣、伊國駐劄特命全權公使、常設仲
裁裁判所裁判官ロケ、サエンツ、ベニヤ

前外務及教務大臣、下院議員、常設仲裁裁判
所裁判官ルイス、エム、ドラゴ

前外務及教務大臣、常設仲裁裁判所裁判官カ
ルロス、ロドリゲス、ラレタ

奧地利國皇帝「ボヘミヤ」國皇帝洪牙利國皇帝
陛下

「コンセイエー、アンチーム」、特命全權大使
ゲイタン、メレイド、カボスマレ

希臘國駐劄特命全權公使、男爵シヤール、ド、
マッキオ

LE PRÉSIDENT DE LA RÉPUBLIQUE
ARGENTINE :

Son Excellence M. ROQUE SAENZ PESA, ancien
ministre des affaires étrangères, envoyé ex-
traordinaire et ministre plénipotentiaire de la
République à Rome, membre de la cour per-
manente d'arbitrage ;

Son Excellence M. LUIS M. DRAGO, ancien
ministre des affaires étrangères et des cultes
de la République, député national, membre de
la cour permanente d'arbitrage ;

Son Excellence M. CARLOS RODRIGUEZ LARRETA,
ancien ministre des affaires étrangères et des
cultes de la République, membre de la cour
permanente d'arbitrage.

SA MAJESTÉ L'EMPEREUR D'AUT-
RICHE, ROI DE BOHÈME, ETC., ET
ROI APOSTOLIQUE DE HONGRIE :

Son Excellence M. GAËTAN MÉREY DE KAPOŠ-
MÉRE, Son conseiller intime, Son ambassadeur
extraordinaire et plénipotentiaire ;

Son Excellence M. le baron CHARLES DE MAC-
CHIO, Son envoyé extraordinaire et ministre
plénipotentiaire à Athènes.

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| <p>白耳義國皇帝陛下 國務大臣、代議院議員、佛國學士院會員、白耳義國學士院會員、羅馬尼亞國學士院會員、國際法學會名譽會員、常設仲裁裁判所裁判官ベルナール</p> <p>國務大臣、前司法大臣シー、ウアン、デン、ヒューベル</p> <p>和蘭國駐劄特命全權公使、羅馬尼亞國學士院會員、男爵ギョーリム</p> <p>「ボリウイア」共和國大統領</p> <p>外務大臣、常設仲裁裁判所裁判官クラウヂオ、ピニラ</p> <p>英國駐劄特命全權公使フェルナンド、エ、グ、チャラ</p> <p>伯刺西爾合衆國大統領</p> | <p>SA MAJESTE LE ROI DES BELGES :</p> <p>Son Excellence M. BEERNAERT, Son ministre d'état, membre de la chambre des représentants, membre de l'institut de France et des académies Royales de Belgique et de Roumanie, membre d'honneur de l'institut de droit international, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. J. VAN DEN HEUVEL, Son ministre d'état, ancien ministre de la justice ;</p> <p>Son Excellence M. le baron GUILLAUME, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye, membre de l'académie Royale de Roumanie.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE :</p> <p>Son Excellence M. CLAUDIO PINILLA, ministre des affaires étrangères de la République, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. FERNANDO E. GUACHALLA, ministre plénipotentiaire à Londres.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL :</p> |
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| <p>特命全權大使、常設仲裁裁判所裁判官ルイ、バルボサ</p> <p>和蘭國駐劄特命全權公使エツアルド、エフ、エス、ドス、サントス、リスボア</p> <p>勃爾牙利國公殿下</p> <p>陸軍參謀少將、侍從將官ウルバン、ヴィナロフ</p> <p>大審院檢事總長イヴァン、カランジウロフ</p> <p>智利共和國大統領</p> <p>英國駐劄特命全權公使ドミンゴ、ガナ</p> <p>獨逸國駐劄特命全權公使アウグスト、マッテ</p> <p>前陸軍大臣、前代議院議長、前亞爾然丁國駐劄特命全權公使カルロス、コンチヤ</p> | <p>Son Excellence M. RUY BARBOSA, ambassadeur extraordinaire et plénipotentiaire, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. EDUARDO F. S. DOS SANTOS LISBOA, envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>SON ALTESSE ROYALE LE PRINCE DE BULGARIE :</p> <p>M. VRBAN VINAROFF, général-major de l'état-major, Son général à la suite ;</p> <p>M. IVAN KARANDJOULOFF, procureur-général de la cour de cassation.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE CHILI :</p> <p>Son Excellence M. DOMINGO GANA, envoyé extraordinaire et ministre plénipotentiaire de la République à Londres ;</p> <p>Son Excellence M. AUGUSTO MATTE, envoyé extraordinaire et ministre plénipotentiaire de la République à Berlin ;</p> <p>Son Excellence M. CARLOS CONCHA, ancien ministre de la guerre, ancien président de la chambre des députés, ancien envoyé extraordi-</p> |
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| <p>白耳義國皇帝陛下 國務大臣、代議院議員、佛國學士院會員、白耳義國學士院會員、羅馬尼亞國學士院會員、國際法學會名譽會員、常設仲裁裁判所裁判官ベルナール</p> <p>國務大臣、前司法大臣ジ、ウ、ン、テン、ヒ、ム、ー、ベル</p> <p>和蘭國駐劄特命全權公使、羅馬尼亞國學士院會員、男爵ギ、ー、ヨ、ー、ム</p> <p>「ボリヴィア」共和國大統領</p> <p>外務大臣、常設仲裁裁判所裁判官クラウチオ、ビニラ</p> <p>英國駐劄特命全權公使フ、エ、ル、ナ、ン、ド、エ、グ、ラ、チ、ャ</p> <p>伯刺西爾合衆國大統領</p> | <p>SA MAJESTÉ LE ROI DES BELGES : Son Excellence M. BEERNAERT, Son ministre d'état, membre de la chambre des représentants, membre de l'institut de France et des académies Royales de Belgique et de Roumanie, membre d'honneur de l'institut de droit international, membre de la cour permanente d'arbitrage ; Son Excellence M. J. VAN DEN HEUVEL, Son ministre d'état, ancien ministre de la justice ; Son Excellence M. le baron GUILLAUME, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye, membre de l'académie Royale de Roumanie.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE BOLIVIE : Son Excellence M. CLAUDIO PINILLA, ministre des affaires étrangères de la République, membre de la cour permanente d'arbitrage ; Son Excellence M. FERNANDO E. GUACHALLA, ministre plénipotentiaire à Londres.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DES ÉTATS-UNIS DU BRÉSIL :</p> |
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| <p>特命全權大使、常設仲裁裁判所裁判官ルイ、バルボサ</p> <p>和蘭國駐劄特命全權公使エ、ヅ、ア、ル、ド、エ、フ、エ、ス、ド、ス、サ、ン、ト、ス、リ、ス、ボ、ア</p> <p>勃爾牙利國公殿下</p> <p>陸軍參謀少將、侍從將官ヴ、ル、バ、ン、ウ、イ、ナ、ロ、フ</p> <p>大審院檢察總長イ、ヴ、ア、ン、カ、ラ、ン、ジ、ウ、ロ、フ</p> <p>智利共和國大統領</p> <p>英國駐劄特命全權公使ド、ミ、ン、ゴ、ガ、ナ</p> <p>獨逸國駐劄特命全權公使ア、ウ、グ、ス、ト、マ、ツ、テ</p> <p>前陸軍大臣、前代議院議長、前亞爾然丁國駐劄特命全權公使カ、ル、ロ、ス、エ、ン、チ、ャ</p> | <p>Son Excellence M. RUY BARBOSA, ambassadeur extraordinaire et plénipotentiaire, membre de la cour permanente d'arbitrage ; Son Excellence M. EDUARDO F. S. DOS SANTOS LISBOA, envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>SON ALTESSE ROYALE LE PRINCE DE BULGARIE : M. VRBAN VINAROFF, général-major de l'état-major, Son général à la suite ; M. IVAN KARANDJULOFF, procureur-général de la cour de cassation.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE CHILI : Son Excellence M. DOMINGO GANA, envoyé extraordinaire et ministre plénipotentiaire de la République à Londres ; Son Excellence M. AUGUSTO MATTE, envoyé extraordinaire et ministre plénipotentiaire de la République à Berlin ; Son Excellence M. CARLOS CONCHA, ancien ministre de la guerre, ancien président de la chambre des députés, ancien envoyé extraordi-</p> |
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清國皇帝陛下

特命大使陸徵祥

和蘭國駐劄特命全權公使錢恂

格倫比亞共和國大統領

陸軍將官ホルヘ、ホルグイン

サンチアゴ、ベレス、トリアナ

佛國駐劄特命全權公使、陸軍將官マルセリア

ノ、ガルガス

玖馬共和國臨時總督

「ハヴァナ」大學國際法教授、上院議員アント

ニオ、サンチェス、デ、スタマンテ

米國駐劄特命全權公使、ゴンザロ、デ、クエサ

ダイ、アロステグイ

naire et ministre plénipotentiaire à Buenos Aires.

SA MAJESTE L'EMPEEUR DE CHINE :

Son Excellence M. LOU-TSENG-TSIANG, Son ambassadeur extraordinaire ;

Son Excellence M. TSIEN-SUN, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE :

M. JORGE HOLGUIN, général ;

M. SANTIAGO PÉREZ TRIANA ;

Son Excellence M. MARCELIANO VARGAS, général, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris.

LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA :

M. ANTONIO SANCHEZ DE BUSTAMANTE, professeur de droit international à l'université de la Havane, sénateur de la République ;

Son Excellence M. GONZALO DE QUESADA Y ARÓSTEGUI, envoyé extraordinaire et ministre plénipotentiaire de la République à Washington ;

前「ハヴァナ」中學校長、上院議院マヌエル、サングイリ

丁 扶國皇帝陛下

侍從、米國駐劄特命全權公使コンスタンチン、ブロン

海軍少將クリスチアン、フレデリック、シエレル

侍從、外務省課長アクセル、グニデル

「ドミニカ」共和國大統領

前外務大臣、常設仲裁裁判所裁判官フランシスコ、ヘンリケス、イ、カルヴァハル

共和國専門學校長、常設仲裁裁判所裁判官アポリナル、テヘラ

「エクアドル」共和國大統領

佛國駐劄兼西班牙班國駐劄特命全權公使ヴィク

M. MANUEL SANGUILY, ancien directeur de l'institut d'enseignement secondaire de la Havane, sénateur de la République.

SA MAJESTÉ LE ROI DE DANEMARK :

Son Excellence M. CONSTANTIN BRUN, Son chambellan, Son envoyé extraordinaire et ministre plénipotentiaire à Washington ;

M. CHRISTIAN FREDERIK SCHELLER, contre-amiral ;

M. AXEL VEDEL, chambellan, chef de section au ministère Royal des affaires étrangères.

LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE :

M. FRANCISCO HENRIQUEZ Y CARVAJAL, ancien secrétaire d'état au ministère des affaires étrangères de la République, membre de la cour permanente d'arbitrage ;

M. APOLINAR TEJERA, recteur de l'institut professionnel de la République, membre de la cour permanente d'arbitrage.

LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR :

Son Excellence M. VICTOR RENDÓN, envoyé ex-

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| <p>清國皇帝陛下 特命大使陸徵祥 和蘭國駐劄特命全權公使錢恂</p> <p>格倫比亞共和國大統領 陸軍將官ホルヘ、ホルグイン サンチアゴ、ベレス、トリアナ 佛國駐劄特命全權公使、陸軍將官マルセリア ノ、ワルガス</p> <p>玖馬共和國臨時總督 「ハヴナ」大學國際法教授、上院議員アント ニオ、サンチェス、デアスタマンテ 米國駐劄特命全權公使、ゴンザロ、デアクエサ ダイ、アロステグイ</p> | <p>naire et ministre plénipotentiaire à Buenos Aires. SA MAJESTE L'EMPEEUR DE CHINE : Son Excellence M. LOU-TSENG-TSIANG, Son ambassadeur extraordinaire ; Son Excellence M. TSIEN-SUN, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye. LE PRÉSIDENT DE LA RÉPUBLIQUE DE COLOMBIE : M. JORGE HOLGUIN, général ; M. SANTIAGO PÉREZ TRIANA ; Son Excellence M. MARCELIANO VARGAS, général, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris. LE GOUVERNEUR PROVISOIRE DE LA RÉPUBLIQUE DE CUBA : M. ANTONIO SANCHEZ DE BUSTAMANTE, professeur de droit international à l'université de la Havane, sénateur de la République ; Son Excellence M. GONZALO DE QUESADA Y ARÓSTEGUI, envoyé extraordinaire et ministre plénipotentiaire de la République à Washington ;</p> |
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| <p>前「ハヴナ」中學校長、上院議院マヌエル、 サングイリ</p> <p>丁 扶國皇帝陛下 侍從、米國駐劄特命全權公使コンスタンチン、 ブロン 海軍少將クリスチアン、フレデリック、シメル レル 侍從、外務省課長アクセル、ヴェデル</p> <p>「ドミニカ」共和國大統領 前外務大臣、常設仲裁裁判所裁判官フランシ スコ、ヘンリクス、イ、カルヴァル</p> <p>共和國專門學校長、常設仲裁裁判所裁判官ア ポリナル、テヘラ</p> <p>「エクアドル」共和國大統領 佛國駐劄兼西班牙班國駐劄特命全權公使ヴィク</p> | <p>M. MANUEL SANGUILY, ancien directeur de l'institut d'enseignement secondaire de la Havane, sénateur de la République. SA MAJESTÉ LE ROI DE DANEMARK : Son Excellence M. CONSTANTIN BRUN, Son chambellan, Son envoyé extraordinaire et ministre plénipotentiaire à Washington ; M. CHRISTIAN FREDERIK SCHELLER, contre-amiral ; M. AXEL VEDEL, chambellan, chef de section au ministère Royal des affaires étrangères. LE PRÉSIDENT DE LA RÉPUBLIQUE DOMINICAINE : M. FRANCISCO HENRIQUEZ Y CARVAJAL, ancien secrétaire d'état au ministère des affaires étrangères de la République, membre de la cour permanente d'arbitrage ; M. APOLINAR TEJERA, recteur de l'institut professionnel de la République, membre de la cour permanente d'arbitrage. LE PRÉSIDENT DE LA RÉPUBLIQUE DE L'ÉQUATEUR : Son Excellence M. VICTOR RENDÓN, envoyé ex-</p> |
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| <p>トル、ロンドン</p> <p>代理公使エンリケ・ド・ルン、イ、デ・アルスア</p> <p>西班牙國皇帝陛下</p> <p>上院議員、前外務大臣、英國駐劄特命全權大使 ド・ブルグス、エル、デ、グイリヤウルーテヤ</p> <p>和蘭國駐劄特命全權公使ホセ、デ、ラ、リカ、イ、カルゴ</p> <p>下院議員、伯爵ガブリエル、マウラ、イ、ガマ ゾ、デ、モルテラ</p> <p>佛蘭西共和國大統領</p> <p>特命大使、上院議員、前內閣議長、前外務大臣、 常設仲裁裁判所裁判官レオン・ブールジョ ア</p> <p>上院議員、一等全權公使、常設仲裁裁判所裁判官、 男爵デスツールネルド、コンスタン</p> | <p>traordinaire et ministre plénipotentiaire de la République à Paris et à Madrid ;</p> <p>M. ENRIQUE DORN Y DE ALSÚA, chargé d'affaires.</p> <p>SA MAJESTÉ LE ROI D'ESPAGNE :</p> <p>Son Excellence M. W. R. DE VILLA-URRUTIA, sénateur, ancien ministre des affaires étrangères, Son ambassadeur extraordinaire et plénipotentiaire à Londres ;</p> <p>Son Excellence M. JOSÉ DE LA RICA Y CALVO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye ;</p> <p>M. GABRIEL MARURA Y GAMAZO, comte de Mortera, député aux Cortès.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE :</p> <p>Son Excellence M. LÉON BOURGHOIS, ambassadeur extraordinaire de la République, sénateur, ancien président du conseil des ministres, ancien ministre des affaires étrangères, membre de la cour permanente d'arbitrage ;</p> <p>M. le baron D'ESTOURNELLES DE CONSTANT, sénateur, ministre plénipotentiaire de première classe, membre de la cour permanente d'arbitrage ;</p> |
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| <p>巴里大學法科大學教授、名譽全權公使、外務省法律顧問、佛國學士院會員、常設仲裁裁判所裁判官ルイ、ルノイ</p> <p>和蘭國駐劄特命全權公使マルスラン、ペレ</p> <p>大不列顛愛蘭聯合王國大不列顛海外領土皇帝印 度皇帝陛下</p> <p>樞密顧問官、特命大使、常設仲裁裁判所裁判官、「サー」エドワード、フライ</p> <p>樞密顧問官、常設仲裁裁判所裁判官、「サー」 アーネスト、メーソン、サトウ</p> | <p>M. LOUIS RENAULT, professeur à la faculté de droit à l'université de Paris, ministre plénipotentiaire honoraire, jurisconsulte du ministère des affaires étrangères, membre de l'institut de France, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. MARCELLIN PELLE, envoyé extraordinaire et ministre plénipotentiaire de la République Française à La Haye.</p> <p>SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES :</p> <p>Son Excellence the Right Honourable Sir EDWARD FRY, G. C. B., membre du conseil privé, Son ambassadeur extraordinaire, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence the Right Honourable Sir ERNEST MASON SATOW, G. C. M. G., membre du conseil privé, membre de la cour permanente d'arbitrage ;</p> |
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樞密顧問官、前國際法學會長、男爵ドナルド、ジームス、マッケイ、レイ

Son Excellence the Right Honourable DONALD JAMES MACKAY Baron REAY, G. C. S. I., G. C. I. E., membre du conseil privé, ancien président de l'institut de droit international; Son Excellence Sir HENRY HOWARD, K. C. M. G., C. B., Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

和蘭國駐劄特命全權公使、「サー」ヘンリー、ハワード

SA MAJESTÉ LE ROI DES HELLENES :

希臘國皇帝陛下

獨逸國駐劄特命全權公使クレオン、リツ、ラングベ

Son Excellence M. CLÉON RIZO RANGABÉ, Son envoyé extraordinaire et ministre plénipotentiaire à Berlin.

雅典大學國際法教授、常設仲裁裁判所裁判官 ジョールジュ、ストレイト

M. GEORGES SREIT, professeur de droit international à l'université d'Athènes, membre de la cour permanente d'arbitrage.

「グアマラ」共和國大統領

LE PRÉSIDENT DE LA RÉPUBLIQUE DE GUATÉMALA :

和蘭國駐劄兼英國駐劄代理公使、常設仲裁裁判所裁判官ホセ、チブレ、マチャド

M. JOSÉ TIBLE MACHADO, chargé d'affaires de la République à La Haye et à Londres, membre de la cour permanente d'arbitrage :

獨逸國駐劄代理公使エンリケ、ゴメス、カリリョ

M. ENRIQUE GÓMEZ CARILLO, chargé d'affaires de la République à Berlin.

「ハイチ」共和國大統領

LE PRÉSIDENT DE LA RÉPUBLIQUE D'HAÏTI :

佛國駐劄特命全權公使ジャン、ジョセフ、ダルベマル

Son Excellence M. JEAN JOSEPH DALBÉMAR, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris ;

米國駐劄特命全權公使ジ、エス、レジー

Son Excellence M. J. N. LÉGER, envoyé extraordinaire et ministre plénipotentiaire de la République à Washington ;

前國際公法教授、「ホルトブランス」組合辯護士ヒエール、エヂクール

M. PIERRE HUDICOURT, ancien professeur de droit international public, avocat au barreau de Port au Prince.

伊太利國皇帝陛下

SA MAJESTÉ LE ROI D'ITALIE :

上院議員、佛國駐劄特命全權大使、常設仲裁裁判所裁判官、伊國委員長、伯爵ジョセフ、トルニエリ、ブルサチ、デ、ヴェルガノ

Son Excellence le Comte JOSEPH TORNIELLI BRUSATI DI VERGANO, Sénateur du Royaume, ambassadeur de Sa Majesté le Roi à Paris, membre de la cour permanente d'arbitrage, président de la délégation Italienne ;

下院議員、外務次官、「コンマンドール」ギド、ボンピリ

Son Excellence M. le commandeur GUIDO POMPILI, député au parlement, sous-secrétaire d'état au ministère Royal des affaires étrangères ;

參事院議員、下院議員、前文部大臣「コンマンドール」ギド、フジナト

M. le commandeur GUIDO FUSINATO, conseiller d'état, député au parlement, ancien ministre de l'instruction.

日本國皇帝陛下

SA MAJESTÉ L'EMPEREUR DU JAPON :

特命全權大使都筑馨六

Son Excellence M. KEIROKU TSUDZUKI, Son ambassadeur extraordinaire et plénipotentiaire ;

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| <p>和蘭國駐劄特命全權公使佐藤齋藤</p> <p>盧森堡國大公「ナッソー」公殿下</p> <p>國務大臣、內閣議長アイシエン</p> <p>獨逸國駐劄代理公使、伯爵ド、ヴィレ</p> <p>墨西哥合衆國大統領</p> <p>伊國駐劄特命全權公使ゴンザロ、ア、エステ グア</p> <p>佛國駐劄特命全權公使セバステアーン、ベ、 ド、ミエ</p> <p>白耳義國駐劄兼和蘭國駐劄特命全權公使アラ ンシスコ、エル、デ、ラ、バラ</p> | <p>Son Excellence M. AIMARO SATO, envoyé ex- traordinaire et ministre plénipotentiaire à La Haye.</p> <p>SON ALTESSE ROYALE LE GRAND DUC DE LUXEMBOURG, DUC DE NASSAU :</p> <p>Son Excellence M. EYSCHEN, Son ministre d'état, président du Gouvernement Grand Ducal ; M. le comte DE VILLERS, chargé d'affaires du Grand-Duché à Berlin.</p> <p>LE PRÉSIDENT DES ÉTATS-UNIS MEXICAINS :</p> <p>Son Excellence M. GONZALO A. ESTENA, envoyé extraordinaire et ministre plénipotentiaire de la République à Rome ;</p> <p>Son Excellence M. SEBASTIAN B. DE MIER, envoyé extraordinaire et ministre plénipoten- tiaire de la République à Paris ;</p> <p>Son Excellence M. FRANCISCO L. DE LA BARRA, envoyé extraordinaire et ministre plénipo- tentiaire de la République à Bruxelles et à La Haye.</p> |
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| <p>「モンテネグロ」國公殿下</p> <p>「コンセイエー、ブリクミアンベリアル、アク チュエル」佛國駐劄露國特命全權大使ネリド フ</p> <p>「コンセイエー、ブリクミアンベリアル」露 國外務省常任顧問官ド、マルラン</p> <p>「コンセイエー、デタ、アンベリアル、アクチ エル」和蘭國駐劄露國特命全權公使チヤリコ フ</p> <p>諾威國皇帝陛下</p> <p>前內閣議長、前法學教授、和蘭國駐劄兼丁抹 國駐劄特命全權公使、常設仲裁裁判所裁判官 フランシス、ハイゲル</p> <p>巴拿馬共和國大統領</p> <p>ベリサリオ、ポラス</p> | <p>SON ALTESSE ROYALE LE PRINCE DE MONTÉNÉGRO :</p> <p>Son Excellence M. NELIDOW, conseiller privé Impérial actuel, ambassadeur de Sa Majesté l'Empereur de Toutes les Russies à Paris ;</p> <p>Son Excellence M. DE MARTENS, conseiller privé Impérial, membre permanent du conseil du ministère Impérial des affaires étrangères de Russie ;</p> <p>Son Excellence M. TCHARYKOW, conseiller d'état Impérial actuel, envoyé extraordinaire et ministre plénipotentiaire de Sa Majesté l'Em- pereur de Toutes les Russies à La Haye.</p> <p>SA MAJESTÉ LE ROI DE NORVÈGE :</p> <p>Son Excellence M. FRANCIS HAGERUP, ancien Président du conseil, ancien professeur de droit, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye et à Copenhague, membre de la cour permanente d'arbitrage.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DE PANAMA :</p> <p>M. BELISARIO PORRAS.</p> |
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「パラグアイ」共和國大統領

佛國駐劄特命全權公使エウセビオ、マチヤイン

比律悉駐在領事、伯爵ジエ、ヂ、モンソ、ド、ベルジャンダル

和蘭國皇帝陛下

前外務大臣、下院議員ドアルグミアンシ、ド、ポリアール

國務大臣、參事院議官、常設仲裁裁判所裁判官ター、エム、セー、アッセル

退職陸軍中將、前陸軍大臣、參事院議官、「ヨックヘール」ジー、セー、セー、テン、ペール、ポールチヌゲール

特務侍從武官、退職海軍中將、前海軍大臣、「ヨックヘール」ジー、アー、ローエル

LE PRÉSIDENT DE LA RÉPUBLIQUE DU PARAGUAY :

Son Excellence M. EUSEBIO MACHAIN, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris;

M. le comte G. DU MONCEAU DE BERGENDAL, consul de la République à Bruxelles.

SA MAJESTÉ LA REINE DES PAYS-BAS :

M. W. H. DE BEAUFORT, Son ancien ministre des affaires étrangères, membre de la seconde chambre des états-généraux;

Son Excellence M. T. M. C. ASSER, Son ministre d'état, membre du conseil d'état, membre de la cour permanente d'arbitrage;

Son Excellence le jonkheer J. C. C. DEN BEER POORTUGAEL, lieutenant-général en retraite, ancien ministre de la guerre, membre du conseil d'état;

Son Excellence le jonkheer J. A. RÖELL, Son aide de camp en service extraordinaire, vice-amiral en retraite, ancien ministre de la marine;

前司法大臣、下院議員ジー、アー、ロエフ

秘魯共和國大統領

佛國駐劄兼英國駐劄特命全權公使、常設仲裁裁判所裁判官カルロス、ジエー、カンダモ

波斯國皇帝陛下

佛國駐劄特命全權公使、常設仲裁裁判所裁判官サマド、カン、モムタズスサルタネー

和蘭國駐劄特命全權公使ミルツ、アーノド、カン、サチグ、ウル、ムルク

葡萄牙國及「アルガルヴ」皇帝陛下

參事院議官、「ペール、ヂ、ロワイヨーム」、前外務大臣、英國駐劄特命全權公使、特命全

M. J. A. LOEFF, Son ancien ministre de la justice, membre de la seconde chambre des états-généraux.

LE PRÉSIDENT DE LA RÉPUBLIQUE DU PEROU :

Son Excellence M. CARLOS G. CANDAMO, envoyé extraordinaire et ministre plénipotentiaire de la République à Paris et à Londres, membre de la cour permanente d'arbitrage.

SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE :

Son Excellence SAMAD KHAN MONTAZOS SALTANEL, Son envoyé extraordinaire et ministre plénipotentiaire à Paris, membre de la cour permanente d'arbitrage;

Son Excellence MIRZA AHMED KHAN SADIGH UL MULK, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

SA MAJESTÉ LE ROI DE PORTUGAL ET DES ALGARVES, etc. :

Son Excellence M. le marquis DE SOVERAL, Son conseiller d'état, pair du Royaume, ancien

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| <p>權大使、侯爵デ、ソグエラル</p> <p>和蘭國駐劄特命全權公使、伯爵デ、セリール</p> <p>瑞西國駐劄特命全權公使アルベルト、トリグエ イラ</p> <p>羅馬尼亞國皇帝陛下</p> <p>獨逸國駐劄特命全權公使アレキサンドル、ベ ルデマン</p> <p>和蘭國駐劄特命全權公使エドガール、マヴロ コルダト</p> <p>全露西亞國皇帝陛下</p> <p>「コンセイエー、ブリグニ、アクチエール」佛國 駐劄特命全權大使ネリドフ</p> <p>「コンセイエー、ブリグニ」外務省常任顧問官、 常設仲裁裁判所裁判官ド、マルラン</p> | <p>ministre des affaires étrangères, Son envoyé extraordinaire et ministre plénipotentiaire à Londres, Son ambassadeur extraordinaire et plénipotentiaire ;</p> <p>Son Excellence M le comte DE SELIR, Son envoyé extraordinaire et ministre plénipoten- tiaire à La Haye ;</p> <p>Son Excellence M. ALBERTO D'OLIVEIRA, Son envoyé extraordinaire et ministre plénipoten- tiaire à Berne.</p> <p>SA MAJESTÉ LE ROI DE ROUMANIE :</p> <p>Son Excellence M. ALEXANDRE BELDIMAN, Son envoyé extraordinaire et ministre plénipoten- tiaire à Berlin ;</p> <p>Son Excellence M. EDGAR MAVROCORDATO, Son envoyé extraordinaire et ministre plénipoten- tiaire à La Haye.</p> <p>SA MAJESTÉ L'EMPEREUR DE TOU- TES LES RUSSIES :</p> <p>Son Excellence M. NELIDOW, Son conseiller privé actuel, Son ambassadeur à Paris ;</p> <p>Son Excellence M. DE MARTENS, Son conseiller privé, membre permanent du conseil du</p> |
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| <p>「コンセイエー、デク、アクチエール」侍從、和 蘭國駐劄特命全權公使チヤリコフ</p> <p>「サルグドル」共和國大統領</p> <p>佛國駐劄代理公使、常設仲裁裁判所裁判官ベ ドロ、ジ、マラウ</p> <p>英國駐劄代理公使サンチアゴ、ペレス、トリ アナ</p> <p>塞爾比亞國皇帝陛下</p> <p>陸軍將官、參事院議長サヴァ、グルーイッチ</p> <p>伊國駐劄特命全權公使、常設仲裁裁判所裁判 官ミロヴァン、ミロヴァン、グイッチ</p> <p>英國駐劄兼和蘭國駐劄特命全權公使ミシェル、 ミリチミ、グイッチ</p> | <p>ministère Impérial des affaires étrangères, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. TCHARYKOW, Son conseiller d'état actuel, Son chambellan, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.</p> <p>LE PRÉSIDENT DE LA RÉPUBLIQUE DU SALVADOR :</p> <p>M. PEDRO I. MATHEU, chargé d'affaires de la République à Paris, membre de la cour per- manente d'arbitrage ;</p> <p>M. SANTIAGO PEREZ TRIANA, chargé d'affaires de la République à Londres.</p> <p>SA MAJESTÉ LE ROI DE SERBIE :</p> <p>Son Excellence M. SAVA GROUITCH, général, président du conseil d'état ;</p> <p>Son Excellence M. MILOVAN MILOVANOVITCH, Son envoyé extraordinaire et ministre plé- nipotentiaire à Rome, membre de la cour permanente d'arbitrage ;</p> <p>Son Excellence M. MICHEL MILITCHEVITCH, Son envoyé extraordinaire et ministre plénipoten- tiaire à Londres et à La Haye.</p> |
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暹羅國皇帝陛下

陸軍少將モム、チャチデー、ウドム
公使館參事官セー、コラヂオニ、ドレリ

陸軍大尉ルアング、ビニグナルト、ナリ、イーバ
ル

瑞典國、「ゴツ」及「ヴァンド」皇帝陛下

前司法大臣、丁株國駐劄特命全權公使、常設
仲裁裁判所裁判官クヌート、ヒヤルマル、レオ
ナルド、ハマルスキョルド

前無着大臣、前高等法院評定官、常設仲裁裁
判所裁判官ヨハンネス、ヘルネル

瑞西聯邦政府

英國駐劄兼和蘭國駐劄特命全權公使ガスト
ン、カルラン

陸軍參謀大佐、「ジュネヴ」大學教授ユーシ

SA MAJESTÉ LE ROI DE SIAM :

MOM CHATIDEJ UDOM, major-général ;
M. C. CORRAGONI D'ORELLI, Son conseiller de
légation ;
LUANG BHUVANARTH NARUBAL, capitaine.

SA MAJESTÉ LE ROI DE SUÈDE,
DES GOTHES ET DES VENDES :

Son Excellence M. KNUT HJALMAR LEONARD
HAMMARSKJOLD, Son ancien ministre de la
justice, Son envoyé extraordinaire et ministre
plénipotentiaire à Copenhague, membre de la
cour permanente d'arbitrage.
M. JOHANNES HELLMER, Son ancien ministre
sans portefeuille, ancien membre de la cour
suprême de Suède, membre de la cour per-
manente d'arbitrage.

LE CONSEIL FÉDÉRAL SUISSE :

Son Excellence M. GASTON CARLIN, envoyé ex-
traordinaire et ministre plénipotentiaire de la
Confédération suisse à Londres et à La Haye ;
M. EUGÈNE BOREL, colonel d'état major-général,

ン、ボレル

「チューリヒ」大學法學教授マックス、フリーベル

土耳其國皇帝陛下

特命大使、「ミニストル、ドレグカフ」チユル
カン、バシヤ

伊國駐劄特命全權大使レシッド、ベ

海軍中將メヘメッド、バシヤ

東「ウルグエー」共和國大統領

前大統領、常設仲裁裁判所裁判官ホセ、バト
レ、イ、オールドニエス

前上院議長、佛國駐劄特命全權公使、常設仲
裁裁判所裁判官ファン、ベ、カストロ

professeur à l'université de Genève ;

M. MAX HUBER, professeur de droit à l'univer-
sité de Zürich,

SA MAJESTÉ L'EMPEREUR DES OT-
TOMANS :

Son Excellence TURKIAN PACHA, Son ambassa-
deur extraordinaire, ministre de l'evkaf ;
Son Excellence RECHID BEY, Son ambassadeur à
Rome ;
Son Excellence MEHEMMED PACHA, vice-amiral.

LE PRÉSIDENT DE LA RÉPUBLIQUE
ORIENTALE DE L'URUGUAY :

Son Excellence M. JOSÉ BATLLE Y ORDOÑEZ,
ancien président de la République, membre
de la cour permanente d'arbitrage ;
Son Excellence M. JUAN P. CASTRO, ancien
président du sénat, envoyé extraordinaire et
ministre plénipotentiaire de la République à
Paris, membre de la cour permanente d'ar-
bitrage.

暹羅國皇帝陛下

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瑞西聯邦政府

英國駐劄兼和蘭國駐劄特命全權公使ガスト
ン、カルラン

陸軍參謀大佐、「シニエヴァ」大學教授エーシ

SA MAJESTÉ LE ROI DE SIAM :

MOM CHATIDEJ UDOM, major-général ;
M. C. CORRAGONI D'ORELLI, Son conseiller de
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sans portefeuille, ancien membre de la cour
suprême de Suède, membre de la cour per-
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Confédération suisse à Londres et à La Haye ;
M. EUGÈNE BOREL, colonel d'état major-général,

ーン、ボレル
「チニエリヒ」大學法學教授マックス、フリーベル

土耳其國皇帝陛下

特命大使、「ミニストル」ド、レウカフ「チメル
カン、バシヤ

伊國駐劄特命全權大使レシッド、ベ

海軍中將スヘメッド、バシヤ

東「ウルグエー」共和國大統領

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レイ、オールドニエス

前上院議長、佛國駐劄特命全權公使、常設仲
裁裁判所裁判官フアン、ベ、カストロ

professeur à l'université de Genève ;

M. MAX HUBER, professeur de droit à l'univer-
sité de Zürich,

SA MAJESTÉ L'EMPEREUR DES OT-
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ORIENTALE DE L'URUGUAY :

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Son Excellence M. JUAN P. CASTRO, ancien
président du sénat, envoyé extraordinaire et
ministre plénipotentiaire de la République à
Paris, membre de la cour permanente d'ar-
bitrage.

船軍用病院

「ヴェネズエラ」合衆國大統領

獨逸國駐劄代理公使ホセ、ヒル、フエルトウル

因テ各全權委員ハ其ノ良好妥當ナリト認メラレタ
ル委任狀ヲ寄託シタル後左ノ條項ヲ協定セリ

第一條

軍用病院船即チ傷者、病者及難船者ヲ救護スル唯
一ノ目的ヲ以テ國家ニ於テ製造シ又ハ設備スル船
船ニシテ開戦ノ際又ハ戰爭中其ノ使用ニ先チ船名
ヲ交戦國ニ通告シタルモノハ戰爭ノ繼續中ノ之ヲ尊
重スヘク且捕獲スルコトヲ得サルモノトス

右船舶ハ中立港内ノ滯留ニ關シ亦軍艦ト同一視セ
ラルルコトナシ

第二條

私人又ハ公認セラレタル救恤協會ノ費用ヲ以テ全

船私有病院

LE PRÉSIDENT DES ÉTATS-UNIS DE VÉNEZUÉLA :

M. José Gil Fortoul, chargé, d'affaires de la République à Berlin

Lesquels, après avoir déposé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE PREMIER.

Les bâtiments-hôpitaux militaires, c'est-à-dire les bâtiments construits ou aménagés par les Etats spécialement et uniquement en vue de porter secours aux blessés, malades et naufragés, et dont les noms auront été communiqués, à l'ouverture ou au cours des hostilités, en tout cas avant toute mise en usage, aux Puissances belligérantes, sont respectés et ne peuvent être capturés pendant la durée des hostilités.

Ces bâtiments ne sont pas non plus assimilés aux navires de guerre au point de vue de leur séjour dans un port neutre.

ARTICLE 2.

Les bâtiments hospitaliers, équipés en totalité

中立國ノ
船私有病院
捕獲免

部又ハ一部ヲ艦裝シタル病院船ニシテ其ノ所屬交
戦國カ之ニ官ノ命令ヲ付シ且開戦ノ際又ハ戰爭中
其ノ使用ニ先チ船名ヲ對手國ニ通告シタルモノハ
亦均シク尊重セラレ且捕獲ヲ免ルルモノトス

右船舶ハ其ノ艦裝中及最後ノ發航ノ際當該官憲ニ
於テ監督シタルコトヲ證明スル同官憲ノ書類ヲ携
帶スヘシ

第三條

中立國ノ私人又ハ公認セラレタル協會ノ費用ヲ以
テ全部又ハ一部ヲ艦裝シタル病院船ニシテ豫メ本
國政府ノ同意ヲ得且交戦國ノ一方ノ許可ヲ得テ該
交戦國ノ指揮ノ下ニ立チ開戦ノ際又ハ戰爭中該交
戦國ヨリ其ノ使用ニ先チ船名ヲ對手國ニ通告シタ
ルモノハ尊重セラレ且捕獲ヲ免ルルモノトス

ou en partie aux frais des particuliers ou des sociétés de secours officiellement reconnues, sont également respectés et exempts de capture, si la Puissance belligérante dont ils dépendent, leur a donné une commission officielle et en a notifié les noms à la Puissance adverse à l'ouverture ou au cours des hostilités, en tout cas avant toute mise en usage.

Ces navires doivent être porteurs d'un document de l'autorité compétente déclarant qu'ils ont été soumis à son contrôle pendant leur armement et à leur départ final.

ARTICLE 3.

Les bâtiments hospitaliers, équipés en totalité ou en partie aux frais des particuliers ou des sociétés officiellement reconnues de pays neutres, sont respectés et exempts de capture, à condition qu'ils se soient mis sous la direction de l'un des belligérants, avec l'assentiment préalable de leur propre Gouvernement et avec l'autorisation du belligérant lui-même et que ce dernier en ait notifié le nom à son adversaire dès l'ouverture ou dans le cours des hostilités, en tout cas, avant tout emploi.

病院船ニ
供養ノ
者ノ
救護

第四條

第一條、第二條及第三條ニ掲ケタル船舶ハ國籍ノ如何ヲ問ハス交戰國ノ傷者、病者及難船者ヲ救護扶助スヘシ

各國政府ハ右船舶ヲ何等軍事上ノ目的ニ使用セサルコトヲ約定ス

右船舶ハ決シテ戦闘者ノ運動ヲ妨碍スヘカラス

右船舶ハ戰鬥中ト戰鬥後トヲ問ハス自己ノ危険ヲ以テ活動スルモノトス

交戰者ハ右船舶ニ對シ監督及臨檢搜索ヲ爲スノ權利ヲ有シ其ノ介助ヲ拒絕シ其ノ離隔ヲ命ジ其ノ航行スヘキ方向ヲ指定シ且其ノ船内ニ監督員ヲ乗込マシムルコトヲ得若事情重大ナルカ爲必要ナルトキハ之ヲ抑留スルコトヲ得ヘシ

交戰者ハ病院船ニ下シタル命令ヲ成ルヘク該船ノ航海日誌ニ記入スヘシ

第五條

軍用病院船ハ其ノ外部ヲ白色ニ塗り幅約一「メー

標 識

ARTICLE 4.

Les bâtiments qui sont mentionnés dans les articles 1, 2 et 3, porteront secours et assistance aux blessés, malades et naufragés des belligérants sans distinction de nationalité.

Les Gouvernements s'engagent à n'utiliser ces bâtiments pour aucun but militaire.

Ces bâtiments ne devront gêner en aucune manière les mouvements des combattants.

Pendant et après le combat, ils agiront à leurs risques et périls.

Les belligérants auront sur eux le droit de contrôle et de visite; ils pourront refuser leur concours, leur enjoindre de s'éloigner, leur imposer une direction déterminée et mettre à bord un commissaire, même les détenir, si la gravité des circonstances l'exigeait.

Autant que possible, les belligérants inscriront sur le journal de bord des bâtiments hospitaliers les ordres qu'ils leur donneront.

ARTICLE 5.

Les bâtiments-hôpitaux militaires seront distin-

トル「半ノ綠色ノ横筋ヲ施シテ之ヲ標識スヘシ

第二條及第三條ニ掲ケタル船舶ハ其ノ外部ヲ白色ニ塗り幅約一「メートル」半ノ赤色ノ横筋ヲ施シテ之ヲ標識スヘシ

前記ノ諸船舶ニ附属スル端舟及救護用ニ供セラルヘキ小船ハ前二項ニ準シテ塗色ヲ以テ之ヲ標識スヘシ

病院船ハ總テ其ノ國旗ト共ニ「ジュネヴァ」條約ニ定メタル白地ニ赤十字ノ旗ヲ掲ケ又中立國ニ屬スルモノナルトキハ右ノ外指揮ヲ受クル交戰國ノ國旗ヲ大槓ニ掲ケテ之ヲ標識スヘシ

第四條ノ規定ニ依リ敵ノ爲ニ抑留セラレタル病院船ハ其ノ屬スル交戰國ノ國旗ヲ撤去スヘシ

前記ノ病院船及端舟ニシテ其ノ享有スル尊重ヲ夜間確實ナラシメムト欲スルモノハ其ノ附隨スル交

赤十字標

gués par une peinture extérieure blanche avec une bande horizontale verte d'un mètre et demi de largeur environ.

Les bâtiments qui sont mentionnés dans les articles 2 et 3, seront distingués par une peinture extérieure blanche avec une bande horizontale rouge d'un mètre et demi de largeur environ.

Les embarcations des bâtiments qui viennent d'être mentionnés, comme les petits bâtiments qui pourront être affectés au service hospitalier, se distingueront par une peinture analogue.

Tous les bâtiments hospitaliers se feront reconnaître en hissant, avec leur pavillon national, le pavillon blanc à croix-rouge prévu par la Convention de Genève et, en outre, s'ils ressortissent à un Etat neutre, en arborant au grand mât le pavillon national du belligérant sous la direction duquel ils se sont placés.

Les bâtiments hospitaliers qui, dans les termes de l'article 4, sont détenus par l'ennemi, auront à rentrer le pavillon national du belligérant dont ils relèvent.

Les bâtiments et embarcations ci-dessus mentionnés, qui veulent s'assurer la nuit le respect

戰者ノ同意ヲ得テ其ノ標色塗色ヲ看易クスル爲必
要ナル措置ヲ執ルヘシ

第六條

特殊
使用
禁止

第五條ニ定メタル特殊徽章ハ平時ト戰時トヲ問ハ
ス同條ニ掲ケタル船舶ヲ保護シ又ハ標識スル爲ニ
非アレバ之ヲ使用スルコトヲ得ス

第七條

軍艦
内
軍病
室

軍艦内ニ於ケル戰闘ノ場合ニ於テハ病室ハ爲シ得
ル限之ヲ尊重庇護スヘシ

右病室及其ノ所屬材料ニ付テハ戰爭ノ法規ニ從フ
但シ傷者及病者ニ必要ナル間ハ其ノ用途ヲ他ニ轉
スルコトヲ得ス

病室及其ノ所屬材料ヲ自己ノ艦内ニ屬セシメタル
指揮官ハ重大ナル軍事上ノ必要アル場合ニ於テハ
豫メ病室内ニ在ル傷者及病者ノ安全ヲ確保シタル
上之ヲ處分スルコトヲ得

auquel ils ont droit, ont, avec l'assentiment du belligérant qu'ils accompagnent, à prendre les mesures nécessaires pour que la peinture qui les caractérise soit suffisamment apparente.

ARTICLE 6.

Les signes distinctifs prévus à l'article 5 ne pourront être employés, soit en temps de paix, soit en temps de guerre, que pour protéger ou désigner les bâtiments qui y sont mentionnés.

ARTICLE 7.

Dans le cas d'un combat à bord d'un vaisseau de guerre, les infirmeries seront respectées et ménagées autant que faire se pourra.

Ces infirmeries et leur matériel demeurent soumis aux lois de la guerre, mais ne pourront être détournés de leur emploi, tant qu'ils seront nécessaires aux blessés et malades.

Toutefois le commandant, qui les a en son pouvoir, a la faculté d'en disposer, en cas de nécessité militaire importante, en assurant au préalable le sort des blessés et malades qui s'y trouvent.

保護喪失

第八條

病院船及艦内病室カ軍敵行爲ノ爲ニ使用セララル
トキハ其ノ保護ヲ失フヘシ

病院船及病室ノ人員カ秩序維持及傷者又ハ病者防
護ノ爲ニ武装シタル事實並船内ニ無線電信ノ設備
ヲ有スル事實ハ其ノ保護ヲ喪失スヘキ性質ノモノ
ト認メス

第九條

中立
國
船
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國
船

交戦者ハ中立ノ商船、遊船又ハ端舟ノ船長ニ對シ
傷者又ハ病者ヲ船内ニ收容シ且之ヲ看護スルコト
ニ付其ノ慈悲心ニ訴フルコトヲ得

保護

右ノ依頼ニ應シタル船舶及自ラ進テ傷者、病者又
ハ難船者ヲ收容シタル船舶ハ特別ノ保護及一定ノ
特典ヲ享有スヘシ該船舶ハ如何ナル場合ニ於テモ
右輸送ノ事實アリタルノ故ヲ以テ之ヲ捕獲スルコ
トヲ得ス但シ右船舶ニ對スル特別ノ約束アル場合

ARTICLE 8.

La protection due aux bâtiments hospitaliers et aux infirmeries des vaisseaux cesse si l'on en use pour commettre des actes nuisibles à l'ennemi.

N'est pas considéré comme étant de nature à justifier le retrait de la protection le fait que le personnel de ces bâtiments et infirmeries est armé pour le maintien de l'ordre et pour la défense des blessés ou malades, ainsi que le fait de la présence à bord d'une installation radio-télégraphique.

ARTICLE 9.

Les belligérants pourront faire appel au zèle charitable des commandants de bâtiments de commerce, yachts ou embarcations neutres, pour prendre à bord et soigner des blessés ou des malades.

Les bâtiments qui auront répondu à cet appel ainsi que ceux qui spontanément auront recueilli des blessés, des malades ou des naufragés, jouiront d'une protection spéciale et de certaines immunités. En aucun cas, ils ne pourront être capturés pour le fait d'un tel transport; mais, sauf les

特殊
使用
禁止

軍艦
内
軍用

戦者ノ同意ヲ得テ其ノ標色塗色ヲ看易クスル爲必
要ナル措置ヲ執ルヘシ

第六條

第五條ニ定メタル特殊徽章ハ平時ト戦時トヲ問ハ
ス同條ニ掲ケタル船舶ヲ保護シ又ハ標識スル爲ニ
非ラレハ之ヲ使用スルコトヲ得ス

第七條

軍艦内ニ於ケル戦闘ノ場合ニ於テハ病室ハ爲シ得
ル限之ヲ尊重庇護スヘシ

右病室及其ノ所屬材料ニ付テハ戦争ノ法規ニ従フ
但シ傷者及病者ニ必要ナル間ハ其ノ用途ヲ他ニ轉
スルコトヲ得ス

病室及其ノ所屬材料ヲ自己ノ權内ニ屬セシメタル
指揮官ハ重大ナル軍事上ノ必要アル場合ニ於テハ
豫メ病室内ニ在ル傷者及病者ノ安全ヲ確保シタル
上之ヲ處分スルコトヲ得

auquel ils ont droit, ont, avec l'assentiment du belligérant qu'ils accompagnent, à prendre les mesures nécessaires pour que la peinture qui les caractérise soit suffisamment apparente.

ARTICLE 6.

Les signes distinctifs prévus à l'article 5 ne pourront être employés, soit en temps de paix, soit en temps de guerre, que pour protéger ou désigner les bâtiments qui y sont mentionnés.

ARTICLE 7.

Dans le cas d'un combat à bord d'un vaisseau de guerre, les infirmeries seront respectées et ménagées autant que faire se pourra.

Ces infirmeries et leur matériel demeurent soumis aux lois de la guerre, mais ne pourront être détournés de leur emploi, tant qu'ils seront nécessaires aux blessés et malades.

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保護
喪失

中立
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第八條

病院船及艦内病室カ害敵行爲ノ爲ニ使用セララル
トキハ其ノ保護ヲ失フヘシ

病院船及病室ノ人員カ秩序維持及傷者又ハ病者防
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ヲ有スル事實ハ其ノ保護ヲ喪失スヘキ性質ノモノ
ト認メス

第九條

交戦者ハ中立ノ商船、遊船又ハ端舟ノ船長ニ對シ
傷者又ハ病者ヲ船内ニ收容シ且之ヲ看護スルコト
ニ付其ノ慈悲心ニ訴フルコトヲ得

右ノ依頼ニ應ジタル船舶及自ラ進テ傷者、病者又
ハ難船者ヲ收容シタル船舶ハ特別ノ保護及一定ノ
特典ヲ享有スヘシ該船舶ハ如何ナル場合ニ於テモ
右輸送ノ事實アリタルノ故ヲ以テ之ヲ捕獲スルコ
トヲ得ス但シ右船舶ニ對スル特別ノ約束アル場合

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Les bâtiments qui auront répondu à cet appel ainsi que ceux qui spontanément auront recueilli des blessés, des malades ou des naufragés, jouiront d'une protection spéciale et de certaines immunités. En aucun cas, ils ne pourront être capturés pour le fait d'un tel transport; mais, sauf les

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ヲ除クノ外其ノ行ヒタル中立違反ノ行爲ノ爲之ヲ捕獲スルコトヲ得ルモノトス

第十條

捕獲セラレタル一切ノ艦船内ニ在リテ救護、醫療及看護ニ従事スル人員ハ不可侵ニシテ俘虜ト爲スコトヲ得ス右人員カ艦船ヲ退去スルトキハ其ノ私有ニ屬スル物品及外科用具ヲ攜帶ス

右人員ハ必要アル限ハ引續キ其ノ職務ニ従事スヘク總指揮官ニ於テ差支ナシト認ムル時ニ至リ退去スルコトヲ得

交戦者ハ其ノ権内ニ歸シタル右人員ニ對シ自國海軍ノ同一階級ノ人員ニ對スルト同額ノ給養及俸給ヲ支給スルコトヲ要ス

第十一條

取
捕
獲
者

艦船内ニ在ル陸海軍人及公務士陸海軍ニ附屬スル其ノ他ノ人員ニシテ負傷シ又ハ疾病ニ罹リタル者ハ國籍ノ如何ヲ問ハズ捕獲者ニ於テ之ヲ尊重シ且看護スヘシ

promesses qui leur auraient été faites, ils restent exposés à la capture pour les violations de neutralité qu'ils pourraient avoir commises.

ARTICLE 10.

Le personnel religieux, médical et hospitalier de tout bâtiment capturé est inviolable et ne peut être fait prisonnier de guerre. Il emporte, en quittant le navire, les objets et les instruments de chirurgie qui sont sa propriété particulière.

Ce personnel continuera à remplir ses fonctions tant que cela sera nécessaire et il pourra ensuite se retirer, lorsque le commandant en chef le jugera possible.

Les belligérants doivent assurer à ce personnel tombé entre leurs mains, les mêmes allocations et la même solde qu'au personnel des mêmes grades de leur propre marine.

ARTICLE 11.

Les marins et les militaires embarqués, et les autres personnes officiellement attachées aux marines ou aux armées, blessés ou malades, à quelque nation qu'ils appartiennent, seront respectés et soignés par les captureurs.

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第十二條

交戦國ノ軍艦ハ船舶ノ國籍如何ヲ問ハズ軍用病院船、救恤協會若ハ私人ニ屬スル病院船、商船、遊船又ハ端舟内ニ在ル傷者、病者又ハ難船者ノ引渡ヲ請求スルコトヲ得

第十三條

中
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艦
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傷
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病
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及
難
船
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請
求

中立國軍艦ニ於テ傷者、病者又ハ難船者ヲ收容シタルトキハ爲シ得ル限右人員ヲシテ再ヒ作戦動作ニ加ルコトヲ得サラシムヘシ。

第十四條

俘
虜

交戦國ノ一方ノ難船者、傷者又ハ病者ニシテ他ノ一方ノ権内ニ歸シタル者ハ俘虜タルヘシ之ヲ俘虜ト爲シタル交戦者ハ事情ノ如何ニ依リ或ハ之ヲ抑留シ或ハ之ヲ自國港、中立港又ハ對手國ノ港ニ送致スルコトヲ得

ARTICLE 12.

Tout vaisseau de guerre d'une Partie belligérante peut réclamer la remise des blessés, malades ou naufragés, qui sont à bord de bâtiments-hôpitaux militaires, de bâtiments hospitaliers de société de secours ou de particuliers, de navires de commerce, yachts et embarcations, quelle que soit la nationalité de ces bâtiments.

ARTICLE 13.

Si des blessés, malades ou naufragés sont recueillis à bord d'un vaisseau de guerre neutre, il devra être pourvu, dans la mesure du possible, à ce qu'ils ne puissent pas de nouveau prendre part aux opérations de la guerre.

ARTICLE 14.

Sont prisonniers de guerre les naufragés, blessés ou malades, d'un belligérant qui tombent au pouvoir de l'autre. Il appartient à celui-ci de décider, suivant les circonstances, s'il convient de les garder, de les diriger sur un port de sa nation, sur un port neutre ou même sur un port

此ノ最後ノ場合ニ於テ本國ニ送還セラレタル俘虜
ハ戰爭ノ繼續中服役スルコトヲ得ス

第十五條

中立港ニ
上陸シタル
傷者及病者
ノ他ノ傷者
取接ス

地方官憲ノ承諾ヲ得テ中立港ニ上陸シタル難船
者、傷者又ハ病者ハ中立國ト交戦國トノ間ニ反對
ノ協定ナキ限再ヒ作戦動作ニ加ルコトヲ得サラス
ムル様中立國ニ於テ之ヲ抑留スヘシ

入院及留置ノ費用ハ難船者、傷者又ハ病者ノ所屬
國ニ於テ之ヲ負擔スルモノトス

第十六條

傷者及病者
ノ保護ニ
對ス

各戰鬪ノ後雙方ノ交戦者ハ軍事上差支ナキ限難船
者、傷者及病者ヲ搜索シ且掠奪及虐待ニ對シ此等
ノ者及死者ヲ保護スルノ措置ヲ執ルヘシ

de l'adversaire. Dans ce dernier cas, les prison-
niers ainsi rendus à leur pays ne pourront servir
pendant le durée de la guerre.

ARTICLE 15.

Les naufragés, blessés ou malades, qui sont
débarqués dans un port neutre, du consentement
de l'autorité locale, devront, à moins d'un arran-
gement contraire de l'Etat neutre avec les Etats
belligérants, être gardés par l'Etat neutre de
manière qu'ils ne puissent pas de nouveau pren-
dre part aux opérations de la guerre.

Les frais d'hospitalisation et d'internement
seront supportés par l'Etat dont relèvent les
naufragés, blessés, ou malades.

ARTICLE 16.

Après chaque combat, les deux Parties belligé-
rantes, en tant que les intérêts militaires le
comportent, prendront des mesures pour rechercher
les naufragés, les blessés et les malades et pour les
faire protéger, ainsi que les morts, contre le
pillage et les mauvais traitements.

右交戦者ハ死者ノ土葬、水葬又ハ火葬カ其ノ死體
ヲ綿密ニ検査シタル上ニテ行ハルル様監視スヘシ

第十七條

死者

各交戦者ハ死者ニ付發見シタル軍隊ノ認識票又ハ
身分ヲ證明スヘキ記號及蒐集シタル傷者又ハ病者
ノ人名簿ヲ成ルヘク速ニ其ノ本國官憲又ハ所屬陸
海軍官憲ニ送付スヘシ

交戦者ハ互ニ其ノ權内ニ在ル傷者及病者ノ留置、
移動、入院及死亡ニ關シ通報ヲ爲スヘク又捕獲シ
タル艦船内ニ於テ發見シ又ハ病院ニ於テ死亡シタ
ル傷者若ハ病者ノ遺留シタル一切ノ自用品、有價
物、信書等ヲ關係者ニ其ノ本國官憲ヲシテ傳送セ
シムル爲蒐集スヘシ

第十八條

附用ノ範

本條約ノ規定ハ交戦國カ悉ク本條約ノ當事者ナル
トキニ限締約國間ニノミ之ヲ適用ス

Elles veilleront à ce que l'inhumation, l'im-
mersion ou l'incinération des morts soit précédée
d'un examen attentif de leurs cadavres.

ARTICLE 17.

Chaque belligérant enverra, dès qu'il sera
possible, aux autorités de leur pays, de leur
marine ou de leur armée, les marques ou pièces
militaires d'identité trouvées sur les morts et l'état
nominatif des blessés ou malades recueillis par lui.

Les belligérants se tiendront réciproquement
au courant des internements et des mutations,
ainsi que des entrées dans les hôpitaux et des
décès survenus parmi les blessés et malades en
leur pouvoir. Ils recueilleront tous les objets
d'un usage personnel, valeurs, lettres, etc. qui
seront trouvés dans les vaisseaux capturés, ou
délaisés par les blessés ou malades décédés dans
les hôpitaux, pour les faire transmettre aux in-
téressés par les autorités de leur pays.

ARTICLE 18.

Les dispositions de la présente Convention ne
sont applicables qu'entre les Puissances contrac-

總指揮官ノ義務

第十九條

交戰國艦隊ノ總指揮官ハ其ノ本國政府ノ訓令ニ從ヒ且本條約ノ綱領ニ準據シテ前諸條ノ執行ニ關スル細目ヲ定メ且規定ナキ場合ニ付處理スヘシ

tantes et seulement si les belligérants sont tous parties à la Convention.

ARTICLE 19.

Les commandants en chef des flottes des belligérants auront à pourvoir aux détails d'exécution des articles précédents, ainsi qu'aux cas non prévus, d'après les instructions de leurs Gouvernements respectifs et conformément aux principes généraux de la présente Convention.

本條約ノ教示

第二十條

記名國ハ本條約ノ規定ヲ其ノ海軍及特ニ保護セララルル人員ニ教示シ且之ヲ國民ニ知ラシムル爲必要ナル手段ヲ執ルヘシ

ARTICLE 20.

Les Puissances signataires prendront les mesures nécessaires pour instruire leurs marines, et spécialement le personnel protégé, des dispositions de la présente Convention et pour les porter à la connaissance des populations.

立法

第二十一條

記名國ハ又其ノ刑法不備ナル場合ニ於テハ戰時海軍ノ傷者及病者ニ對スル掠奪及虐待ノ個人的行爲ヲ禁制シ且本條約ニ依リ保護セラレタル船舶カ第五條ニ定メタル特殊徽章ヲ濫用スルコトヲ軍事徽

ARTICLE 21.

Les Puissances signataires s'engagent également à prendre ou à proposer à leurs législatures en cas d'insuffisance de leurs lois pénales, les mesures nécessaires pour réprimer en temps de guerre, les actes individuels de pillage et de mauvais

章ノ濫用トシテ處罰スルニ必要ナル手段ヲ執リ又ハ其ノ立法府ニ之ヲ提案スヘキコトヲ約定ス

traitements envers des blessés et malades des marines, ainsi que pour punir, comme usurpation d'insignes militaires, l'usage abusif des signes distinctifs désignés à l'article 5 par des bâtiments non protégés par la présente Convention.

記名國ハ速クモ本條約批准後五年内ニ和蘭國政府ヲ經テ右禁制ニ關スル規定ヲ互ニ通告スヘシ

Ils se communiqueront, par l'intermédiaire du Gouvernement des Pays-Bas, les dispositions relatives à cette répression, au plus tard dans les cinq ans de la ratification de la présente Convention.

第二十二條

交戰國陸海軍ノ間ニ戰爭アル場合ニハ本條約ノ規定ハ艦船内ニ在ル軍隊ニ限之ヲ適用スルモノトス

ARTICLE 22.

En cas d'opérations de guerre entre les forces de terre et de mer des belligérants, les dispositions de la présente Convention ne seront applicables qu'aux forces embarquées.

陸海軍ノ間ニ戰爭アル場合

第二十三條

本條約ハ成ルヘク速ニ批准スヘシ

ARTICLE 23.

La présente Convention sera ratifiée aussitôt que possible.

批准

批准書ハ海牙ニ寄託ス

Les ratifications seront déposées à La Haye.

第一回ノ批准書寄託ハ之ニ加リタル諸國ノ代表者及和蘭國外務大臣ノ署名シタル調書ヲ以テ之ヲ

Le premier dépôt de ratifications sera constaté par un procès-verbal signé par les représentants

證ス

爾後ノ批准書寄託ハ和蘭國政府ニ宛テ且批准書ヲ添附シタル通告書ヲ以テ之ヲ爲ス

第一回ノ批准書寄託ニ關スル調査、前項ニ掲ケタル通告書及批准書ノ認證原本ハ和蘭國政府ヨリ外交上ノ手續ヲ以テ直ニ之ヲ第二回平和會議ニ招請セラレタル諸國及本條約ニ加盟スル他ノ諸國ニ交付スヘシ前項ニ掲ケタル場合ニ於テハ和蘭國政府ハ同時ニ通告書ヲ接受シタル日ヲ通知スルモノトス

第二十四條

非記名國

記名國ニ非サル諸國ニシテ千九百零六年七月六日ノ「シエネガ」條約ヲ承諾シタルモノハ本條約ニ加盟スルコトヲ得

des Puissances qui y prennent part et par le Ministre des Affaires Etrangères des Pays-Bas.

Les dépôts ultérieurs de ratifications se feront au moyen d'une notification écrite, adressée au Gouvernement des Pays-Bas et accompagnée de l'instrument de ratification.

Copie certifiée conforme du procès-verbal relatif au premier dépôt de ratifications, des notifications mentionnées à l'alinéa précédent, ainsi que des instruments de ratifications, sera immédiatement remise par les soins du Gouvernement des Pays-Bas et par la voie diplomatique aux Puissances conviées à la Deuxième Conférence de la Paix, ainsi qu'aux autres Puissances qui auront adhéré à la Convention. Dans les cas visés par l'alinéa précédent, ledit Gouvernement leur fera connaître en même temps la date à laquelle il a reçu la notification.

ARTICLE 24.

Les Puissances non signataires qui auront accepté la Convention du Genève du 6 juillet 1906, sont admises à adhérer à la présente Convention.

加盟セムト欲スル國ハ書面ヲ以テ其ノ意思ヲ和蘭國政府ニ通告シ且加盟書ヲ送付シ之ヲ和蘭國政府ノ文庫ニ寄託スヘシ

和蘭國政府ハ直ニ通告書及加盟書ノ認證原本ヲ爾餘ノ諸國ニ送付シ且右通告書ヲ接受シタル日ヲ通知スヘシ

第二十五條

一九〇九年ノ條約

本條約ハ正式ニ批准セラレタル上締約國間ノ關係ニ於テ「シエネガ」條約ノ原則ヲ海戰ニ應用スル千八百九十九年七月二十九日ノ條約ニ代ルヘキモノトス

千八百九十九年ノ條約ハ該條約ニ記名シタルモ本條約ヲ批准セサル諸國間ノ關係ニ於テハ依然效力ヲ有スルモノトス

第二十六條

生效ノ日

本條約ハ第一回ノ批准書寄託ニ加リタル諸國ニ對シテハ其ノ寄託ノ調査ノ日附ヨリ六十日ノ後又共

La Puissance qui désire adhérer, notifie par écrit son intention au Gouvernement des Pays-Bas en lui transmettant l'acte d'adhésion qui sera déposé dans les archives dudit Gouvernement.

Ce Gouvernement transmettra immédiatement à toutes les autres Puissances copie certifiée conforme de la notification ainsi que de l'acte d'adhésion, en indiquant la date à laquelle il a reçu la notification.

ARTICLE 25.

La présente Convention, dûment ratifiée, remplacera dans les rapports entre les Puissances contractantes, la Convention du 29 juillet 1899 pour l'adaptation à la guerre maritime des principes de la Convention de Genève.

La Convention de 1899 reste en vigueur dans les rapports entre les Puissances qui l'ont signée, et qui ne ratifieraient pas également la présente Convention.

ARTICLE 26.

La présente Convention produira effet pour les Puissances qui auront participé au premier

ノ後ニ批准シ又ハ加盟スル諸國ニ對シテハ和蘭國政府カ右批准又ハ加盟ノ通告ヲ接受シタルトキヨリ六十日ノ後ニ其ノ效力ヲ生スルモノトス

dépôt de ratifications, soixante jours après la date du procès-verbal de ce dépôt et, pour les Puissances qui ratifieront ultérieurement ou qui adhéreront, soixante jours après que la notification de leur ratification ou de leur adhésion aura été reçue par le Gouvernement des Pays-Bas.

第二十七條

ARTICLE 27.

廢棄

締約國中本條約ヲ廢棄セムト欲スルモノアルトキハ書面ヲ以テ其ノ旨 和蘭國政府ニ通告スヘシ和蘭國政府ハ直ニ通告書ノ認證原本ヲ爾餘ノ諸國ニ送付シ且右通告書ヲ接受シタル日ヲ通知スヘシ

S'il arrivait qu'une des Puissances contractantes voulût dénoncer la présente Convention la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas, qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances en leur faisant savoir la date à laquelle il l'a reçue.

廢棄ハ其ノ通告書カ和蘭國政府ニ到達シタルトキヨリ一年ノ後右通告ヲ爲シタル國ニ對シテノミ效力ヲ生スルモノトス

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

第二十八條

ARTICLE 28.

記入

和蘭國外務省ハ帳簿ヲ備ヘ置キ第二十三條第三項及第四項ニ依リ爲シタル批准書寄託ノ日並加盟(第二十四條第二項)又ハ廢棄(第二十七條第一項)ノ通告ヲ接受シタル日ヲ記入スルモノトス

Un registre tenu par le Ministère des Affaires Étrangères des Pays-Bas indiquera la date du dépôt de ratifications effectué en vertu de l'article 23, alinéas 3 et 4, ainsi que la date à laquelle auront été reçues les notifications d'adhésion (article

各締約國ハ右帳簿ヲ閱覽シ且其ノ認證抄本ヲ請求スルコトヲ得

24, alinéa 2) ou de dénonciation (article 27, alinéa 1).

右證據トシテ各全權委員本條約ニ署名ス

Chaque Puissance contractante est admise à prendre connaissance de ce registre et à en demander des extraits certifiés conformes.

千九百七年十月十八日海牙ニ於テ本會一通ヲ作り之ヲ和蘭國政府ノ文庫ニ寄託シ其ノ認證原本ヲ外交上ノ手續ニ依リ第二回平和會議ニ招請セラレタル諸國ニ交付スヘキモノトス

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures:

Fait à La Haye le dix-huit octobre mil neuf cent sept, en un seul exemplaire, qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique aux Puissances qui ont été conviées à la Deuxième Conférence de la Paix.

第一 獨逸國

マルシヤル

クリーゲ

第二 亞米利加合衆國

ジョセフ、エフチ、チョート

ホレニス、ポーター

ユ、エム、ローズ

デグランド、ジーン、ヒル

1. Pour l'Allemagne :

MARSCHALL.

KRIEGER.

2. Pour les États-Unis d'Amérique :

JOSEPH H. CHOATE.

HORACE PORTER.

U. M. ROSE.

DAVID JAYNE HILL.

| | |
|---|---|
| シー、エス、スベリー ウィリアム、アイ、ブカナン 第三 亞爾然丁國 ロケ、サエンツ、ベニヤ ルイス、エム、ドラゴ セー、ロドリゲス、ラレタ 第四 奧地利洪牙利國 メレー 男爵マツキオ 第五 白耳義國 ア、ベルナル ジー、ウアン、デン、ヒューベル ギーヨーム 第六 「ボリヴィア」國 クラウヂオ、ピニラ 第七 伯刺西爾國 ルイ、バルボサ エー、リスボア 第八 勃爾牙利國 陸軍少將ヴィナロフ | C. S. SPERRY WILLIAM I. BUCHANAN. 3. <i>Pour l'Argentine :</i> ROQUE SAENZ PEÑA. LUIS M. DRAGO. C. RÚEZ LARRETA. 4. <i>Pour l'Autriche-Hongrie :</i> MÉREY. Baron MACCHIO. 5. <i>Pour la Belgique :</i> A. BEERNAERT. J. VAN DEN HEUVEL. GUILLAUME. 6. <i>Pour la Bolivie :</i> CLAUDIO PINILLA. 7. <i>Pour le Brésil :</i> RUY BARBOSA. E. LISBÔA. 8. <i>Pour la Bulgarie :</i> Général-Major VINAROFF. |
|---|---|

| | |
|---|---|
| イヴァン、カラランジエーロフ 第九 智利國 ドミンゴ、ガナ アウグスト、マツテ カルロス、コンチャ 第十 清 國 陸 徵 祥 錢 恂 (第二十一條ヲ留保ス) 第十一 格倫比亞國 ホルヘ、ホルグイン エス、ペレス、トリアナ エム、ヴァルガス 第十二 玻馬共和國 アントニオ、エス、デ、ブスタマンテ ゴンザロ、デ、クエサダ マスエル、サンガイリー 第十三 丁 株 國 セー、ブロン 第十四 「ドミニカ」共和國 ドクトル、ヘンリケス、イ、カルヴァハル | Iv. KARANDJOULOFF. 9. <i>Pour le Chili :</i> DOMINGO GANA. AUGUSTO MATTE. CARLOS CONCHA. 10. <i>Pour la Chine :</i> LOUTSENGTSIANG. {Sous réserve de TSIENSUN. {l'article 21. 11. <i>Pour la Colombie :</i> JORGE HOLGUIN. S. PEREZ TRIANA. M. VARGAS. 12. <i>Pour la République de Cuba :</i> ANTONIO S. DE BUSTAMANTE. GONZALO DE QUESADA. MANUEL SANGUILY. 13. <i>Pour le Danemark :</i> C. BRUN. 14. <i>Pour la République Dominicaine :</i> dr. HENRIQUEZ Y CARVAJAL. |
|---|---|

アポリナル、テヘラ
 第十五 「エクアドル」國
 ヴィクトル、エム、レンドン
 エドロン、イ、デ、アルスア

第十六 西班牙國
 ドブルグ、エル、デ、ヴィリヤウル、チヤ
 ホセ、デ、ラ、リカ、イ、カルグチ
 ガブリエル、マウラ

第十七 佛蘭西國
 レオン、ブールジョア
 デスツールネルド、コンスタン
 エル、ルノー
 マスラン、ベレ

第十八 大不列顛國

エドワード、フライ
 アーネスト、サトウ
 レー
 ヘンリー、ハワード

第六條第二十條及左ノ宣言ヲ
 英國全權委員ハ本條約ニ署名
 スルニ當リ英國皇帝陛下ノ政令
 ヲ以テ其ノ後ニ於テ該國ノ政令
 中又ハ第十二條ノ適用ハ政府
 ノ裁量ニ任セラルベシトモ限
 ズコトヲ宣明ス

第十九 希臘國

APOLINAR TEJERA.

15. *Pour l'Equateur :*
 VICTOR M. RENDÓN.
 E. DORN Y DE ALSÚA.

16. *Pour l'Espagne :*
 W. R. DE VILLA URRUTIA.
 JOSÉ DE LA RICA Y CALVO.
 GABRIEL MAURA.

17. *Pour la France :*
 LÉON BOURGEOIS.
 D'ESTOURNELLES DE CONSTANT.
 L. RENAULT.
 MARCELLIN PELLET.

18. *Pour la Grande-Bretagne :*
 EDW. FRY.
 ERNEST SATOW.
 REAY.
 HENRY HOWARD.

Sous réserve des articles 6
 et 21 et de la déclaration
 suivante:
 "En apposant leurs signa-
 tures à cette convention les
 Plénipotentiaires Britanniques
 déclarent que le Gouver-
 nement de sa Majesté
 entend que l'application de
 l'article 12 se borne au seul
 cas des combattants recue-
 illis pendant ou après un
 combat naval auquel ils
 auront pris part."

19. *Pour la Grèce :*

クレオン、リツキ、ランガベ
 ジョールジ、ストレイト
 第二十 「グアテマラ」國
 ホセ、チブレ、マチャド

第二十一 「ハイチ」國
 ダルベマル、ジャン、ジョセフ
 ジー、エス、レジー
 ビエール、ユヂタール

第二十二 伊太利國
 ポンピリ
 ジー、フジナト

第二十三 日本國
 佐藤愛蔵

第二十四 盧森堡國
 アイシエン
 伯爵ド、ヴィレ

第二十五 墨西哥國
 ジー、ア、エストラガ
 エス、ベ、ド、ミエー
 エフ、エル、デ、ラ、バラ

CLÉON RIZO RANGABÉ.
 GEORGES STREIT.

20. *Pour le Guatémala :*
 JOSÉ TIBLE MACHADO.

21. *Pour le Haïti :*
 DALBÉMAR JN JOSEPH.
 J. N. LÉGER.
 PIERRE HUDICOURT.

22. *Pour l'Italie :*
 POMPILJ.
 G. FUSINATO.

23. *Pour le Japon :*
 AIMARO SATO.

24. *Pour le Luxembourg :*
 EYSCHEN.
 Cte DE VILLERS.

25. *Pour le Mexique :*
 G. A. ESTEVA.
 S. B. DE MIER.
 F. L. DE LA BARRA.

アポリナル、テヘラ

第十五 「エクアドル」國

ヴィクトル、エム、レンドン

エ、ドルン、イ、デ、アルスア

第十六 西班牙國

ドブルヅ、エル、デ、ヴィリヤウル、チヤ

ホセ、デ、ラ、リカ、イ、カル、ウ、キ

ガブリエル、マウラ

第十七 佛蘭西國

レオン、ブールジョア

デスツールネルド、コンスタン

エル、ルノイ

マルスラン、ペレ

第十八 大不列顛國

エドワード、フライ

アーネスト、サトウ

レ、イ

ヘンリー、ハワード

第十九 希臘國

第六條第二十條及左ノ宣旨ヲ
英全權委員ハ本條約ニ署名
スルニ當リ英國皇帝陛下ノ政令
ヲ於テ第十二條ノ適用ハ政令
ニ於テ又其後ニ於テ該條約
ノ海戰中又其後ニ於テ該條約
ヲ適用スルモ其後ニ於テ該條約
ノ海戰中又其後ニ於テ該條約
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ジョールジュ、ストレイト

第二十 「グアテマラ」國

ホセ、チブレ、マチャド

第二十一 「ハイチ」國

ダルベマル、ジャン、ジ、セフ

ジョ、エス、レ、ジ、エ、イ

ピエール、ユヂク、トル

第二十二 伊太利國

ポンピリ

ジ、イ、フ、シ、ナ、ト

第二十三 日本國

佐藤愛磨

第二十四 盧森堡國

アイシエン

伯爵ド、ヴィレ、イ

第二十五 墨西哥國

ジ、エ、イ、ア、エ、ス、テ、バ、

エ、ス、ベ、イ、ド、ミ、エ、イ

エ、フ、エル、デ、ラ、バ、ラ

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EYSCHEN.

C^{te} DE VILLERS.

25. *Pour le Mexique :*

G. A. ESTEVA.

S. B. DE MIER.

F. L. DE LA BARRA.

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| <p>第二十六 「モンテネグロ」國 ネリドフ マルタンス エス、チャリコフ</p> <p>第二十七 「ニカラグワ」國</p> <p>第二十八 諾威國 エフ、ハーゲルブ</p> <p>第二十九 巴奈馬國 ベー、ポラス</p> <p>第三十 「パラグエー」國 シニ、ヂニ、モンシー</p> <p>第三十一 和蘭國 ドブルヅ、アッシマド、ボー、フ、アール テー、エム、セー、アッセル デン、ペール、ポール、チ、ゲール シー、アール、ローエル シー、アール、ロエフ</p> <p>第三十二 秘魯國 セー、ジニ、カンダモ</p> <p>第三十三 波斯國</p> | <p>26. <i>Pour le Monténégro :</i> NELIDOW. MARTENS. N. TCHARYKOW.</p> <p>27. <i>Pour le Nicaragua.</i></p> <p>28. <i>Pour la Norvège :</i> F. HAGERUP.</p> <p>29. <i>Pour le Panama :</i> B. PORRAS.</p> <p>30. <i>Pour le Paraguay :</i> J. DU MONCEAU.</p> <p>31. <i>Pour les Pays-Bas :</i> W. H. DE BEAUFORT. T. M. C. ASSER. DEN BEER POORTUGAEL. J. A. RÖELL. J. A. LOEFF.</p> <p>32. <i>Pour le Pérou :</i> C. G. CANDAMO.</p> <p>33. <i>Pour la Perse :</i></p> |
|---|--|

| | |
|--|--|
| <p>モムタズスサルタネー、 エム、サマド、カン、 サヂグ、ウル、ムルク、エ、 ム、アームッド、カン、</p> <p>第三十四 葡萄牙國 侯爵デ、ソヴエラル 伯爵デ、セリール アルベルト、ドリヴエイヤ</p> <p>第三十五 羅馬尼亞國 エドガール、マヴロコルダト</p> <p>第三十六 露西亞國 ネリドフ マルタンス エス、チャリコフ</p> <p>第三十七 「サルヴァドル」國 ペー、ジニ、マテウ エス、ペレス、トリアナ</p> <p>第三十八 塞爾比亞國 エス、グルイチ</p> | <p>MONTAZOS-SALTANEH M. SAMAD KHAN. SADIGH UL MULK M. AHMED KHAN.</p> <p>34. <i>Pour le Portugal :</i> MARQUIS DE SOVERAI. CONDE DE SELIR. ALBERTO D'OLIVEIRA.</p> <p>35. <i>Pour la Roumanie :</i> EDG. MAVROCORDATO.</p> <p>36. <i>Pour la Russie :</i> NELIDOW. MARTENS. N. TCHARYKOW.</p> <p>37. <i>Pour le Salvador :</i> P. J. MATHEU. S. PEREZ TRIANA.</p> <p>38. <i>Pour la Serbie :</i> S. GROUITCH.</p> |
|--|--|

Sous réserve du droit reconnu par la Conférence de l'emploi du Lion et du Soleil rouge au lieu et à la place de la Croix Rouge.

平和會議ニ於テ本認セラル
 赤十字ノ代ニ用スル
 赤十字ノ代ニ用スル
 赤十字ノ代ニ用スル
 赤十字ノ代ニ用スル

エム、ジエー、ミロヴァノヴラチ

エム、ジエー、ミリチエヴラチ

第三十九 暹羅國

モム、チャチデー、ウドム

セー、コラヂオニ、ドレリ

ルアング、ピヴアナルト、ナリユーバル

第四十 瑞典國

カー、アッシエ、エル、ハムマルスキョルド

ヨハンネス、ヘルネル

第四十一 瑞西國

カルラン

第四十二 土耳其國

チムルカン (平和會議ニ於テ承認セラレタル
赤新月ヲ用ケルノ權利ヲ留保ス)

第四十三 「ウルグエー」國

ホセ、バトレ、イ、オールドニエス

第四十四 「ヴェネズエラ」國

ジー、ヒル、フォルトウル

M. G. MILOVANOVITCH.

M. G. MILITCHEVITCH.

39. *Pour le Siam :*

MOM CHATIDEJ UDOM.

C. CORRAGONI D'ORELLI.

LUANG BHÜVANARTH NARÜBAL.

40. *Pour la Suède :*

K. H. L. HAMMARSKJÖLD.

JOH. HELNER.

41. *Pour la Suisse :*

CARLIN.

42. *Pour la Turquie :*

TURKHAN. { Sous réserve du droit reconnu
par la Conférence de la Paix de
l'emploi du Croissant Rouge.

43. *Pour l'Uruguay :*

JOSÉ BATLLE Y ORDOÑEZ.

44. *Pour le Vénézuéla :*

J. GIL FORTOUL.



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Doc 191 - P1

國際阿片會議議長

チャレンス、エフ、フレント (手署)

右證明ス

國際阿片會議書記

フレデリック、ダブリュー、トーマス (手署)

同

サグ、ヤール、ド、ラフ、ルカド (手署)

國際阿片條約

一九二三年(明治四十五年)一月三十一日
一九二〇年(大正九年)一月一日

獨逸帝國ノ名ヲ以テスル獨逸國皇帝普魯西國皇帝
陛下、亞米利加合衆國大統領、支那國皇帝陛下、
佛蘭西共和國大統領、大不列顛愛爾蘭聯合王國及大
不列顛海外領土皇帝印度皇帝陛下、伊太利國皇帝
陛下、日本國皇帝陛下、和蘭國皇帝陛下、波斯國

Shanghai, China,

27th February, 1909.

certified:

(Signed) FRED. W. CAREY,

(Signed) XAVIER DE LAFORCADE,

Secretaries.

CONVENTION INTERNATIONALE
DE L'OPIMUM.

Signée à La Haye, le 23 Janvier 1912.
Publiée à Tientsin, le 10 Janvier 1920.

SA MAJESTÉ L'EMPEREUR D'ALLE-
MAGNE, ROI DE PRUSSE, AU NOM DE
L'EMPIRE ALLEMAND; LE PRÉSIDENT
DES ÉTATS-UNIS D'AMÉRIQUE; SA MA-
JESTÉ L'EMPEREUR DE CHINE; LE
PRÉSIDENT DE LA RÉPUBLIQUE FRAN-

前文

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皇帝陛下、葡萄牙共和國大統領、全露西國皇帝
陛下、暹羅國皇帝陛下、

千九百九年上海萬國阿片調查委員會ノ制定シタル
方針ニ對シ更ニ一歩ヲ進ヌムコトヲ希望シ

阿片、"モルヒネ"、"コカイン"ニ此等物質ヨリ製
造又ハ提導シタル藥品ニシテ之ト同様ノ害毒ヲ惹
起シ又ハ惹起シ得ヘキモノノ濫用ヲ漸次禁遏セム
コトヲ期シ

此ノ點ニ關シ國際協商ヲ遂ケルコトノ必要ニシテ
相互ノ利益ナルコトヲ認メ

ÇAISE; SA MAJESTÉ LE ROI DU
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE ET DES TERRITOIRES
BRITANNIQUES AU DELÀ DES MERS,
EMPEREUR DES INDES; SA MAJESTÉ
LE ROI D'ITALIE; SA MAJESTÉ L'EM-
PEREUR DU JAPON; SA MAJESTÉ LA
REINE DES PAYS-BAS; SA MAJESTÉ
IMPÉRIALE LE SCHAH DE PERSE; LE
PRÉSIDENT DE LA RÉPUBLIQUE POR-
TUGAISE; SA MAJESTÉ L'EMPEREUR
DE TOUTES LES RUSSIES; SA MAJESTÉ
LE ROI DE SIAM,

désirant marquer un pas de plus dans la voie
ouverte par la Commission Internationale de
Shanghai de 1909;

résolu à poursuivre la suppression progressive
de l'abus de l'opium, de la morphine, de la co-
caïne ainsi que des drogues préparées ou dérivées
de ces substances donnant lieu, ou pouvant donner
lieu, à des abus analogues;

considérant la nécessité et le profit mutuel
d'une entente internationale sur ce point;

此ノ人道的努力ニ對シテハ關係各國カ全般ノ贊同ヲ得ヘキコトヲ確信シ之カ爲ニ條約ヲ締結スルコトニ決定シ各左ノ全權委員ヲ任命セリ

獨逸國皇帝普魯西國皇帝陛下

和蘭國駐劄特命全權公使「コンセイエー、アンチム、アクテメル」
「フリアクスト、ド、ミエー、レル」

「コンセイエー、シニベリ、ニール、アンチム、ド、レシヤンス」
「デルブリック」

公使館參事官「ドクトル、グリー、ネン、アム、ド」

衛生局長「コンセイエー、アンチム、ド、レシヤンス」
「ドクトル、ケル、ア」

廣東駐在領事「ドクトル、レ、ス、レル」

亞米利加合衆國大統領

司教「チャールズ、エ、チ、ブ、レント」

「ハミルトン、ライト」

convaincus qu'ils rencontreront dans cet effort humanitaire l'adhésion unanime de tous les États intéressés,

ont résolu de conclure une Convention à cet effet, et ont nommé pour Leurs Plénipotentiaires, à savoir :

SA MAJESTÉ L'EMPEREUR D'ALLEMAGNE, ROI DE PRUSSE :

Son Excellence M. FÉLIX DE MÜLLER, Son conseiller intime actuel, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye ;

M. DELBRÜCK, Son conseiller supérieur intime de Régence ;

M. le Dr. GRUNENWALD, Son conseiller actuel de légation ;

M. le Dr. KERP, Son conseiller intime de Régence, directeur à l'Office Impérial de santé ;

M. le Dr. RÖSSLER, consul Impérial à Canton.

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE :

M. l'Évêque CHARLES H. BRENT ;

M. HAMILTON WRIGHT :

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「エツチ、シー、フィンガー」

支那國皇帝陛下

獨逸國駐劄特命全權公使梁誠

佛蘭西共和國大統領

印度支那農商監督官「アンリー、ブルニエ」

印度支那民政官「ピエール、ゲート」

大不列顛愛爾蘭聯合王國及大不列顛海外領土皇帝印
度皇帝陛下

秘密顧問官「サー、セシル、クレメント、スミス」

「マドラス」政廳書記官長「サー、ウィリアム、スチーブンソン、マイヤー」

大使館參事官「ウィリアム、グレンフェル、マックス、ミューラー」

M. H. J. FINGER.

SA MAJESTÉ L'EMPEREUR DE CHINE :

Son Excellence M. LIANG CH'ENG, Son envoyé extraordinaire et ministre plénipotentiaire à Berlin.

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE :

M. HENRI BRENIER, inspecteur-conseil des services agricoles et commerciaux de l'Indo-Chine ;

M. PIERRE GUÉDE, administrateur des services civils de l'Indo-Chine.

SA MAJESTÉ LE ROI DU ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES :

The Right-Honourable Sir CECIL CLEMENTI SMITH, G. C. M. G., membre du conseil privé ;

Sir WILLIAM STEVENSON MEYER, K. C. I. E., secrétaire en chef du Gouvernement de Madras ;

M. WILLIAM GRENFELL MAX-MÜLLER, C. B., M. V. O., Son conseiller d'ambassade ;

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倫敦州副知事「サー、ウィリアム、ジョージ、コリンズ」

伊太利國皇帝陛下
和蘭國駐劄特命全權公使伯爵「ジー、サリエー、デ、ラ、ツール、デ、ク、デ、カルケ、エルロ」

日本國皇帝陛下
和蘭國駐劄特命全權公使佐藤愛蔵

臺灣總督府技師高木友枝

衛生試驗所技師藥學博士西崎弘太郎

和蘭國皇帝陛下
前殖民大臣和蘭商事協會會頭「アイ、アイ、ク、レーヤー」

上院議員「セー、アイ、ハー、ファン、デ、グエン、ナル」

Sir WILLIAM JOE COLLINS, M. D., deputy-lieutenant du Comté de Londres.

SA MAJESTÉ LE ROI D'ITALIE:
Son Excellence M. le Comte J. SALLIER DE LA TOUR, Duc de Calvello, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye.

SA MAJESTÉ L'EMPEREUR DU JAPON:
Son Excellence M. AIMARO SATO, Son envoyé extraordinaire et ministre plénipotentiaire à La Haye;

M. le Dr. TOMOE TAKAGI, ingénieur du Gouvernement-général de Formose;

M. le Dr. KOFARO NISHIZAKI, spécialiste technique, attaché au laboratoire des services hygiéniques.

SA MAJESTÉ LA REINE DES PAYS-BAS:
M. J. T. CREMER, Son ancien ministre des colonies, président de la compagnie néerlandaise de commerce;

M. C. Th. VAN DEVENTER, membre de la première chambre des États-Généraux;

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前蘭領印度阿片專賣事務總監「アー、アイ、デ、ヨング」

下院議員「ヨット、グー、スキュー、レル」

蘭領印度阿片專賣事務監督官「ファン、ク、ラトム」

波斯國皇帝陛下
在海洋波斯國公使館書記官「ミルザ、アイ、ム、ド、カーン」

葡萄牙共和國大統領
和蘭國駐劄特命全權公使「アントニオ、マリア、バルトロメウ、フェレイラ」

全露西亞國皇帝陛下
式部官、國事參議官、瑞典國駐劄特命全權公使「アレキサンドル、サグ、インスキー」

M. A. A. DE JONGH, ancien inspecteur-général, chef du service de la régie de l'opium aux Indes néerlandaises;

M. J. G. SCHEURER, membre de la seconde chambre des États-Généraux;

M. W. G. VAN WETTUM, inspecteur de la régie de l'opium aux Indes néerlandaises.

SA MAJESTÉ IMPÉRIALE LE SCHAH DE PERSE:
MIRZA MAHMOUD KHAN, secrétaire de la légation de Perse à La Haye.

LE PRÉSIDENT DE LA RÉPUBLIQUE PORTUGAISE:
Son Excellence M. ANTONIO MARIA BARTHOLOMEU FERREIRA, envoyé extraordinaire et ministre plénipotentiaire à La Haye.

SA MAJESTÉ L'EMPEREUR DE TOUTES LES RUSSIES:
Son Excellence M. ALEXANDRE SAVINSKY, Son maître de cérémonies, Son conseiller d'état actuel, Son envoyé extraordinaire et ministre plénipotentiaire à Stockholm.

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暹羅國皇帝陛下
大不列顛國、和蘭國及白耳義國駐暹特命全權公使「フキヤ、アカライ、ウララ、ウラ」
公使館參事官「ウイリアム、ジ、ア、ア、ア、ア」

各其ノ全權委任狀ヲ示シ之カ良好妥當ナルヲ認メタル後左ノ如ク協定シタリ

第一章
生阿片

定義 生阿片トハ罌粟（パバケ、エ、ソムニ、フ、ム）質ヨリ得タル液汁ノ自然ニ凝結シタルモノニシテ單ニ包裝及輸送ニ必要ナル程度ノ加工ヲ爲シタルモノヲ謂フ

第一條
締約國ハ生阿片ノ生産及分配ノ取締ノ爲有效ナル法令又ハ規則ヲ制定スヘシ但シ右ニ關シ既ニ法令又ハ規則ヲ存スル場合ハ此ノ限ニ在ラス

SA MAJESTÉ LE ROI DE SIAM :
Son Excellence PHVA AKHARAJ VARADHARA,
Son envoyé extraordinaire et ministre plénipotentiaire à Londres, La Haye, et Bruxelles ;
M. Wm. J. ARCHER, C. M. G., Son conseiller de légation,
Lesquels, après avoir déposé leur pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

CHAPITRE I.

Opium brut.

Definition. Par opium brut on entend :
le suc, coagulé spontanément, obtenu des capsules du pavot somnifère (Papaver somniferum), et n'ayant subi que les manipulations nécessaires à son emballage et à son transport.

ARTICLE 1.

Les Puissances Contractantes édicteront des lois ou des règlements efficaces pour le contrôle de la production et de la distribution de l'opium brut, à moins que des lois ou des règlements

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締約國ハ各其ノ商業狀態ノ異同ヲ參酌シ生阿片ノ輸出又ハ輸入ヲ許可スヘキ都市、港其ノ他ノ地ノ數ヲ制限スヘシ

第三條
締約國ハ左ノ措置ヲ執ルヘシ

(イ) 生阿片ノ輸入ヲ禁止スル國ニ對シ其ノ輸出ヲ禁遏スルコト
(ロ) 生阿片ノ輸入ヲ制限セル國ニ對シ其ノ輸出ヲ取締ルコト

但シ右ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス

第四條
締約國ハ五音尾以上ノ生阿片ヲ包容スル輸出包裝物ニハ其ノ表面ニ内容ヲ表示スヘキ記號ヲ附セシ

existants n'aient déjà réglé la matière.

ARTICLE 2.

Les Puissances Contractantes limiteront, en tenant compte des différences de leurs conditions commerciales, le nombre des villes, ports ou autres localités par lesquels l'exportation ou l'importation de l'opium brut sera permise.

ARTICLE 3.

Les Puissances Contractantes prendront des mesures :

- a. pour empêcher l'exportation de l'opium brut vers les pays qui en auront prohibé l'entrée, et
- b. pour contrôler l'exportation de l'opium brut vers les pays qui en limitent l'importation, à moins que des mesures existantes n'aient déjà réglé la matière.

ARTICLE 4.

Les Puissances Contractantes édicteront des règlements prévoyant que chaque colis contenant

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| 輸出入者 ノ 認許 者 | ムルカ爲ニ規則ヲ設クヘシ 第五條 締約國ハ正當ニ認許セラレタル者ニ依ルノ外生阿片ノ輸出入ヲ許可セサルヘシ |
| 阿片煙膏 ノ 定 義 | 第二章 阿片煙膏 定義 阿片煙膏トハ生阿片ヨリ其ノ消費ニ適スル物質ヲ抽出スル目的ヲ以テ之ニ對シ溶解、煮沸、加熱及酸酵其ノ他連続シタル特別ナル操作ヲ施シテ得タル生産品ヲ謂フ 阿片煙膏ハ烟灰其ノ他一切ノ吸烟殘滓ヲ包含ス |
| 製造 ノ 引渡 及 他 用途 ノ 制限 | 第六條 締約國ハ各其ノ國內ニ於ケル特殊ノ事情ヲ參酌シテ阿片煙膏ノ製造、國內取引及使用ヲ漸次且有效 |

de l'opium brut destiné à l'exportation sera marqué de manière à indiquer son contenu, pourvu que l'envoi excède 5 kilogrammes.

ARTICLE 5.

Les Puissances Contractantes ne permettront l'importation et l'exportation de l'opium brut que par des personnes dûment autorisées.

CHAPITRE II.

Opium préparé.

Définition. Par opium préparé on entend :

Le produit de l'opium brut, obtenu par une série d'opérations spéciales, et en particulier par la dissolution, l'ébullition, le grillage et la fermentation, et ayant pour but de le transformer en extrait propre à la consommation.

L'opium préparé comprend le dross et tous autres résidus de l'opium fumé.

ARTICLE 6.

Les Puissances Contractantes prendront des mesures pour la suppression graduelle et efficace

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| 禁止 ノ 輸出入 | ニ禁退スルノ措置ヲ執ルヘシ但シ右ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス 第七條 締約國ハ阿片煙膏ノ輸出入ヲ禁止スヘシ尤モ其ノ輸出ヲ直ニ禁止シ得サル國ハ成ルヘシ速ニ之ヲ禁止スヘシ |
| 禁止 ノ 制限 ノ 場合 | 第八條 阿片煙膏ノ輸出ヲ直ニ禁止シ得サル締約國ハ (イ) 阿片煙膏ヲ輸出シ得ヘキ都市、港其ノ他ノ地ノ數ヲ制限スヘシ (ロ) 現ニ阿片煙膏ノ輸入ヲ禁止シ又ハ將來之ヲ禁止スヘキ國ニ對スル其ノ輸出ヲ禁止スヘシ (ハ) 阿片煙膏ノ輸入ヲ制限セムトスル國ニ對シ |

de la fabrication, du commerce intérieur et de l'usage de l'opium préparé, dans la limite des conditions différentes propres à chaque pays, à moins que des mesures existantes n'aient déjà réglé la matière.

ARTICLE 7.

Les Puissances Contractantes prohiberont l'importation et l'exportation de l'opium préparé; toutefois, celles qui ne sont pas encore prêtes à prohiber immédiatement l'exportation de l'opium préparé, la prohiberont aussitôt que possible.

ARTICLE 8.

Les Puissances Contractantes qui ne sont pas encore prêtes à prohiber immédiatement l'exportation de l'opium préparé :

a. restreindront le nombre des villes, ports ou autres localités par lesquels l'opium préparé pourra être exporté;

b. prohiberont l'exportation de l'opium préparé vers les pays qui en interdisent actuellement, ou pourront en interdire plus tard, l'importation;

c. défendront, en attendant, qu'aucun opium

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| <p>輸入 ノ 許可</p> | <p>ムルカ爲ニ規則ヲ設ケヘシ</p> | <p>de Popium brut destiné à l'exportation sera marqué de manière à indiquer son contenu, pourvu que l'envoi excède 5 kilogrammes.</p> |
| <p>阿片煙膏</p> | <p>第五條 締約國ハ正當ニ認許セラレタル者ニ依ルノ外生阿片ノ輸出入ヲ許可セサルヘシ</p> | <p>ARTICLE 5. Les Puissances Contractantes ne permettront l'importation et l'exportation de Popium brut que par des personnes dûment autorisées.</p> |
| <p>定義</p> | <p>第二章 阿片煙膏 定義 阿片煙膏トハ生阿片ヨリ其ノ消費ニ適スル物質ヲ抽出スル目的ヲ以テ之ニ對シ溶解、煮沸、加熱及酸酵其ノ他連續シタル特別ナル操作ヲ施シテ得タル生産品ヲ謂フ</p> | <p>CHAPITRE II. Opium préparé.</p> |
| <p>製造 ノ 引渡 及 他 用途 ノ 通過</p> | <p>阿片煙膏ハ烟灰其ノ他一切ノ吸烟殘滓ヲ包含ス 第六條 締約國ハ各其ノ國內ニ於ケル特殊ノ事情ヲ參酌シテ阿片煙膏ノ製造、國內取引及使用ヲ漸次且有效</p> | <p>Définition. Par opium préparé on entend : Le produit de Popium brut, obtenu par une série d'opérations spéciales, et en particulier par la dissolution, l'ébullition, le grillage et la fermentation, et ayant pour but de le transformer en extrait propre à la consommation. L'opium préparé comprend le dross et tous autres résidus de Popium fumé. ARTICLE 6. Les Puissances Contractantes prendront des mesures pour la suppression graduelle et efficace</p> |

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| <p>禁止 ノ 輸入</p> | <p>ニ禁遏スルノ措置ヲ執ルヘシ但シ右ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス</p> | <p>de la fabrication, du commerce intérieur et de l'usage de Popium préparé, dans la limite des conditions différentes propres à chaque pays, à moins que des mesures existantes n'aient déjà réglé la matière.</p> |
| <p>禁止 ノ 輸出</p> | <p>第七條 締約國ハ阿片煙膏ノ輸出入ヲ禁止スヘシ尤モ其ノ輸出ヲ直ニ禁止シ得タル國ハ成ルヘク速ニ之ヲ禁止スヘシ</p> | <p>ARTICLE 7. Les Puissances Contractantes prohiberont l'importation et l'exportation de Popium préparé; toutefois, celles qui ne sont pas encore prêtes à prohiber immédiatement l'exportation de Popium préparé, la prohiberont aussitôt que possible.</p> |
| <p>禁止 ノ 制限 ノ 場合</p> | <p>第八條 阿片煙膏ノ輸出ヲ直ニ禁止シ得タル締約國ハ (イ) 阿片煙膏ヲ輸出シ得ヘキ都市、港其ノ他ノ地ノ數ヲ制限スヘシ (ロ) 現ニ阿片煙膏ノ輸入ヲ禁止シ又ハ將來之ヲ禁止スヘキ國ニ對スル其ノ輸出ヲ禁止スヘシ (ハ) 阿片煙膏ノ輸入ヲ制限セムトスル國ニ對シ</p> | <p>ARTICLE 8. Les Puissances Contractantes qui ne sont pas encore prêtes à prohiber immédiatement l'exportation de Popium préparé : a. restreindront le nombre des villes, ports ou autres localités par lesquels Popium préparé pourra être exporté ; b. prohiberont l'exportation de Popium préparé vers les pays qui en interdisent actuellement, ou pourront en interdire plus tard, l'importation ; c. défendront, en attendant, qu'aucun opium</p> |

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| <p>第三十二 阿片條約 (國際阿片條約)</p> <p>テハ輸出者カ輸入國ノ法令ニ遵由スル場合ニ限リ當分ノカ輸出ヲ許可スヘシ</p> <p>(ニ) 阿片煙膏ヲ包装スル輸出包装物ニ付各其ノ内容ノ性質ヲ表示スヘキ特別記號ヲ附セシムルカ爲ニ措置ヲ執ルヘシ</p> <p>(ホ) 特ニ認許セラレタル者ニ依ルノ外阿片煙膏ノ輸出ヲ許可セザルヘシ</p> | <p>第三三章</p> <p>藥用阿片、「モルヒネ」、「コカイン」 其ノ他</p> <p>定義 藥用阿片トハ生阿片ヲ攝氏六十度ニ蒸シ百分ノ十以上ノ「モルヒネ」ヲ含有スルモノヲ謂フ尤モ其ノ粉末若ハ粒狀タルト又ハ中性物ヲ混合スルト否トヲ問ハサルモノトス</p> <p>「モルヒネ」トハ阿片ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{19}NO_5$ ノ化學式ヲ有スルモノヲ謂フ</p> <p>「コカイン」トハ「エリトロキシロン」コカ「葉」ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{21}NO_4$ ノ</p> |
| <p>藥用阿片 其ノ他</p> <p>定 義</p> | <p>第三三章</p> <p>藥用阿片、「モルヒネ」、「コカイン」 其ノ他</p> <p>定義 藥用阿片トハ生阿片ヲ攝氏六十度ニ蒸シ百分ノ十以上ノ「モルヒネ」ヲ含有スルモノヲ謂フ尤モ其ノ粉末若ハ粒狀タルト又ハ中性物ヲ混合スルト否トヲ問ハサルモノトス</p> <p>「モルヒネ」トハ阿片ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{19}NO_5$ ノ化學式ヲ有スルモノヲ謂フ</p> <p>「コカイン」トハ「エリトロキシロン」コカ「葉」ノ主要ナル「アルカロイド」ニシテ $C_{17}H_{21}NO_4$ ノ</p> |

製法
製造
制限
用途

Doc 191-P12

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| <p>第九條</p> <p>締約國ハ「モルヒネ」、「コカイン」及其ノ各種類ノ製造、販賣及使ヲ藥用及適法ノ用途ノミニ制限スルカ爲藥劑ニ關スル法令又ハ規則ヲ制定スヘシ但シ右ニ關シ既ニ法令又ハ規則ヲ存スル場合ハ此ノ限ニ在ラス締約國ハ前記藥品ヲ他ノ目的ニ使スルコトヲ禁遏スルカ爲ニ互ニ協カスヘシ</p> <p>第十條</p> <p>締約國ハ「モルヒネ」、「コカイン」及其ノ各種類ノ製造、輸入、販賣、分配及輸出ニ従事スル一切ノ者並此等ノ者カ其ノ製造又ハ取引ヲ行フヘキ建物ヲ監督スルコト又ハ監督セシムルコトニ努力スヘシ</p> <p>之カ爲締約國ハ左ノ措置ヲ執ルコト又ハ執ラシム</p> | <p>化學式ヲ有スルモノヲ謂フ</p> <p>「ヘロイン」トハ「ジアセチルモルヒネ」ニシテ $C_{17}H_{17}NO_5$ ノ化學式ヲ有スルモノヲ謂フ</p> <p>第九條</p> <p>締約國ハ「モルヒネ」、「コカイン」及其ノ各種類ノ製造、販賣及使ヲ藥用及適法ノ用途ノミニ制限スルカ爲藥劑ニ關スル法令又ハ規則ヲ制定スヘシ但シ右ニ關シ既ニ法令又ハ規則ヲ存スル場合ハ此ノ限ニ在ラス締約國ハ前記藥品ヲ他ノ目的ニ使スルコトヲ禁遏スルカ爲ニ互ニ協カスヘシ</p> <p>第十條</p> <p>締約國ハ「モルヒネ」、「コカイン」及其ノ各種類ノ製造、輸入、販賣、分配及輸出ニ従事スル一切ノ者並此等ノ者カ其ノ製造又ハ取引ヲ行フヘキ建物ヲ監督スルコト又ハ監督セシムルコトニ努力スヘシ</p> <p>之カ爲締約國ハ左ノ措置ヲ執ルコト又ハ執ラシム</p> |
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第三三章

préparé soit envoyé à un pays qui désire en restreindre l'usage, à moins que l'exportateur ne se conforme aux règlements du pays importateur ;

d. prendront des mesures pour que chaque colis exporté, contenant de l'opium préparé, porte une marque spéciale indiquant la nature de son contenu ;

e. ne permettront l'exportation de l'opium préparé que par des personnes spécialement autorisées.

CHAPITRE III.

Opium medicinal, morphine, cocaine, etc.

Definition. Par opium médicinal on entend : l'opium brut qui a été chauffé à 60° centigrades et ne contient pas moins de 10 pour cent de morphine, qu'il soit ou non en poudre ou granulé, ou mélangé avec des matières neutres.

Par morphine on entend : le principal alcaloïde de l'opium, ayant la formule chimique $C_{17}H_{19}NO_5$.

Par cocaïne on entend : le principal alcaloïde des feuilles de l'Ery-

throxyton Coca, ayant la formule $C_{17}H_{21}NO_4$.

Par héroïne on entend : la diacetyl-morphine, ayant la formule $C_{21}H_{23}NO_6$.

ARTICLE 9.

Les Puissances Contractantes édicteront des lois ou des règlements sur la pharmacie de façon à limiter la fabrication, la vente et l'emploi de la morphine, de la cocaïne et de leurs sels respectifs aux seuls usages médicaux et légitimes, à moins que des lois ou des règlements existants n'aient déjà réglé la matière. Elles coopéreront entr'elles afin d'empêcher l'usage de ces drogues pour tout autre objet.

ARTICLE 10.

Les Puissances Contractantes s'efforceront de contrôler, ou de faire contrôler, tous ceux qui fabriquent, importent, vendent, distribuent et exportent la morphine, la cocaïne et leurs sels respectifs, ainsi que les bâtiments où ces personnes exercent cette industrie ou ce commerce.

A cet effet, les Puissances Contractantes s'ef-

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ルコトニ努力スヘシ但シ之ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス

- (イ) 「モルヒネ」、「コカイン」及其ノ各鹽類ノ製造ハ之カ爲ニ認許セラレタル建物及場所ノミニ之ヲ制限シ又ハ此等ノ藥品ヲ製造スル建物及場所ヲ調査シ之ヲ登記スルコト
- (ロ) 「モルヒネ」、「コカイン」及其ノ各鹽類ノ製造、輸入、販賣、分配又ハ輸出ニ従事スル一切ノ者ヲシテ右營業ニ従事スルカ爲ニ認許若ハ許可ヲ受ケシメ又ハ主務官廳ニ届出ヲ爲サシムヘキコト
- (ハ) 右ノ營業者ヲシテ「モルヒネ」、「コカイン」及其ノ各鹽類ノ製造、輸入、販賣其ノ他一切ノ運渡及輸出ニ付其ノ分量ヲ各自ノ帳簿ニ記入セシムヘキコト但シ醫師ノ處方箋或正當ニ認許セラレタル藥劑師ニ依ル販賣ニ付テハ本則ヲ強ヒテ適用スルヲ要セス

第十一條

forceront d'adopter, ou de faire adopter, les mesures suivantes, à moins que des mesures existantes n'aient déjà réglé la matière:

- a. limiter aux seuls établissements et locaux qui auront été autorisés à cet effet la fabrication de la morphine, de la cocaïne et de leurs sels respectifs, ou se renseigner sur les établissements et locaux où ces drogues sont fabriquées, et en tenir un registre.
- b. exiger que tous ceux qui fabriquent, importent, vendent, distribuent et exportent la morphine, la cocaïne et leurs sels respectifs soient munis d'une autorisation ou d'un permis pour se livrer à ces opérations, ou en fassent une déclaration officielle aux autorités compétentes.
- c. exiger de ces personnes la consignation sur leurs livres des quantités fabriquées, des importations, des ventes, de toute autre cession et des exportations de la morphine, de la cocaïne et de leurs sels respectifs. Cette règle ne s'appliquera pas forcément aux prescriptions médicales et aux ventes faites par des pharmaciens dûment autorisés.

ARTICLE 11.

國內取引ノ禁止

締約國ハ認許セラレタル者ニ對スル「モルヒネ」、「コカイン」及其ノ各鹽類ノ運渡ヲ國內取引ノ禁止スル爲措置ヲ執ルヘシ但シ右ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス

第十二條

認許者ノ輸入

締約國ハ各其ノ國情ノ異同ヲ參酌シ認許セラレタル者ニ限リ「モルヒネ」、「コカイン」及其ノ各鹽類ノ輸入ヲ爲サシムルコトニ努力スヘシ

第十三條

輸出ノ取

締約國ハ其ノ本國、領地、殖民地又ハ租借地ヨリ他ノ締約國ノ本國、領地、殖民地又ハ租借地ニ對スル「モルヒネ」、「コカイン」及其ノ各鹽類ノ輸出ヲ其ノ荷受人カ輸入國ノ法令又ハ規則ニ依リ認許若ハ許可ヲ受ケタル場合ニ限ルカ爲ニ措置ヲ執ルコト又ハ執ラシムルコトニ努力スヘシ

Les Puissances Contractantes prendront des mesures pour prohiber dans leur commerce intérieur toute cession de morphine, de cocaïne et de leurs sels respectifs à toutes personnes non autorisées, à moins que des mesures existantes n'aient déjà réglé la matière.

ARTICLE 12.

Les Puissances Contractantes, en tenant compte des différences de leur conditions, s'efforceront de restreindre aux personnes autorisées l'importation de la morphine, de la cocaïne et de leurs sels respectifs.

ARTICLE 13.

Les Puissances Contractantes s'efforceront d'adopter, ou de faire adopter, des mesures pour que l'exportation de la morphine, de la cocaïne et de leurs sels respectifs de leurs pays, possessions, colonies et territoires à bail vers les pays, possessions, colonies et territoires à bail des autres Puissances Contractantes n'ait lieu qu'à la destination de personnes ayant reçu les autorisations ou permis prévus par les lois ou règlements du pays importateur.

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之カ爲ニ各國政府ハ「モルヒネ」、「コカイン」及
其ノ各種類ノ輸入ニ付認許又ハ許可ヲ受ケタル者
ノ氏名ヲ隨時輸出國政府ニ通知スルコトヲ得

A cet effet tout Gouvernement pourra com-
munique, de temps en temps, aux Gouvernements
des pays exportateurs des listes des personnes aux-
quelles des autorisations ou permis d'importation
de morphine, de cocaïne et de leurs sels respectifs
auront été accordés.

第十四條

ARTICLE 14.

條約國ハ左記藥品ニ對シ「モルヒネ」、「コカイン」
及其ノ各種類ノ製造、輸入、販賣又ハ輸出ニ關ス
ル法令及規則ヲ準用スヘシ

Les Puissances Contractantes appliqueront les
lois et règlements de fabrication, d'importation, de
vente ou d'exportation de la morphine, de la
cocaïne et de leurs sels respectifs:

(イ) 藥用阿片

a) à l'opium médicinal;

(ロ) 千分ノ二以上ノ「モルヒネ」又ハ千分ノ一
以上ノ「コカイン」ヲ含有スル一切ノ調劑(藥
局方所定ト否トヲ問ハス且所謂戒烟劑ヲモ含

b) à toutes les préparations, (officinales et
non-officinales, y compris les remèdes dits anti-
opium), contenant plus de 0,2% de morphine ou
plus de 0,1% de cocaïne;

ム)

c) à l'héroïne, ses sels et préparations con-
tenant plus de 0,1% d'héroïne;

(ハ) 「ヘロイン」及其ノ鹽類或千分ノ一以上ノ
「ヘロイン」ヲ含有スル調劑

d) à tout nouveau dérivé de la morphine, de
la cocaïne ou de leurs sels respectifs, ou à tout
autre alcaloïde de l'opium, qui pourrait à la suite
de recherches scientifiques, généralement reconnues,

(ニ) 「モルヒネ」、「コカイン」若ハ其ノ各種類ノ
新誘導體又ハ阿片ノ他ノ「アルカロイド」ニ
シテ一般ニ認メラレタル學術研究ノ結果同様

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前文

千九百十四年第三回國際
阿片會議最終議定書

一九二四年(大正三年)六月二十五日海牙ニ於テ署名
一九二〇年(大正九年)一月一〇日官報掲載

第二回國際阿片會議決議第三項ニ基キ和蘭國政府
ニ依リテ招請セラレタル第三回萬國阿片會議ハ千
九百十四年六月十五日海牙「バレー、デ、コント」
ニ會合セリ
左記列舉ノ各國政府ハ本會議ニ參加シ各左ノ委員
ヲ任命セリ

獨逸國

委員 和蘭國駐劄特命全權公使「コンセイエー、
アンターム、アクチュエル」
「フリップス、ド、
ミール」

亞米利加合衆國

委員 和蘭國駐劄特命全權公使「ヘンリー、
ヴァン、ディク」

PROTOCOLE DE CLÔTURE
DE LA TROISIÈME CONFÉRENCE INTER-
NATIONALE DE L'OPIMUM—1914.

Signé à La Haye, le 25 Juin 1914.
Publié à Tokio le 10 Janvier 1920.

La Troisième Conférence Internationale de
l'Opium, convoquée par le Gouvernement des
Pays-Bas en vertu du vœu n°. III émis par la
Deuxième Conférence s'est réunie à La Haye,
dans le Palais des Comtes, le 15 juin 1914.

Les Gouvernements, dont l'énumération suit,
ont pris part à la Conférence, pour laquelle ils
avaient désigné les Délégués nommés ci-après :

L'ALLEMAGNE :

Son Exc. M. FÉLIX DE MÜLLER, Con-
seiller intime actuel, Envoyé Extraordinaire et
Ministre Plénipotentiaire à La Haye, Délégué.

LES ÉTATS-UNIS D'AMÉRIQUE :

Son Exc. HENRY VAN DYKE, Envoyé

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「デンマーク」
同 維納駐在總領事「チャールズ・デンビー」

亞爾然丁共和國
委員 「ブノス・アイレス」醫科大學名譽教授、
陸軍衛生事務總監「ドクトール・フランソワ・
ア、デ、グエイガ」

白耳義國
委員 和蘭國駐劄特命全權公使男爵「アルベック・
ク、フロン」

伯刺西爾合衆國
委員 和蘭國駐劄特命全權公使「ホセ・ペレイ
ラ、ダ、グラサ、アラニ」

智利國
委員 和蘭國駐劄特命全權公使「ホルヘ・ウネ
エクス」

Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué;
M. CHARLES DENBY, Consul-Général à Vienne, Délégué.

LA RÉPUBLIQUE ARGENTINE:
M. le Docteur FRANÇOIS DE VEYGA, Professeur honoraire à la Faculté de Médecine de Buenos-Ayres, Inspecteur Général du Service de Santé de l'armée Argentine (S. R.), Délégué.

LA BELGIQUE:
Son Exc. M. le Baron ALBÉRIC FALLON, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LES ÉTATS-UNIS DU BRÉSIL:
Son Exc. M. JOSÉ PEREIRA DA GRAÇA ARANHA, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LE CHILI:
Son Exc. M. JORJE HUNEUS, Envoyé Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.

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支那國
委員 獨逸國駐劄特命全權公使顏惠慶

同 和蘭國駐劄特命全權公使唐在復

丁抹國
委員 白耳義國及和蘭國駐劄辦理公使「ヨット・
ゲ、ド、グレンゲンコフ、カスランスキル
ド」

「ドミニカ」共和國
委員 特命全權公使「ドクトル、ホセ、ラマル
シ」

「エクアドル」國
委員 白耳義國駐劄代理公使「ミゲール・ア、セ
ミナリオ」

西班牙國
委員 和蘭國駐劄特命全權公使「デー、フェルナ

LA CHINE:
Son Exc. M. YEN HUI-CH'ING, Envoyé Extraordinaire et Ministre Plénipotentiaire à Berlin, Délégué;
Son Exc. M. T'ANG TSAI-FOU, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LE DANEMARK:
M. J. G. DE GREVENKOP CASTENSK-JOLD, Ministre Résident à Bruxelles et à La Haye, Délégué.

LA RÉPUBLIQUE DOMINICAINE:
Son Exc. M. le Dr. JOSÉ LAMARCHE, Envoyé Extraordinaire et Ministre Plénipotentiaire, Délégué.

L'ÉQUATEUR:
M. MIGUEL A. SEMINARIO, Chargé d'Affaires à Bruxelles, Délégué.

L'ESPAGNE:
Son Ex. D. FERNANDO OSORIO Y

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ンド、オンリオ、イー、エロラ」

佛蘭西國
委員 和蘭國駐特命全權公使「マルセラン、ペレー」

大不列顛國
委員 大使館參事官「ブクベスト」駐在總領事「ウリアム、グレンフェル、マックス、ミューラー」
同 前倫敦市參事會會長「サー、ウリアム、コリンズ」

「グアララ」國
委員 佛蘭西國及和蘭國駐特命代理公使「ホセ、アリア、ラルディサバル」

「ハイチ」國
委員 和蘭國駐特命代理公使「ステニオ、ヴィンセント」

EIOLA, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LA FRANCE:
Son Exc. M. MARCELLIN PELLET, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LA GRANDE-BRETAGNE:
M. WILLIAM GRENFEL MAX-MÜLLER, C.B., M.V.O., Conseiller d'Ambassade, Consul Général à Budapest, Délégué;
Sir WILLIAM J. COLLINS, K. C. V. O., M. D., F. R. C. S., Ancien Président du Conseil Municipal de Londres, Délégué.

LE GUATÉMALA:
M. JOSÉ MARIA LARDIZABAL, Chargé d'Affaires à Paris et à La Haye, Délégué.

L'HAÏTI:
M. STENIO VINCENT, Chargé d'Affaires à La Haye, Délégué.

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伊太利國
委員 和蘭國駐特命全權公使伯爵「ヨセフ、カリエー、デ、ラ、アール、デ、ラ、グ、デ、カルケメル」

日本國
委員 和蘭國駐特命全權公使佐藤愛磨

盧森堡國
委員 和蘭國駐特命全權公使男爵「アルベリック、ファロン」

墨西哥合衆國
委員 白耳義國及和蘭國駐特命全權公使「カロス、ペレイラ」

黑山國
委員 「アムステルダム」駐在總領事「アッシュ、メンデス、ダ、コスタ」

L'ITALIE:
Son Exc. M. le Comte JOSEPH SALLIER DE LA TOUR, Duc DE CALVELLO, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LE JAPON:
Son Exc. M. AIMARO SATO, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LE LUXEMBOURG:
Son Exc. M. le Baron ALBÉRIC FALLON, Envoyé Extraordinaire et Ministre Plénipotentiaire de Belgique à La Haye, Délégué.

LES ÉTATS-UNIS MEXICAINS:
Son Exc. M. CARLOS PEREYRA, Envoyé Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.

LE MONTÉNÉGRO:
M. H. MENDES DA COSTA, Consul-Général à Amsterdam, Délégué.

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和蘭國
 主席委員 前殖民大臣、前和蘭商事協會會頭、
 上院議員「イニ、ライ、クレマー」

委員 上院議員「ドクトル、ゼー、ライ、バー、フ、
 ン、デ、グ、エン、タル」

同 前蘭領印度阿片專賣事務總監、「ホー、ル、
 ン」市長「ア、ア、テ、ヨ、ン、ク」

波斯國
 委員 在和蘭國公使館事務代理「ミルザ、ア、
 ム、ド、カ、リン」

葡萄牙國
 委員 和蘭國駐劄特命全權公使「アントニオ、
 マリア、バルトロメウ、フェレイラ」

殖民省委員 前殖民地知事「ア、ア、サン、
 チェス、デ、ミランダ」

LES PAYS-BAS:
 M. J. T. CREMER, Ancien Ministre des Colonies, Ancien Président de la Compagnie néerlandaise de Commerce, Membre de la Première Chambre des États-Généraux, Premier Délégué;
 M. le Dr C. TH. VAN DEVENTER, Membre de la Seconde Chambre des États-Généraux, Délégué;
 M. A. A. DE JONGH, Ancien Inspecteur-Général, Chef du service de la Régie de l'opium aux Indes néerlandaises, Bourgmestre de Hoorn, Délégué.

LA PERSE:
 MIRZA MAHMOUD KHAN, Chargé des Affaires à La Haye, Délégué.

LE PORTUGAL:
 Son Exc. M. ANTONIO MARIA BARTHOLOMEU FERREIRA, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué;
 M. le Commandant A. A. SANCHES DE MIRANDA, ancien Gouverneur aux Colonies, Délégué du Ministère des Colonies.

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羅馬尼亞國
 委員 和蘭國駐劄特命全權公使「シャル、エム、
 ミラウニク」

露西亞國
 委員 和蘭國駐劄特命全權公使「ア、スクラ、
 チン」

暹羅國
 委員 大不列顛國及和蘭國駐劄特命全權公使
 「フィヤ、ス、イ、ダ、ム、マ、イ、ト、リ」

同 在大不列顛國及在和蘭國公使館參事官
 「ウィリアム、ジ、エ、ア、ー、チ、ャ、ー」

瑞典國
 委員 自耳義國及和蘭國駐劄特命全權公使「シ、
 ー、エ、フ、デ、ク、レ、ル、ケ、ル」

瑞西國
 委員 大不列顛國及和蘭國駐劄特命全權公使

LA ROUMANIE:
 Son Exc. M. CHARLES M. MITILNEU, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LA RUSSIE:
 Son Exc. M. A. SWÉTCHINE, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LE SIAM.
 Son Exc. M. PIYA SUDHAM MATRI, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres et à La Haye, Délégué;
 M. WILLIAM J. ARCHER, Conseiller de Légation à Londres et à La Haye, Délégué:

LA SUÈDE:
 Son Exc. M. C. F. DE KLERCKER, Envoyé Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.

LA SUISSE:
 Son Exc. M. G. CARLIN, Envoyé Extra-

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「ジー、カーソン」

「ウルグアイ」國

委員 自其英國及和蘭國駐朝特命全權公使「アルベルト、グアニ」

「グ、ネズエラ」合衆國

委員 在佛蘭西國公使館一等書記官「ドクトル、エストラバン、ヒル、ボルグス」

本會議ハ千九百十四年六月十五日ヨリ同二十五日迄ノ間引續キ開催セル會合ニ於テ第二回會議決議第三項ニ基キ提出セラレタル議題ヲ審査シ

(甲) 左ノ意見ヲ表明ス

一 千九百十二年一月二十三日ノ國際阿片條約ハ其ノ第二十三條第一項ニ依リ招請セラレタル諸國中同條約ニ署名ヲ了セザル國アル場合ニモ之ヲ實施スルコトヲ得

二 前記阿片條約ノ署名ヲ了シ又ハ之ニ加盟ス

ordinaire et Ministre Plénipotentiaire à Londres et à La Haye, Délégué.

L'URUGUAY :

Son Exc. M. ALBERTO GUANI, Envoyé Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.

LES ÉTATS-UNIS DU VÉNÉZUELA :

M. le Docteur ESTEBAN GIL BORGES, Premier Secrétaire de légation à Paris, Délégué.

Dans une série de réunions tenues du 15 au 25 juin 1914 la Conférence après avoir examiné la question, qui lui était soumise par le voeu n°. III formulé par la Deuxième Conférence,

A. a émis les avis suivants :

I. Qu'il est possible de faire entrer en vigueur la Convention Internationale de l'Opium du 23 janvier 1912 nonobstant le fait que quelques Puissances invitées en vertu du paragraphe 1 de l'article 23 n'ont pas encore signé la Convention.

II. Que l'entrée en vigueur de la Convention

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ヘキ意向ヲ表明シタル諸國カ全部同條約ノ批准ヲ了シタルトキハ同條約ハ此等一切ノ署名國ノ間ニ實施セラルヘシ實施期日ハ同條約第二十四條第一項ノ定ムル所ニ依ル

三 一切ノ署名國カ本會議ニ於テ決定スヘキ期日以前ニ同條約ノ批准寄託ヲ了セザルトキト雖同期日以前ニ其ノ批准寄託ヲ了シタル署名國ハ同條約ヲ實施スルコトヲ得右期日以後ニ批准寄託ヲ爲スコトアルヘキ署名諸國モ亦同ノ權能ヲ有ス

四 前記ノ期日ハ之ヲ千九百十四年十二月三十一日ト定ム

五 本條約ニ署名ヲ了セザル諸國ハ隨時之ニ加盟スルコトヲ得

(乙) 左ノ議決ヲ

前記(甲)ノ三ニ規定セル權能ヲ行使セムトスル本條約署名國ヲシテ右實施ノ意向ヲ聲明セシム

entre toutes les Puissances Signataires aura lieu lorsque les Puissances qui l'ont déjà signée et celles qui ont exprimé leur intention d'y adhérer l'auront ratifiée. La date de l'entrée en vigueur de la Convention sera celle fixée par le paragraphe 1 de l'article 24.

III. Que, si à une date à déterminer par la Conférence toutes les Puissances Signataires n'ont pas encore déposé leurs ratifications, il sera loisible aux Puissances Signataires dont à cette date les ratifications auront été déposées, de faire entrer en vigueur la Convention. La même faculté sera laissée aux Puissances Signataires qui déposeront successivement leur ratifications après cette date.

IV. Que la date visée sous III est le 31 décembre 1914.

V. Que la possibilité d'accéder à la Convention reste ouverte aux Puissances qui ne l'ont pas encore signée.

B. a décidé :

Qu'un protocole par lequel les Puissances Signataires, disposées à se servir de la faculté visée

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ルカ爲ニ海牙ニ於テ一通ノ議定書ヲ公開ス

和蘭國外務大臣ハ全會一致ヲ以テセル本會議ノ希望ヲ容レ前項ノ議定書ヲ作成シ關係國ノ署名ノ爲之ヲ公開スヘキコトニ同意ス

(丙) 全會一致ヲ以テ左ノ通決議セリ

本會議ハ未タ阿片條約ノ批准ヲ了セス又ハ未タ之ニ對シ批准ノ意向ヲ表明セサル各署名國ヲシテ其ノ實施ヲ成ルヘク速ナラシムル爲急速ニ批准寄託ヲ爲スヘキ意向ヲ聲明セシムル目的ヲ以テ和蘭國外務大臣ハ本會議ノ名ヲ以テ此等諸國ニ對シ緊切且鄭重ナル指圖ヲ執ラレムコトヲ懇過ス

右證據トシテ各委員ハ本議定書ニ署名ス

千九百十四年六月二十五日海牙ニ於テ本書一通ヲ

未批准國

sous III, pourront déclarer leur intention de faire entrer en vigueur la Convention sera ouvert à La Haye.

Son Exc. M. le Ministre des Affaires Étrangères des Pays-Bas satisfaisant au désir exprimé unanimement par la Conférence a consenti à faire dresser le protocole qui restera ouvert pour les signatures.

C. a adopté à l'unanimité la résolution suivante :

La Conférence invite Son Exc. M. le Ministre des Affaires Étrangères des Pays-Bas à entreprendre au nom de la Conférence une démarche urgente et respectueuse auprès des Puissances Signataires qui n'ont pas ratifié la Convention ni exprimé leur intention de le faire, démarche tendant à les amener à se déclarer prêts dans un très bref délai à déposer leurs ratifications afin que la Convention puisse entrer en vigueur au plus tôt possible.

En foi de quoi, les Délégués ont revêtu le présent Protocole de leurs signatures.

Fait à La Haye, le vingt-cinq juin mil neuf

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作成シ之ヲ和蘭國政府ノ記録ニ寄託保存シ其ノ認證照本ハ外交上ノ手續ヲ經テ之ヲ一切ノ署名國及未署名國ニ交付スヘシ

獨逸國
「エフド、ミューレル」
千九百十四年六月十八日會議ニ於テ爲サレタル本委員ノ各表決ニ據ルヘキモノトス

亞米利加合衆國
「ヘンリー、ダン、ダイク」
「チャールズ、デンビー」

亞爾然丁共和國
「フランソア、デ、ヴェイガ」

白耳義國
男爵「アルベリック、フロン」

伯刺西爾合衆國
「グラカ、アラニヤ」

ce est quatorze ou un seul exemplaire qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique à toutes les Puissances tant Signataires que non Signataires.

Pour l'Allemagne

F. DE MÜLLER.

Tout en se référant à ses votes du 18 juin 1914.

Pour les États-Unis d'Amérique

HENRY VAN DYKE.

CHAS. DENBY.

Pour la République Argentine

FRANC. DE VEYGA.

Pour le Belgique

Bb. ALB. FALLON.

Pour les États-Unis du Brésil

GRAÇA ARANHA.

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| | |
|---|---|
| 智利國 (戰爭ニ因リ通信遮斷セラレタル爲本會議 閉會ノ日ニ署名シ得サリシヲ以テ其ノ署名 ヲ得ルハ不可能) | <i>Pour le Chili</i> *) |
| 支那國 顏惠慶 唐在復 | <i>Pour la Chine</i> W. W. YEN. Ts. F. TANG. |
| 丁抹國 「ダブライ、ダレグエンコブ、カスランスキ ド」 | <i>Pour le Danemark</i> W. GREVENKOP CASTENSKJOLD. |
| 「ドミニカ」共和國 (智利國ト同様) | <i>Pour la République Dominicaine</i> *) |
| 「エクアドル」國 (同上) | <i>Pour l'Équateur</i> *) |
| 西班牙國 「フェルナンド・デ・オソリオ」 | <i>Pour l'Espagne</i> FERNANDO DE OSORIO. |
| 佛蘭西共和國 「マルセラント・ペレ」 | <i>Pour la France</i> MARCELLIN PELLET. |

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| | |
|--|---|
| 大不列顛國 「ダブライ、グレイ、マクス、モーター」 「ウィリアム、ジョージ、コラン」 | <i>Pour la Grande-Bretagne</i> W. G. MAX MÜLLER. WILLIAM JOB COLLIER. |
| 「グアテマラ」國 「ホセ、エム、ラルデサバル」 | <i>Pour le Guatemala</i> JOSÉ M. LARDIZABAL. |
| 「ハイチ」國 (智利國ト同様) | <i>Pour l'Haïti</i> *) |
| 伊太利國 「エッセ、デラ、ツォル、カルガニロ」 | <i>Pour l'Italie</i> S. DE LA TOUR CALVELLO. |
| 日本國 佐藤愛磨 | <i>Pour le Japon</i> AIMARO SATO. |
| 盧森堡國 男爵「アルベック・フロン」 | <i>Pour le Luxembourg</i> BR. ALB. FALLON. |
| 墨西哥合衆國 「カルロス・ペレイラ」 | <i>Pour les États-Unis Mexicains</i> CARLOS PEREYRA. |
| 黑山國 「アッシ、エム、メンデス、ダ、コスタ」 | <i>Pour le Monténégro</i> H. M. MENDES DA COSTA. |

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和蘭國

- 「イ、チ、イ、グ、レ、イ、ア、ー」
- 「セ、イ、チ、バ、ー、フ、ア、ン、デ、ク、エ、ン、テ、ル」
- 「ア、ー、ア、ー、デ、ヨ、ン、グ」

波斯國

- 「ミ、ル、ザ、マ、イ、ム、ド、カ、ン」

葡萄牙國

- 「ア、ン、ト、ニ、オ、マ、リ、ア、バ、ル、ト、ロ、メ、ウ、フ、エ、リ、エ、ラ」
- 「ア、ー、ア、ー、サ、ン、チ、エ、ス、デ、ミ、ラ、ン、ダ」

羅馬尼亞國

- 「シ、エ、ム、ミ、テ、リ、ニ、ウ」

露西亞國

- 「ア、ー、ス、ウ、チ、ン」

暹羅國

- 「フ、ヒ、ヤ、ス、イ、タ、ム、マ、イ、ト、リ」
- 「ウ、リ、ア、ム、ジ、エ、ー、ア、ー、チ、ア、ー」

瑞典國

- 「エ、フ、デ、ク、レ、ル、ケ、ル」

Pour les Pays-Bas

- J. T. CREMER.
- C. TH. VAN DEVENTER.
- A. A. DE JONGH.

Pour la Perse

- MIRZA MAHMOUD KHAN.

Pour le Portugal

- ANTONIO MARIA BARTHOLOMEU FERREIRA.
- A. A. SANCHES DE MIRANDA.

Pour la Roumanie

- C. M. MITILINEU.

Pour la Russie

- A. SWETCHINE.

Pour le Siam

- PHYA SUDHAM MATRI.
- WM. J. ARCHER.

Pour la Suède

- F. DE KLERCKER.

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瑞西國

- 「カ、リ、ン」

「ウルグアイ」國

(智利國と同様)

「グニエスエラ」合衆國

- 「イ、エ、ル、ベ、ル、グ、ス」

Pour la Suisse

- CARLIN.

Pour l'Uruguay

*)

Pour les États-Unis du Venezuela

- E. GIL BORGES.

*) Les Communications ayant été interrompues par suite de la guerre, il n'a plus été possible d'obtenir la signature qui l'avait pu être donnée à la date de la clôture de la conférence.

國際阿片條約實施ニ關スル議定書

一九一五年(大正四年)二月二日
至一九二一年(大正十年)三月二日

PROTOCOLE RELATIF A LA MISE EN VIGUEUR DE LA CONVENTION INTERNATIONALE DE L'OPIMUM.

Les soussignés, dûment autorisés par leurs gouvernements respectifs, en vertu de la faculté visée sous N° 3 du Protocole de clôture de la troisième Conférence internationale de l'Opium, déclarent que leurs gouvernements, ayant ratifié la Convention internationale de l'Opium du 23 janvier 1912, ont l'intention de la faire entrer en vigueur.

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亞米利加合衆國

- 「チャールズ、エフ、チャブレント」
- 「ハミルトン、ライト」
- 「ヘンリー、ジェー、フィンガー」

支那國

梁誠

佛蘭西共和國

- 「アッシュ、アルニエ」

大不列顛國

- 「ダブリエ、エス、マイヤ」
- 「ダブリエ、ジョ、マックス、モートラー」
- 「ウィリアム、ジョ、ア、コリンズ」

伊太利國

- 「ジョ、デ、ラ、ツール、カルヴェロ」

日本國

- 佐藤愛彦
- 高木友枝
- 西崎弘太郎

和蘭國

- 「イ、ティ、グレイヤー」

Pour les États-Unis d'Amérique :

- CHARLES H. BBENT.
- HAMILTON WRIGHT.
- HENRY J. FINGER.

Pour la Chine :

- LIANG CHENG.

Pour la France :

- H. BRENIER.

Pour la Grande-Bretagne :

- W. S. MEYER.
- W. G. MAX MÜLLER.
- WILLIAM JOE COLLINS.

Pour l'Italie :

- G. DE LA TOUR CALVELLO.

Pour le Japon :

- AIMARO SATO.
- TOMOE TAKAGI.
- KOTARO NISHIZAKI.

Pour les Pays-Bas :

- J. T. CREMER.

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「セー、タイ、バー、ファン、デ、グ、エン、テ、ル」

C. TH. VAN DEVENTER.

「ア、ア、ア、デ、ヨ、ン、グ」

A. A. DE JONGH.

「ヨ、ット、グ、ス、キ、レ、ル」

J. G. SCHEUBER.

波斯國

Pour la Perse

「ミ、ル、ガ、マ、ム、ム、ド、カ、ト、ン」

MIRZA MAHMOUD KHAN.

葡萄牙國

Pour le Portugal

「ア、ン、ト、ニ、オ、ア、リ、ア、バ、ル、ト、ロ、メ、ウ、ア、ニ、イ、ラ」

ANTONIO MARIA BARTHOLOMEU FERREIRA.

露西亞國

Pour la Russie

「ア、イ、サ、グ、ン、ス、キ、ー」

A. SAVINSKY.

暹羅國

Pour le Siam

「ウ、リ、ア、ム、シ、ー、ア、ニ、エ、ー」

AKHABAI VARADHARA.

WM. J. ARCHER.

千九百十三年第二回國際阿片會議最終議定書

一九二三年(大正十二年)七月九日海牙ニ於テ署名
一九二〇年(大正九年)一月一〇日官報掲載

附 文

國際阿片條約第二十三條ニ基キ和蘭國政府ニ依リテ招請セラレタル第二回國際阿片會議ハ千九百十三年七月一日海牙「パレ、デ、コ、ン、ト」ニ開催セラレタリ
左記列擧ノ各國政府ハ本會議ニ参加シ各左ノ委員ヲ任命セリ

獨逸國

委員 和蘭國駐劄特命全權公使 コンセイ、エー、アン、チ、ム、ア、ク、チ、エ、ル「フ、ラ、ス、バ、ド、ミ、レ、ル」

亞米利加合衆國

委員 國務省特別委員「ドクトル、ハ、ミ、ル、ト、ン」

PROTOCOLE DE CLÔTURE DE LA DEUXIÈME CONFÉRENCE INTERNATIONALE DE L'OPIMUM—1913.

Signé à La Haye, le 9 Juillet 1913.
Publié à Tokio, le 10 Janvier 1920.

La Deuxième Conférence Internationale de l'Opium, convoquée par le Gouvernement des Pays-Bas en vertu de l'article 23 de la Convention Internationale de l'Opium, s'est réunie à La Haye, dans la Palais des Comtes, le 1 juillet 1913.

Les Gouvernements dont l'énumération suit, ont pris part à la Conférence, pour laquelle ils avaient désigné les Délégués nommés ci-après:

L'ALLEMAGNE:

Son Exc. M. FÉLIX DE MÜLLER, Conseiller intime actuel, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LES ÉTATS-UNIS D'AMÉRIQUE:

M. Le Dr. HAMILTON WRIGHT, Com-

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「ライト」
 同 和蘭國駐劄特命全權公使「ロイド、ブライス」
 同 「ホーア」大專名譽總長、數學教授「グロト、ジョン、コーレン」
 亞爾然丁共和國
 委員 「ドクトール、フランソア、デ、ヴェイガ」
 白耳義國
 委員 和蘭國駐劄特命全權公使男爵「アルベリック、フロン」
 伯刺西爾合衆國
 委員 和蘭國駐劄特命全權公使「ジーク、グラナ、アラニヤ」
 智利國
 委員 白耳義國及和蘭國駐劄特命全權公使「ホ

missaire spécial au Département d'État, Délégué;
 Son Exc. M. Lloyd BRYCE, Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué;
 M. GERRIT JOHN KOLLEN, Président Émérite du Hope-College, Professeur de mathématiques, Délégué.
 LA RÉPUBLIQUE ARGENTINE:
 M. le Dr. FRANÇOIS DE VEYGA, Délégué.
 LA BELGIQUE:
 Son Exc. M. le Baron ALBÉRIC FALLON, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.
 LES ÉTATS-UNIS DU BRÉSIL:
 Son Exc. M. J. GRAÇA ARANHA, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.
 LE CHILI:
 Son Exc. M. JORJE HUNEUS, Envoyé

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ル、ウ、ホ、エ、ス」
 支那國
 主席全權委員 獨逸國駐劄特命全權公使顧凱慶
 全權委員 軍醫正醫務院外交部醫官「ドクトル」吳運德
 哥倫比亞國
 委員 「ロタルダム」駐在領事「チー、ヒン、ミ、レル」
 「コスタリカ」共和國
 委員 佛蘭西國及和蘭國駐劄特命全權公使「ヌエル、エム、デ、ペラルタ」
 丁扶國
 委員 白耳義國及和蘭國駐劄特命全權公使「ヨット、ゲ、ド、グレン、エン、コ、ブ、カ、ス、ラ、ン、ス、キ、ョ、ルド」

Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.
 LA CHINE:
 Son Exc. M. W. W. YEN, Envoyé Extraordinaire et Ministre Plénipotentiaire à Berlin, Premier Délégué Plénipotentiaire;
 M. le Dr. WU LIEN-TEH, M. A., M. D. (Cambridge) Médecin-major, Directeur du service médical, Médecin du Ministère des Affaires Étrangères, Délégué Plénipotentiaire.
 LA COLOMBIE:
 M. CH. HISCHEMÖLLER, Consul à Rotterdam, Délégué.
 LA RÉPUBLIQUE DE COSTA-RICA:
 Son Exc. M. MANUEL M. DE PERALTA, Envoyé Extraordinaire et Ministre Plénipotentiaire à Paris et à La Haye, Délégué.
 LE DANEMARK:
 M. J. G. DE GREVENKOP CASTENSKJOLD, Ministre Résident à Bruxelles et à La Haye, Délégué.

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「ドミニカ」共和國
委員 特命全權公使「ドクトル、ホセ、ラマルシ」

「エクアドル」國
委員 白耳義國及和蘭國駐智利國特命全權公使「ホルヘ、ウネエウス」

西班牙國
委員 和蘭國駐臨時代理公使「マヌエル、ガルシア、デ、アシル、イ、ベニート」

佛蘭西國
委員 和蘭國駐特命全權公使「マルセラン、ペレ」

大不列顛國
委員 大使館參事官「ウィリアム、グレンフェル、マクス、ミューラー」

LA RÉPUBLIQUE DOMINICAINE:
Son Exc. M. le Dr. JOSÉ LAMARCHE, Envoyé Extraordinaire et Ministre Plénipotentiaire, Délégué.

L'ÉQUATEUR:
Son Exc. M. JORJE HUNEUS, Envoyé Extraordinaire et Ministre Plénipotentiaire du Chili à Bruxelles et à La Haye, Délégué.

L'ESPAGNE:
M. MANUEL GARCIA DE ACHU Y BENTO, Chargé d'Affaires a. i. à La Haye, Délégué.

LA FRANCE:
Son Exc. M. MARCELLIN PELLET, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LA GRANDE-BRETAGNE:
M. WILLIAM GRENFELL MAX-MÜLLER, C. B., M. V. O. Conseiller d'Ambassade, Délégué;

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同 前倫敦市參事會會長「サー、ウィリアム、ジュー、コリンズ」

「ベイチ」國
委員 和蘭國駐代理公使「ステニオ、ウ、ンセント」

伊太利國
委員 和蘭國駐臨時代理公使侯爵「アレクサンドレ、コンパンス、デ、ブリシント」

日本國
委員 和蘭國駐臨時代理公使信夫淳平

盧堡國
委員 和蘭國駐白耳義國特命全權公使男爵「アルベリック、ファロン」

墨西哥合衆國
委員 白耳義國及和蘭國駐特命全權公使「フェ

Sir WILLIAM J. COLLINS, D. L., M. D., F. R. C. S., Ancien Président du Conseil Municipal de Londres, Délégué.

LIÉGÉ:
M. STENIO VINCENT, Chargé d'Affaires à La Haye, Délégué.

L'ITALIE:
M. le Marquis ALEXANDRE COMPANS DE BRICHANTEAU, Chargé d'Affaires a. i. à La Haye, Délégué.

LE JAPON:
M. JUMPEI SHINOBU, Chargé d'Affaires a. i. à La Haye, Délégué.

LE LUXEMBOURG:
Son Exc. M. le Baron ALBÉRIC FALLON, Envoyé Extraordinaire et Ministre Plénipotentiaire de Belgique à La Haye, Délégué.

LES ÉTATS-UNIS MEXICAINS:
Son Exc. M. FEDERICO GAMBOA, Envoyé

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デリコ、ガンボア」

和蘭國
主席委員 前殖民大臣、前和蘭商事協會會頭、上院議員「イニ、ライ、クレイター」

委員 上院議員「ドクトル、ゼー、バ、ハー、ファン、デ、グエンテル」

同 前蘭領印度阿片專賣事務總監「ア、ア、イ、デ、ヨング」

同 下院議員「ドクトル、イニ、ゲ、スキ、ー、レル」

葡萄牙國
委員 和蘭國駐葡特命全權公使「アントニオ、マリア、バルトロメウ、フェレイラ」

露西亞國
委員 和蘭國駐露特命全權公使「ア、ス、ク、ニ、

Extraordinaire et Ministre Plénipotentiaire à Bruxelles et à La Haye, Délégué.

LES PAYS-BAS:

M. J. T. CREMER, Ancien Ministre des Colonies, Ancien Président de la Compagnie néerlandaise de Commerce, Membre de la Première Chambre des États-Généraux, Premier Délégué;

M. le Dr. C. TH. VAN DEVENTER, Membre de la Première Chambre des États-Généraux, Délégué;

M. A. A. DE JONGH, Ancien Inspecteur-Général, Chef du service de la Régie de l'opium aux Indes néerlandaises, Délégué;

M. le Dr. J. G. SCHEURER, Membre de la Seconde Chambre des États-Généraux, Délégué.

LE PORTUGAL:

Son Exc. M. ANTONIO MARIA BARTHOLOMEU FERREIRA, Envoyé Extraordinaire et Ministre Plénipotentiaire à La Haye, Délégué.

LA RUSSIE:

Son Exc. M. A. SWÉTCHINE, Envoyé Ex-

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決議
第一
第二

チン」

同 聖彼得堡醫學會會員、教授「スタニスラフ、ス、ブル、チ、ビ、ラ、ツ、ク」

暹羅國
委員 大不列顛國、白耳義國及和蘭國駐葡特命全權公使「フ、キ、ス、リ、ガ、ム、マ、イ、ト、リ」

同 在大不列顛國及在和蘭國公使館參事官「ウ、リ、ア、ム、シ、ー、ア、ー、チ、ア、ー」

本會議於一千九百十三年七月一日ヨリ同九日迄ノ間引續キ開催セル會合ニ於テ千九百十二年一月二十三日ノ國際阿片條約第二十三條第二項ニ依リ提出セラレタル議題ヲ審査シ

第一 直ニ右條約ノ批准寄託ヲ爲シ得ヘキニトテ決議シ

第二 全會一致ヲ以テ左ノ通決議セリ

第二回萬國阿片會議於千九百九年上海國際阿片

traordinaire et Ministre Plénipotentiaire à La Haye, Délégué;

M. le Prof. STANISLAS PRZIBYTEK, Membre de l'Académie de Médecine à St. Pétersbourg, Délégué.

LE SIAM:

Son Exc. M. PHYA SUDHAM MAITRI, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres, à Bruxelles et à La Haye, Délégué;

M. WILLIAM J. ARCHER, Conseiller de Légation à Londres et à La Haye, Délégué.

Dans une série de réunions tenues du 1 au 9 juillet 1913 la Conférence, après avoir examiné la question qui lui était soumise par le paragraphe 2 de l'article 23 de la Convention Internationale de l'Opium du 23 janvier 1912,

I. a décidé que le dépôt des ratifications peut avoir lieu dès maintenant.

II. a adopté à l'unanimité la résolution suivante:

Désirant poursuivre, dans la voie ouverte par

調査委員會及千九百二十二年海牙第一回會議ニ於テ協成セル方針ニ基キ阿片、モルヒネ、コカインに及此等ノ物質ヨリ製成又ハ抽出シタル薬品ノ濫用ヲ漸次禁絶セムコトヲ欲シ且此ノ點ニ關スル國際協商ノ此ノ際最必要ニシテ相互ノ利益ナルコトヲ認ムルニ依リ左ノ事項ヲ決議セリ

一 和蘭國政府、リト宛地利、ギリヤ、葡萄牙國政府、諾威國政府及瑞典國政府ニ對シ本條約ノ署名、批准、法規作成及實施ハ分雖セル四箇ノ階梯ヲ爲スコト從テ右三國ニ於テハ先ツ直ニ追加署名ヲ爲シ得ルコトヲ通告セムコトヲ希望ス

第二十三條及第二十四條ニ於テハ本條約ノ實施ト本條約ニ基テ法令、規則及其ノ他ノ措置ノ草案作成トノ間ニ六月ノ猶豫期間ヲ存スルコトヲ規定シ又第二十四條第三項ニ於テ締約國ハ本條約批准後別ニ前記諸法規ノ實施期日

la Commission Internationale de Shanghai de 1909 et par la Première Conférence de La Haye de 1912, la suppression progressive de l'abus de l'opium, de la morphine, de la cocaïne, ainsi que des drogues préparées ou dérivées de ces substances, et considérant plus que jamais la nécessité et le profit mutuel d'une entente internationale sur ce point, la 2^{ème} Conférence Internationale de l'Opium,

1^o émet le vœu que le Gouvernement des Pays-Bas veuille bien faire remarquer aux Gouvernements d'Autriche-Hongrie, de Norvège et de Suède, que la signature, la ratification, la préparation des mesures législatives et l'entrée en vigueur de la Convention constituent quatre phases distinctes qui permettent dès maintenant à ces Puissances de procéder à la signature supplémentaire.

En effet, il ressort des art. 23 et 24 qu'une période de 6 mois pourra s'écouler entre l'entrée en vigueur de la Convention et la rédaction des projets de lois, règlements et autres mesures prévues par la Convention. En outre, le 3^{ème} alinéa de l'art. 24 permet aux Puissances Contractantes

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ニ關スル協定ヲ爲シ得ヘキコトヲ規定ス又地利、ギリヤ、リト宛地利、葡萄牙國、諾威國及瑞典國カ其ノ立法ニ關シテ豫想セル困難ハ署名國ノ委員ニ於テモ豫知セザリシコトニ非ス從テ十二箇ノ署名國ニ於テ深ク審査シタル問題ナリシコトヲ聲明セザルヲ得ス即チ始ト總テ署名國ハ右三國ト同一ノ地位ニ在ルモノニシテ未ダ本條約ノ規定セル諸法令ノ草案ヲ作成スルニ至ラザルモノトス

二 和蘭國政府ヨリ、リト宛地利、ギリヤ、葡萄牙國、希臘國、羅馬尼亞國、塞爾比亞國、土耳其國及「ケルグアイ」國ニ對シ左ノ決議ヲ通告セムコトヲ希望ス

本會議ハ數國ノ政府カ今尙本條約ニ署名スルヲ拒ミ又ハ署名スルニ至ラザルヲ遺憾トシ之ヲ以テ本條約ニ依リテ達セムトスル人道主義ノ目的ヲ甚ダシク阻礙スルモノナリト認メ此等諸國カ其ノ拒絕又ハ遷延ノ態度

de s'entendre après ratification sur la date de l'entrée en vigueur des dites mesures législatives. D'ailleurs, on ne peut s'empêcher de faire remarquer que les difficultés prévues par l'Autriche-Hongrie, la Norvège et la Suède, en ce qui concerne leur législation, n'étaient pas inconnues aux Délégués des Puissances Signataires et ont même fait l'objet d'un examen approfondi de la part des 12 Puissances Contractantes. Presque toutes les Puissances Signataires se trouvent dans la même situation que les Gouvernements susmentionnés et n'ont pas encore élaboré tous les projets de lois prévus par la Convention;

2^o émet le vœu que le Gouvernement des Pays-Bas veuille bien communiquer aux Gouvernements de la Bulgarie, de la Grèce, du Monténégro, du Pérou, de la Roumanie, de la Serbie, de la Turquie et de l'Uruguay la résolution suivante:

« La Conférence regrette que certains Gouvernements aient refusé ou omis de signer jusqu'à présent la Convention. La Conférence est d'avis que l'abstention de ces Puissances entraverait de la façon la plus sérieuse les buts humanitaires poursuivis par la Convention. La Conférence

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第九三三號條約

ヲ變更スルニ至ラムコトヲ切ニ希望ス

三、和蘭國政府ヨリ瑞西國政府ニ對シ該國ノ協同カ殆ト效果ナシト信スルノ恐レルヲ通告セムコトヲ希望ス本會議ハ千九百十二年十月二十五日附同國聯邦議會ノ文書ニ記述セル見解ニ反シ却テ瑞西國ノ協同ハ極メテ有益ニシテ之ヲ拒否スルコトハ條約ノ效果ヲ危殆ナラシムルモノナリト認ム尙中央及各州立立法ノ權限ニ關シ同國聯邦議會ノ抱懷セル疑義ニ付テハ第一回會議ニ於テモ之ト類似ノ困難ニ達著セルモノニシテ同會議ハ當時條約ノ正文ヲ起草スルニ際シ此ノ點ニ付考慮ヲ加ヘタルコトアルヲ注意スルヲ要ス

四、署名國政府カ其ノ在外代表者ヲシテ和蘭國代表者ノ執ルヘキ前記ノ措置ニ關シ之ヲ支持セシメラレムコトヲ希望ス

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exprime le ferme espoir que ces Puissances reviendront sur leur attitude ou négative ou dilatoire";

3° émet le voeu que le Gouvernement des Pays-Bas veuille bien faire observer au Gouvernement helvétique qu'il est dans l'erreur en considérant sa coopération comme d'une valeur à peu près nulle. A l'encontre de ce qui est dit dans la lettre du Conseil Fédéral du 25 octobre 1912, la Conférence estime que la coopération de la Suisse serait de l'effet le plus utile tandis que son abstention compromettrait les résultats de la Convention. Quant à la question soulevée par le Conseil Fédéral concernant les attributions respectives des législations fédérales et cantonales, il est à noter que de semblables difficultés ont été déjà envisagées par la Première Conférence qui en a tenu compte dans la rédaction de la Convention;

4° invite les Gouvernements Signataires à charger leurs Représentants à l'étranger d'appuyer les démarches susindiquées de leurs collègues néerlandais;

III. a émis le voeu suivant: que dans le

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末 文

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切ノ國カ千九百十三年十二月三十一日迄ニ其ノ署名ヲ了セタルトキハ和蘭國政府ヨリ各署名國ニ對シ千九百十二年一月二十三日ノ國際阿片條約ヲ實施シ得ヘキヤ否カラ海牙ニ於テ審査スル爲各其ノ代表者ヲ任命スヘキ旨ノ招請ヲ直ニ爲サムコトヲ希望ス

右證據トシテ各委員ハ本決定書ニ署名ス

千九百十三年七月九日海牙ニ於テ本會一通ヲ作成シ和蘭國政府ノ記錄ニ寄託保存シ其ノ認證原本ハ外交上ノ手續ヲ經テ之ヲ一切ノ署名國及未署名國ニ交付スヘシ

獨逸國

「ニア、ド、ミ、ー、レ、ル」

亞米利加合衆國

「ハミルトン、ライト」

「ロイド、ブライス」

cas où la signature de toutes les Puissances invitées en vertu du paragraphe 1 de l'article 23 n'aurait pas été obtenue à la date du 31 décembre 1913, le Gouvernement des Pays-Bas invite immédiatement les Puissances Signataires à désigner des Délégués pour procéder à La Haye à l'examen de la possibilité de faire entrer en vigueur la Convention internationale de l'Opium du 23 janvier 1912.

En foi de quoi, les Délégués ont revêtu le présent Protocole de leurs signatures.

Fait à La Haye, le neuf juillet mil neuf cent treize en un seul exemplaire, qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique à toutes les Puissances tant Signataires que non Signataires.

Pour l'Allemagne

F. DE MÜLLER.

Pour les États-Unis d'Amérique

HAMILTON WRIGHT.

LLOYD BRUCE.

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「グランド・ジュー・コロン」

亞爾然丁共和國

「フランソア・デ・グエイガ」

白耳義國

男爵「アルベリック・フロン」

伯刺西爾合衆國

「グラサ・アラニヤ」

智利國

「ホルヘ・ウネウス」

支那國

顏惠慶

吳運德

哥倫比亞國

「クリスタン・ヒョシエ・ミエール」

「コスタリカ」國

「マヌエル・エム・デ・ペラルタ」

丁抹國

「グー・グレンゲンコフ・カスランスキョルト」

GERIT J. KOLLEN.

Pour la République Argentine

FRANC. DE VEYGA.

Pour la Belgique

BN. ALB. FALLON.

Pour les États-Unis du Brésil

GRAÇA ARANHA.

Pour le Chili

JORIE HUNEEUS.

Pour la Chine

W. W. YEN.

WU LIEN TEH.

Pour la Colombie

CHR. HESCHERMÖLLER.

Pour le Costa-Rica

MANUEL M. DE PERALTA.

Pour le Danemark

W. GREVENKOP CASTENSKJOLD.

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「ドミニカ」共和國

「ホセ・ラマルシ」

「エクアドル」國

「ホルヘ・ウネウス」

西班牙國

「マヌエル・ヘー・デアシル」

佛蘭西國

「マルセラン・ペレ」

大不列顛國

「ダブリュー・ジ・マックス・ミューラー」

「ウィリアム・ジョージ・コリンズ」

「ハイチ」國

「ステニオ・ウインセント」

伊太利國

「ブリシヤント」

日本國

信美淳平

本國政府ノ追認ヲ留保ス

Pour la République Dominicaine

J. LAMARCHE.

Pour l'Équateur

JORIE HUNEEUS.

Pour l'Espagne

MANUEL G. DE ACILU.

Pour la France

MARCELLIN PELLET.

Pour la Grande-Bretagne

W. G. MAX MÜLLER.

WILLIAM JOB COLLINS.

Pour l'Haïti

STENIO VINCENT.

Pour l'Italie

BRICHANTEAU.

Pour le Japon

J. SHINOBU.

Avec la réserve de l'approbation ultérieure de son Gouvernement.

Doc 191-PSI

盧森堡國

男爵「アルベリック・ファロン」

Pour le Luxembourg

BN. ALB. FALLON.

墨西哥合衆國

「エフ・ガンボア」

Pour les États-Unis Mexicains

F. GAMBOA.

和蘭國

「イェー・チー・クレマー」

Pour les Pays-Bas

J. T. CREMER.

「セー・タイ・ファン・デ・ヴェンナル」

C. TH. VAN DEVENTER.

「アー・アー・デ・ヨング」

A. A. DE JONGH.

「イェー・ゲール・スキューレル」

J. G. SCHEURER.

葡萄牙國

「アントニオ・マリア・バルトロメウ・フェレイラ」

Pour le Portugal

ANTONIO MARIA BARTHOLOMEU FERREIRA.

露西亞國

「アー・スウチチン」

Pour la Russie

A. SWÉTCHINE.

暹羅國

「フヒヤ・スーダム・マイトリ」

Pour le Siam

PHYA SUDHAM MAITRI.

「ウィリアム・ジョー・アーチャー」

WM. J. ARCHER.

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支那對於輸入之禁止

支那對於輸出之禁止

ノ濫用ニ陥ラシメ且同様ノ害毒作用ヲ惹起スルコトアルヘキモノ

第四章

第十五條

支那國ト條約ヲ有スル締約國(條約國)ハ支那國政府ト協同シテ支那國領土、締約國ノ極東殖民地及支那國內ニ締約國ノ保有スル租借地内ニ生阿片、阿片煙膏、「モルヒネ」、「コカイン」及其ノ各種類並本條約第十四條ニ掲ケル物質ヲ密輸入スルコトヲ禁遏スルカ爲ニ必要ナル措置ヲ執ルヘシ支那國政府ニ於テハ阿片其ノ他ノ前記物質ヲ支那國ヨリ外國殖民地及租借地ニ密輸出スルコトヲ禁遏スルカ爲ニ同様ノ措置ヲ執ルヘシ

第十六條

支那國政府ハ「モルヒネ」、「コカイン」及其ノ各種類並本條約第十四條ニ掲ケル物質ノ販賣及分配

donner lieu à des abus analogues et avoir pour résultat les mêmes effets nuisibles.

CHAPITRE IV.

ARTICLE 15.

Les Puissances Contractantes ayant des traités avec la Chine (Treaty Powers) prendront, de concert avec le Gouvernement chinois, les mesures nécessaires pour empêcher l'entrée en contrebande, tant sur le territoire chinois que dans leurs colonies d'Extrême Orient et sur les territoires à bail qu'ils occupent en Chine, de l'opium brut et préparé, de la morphine, de la cocaïne et de leurs sels respectifs, ainsi que des substances visées à l'article 14 de la présente Convention. De son côté le Gouvernement chinois prendra des mesures analogues pour la suppression de la contrebande de l'opium et des autres substances visées ci-dessus, de la Chine vers les colonies étrangères et les territoires à bail.

ARTICLE 16.

Le Gouvernement chinois promulguera des lois pharmaceutiques pour ses sujets, réglementant la

ノ取締ノ爲其ノ國民ニ適用スヘキ禁煙ニ關スル法令ヲ公布シ且支那國ト條約ヲ有スル各國政府ニ對シ其ノ北京駐劄外交代表者ヲ經テ之ヲ通知スヘシ支那國ト條約ヲ有スル締約國政府ハ右法令ヲ遵守シ其ノ承認スヘキモノナルコトヲ認メタルトキハ支那國ニ居住スル自國民ニ對シ之ヲ適用スルカ爲ニ必要ナル措置ヲ執ルヘシ

vente et la distribution de la morphine, de la cocaïne et de leurs sels respectifs et des substances visées à l'article 14 de la présente Convention, et communiquera ces lois aux Gouvernements ayant des traités avec la Chine, par l'intermédiaire de leurs représentants diplomatiques à Pékin. Les Puissances Contractantes ayant des traités avec la Chine examineront ces lois, et, si elles les trouvent acceptables, prendront les mesures nécessaires pour qu'elles soient appliquées à leurs nationaux résidant en Chine.

第十七條

ARTICLE 17.

支那國ト條約ヲ有スル締約國ハ支那國內ニ在ル其ノ租借地、居留地及專管居留地ニ於テノ阿片吸食ノ習癖ヲ制限シ且之ヲ取締ル爲必要ナル措置ヲ執ルコト、阿片質又ハ類似ノ場庫現存セバ支那國政府ト同一ノ步調ヲ以テ之ヲ閉鎖スルコト並ニ娼樂場及娼樓ニ於ケル阿片ノ使用ヲ禁止スルコトヲ講スヘシ

Les Puissances Contractantes ayant des traités avec la Chine entreprendront d'adopter les mesures nécessaires pour restreindre et pour contrôler l'habitude de fumer l'opium dans leurs territoires à bail, "settlements" et concessions en Chine, de supprimer *pari passu* avec le Gouvernement chinois les fumeries d'opium ou établissements semblables qui pourront y exister encore, et de prohiber l'usage de l'opium dans les maisons d'amusement et les maisons publiques.

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阿片條約
第五

第十八條

ARTICLE 18.

支那國ト條約ヲ有スル締約國ハ支那國內ニ在ル其ノ租借地、居留地及專管居留地ニ於テ生阿片及阿片煙膏ノ販賣店現存セバ其ノ數ヲ漸次減少セシムルカ爲支那國政府ト同一ノ步調ヲ以テ有效ナル措置ヲ執ルヘシ前記各締約國ハ支那國內ニ在ル其ノ租借地、居留地及專管居留地ニ於ケル阿片ノ小賣ヲ制限シ且之ヲ取締ルカ爲ニ有效ナル措置ヲ執ルヘシ但シ右ニ關シ既ニ法規ノ存スル場合ハ此ノ限ニ在ラス

Les Puissances Contractantes ayant des traités avec la Chine prendront des mesures effectives pour la réduction graduelle, *pari passu* avec les mesures effectives que le Gouvernement chinois prendra dans ce même but, du nombre des boutiques, destinées à la vente de l'opium brut et préparé, qui pourront encore exister dans leurs territoires à bail, "settlements" et concession en Chine. Elles adopteront des mesures efficaces pour la restriction et le contrôle du commerce de détail de l'opium dans les territoires à bail, "settlements" et concessions, à moins que des mesures existantes n'aient déjà réglé la matière.

第十九條

ARTICLE 19.

支那國內ニ郵便局ヲ有スル締約國ハ生阿片、阿片煙膏、「モルヒネ」、「コカイン」及其ノ各種類並本條約第十四條ニ揭クル物質ヲ小包郵便トシテ不法ニ支那國內ニ輸入シ又ハ該郵便局ヲ經テ支那國ノ一地方ヨリ他ノ地方ニ不法ニ之ヲ傳送スルコトヲ禁止スルカ爲ニ有效ナル措置ヲ執ルヘシ

Les Puissances Contractantes qui possèdent des bureaux de poste en Chine adopteront des mesures efficaces pour interdire l'importation illégale en Chine, sous forme de colis postal, tout aussi bien que la transmission illégale d'une localité de la Chine à une autre localité par l'intermédiaire de ces bureaux de poste, soit brut, soit préparé, de la morphine et de la cocaïne et de leurs sels

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小包郵便
禁止輸入
支那

第五章

第二十條

締約國ハ生阿片、阿片煙膏、「モルヒネ」、「コカイン」及其ノ各種類ノ不法所持ヲ刑事罪トシテ處罰スヘキ法令又ハ規則ヲ制定シ得ルヤ否ヤヲ審査スヘシ但シ右ニ關シ既ニ現行ノ法令又ハ規則ヲ存スル場合ハ此ノ限ニ在ラス

第二十一條

締約國ハ和蘭國外務省ヲ經由シ左ノ事項ヲ相互ニ通知スヘシ

- (イ) 本條約ノ規定事項ニ關シテ現ニ存シ又ハ其ノ條項ニ基キテ制定セラルヘキ法令及行政規則ノ正文
- (ロ) 生阿片、阿片煙膏、「モルヒネ」、「コカイン」及其ノ各種類並本條約ニ規定スル其ノ他ノ藥

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respectifs et des autres substances visées à l'article 14 de la présente Convention.

CHAPITRE V.

ARTICLE 20.

Les Puissances Contractantes examineront la possibilité d'édicter des lois ou des règlements rendant possible de peines la possession illégale de l'opium brut, de l'opium préparé, de la morphine, de la cocaïne et de leurs sels respectifs, à moins que des lois ou des règlements existants n'aient déjà réglé la matière.

ARTICLE 21.

Les Puissances Contractantes se communiqueront, par l'intermédiaire du Ministère des Affaires Étrangères des Pays-Bas :

- a. les textes des lois et des règlements administratifs existants, concernant les matières visées par la présente Convention, ou édictés en vertu de ses clauses ;
- b. des renseignements statistiques en ce qui concerne le commerce de l'opium brut, de l'opium

品、其ノ鹽類又ハ調劑ノ取引ニ關スル統計報告

右統計ハ成ルヘク詳細ニ且成ルヘク速ニ之ヲ提出スヘシ

第六章

第二十二條

本會議ニ代表者ヲ出サザリシ諸國ハ本條約ニ署名スルコトヲ得此ノ目的ノ下ニ和蘭國政府ハ本會議ニ參加シタル諸國ノ全權委員カ本條約ニ署名後直ニ本會議ニ代表者ヲ出サザリシ歐米諸國即チ亞爾然丁共和國、埃地利、洪牙利國、白耳義國、「ボツグリア」國、伯刺西爾國、物爾牙利國、智利國、哥倫比亞國、「ニスタツカ」國、玖馬共和國、丁株國、「ドミニカ」共和國、「エクアドル」共和國、西班牙國、希臘國、「グアテマラ」國、「ハイチ」共和國、「ホンヂュラス」國、盧森堡國、墨西哥國、「モンテ

末則

通知
署名

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préparé, de la morphine, de la cocaïne et de leurs sels respectifs, ainsi que des autres drogues, ou leurs sels, ou préparations, visées par la présente Convention.

Ces statistiques seront fournies avec autant de détails et dans un délai aussi bref que l'on considérera comme possibles.

CHAPITRE VI.

Dispositions finales.

ARTICLE 22.

Les Puissances non représentées à la Conférence seront admises à signer la présente Convention.

Dans ce but, le Gouvernement des Pays-Bas invitera, immédiatement après la signature de la Convention par les Plénipotentiaires des Puissances qui ont pris part à la Conférence, toutes les Puissances de l'Europe et de l'Amérique non représentées à la Conférence, à savoir :

La République Argentine; l'Autriche-Hongrie; la Belgique; la Bolivie; le Brésil; la Bulgarie; le Chili; la Colombie; le Costa-Rica; la République de Cuba; le Danemark; la République

ネグロ「國」、「ニカラグ」國、海峽國、巴拿馬國、
「ブラグアイ」國、秘魯國、羅馬尼亞國、「サルウ」
「トル」國、塞爾比亞國、瑞典國、瑞西國、土耳其
國、「ウラグイ」國、「ウニエズエラ」合衆國ニ對シ
海牙ニ於テ本條約ニ署名スルカ爲ニ必要ナル全權
委任狀ヲ有スル委員ヲ任命スヘキ旨ノ招請ヲ爲ス
ヘシ

前項ノ署名ハ各署名ノ日附ヲ記シ「此ノ會議ニ代
及者ヲ出ササル諸國ノ署名ニ關スル議定書」ノ形
式ヲ以テ之ヲ本會議ニ代表者ヲ出シタル諸國ノ本
條約署名ノ次ニ添附スヘシ

和蘭國政府ハ一切ノ署名國ニ對シ毎月各追加署名
ニ付報告ヲ爲スヘシ

第二十三條

一切ノ國カ其ノ本國並其ノ領地、殖民地、保護領
及租借地ニ付本條約又ハ前條ニ掲ケタル追加議定
書ニ署名ヲ了シタルトキハ和蘭國政府ハ一切ノ國
ニ對シ本條約ト共ニ該議定書ヲ批准スヘキ旨ノ招

Dominicaine; la République de l'Équateur; l'Es-
pagne; la Grèce; le Guatemala; la République
d'Haïti; le Honduras; le Luxembourg; le Mexi-
que; le Monténégro; le Nicaragua; la Norvège;
le Panama; le Paraguay; le Pérou; la Roumanie;
le Salvador; la Serbie; la Suède; la Suisse; la
Turquie; l'Uruguay; les États-Unis du Vénézuéla,
à désigner un Délégué muni des pleins pouvoirs
nécessaires pour signer, à La Haye, la Convention.

La Convention sera munie de ces signatures
au moyen d'un "Protocole de signature de Pui-
sances non représentées à la Conférence," à ajouter
après les signatures des Puissances représentées et
mentionnant la date de chaque signature.

Le Gouvernement des Pays-Bas donnera tous
les mois à toutes les Puissances Signataires avis
de chaque signature supplémentaire.

ARTICLE 23.

Après que toutes les Puissances, tant pour
elles-mêmes que pour leurs possessions, colonies,
protectorats et territoires à bail, auront signé la
Convention ou le Protocole supplémentaire visé
ci-dessus, le Gouvernement des Pays-Bas invitera

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批准

請ヲ爲スヘシ

前項ノ招請ヲ受ケタル一切ノ國カ千九百十二年十
二月三十一日迄ニ其ノ署名ヲ了セサル場合ニ於テ
ハ和蘭國政府ハ直ニ該期日迄ニ其ノ署名ヲ了シタ
ル各國ニ對シ全部ノ署名ナキニ拘ラス其ノ批准寄
託ヲ爲シ得ヘキヤ否ヤヲ海牙ニ於テ審査セシムル
爲各其ノ委員ヲ任命スヘキ旨ノ招請ヲ爲スヘシ
前項ノ批准ハ成ルヘク速ニ之ヲ行ヒ在 海牙和蘭國
外務省ニ之ヲ寄託スヘシ

和蘭國政府ハ毎月該一月間ニ受領シタル批准書ヲ
各署名國ニ通知スヘシ

和蘭國政府カ一切ノ署名國ヨリ各其ノ本國並殖民
地、領地、保護領及租借地ノ爲ニ爲シタル批准書
ヲ受領シタルトキ本條約ヲ批准シタル一切ノ國ニ
右最終ノ批准書ヲ受領シタル日附ヲ直ニ通知スヘ
シ

toutes les Puissances à ratifier la Convention avec
ce Protocole.

Dans le cas où la signature de toutes les Pui-
sances invitées n'aurait pas été obtenue à la date
du 31 décembre 1912, le Gouvernement des Pays-
Bas invitera immédiatement les Puissances Signa-
taires à cette date, à désigner des Délégués pour
procéder, à La Haye, à l'examen de la possibilité
de déposer néanmoins leurs ratifications.

La ratification sera faite dans un délai aussi
court que possible et déposée à La Haye au
Ministère des Affaires Étrangères.

Le Gouvernement des Pays-Bas donnera tous
les mois avis aux Puissances Signataires des rati-
fications qu'il aura reçues dans l'intervalle.

Aussitôt que les ratifications de toutes les Pui-
sances Signataires, tant pour elles-mêmes que pour
leurs colonies, possessions, protectorats et terri-
toires à bail, auront été reçues par le Gouverne-
ment des Pays-Bas, celui-ci notifiera à toutes les
Puissances qui auront ratifié la Convention la
date à laquelle il aura reçu le dernier de ces
actes de ratification.

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第二十四條

買 換

本條約ハ前條未項ノ和蘭國政府ノ通知中ニ記載シタル日附ヨリ三月後ニ之ヲ實施ス

ノ法及規
時及規
買 換

本條約ニ規定シタル法令、規則又ハ其ノ他ノ措置ニ關シ之カ爲必要ナル草案ハ本條約ノ實施後六月内ニ之ヲ作成スヘシ法律案ニ付テハ各國政府ニ於テ右六月ノ期間内ニ於テ及如何ナル場合ニ於テモ右期間満了後開カルヘキ最初ノ會期ニ於テ之ヲ其ノ議會又ハ立法部ニ提出スヘシ

前項ノ法令、規則又ハ措置ノ實施期日ハ和蘭國政府ノ提議ニ基キ締約國ノ合意ヲ以テ之ヲ定ムヘシ

本條約ノ批准又ハ本條約若ハ本條約ニ基ク法律、規則及措置ノ實施ニ關シ問題ヲ生シ他ノ方法ニ依リテ之ヲ解決スルコト能ハサル場合ニ於テハ和蘭國政府ハ一切ノ締約國ニ對シ右問題ニ關シ直ニ合意ヲ成立セシムル爲各代表者ヲ任命シ海牙ニ會合

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ARTICLE 24.

La présente Convention entrera en vigueur trois mois après la date mentionnée dans la notification du Gouvernement des Pays-Bas, visée au dernier alinéa de l'article précédent.

À l'égard des lois, règlements et autres mesures, prévus par la présente Convention, il est convenu que les projets requis à cet effet seront rédigés au plus tard six mois après l'entrée en vigueur de la Convention. En ce qui concerne les lois, elles seront aussi proposées par les Gouvernements à leurs Parlements ou Corps Législatifs dans ce même délai de six mois, et en tout cas à la première session qui suivra l'expiration de ce délai.

La date à partir de laquelle ces lois, règlements ou mesures entreront en vigueur fera l'objet d'un accord entre les Puissances Contractantes sur la proposition du Gouvernement des Pays-Bas.

Dans le cas où des questions surgiraient relatives à la ratification de la présente Convention, ou à la mise en vigueur, soit de la Convention, soit des lois, règlements et mesures qu'elle comporte, le Gouvernement des Pays-Bas, si ces questions ne peuvent pas être résolues par d'autres

セシムヘキ官ノ招請ヲ爲スヘシ

第二十五條

買 換

締約國ノ一國カ本條約ヲ廢棄セムト欲スルトキハ右廢棄ハ書面ヲ以テ之ヲ和蘭國政府ニ通知スヘシ同國政府ハ直ニ右通知書ノ認證原本ヲ一切ノ他ノ締約國ニ通達シ且右通知書ヲ受領シタル日附ヲ通報スヘシ

右ノ廢棄ハ其ノ通知ヲ爲シタル國ニ關シラノミ其ノ効力ヲ生シ且和蘭國政府カ其ノ通知書ヲ受領シタル時ヨリ一年ヲ經過シタル後ニ非テハ其ノ効力ヲ生セス

右證據トシテ各全權委員ハ本條約ニ署名ス

千九百十二年一月二十三日海牙ニ於テ本書一通ヲ作成シ之ヲ和蘭國政府ノ記録ニ寄託保存シ其ノ認證原本ハ外交上ノ手續ヲ經テ之ヲ本會議ニ代表者

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moyens, invitera toutes les Puissances Contractantes à désigner des Délégués qui se réuniront à La Haye pour arriver à un accord immédiat sur ces questions.

ARTICLE 25.

S'il arrivait qu'une des Puissances voulût dénoncer la présente Convention, la dénonciation sera notifiée par écrit au Gouvernement des Pays-Bas qui communiquera immédiatement copie certifiée conforme de la notification à toutes les autres Puissances, en leur faisant savoir la date à laquelle il l'a reçue.

La dénonciation ne produira ses effets qu'à l'égard de la Puissance qui l'aura notifiée et un an après que la notification en sera parvenue au Gouvernement des Pays-Bas.

En foi de quoi, les Plénipotentiaires ont revêtu la présente Convention de leurs signatures.

Fait à La Haye, le 23 janvier mil neuf cent douze, en un seul exemplaire, qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront

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ヲ出シタル一切ノ國ニ交付スベシ

獨逸國

- 「エフド、ミール」
- 「デルブブリック」
- 「グリュートンワルト」

亞米利加合衆國

- 「チャールス、エッチ、ブレント」
- 「ハミルトン、ライト」
- 「ケンソール、ジョー、フィンガー」

支那國

梁 誠

佛蘭西共和國

- 「アウシマブルニエ」

佛蘭西保護領ノ爲ニ爾後特別且別個ノ批准又ハ廢棄ヲ爲シ得ルコトヲ留保ス

大不列顛國

- 「ダブリン、エス、アイヤール」
- 「ダブリン、ジョー、マックス、ミートラー」

remises par la voie diplomatique à toutes les Puissances représentées à la Conférence.

Pour l'Allemagne

- F. DE MULLER.
- DELBRUCK.
- GRUNENWALD.

Pour les États-Unis d'Amérique

- CHARLES H. BRENT.
- HAMILTON WRIGHT.
- HENRY J. FINGER.

Pour la Chine

LIANG CHENG.

Pour la France

H. BRENIER.

Sous réserve d'une ratification, ou d'une dénonciation, éventuellement séparée et spéciale en ce qui concerne les Protectorats français.

Pour la Grande-Bretagne

- W. S. MEYER.
- W. G. MAX MÜLLER.

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「ウィリアム、ジョージ、コリンズ」

左ノ宣言ヲ留保ス

大不列顛國政府カ本條約ヲ批准シタルトキハ其ノ條項ハ英領印度帝國、錫蘭、海峽殖民地、香港及威漢衛ニ對シ總テノ點ニ於テ其ノ大不列顛愛爾蘭聯合王國ニ對スルト同様ニ之ヲ適用ス但シ大不列顛國政府ハ右列舉以外ノ領土、殖民地、屬地又ハ保護領ノ爲ニ各別ニ本條約ニ署名シヌハ本條約ヲ廢棄スルノ權利ヲ留保ス

伊太利國

- 「ジョー、デラ、ツール、カルヴェロ」

日本國

佐藤 愛蔵
高木 友枝
西崎 弘太郎

和蘭國

- 「イェー、ライ、クレーマー」

WILLIAM JOB COLLINS.

Sous réserve de la déclaration suivante:

Les articles de la présente Convention, si elle est ratifiée par le Gouvernement de Sa Majesté Britannique, s'appliqueront : l'Empire des Indes Britanniques, à Ceylan, aux Établissements des Détroits, à Hong Kong et à Wei-hai-wei, sous tous les rapports, de la même façon qu'ils s'appliquent au Royaume-Uni de Grande-Bretagne et d'Irlande; mais le Gouvernement de Sa Majesté Britannique se réserve le droit de signer ou de dénoncer séparément ladite Convention au nom de tout Dominion, Colonie, Dépendance ou Protectorat de Sa Majesté autre que ceux qui ont été spécifiés.

Pour l'Italie

G. DE LA TOUR CALVELLO.

Pour le Japon

- AIMARO SATO.
- TOMOE TAKAGI.
- KOTARO NISHIZAKI.

Pour les Pays-Bas

J. T. CREMER.

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「モリ、ライバー、ファン、デ、グエン、ラ、ル」
「ア、ア、ア、デ、ヨ、ン、グ」
「ヨ、ト、グ、ス、キ、ト、レ、ル」

波斯國

「ミルザ、ヤーム、ド、カ、ン」
波斯國ハ支那國トノ條約國ニ非サルヲ以テ第
十五條乃至第十九條ヲ及第三條(イ)號ヲ留保ス

葡萄牙國

「アントニオ、マリア、バルトロメウ、フェレイラ」

露西亞國

「ア、サ、グ、ン、ス、キ」

暹羅國

「ア、カ、ラ、イ、ウ、ラ、ジ、ラ」
「ウ、ラ、ア、ム、シ、エ、ア、イ、チ、ヤ」
暹羅國ハ支那國トノ條約國ニ非サルヲ以テ第
十五條乃至第十九條ヲ留保ス

C. TH. VAN DEVENTER.
A. A. DE JONGH.
J. G. SCHEURER.

Pour la Perse

MIRZA MAHMOUD KHAN.
Sous réserve des articles 15, 16, 17, 18 et
19 (la Perse n'ayant pas de traité avec
la Chine) et du paragraphe a de l'article
3.

Pour le Portugal

ANTONIO MARIA BARTHOLOMEU FERREIRA.

Pour la Russie

A. SAVINSKY.

Pour le Siam

AKHARAJ VARADHARA.
WM. J. ARCHER.
Sous réserve des articles 15, 16, 17, 18 et
19, le Siam n'ayant pas de traité avec
la Chine.

國際阿片會議最終議定書

PROTOCOLE DE CLÔTURE
DE LA CONFÉRENCE INTERNATIONALE
DE L'OPIMUM.

一九二二(明治四十五年)一月二三日署名ニ於テ署名
一九二〇(大正九年)一月二〇日官報掲載

Signé à la Haye, le 23 Janvier 1912.
Publié à Tokio, le 10 Janvier 1920.

前文

亞米利加合衆國政府ノ提議ニ基キ和蘭國政府ノ招
請シタル國際阿片會議ハ千九百十一年十二月一日
海牙「バネー、デ、コント」ニ開催セリ

La Conférence Internationale de l'Opium, pro-
posée par le Gouvernement des États-Unis d'Amé-
rique, et convoquée par le Gouvernement des
Pays-Bas, s'est réunie à La Haye, dans le Palais
des Comtes, le 1 décembre 1911.

左記ノ政府ハ此ノ會議ニ參加シ左ノ委員ヲ任命セ
リ

Les Gouvernements, dont l'énumération suit,
ont pris part à la Conférence, pour laquelle ils
avaient désigné les Délégués nommés ci-après :

獨逸國

首席全權委員 和蘭國駐節特命全權公使「コン
セイエー、アンチム、アクチエール」
「フ、リ、
ク、ス、ド、ミ、ニ、レ、ル」

L'ALLEMAGNE :

Son Exc. M. FÉLIX DE MÜLLER, con-
seiller intime actuel, envoyé extraordinaire et
ministre plénipotentiaire à la Haye, premier délé-
gué plénipotentiaire;

全權委員 「コンセイエー、シベリ、ル、アン
チム、ド、レ、ジ、ヤ、ス」
「テ、ル、ン、リ、ク」

M. DELBRÜCK, conseiller supérieur intime
de Régence, délégué plénipotentiaire;

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同 公使館參事官「ドクトル、グリンイーネ
ンワルト」

同 「コンセイエー、アンチム、ド、レ
シヤンス」衛生局長「ドクトル、ケルア」

同 廣東駐在領事「ドクトル、レスレル」

亞米利加合衆國

全權委員 司教「チャールズ、エチ、ブレント」

同 「ハミルトン、ライト」

同 「エッチ、ジュー、フィンガー」

支那國

全權委員 獨逸國駐劄特命全權公使梁誠

委員 外務部秘書唐國安

同 和蘭國駐劄臨時代理公使袁祖中

M. le Dr. GRUNENWALD, conseiller actuel de légation, délégué plénipotentiaire ;

M. le Dr. KERP, conseiller intime de Régence, directeur à l'Office Impérial de santé, délégué plénipotentiaire ;

M. le Dr. RÖSSLER, consul Impérial à Canton, délégué plénipotentiaire.

LES ÉTATS-UNIS D'AMÉRIQUE :

M. l'Évêque CHARLES H. BRENT, délégué plénipotentiaire ;

M. HAMILTON WRIGHT, délégué plénipotentiaire ;

M. H. J. FINGER, délégué plénipotentiaire.

LA CHINE :

Son Exe. M. LIANG CHENG, envoyé extraordinaire et ministre plénipotentiaire à Berlin, délégué plénipotentiaire ;

M. T'ANG KWO-AN, secrétaire adjoint au Wai-Wu-Pu, délégué ;

M. TCHANG TSOU-SOUENG, chargé d'affaires a.i. à La Haye, délégué ;

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同 藥學校長軍醫正「ドクトル」吳連徳

同 前牛莊稅關長「エフ、エー、カール」

同 總稅務司處副秘書「ア、ジュー、コ
ムヤイス」

佛蘭西共和國

全權委員 印度支那農商務監督官「アンリ、
ブルニエ」

同 印度支那民政官「ピエール、グロト」

專門委員 殖民地軍醫正「ドクトル、ガイデ」

大不列顛國

全權委員 樞密顧問官「サー、セシル、クレメン
チ、スミス」

M. le Dr. WU LIEN-TEH, M. D. (Cambridge), médecin-major, directeur de l'école de médecine délégué ;

M. F. A. CARL, ancien commissaire des douanes maritimes impériales à New-chwang, délégué ;

M. A. J. COMMIJS, secrétaire adjoint au bureau de l'inspecteur-général des douanes maritimes impériales, délégué.

LA FRANCE :

M. HENRI BRENIER, inspecteur-conseil des services agricoles et commerciaux de l'Indo-Chine, délégué plénipotentiaire ;

M. PIERRE GUESDE, administrateur des services civils de l'Indo-Chine, délégué plénipotentiaire ;

M. le Dr. GAIDE, médecin-major des troupes coloniales, conseiller technique.

LA GRANDE-BRETAGNE :

The Right Honourable Sir CECIL CLEMENTI SMITH, G. C. M. G., membre du conseil privé, délégué plénipotentiaire ;

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| | |
|--|---|
| 同 「マドラス」政廳書記官長「サー、ウィリアム、スチーブンソン、マイヤー」 | Sir WILLIAM STEVENSON MEYER, K. C. I. E., secrétaire en chef du Gouvernement de Madras, délégué plénipotentiaire ; |
| 同 大使館參事官「ウィリアム、グレン、フェル、マックス、ミューラー」 | M. WILLIAM GRENFELL, MAX-MÜLLER, C. B., M. V. O., conseiller d'ambassade, délégué plénipotentiaire ; |
| 同 倫敦州副知事「サー、ウィリアム、ジョブ、コリンズ」 | Sir WILLIAM JOB COLLINS, M. D., deputy-lieutenant du Comté de Londres, délégué plénipotentiaire. |
| 伊太利國 | L'ITALIE : |
| 全權委員 和蘭國駐部特命全權公使伯德「ジョー、カリエー、デ、ラ、ツール、デ、ラ、ク、デ、カル、グエ、ル、ロ」 | Son Exc. M. le Comte G. SALLIER DE LA TOUR, Duc de Calvello, envoyé extraordinaire et ministre plénipotentiaire à La Haye, délégué plénipotentiaire ; |
| 委員 衛生事務總監、國會議員、教授「ロ、コ、サントリキド」 | M. le professeur ROCCO SANTOLIVUDO, député au parlement, directeur-général de la santé publique délégué. |
| 日本國 | LE JAPON : |
| 全權委員 和蘭國駐部特命全權公使佐藤愛彦 | Son Exc. M. AIMARO SATO, envoyé extraordinaire et ministre plénipotentiaire à La Haye, délégué plénipotentiaire ; |

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| | |
|--------------------------------|--|
| 同 臺灣總督府技師高木友枝 | M. le Dr. TOMOE TAKAGI, ingénieur du Gouvernement-général de Formose, délégué plénipotentiaire ; |
| 同 郵 衛生試驗所技師、藥學博士西崎弘太 | M. le Dr. KOTARO NISHIZAKI, spécialiste technique, attaché au laboratoire des services hygiéniques, délégué plénipotentiaire. |
| 和蘭國 | LES PAYS-BAS : |
| 全權委員 前殖民大臣和蘭商事協會會頭「イ、タイ、クレーヤー」 | M. J. T. CREMER, ancien ministre des colonies, président de la compagnie néerlandaise de commerce, délégué plénipotentiaire ; |
| 同 上院議員「キエー、タイ、バー、ファン、デ、グエン、テル」 | M. C. TH. VAN DEVENTER, membre de la première chambre des États-Généraux, délégué plénipotentiaire ; |
| 同 前蘭領印度阿片專賣事務總監「ア、ア、デ、ヨング」 | M. A. A. DE JONGH, ancien inspecteur-général, chef du service de la régie de l'opium aux Indes néerlandaises, délégué plénipotentiaire ; |
| 同 下院議員「ヨット、ゲー、スキュー、レル」 | M. J. G. SCHEURER, membre de la seconde chambre des États-Généraux, délégué plénipotentiaire ; |
| 同 蘭領印度阿片專賣事務監督官「フ、ン、ク、エ、ト、ム」 | M. W. G. VAN WETTUM, inspecteur de la régie de l'opium aux Indes néerlandaises, délégué plénipotentiaire. |

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波斯國

全權委員 在波牙波斯國公使館書記官「ミルザ、マヒムード、カーン」

葡萄牙國

全權委員 和蘭國駐特命全權公使「アントニオ、マリア、バルトロメウ、フェレイラ」

委員 一等總領事外務省委員「オスカル、ジョージ、ポチエ」

同 砲兵大尉、前殖民地知事、殖民省委員「アー、サンチェス、デ、ミランダ」

露西亞國

全權委員 式部官、國事參議官、瑞典國駐特命全權公使「アレキサンドル、サグインスキー」

LA PERSE:

MIRSA MAHMOUD KHAN, secrétaire de la légation de Perse à La Haye, délégué plénipotentiaire.

LE PORTUGAL:

Son Exc. M. ANTONIO MARIA BARTHOLOMEU FERREIRA, envoyé extraordinaire et ministre plénipotentiaire à La Haye, délégué plénipotentiaire;

M. OSCAR GEORGE POTIER, consul-général de première classe, délégué du ministère des affaires étrangères, délégué;

M. A. SANCHES DE MIRANDA, capitaine d'artillerie, ancien gouverneur aux colonies, délégué.

LA RUSSIE:

Son Exc. M. ALEXANDRE SAVINSKY, maître de cérémonies de S. M. l'Empereur, conseiller d'état actuel, envoyé extraordinaire et ministre plénipotentiaire à Stockholm, délégué plénipotentiaire;

委員 名譽侍醫、國境守備軍醫監「シヤビロフ」

暹羅國

全權委員 大不列顛國、和蘭國及白耳義國駐特命全權公使「フイヤ、アカライ、ワラジヤラ」

同 公使館參事官「ウリアム、ジョー、アー、カー」

千九百十一年十二月一日ヨリ千九百十二年一月二十三日迄數回ノ會合ニ於テ本會議ハ別紙條約正文ヲ議決セリ

本會議ハ尙左ノ希望ヲ表明セリ

第一 本會議ハ左ノ事項ニ關シ萬國聯合郵便同盟ノ注意ヲ喚起スルヲ適當ト認ム

一 生阿片ノ郵送ニ對スル取締ノ急務ナルコト

二 「モルヒネ」「ニコイン」及其ノ各種類並本條約第十四條ニ掲ケタル物質ノ郵送ヲ成ルヘ

M. CHAPIROFF, médecin honoraire de la Cour de S. M. l'Empereur, médecin-inspecteur du corps des gardes-frontières, délégué.

LE SIAM:

Son Exc. PHYA AKHARAJ VARADHARA, envoyé extraordinaire et ministre plénipotentiaire à Londres, La Haye et Bruxelles, délégué plénipotentiaire;

M. Wm. J. ARCHER, C. M. G., conseiller de légation, délégué plénipotentiaire.

Dans une série de réunions tenues du 1 décembre 1911 au 23 janvier 1912, la Conférence a arrêté le texte de Convention ci-annexé.

La Conférence a en outre émis les vœux suivants:

1. La Conférence estime qu'il y aurait lieu d'attirer l'attention de l'Union Postale Universelle:

1° sur l'urgence de réglementer la transmission par la poste de l'opium brut;

2° sur l'urgence de régler autant que possible la transmission par la poste de la mor-

條約ノ國

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末 文

ク嚴重ニ取締ルコトノ急務ナルコト

三 阿片煙膏ノ郵送ヲ禁止スルノ必要ナルコト

第二 本會議ハ國內法制又ハ國際協定ヲ以テ必要ニ應シ印度大麻ノ濫用ニ對シ取締法規ヲ設クルカ爲ニ統計上及學術上ヨリ該問題ノ研究ヲ爲スヲ適當ト認ム

右證據トシテ各全權委員ハ本議定書ニ署名ス

千九百二十二年一月二十三日海牙ニ於テ本書一通ヲ作り之ヲ和蘭國政府ノ記録ニ寄託保存シ其ノ認證原本ハ外交上ノ手續ヲ經テ之ヲ本會議ニ代表者ヲ出シタル一切ノ國ニ交付スヘシ

獨逸國

「エフ、ド、ム、エ、ト、レ、ル」

「デルブリュック」

「グリュートネンワルド」

phine, de la cocaïne et de leurs sels respectifs, et des autres substances visées à l'article 14 de la Convention;

3° sur la nécessité de prohiber la transmission par la poste de l'opium préparé.

II. La Conférence estime qu'il y aurait lieu d'étudier la question du chanvre indien au point de vue statistique et scientifique, dans le but de régler, si la nécessité s'en fait sentir, par la législation intérieure ou par un accord international, les abus de son emploi.

En foi de quoi, les Plénipotentiaires ont revêtu le présent Protocole de leurs signatures.

Fait à La Haye, le 23 janvier mil neuf cent douze, en un seul exemplaire, qui restera déposé dans les archives du Gouvernement des Pays-Bas et dont des copies, certifiées conformes, seront remises par la voie diplomatique à toutes les Puissances représentées à la Conférence.

Pour l'Allemagne :

F. DE MÜLLER.

DELBRÜCK.

GRUNENWALD.

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Page 1

Treaty Series No. 612
Convention and Final Protocol
Between the
United States and Other Powers

SUPPRESSION OF THE ABUSE OF
OPIUM AND OTHER DRUGS

Signed at the Hague, January 23, 1912, and July 9, 1913
Ratification Advised by the Senate, October 18, 1913
Ratified by the President, October 27, 1913
Ratification of the United States Deposited with the
Netherlands Government, December 10, 1913
Proclaimed, March 3, 1915

By the President of the United States of America.

A PROCLAMATION.

Whereas a Convention between the United States of America and certain other Powers for the progressive suppression of the abuse of opium, morphine, cocaine, and derivative drugs, was concluded and signed by their respective Plenipotentiaries at The Hague on the twenty-third day of January, one thousand nine hundred and twelve, a certified copy of which Convention, being in the French language is word for word as follows:

/Translation./

INTERNATIONAL OPIUM CONVENTION.

His Majesty the German Emperor, King of Prussia in the name of the German Empire; The President of the United States of America; His Majesty the Emperor of China; The President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas. Emperor of India; His Majesty the King of Italy; His Majesty the Emperor of Japan; Her Majesty the Queen of the Netherlands; His Imperial Majesty the Shah of Persia; the President of the Portuguese Republic; His Majesty the Emperor of All the Russias; His Majesty the King of Siam

being desirous to take one step further in the way marked out by the International Commission at Shanghai in 1909;
resolved to pursue progressive suppression of the abuse of opium, morphine, cocaine as well as drugs prepared or derived from these substances giving rise or which may give rise to analogous abuses;

taking into consideration the necessity and the mutual profit of an international understanding on this point; being convinced that they will meet in this humanitarian effort the unanimous adhesion of all the nations interested, have resolved to conclude a Convention for this purpose and have appointed as their Plenipotentiaries, to wit:
(Plenipotentiaries Listed)

Who after having deposited their full powers which have been found to be in good and due form are agreed to that which follows:

Chapter I.

Raw opium.

Definition. By raw opium shall be understood:

The spontaneously coagulated sap obtained from capsules of the soporific poppy (*Papaver somniferum*), and which shall not have been subjected to any but the processes necessary to the packing and the transportation thereof.

Article 1.

The Contracting Powers shall enact efficacious laws or regulations for the control of the production and distribution of raw opium, unless existing laws or regulations have already regulated the matter.

Article 2.

The Contracting Powers, taking into account the differences in their trade conditions, shall limit the number of towns, ports or other places through which the importation or exportation of raw opium shall be permitted.

Article 3.

The Contracting Powers shall take measures:

- a. to prevent the exportation of raw opium to countries which shall have prohibited the entry thereof, and
 - b. to control the exportation of raw opium to countries which shall have limited the importation thereof,
- Unless existing measures have already regulated the matter.

Article 4.

The Contracting Powers shall issue regulations to provide that every package containing raw opium destined for exportation shall be marked in such a manner as to indicate its contents, providing the consignment shall exceed 5 kilograms.

Article 5.

The Contracting Powers shall not permit the importation and exportation of raw opium except through duly authorized persons.

Chapter II.

Prepared opium.

Definition. By prepared opium shall be understood:

The product of raw opium obtained by a series of special processes, particularly by dissolution, boiling, heating and fermentation, and which is meant to be made into the form of an extract suitable for consumption.

Prepared opium comprises dross and all other residues of smoked opium.

Article 6.

The Contracting Powers shall take measures for the gradual and efficacious suppression of the manufacture, the internal traffic in and the use of prepared opium in so far as the different conditions peculiar to each nation shall allow of this, unless existing measures have already regulated the matter.

Article 7.

The Contracting Powers shall prohibit the importation and exportation of prepared opium; however, those nations which are not yet ready to prohibit the exportation of prepared opium at once, shall prohibit such exportation as soon as possible.

Article 8.

The Contracting Powers which are not yet prepared to prohibit at once the exportation of prepared opium:

a. shall limit the number of towns, ports or other places through which it shall be possible for prepared opium to be exported;

b. shall prohibit the exportation of prepared opium to the countries which now prohibit, or which shall later prohibit the importation thereof;

c. shall prohibit, in the meanwhile, that any prepared opium be sent to a country which desires to limit the entry thereof unless the exporter shall conform to the regulations of the importing country;

d. shall take measures to the effect that each package exported containing prepared opium shall bear a special mark indicating the nature of its contents;

e. shall not permit the exportation of prepared opium except through the agency of persons especially authorized.

Chapter III.

Medicinal opium, morphine, cocaine, etc.

Definitions. By medicinal opium shall be understood: raw opium which shall have been heated to 60 degrees centigrade whether or not powdered or granulated, or whether or not mixed with neutral substances, and which shall not contain less than 10% of morphine.

By morphine shall be understood:

the principal alkaloid of opium, expressed by the chemical formula $C_{17}H_{19}NO_3$.

By cocaine shall be understood:

the principal alkaloid of the leaves of Erythroxyton Coca, expressed by the formula $C_{17}H_{21}NO_4$.

By heroin shall be understood:

morphine-diacetylate, expressed by the formula $C_{21}H_{23}NO_5$.

Article 9.

The Contracting Powers shall enact pharmacy laws and regulations in such a way as to limit the manufacture, the sale and the use of morphine, cocaine and their respective salts to medical and legitimate uses only, unless existing laws or regulations have already regulated the matter. They shall cooperate amongst themselves in order to prevent the use of these drugs for any other purpose.

Article 10.

The Contracting Powers shall use their best efforts to control or to cause to be controlled all those who manufacture, import, sell, distribute and export morphine, cocaine and their respective salts, as well as the buildings where such persons exercise that industry or that commerce.

To this end, the Contracting Powers shall use their best efforts to adopt or to cause to be adopted the following measures, unless existing measures have already regulated the matter:

a. to limit the manufacture of morphine, cocaine and their respective salts to the premises and localities alone which shall have been authorized to this effect or to keep themselves informed

as to the establishments and places where such drugs are manufactured, and to keep a register thereof;

b. to demand that all those who manufacture, import, sell, distribute, and export morphine, cocaine, and their respective salts shall be provided with an authorization of a license to carry on these operations, or shall make an official declaration thereof to the competent authorities.

c. to demand of these persons the register on their books the quantities manufactured, the importations, the sales or any other transfer and exportations of morphine, cocaine and their respective salts. This rule shall not apply necessarily to medical prescriptions and to sales made by duly authorized pharmacists.

Article 11.

The Contracting Powers shall take measures to prohibit in their internal commerce all transfer of morphine, cocaine and their respective salts to all nonauthorized persons, unless existing measures have already regulated the matter.

Article 12.

The Contracting Powers, taking the differences in their conditions into account, shall use their best efforts to limit the importation of morphine, cocaine and their respective salts, to authorized persons.

Article 13.

The Contracting Powers shall use their best efforts to adopt, or cause to be adopted, measures to the end that the exportation of morphine, cocaine and their respective salts from their countries, possessions, colonies and leased territories to the countries, possessions, colonies and leased territories of the other contracting powers shall not take place except in case the persons for whom the drugs are intended shall have received authorizations or permits granted in conformity with the laws or regulations of the importing country.

To this end every government may from time to time communicate to the governments of the exporting countries lists of the persons to whom authorizations or permits to import morphine, cocaine and their respective salts shall have been granted.

Article 14.

The Contracting Powers shall apply the laws and regulations for the manufacture, importation, sale or exportation of morphine, cocaine and their respective salts:

- a. to medicinal opium;
- b. to all preparations (official and non-official including the so-called anti-opium remedies) containing more than 0.2% of morphine or more than 0.1% of cocaine;
- c. to heroin, its salts and preparations containing more than 0.1% of heroin;
- d. to every new derivative of morphine, cocaine or their respective salts or to any other alkaloid of opium which might after generally recognized scientific investigations give rise to similar abuse and to result in the same injurious effects.

Chapter IV.

Article 15.

The Contracting Powers having treaties with China (Treaty Powers) shall take, on concert with the Chinese Government, the measures necessary for the prevention of the smuggling, as well with respect to Chinese territory as with respect to their colonies in the Far East and the leased territories which they occupy in China, of raw and prepared opium, morphine, cocaine and their respective salts, as well as of the substances indicated in article 14 of the present Convention. On its side the Chinese Government shall take analogous measures for the suppression of the smuggling of opium and the other substances hereinbefore indicated, from China to foreign colonies and leased territories.

Article 16.

The Chinese Government shall promulgate pharmacy laws for its subjects, regulating the sale and distribution of morphine, cocaine and their respective salts and of the substances indicated in article 14 of the present Convention, and shall communicate these laws to the Governments having treaties with China, through the intermediary of their diplomatic representatives at Peking. The Contracting Powers having treaties with China shall examine these laws, and, if they find them acceptable, shall take the necessary measures to the end that they be applied to their nationals residing in China.

Article 17.

The Contracting Powers having treaties with China shall undertake to adopt the measures necessary for the restraint and control of the opium-smoking habit in their leased territories, "settlements" and concessions in China, for the suppression of pari passu with the Chinese Government of the opium divans or

- a. to medicinal opium;
- b. to all preparations (official and non-official including the so-called anti-opium remedies) containing more than 0.2% of morphine or more than 0.1% of cocaine;
- c. to heroin, its salts and preparations containing more than 0.1% of heroin;
- d. to every new derivative of morphine, cocaine or their respective salts or to any other alkaloid of opium which might after generally recognized scientific investigations give rise to similar abuse and to result in the same injurious effects.

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Article 16.

The Chinese Government shall promulgate pharmacy laws for its subjects, regulating the sale and distribution of morphine, cocaine and their respective salts and of the substances indicated in article 14 of the present Convention, and shall communicate these laws to the Governments having treaties with China, through the intermediary of their diplomatic representatives at Peking. The Contracting Powers having treaties with China shall examine these laws, and, if they find them acceptable, shall take the necessary measures to the end that they be applied to their nationals residing in China.

Article 17.

The Contracting Powers having treaties with China shall undertake to adopt the measures necessary for the restraint and control of the opium-smoking habit in their leased territories, "settlements" and concessions in China, for the suppression of pari passu with the Chinese Government of the opium divans or

similar establishments which may still exist there, and for the prohibition of the use of opium in houses of amusement and of prostitution.

Article 18.

The Contracting Powers having treaties with China shall take effective measures for the gradual reduction, pari passu with the effective measures which the Chinese Government shall take to the same end, of the number of shops, intended for the sale of raw and prepared opium, which may still exist in their leased territories, settlements and concessions in China. They shall adopt efficacious measures for the restraint and control of the retail trade in opium in the leased territories, settlements and concessions, unless existing measures have already regulated the matter.

Article 19.

The Contracting Powers who have post-offices in China shall adopt efficacious measures to prohibit the illegal importation into China, in the guise of a postal package, as well as the illegal transmission from one locality to another in China through the intermediary of these post-offices, of opium, whether raw or prepared, of morphine and of cocaine and their respective salts, and of other substances indicated in article 14 of the present Convention.

Chapter V.

Article 20.

The Contracting Powers shall examine into the possibility of enacting laws or regulations making the illegal possession of raw opium, prepared opium, morphine, cocaine and their respective salts liable to penalties, unless existing laws or regulations have already regulated the matter,

Article 21.

The Contracting Powers shall communicate to each other, through the Netherlands Ministry for Foreign Affairs:

- a. the text of the laws and the administrative regulations in existence which concern matters aimed at by the present convention or enacted by virtue of its clauses;

b. statistical information with respect to that which concerns the traffic in raw opium, prepared opium, morphine, cocaine and their respective salts, as well as all other drugs or their salts or preparations aimed at by the present Convention.

These data shall be furnished with as much detail and in as short a time as shall be deemed possible.

Chapter VI.

Final Provisions.

Article 22.

not

The Powers/represented at the Conference shall be permitted to sign the present Convention.

To this end, the Netherlands Government shall invite, immediately after the Convention shall have been signed by the Plenipotentiaries of the Powers who have taken part in the Conference, all the Powers of Europe and of America not represented at the Conference, to wit, the Argentine Republic; Austria Hungary; Belgium, Bolivia; Brazil; Bulgaria; Chile; Colombia; Costa Rica; Republic of Cuba; Denmark; Dominican Republic; Republic of Ecuador; Spain; Greece; Guatemala; Republic of Haiti; Honduras; Luxemburg; Mexico; Montenegro; Nicaragua; Norway; Panama; Paraguay; Peru; Roumania; Salvador; Servia; Sweden; Switzerland; Turkey; Uruguay; United States of Venezuela, to designate a Delegate armed with the full powers necessary for the signing of the Convention at The Hague.

The Convention shall be furnished with these signatures by means of a "Protocol of signature of Powers not represented at the Conference," to be added after the signatures of the Powers represented and indicating the date of each signature.

The Netherlands Government shall give notice every month, to all the Signatory Powers, of each supplementary signature.

Article 23.

After all the Powers, as much for themselves as for their possessions, colonies, protectorates and leased territories, shall have signed the Convention, or the supplementary Protocol hereinbefore indicated, the Netherlands Government shall invite the Powers to ratify the Convention together with this Protocol.

In case the signature of all the Powers invited shall not have been secured by December 31, 1912, the Netherlands Government shall immediately invite all the powers who have signed by that date, to designate Delegates to proceed to The Hague to examine into the possibility of nevertheless depositing their ratification

Ratification shall be executed within as short a time as possible and shall be deposited at once at The Hague in the Ministry for Foreign Affairs.

The Netherlands Government shall give notice every month to the Signatory Powers of the ratifications which it shall have received in the interval.

As soon as the ratifications of all the signatory Powers, as much for themselves as for their colonies, possessions, protectorates and leased territories, shall have been received by the Netherlands Government, this government shall give notice to all the Powers who shall have ratified the Convention, of the date on which the last of such acts of ratification shall have been received.

Article 24.

The present Convention shall go into effect three months after the date mentioned in the Netherlands Government's notification, as indicated in the last paragraph of the preceding article.

With regard to the laws, regulations and other measures provided for by the present Convention, it is agreed that the drafts necessary to this end shall be drawn up not later than six months after the going into effect of the Convention. With regard to the laws, these shall also be proposed by the Governments to their parliaments or legislative bodies within this same period of six months, and in any case at the first session which shall follow the expiration of this period.

The date from which these laws, regulations, or measures shall go into effect shall be the subject of an agreement between the signatory Powers, at the instance of the Netherlands Government.

In case questions shall arise relative to the ratification of the present Convention, or relative to the going into effect of the Convention, or of the laws, regulations and measures which such Convention involves, the Netherlands Government, if these questions cannot be decided by other means, shall invite all the Signatory Powers to designate delegates who shall assemble at The Hague to come to an immediate agreement on these questions.

Article 25.

If it should happen that one of the Contracting Powers should wish to denounce the present Convention, such denunciation shall be notified in writing to the Netherlands Government, who shall immediately communicate a certified copy in conformity with such notification to all the other Powers, informing them at the same time as to the date on which it received such notification.

Ratification shall be executed within as short a time as possible and shall be deposited at once at The Hague in the Ministry for Foreign Affairs.

The Netherlands Government shall give notice every month to the Signatory Powers of the ratifications which it shall have received in the interval.

As soon as the ratifications of all the signatory Powers, as much for themselves as for their colonies, possessions, protectorates and leased territories, shall have been received by the Netherlands Government, this government shall give notice to all the Powers who shall have ratified the Convention, of the date on which the last of such acts of ratification shall have been received.

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The date from which these laws, regulations, or measures shall go into effect shall be the subject of an agreement between the signatory Powers, at the instance of the Netherlands Government.

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Article 25.

If it should happen that one of the Contracting Powers should wish to denounce the present Convention, such denunciation shall be notified in writing to the Netherlands Government, who shall immediately communicate a certified copy in conformity with such notification to all the other Powers, informing them at the same time as to the date on which it received such notification.

The denunciation shall have no effect except with respect to the Power who shall have given notice thereof and one year after such notice shall have reached the Netherlands Government.

In witness whereof, the Plenipotentiaries have affixed their signatures to the present Convention.

Done at The Hague, January 23, 1912, in one single copy, which shall remain deposited in the archives of the Government of the Netherlands and copies of which, certified in conformity, shall be delivered through diplomatic channels to all the Powers represented at the Conference.

/Here follow signatures./

/Translation./

PROTOCOLE DE CLOTURE OF THE INTERNATIONAL
OPIUM CONFERENCE.

The International Opium Conference, proposed by the Government of the United States of America and convoked by the Government of the Netherlands, assembled at The Hague in the Palace of the Knights, December 1, 1911.

The Governments, the enumeration of which follows, have taken part in the Conference, to which they had designated the Delegates hereafter named.

/Here follow names of Governments and Delegates./

In a series of meetings held from the 1st of December, 1911, to the 23rd of January, 1912, the Conference determined upon the text of Convention hereto annexed:

The Conference has further expressed the following wishes:

I. The Conference is of the opinion that there is reason to draw the attention of the Universal Postal Union:

1. to the urgency of regulating the transmission by post of raw Opium;
2. to the necessity of regulating, so far as possible, the transmission by post of Morphine and Cocaine and their respective salts, and of the other substances contemplated by Article 14 of the Convention;
3. to the necessity of prohibiting the transmission of prepared Opium by the post.

II. The Conference is of the opinion that it is advisable to study the question of Indian Hemp from the statistical and scientific standpoint, with a view to regulating its misuse, should the necessity therefor make itself felt, by domestic legislation or by an international agreement.

In testimony whereof, the Plenipotentiaries have affixed their signatures to the present Protocol.

Done at The Hague, the 23rd day of January, 1912, in a single copy, which shall remain deposited in the Archives of the Government of the Netherlands, and copies of which, certified and conforming thereto, shall be delivered through the diplomatic channel to all the Powers represented at the Conference.
/Here follow signatures./

/Translation./

FINAL PROTOCOL OF THE SECOND
INTERNATIONAL OPIUM CONFERENCE--1913.

The Second International Opium Conference, convoked by Government of the Netherlands in virtue of Article 23 of the International Opium Convention, met at The Hague, in the Palace of the Counts, July 1, 1913.

The Governments enumerated below took part in the Conference, for which they had designated the following-named delegates.

(Here follow names of Governments and delegates.)

In a series of meetings held from the 1st to the 9th the conference after examination of the question put before it by paragraph 2 of Article 23 of the International Opium Convention of January 23, 1912--

I. Decided that ratifications may be deposited from this moment.

II. Unanimously adopted the following resolution:

RESOLUTION.

Desirous of following up in the path opened by the international commission of Shanghai of 1909 and the first conference of 1912 at The Hague, the progressive suppression of the abuse of opium, morphine, cocaine, as well as of drugs prepared with or derived from those substances, and deeming it more than ever necessary and mutually advantageous to have an international agreement on that point, the Second International Conference--

1. Utters a wish that the Government of the Netherlands be pleased to call to the attention of the Governments of Austria-Hungary, Norway, and Sweden the fact that the signature, ratification, drawing up of legislative measures, and putting the convention into force constitute four distinct stages which permit of those powers giving their supplemental signature even now.

Indeed, it is seen from articles 23 and 24 that a period of six months is allowed to run between the going into effect of the convention and the drawing up of the bills, regulations, and other measures contemplated in the convention. Furthermore, the third paragraph of article 24 gives the contracting powers the

liberty to reach an agreement, after ratification upon the date on which the said legislative measures shall go into effect. Besides we can not refrain from remarking that the difficulties foreseen by Austria-Hungary, Norway, and Sweden with respect to their legislation were not unknown to the delegates of the signatory powers and were subjected to thorough consideration on the part of the twelve contracting powers. Nearly all the signatory powers are in the same situation as the above-mentioned Governments and have not yet elaborated all the bills contemplated by the convention.

2. Utters the wish that the Government of the Netherlands be pleased to communicate to the Governments of Bulgaria, Greece, Montenegro, Peru, Roumania, Servia, Turkey, and Uruguay the following resolution:

"The conference regrets that some Governments have refused or neglected to sign the convention as yet. The conference is of opinion that the abstention of those powers would prove a most serious obstruction to the humane purposes aimed at by the convention. The conference expresses its firm hope that those powers will desist from their negative or dilatory attitude."

3. Utters the wish that the Government of the Netherlands be pleased to point out to the Helvetic Government its error in deeming its cooperation to be of hardly any value. Contrary to what is said in the Federal Council's letter of October 25, 1912, the conference holds that Switzerland's cooperation would be most serviceable in its effect, whereas her abstention would jeopardize the results of the convention. As to the question raised by the Federal Council concerning the respective powers of the Federal and Canton Legislatures, it is to be noted that similar difficulties were already considered by the first conference, which took them into account in wording the convention.

4. Requests the signatory Governments to instruct their representatives abroad to uphold the above-indicated action of their Netherland colleagues.

III. Utters the wish that in case the signature of all the powers invited by virtue of paragraph 1 of article 23 shall not have been secured by the 31st of December, 1913, the Government of the Netherlands will immediately invite the signatory powers on that date to designate delegates to take up the question wheth it is possible to put the International Opium Convention of January 23, 1912, into operation.

In faith whereof the delegates have affixed their signatures to the present protocol.

Done at The Hague, the ninth of July, one thousand nine hundred and thirteen, in one copy that shall remain deposited in

the archives of the Government of the Netherlands and certified copies of which shall be delivered through the diplomatic channel to all the powers, whether or not signatory.

/Here follow signatures./

* * * * *

And whereas, the said Convention and Final Protocol have been ratified by the Government of the United States of America, by and with the advice and consent of the Senate thereof, and by the Governments of China and the Netherlands, and the ratifications of the said Governments were deposited by their respective Plenipotentiaries with the Government of the Netherlands;

Now, therefore, be it known that I, Woodrow Wilson, President of the United States of America, have caused the said Convention and Final Protocol, to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this third day of March in the year of our Lord one thousand nine hundred and fifteen, and of the independence of the United States of America the one hundred and thirty-ninth.

/SEAL/

WOODROW WILSON

By the President:

W. J. Bryan
Secretary of State.

F 19

Treaty Series, No. 863

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NARCOTIC DRUGS

- - - -

Convention and Protocol of Signature
Between the United States of America
and Other Powers

- - - -

Concluded at Geneva, July 13, 1931.
Ratification advised by the Senate of the United States,
March 31, 1932 (legislative day of March 23, 1932).
Ratified by the President of the United States, April 8, 1932.
Ratification of the United States deposited at Geneva,
April 28, 1932.
Proclaimed by the President of the United States, July 10, 1933.

- - - -

By the President of the United States of America

A PROCLAMATION

Whereas a Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, dated Geneva, July 13, 1931, and left open for signature until December 31, 1931, was signed by the respective Plenipotentiaries of the United States of America, (with reservations); Germany; Argentine Republic; Austria; Belgium; Bolivia; Brazil; Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations; Canada; India, Chile; Costa Rica; Cuba; Denmark; Free City of Danzig; Dominican Republic; Egypt; Spain; Ethiopia; France (with reservation); Greece, Guatemala; Hejaz, Nejd and Dependencies; Italy; Japan (with a reservation as recorded in the protocol of signature); Liberia; Lithuania; Luxembourg; Mexico; Monaco; Panama; Paraguay; the Netherlands; Persia; Poland; Portugal; Rumania; San Marino; Siam (with a reservation); Sweden; Switzerland; Czechoslovakia; Uruguay and Venezuela; together with a Protocol of Signature, the original of which Convention and Protocol, being in the English and French languages, are word for word as follows:

CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION
OF NARCOTIC DRUGS

The President of the German Reich; the President of the United States of America; the President of the Argentine Republic; the Federal President of the Austrian Republic; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Majesty the King of Great Britain, Ireland and the British Dominions Beyond the Seas, Emperor of India; the President of the Republic of Chile; the President of the Republic of Costa Rica; the President of the Republic of Cuba; His Majesty the King of Denmark and Iceland; the President of the Polish Republic, for the Free City of Danzig; the President of the Dominican Republic; His Majesty the King of Egypt; the President of the Provisional Government of the Spanish Republic; His Majesty the Emperor and King of the Kings of Abyssinia; the President of the French Republic; the President of the Hellenic Republic; the President of the Republic of Guatemala; His Majesty the King of Hejaz, Nejd and Dependencies; His Majesty the King of Italy; His Majesty the Emperor of Japan; the President of the Republic of Liberia; the President of the Republic of Lithuania; Her Royal Highness the Grand Duchess of Luxemburg; the President of the United States of Mexico; His Serene Highness the Prince of Monaco; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; His Imperial Majesty the Shah of Persia; the President of the Polish Republic; the President of the Portuguese Republic; His Majesty the King of Roumania; I Capitani Reggenti of the Republic of San Marino; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; the President of the Czechoslovak Republic; the President of the Republic of Uruguay; the President of the United States of Venezuela,

Desiring to supplement the provisions of the International Opium Conventions, signed at The Hague on January 23rd, 1912, and at Geneva on February 19th, 1925, by rendering effective by international agreement the limitation of the manufacture of narcotic drugs to the world's legitimate requirements for medical and scientific purposes and by regulating their distribution,

Have resolved to conclude a Convention for that purpose and have appointed as their Plenipotentiaries: (names of Plenipotentiaries follow).

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

CHAPTER I. - DEFINITIONS.

Article 1.

Except where otherwise expressly indicated, the following definitions shall apply throughout this Convention:

1. The term "Geneva Convention" shall denote the International Opium Convention signed at Geneva on February 19th, 1925.

2. The term "the drugs" shall denote the following drugs whether partly manufactured or completely refined:

Group I.

Sub-Group (a):

- (i) Morphine and its salts, including preparations made directly from raw or medicinal opium and containing more than 20 per cent of morphine;
- (ii) Diacetylmorphine and the other esters of morphine and their salts;
- (iii) Cocaine and its salts, including preparations made direct from the coca leaf and containing more than 0.1 per cent of cocaine, all the esters of ecgonine and their salts;
- (iv) Dihydrohydroxycodeinone (of which the substance registered under the name of eucodal is a salt); dihydrocodeinone (of which the substance registered under the name of dicodide is a salt); dihydromorphinone (of which the substance registered under the name of dilaudide is a salt), acetyldihydrocodeinone or acetyldimethylodihydrothebaine (of which the substance registered under the name of acedicone is a salt); dihydromorphine (of which the substance registered under the name of paramorfan is a salt), their esters and the salts of any of these substances and of their esters, morphine-N-oxide (registered trade name genomorphine), also the morphine-N-oxide derivatives, and the other pentavalent nitrogen morphine derivatives.

Sub-Group (b):

Ecgonine, thebaine and their salts, benzylmorphine and the other ethers of morphine and their salts, except ethyl morphine (codeine), ethylmorphine and their salts.

Group II.

Methylmorphine (codeine), ethylmorphine and their salts.

The substances mentioned in this paragraph shall be considered as drugs even if produced by a synthetic process.

The terms "Group I" and "Group II" shall respectively denote Groups I and II of this paragraph.

3. "Raw opium" means the spontaneously coagulated juice obtained from the capsules of the *Papaver somniferum* L., which has only been submitted to the necessary manipulations for packing and transport, whatever its content of morphine.

"Medical opium" means raw opium which has undergone the processes necessary to adapt it for medicinal use in accordance with the requirements of the national pharmacopoeia, whether in powder form or granulated or otherwise or mixed with neutral materials.

"Morphine" means the principal alkaloid of opium having the chemical formula $C_{17}H_{19}O_3N$.

"Diacetylmorphine" means diacetylmorphine (diamorphine, heroin) having the formula $C_{21}H_{23}O_5N$ ($C_{17}H_{17}(C_2H_3O)_2O_3N$).

"Coca leaf" means the leaf of the *Erythroxylon Coca* Lamarck and the *Erythroxylon novogranatense* (Morris) Hieronymus and their varieties, belonging to the family of Erythroxylaceae and the leaf of other species of this genus from which it may be found possible to extract cocaine, either directly or by chemical transformation.

"Cocaine" means methyl-benzoyl laevo-ecgonine ($[\alpha]_D^{20} = -16.4$) in 20 per cent solution of chloroform of which the formula is $C_{17}H_{21}O_4N$.

"Ecgonine" means laevo-ecgonine ($[\alpha]_D^{20} = -45.6$ in 5 per cent solution of water), of which the formula is $C_9H_{15}O_3N.H_2O$, and all the derivatives of laevo-ecgonine which might serve industrially for its recovery.

The following drugs are defined by their chemical formulae as set out below:

| | | |
|--|--|---|
| Dihydrohydroxycodeinone.. | C ₁₈ H ₂₁ O ₄ N | |
| Dihydrocodeinone..... | C ₁₈ H ₂₁ O ₃ N | |
| Dihydromorphinone..... | C ₁₇ H ₁₉ O ₃ N | |
| Acetyldihydrocodeinone or acetylmethylodihydro- thebaine) | C ₂₀ H ₂₃ O ₄ N | (C ₁₈ H ₂₀ (C ₂ H ₃ O)C ₃ N) |
| Dihydromorphine..... | C ₁₇ H ₂₁ O ₃ N | |
| Morphine-N-Oxide..... | C ₁₇ H ₁₉ O ₄ N | |
| Thebaine..... | C ₁₉ H ₂₁ O ₃ N | |
| Methylmorphine (codeine).. | C ₁₈ H ₂₁ O ₃ N | (C ₁₇ H ₁₈ (CH ₃ O)O ₂ N) |
| Ethylmorphine..... | C ₁₉ H ₂₃ O ₃ N | (C ₁₇ H ₁₈ (C ₂ H ₅ O)O ₂ N) |
| Benzylmorphine..... | C ₂₄ H ₂₅ O ₃ N | (C ₁₇ H ₁₈ (C ₇ H ₇ O)O ₂ N) |

4. The term "manufacture" shall include any process of refining. The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

The term "estimates" shall denote estimates furnished in accordance with Article 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

| | | |
|--|--------------------|-------------------------------|
| Dihydrohydroxycodeinone.. | $C_{18}H_{21}O_4N$ | |
| Dihydrocodeinone..... | $C_{18}H_{21}O_3N$ | |
| Dihydromorphinone..... | $C_{17}H_{19}O_3N$ | |
| Acetyldihydrocodeinone or Acetyl diethyl dihydro- thebaine) | $C_{20}H_{23}O_4N$ | $(C_{18}H_{20}(C_2H_3O)C_3N)$ |
| Dihydromorphine..... | $C_{17}H_{21}O_3N$ | |
| Morphine-N-Oxide..... | $C_{17}H_{19}O_4N$ | |
| Thebaine..... | $C_{19}H_{21}O_3N$ | |
| Methylmorphine (codeine).. | $C_{18}H_{21}O_3N$ | $(C_{17}H_{18}(CH_3O)O_2N)$ |
| Ethylmorphine..... | $C_{19}H_{23}O_3N$ | $(C_{17}H_{18}(C_2H_5O)O_2N)$ |
| Benzylmorphine..... | $C_{24}H_{25}O_3N$ | $(C_{17}H_{18}(C_7H_7O)O_2N)$ |

4. The term "manufacture" shall include any process of refining. The term "conversion" shall denote the transformation of a drug by a chemical process, with the exception of the transformation of alkaloids into their salts.

When one of the drugs is converted into another of the drugs this operation shall be considered as conversion in relation to the first-mentioned drug and as manufacture in relation to the other.

The term "estimates" shall denote estimates furnished in accordance with Article 2 to 5 of this Convention and, unless the context otherwise requires, shall include supplementary estimates.

The term "reserve stocks" in relation to any of the drugs shall denote the stocks required

- (i) For the normal domestic consumption of the country or territory in which they are maintained,
- (ii) For conversion in that country or territory, and
- (iii) For export.

The term "Government stocks" in relation to any of the drugs shall denote stocks kept under Government control for the use of the Government and to meet exceptional circumstances.

Except where the context otherwise requires, the term "export" shall be deemed to include re-export.

CHAPTER II. - ESTIMATES.

Article 2.

1. Each High Contracting Party shall furnish annually, for each of the drugs in respect of each of his territories to which this Convention applies, to the Permanent Central Board, constituted under Chapter VI of the Geneva Convention, estimates in accordance with the provisions of Article 5 of this Convention.

2. In the event of any High Contracting Party failing to furnish, by the date specified in paragraph 4 of Article 5, an estimate in respect of any of his territories to which this Convention applies, an estimate will, so far as possible, be furnished by the Supervisory Body specified in paragraph 6 of Article 5.

3. The Permanent Central Board shall request estimates for countries or territories to which this Convention does not apply to be made in accordance with the provisions of this Convention. If for any such country estimates are not furnished, the Supervisory Body shall itself, as far as possible, make the estimate.

Article 3.

Any High Contracting Party may, if necessary, in any year furnish in respect of any of his territories supplementary estimates for that territory for that year with an explanation of the circumstances which necessitate such supplementary estimates.

Article 4.

1. Every estimate furnished in accordance with the preceding Articles, so far as it relates to any of the drugs required for domestic consumption in the country or territory in respect of which it is made, shall be based solely on the medical and scientific requirements of that country or territory.

2. The High Contracting Parties may, in addition to reserve stocks, create and maintain government stocks.

Article 5.

1. Each estimate provided for in Articles 2 to 4 of this Convention shall be in the form from time to time prescribed by the Permanent Central Board and communicated by the Board to all Members of the League of Nations and to the non-member States mentioned in Article 27.

2. Every estimate shall show for each country or territory for each year in respect of each of the drugs whether in the form of alkaloid or salts or of preparations of the alkaloids or salts:

(a) The quantity necessary for use as such for medical and scientific needs, including the quantity required for the manufacture of preparations for the export of which export authorisations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity necessary for the purpose of conversion, whether for domestic consumption or for export;

(c) The amount of the reserve stocks which it is desired to maintain;

(d) The quantity required for the establishment and maintenance of any Government stocks as provided for in Article 4.

The total of the estimates for each country or territory shall consist of the sum of the amounts specified under (a) and (b) of this paragraph with the addition of any amounts which may be necessary to bring the reserve stocks and the Government stocks up to the desired level, or after deduction of any amounts by which those stocks may exceed that level. These additions or deductions shall, however, not be taken into account except in so far as the High Contracting Parties concerned shall have forwarded in due course the necessary estimates to the Permanent Central Board.

3. Every estimate shall be accompanied by a statement explaining the method by which the several amounts shown in it have been calculated. If these amounts are calculated so as to include a margin allowing for possible fluctuations in demand, the estimates must indicate the extent of the margin so included. It is understood that in the case of any of the drugs which are or may be included in Group II, a wider margin may be necessary than in the case of the other drugs.

4. Every estimate shall reach the Permanent Central Board not later than August 1st in the year preceding that in respect of which the estimate is made.

5. Supplementary estimates shall be sent to the Permanent Central Board immediately on their completion.

6. The estimates shall be examined by a Supervisory Body. The Advisory Committee on the Traffic in Opium and other Dangerous Drugs of the League of Nations, the Permanent Central

Board, the Health Committee of the League of Nations and the Office international d'hygiène publique shall each have the right to appoint one member of this Body. The Secretariat of the Supervisory Body shall be provided by the Secretary-General of the League of Nations, who will ensure close collaboration with the Permanent Central Board.

The Supervisory Body may require any further information or details, except as regards requirements for Government purposes, which it may consider necessary, in respect of any country or territory on behalf of which an estimate has been furnished in order to make the estimate complete or to explain any statement made therein, and may, with the consent of the Government concerned, amend any estimate in accordance with any information or details so obtained. It is understood that in the case of any of the drugs which are or may be included in Group II a summary statement shall be sufficient.

7. After examination by the Supervisory Body as provided in paragraph 6 above of the estimates furnished, and after the determination by that Body as provided in article 2 of the estimates for each country or territory on behalf of which no estimates have been furnished, the Supervisory Body shall forward, not later than November 1st in each year, through the intermediary of the Secretary-General, to all the members of the League of Nations and non-member States referred to in article 27, a statement containing the estimates for each country or territory, and, so far as the Supervisory Body may consider necessary, an account of any explanations given or required in accordance with paragraph 6 above, and any observations which the Supervisory Body may desire to make in respect of any such estimate or explanation, or request for an explanation.

8. Every supplementary estimate sent to the Permanent Central Board in the course of the year shall be dealt with without delay by the Supervisory Body in accordance with the procedure specified in paragraphs 6 and 7 above.

CHAPTER III. - LIMITATION OF MANUFACTURE

Article 6.

1. There shall not be manufactured in any country or territory in any one year a quantity of any of the drugs greater than the total of the following quantities:

(a) The quantity required within the limits of the estimates for that country or territory for that year for use as such for its medical and scientific needs

including the quantity required for the manufacture of preparations for the export of which export authorizations are not required, whether such preparations are intended for domestic consumption or for export;

(b) The quantity required within the limits of the estimates for that country or territory for that year for conversion, whether for domestic consumption or for export;

(c) Such quantity as may be required by that country or territory for the execution during the year of orders for export in accordance with the provisions of this Convention.

(d) The quantity, if any, required by that country or territory for the purpose of maintaining the reserve stocks at the level specified in the estimates for that year;

(e) The quantity, if any, required for the purpose of maintaining the Government stocks at the level specified in the estimates for that year.

2. It is understood that, if at the end of any year, any High Contracting Party finds that the amount manufactured exceeds the total of the amounts specified above, less any deductions made under Article 7, paragraph 1, such excess shall be deducted from the amount to be manufactured during the following year. In forwarding their annual statistics to the Permanent Central Board, the High Contracting Parties shall give the reasons for any such excess.

Article 7.

There shall be deducted from the total quantity of each drug permitted under Article 6 to be manufactured in any country or territory during any one year:

(i) Any amounts of that drug imported including any returned deliveries of the drug, less quantities re-exported.

(ii) Any amounts of the drug seized and utilised as such for domestic consumption or for conversion.

If it should be possible to make any of the above deductions during the course of the current year, any amounts remaining in excess at the end of the year shall be deducted from the estimates for the following year.

Article 8.

The full amount of any of the drugs imported into or manufactured in any country or territory for the purpose of conversion in accordance with the estimates for that country or territory shall, if possible, be utilised for that purpose within the period for which the estimate applies.

In the event, however, of it being impossible to utilise the full amount for that purpose within the period in question, the portion remaining unused at the end of the year shall be deducted from the estimates for that country or territory for the following year.

Article 9.

If at the moment when all the provisions of the Convention shall have come into force, the then existing stocks of any of the drugs in any country or territory exceeds the amount of the reserve stocks of that drug, which, according to the estimates for that country or territory, it is desired to maintain, such excess shall be deducted from the quantity which, during the year, could ordinarily be imported or manufactured as the case may be under the provisions of this Convention.

Alternatively, the excess stocks existing at the moment when all the provisions of the Convention shall have come into force shall be taken possession of by the Government and released from time to time in such quantities only as may be in conformity with the present Convention. Any quantities so released during any year shall be deducted from the total amount to be manufactured or imported as the case may be during that year.

CHAPTER IV. - PROHIBITIONS AND RESTRICTIONS.

Article 10.

1. The High Contracting Parties shall prohibit the export from their territories of diacetylmorphine, its salts, and preparations containing diacetylmorphine, or its salts.

2. Nevertheless, on the receipt of a request from the Government of any country in which diacetylmorphine is not manufactured, any High Contracting Party may authorise the export to that country of such quantities of diacetylmorphine, its salts, and preparations containing diacetylmorphine or its salts, as are necessary for the medical and scientific needs of that country, provided that the request is accompanied by an import certificate and is consigned to the Government Department indicated in the certificate.

3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

Article 11.

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office internationale d'hygiène publique decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

3. Any quantities so imported shall be distributed by and on the responsibility of the Government of the importing country.

Article 11.

1. No trade in or manufacture for trade of any product obtained from any of the phenanthrene alkaloids of opium or from the ecgonine alkaloids of the coca leaf, not in use on this day's date for medical or scientific purposes shall take place in any country or territory unless and until it has been ascertained to the satisfaction of the Government concerned that the product in question is of medical or scientific value.

In this case (unless the Government determines that such product is not capable of producing addiction or of conversion into a product capable of producing addiction) the quantities permitted to be manufactured, pending the decision hereinafter referred to, shall not exceed the total of the domestic requirements of the country or territory for medical and scientific needs, and the quantity required for export orders and the provisions of this Convention shall apply.

2. Any High Contracting Party permitting trade in or manufacture for trade of any such product to be commenced shall immediately send a notification to that effect to the Secretary-General of the League of Nations, who shall advise the other High Contracting Parties and the Health Committee of the League.

3. The Health Committee will thereupon, after consulting the Permanent Committee of the Office international d'hygiene publique decide whether the product in question is capable of producing addiction (and is in consequence assimilable to the drugs mentioned in sub-group (a) of Group I), or whether it is convertible into such a drug (and is in consequence assimilable to the drugs mentioned in sub-group (b) of Group I or in Group II).

4. In the event of the Health Committee deciding that the product is not itself a drug capable of producing addiction, but is convertible into such a drug, the question whether the drug in question shall fall under sub-group (b) of Group I or under Group II shall be referred for decision to a body of three experts competent to deal with the scientific and technical aspects of the matter, of whom one member shall be selected by the Government concerned, one by the Opium Advisory Committee of the League, and the third by the two members so selected.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate regime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

Article 12.

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

CHAPTER V. - CONTROL.

Article 13

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth article.

5. Any decisions arrived at in accordance with the two preceding paragraphs shall be notified to the Secretary-General of the League of Nations, who will communicate it to all the Members of the League and to the non-member States mentioned in Article 27.

6. If the decisions are to the effect that the product in question is capable of producing addiction or is convertible into a drug capable of producing addiction, the High Contracting Parties will, upon receipt of the communication from the Secretary-General, apply to the drug the appropriate regime laid down in the present Convention according as to whether it falls under Group I or under Group II.

7. Any such decisions may be revised, in accordance with the foregoing procedure, in the light of further experience, on an application addressed by any High Contracting Party to the Secretary-General.

Article 12.

1. No import of any of the drugs into the territories of any High Contracting Party or export from those territories shall take place except in accordance with the provisions of this Convention.

2. The imports in any one year into any country or territory of any of the drugs shall not exceed the total of the estimates as defined in Article 5 and of the amount exported from that country or territory during the year, less the amount manufactured in that country or territory in that year.

CHAPTER V. - CONTROL.

Article 13

1. (a) The High Contracting Parties shall apply to all the drugs in Group I the provisions of the Geneva Convention which are thereby applied to substances specified in its fourth Article (or provisions in conformity therewith). The High Contracting Parties shall also apply these provisions to preparations made from morphine and cocaine and covered by Article 4 of the Geneva Convention and to all other preparations made from the other drugs in Group I except such preparations as may be exempted from the provisions of the Geneva Convention under its eighth Article.

(b) The High Contracting Parties shall treat solutions or dilutions of morphine or cocaine or their salts in an inert substance, liquid or solid, which contain 0.2 per cent or less of morphine or 0.1 per cent or less of cocaine in the same way as preparations containing more than these percentages.

2. The High Contracting Parties shall apply to the drugs which are or may be included in Group II the following provisions of the Geneva Convention (or provisions in conformity therewith):

- (a) The provisions of Articles 6 and 7 in so far as they relate to the manufacture, import, export and wholesale trade in these drugs;
- (b) The provisions of Chapter V, except as regards compounds containing any of these drugs which are adapted to a normal therapeutic use;
- (c) The provisions of paragraphs 1 (b), (c) and (e) and paragraph 2 of Article 22, provided:

- (i) That the statistics of import and export may be sent annually instead of quarterly, and
- (ii) That paragraph 1 (b) and paragraph 2 of Article 22 shall not apply to preparations containing any of these drugs.

Article 14.

1. Any Government which has issued an authorisation for the export of any of the drugs which are or may be included in Group I to any country or territory to which neither this Convention nor the Geneva Convention applies shall immediately notify the Permanent Central Board of the issue of the authorisation; provided that, if the request for export amounts to 5 kilograms or more, the authorisation shall not be issued until the Government has ascertained from the Permanent Central Board that the export will not cause the estimates for the importing country or territory to be exceeded. If the Permanent Central Board sends a notification that such an excess would be caused, the Government will not authorise the export of any amount which would have that effect.

2. If it appears from the import and export returns made to the Permanent Central Board or from the notifications made to the Board in pursuance of the preceding paragraph that the quantity exported or authorised to be exported to any country

or territory exceeds the total of the estimates for that country or territory as defined in Article 5, with the addition of the amounts shown to have been exported, the Board shall immediately notify the fact to all the High Contracting Parties, who will not, during the currency of the year in question, authorise any new exports to that country except:

- (i) In the event of a supplementary estimate being furnished for that country in respect both of any quantity or over-imported and of the additional quantity required; or
- (ii) In exceptional cases where the export in the opinion of the Government of the exporting country is essential in the interests of humanity or for the treatment of the sick.

3. The Permanent Central Board shall each year prepare a statement showing, in respect of each country or territory for the preceding year:

- (a) The estimates in respect of each drug;
- (b) The amount of each drug consumed;
- (c) The amount of each drug manufactured;
- (d) The amount of each drug converted;
- (e) The amount of each drug imported;
- (f) The amount of each drug exported;
- (g) The amount of each drug used for the compounding of preparations, exports of which do not require export authorisations.

If such statement indicates that any High Contracting Party has or may have failed to carry out his obligations under this Convention, the Board shall have the right to ask for explanations, through the Secretary-General of the League of Nations, from that High Contracting Party, and the procedure specified in paragraphs 2 to 7 of Article 24 of the Geneva Convention shall apply in any such case.

The Board shall, as soon as possible thereafter, publish the statement above mentioned together with an account, unless it thinks it unnecessary, of any explanations given or required in accordance with the preceding paragraph and any observations which the Board may desire to make in respect of any such explanation or request for an explanation.

The Permanent Central Board shall take all necessary measures to ensure that the statistics and other information which it receives under this Convention shall not be made public in such a manner as to facilitate the operations of speculators or to injure the legitimate commerce of any High Contracting Party.

CHAPTER VI. - ADMINISTRATIVE PROVISIONS.

Article 15.

The High Contracting Parties shall take all necessary legislative or other measures in order to give effect within their territories to the provisions of this Convention.

The High Contracting Parties shall, if they have not already done so, create a special administration for the purpose of:

- (a) Applying the provisions of the present Convention;
- (b) Regulating, supervising and controlling the trade in the drugs;
- (c) Organising the campaign against drug addiction, by taking all useful steps to prevent its development and to suppress the illicit traffic.

Article 16.

1. Each High Contracting Party shall exercise a strict supervision over:

- (a) The amounts of raw material and manufactured drugs in the possession of each manufacturer for the purpose of the manufacture or conversion of any of the drugs or otherwise;
- (b) The quantities of the drugs or preparations containing the drugs produced;
- (c) The disposal of the drugs and preparations so produced with especial reference to deliveries from the factories.

2. No High Contracting Party shall allow the accumulation in the possession of any manufacturer of quantities of raw materials in excess of those required for the economic conduct of business, having regard to the prevailing market conditions.

The amounts of raw material in the possession of any manufacturer at any one time shall not exceed the amounts required by that manufacturer for manufacture during the ensuing six months, unless the Government, after due investigation, considers that exceptional conditions warrant the accumulation of additional amounts, but in no case shall the total quantities which may be accumulated exceed one year's supply.

Article 17.

Each High Contracting Party shall require each manufacturer within his territories to submit quarterly reports stating:

- (a) The amount of raw materials and each of the drugs received into the factory by such manufacturer and the quantities of the drugs, or any other products whatever, produced from each of these substances. In reporting the amounts of raw materials so received, the manufacturer shall state the proportion of morphine, cocaine or ecgonine contained in or producible therefrom as determined by a method prescribed by the Government and under conditions considered satisfactory by the Government.
- (b) The quantities of either the raw material or the products manufactured therefrom which were disposed of during the quarter;
- (c) The quantities remaining in stock at the end of the quarter.

Each High Contracting Party shall require each wholesaler within his territories to make at the close of each year a report stating, in respect of each of the drugs, the amount of that drug contained in preparations, exported or imported during the year, for the export or import of which authorisations are not required.

Article 18

Each High Contracting Party undertakes that any of the drugs in Group I which are seized by him in the illicit traffic shall be destroyed or converted into non-narcotic substances or appropriated for medical or scientific use, either by the Government or under its control, when these are no longer required for judicial proceedings or other action on the part of the authorities of the State. In all cases diacetylmorphine shall either be destroyed or converted.

Article 19.

The High Contracting Parties will require that the labels under which any of the drugs, or preparations containing those drugs, are offered for sale, shall show the percentage of the drugs. These labels shall also indicate the name of the drugs as provided for in the national legislation.

CHAPTER VII - GENERAL PROVISIONS

Article 20.

1. Every High Contracting Party in any of whose territories any of the drugs is being manufactured or converted, at the time when this Convention comes into force, or in which he proposes either at that time or subsequently to authorise such manufacture or conversion, shall notify the Secretary-General of the League of Nations indicating whether the manufacture or conversion is for domestic needs only or also for export, the date on which such manufacture or conversion will begin, and the drugs to be manufactured or converted as well as the names and addresses of persons or firms authorised.

2. In the event of the manufacture or conversion of any of the drugs ceasing in the territory of any High Contracting Party, he shall notify the Secretary-General to that effect, indicating the place and date at which such manufacture or conversion has ceased or will cease and specifying the drugs affected, as well as the names and addresses of persons or firms concerned.

3. The information furnished under this Article shall be communicated by the Secretary-General to the High Contracting Parties.

Article 21.

The High Contracting Parties shall communicate to one another through the Secretary-General of the League of Nations the laws and regulations promulgated in order to give effect to the present Convention, and shall forward to the Secretary-General an annual report on the working of the Convention in their territories, in accordance with a form drawn up by the Advisory Committee on Traffic in Opium and Other Dangerous Drugs.

Article 22.

The High Contracting Parties shall include in the annual statistics furnished by them to the Permanent Central Board the amounts of any of the drugs used by manufacturers and wholesalers for the compounding of preparations whether for domestic consumption or for export for the export of which export authorisations are not required.

The High Contracting Parties shall also include a summary of the returns made by the manufacturers in pursuance of Article 17.

Article 23.

The High Contracting Parties will communicate to each other through the Secretary-General of the League of Nations, as soon as possible, particulars of each case of illicit traffic discovered by them which may be of importance either because of the quantities involved or because of the light thrown on the sources from which drugs are obtained for the illicit traffic or the methods employed by illicit traffickers.

The particulars given shall indicate as far as possible:

- (a) The kind and quantity of drugs involved;
- (b) The origin of the drugs, their marks and labels;
- (c) The points at which the drugs were diverted into the illicit traffic;
- (d) The place from which the drugs were despatched, and the names of shipping or forwarding agents or consignors; the methods of consignment and the name and address of consignees, in known;
- (e) The methods and routes used by smugglers and names of ships, if any, in which the drugs have been shipped.
- (f) The action taken by the Government in regard to the persons involved, particularly those possessing authorisations or licences and the penalties imposed.
- (g) Any other information which would assist in the suppression of illicit traffic.

Article 24.

The present Convention shall supplement the Hague Convention of 1912 and the Geneva Convention of 1925 in the relations between the High Contracting Parties bound by at least one of these latter Conventions.

Article 25.

If there should arise between the High Contracting Parties a dispute of any kind relating to the interpretation or application of the present Convention and if such dispute cannot be satisfactorily settled by diplomacy, it shall be settled in accordance with any applicable agreements in force between the Parties providing for the settlement of international disputes.

In case there is no such agreement in force between the Parties, the dispute shall be referred to arbitration or judicial settlement. In the absence of agreement on the choice of another tribunal, the dispute shall, at the request of any one of the Parties, be referred to the Permanent Court of International Justice, if all the Parties to the Dispute are Parties to the Protocol of December 16th, 1920, relating to the Statute of that Court, and, if any of the Parties to the dispute is not a Party to the Protocol of December 16th, 1920, to an arbitral tribunal constituted in accordance with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 26.

Any High Contracting Party may, at the time of signature, ratification, or accession, declare that, in accepting the present Convention, he does not assume any obligation in respect of all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the present Convention shall not apply to any territories named in such declaration.

Any High Contracting Party may give notice to the Secretary-General of the League of Nations at any time subsequently that he desires that the Convention shall apply to all or any of his territories which have been made the subject of a declaration under the preceding paragraph, and the Convention shall apply to all territories named in such notice in the same manner as in the case of a country ratifying or acceding to the Convention.

Article 25.

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Any High Contracting Party may, at any time after the expiration of the five-years period mentioned in Article 32, declare that he desires that the present Convention shall cease to apply to all or any of his colonies, protectorates and overseas territories or territories under suzerainty or mandate, and the Convention shall cease to apply to the territories named in such declaration as if it were a denunciation under the provisions of Article 32.

The Secretary-General shall communicate to all the Members of the League and to the non-member States mentioned in Article 27, all declarations and notices received in virtue of this Article.

Article 27

The present Convention, of which the French and English texts shall both be authoritative, shall bear this day's date, and shall, until December 31st, 1931, be open for signature on behalf of any Member of the League of Nations, or of any non-member State which was represented at the Conference which drew up this Convention, or to which the Council of the League of Nations shall have communicated a copy of the Convention for this purpose.

Article 28

The present Convention shall be ratified. The instruments of ratification shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League and to the non-member States referred to in the preceding Article.

Article 29

As from January 1st, 1932, the present Convention may be acceded to on behalf of any Member of the League of Nations or any non-member State mentioned in Article 27.

The instruments of accession shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-member States mentioned in that article.

Article 30.

The present Convention shall come into force ninety days after the Secretary-General of the League of Nations has received the ratifications or accessions of twenty-five Members of the League of Nations or non-member States, including any four of the following:

France, Germany, United Kingdom of Great Britain and Northern Ireland, Japan, Netherlands, Switzerland, Turkey, and the United States of America.

Provided always that the provisions of the Convention other than Articles 2 to 5 shall only be applicable from the first of January in the first year in respect of which estimates are furnished in conformity with Articles 2 to 5.

Article 31.

Ratifications or accessions received after the date of the coming into force of this Convention shall take effect as from the expiration of the period of ninety days from the date of their receipt by the Secretary-General of the League of Nations.

Article 32.

After the expiration of five years from the date of the coming into force of this Convention, the Convention may be denounced by an instrument in writing, deposited with the Secretary-General of the League of Nations. The denunciation, if received by the Secretary-General on or before the first day of July in any year, shall take effect on the first day of January in the succeeding year, and, if received after the first day of July, shall take effect as if it had been received on or before the first day of July in the succeeding year. Each denunciation shall operate only as regards the Member of the League or non-member State on whose behalf it has been deposited.

The Secretary General shall notify all the Members of the League and the non-member States mentioned in Article 27 of any denunciation received.

If, as a result of simultaneous or successive denunciations, the number of Members of the League and non-member States bound by the present Convention is reduced to less than twenty-five, the Convention shall cease to be in force as from the date on which the last of such denunciations shall take effect in accordance with the provisions of this Article.

Article 33.

A request for the revision of the present Convention may at any time be made by any Member of the League of Nations or non-member State bound by this Convention by means of a notice addressed to the Secretary-General of the League of Nations. Such notice shall be communicated by the Secretary-General to the other Members of the League of Nations or non-member States bound by this Convention, and, if endorsed by not less than one-third of them, the High Contracting Parties agree to meet for the purpose of revising the Convention.

Article 34.

The present Convention shall be registered by the Secretary-General of the League of Nations on the day of its entry into force.

* * * * *

IN FAITH BELIEF the above-mentioned Plenipotentiaries have signed the present Convention.

DONE at Geneva the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which shall remain deposited in the archives of the Secretariat of the League of Nations, and certified true copies of which shall be delivered to all the Members of the League and to the non-member States referred to in Article 27.

(Signatures and reservations follow - Japan signed without reservation.)

PROTOCOL OF SIGNATURE

I. When signing the Convention for limiting the manufacture and regulating the distribution of narcotic drugs dated this day, the undersigned Plenipotentiaries, duly authorised to that effect and in the name of their respective Governments, declare to have agreed as follows:

If, on July 13th, 1933, the said Convention is not in force in accordance with the provisions of Article 30, the Secretary-General of the League of Nations shall bring the situation to the attention of the Council of the League of Nations, which may either convene a new Conference of all the members of the League and non-member States on whose behalf the Convention has been signed or ratifications or accessions deposited, to consider the situation, or take such measures as it considers necessary. The Government of every signatory or acceding member of the League of Nations or non-member State undertakes to be present at any Conference so convened.

II. The Japanese Government made the following reservation, which is accepted by the other High Contracting Parties:

Crude morphine resulting from the manufacture of prepared opium in the factory of the Government-General of Formosa and held in stock by that Government shall not be subjected to the limitation measures provided for in this Convention.

Such stocks of crude morphine will only be released from time to time in such quantities as may be required for the manufacture of refined morphine in factories licensed by the Japanese Government in accordance with the provisions of the present Convention.

* * * *

IN FAITH WHEREOF the undersigned have affixed their signatures to this Protocol.

DONE at Geneva, the thirteenth day of July, one thousand nine hundred and thirty-one, in a single copy, which will remain deposited in the archives of the Secretariat of the League of Nations; certified true copies will be transmitted to all members of the League of Nations and to all non-member States represented at the Conference.

(Signatures follow)

E. N. D.

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EX # 20

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Page 1

AMELIORATION OF THE CONDITION
OF THE WOUNDED AND THE SICK
OF ARMIES IN THE FIELD
(RED CROSS CONVENTION)

CONVENTION
BETWEEN THE UNITED STATES OF AMERICA
AND OTHER POWERS

Signed at Geneva, July 27, 1929.

Ratification advised by the Senate of the United States
January 7, 1932.

Ratified by the President of the United States, Jan 16, 1932

Ratification of the United States of America deposited
with the Government of Switzerland, February 4, 1932

Proclaimed by the President of the United States,
August 4, 1932.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas, a Convention for the Amelioration of the Condition of the Wounded and the Sick of Armies in the Field was signed at Geneva on July 27, 1929, by the respective Plenipotentiaries of the United States and forty-six other countries, the original of which Convention, being in the French language, is word for word as follows:

(Translation 2)

CONVENTION OF GENEVA OF JULY 27, 1929, FOR THE AMELIORATION OF THE CONDITION OF THE WOUNDED AND SICK OF ARMIES IN THE FIELD.

The President of the German Reich, The President of the United States of America, the Federal President of the Republic of Austria, His Majesty the King of the Belgians, the President of the Republic of Bolivia, the President of the Republic of the United States of Brazil, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of the Bulgarians, the President of the Republic of Chile, the president of the Republic of China, the President of the Republic of Colombia, the President of the Republic of Cuba, His Majesty the King of Denmark and Iceland, the President of the Dominican Republic, His Majesty the King of Egypt, His Majesty the King of Spain, the President of the Republic of Estonia, the President of the Republic of Finland, the President of the French Republic, the President of the Hellenic Republic, His Serene Highness the Regent of Hungary, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Latvia, Her Royal Highness the Grand Duchess of Luxembourg, the President of the United States of Mexico, the President of the Republic of Nicaragua, His Majesty the King of Norway, Her Majesty the Queen of the Netherlands, His Imperial Majesty the Shah of Persia, the President of the Republic of Poland, the President of the Portuguese Republic, His Majesty the King of Rumania, His Majesty the King of the Serbs, Croats and Slovenes, His Majesty the King of Siam, His Majesty the King of Sweden, the Swiss Federal Council, the President of the Czechoslovak Republic, the President of the Turkish Republic, the President of the Oriental Republic of Uruguay, the President of the Republic of the United States of Venezuela,

equally desirous of... within their power, the evils inseparable from war, ... perfect and complete, for this purpose, the

equally desirous of diminishing, so far as lies within their power, the evils inseparable from war, and wishing to perfect and complete, for this purpose, the provisions agreed upon at Geneva, August 22, 1864, and July 6, 1906, to ameliorate the condition of the wounded and the sick of armies in the field,

have decided to conclude a new Convention for this purpose, and have appointed the following as their plenipotentiaries, namely:

(List of Plenipotentiaries follows)

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

Chapter One. The Wounded and Sick

Article one.

Officers, soldiers, and other persons officially attached to the armies who are wounded or sick shall be respected and protected in all circumstances; they shall be humanely treated and cared for without distinction of nationality by the belligerent in whose power they are.

A belligerent, however, when compelled to leave his wounded or sick in the hands of his adversary, shall leave with them, so far as military exigencies permit, a portion of the personnel and materiel of his sanitary service to assist in caring for them.

Article 2

Subject to the care that must ^{be} taken of them under the preceding article, the wounded and sick of an army who fall into the power of the other belligerent shall become prisoners of war, and the general rules of international law in respect to prisoners of war shall become applicable to them.

The belligerents shall remain free, however, to agree upon such clauses to the benefit of the wounded and sick prisoners as they may deem of value over and above already existing obligations.

Article 3

After every engagement, the belligerent who remains in possession of the field of battle shall take measures to search for the wounded and the dead to protect them from robbery and ill-treatment.

A local armistice or cessation of fire to enable to removal of wounded left between the lines shall be arranged whenever circumstances permit.

Article 4

Belligerents shall mutually forward to each other as soon as possible the names of the wounded, sick and dead taken in charge or discovered by them, as well as all indications which may serve for their identification.

They shall draw up and forward to each other death certificates.

They shall collect and likewise forward to each other all objects of personal use found on the field of battle or on the dead, especially one-half of their identity plaque, the other half remaining attached to the body.

They shall see that a careful examination, if possible, medical, is made of the bodies of the dead prior to their interment or cremation, with view to verifying their death, establishing their identity, and in order to be able to furnish a report thereon.

They shall further see that they are honorably buried and that the graves are treated with respect and may always be found again.

For this purpose, and at the outbreak of hostilities they shall officially organize a service of graves in order to render any later exhumation possible and to make certain of the identity of bodies even though they may have been moved from grave to grave.

Upon the termination of hostilities, they shall exchange lists of graves and of dead buried in their cemeteries and elsewhere.

Article 5

The military authority may make an appeal to the charitable zeal of the inhabitants to receive and, under its supervision, to care for, the wounded or sick of the armies, granting to persons responding to such appeals special protection and certain facilities.

CHAPTER II. Sanitary Formations and Establishments.

Article 6

Mobile sanitary formations, i.e., those which are intended to accompany armies in the field, and the fixed establishments belonging to the sanitary service shall be protected and respected by the belligerents.

Article 7

The protection due to sanitary formations and establishments shall cease if they are used to commit acts injurious to the enemy.

Article 8

A sanitary formation or establishment shall not be deprived of the protection accorded by Article 6 by the fact:

- 1) that the personnel of the formation or establishment is armed and uses its arms in self-defence or in defense of its wounded and sick;
- 2) that in the absence of armed hospital attendants the formation is guarded by an armed detachment or by sentinels;
- 3) that hand firearms or ammunition taken from the wounded and sick and not yet turned over to the proper authorities are found in the formation or establishment;
- 4) that there is found in the formation or establishment personnel or materiel of the veterinary service which does not integrally belong to it.

CHAPTER III. Personnel

Article 9

The personnel charged exclusively with the removal, transportation, and treatment of the wounded and sick, as well as with the administration of sanitary formations and establishments, and the chaplains attached to armies, shall be respected and protected under all circumstances. If they fall into the hands of the enemy they shall not be treated as prisoners of war.

Military personnel which has received special instructions to be used when necessary as auxiliary attendants or litter bearers in the removal, transportation and treatment of the wounded and sick, and bearing an identification document, shall benefit by the same conditions as the permanent sanitary personnel if they are captured at the moment when they are fulfilling these functions.

Article 10

The personnel of volunteer aid societies, duly recognized and authorized by their Government, who are employed in the same functions as the personnel contemplated in Article 9, paragraph 1. are assimilated to that personnel upon condition that the said societies shall be subject to military laws and regulations.

Each High Contracting Party shall make known to the other, either in time of peace or at the opening or during the progress of either in time of peace or at the opening or during the progress of hostilities, and in any case

before actual employment, the names of the societies which it has authorized to render assistance, under its responsibility, in the official sanitary service of its armies.

Article 11

A recognized society of a neutral country may only lend the services of its sanitary personnel and formations to a belligerent with the prior consent of its own Government and the authority of such belligerent.

The belligerent who has accepted such assistance shall be required to notify the enemy before making any use thereof.

Article 12

The persons described in Articles 9, 10 and 11 may not be detained after they have fallen into the power of the adversary.

Unless there is an agreement to the contrary, they shall be sent back to the belligerent to whose service they are attached as soon as a way is open for their return and military exigencies permit.

While waiting to be returned, they shall continue in the exercise of their functions under the direction of the adversary; they shall be assigned preferably to the care of the wounded and sick of the belligerent to whose service they are attached.

At the time of their departure they may carry with them such effects, instruments, arms and means of transport as belong to them.

Article 13

While they remain in their power, belligerents shall secure to the personnel mentioned in Articles 9, 10, and 11, the same maintenance and quarters, pay and allowances, as to persons of corresponding rank in their own armies.

At the outbreak of hostilities the belligerents shall reach an understanding on the corresponding ranks of their sanitary personnel.

CHAPTER IV. Buildings and Materiel.

Article 14

If mobile sanitary formations, whatever may be their nature, fall into the power of the adversary, they shall retain their materiel, their means of transportation, and their conducting personnel.

... military ... however, shall

The competent military authority, however, shall have the right to employ them in caring for the wounded and sick; restitution shall take place in accordance with the conditions prescribed for the sanitary personnel and as far as possible at the same time.

Article 15

Buildings and materiel of the fixed sanitary establishments of the army shall remain subject to the laws of war, but may not be diverted from their use so long as they are necessary for the wounded and sick.

However, commanders of troops engaged in operations may use them in case of urgent military necessity if, before such use, the wounded and sick treated there have been provided for.

Article 16

The buildings of aid societies admitted to the benefits of the Convention shall be regarded as private property.

The materiel of these societies, irrespective of its location, shall likewise be regarded as private property.

The right of requisition recognized to belligerents by the laws and customs of war shall be exercised only in case of urgent necessity and after the wounded and sick have been provided for.

CHAPTER V. Sanitary Transports.

Article 17

Vehicles equipped for sanitary evacuation traveling singly or in convoy shall be treated as mobile sanitary formations subject to the following provisions:

A belligerent intercepting sanitary transportation vehicles, traveling either singly or in convoy, may, if required by military necessity, stop them and break up the convoy, charging himself in all cases with the care of the wounded and sick whom it contains. He may only utilize such vehicles in the sector wherein they were intercepted and exclusively for sanitary needs. When their local mission is at an end, these vehicles must be returned under the conditions stipulated in Article 14

Military personnel assigned by competent orders for sanitary transportation purposes shall be returned under the conditions stipulated in Article 12 for sanitary personnel, and subject to the provisions of the last paragraph of Article 18.

All means of transportation especially organized for evacuation purposes, as well as, their appurtenances attached to the sanitary service, shall be returned in conformity with the provisions of Chapter IV.

Military means of transportation and their teams, other than those belonging to the sanitary service, may be captured.

The civil personnel and all means of transportation obtained by requisition shall be subject to the general rules of international law.

Article 18

Aircraft used as a means of sanitary transportation shall enjoy the protection of the Convention during such time as they are exclusively reserved for the evacuation of wounded and sick and for the transportation of sanitary personnel and materiel.

They shall be painted in white and shall bear clearly visible the distinctive sign mentioned in Article 19 alongside of the national colors on their upper and lower surfaces.

Excepting with special and express permission, a flight over the firing-line, as well as over the zone situated in front of the major medical dressing stations, and in general over any territory under the control of or occupied by the enemy shall be forbidden.

Sanitary aircraft must comply with all summons to land.

In case of a landing thus required or made accidentally upon territory occupied by the enemy, the wounded and sick, as well as the sanitary personnel and materiel, including the aircraft, shall benefit by the provisions of the present convention.

The pilot, mechanics, and wireless operators who have been captured shall be returned on condition of only being utilized in the sanitary service until the termination of hostilities.

CHAPTER VI. The Distinctive Sign

Article 19

Out of respect to Switzerland the heraldic emblem of the red cross on a white ground, formed by the reversal of the Federal colors, is continued as the emblem and distinctive sign of the sanitary service of armies.

However, for countries which already use, as distinctive sign, in place of the red cross, the red crescent or the red lion and sun on white field, these emblems shall likewise be recognized within the meaning of the present Convention.

Article 20.

The emblem shall appear on flags and brassards,

as well as upon all materiel, appertaining to the sanitary service, with the permission of the competent military authority.

Article 21

The personnel protected in virtue of the first paragraph of Article 9 and Articles 10 and 11 shall wear attached to the left arm a brassard bearing the distinctive sign, issued and stamped by a competent military authority.

The personnel mentioned in Article 9, paragraphs 1 and 2, shall be furnished with an identification document consisting either of an inscription in their military booklet or a special document.

Persons mentioned in Articles 10 and 11 who do not wear military uniform shall be furnished by competent military authority with a certificate of identity containing their photograph and attesting to their sanitary status.

Identification documents must be uniform and of the same type in each army.

The sanitary personnel may in no case be deprived of their insignia nor of their own identification papers.

In case of loss they shall have the right to obtain duplicates.

Article 22

The distinctive flag of the Convention may only be displayed over the sanitary formations and establishments which the Convention provides shall be respected, and with the consent of the military authorities. In fixed establishments it shall, and in mobile formations it may, be accompanied by the national flag of the belligerent to whose service the formation or establishment is attached.

Sanitary formations which have fallen into the power of the enemy, however, shall fly no other flag than that of the Convention as long as they continue in that situation.

The belligerents, in so far as military exigencies allow, shall take such measures as may be necessary to render the distinctive emblems marking sanitary formations and establishments plainly visible to the land, air, and sea forces of the enemy, with a view to preventing the possibility of any aggressive action.

Article 23

The sanitary formations of neutral countries, which, under the conditions set forth in Article 11, have been

authorized to render their services, shall fly, with the flag of the Convention, the national flag of the belligerent to which they are attached.

They shall have the right during such time as they are rendering service to a belligerent to fly their own national flag.

The provisions of the second paragraph of the preceding article are applicable to them.

Article 24

The emblem of the red cross on a white ground and the words RED CROSS or GENEVA CROSS may be used, whether in time of peace or war, only to protect or designate sanitary formations and establishments, the personnel and materiel protected by the Convention.

The same shall apply with respect to the emblems mentioned in the second paragraph of Article 19 for such countries as use them.

Moreover, the volunteer aid societies provided for under Article 10 may, in conformity with their national legislation, employ the distinctive emblem for their humanitarian activities in time of peace.

As an exceptional measure and with the specific authorization of one of the national Red Cross Societies (Red Crescent, Red Lion and Sun), the use of the emblem of the Convention may be allowed in peace time to designate the location of relief stations reserved exclusively to giving free assistance to wounded or sick.

CHAPTER VII. The Application and Execution of the Convention.

Article 25

The provisions of the present Convention shall be respected by the High Contracting Parties under all circumstances.

If, in time of war, a belligerent is not a party to the Convention, its provisions shall nevertheless remain in force as between all the belligerents who are parties to the Convention.

Article 26

It shall be the duty of the commanders-in-chief of the belligerent armies to provide for the details of execution of the foregoing articles, as well as for unforeseen cases, in accordance with the instructions of their respective Governments, and conformably to the general principles of this Convention.

Article 27

The High Contracting Parties shall take the necessary steps to acquaint their troops, and particularly the protected personnel, with the provisions of this Convention, and to make them known to the people at large.

CHAPTER VIII. The Repression of Abuses and Infractions

Article 28

The Governments of the High Contracting Parties whose legislation may not now be adequate shall take or shall recommend to their legislatures such measures as may be necessary at all times:

a) to prevent the use by private persons or by societies other than those upon which this Convention confers the right thereto, of the emblem or of the name of the RED CROSS or GENEVA CROSS, as well as any other sign or designation constituting an imitation thereof, whether for commercial or other purposes:

b) by reason of the homage rendered to Switzerland as a result of the adoption of the inverted Federal colors, to prevent the use, by private persons or by organizations, of the arms of the Swiss Confederation or of signs constituting an imitation thereof, whether as trade-marks, commercial labels, or portions thereof, or in any way contrary to commercial ethics, or under conditions wounding Swiss national pride.

The prohibition mentioned in subparagraph a) of the use of signs or designations of the RED CROSS or GENEVA CROSS, as well as the prohibition mentioned in subparagraph b) of the use of the arms of the Swiss Confederation or signs constituting an imitation thereof shall take effect from the time set in each act of legislation and at the latest five years after this Convention goes into effect. After such going into effect it shall be unlawful to take out a trade-mark or commercial label contrary to such prohibitions.

Article 29

The Governments of the High Contracting Parties whose penal laws may not be adequate, shall likewise take or recommend to their legislatures the necessary measures to repress in time of war all acts in contravention of the provisions of the present Convention.

They shall communicate to one another through the Swiss Federal Council the measures taken with a view to such repression, not later than five years from the date of the ratification of the present Convention.

Article 30

At the request of a belligerent, an investigation must be held, in such manner as shall be agreed upon by the interested parties, concerning any alleged violation of the Convention; whenever such a violation is proved, the belligerents shall put an end to it and repress it as promptly as possible.

FINAL PROVISIONS

Article 31

The present Convention, which will bear the date of this day, may be signed up to February 1, 1930, on behalf of all the countries represented at the Conference which opened at Geneva on July 1, 1929, as well as by the countries not represented at the Conference which are parties to the Geneva Conventions of 1864 or of 1906.

Article 32

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at Berne.

A record of the deposit of each instrument of ratification shall be prepared, a duly certified copy of which shall be forwarded by the Swiss Federal Council to the Governments of all the countries on whose behalf the Convention has been signed or notification of adhesion made.

Article 33

The present Convention shall become effective six months after the deposit of at least two instruments of ratification.

Subsequently, it shall become effective for each High Contracting Party six months after the deposit of its instrument of ratification.

Article 34

The present Convention shall replace the Conventions of August 22, 1864 and of July 6, 1906, in the relations between the High Contracting Parties.

Article 35

From the date on which it becomes effective, the present Convention shall be open for adhesions given on behalf of any country in whose name this Convention was not signed.

Article 36

Adhesions shall be given by written notification addressed to the Swiss Federal Council and shall take effect six months after the date of their receipt.

The Swiss Federal Council shall communicate adhesions to the Governments of all the countries on whose behalf the Convention was signed or notification of adhesion made.

Article 37

A state of war shall give immediate effect to ratifications deposited or adhesions notified by belligerent Powers prior to or after the outbreak of hostilities. The communication of ratifications or adhesions received from Powers at war shall be made by the Swiss Federal Council by the most rapid method.

Article 38

Each of the High Contracting Parties shall have the right to denounce the present Convention. The denunciation shall not take effect until one year after notification has been made in writing to the Swiss Federal Council. The latter shall communicate such notification to the Governments of all the High Contracting Parties.

The denunciation shall have effect only with respect to the High Contracting Party which gave notification of it.

Moreover, such denunciation shall not take effect during a war in which the denouncing Power is involved. In this case, the present Convention shall continue in effect, beyond the period of one year, until the conclusion of peace.

Article 39

A duly certified copy of the present Convention shall be deposited in the archives of the League of Nations by the Swiss Federal Council. Likewise, ratifications, adhesions, and denunciations of which the Swiss Federal Council has been notified shall be communicated by it to the League of Nations.

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IN FAITH WHEREOF, the Plenipotentiaries named above have signed the present Convention.

Done at Geneva, the Twenty-seventh of July, one thousand nine hundred and twenty-nine, in a single copy, which shall remain in the archives of the Swiss Confederation and duly certified copies of which shall be forwarded to the Governments of all the countries invited to the Conference.

(Signatures follow)

Doc. No. 233

(JAPAN AND RUSSIA)

TREATY OF PORTSMOUTH - - SEPTEMBER 5, 1905.

His Majesty, the Emperor of Japan, on the one part and His Majesty the Emperor of all the Russias on the other part, animated by the desire to restore the blessings of peace to their countries and peoples, have resolved to conclude a Treaty of Peace, and have for this purpose named their Plenipotentiaries; that is to say,

His Majesty the Emperor of Japan

His Excellency Baron Komura Jutaro, Jusammi, Grand Cordon of the Imperial Order of the Rising Sun, His Minister for Foreign Affairs, and

His Excellency Mr. Takahira Kogoro, Jusammi, Grand Cordon of the Imperial Order of the Sacred Treasure, His Envoy Extraordinary and Minister Plenipotentiary to the United States of America; and

His Majesty the Emperor of all the Russias:

His Excellency M. Serge Witte, His Secretary of State, and President of the Committee of Ministers of the Empire of Russia and

His Excellency Baron Roman Rosen, Master of the Imperial Court of Russia and His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Who, after having exchanged their full powers, which were found to be in good and due form, have concluded the following Articles:

ARTICLE I - There shall henceforth be peace and amity between their Majesties the Emperor of Japan and the Emperor of all the Russias, and between their respective States and subjects.

ARTICLE II - The Imperial Russian Government, acknowledging that Japan possesses in Korea paramount political, military and economical interests, engage neither to obstruct nor interfere with the measures of guidance, protection and control which the Imperial Government of Japan may find it necessary to take in Korea.

It is understood that Russian subjects in Korea shall be treated exactly in the same manner as the subjects or citizens of other foreign powers, that is to say, they shall be placed on the same footing as the subjects or citizens of the most favored nation.

It is also agreed that, in order to avoid all cause of misunderstanding, the two High Contracting Parties will abstain, on the Russo-Korean frontier, from taking any military measure which may menace the security of Russian or Korean territory.

ARTICLE III - Japan and Russia mutually engage:

1. To evacuate completely and simultaneously Manchuria, except the territory affected by the lease of the Liaotung Peninsula, in conformity with the provisions of additional Article I, annexed to Treaty; and
2. To restore entirely and completely to the exclusive administration of China all portions of Manchuria now in the occupation or under the control of the Japanese or Russian troops, with the exception of the territory above mentioned.

The Imperial Government of Russia declare that they have not in Manchuria any territorial advantages or preferential or exclusive concessions in impairment of Chinese sovereignty or inconsistent with the principle of equal opportunity.

ARTICLE IV - Japan and Russia reciprocally engage not to obstruct any general measures common to all countries, which China may take for the development of the commerce and industry of Manchuria.

ARTICLE V - The Imperial Russian Government transfer and assign to the Imperial Government of Japan, with the consent of the Government of China, the lease of Port Arthur, Talien and adjacent territory and territorial water and all rights, privileges and concessions connected with or forming part of such lease and they also transfer and assign to the Imperial Government of Japan all public works and properties in the territory affected by the above-mentioned lease.

The two high contracting parties mutually engage to obtain the consent of the Chinese Government mentioned in the foregoing stipulation.

The Imperial Government of Japan on their part undertake that the proprietary rights of Russian subjects in the territory above referred to shall be perfectly respected.

ARTICLE VI - The Imperial Russian Government engage to transfer and assign to the Imperial Government of Japan, without compensation and with the consent of the Chinese Government, the railway between Changchun (Kuangchung-tzu) and Port Arthur and all its branches, together with all rights, privileges and properties appertaining thereto in that region, as well as all coal mines in the said region belonging to or worked for the benefit of the railway.

The two High Contracting Parties mutually engage to obtain the consent to the Government of China mentioned in the foregoing stipulation.

ARTICLE VII - Japan and Russia engaged to exploit their respective railways in Manchuria exclusively for commercial and industrial purposes and in no wise for strategic purposes.

It is understood that that restriction does not apply to the railway in the territory affected by the lease of the Liaotung Peninsula.

ARTICLE VIII - The Imperial Governments of Japan and Russia, with a view to promote and facilitate intercourse and traffic, will, as soon as possible, conclude a separate convention for the regulation of their connecting railway services in Manchuria.

ARTICLE IX - The Imperial Russian Government cede to the Imperial Government of Japan in perpetuity and full sovereignty the southern portion of the Island of Saghalien and all islands adjacent thereto, and all public works and properties thereon. The fiftieth degree of north latitude is adopted as the northern boundary of the ceded territory. The exact alignment of such territory shall be determined in accordance with the provisions of additional Article II, annexed to this Treaty

Japan and Russia mutually agree not to construct in their respective possessions on the Island of Saghalien or the adjacent islands, any fortifications or other similar military works. They also respectively engage not to take any military measures which may impede the free navigation of the Straits of La Perouse and Tartary.

ARTICLE X - It is reserved to the Russian subjects, inhabitants of the territory ceded to Japan, to sell their real property and retire to the country; but, if they prefer to remain in the ceded territory, they will be maintained and protected in the full exercise of their industries and rights of property, on condition of submitting to Japanese law and jurisdiction. Japan shall have full liberty to withdraw the right of residence in, or to deport from, such territory, and inhabitants who labor under political or administrative disability. She engages, however, that the proprietary rights of such inhabitants shall be fully respected.

ARTICLE XI - Russia engages to arrange with Japan for granting to Japanese subjects rights of fishery along the coasts of the Russian possessions in the Japan, Okhotsk and Behring Seas.

It is agreed that the foregoing engagement shall not effect rights already belonging to Russian or foreign subjects in those regions.

ARTICLE XII - The Treaty of Commerce and Navigation between Japan and Russia having been annulled by the war, the Imperial Governments of Japan and Russia engage to adopt as the basis of their commercial relations, pending the conclusion of a new treaty of commerce and navigation on the basis of the Treaty which was in force previous to the present war, the system of reciprocal treatment on the footing of the most favored nation, in which are included import and export duties, customs formalities, transit and tonnage dues, and the admission and treatment of the agents, subjects and vessels of one country in the territories of the other.

ARTICLE XIII - As soon as possible after the present Treaty comes into force all prisoners of war shall be reciprocally restored. The Imperial Governments of Japan and Russia shall each appoint a special Commissioner to take charge of prisoners. All prisoners in the hands of one government shall be delivered to and received by the Commissioner of the other government or by his duly authorized representative in such convenient numbers and at such convenient ports of the delivering State as such delivering State shall notify in advance to the Commissioner of the receiving State.

The Governments of Japan and Russia shall present to each other, as soon as possible after the delivery of prisoners has been completed, a statement of the direct expenditure respectively incurred by them for the care and maintenance of prisoners from the date of capture or surrender up to the time of death or delivery. Russia engages to repay to Japan, as soon as possible after the exchange of the statements as above provided, the difference between the actual amount so expended by Japan and the actual amount similarly disbursed by Russia.

ARTICLE XIV - The present Treaty shall be ratified by Their Majesties the Emperor of Japan and the Emperor of all the Russias. Such ratification shall, with as little delay as possible and in any case not later than fifty days from the date of the signature of the Treaty, be announced to the Imperial Governments of Japan and Russia respectively through the French Minister in Tokyo and the Ambassador of the United States in St. Petersburg, and from the date of such announcement this Treaty shall in all its parts come into full force.

The formal exchange of the ratifications shall take place at Washington as soon as possible.

ARTICLE XV - The present Treaty shall be signed in duplicate in both the English and French languages. The texts are in absolute conformity but in case of discrepancy in interpretation, the French text shall prevail.

In witness whereof, the respective Plenipotentiaries have signed and affixed their seals to the present Treaty of Peace.

Done at Portsmouth (New Hampshire) this fifth day of the ninth month of the thirty-eighth year of Meiji, corresponding to the twenty-third day of August (fifth September) one thousand nine hundred and five.

(Signed) SERGE WITTE (LS)
" ROSEN (LS)
" JUTARO KOMURA (LS)
" K. TAKAHIRA (LS)

TREATY SERIES, No. 511½

AGREEMENT

EFFECTED BY EXCHANGE OF NOTES BETWEEN

THE UNITED STATES

AND

JAPAN

Declaring Their Policy in
the Far East

SIGNED NOVEMBER 30, 1908



WASHINGTON
GOVERNMENT PRINTING OFFICE
1921

[*The Japanese Ambassador to the Secretary of State.*]

IMPERIAL JAPANESE EMBASSY,
Washington, November 30, 1908.

Sir:

The exchange of views between us, which has taken place at the several interviews which I have recently had the honor of holding with you, has shown that Japan and the United States holding important outlying insular possessions in the region of the Pacific Ocean, the Governments of the two countries are animated by a common aim, policy, and intention in that region.

Believing that a frank avowal of that aim, policy, and intention would not only tend to strengthen the relations of friendship and good neighborhood, which have immemorially existed between Japan and the United States, but would materially contribute to the preservation of the general peace, the Imperial Government have authorized me to present to you an outline of their understanding of that common aim, policy, and intention:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.
2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned and to the defense of the principle of equal opportunity for commerce and industry in China.
3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.
4. They are also determined to preserve the common interest of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.
5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

If the foregoing outline accords with the view of the Government of the United States, I shall be gratified to receive your confirmation.

I take this opportunity to renew to Your Excellency the assurance of my highest consideration.

Honorable ELIHU ROOT,
Secretary of State.

K. TAKAHIRA

[*The Secretary of State to the Japanese Ambassador.*]

DEPARTMENT OF STATE,
Washington, November 30, 1908.

Excellency:

I have the honor to acknowledge the receipt of your note of to-day setting forth the result of the exchange of views between us in our recent interviews defining the understanding of the two Governments in regard to their policy in the region of the Pacific Ocean.

It is a pleasure to inform you that this expression of mutual understanding is welcome to the Government of the United States as appropriate to the happy relations of the two countries and as the occasion for a concise mutual affirmation of that accordant policy respecting the Far East which the two Governments have so frequently declared in the past.

I am happy to be able to confirm to Your Excellency, on behalf of the United States, the declaration of the two Governments embodied in the following words:

1. It is the wish of the two Governments to encourage the free and peaceful development of their commerce on the Pacific Ocean.

2. The policy of both Governments, uninfluenced by any aggressive tendencies, is directed to the maintenance of the existing status quo in the region above mentioned, and to the defense of the principle of equal opportunity for commerce and industry in China.

3. They are accordingly firmly resolved reciprocally to respect the territorial possessions belonging to each other in said region.

4. They are also determined to preserve the common interests of all powers in China by supporting by all pacific means at their disposal the independence and integrity of China and the principle of equal opportunity for commerce and industry of all nations in that Empire.

5. Should any event occur threatening the status quo as above described or the principle of equal opportunity as above defined, it remains for the two Governments to communicate with each other in order to arrive at an understanding as to what measures they may consider it useful to take.

Accept, Excellency, the renewed assurance of my highest consideration.

ELIHU ROOT

His Excellency
BARON KOGORO TAKAHIRA,
Japanese Ambassador.

THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 10.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE 12.

The members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13.

The members of the League agree that whenever any dispute shall arise between them which they recognize to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 13.

The Members of the League agree that they will carry out in full good faith any awards that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 15.

If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case, with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 15.

Any Member of the League represented on the Council may make a public statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendations as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly if concurred in by the Representatives of those Members of the League represented on the Council and of a

THE COVENANT OF THE LEAGUE OF NATIONS

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THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 15.

majority of the other members of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

ARTICLE 22.

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such form a sacred trust of civilization and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the mandatory.

THE COVENANT OF THE LEAGUE OF NATIONS.

ARTICLE 22.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of the conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of the territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the mandatory, and other circumstances, can be best administered under the laws of the mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

THE COVENANT OF THE LEAGUE OF NATIONS

ARTICLE 23.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

- (a) will endeavour to secure and maintain fair and humane conditions of labour for men, and women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for that purpose will establish and maintain the necessary international organisations;
- (b) undertake to secure just treatment of the native inhabitants of territories under their control;
- (c) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;
- (d) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;
- (e) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914-1918 shall be borne in mind;
- (f) will endeavour to take steps in matters of international concern for the prevention and control of disease.

Doc 113 Copy 121

太平洋方面ニ於ケル島嶼タル島地及島嶼タル領地ニ關スル亞米利加合衆國、英帝國、佛蘭西國及日本國間ノ條約

大正十年(一九二一年)十二月十三日華盛頓ニ於テ署名調印

(追加) 大正十年二月六日署名調印

大正十一年(一九二二年)八月五日批准

大正十二年(一九三三年)八月十七日華盛頓ニ於テ批准署名

同 年 同 月 同 日 公 布
同 年 同 月 同 日 實 施

亞米利加合衆國、英帝國、佛蘭西國及日本國ハ一俟ノ平和ヲ確保シ且太平洋方面ニ於ケル其ノ島嶼タル島地及島嶼タル領地ニ關スル其ノ權利ヲ維持スルノ目的ヲ以テ之カ爲條約ヲ締結スルコトニ決シ左ノ如ク其ノ全權委員ヲ任命セリ

(全權委員名單)

右各委員ハ互ニ其ノ全權委任狀ヲ示シ之カ良好妥當ナルヲ認メタル後左ノ如ク協定セリ

Doc 175 Corr (2/1) 1.2

第一條

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第二條

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第三條

本條約ハ實施ノ時ヨリ十年間効力ヲ有シ且右期間満了後ハ十二月前ノ豫告ヲ以テ之ヲ終了セシムル各締約國ノ權利ノ担保ノ下ニ引續キ其ノ効力ヲ有ス

第四條

本條約ハ締約國ノ憲法上ノ手續ニ從ヒ成ルヘク速

Doc 175 Corr (2/1) 1.2

第一條

締約國ハ互ニ太平洋方面ニ於ケル其ノ島嶼タル屬地及島嶼タル領地ニ關スル其ノ權利ヲ尊重スベキコトヲ約ス

締約國ノ何レカノ國ニ如何ナル太平洋問題ニ起因シ且前記ノ權利ニ關スル爭議ヲ生シ外交手段ニ依リテ満足ナル解決ヲ得ルコト能ハス且其ノ間ニ幸ニ現存スル困難ナル情形ニ形セラ及ホスノ虞アル場合ニ於テハ右締約國ハ共同會議ノ爲他ノ締約國ヲ招請シ當該事件全部ヲ考慮訂定ノ目的ヲ以テ其ノ議ニ付スヘシ

第二條

前記ノ權利カ別國ノ侵略的行爲ニ依リ脅威セララルニ於テハ締約國ハ右特殊事態ノ急ニ應スル爲共同ニ又ハ各別ニ孰ルヘキ最有效果ナル措置ニ即シ諒察ヲ進ケムカ爲充分ニ且同意ナク互ニ連絡スヘシ

第三條

本條約ハ實施ノ時ヨリ十年間効力ヲ有シ且右期間満了後ハ十二月前ノ豫告ヲ以テ之ヲ終了セシムル各締約國ノ權利ノ担保ノ下ニ引續キ其ノ効力ヲ有ス

第四條

本條約ハ締約國ノ憲法上ノ手續ニ從ヒ成ルヘク速

Doc 173 Corr Copy p.3

ニ批准セララルヘク且華盛頓ニ於テ行ハルヘキ批准
書寄託ノ時ヨリ實施セララルヘシ之ト同時ニ千九百
十一年七月十三日倫敦ニ於テ締結セラレタル大不
列原國及日本國間ノ協約ハ終了スルモノトス合衆
國政府ハ批准書寄託ノ詞書ノ認證書本ヲ全署名國
ニ送付スルモノトス

本條約ハ佛蘭西語及英吉利語ヲ以テ表現シ合衆國
政府ノ記録保管所ニ寄託保存セラレ且其ノ正當ナル
認證書本ハ同政府之ヲ各署名國ニ送付スルモノ
トス

右認證トシテ前記全權委員ハ本條約ニ署名ヲ爲シ
タリ

千九百二十一年十二月十三日華盛頓市ニ於テ之ヲ
作成セリ

(全權委員署名)

本日亞米利加合衆國、英帝國、佛蘭西國及日本國
間ノ條約ニ署名スルニ當リ各署名國ノ諒解及意圖
ハ左ノ如クナルコトヲ茲ニ聲明ス

一本條約ハ太平洋ニ於ケル委任統治群島ニ之ヲ
適用ス但シ本條約ノ締結ヲ以テ右委任統治ニ對
スル亞米利加合衆國ノ同意ト看做スコトヲ得ス
且亞米利加合衆國ト當該受任國トノ間ノ右委任

Doc 173 Corr Copy 1.4

統治諸島ニ関スル協定ノ締結ヲ妨クルモノニ非
ス

ニ第一條第二項ニ掲クル爭議ハ國際法ノ原則ニ
依リ専ラ當該國ノ國內法權ニ屬スル問題ヲ含ム
モノト解スベカラス

千九百二十一年十二月十三日「テイストリクト、
オヴ、コロンビア」章盛譯

(以下各名)

173 Corr Copy 1.4

統治諸島ニ関スル協定ノ締結ヲ妨クルモノニ非
ス

二第一條第二項ニ掲クル爭議ハ國際法ノ原則ニ
依リ專ラ當該國ノ國內法權ニ屬スル問題ヲ含ム
モノト解スヘカラス

千九百二十一年十二月十三日「デイストリクト、
オヴ、コロンビア」華盛頓

(以下略名)

Doc 173 Copy 10.51

追加協定

聖米利加合衆國、英帝國、佛蘭西及日本國、千九百二十一年十二月十三日華盛頓ニ於テ署名シタル四國條約ノ追加タル左ノ取柄ヲ各其ノ全權委員ニ依リ締定シタリ

前記條約ニ使用セラレタル「島嶼タル屬地及島嶼タル領地」ナル語ハ之ヲ日本國ニ適用スルニ付テハ單ニ樺太（即チ薩哈連島ノ南部）臺灣及澎湖列島並日本國ノ委任統治ノ下ニ在ル諸島ノミヲ包含スルモノトス

本協定ハ前記條約ニ追加トシテ之ト同一ノ効力ヲ有ス

千九百二十一年十二月十三日ノ前記條約中批准ニ關スル第四條ノ規定ハ本協定ニ之ヲ適用ス本協定ハ佛蘭西語及英吉利語ヲ以テ表現シ合衆國政府ノ記録保管所ニ寄託保存セラレ且其ノ正當ナル認註膳本ハ同政府之ヲ他ノ各締約國ニ送付スルモノトス

右證據トシテ前記各全權委員ハ本協定ニ署名ヲ爲シタリ

千九百二十二年二月六日華盛頓市ニ於テ之ヲ作成セリ

(全權委員署名)

Ex #24
173

TREATY SERIES, No. 669

TREATY
BETWEEN THE
UNITED STATES, THE BRITISH EMPIRE,
FRANCE AND JAPAN

RELATING TO THEIR INSULAR POSSESSIONS AND
INSULAR DOMINIONS IN THE REGION
OF THE PACIFIC OCEAN

SIGNED AT WASHINGTON, DECEMBER 13, 1921
RATIFICATION ADVISED BY THE SENATE, WITH A RESERVATION
AND UNDERSTANDING, MARCH 24, 1922
RATIFIED BY THE PRESIDENT, JUNE 9, 1923
RATIFICATIONS DEPOSITED WITH THE GOVERNMENT OF THE
UNITED STATES, AUGUST 17, 1923
PROCLAIMED, AUGUST 21, 1923



WASHINGTON
GOVERNMENT PRINTING OFFICE
1923

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty between the United States of America, the British Empire, France and Japan, relating to their insular possessions and insular dominions in the region of the Pacific Ocean, was concluded and signed by their respective plenipotentiaries at Washington on December 13, 1921, the original of which Treaty, in the English and French languages, is word for word as follows:

Les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon,

En vue de préserver la paix générale et de maintenir leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique,

Ont décidé de conclure un traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root, citoyens des Etats-Unis;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au-delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O. M.; M. P.; Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G. B. E., K. C. B., Premier Lord de l'Amirauté;

Le Très-Honorable Sir Auckland Campbell Geddes, K. C. B., son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

The United States of America, the British Empire, France and Japan,

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood and Elihu Root, citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Et

pour le Dominion du Canada:
Le Très-Honorable Robert
Laird Borden, G. C. M.
G., K. C.;

pour le Commonwealth d'Aus-
tralie:

L'Honorable George Fos-
ter Pearce, Ministre de
la Défense;

pour le Dominion de la Nou-
velle-Zélande:

Sir John William Salmond,
K. C., Juge à la Cour
Suprême de Nouvelle-
Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur
James Balfour, O. M.,
M. P.;

pour l'Inde:

Le Très-Honorable Val-
ingman Sankaranara-
yana Srinivasa Sastri,
Membre du Conseil
d'Etat de l'Inde;

Le Président de la République
française:

M. René Viviani, Député,
ancien Président du
Conseil des Ministres.

M. Albert Sarraut, Député,
Ministre des Colonies,

M. Jules J. Jusserand, Am-
bassadeur Extraordi-
naire et Plénipotentiaire
près le Président des
Etats-Unis d'Amérique,
Grand'croix de l'Ordre
National de la Légion
d'honneur;

Sa Majesté l'Empereur du Ja-
pon:

Le Baron Tomosaburo
Kato, Ministre de la
Marine, Junii, Membre
de la Première Classe
de l'Ordre Impérial du
Grand Cordon du Soleil
Levant avec la Fleur de
Paulonia;

And

for the Dominion of Canada:

The Right Honourable
Robert Laird Borden,
G. C. M. G., K. C.;

for the Commonwealth of Aus-
tralia:

The Honourable George
Foster Pearce, Minister
of Defence;

for the Dominion of New Zea-
land:

Sir John William Salmond,
K. C., Judge of the Su-
preme Court of New
Zealand;

for the Union of South Africa:

The Right Honourable Ar-
thur James Balfour, O.
M., M. P.;

for India:

The Right Honourable
Valingman Sankaran-
arayana Srinivasa Sas-
tri, Member of the In-
dian Council of State;

The President of the French
Republic:

Mr. René Viviani, Deputy,
Former President of the
Council of Ministers;

Mr. Albert Sarraut, Dep-
uty, Minister of the Col-
onies;

Mr. Jules J. Jusserand,
Ambassador Extraordi-
nary and Plenipoten-
tiary to the United
States of America, Grand
Cross of the National
Order of the Legion of
Honour;

His Majesty the Emperor of
Japan:

Baron Tomosaburo Kato,
Minister for the Navy,
Junii, a member of the
First Class of the Impe-
rial Order of the Grand
Cordon of the Rising
Sun with the Paulownia
Flower;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

Le Prince Iyesato Tokugawa, Junii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

I.

Les Hautes Parties Contractantes conviennent, en ce qui les concerne, de respecter leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique.

S'il venait à surgir entre certaines des Hautes Parties Contractantes un différend issu d'une question quelconque concernant le Pacifique et mettant en cause leurs droits ci-dessus visés, différend qui ne serait pas réglé d'une façon satisfaisante par la voie diplomatique et qui risquerait de compromettre l'heureuse harmonie existant actuellement entre elles, ces Puissances devront inviter les autres Parties Contractantes à se réunir dans une Conférence qui sera saisie de l'ensemble de la question aux fins d'examen et de règlement.

II.

Au cas où les droits ci-dessus visés seraient menacés par la conduite agressive de toute autre Puissance, les Hautes Parties

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Prince Iyesato Tokugawa, Junii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice-Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

I.

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II.

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate

Et

pour le Dominion du Canada:

Le Très-Honorable Robert
Laird Borden, G. C. M.
G., K. C.;

pour le Commonwealth d'Aus-
tralie:

L'Honorable George Fos-
ter Pearce, Ministre de
la Défense;

pour le Dominion de la Nou-
velle-Zélande:

Sir John William Salmond,
K. C., Juge à la Cour
Suprême de Nouvelle-
Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur
James Balfour, O. M.,
M. P.;

pour l'Inde:

Le Très-Honorable Val-
ingman Sankaranara-
yana Srinivasa Sastri,
Membre du Conseil
d'Etat de l'Inde;

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M. Jules J. Jusserand, Am-
bassadeur Extraordi-
naire et Plénipotentiaire
près le Président des
Etats-Unis d'Amérique,
Grand'croix de l'Ordre
National de la Légion
d'honneur;

Sa Majesté l'Empereur du Ja-
pon:

Le Baron Tomosaburo
Kato, Ministre de la
Marine, Junii, Membre
de la Première Classe
de l'Ordre Impérial du
Grand Cordon du Soleil
Levant avec la Fleur de
Paulonia;

And

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tralia:

The Honourable George
Foster Pearce, Minister
of Defence;

for the Dominion of New Zea-
land:

Sir John William Salmond,
K. C., Judge of the Su-
preme Court of New
Zealand;

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The Right Honourable Ar-
thur James Balfour, O.
M., M. P.;

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The Right Honourable
Valingman Sankaran-
arayana Srinivasa Sas-
tri, Member of the In-
dian Council of State;

The President of the French
Republic:

Mr. René Viviani, Deputy,
Former President of the
Council of Ministers;

Mr. Albert Sarraut, Dep-
uty, Minister of the Col-
onies;

Mr. Jules J. Jusserand,
Ambassador Extraordi-
nary and Plenipoten-
tiary to the United
States of America, Grand
Cross of the National
Order of the Legion of
Honour;

His Majesty the Emperor of
Japan:

Baron Tomosaburo Kato,
Minister for the Navy,
Junii, a member of the
First Class of the Imper-
ial Order of the Grand
Cordon of the Rising
Sun with the Paulownia
Flower;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

Le Prince Iyesato Tokugawa, Junii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

I.

Les Hautes Parties Contractantes conviennent, en ce qui les concerne, de respecter leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique.

S'il venait à surgir entre certaines des Hautes Parties Contractantes un différend issu d'une question quelconque concernant le Pacifique et mettant en cause leurs droits ci-dessus visés, différend qui ne serait pas réglé d'une façon satisfaisante par la voie diplomatique et qui risquerait de compromettre l'heureuse harmonie existant actuellement entre elles, ces Puissances devront inviter les autres Parties Contractantes à se réunir dans une Conférence qui sera saisie de l'ensemble de la question aux fins d'examen et de règlement.

II.

Au cas où les droits ci-dessus visés seraient menacés par la conduite agressive de toute autre Puissance, les Hautes Parties

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Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

I.

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

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II.

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate

Contractantes devront entrer en communication entre elles de la manière la plus complète et la plus franche, afin d'arriver à une entente sur les mesures les plus efficaces à prendre, conjointement ou séparément, pour faire face aux nécessités de la situation.

III.

Le présent Traité produira ses effets pendant une durée de dix années à dater du jour de sa mise en vigueur, et, à l'expiration de la dite période, continuera à produire ses effets sous réserve du droit de chacune des Hautes Parties Contractantes d'y mettre fin sur préavis de douze mois.

IV.

Le présent Traité sera ratifié aussitôt que faire se pourra, conformément aux méthodes constitutionnelles des Hautes Parties contractantes; il entrera en vigueur dès le dépôt des ratifications qui sera effectué à Washington; sur quoi, la Convention entre la Grande Bretagne et le Japon, conclue à Londres le 13 Juillet 1911, prendra fin. Le Gouvernement des États-Unis remettra à chacune des Puissances signataires une copie certifiée conforme du procès-verbal de dépôt des ratifications.

Le présent Traité, en français et en anglais, restera déposé dans les archives du Gouvernement des États-Unis et des copies certifiées conformes en seront remises par ce Gouvernement à chacune des Puissances Signataires.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent Traité.

with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III.

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV.

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

In faith whereof the above named Plenipotentiaries have signed the present Treaty.

Fait à Washington, le treize
Décembre mil neuf cent vingt
et un.

Done at the City of Washing-
ton, the thirteenth day of De-
cember, One Thousand Nine Hun-
dred and Twenty-One.

| | | |
|---------|----------------------|---------|
| | CHARLES EVANS HUGHES | [L. s.] |
| | HENRY CABOT LODGE | [L. s.] |
| | OSCAR W UNDERWOOD | [L. s.] |
| | ELIHU ROOT | [L. s.] |
| | ARTHUR JAMES BALFOUR | [L. s.] |
| | LEE OF FAREHAM. | [L. s.] |
| | A. C. GEDDES | [L. s.] |
| [L. s.] | R. L. BORDEN. | |
| [L. s.] | G. F. PEARCE | |
| [L. s.] | JOHN W SALMOND | |
| [L. s.] | ARTHUR JAMES BALFOUR | |
| [L. s.] | V S SRINIVASA SASTRI | |
| [L. s.] | RENÉ VIVIANI | |
| [L. s.] | A SARRAUT | |
| [L. s.] | JUSSERAND | |
| [L. s.] | T. KATO | |
| [L. s.] | K. SHIDEHARA | |
| [L. s.] | TOKUGAWA IYESATO | |
| [L. s.] | M. HANIHARA | |

And Whereas the said Treaty has been duly ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 17, 1923;

And Whereas the said Treaty was ratified by the United States subject to the reservation and understanding that "The United States understands that under the statement in the preamble and under the terms of this Treaty there is no commitment to armed force, no alliance, no obligation to join in any defense";

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the aforesaid understanding and reservation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington this twenty-first day of August in the year of our Lord one thousand nine hundred and [SEAL.] twenty-three, and of the Independence of the United States of America the one hundred and forty-eighth.

CALVIN COOLIDGE

By the President:

CHARLES E. HUGHES
Secretary of State.

[DECLARATION SIGNED SEPARATELY IN ENGLISH AND
IN FRENCH.]

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

Il est déclaré, au moment de signer ce jour le traité entre les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon, que c'est la volonté et l'intention des Puissances signataires:

1. Que le traité s'appliquera aux Iles sous mandat situées dans l'Océan Pacifique; sous réserve cependant que la conclusion du traité ne pourra être considérée comme impliquant l'assentiment, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion, entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux Iles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

Washington, le treize Décembre, dix-neuf cent vingt et un.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

[DECLARATION SIGNED SEPARATELY IN ENGLISH AND
IN FRENCH.]

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

Il est déclaré, au moment de signer ce jour le traité entre les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon, que c'est la volonté et l'intention des Puissances signataires:

1. Que le traité s'appliquera aux Iles sous mandat situées dans l'Océan Pacifique; sous réserve cependant que la conclusion du traité ne pourra être considérée comme impliquant l'assentiment, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion, entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux Iles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

Washington, le treize Décembre, dix-neuf cent vingt et un.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

PROCÈS-VERBAL

OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE AND JAPAN, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE REGION OF THE PACIFIC OCEAN, CONCLUDED AT WASHINGTON, DECEMBER 13, 1921.

In conformity with Article IV of the Treaty between the United States of America, the British Empire, France and Japan relating to their insular possessions and insular dominions in the region of the Pacific Ocean, concluded at Washington on December 13, 1921, the undersigned representatives of the United States of America, the British Empire, France and Japan this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of America of the instruments of ratification of the said Treaty by the governments they represent.

The representative of the United States of America declared that the instrument of ratification of the United States is deposited with the reservation and understanding, recited in the ratification, that—

“The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.”

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

IN WITNESS WHEREOF, the present procès-verbal, of which a certified copy will be sent by the Government of the United States of America to each one of the Powers signatory to the said treaty, is signed:

Done at Washington, August 17, 1923, at 12 o'clock.

For the United States:

CHARLES EVANS HUGHES [SEAL]

For the British Empire:

H. G. CHILTON [SEAL]

For France:

ANDRÉ DE LABOULAYE [SEAL]

For Japan:

M. HANIHARA [SEAL]

(8)

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前記條約ニ使用セラレタル「島嶼タル屬地及島嶼タル領地」ナル語ハ之ヲ日本國ニ適用スルニ付テハ單ニ樺太（即チ薩哈噠島ノ南端）、費州及澎湖列島竝日本國ノ委任統治ノ下ニ在ル諸島ノミヲ包含スルモノトス本協定ハ前記條約ニ追加トシテ之ト同一ノ效力ヲ有ス

千九百二十一年十二月十三日ノ前記條約中批准ニ關スル第四條ノ規定ハ本協定ニ之ヲ適用スルヲ決定ハ佛蘭西語及英吉利語ヲ以テ本文トシ合衆國政府ノ書簽

太平洋方面ニ於テハ長嶽タル
馬尼ラ及諸島ニ於テハ領地ニ歸スル

四國條約進程協定

一九二二年(大正十一年)二月六日 署名調印

同 年 八月五日 批准

一九二三年(大正十二年)九月一七日 華盛頓ニ於テ
批准書寄託

同 年 同月同日 公布

同 年 同月同日 實施

亞米利加合衆國、英帝國、佛蘭西國及日本國ハ千九
百二十一年十二月十三日華盛頓ニ於テ署名シタル四
國條約ノ追加タル左ノ條項ヲ各其ノ全權委員ニ依リ
協定シタリ

太平洋方面ニ於テ外島嶼タル
馬尼ラ及島嶼等ノ領地ニ關スル
四國條約進程協定

一九二二年(大正十一年)二月六日 署名 調印

同 年 八月五日 批准

一九二三年(大正十二年)八月二十七日 批准 登記 於テ

同 年 同月同日 公布

同 年 同月同日 實施

亞米利加合衆國、英帝國、佛蘭西國及日本國ハ千九
百二十一年十二月十三日華盛頓ニ於テ署名シタル四
國條約ノ追加タル左ノ條項ヲ各其ノ全權委員ニ依リ
協定シタリ

前記條約ニ使用セラレタル「島嶼タル島地及島嶼タ
ル領地」ナル語ハ之ヲ日本國ニ適用スルニ付テハ單
ニ樺太(即チ陸路陸軍ノ南端)、露島及澎湖列島並日本國
ノ委任統治ノ下ニ在ル諸島ノミヲ包含スルモノトス
本協定ハ前記條約ニ追加トシテ之ト同一ノ效方ヲ有
ス

千九百二十一年十二月十三日ノ前記條約中批准ニ關
スル第四條ノ規定ハ本協定ニ又テ適用スルニ關シ佛
蘭西語及英吉利語ヲ以テ本文トシ合衆國政府ノ記號

ニ寄託保存セラルハク其ノ認証原本ハ同政府之ヲ他ノ各締約國ニ送付スハシ

右證據トシテ前記各全權委員ハ本協定ニ署名ス

千九百二十二年二月六日華盛頓市ニ於テ之ヲ作成ス

| | | | | | |
|--------|--------|---------|------|-----|-----|
| チャールズ、 | エヴァンス、 | ヒューズ | (印) | | |
| ヘンリー、 | カボット、 | ロツジ | (印) | | |
| オスカー、 | ダブリユ、 | アンダウッド | (印) | | |
| エリヒュー、 | ル | ト | (印) | | |
| アーサー、 | ジェームス、 | バルフォア | (印) | | |
| リ、 | オヴ、 | フエアラム | (印) | | |
| エー、 | シー、 | ゲデス | (印) | | |
| アール、 | エル、 | ボーデン | (印) | | |
| ジ、 | エフ、 | ピアス | (印) | | |
| ジョン、 | ダブリユ、 | サルモンド | (印) | | |
| アーサー、 | ジェームス、 | バルフォア | (印) | | |
| ヴァイ、 | エス、 | スリニヴァサ、 | サストリ | (印) | |
| ア | サ | ロ | ト | (印) | |
| ジ | ユ | ス | ラ | ン | (印) |
| 加 | 原 | 友 | 三 | 郎 | (印) |
| 榎 | 原 | 喜 | 重 | 郎 | (印) |
| | 原 | 正 | | 直 | (印) |

亞米利加合衆國、英帝國、佛蘭西國及日本國間二千九百二十一年十二月十三日締結セラレタル太平洋方面ニ於ケル島嶼タル屬地及島嶼タル領地ニ追加トシテ右各島嶼間二千九百二十二年二月六日華盛頓ニ於テ締結セラレタル協定ノ批准書寄託證書

一九二三年(天正三年)八月一七日華盛頓ニ於テ署名調印

同

年 一〇月一五日告 示

亞米利加合衆國、英帝國、佛蘭西國及日本國間二千九百二十一年十二月十三日華盛頓ニ於テ締結セラレタル太平洋方面ニ於ケル島嶼タル屬地及島嶼タル領地ニ追加トシテ右四國間二千九百二十二年二月六日華盛頓ニ於テ締結セラレタル協定ニ從ヒ亞米利加合衆國、英帝國、佛蘭西國及日本國ノ代表者タル下名ハ其ノ代表スル政府ノ前記協定ノ批准書ヲ亞米利加合衆國政府ニ寄託スル爲本日華盛頓ニ於ケル國務省ニ會合セリ

亞米利加合衆國ノ代表者ハ合衆國ノ批准書ハ該批准書中ニ記載セル留保及了解ヲ以テ寄託セララルモノ

亞米利加合衆國、英帝國、佛
 國西國及日本國間二千九百二
 十一年十二月十三日締結セラ
 レタル太平洋方面ニ於ケル島
 嶼タル屬地及島嶼タル領地ニ
 關スル條約ノ追加トシテ右各
 國間二千九百二十二年二月六
 日華盛頓ニ於テ締結セラレタ
 ル協定ノ批准書寄託證書

一九二三年(大正十二年)八月一七日 華盛頓ニ於
テ署名調印

同 年 一〇月一五日 告 示

亞米利加合衆國、英帝國、佛蘭西國及日本國間二千
 九百二十一年十二月十三日華盛頓ニ於テ締結セラレ
 タル太平洋方面ニ於ケル島嶼タル屬地及島嶼タル領
 地ニ關スル條約ノ追加トシテ右四國間二千九百二十
 二年二月六日華盛頓ニ於テ締結セラレタル協定ニ從
 ヒ亞米利加合衆國、英帝國、佛蘭西國及日本國ノ代
 表者タル下名ハ其ノ代表スル政府ノ前記協定ノ批准
 書ヲ亞米利加合衆國政府ニ寄託スル爲本日華盛頓ニ
 於ケル國務省ニ會合セリ

亞米利加合衆國ノ代表者ハ合衆國ノ批准書ハ該批准
 書中ニ記載セル留保及了解ヲ以テ寄託セララルモノ

ナルコトヲ聲明シタリ右留保及了併ハ千九百二十一年十二月十三日ノ條約ノ署名國タル四國ノ全權委員ニ依リ千九百二十一年十二月十三日署名セラレタル意嚮及了併ニ關スル聲明ヲ再述スルモノニシテ即左ノ如シ

- 一 太平洋ニ於ケル屬地ニ關スル四國條約ハ太平洋ニ於ケル委任統治諸島ニ之ヲ適用ス但シ該條約ノ締結ハ之ヲ以テ亞米利加合衆國カ右委任統治ニ對シ同意ヲ與ヘタルモノト認ムルコトヲ得ス且亞米利加合衆國ト當該受任國トノ間ニ右委任統治諸島ニ關スル協定ノ締結ヲ妨クルモノニ非ス
- 二 太平洋ニ於ケル屬地ニ關スル四國條約第一條第二項ニ掲クル爭議ハ國際法ノ原則ニ依リ專ラ當該國ノ國內法權ニ屬スル問題ヲ含ムモノト併スヘカラス

提出セラレタル批准書ハ之ヲ審査シ其ノ妥當ナルヲ認メタルヲ以テ國務省ノ記録ニ寄託スル爲亞米利加合衆國政府ニ之ヲ委託シタリ

右證據トシテ本調書ニ署名セリ其ノ認證謄本ハ亞米利加合衆國之ヲ前記條約ノ各署名國ニ送付スヘシ

千九百二十三年八月十七日正午華盛頓ニ於テ

亞米利加合衆國

チアムス、エザンス、ヒューズ (印)

英 帝 國

エッチ、ジ、チルトン (印)

佛 國 西 國

アンドレー、ド、ラブレイイ (印)

日 本 國

植 原 正 直 (印)

千九百二十三年八月十七日正午華盛頓ニ於テ

亞米利加合衆國

チアールズ、エザアンス、ヒューズ (印)

英 帝 國

エツチ、ジ、チルトン (印)

佛 國

アンドレー、ドラブレイ (印)

日 本 國

地 原 正 直 (印)

TREATY SERIES, No. 670

AGREEMENT

BETWEEN THE

UNITED STATES, THE BRITISH EMPIRE,
FRANCE AND JAPAN

SUPPLEMENTARY TO THE TREATY OF DECEMBER 13, 1921,
BETWEEN THE SAME FOUR POWERS RELATING TO
THEIR INSULAR POSSESSIONS AND INSULAR
DOMINIONS IN THE REGION OF
THE PACIFIC OCEAN

SIGNED AT WASHINGTON, FEBRUARY 6, 1922
RATIFICATION ADVISED BY THE SENATE, WITH A RESERVATION
AND UNDERSTANDING, MARCH 27, 1922
RATIFIED BY THE PRESIDENT, JUNE 9, 1923
RATIFICATIONS DEPOSITED WITH THE GOVERNMENT OF THE
UNITED STATES, AUGUST 17, 1923
PROCLAIMED, AUGUST 21, 1923



WASHINGTON
GOVERNMENT PRINTING OFFICE
1923

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas an Agreement between the United States of America, the British Empire, France and Japan, supplementary to the Treaty between the same four Powers relating to their insular possessions and insular dominions in the region of the Pacific Ocean, signed at Washington on December 13, 1921, was concluded and signed by their respective Plenipotentiaries at Washington on February 6, 1922, the original of which Agreement, in the English and French languages, is word for word as follows:

Les États-Unis d'Amérique, l'Empire Britannique, la France et le Japon ont convenu, par l'entremise de leurs Plénipotentiaires respectifs, d'ajouter la clause suivante au Traité signé entre les quatre Puissances à Washington le 13 décembre 1921.

Les expressions "possessions insulaires" et "dominions insulaires" employées dans le dit Traité ne s'appliquera, en ce qui concerne le Japon, qu'au Karafuto (c'est-à-dire à la partie sud de l'île de Sakhaline) à Formose et aux Pescadores, ainsi qu'aux îles placées sous le mandat du Japon.

Le présent accord aura même force et valeur que le dit Traité dont il forme une clause supplémentaire.

Les dispositions touchant les ratifications, contenues dans l'article IV du dit Traité du 13 décembre 1921, seront applicables au présent accord. Le texte, rédigé en français et en anglais, restera déposé dans les archives du Gouvernement des États-Unis. Une expédition authentique en sera remise par ce Gouvernement à chacune des autres Puissances Contractantes.

En foi de quoi, les Plénipotentiaires des Puissances susnommées ont signé au présent accord.

The United States of America, the British Empire, France and Japan have, through their respective Plenipotentiaries, agreed upon the following stipulations supplementary to the Quadruple Treaty signed at Washington on December 13, 1921:

The term "insular possessions and insular dominions" used in the aforesaid Treaty shall, in its application to Japan, include only Karafuto (or the Southern portion of the island of Sakhalin), Formosa and the Pescadores, and the islands under the mandate of Japan.

The present agreement shall have the same force and effect as the said Treaty to which it is supplementary.

The provisions of Article IV of the aforesaid Treaty of December 13, 1921, relating to ratification shall be applicable to the present Agreement, which in French and English shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to each of the other Contracting Powers.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.

Fait à Washington le six février, mil neuf cent vingt-deux. Done at the City of Washington, the sixth day of February, One Thousand Nine Hundred and Twenty-two.

| | | |
|---------|----------------------|---------|
| | CHARLES EVANS HUGHES | [L. S.] |
| | HENRY CABOT LODGE | [L. S.] |
| | OSCAR W UNDERWOOD | [L. S.] |
| [L. S.] | ELIHU ROOT | |
| [L. S.] | ARTHUR JAMES BALFOUR | |
| [L. S.] | LEE OF FAREHAM. | |
| [L. S.] | A. C. GEDDES | |
| [L. S.] | R. L. BORDEN. | |
| [L. S.] | G. F. PEARCE | |
| [L. S.] | JOHN W SALMOND | |
| [L. S.] | ARTHUR JAMES BALFOUR | |
| [L. S.] | V S SRINIVASA SASTRI | |
| | A SARRAUT | [L. S.] |
| | JUSSERAND | [L. S.] |
| | T. KATO | [L. S.] |
| | K. SHIDEHARA | [L. S.] |
| | M. HANIHARA | [L. S.] |

And Whereas the said Agreement has been ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 17, 1923;

And Whereas the said Agreement was ratified by the United States subject to the following reservation and understanding, which repeats the declaration of intent and understanding made by the representatives of the Powers signatories of the said Treaty relating to their insular possessions and insular dominions in the region of the Pacific Ocean:

"1. That the Four Power Treaty relating to Pacific Possessions shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the Mandatory Powers respectively in relation to the mandated islands.

"2. That the controversies to which the second paragraph of Article 1 of the Four Power Treaty relating to Pacific Possessions refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers."

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Agreement to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled in good faith by the United States and the citizens thereof, subject to the aforesaid reservation and understanding.

In testimony whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the City of Washington this twenty-first day of August
in the year of our Lord one thousand nine hundred
and twenty three, and of the Independence of the
[SEAL.] United States of America the one hundred and forty-
eighth.

CALVIN COOLIDGE

By the President:

CHARLES E. HUGHES
Secretary of State.

PROCÈS-VERBAL

OF DEPOSIT OF RATIFICATIONS OF THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE AND JAPAN, CONCLUDED AT WASHINGTON, FEBRUARY 6, 1922, SUPPLEMENTARY TO THE TREATY CONCLUDED BETWEEN THEM ON DECEMBER 13, 1921, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE REGION OF THE PACIFIC OCEAN.

In conformity with the Agreement between the United States of America, the British Empire, France and Japan, concluded at Washington on February 6, 1922, supplementary to the Treaty concluded between the same Four Powers at Washington on December 13, 1921, relating to their insular possessions and insular dominions in the region of the Pacific Ocean, the undersigned representatives of the United States of America, the British Empire, France and Japan this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of America of the instruments of ratification of the said Agreement by the governments they respectively represent.

The representative of the United States of America declared that the instrument of ratification of the United States is deposited with the reservation and understanding recited in the ratification, and which repeats the declaration of intent and understanding signed on December 13, 1921, by the Plenipotentiaries of the Four Powers Signatories of the Treaty of December 13, 1921, as follows:

"1. That the Four Power Treaty relating to Pacific Possessions shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of the United States of America to the mandates and shall not preclude agreements between the United States of America and the Mandatory Powers respectively in relation to the mandated islands.

"2. That the controversies to which the second paragraph of Article I of the Four Power Treaty relating to Pacific Possessions refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers."

The instruments of ratification produced, having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

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IN WITNESS WHEREOF, the present procès-verbal, of which a certified copy will be sent by the Government of the United States of America to each one of the Powers signatory to the said Treaty, is signed.

Done at Washington, August 17, 1923, at 12 o'clock.

For the United States of America:

CHARLES EVANS HUGHES [SEAL]

For the British Empire:

H. G. CHILTON [SEAL]

For France:

ANDRÉ DE LABOULAYE [SEAL]

For Japan:

M. HANIHARA [SEAL]

○

Doc 106

太平洋方面ニ於ケル和蘭國ノ
島嶼タル屬地ニ關スル權利尊
重ニ關スル聲明

一九二二年(大正一〇年)二月五日附
一九二三年(大正一二年)八月一七日附

四國條約ニ關シテ日英米佛四國政府ハ和蘭國政府ニ對シ當
該國駐列ノ各自國使臣ヲシテ左ノ趣旨ノ公文ヲ送付セシムル
コトニ決シ帝國政府ハ和蘭國政府ニ宛テ大正十年二月五日附
キ以テ左ノ文付テ了セリ

日本國ハ亞米利加合衆國、英帝國及佛蘭西國トノ
間ニ、一般ノ平和ヲ確保シ且太平洋方面ニ於ケル
各自ノ島嶼タル屬地及島嶼タル領地ニ關スル其ノ
權利ヲ維持スルノ目的ヲ以テ千九百二十一年十二

月十三日條約ヲ締結シ之ニ依リ締約國ハ互ニ右屬
地及領地ニ關スル其ノ權利ヲ尊重スルコトヲ協定
セリ

和蘭國ハ前記條約ノ署名國ニ非ス從テ太平洋方面
ニ於ケル同國ノ屬地ハ前記協定中ニ包含セラレサ
ルニ因リ日本國政府ハ該條約ノ精神ニ反スル斷定
ノ生スル餘地ナカラシムルコトヲ望ミ太平洋方面
ニ於ケル和蘭國ノ島嶼タル屬地ニ關スル同國ノ權
利ヲ尊重スルコトヲ固ク決意シタル旨茲ニ聲明セ
ムト欲ス

太平洋方面ニ於ケル葡萄牙國ノ島嶼タル屬地ニ關スル權利尊重ニ關スル聲明

一九三三年(大正二年)二月二日附
一九三三年(大正二年)八月二七日告示

四國條約ニ關シテ日英佛西四國政府ハ葡萄牙國政府ニ對シ
當該國駐留ノ各自國使臣ヲシテ左ノ趣旨ノ公文ヲ送付セシム
ルコトニ決シ帝國政府ハ葡萄牙國政府ニ宛テ大正十一年二月
十二日附テ以テ左ノ通達付テ了セリ

Ex 27

日本國ハ亞米利加合衆國、英帝國及佛蘭西國トノ
間ニ、一般ノ平和ヲ確保シ且太平洋方面ニ於ケル
各自ノ島嶼タル屬地及島嶼タル領地ニ關スル其ノ
權利ヲ維持スルノ目的ヲ以テ千九百二十一年十二
月十三日條約ヲ締結シ之ニ依リ締約國ハ互ニ右屬
地及領地ニ關スル其ノ權利ヲ尊重スルコトヲ協定
セリ

葡萄牙國ハ前記條約ノ署名國ニ非ス從テ太平洋方
面ニ於ケル同國ノ屬地ハ前記協定中ニ包含セラレ

サルニ因リ日本國政府ハ該條約ノ精神ニ反スル斷
定ノ生スル餘地ナカラシムコトヲ望ミ太平洋方
面ニ於ケル葡萄牙國ノ島嶼タル屬地ニ關スル同國
ノ權利ヲ尊重スルコトヲ固ク決意シタル旨茲ニ聲
明セムト欲ス

亞米利加合衆國、英帝國、佛蘭
西國及日本國間ニ千九百二十
一年十二月十三日華盛頓ニ於
テ締結セラレタル太平洋方面
ニ於ケル島嶼タル屬地及島嶼
タル領地ニ關スル條約ノ批准
書寄託調書

一九三三年(大正二年)八月二七日華盛頓ニ於
テ署名調印
同 年一〇月二五日 告示

亞米利加合衆國、英帝國、佛蘭西國及日本國間ニ

千九百二十一年十二月十三日華盛頓ニ於テ締結セ
ラレタル太平洋方面ニ於ケル島嶼タル屬地及島嶼
タル領地ニ關スル條約第四條ニ從ヒ亞米利加合衆
國、英帝國、佛蘭西國及日本國ノ代表者タル下名
ハ其ノ代表スル政府ノ前記條約ノ批准書ヲ亞米利
加合衆國政府ニ寄託スル爲本日本華盛頓ニ於ケル國
務省ニ會合セリ

亞米利加合衆國ノ代表者ハ合衆國ノ批准書ハ該批
准書中ニ記載セル左ノ留保及了解ヲ以テ寄託セラ
ルモノナルコトヲ聲明シタリ

合衆國ハ本條約ノ前文ノ記述ニ於テ又ハ其ノ條
項ニ於テ武力ニ關スル約定ナク同盟ナク又防禦
ニ參加スヘキ義務ナシト了解ス

提出セラレタル批准書ハ之ヲ審査シ其ノ妥當ナル

ヲ認メタルヲ以テ國務省ノ記録ニ寄託スル爲亞米
利加合衆國政府ニ之ヲ委託シタリ

右證據トシテ本調書ニ署名セリ其ノ認證略本ハ亞
米利加合衆國政府ノ前記條約ノ各署名國ニ送付
スヘシ

千九百二十三年八月十七日正午華盛頓ニ於テ

合衆國
チャールズ、エヴァンス、ヒートズ (印)
英帝國
エ、チ、ジ、イ、ナルトソン (印)
佛蘭西國
アンドレ、ド、ラザレ、イ (印)
日本國
坂 原 正 直 (印)

DECLARATION OF JAPAN REGARDING
HER RESOLUTION OF RESPECTING
RIGHTS OF PORTUGAL IN RELATION
TO HER INSULAR POSSESSIONS
IN REGION OF PACIFIC OCEAN.

Published August 17, 1923 (12th year of Taisho).

Japan has concluded on December 13th, 1921, with the United States of America, the British Empire and France a treaty with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. They have agreed thereby as between themselves to respect their rights in relation to these possessions and dominions.

Portugal not being a signatory of the said treaty and Portuguese possessions in the region of

the Pacific Ocean therefore not being included in the agreement referred to, the Government of Japan, anxious to forestall any conclusion contrary to the spirit of the treaty, desires to declare that it is firmly resolved to respect the rights of Portugal in relation to her insular possessions in the region of the Pacific Ocean.

PROCÈS-VERBAL

Of Deposit of Ratifications of the Treaty between The United States of America, The British Empire, France and Japan, Relating to their insular possessions and insular dominions in the region of the Pacific Ocean, concluded at Washington, December 13, 1921.

In conformity with Article IV of the Treaty

between the United States of America, the British Empire, France and Japan relating to their insular possessions and insular dominions in the region of the Pacific Ocean, concluded at Washington on December 13, 1921, the undersigned representatives of the United States of America, the British Empire, France and Japan this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of America of the instruments of ratification of the said Treaty by the governments they represent.

The representative of the United States of America declared that the instrument of ratification of the United States is deposited with the reservation and understanding, recited in the ratification, that—

“The United States understands that under the Statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.”

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

IN WITNESS WHEREOF, the present procès-verbal, of which a certified copy will be sent by the Government of the United States of America to each one of the Powers signatory to the said treaty, is signed:

Done at Washington, August 17, 1923, at 12 o'clock.

For the United States:

CHARLES EVANS HUGHES (Seal)

For the British Empire:

H. G. CHILTON (Seal)

For the France:

ANDRÉ DE LABOULAYE (Seal)

For Japan:

M. HANIHARA (Seal)

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RIGHTS OF PORTUGAL IN RELA-
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M. HANIHARA (Seal)

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TREATY SERIES, No. 723

PRINCIPLES AND POLICIES
TO BE FOLLOWED
IN MATTERS CONCERNING CHINA

TREATY
BETWEEN THE UNITED STATES OF AMERICA
BELGIUM, THE BRITISH EMPIRE, CHINA
FRANCE, ITALY, JAPAN, THE
NETHERLANDS, AND PORTUGAL
(NINE-POWER TREATY)

Signed at Washington, February 6, 1922.
Ratification advised by the Senate of the United States, March
30, 1922.
Ratified by the President of the United States, June 9, 1923.
Ratifications deposited with the Government of the United
States, August 5, 1925.
Proclaimed by the President of the United States, August 5, 1925.

AND
PROCÈS-VERBAL OF DEPOSIT OF RATIFICATIONS



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1937

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AND
PROCÈS-VERBAL OF DEPOSIT OF RATIFICATIONS



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1937

Notes

The citation for this treaty is 43 Stat. (pt. 2) 2113.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas a Treaty between the United States of America, the British Empire, Belgium, China, France, Italy, Japan, the Netherlands, and Portugal, relating to the Principles and Policies to be followed in matters concerning China, was concluded and signed by their respective plenipotentiaries at Washington on February 6, 1922, the original of which Treaty, in the English and French languages, is word for word as follows:

Les Etats-Unis d'Amérique, la Belgique, l'Empire Britannique, la Chine, la France, l'Italie, le Japon, les Pays-Bas et le Portugal:

Désireux d'adopter une politique de nature à stabiliser les conditions de l'Extrême Orient, à sauvegarder les droits et intérêts de la Chine et à développer les relations entre la Chine et les autres Puissances sur la base de l'égalité des chances;

Ont décidé de conclure un traité à cet effet et ont désigné pour leurs plenipotentiaries respectifs:

Le Président des Etats-Unis d'Amérique:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,
citoyens des Etats-Unis;

Sa Majesté le Roi des Belges:

Le baron de Cartier de Marchienne, Commandeur de l'Ordre de Léopold et de l'Ordre de la Couronne, Son Ambassadeur Extraordinaire et Plenipotentiaire à Washington;

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal:

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose and to that end have appointed as their respective Plenipotentiaries;

The President of the United States of America:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,
citizens of the United States;

His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O. M., M. P., Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G. B. E., K. C. B., Premier Lord de l'Amirauté.

Le Très-Honorable Sir Auckland Campbell Geddes, K. C. B., Son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

et

pour le Dominion du Canada:

Le Très-Honorable Sir Robert Laird Borden, G. C. M. G., K. C.;

pour le Commonwealth d'Australie:

Le Très-Honorable George Foster Pearce, Sénateur, Ministre de l'Intérieur et des Territoires;

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir John William Salmond, K. C., Juge à la Cour Suprême de Nouvelle-Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O. M., M. P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République Chinoise:

Mr. Sao-Ke Alfred Sze, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China:

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;

M. V. K. Wellington Koo,
Envoyé Extraordinaire et
Ministre Plénipotentiaire
à Londres;

M. Chung-Hui Wang,
Ancien Ministre de la
Justice;

Le Président de la République
Française:

M. Albert Sarraut, Député,
Ministre des Colonies;

M. Jules J. Jusserand, Am-
bassadeur Extraordinaire
et Plénipotentiaire près le
Président des Etats-Unis
d'Amérique, Grand Croix
de l'Ordre National de la
Légion d'Honneur;

Sa Majesté le Roi d'Italie:

L'Honorable Carlo Schanzer,
Sénateur du Royaume;

L'Honorable Vittorio Rolan-
di Ricci, Sénateur du
Royaume, Son Ambassa-
deur Extraordinaire et
Plénipotentiaire à Wash-
ington;

L'Honorable Luigi Albertini,
Sénateur du Royaume;

Sa Majesté l'Empereur du
Japon:

Le Baron Tomosaburo Kato,
Ministre de la Marine,
Junii, Membre de la Pre-
mière Classe de l'Ordre
Impérial du Grand Cor-
don du Soleil Levant avec
la Fleur de Paulonia;

Le Baron Kijuro Shidehara,
Son Ambassadeur Extra-
ordinaire et Plénipoten-
tiaire à Washington, Jo-
shii, Membre de la Pre-
mière Classe de l'Ordre
Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-
Ministre des Affaires
Etrangères, Jushii, Mem-
bre de la Seconde Classe
de l'Ordre Impérial du
Soleil Levant;

Mr. V. K. Wellington Koo,
Envoy Extraordinary and
Minister Plenipotentiary
at London;

Mr. Chung-Hui Wang,
former Minister of Justice.

The President of the French
Republic:

Mr. Albert Sarraut, Deputy,
Minister of the Colonies;

Mr. Jules J. Jusserand, Am-
bassador Extraordinary
and Plenipotentiary to the
United States of America,
Grand Cross of the Na-
tional Order of the Legion
of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schan-
zer, Senator of the King-
dom;

The Honourable Vittorio Ro-
landi Ricci, Senator of the
Kingdom, His Ambassa-
dor Extraordinary and
Plenipotentiary at Wash-
ington;

The Honourable Luigi Al-
bertini, Senator of the
Kingdom;

His Majesty the Emperor of
Japan:

Baron Tomosaburo Kato,
Minister for the Navy,
Junii, a member of the
First Class of the Im-
perial Order of the Grand
Cordon of the Rising Sun
with the Paulownia Flow-
er;

Baron Kijuro Shidehara, His
Ambassador Extraordi-
nary and Plenipotentiary
at Washington, Joshii, a
member of the First Class
of the Imperial Order of
the Rising Sun;

Mr. Masanao Hanihara, Vice
Minister for Foreign Af-
fairs, Jushii, a member of
the Second Class of the
Imperial Order of the Ris-
ing Sun;

Sa Majesté la Reine des Pays-Bas:

Le Jonkheer Frans Beelaerts van Blokland, Son Envoyé Extraordinaire et Ministre Plénipotentiaire;

Le Jonkheer Willem Hendrik de Beaufort, Ministre Plénipotentiaire, Chargé d'Affaires à Washington;

Le Président de la République Portugaise:

M. José Francisco de Horta Machado da Franca, Vicomte d'Alte, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. Ernesto Julio de Carvalho e Vasconcelos, Capitaine de Vaisseau, Directeur Technique du Ministère des Colonies.

lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

ARTICLE I.

Les Puissances Contractantes, autres que la Chine, conviennent:

1) de respecter la souveraineté et l'indépendance ainsi que l'intégrité territoriale et administrative de la Chine;

2) d'offrir à la Chine, de la manière la plus complète et la plus libre d'entraves, la possibilité de s'assurer les avantages permanents d'un Gouvernement stable et efficace;

3) d'user de leur influence en vue d'établir effectivement et de maintenir en application sur tout le territoire de la Chine le principe de la chance égale pour le commerce et l'industrie de toutes les nations;

4) de s'abstenir de tirer avantage des circonstances en Chine pour rechercher des droits ou privilèges spéciaux susceptibles

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office.

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

The Contracting Powers, other than China, agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge

de porter atteinte aux droits des ressortissants d'Etats amis; elles s'abstiendront également de favoriser toute action constituant une menace pour la sécurité des dits Etats amis.

ARTICLE II.

Les Puissances Contractantes conviennent de ne participer à aucun traité, accord, arrangement ou entente soit conclus entre elles, soit conclus séparément ou collectivement avec une ou plusieurs Puissances, qui porterait atteinte ou contreviendrait aux principes déclarés dans l'Article I.

ARTICLE III.

En vue d'appliquer avec plus d'efficacité les principes de la porte ouverte ou de la chance égale pour le commerce et l'industrie de toutes les nations en Chine, les Puissances Contractantes autres que la Chine, conviennent de ne pas rechercher, ni aider leurs ressortissants à rechercher:

a) la conclusion d'accords qui tendraient à établir en faveur de leurs intérêts des droits généraux supérieurs à ceux des autres touchant le développement commercial ou économique dans une région déterminée de la Chine;

b) l'obtention de monopoles ou traitements préférentiels de nature à priver les ressortissants d'autres puissances du droit d'entreprendre en Chine toute forme légitime de commerce ou d'industrie, ou de participer, soit avec le Gouvernement chinois, soit avec des autorités locales, à toute catégorie d'entreprises ayant un caractère public, ou de monopoles ou traitements préférentiels qui, en raison de leur portée, de leur durée ou de leur étendue territoriale, seraient de nature à constituer en pratique une violation du principe de la

the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

ARTICLE II.

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or, individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

ARTICLE III.

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking—

(a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category or public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to

chance égale. Toutefois le présent accord ne devra pas être interprété comme interdisant l'acquisition de tels biens ou droits qui pourraient être nécessaires soit à la conduite d'entreprises particulières commerciales, industrielles ou financières, soit à l'encouragement des inventions et recherches.

La Chine s'engage à adopter les principes ci-dessus comme guides en ce qui concerne la suite à donner aux demandes de droits et privilèges économiques de la part de Gouvernements ou ressortissants de tous pays étrangers, qu'ils soient ou non parties au présent Traité.

ARTICLE IV.

Les Puissances Contractantes conviennent de ne pas donner leur appui à des accords qui seraient conclus entre leurs ressortissants respectifs avec l'intention d'établir au profit de ces derniers des sphères d'influence ou de leur assurer des avantages exclusifs dans des régions déterminées du territoire chinois.

ARTICLE V.

La Chine s'engage à n'appliquer ni permettre, sur aucun chemin de fer chinois, aucune discrimination injuste d'aucune sorte. En particulier il ne devra pas y avoir de discrimination directe ou indirecte, quelle qu'elle soit, en matière de tarifs ou de facilités de transports, qui soit basée:

- soit sur la nationalité des voyageurs,
- soit sur le pays dont ils viennent, soit sur celui de leur destination,
- soit sur l'origine des marchandises, le caractère des propriétaires, ou le pays de provenance ou de destination;

prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries, whether parties to the present Treaty or not.

ARTICLE IV.

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

ARTICLE V.

China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

soit sur la nationalité du navire ou sur le caractère du propriétaire du navire ou de tout autre moyen de transport à l'usage des voyageurs ou des marchandises, employé avant ou après le transport par un chemin de fer chinois.

Les autres Puissances Contractantes prennent de leur côté un engagement similaire concernant les lignes chinoises de chemin de fer sur lesquelles soit elles-mêmes, soit leurs ressortissants seraient en mesure d'exercer le contrôle en vertu d'une concession, d'un accord spécial ou autrement.

ARTICLE VI.

Les Puissances Contractantes, autres que la Chine, conviennent de respecter pleinement, au cours des guerres auxquelles la Chine ne participerait pas, les droits de cette dernière en tant que puissance neutre; la Chine, d'autre part, déclare que lorsqu'elle sera neutre, elle observera les règles de la neutralité.

ARTICLE VII.

Les Puissances Contractantes conviennent que, dans le cas où une situation se produirait qui, dans l'opinion de l'une ou l'autre d'entre elles, comporterait l'application des stipulations du présent Traité et en rendrait la discussion désirable, les Puissances Contractantes en cause échangeront à cet égard de franches et complètes communications.

ARTICLE VIII.

Les Puissances non signataires au présent traité, dont le Gouvernement est reconnu par les

The Contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

ARTICLE VI.

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

ARTICLE VII.

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

ARTICLE VIII.

Powers not signatory to the present Treaty, which have Governments recognized by the Sig-

chance égale. Toutefois le présent accord ne devra pas être interprété comme interdisant l'acquisition de tels biens ou droits qui pourraient être nécessaires soit à la conduite d'entreprises particulières commerciales, industrielles ou financières, soit à l'encouragement des inventions et recherches.

La Chine s'engage à adopter les principes ci-dessus comme guides en ce qui concerne la suite à donner aux demandes de droits et privilèges économiques de la part de Gouvernements ou ressortissants de tous pays étrangers, qu'ils soient ou non parties au présent Traité.

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Powers not signatory to the present Treaty, which have Governments recognized by the Sig-

Puissances signataires et qui ont des relations par traités avec la Chine, seront invitées à adhérer audit présent traité. Dans ce but le Gouvernement des États-Unis fera aux Puissances non-signataires les communications nécessaires; il informera les Puissances Contractantes des réponses reçues. L'adhésion de toute Puissance deviendra effective dès réception des notifications faites à cet égard par le Gouvernement des États-Unis.

ARTICLE IX.

Le présent Traité sera ratifié par les Puissances Contractantes selon les procédures constitutionnelles auxquelles elles sont respectivement tenues. Il prendra effet à la date du dépôt de toutes les ratifications, dépôt qui sera effectué à Washington, le plus tôt qu'il sera possible. Le Gouvernement des États-Unis remettra aux autres Puissances Contractantes une copie authentique du procès-verbal de dépôt des ratifications.

Le présent Traité, dont les textes français et anglais feront foi, restera déposé dans les archives du Gouvernement des États-Unis; des expéditions authentiques en seront remises par ce Gouvernement aux autres Puissances Contractantes.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent Traité.

natory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to nonsignatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE IX.

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the abovenamed Plenipotentiaries have signed the present Treaty.

Fait à Washington le six février mil neuf cent vingt-deux. Done at the City of Washington the Sixth day of February One Thousand Nine Hundred and Twenty-Two.

| | | |
|--------|--------------------------------|--------|
| | CHARLES EVANS HUGHES | [SEAL] |
| | HENRY CABOT LODGE | [SEAL] |
| | OSCAR W UNDERWOOD | [SEAL] |
| | ELIHU ROOT | [SEAL] |
| | BARON DE CARTIER DE MARCHIENNE | [SEAL] |
| | ARTHUR JAMES BALFOUR | [SEAL] |
| | LEE OF FAREHAM | [SEAL] |
| | A. C. GEDDES | [SEAL] |
| | R. L. BORDEN | [SEAL] |
| | G. F. PEARCE | [SEAL] |
| | JOHN W SALMOND | [SEAL] |
| | ARTHUR JAMES BALFOUR | [SEAL] |
| | V S SRINIVASA SASTRI | [SEAL] |
| [SEAL] | SAO-KE ALFRED SZE. | |
| [SEAL] | V. K. WELLINGTON KOO | |
| [SEAL] | CHUNG-HUI WANG | |
| [SEAL] | A SARRAUT | |
| [SEAL] | JUSSERAND | |
| [SEAL] | CARLO SCHANZER | |
| [SEAL] | V. ROLANDI RICCI | |
| [SEAL] | LUIGI ALBERTINI | |
| | T. KATO | [SEAL] |
| | K. SHIDEHARA | [SEAL] |
| | M. HANIHARA | [SEAL] |
| | BEELAERTS VAN BLOKLAND | [SEAL] |
| | W. DE BEAUFORT | [SEAL] |
| | ALTE | [SEAL] |
| | ERNESTO DE VASCONCELOS | [SEAL] |

And Whereas the said Treaty has been duly ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 5, 1925;

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the City of Washington this fifth day of August in the year of our Lord one thousand nine hundred and twenty-five, and of the Independence of the United States of America the one hundred and fiftieth.

CALVIN COOLIDGE

By the President:

FRANK B. KELLOGG

Secretary of State

Puissances signataires et qui ont des relations par traités avec la Chine, seront invitées à adhérer audit présent traité. Dans ce but le Gouvernement des Etats-Unis fera aux Puissances non-signataires les communications nécessaires; il informera les Puissances Contractantes des réponses reçues. L'adhésion de toute Puissance deviendra effective dès réception des notifications faites à cet égard par le Gouvernement des Etats-Unis.

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Le présent Traité, dont les textes français et anglais feront foi, restera déposé dans les archives du Gouvernement des Etats-Unis; des expéditions authentiques en seront remises par ce Gouvernement aux autres Puissances Contractantes.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent Traité.

natory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to non-signatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

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The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Fait à Washington le six février mil neuf cent vingt-deux. Done at the City of Washington the Sixth day of February One Thousand Nine Hundred and Twenty-Two.

| | | |
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| | CHARLES EVANS HUGHES | [SEAL] |
| | HENRY CABOT LODGE | [SEAL] |
| | OSCAR W UNDERWOOD | [SEAL] |
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| | BARON DE CARTIER DE MARCHIENNE | [SEAL] |
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| | ALTE | [SEAL] |
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And Whereas the said Treaty has been duly ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 5, 1925;

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the City of Washington this fifth day of August in the year of our Lord one thousand nine hundred and twenty-[SEAL] five, and of the Independence of the United States of America the one hundred and fiftieth.

CALVIN COOLIDGE

By the President:

FRANK B. KELLOGG

Secretary of State

PROCÈS-VERBAL

OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, BELGIUM, THE BRITISH EMPIRE, CHINA, FRANCE, ITALY, JAPAN, THE NETHERLANDS, AND PORTUGAL, RELATING TO PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS CONCERNING CHINA, CONCLUDED AT WASHINGTON FEBRUARY 6, 1922.

In conformity with Article IX of the Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, relating to principles and policies to be followed in matters concerning China, concluded at Washington February 6, 1922, the undersigned representatives of the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, and Portugal, this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of the instruments of ratification of the said Treaty by the Governments they represent.

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

In Witness Whereof, the present procès-verbal, of which a certified copy will be sent by the Government of the United States of America to each of the Powers signatory to the said treaty, is signed.

Done at Washington, August 5, 1925, at 12 o'clock.

For the United States of America:

FRANK B. KELLOGG [SEAL]

For Belgium:

R. TILMONT [SEAL]

For the British Empire:

H. G. CHILTON [SEAL]

For China:

SAO-KE ALFRED SZE [SEAL]

For France:

E. DAESCHNER [SEAL]

For Italy:

G. DE MARTINO [SEAL]

For Japan:

T. MATSUDAIRA [SEAL]

For the Netherlands:

H. VAN ASCH VAN WYCK [SEAL]

For Portugal:

ALTE [SEAL]

[*Note by the Department of State*]

The ratifications of the signatory powers of the treaty regarding principles and policies to be followed in matters concerning China (Nine-Power Treaty) were duly deposited with the Government of the United States of America on August 5, 1925, as shown by the procès-verbal of deposit of that date,¹ as follows:

| | |
|--------------------------|-------------|
| UNITED STATES OF AMERICA | ITALY |
| BELGIUM | JAPAN |
| BRITISH EMPIRE | NETHERLANDS |
| CHINA | PORTUGAL |
| FRANCE | |

The following countries have adhered to the treaty:

NORWAY, November 18, 1925

BOLIVIA, November 21, 1925

SWEDEN, December 8, 1925

DENMARK, December 30, 1925

MEXICO, September 29, 1927

GERMANY, subject to ratification, December 17, 1925

DEPARTMENT OF STATE,
Washington, October 30, 1937.

¹ *Ante*, p. 10.



TREATY SERIES, No. 664

TREATY
BETWEEN THE
UNITED STATES AND JAPAN

REGARDING RIGHTS OF THE TWO GOVERNMENTS
AND THEIR RESPECTIVE NATIONALS IN FORMER
GERMAN ISLANDS IN THE PACIFIC OCEAN NORTH
OF THE EQUATOR, AND IN PARTICULAR
THE ISLAND OF YAP

SIGNED AT WASHINGTON, FEBRUARY 11, 1922
RATIFICATION ADVISED BY THE SENATE, MARCH 1, 1922
RATIFIED BY THE PRESIDENT, JUNE 2, 1922
RATIFIED BY JAPAN, JUNE 23, 1922
RATIFICATIONS EXCHANGED AT WASHINGTON, JULY 13, 1922
PROCLAIMED, JULY 13, 1922



WASHINGTON
GOVERNMENT PRINTING OFFICE
1922

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Convention between the United States of America and Japan with regard to the rights of the two Governments and their respective nationals in the former German Islands in the Pacific Ocean, lying north of the Equator, in particular the Island of Yap, was concluded and signed by their respective Plenipotentiaries at Washington, on the eleventh of February, one thousand nine hundred and twenty-two, the original of which Convention is word for word as follows:

The United States of America and Japan;

Considering that by Article 119 of the Treaty of Versailles, signed on June 28, 1919, Germany renounced in favor of the Powers described in that Treaty as the Principal Allied and Associated Powers, to wit, the United States of America, the British Empire, France, Italy and Japan, all her rights and titles over her oversea possessions;

Considering that the benefits accruing to the United States under the aforesaid Article 119 of the Treaty of Versailles were confirmed by the Treaty between the United States and Germany, signed on August 25, 1921, to restore friendly relations between the two nations;

Considering that the said four Powers, to wit, the British Empire, France, Italy and Japan, have agreed to confer upon His Majesty the Emperor of Japan a mandate, pursuant to the Treaty of Versailles, to administer the groups of the former German Islands in the Pacific Ocean lying north of the Equator, in accordance with the following provisions:

"Article 1. The islands over which a Mandate is conferred upon His Majesty the Emperor of Japan (hereinafter called the Mandatory) comprise all the former German islands situated in the Pacific Ocean and lying north of the Equator.

"Article 2. The Mandatory shall have full power of administration and legislation over the territory subject to the present Mandate as an integral portion of the Empire of Japan, and may apply the laws of the Empire of Japan to the territory, subject to such local modifications as circumstances may require.

The Mandatory shall promote to the utmost the material and moral well-being and the social progress of the inhabitants of the territory subject to the present Mandate.

"Article 3. The Mandatory shall see that the slave trade is prohibited and that no forced labour is permitted, except for essential public works and services, and then only for adequate remuneration.

The Mandatory shall also see that the traffic in arms and ammunition is controlled in accordance with principles analogous to those laid down in the Convention relating to the control of the arms traffic, signed on September 10th, 1919, or in any convention amending same.

The supply of intoxicating spirits and beverages to the natives shall be prohibited.

"Article 4. The military training of the natives, otherwise than for purposes of internal police and the local defence of the territory, shall be prohibited. Furthermore, no military or naval bases shall be established or fortifications erected in the territory.

"Article 5. Subject to the provisions of any local law for the maintenance of public order and public morals, the Mandatory shall ensure in the territory freedom of conscience and the free exercise of all forms of worship, and shall allow all missionaries, nationals of any State Member of the League of Nations, to enter into, travel and reside in the territory for the purpose of prosecuting their calling.

"Article 6. The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council, containing full information with regard to the territory, and indicating the measures taken to carry out the obligations assumed under Articles 2, 3, 4, and 5.

"Article 7. The consent of the Council of the League of Nations is required for any modification of the terms of the present mandate.

The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the Mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations":

Considering that the United States did not ratify the Treaty of Versailles and did not participate in the agreement respecting the aforesaid Mandate:

Desiring to reach a definite understanding with regard to the rights of the two Governments and their respective nationals in the aforesaid islands, and in particular the Island of Yap, have resolved to conclude a convention for that purpose and to that end have named as their Plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Majesty the Emperor of Japan: Baron Kijuro Shidehara, His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

ARTICLE I

Subject to the provisions of the present Convention, the United States consents to the administration by Japan, pursuant to the aforesaid Mandate, of all the former German Islands in the Pacific Ocean, lying north of the Equator.

ARTICLE II

The United States and its nationals shall receive all the benefits of the engagements of Japan, defined in Articles 3, 4 and 5 of the aforesaid Mandate, notwithstanding the fact that the United States is not a Member of the League of Nations.

It is further agreed between the High Contracting Parties as follows:

(1) Japan shall insure in the islands complete freedom of conscience and the free exercise of all forms of worship which are consonant with public order and morality; American missionaries of all such religions shall be free to enter the islands and to travel and reside therein, to acquire and possess property, to erect religious buildings and to open schools throughout the islands; it being understood, however, that Japan shall have the right to exercise such control as may be necessary for the maintenance of public order and good government and to take all measures required for such control.

(2) Vested American property rights in the mandated islands shall be respected and in no way impaired;

(3) Existing treaties between the United States and Japan shall be applicable to the mandated islands;

(4) Japan will address to the United States a duplicate of the annual report on the administration of the Mandate to be made by Japan to the Council of the League of Nations;

(5) Nothing contained in the present Convention shall be affected by any modification which may be made in the terms of the Mandate as recited in the Convention, unless such modification shall have been expressly assented to by the United States.

ARTICLE III

The United States and its nationals shall have free access to the Island of Yap on a footing of entire equality with Japan or any other nation and their respective nationals in all that relates to the landing and operation of the existing Yap-Guam cable or of any cable which may hereafter be laid or operated by the United States or by its nationals connecting with the Island of Yap.

The rights and privileges embraced by the preceding paragraph shall also be accorded to the Government of the United States and its nationals with respect to radio-telegraphic communication; provided, however, that so long as the Government of Japan shall maintain on the Island of Yap an adequate radio-telegraphic station, cooperating effectively with the cables and with other radio stations on ships or on shore, without discriminatory exactions or preferences, the exercise of the right to establish radio-telegraphic stations on the Island by the United States or its nationals shall be suspended.

ARTICLE IV

In connection with the rights embraced by Article III, specific rights, privileges and exemptions, in so far as they relate to electrical communications, shall be enjoyed in the Island of Yap by the United States and its nationals in terms as follows:

(1) Nationals of the United States shall have the unrestricted right to reside in the Island, and the United States and its nationals shall have the right to acquire and hold on a footing of entire equality with Japan or any other nation or their respective nationals all kinds of property and interests, both personal and real, including lands, buildings, residences, offices, works and appurtenances.

(2) Nationals of the United States shall not be obliged to obtain any permit or license in order to be entitled to land and operate cables on the Island, or to establish radio-telegraphic service, subject to the provisions of Article III, or to enjoy any of the rights and privileges embraced by this Article and by Article III.

(3) No censorship or supervision shall be exercised over cable or radio messages or operations.

(4) Nationals of the United States shall have complete freedom of entry and exit in the Island for their persons and property.

(5) No taxes, port, harbour, or landing charges or exactions of any nature whatsoever, shall be levied either with respect to the operation of cables or radio stations, or with respect to property, persons or vessels.

(6) No discriminatory police regulations shall be enforced.

(7) The Government of Japan will exercise its power of expropriation in the Island to secure to the United States or its nationals needed property and facilities for the purpose of electrical communications if such property or facilities cannot otherwise be obtained.

It is understood that the location and the area of land so to be expropriated shall be arranged between the two Governments according to the requirements of each case. Property of the United States or of its nationals and facilities for the purpose of electrical communication in the Island shall not be subject to expropriation.

ARTICLE V

The present Convention shall be ratified by the High Contracting Parties in accordance with their respective constitutions. The ratifications of this Convention shall be exchanged in Washington as soon as practicable, and it shall take effect on the date of the exchange of the ratifications.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Convention and have hereunto affixed their seals.

DONE in duplicate at the City of Washington, this eleventh day of February, one thousand nine hundred and twenty-two.

CHARLES EVANS HUGHES [SEAL.]

K. SHIDEHARA [SEAL.]

And whereas the said Convention, has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the thirteenth day of July, one thousand nine hundred and twenty-two;

Now, therefore, be it known that I, Warren G. Harding, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this thirteenth day of July, in the year of our Lord one thousand nine hundred and [SEAL.] twenty-two, and of the Independence of the United States the one hundred and forty-seventh.

WARREN G HARDING

By the President:

CHARLES E. HUGHES
Secretary of State.

[EXCHANGES OF NOTES.]

[*The Japanese Ambassador to the Secretary of State.*]

JAPANESE EMBASSY,
Washington, February 11, 1922.

Sir:

In proceeding this day to the signature of the Convention between Japan and the United States with respect to the islands, under Japan's Mandate, situated in the Pacific Ocean and lying north of the Equator, I have the honor to assure you, under authorization of my Government, that the usual comity will be extended to nationals and vessels of the United States in visiting the harbors and waters of those islands.

Accept, Sir, the renewed assurances of my highest consideration.

K. SHIDEHARA.

Honorable CHARLES E. HUGHES,
Secretary of State.

[*The Secretary of State to the Japanese Ambassador.*]

DEPARTMENT OF STATE,
Washington, February 11, 1922.

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note under date of February 11, 1922, stating that the Japanese Government are quite willing to extend to American nationals and vessels the usual comity in visiting the harbors and waters of the Japanese mandated islands.

Accept, Excellency, the renewed assurances of my highest consideration.

CHARLES E. HUGHES.

His Excellency
BARON KIJURO SHIDEHARA,
Ambassador of Japan.

[The Secretary of State to the Japanese Ambassador.]

DEPARTMENT OF STATE,
Washington, February 11, 1922.

Excellency:

In proceeding this day to the signature of the Convention between the United States and Japan with respect to former German Possessions under a Mandate to Japan, I have the honor to state that if in the future the Government of the United States should have occasion to make any commercial treaties applicable to Australia and New Zealand, it will seek to obtain an extension of such treaties to the mandated islands south of the Equator, now under the Administration of those Dominions. I should add that the Government of the United States has not yet entered into a convention for the giving of its consent to the Mandate with respect to these islands.

I have the honor further to state that it is the intention of the Government of the United States, in making conventions, relating to former German territories under mandate, to request that the governments holding mandates should address to the United States, as one of the Principal Allied and Associated Powers, duplicates of the annual reports of the administration of their mandates.

Accept, Excellency, the renewed assurance of my highest consideration.

CHARLES E. HUGHES.

His Excellency
BARON KIJURO SHIDEHARA,
Ambassador of Japan.

[The Japanese Ambassador to the Secretary of State.]

JAPANESE EMBASSY,
Washington, February 11, 1922.

Sir:

I have the honor to acknowledge the receipt of your note of this date, stating that if in the future the Government of the United States should have occasion to make any commercial treaties applicable to Australia and New Zealand, it will seek to obtain an extension of such treaties to the islands south of the Equator, under the mandate of Australia and New Zealand, and further that it is the intention of the Government of the United States, in making hereafter conventions relating to former German territories under mandate, to request that the Mandatories should address to the United States, as one of the Principal Allied and Associated Powers, duplicates of the annual reports on the administration of such mandated territories.

In taking note of your communication under acknowledgment, I beg you, Sir, to accept the renewed assurances of my highest consideration.

K. SHIDEHARA.

Honorable CHARLES E. HUGHES,
Secretary of State.

TRANSLATION

SFOWA 6 /1931/ - 12663

| | | | |
|------|------------|------------------|--------------------|
| Code | Despatched | Lukden | |
| | Received | This Office | /Sept./ 19th, a.m. |
| | | /Foreign Office/ | Sept. 19th. a.m. |

To: Foreign Minister SUDEFARA

From: Consul General HAYASHI

No. 630 (Urgent Top Secret)

IT IS REPORTED THAT TATEKAWA, DIVISIONAL DIRECTOR OF THE GENERAL STAFF ARRIVED HERE ON THE 18TH BY THE 1 PM O'CLOCK TRAIN. THIS IS PROBABLY TRUE, ALTHOUGH THE ARMY AUTHORITIES KEEP IT SECRET. ACCORDING TO CONFIDENTIAL INFORMATION FROM MR. KIMURA, DIRECTOR OF THE S.M.R. CO., WHEN TRACKMEN WERE SENT FOR REPAIR WORK ON THE SECTION REPORTED TO HAVE BEEN DAMAGED BY THE CHINESE, THE ARMY AUTHORITIES FORBODE THEM TO APPROACH THE SPOT. PUTTING THIS AND THAT TOGETHER, IT IS CONSIDERED THAT THE RECENT INCIDENT WAS WHOLLY AN ACTION PLANNED BY THE ARMY.

CERTIFICATE

I, DENZEL CARR, hereby certify that I am fully conversant with the Japanese and English languages and have this day truly and correctly translated the above telegram, dated 19 September, 1931, and that the foregoing is a true and correct translation.

Dated this 24th day of June, 1946, at Tokyo, Japan.

/s/ Denzel Carr
Commander, U.S.N.R.

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大連會議ニ於イテ極東共和國代表者ニ對シ日本國代表者ヨリ提出セラレタ原案

千九百二十二年(昭和十一年)四月

- 第一條 極東共和國政府ハ加監須徳シ外國管理ノ許ニ單ニ商業港トナシ尙ホ同政府ハ貿易ヲ防クルガ如キ如行ハル手段ヲモ講シナイコト
- 第二條 兩契約國政府ハ本條約署名ノ後自發的ニ日露漁業條約ヲ訂正シ日本ノ漁業會社ノ權益ヲ擴張シ且日本人ニ對シ露領沿岸ニ於テ沿海貿易ヲモツト廣範圍ニ亘リ爲シ得ル權利ヲ與ヘルコト
- 第三條 兩契約國政府ハ本條約署名ノ後直ニ郵便及電信、通信ニ關シ妥協點ヲ見出スベク自發的ニ努力スルコト
- 第四條 兩契約國政府ハ商業、通信及航海ノ自由ヲ承認シ且ソレ等各國人民及船舶ニ第三國ノ人民ニ比シ何等劣ラザル待遇ヲ與ヘルコト。本問題ニ付イテノ詳細ハ後日商業及ビ海洋航海ニ關スル特別條約ニ於テ規定サレル。
- 第五條 兩契約國政府ハ本條約署名後第四條ニ規定セル主旨ニ基キ自發的ニ稅關規則及臨稅ニ關スル協定ヲ締結スルコト。
- 第六條 各契約國市民ニシテ他ノ締約國ニ居住セル場

第七條 各契約國ノ市民ハ對手國ノ領土ニ於テ商業、工業、製造業、貿易ヲ營ミ其ノ他ノ職業ニ從事スルコトヲ許可シ、又商工業ニ於テ對手國或ヒハ第三國ノ市民ニ比シ何等劣ラザル待遇ヲ受ケルモノデアアル。貿易及ビ職業ニ關シテハ兩契約國ノ市民ハ第三國ノ市民ト同等トスルモノデアアル。

第八條 各契約國ノ市民ハ對手國ノ領土ニ入り、兩國ノ法律ニ遵ヒ其ノ國ニ自由ニ旅行シ、住居スル權利ヲ享有スルモノデアツテ入國ト同時ニ旅行券ヲ提出スルベキデアアル。

第九條 各契約國ハ對手國ニ向ツテ自發的ニ敵對行爲ヲ取ヘテ稱ラザルコト而シテ同様ニ對手國ニ對シ危險ニナル様ナ如何ナル宣傳ニモ參與セズ又對手國ニ對シテ敵對行爲ヲ遂行センガ爲メ努力セル如何ナル結社ト雖モ其ノ國ニ入國シ居住シ及ビ活動スルコトヲ禁止スル手段ヲ構ズルコト。上記ノ場合ニ於ケル犯人ヲ對手國へ引渡ス規則ハ特別ノ協定文中ニ規定スルコト。

第十條 極東共和國政府ハ日本政府ニ對シ其ノ領土内ニ共產主義政權ヲ取り入レヌコト。又ハ私有財産主義ヲ單ニ日本市民ノ爲ノミナラズ自國ノ市民ノ爲ニモ保持スル事ヲ誓約スルコト

第十一條 門戶開放主義ヲ承認シ極東共和國政府ハ日本國民ニ對シ鑛業、農業、森林業及ビ一般的天產物生産業ニ關シ其ノ領土内ニ存在セル總テノ制限ヲ廢棄シ、今後決シテ斯ル制限ヲ設ケザルコト。尙同政府ハ日本國民ニ自國々民ト同様ナ待遇ヲナシ以テ商業及ビ貿易ノ完全ナル自由ヲ與フルベキデアル。極東共和國政府ハ日本國民ニ對シ土地所有權及ビ日本國旗ノ許ニ沿海貿易ニ從事スル完全ナル自由ヲ自發的ニ與ヘルコト。

極東共和國政府ハ日本國民ニ日本國旗ヲ懸ヘシテ自由ニ黑龍江ヲ航行スル權利ヲ與ヘルコト且日本國民ヲシテ日本國旗ヲ懸ヘシ松花江ヲ自由ニ航行スル權利ヲ與ヘルコトヲ希望スル趣旨ヲ支那政府ニ提出スル事ニ同意スル。本條項ハ日本國民ニ限り適用セラレ、本條項ニ依リ發生セル權利ハ他ノ外國人ニ與ヘラレナイモノトスル。

第十二條 兩契約國ハ互ニ對手國ノ領土内ニ公使ノ權

限ラ有セル代表者ヲ派遣シ且領事商務官ノ住
宅ヲ設ケルモノトスル

第十三條 兩締約國政府ハ日本政府ト前西面政府ト
ノ間ニ締結サレタ他テノ條約及ビ協約ヲ承認
シ同局ニ兩締約國ハ此條約ニ署名スル以前兩
國ノ市民ニミテ同等ノ權利ヲ其
ノ儘承認スルコト

第十四條 極東共和國政府ハ管轄區域方面沿岸並ビニ
朝鮮國境ニ於ケル凡ニル城壁及ビ要塞ヲ撤廢
シ必要ニ屬シテハ之ヲ爆破シ將來之ヲ築造シ
ナイ事尙朝鮮及ビ濠洲ニ接近セル地域ニ於テ
ハ如何ナル軍事的行動モ爲サバルコトヲ誓約
スルコト。

極東共和國政府ハ日本ノ官吏、特別軍事使節
及ビ僑人トシテ日本陸軍士官ガ其ノ全領土ニ
亘リ流在シ又ハ旅行スル權利ヲ承認スルモノ
トスル。

極東共和國政府ハ大平洋上ニ決シテ海軍ヲ維
持セザルコト及ビ現在セルモノハ破壊スルコ
ト

第十五條 極東共和國政府ハ「ニコリスク」問題ノ解
決ニ當リ日本政府ニ樺太ノ北半ヲ「ニコリス
ク」學校ニ際シ日本市民ニ蒙ラセシ損害ニ對

スル借賸トシテ向フ八十年間租借ヲ與フルコ
トヲ誓約スルコト。

第十六條 本條約ハ兩契約國政府ニヨリ批准セラレタ
時ヨリ效力ヲ發生シ特ニ本條約ノ締結ニ
至ル迄有效ナルモノトスルコトナリ

第十七條 本條約ハ露西亞語及ビ英法兩國ノ起草サレ
兩原文共正式ナモノトスルコトナリ

秘密條項

第一條 日本ト第三國トノ間ニ戰爭ガ勃發セル場合、
極東共和國政府ハ嚴正中立ヲ遵守スルコト

第二條 日本政府ハ其ノ軍隊ヲ「プリアモリエ」地方ヨ
リ自己ノ意志ニヨリ何時デモ必要ト思考スル
場合擧兵スルコト

第三條 樺太地區ヨリノ擧兵ハ樺太島北半分ノ租借ガ
本條約第十五條ニ基キ實現セル後ニ履行サレ
ルベキモノトスルコト
千九百十八年ト千九百二十二年ニ於ケル日本
ノ干渉（書類上ノ）中央記録局千九百三十四
年（一二六、一二七、及ビ一二八頁）

右記宣誓ノ翻譯證明書

私、エムギルデンブラット、ハ茲ニ自分ハ露
西亞語及ビ英語ニ精通セルコトヲ証言ス而シ
テ右記ノモノハ指示サレタル書類ノ正確且ツ
眞實ナル翻譯ナリ
エムギルデンブラット

Draft of Treaty proposed by the Japanese Delegation to the Delegation of the Far Eastern Republic at the Dairen Conference.

April, 1922

- Art. 1. The government of the Far Eastern Republic should make Vladivostok a commercial port only, putting it under foreign control; neither should it take any measures hindering trade.
- Art. 2. The governments of both contracting parties take upon themselves to revise the Japanese-Russian Fishing Convention after the signing of this treaty, extending the rights of the Japanese fishing companies and giving the Japanese more extensive rights of sabotage along the Russian coast.
- Art. 3. The governments of the contracting parties take upon themselves to arrive at an agreement on post and telegraph communication immediately after the signing of the present treaty.
- Art. 4. The governments of the contracting parties recognize freedom of commerce, communication and navigation, and do not put citizens and ships of respective states in less favourable position in comparison with those of a third state. Details concerning the said question will be provided for later in a special treaty on commerce and sea navigation.
- Art. 5. The governments of the contracting parties take upon themselves to conclude, after the signing of this treaty, an agreement on customs regulations and customs duties, based on the principle set forth in Article 4.
- Art. 6. Citizens of each of the contracting parties living on the territory of the other party enjoy the right of protection of personal security and of inviolability of property, and are not put in a less favourable position than citizens of their own or of a third state.
- Art. 7. Citizens of each of the contracting parties are allowed to undertake on the territory of the other party commerce, industry, manufacturing, trades, and to be engaged in other professions, and are not put in a less favourable position in commerce and industry than the citizens of their own country or of a third state. As to trades and professions, the citizens of both parties are equal to those of a third state.
- Art. 8. Citizens of each of the contracting parties enjoy the right of entering the territory of the other party and of free travel and living there in accordance with the laws of each country; on entering they produce their national passports.
- Art. 9. Each of the contracting parties take upon themselves not to carry on hostilities against the other party, and equally to abstain from any propaganda which might be dangerous for the other party, and to take measures for forbidding entrance, existing and activities on its territory of any organizations striving to carry on hostilities against the other party. The regulations of extradition of the above mentioned persons to the other party are provided for in a special agreement.
- Art. 10. The government of the Far Eastern Republic promises the Japanese government never to introduce on its territory a communist regime and to preserve the principles of private property not only regarding the Japanese subjects, but its own citizens as well.

Art. 11. Recognizing the open door principle the government of the Far Eastern Republic should abrogate all restrictions existing on its territory for the Japanese subjects in mining industry, agriculture, forestry and in all extractive industries in general, and never establish them again in future; it should also give the Japanese subjects full freedom of commerce and trades, making their status equal to that of the subjects of their own state. The government of the Far Eastern Republic takes upon itself to give the Japanese subject the right to land property and to full freedom of Cabotage under the Japanese flag.

The government of the Far Eastern Republic takes upon itself to give the Japanese subjects the right to free navigation on the Amur River under Japanese flag and consents to bring before the Chinese government its wish to give the Japanese subjects the right to navigation on the Sungari River under the Japanese flag. The present article extends only to Japanese subjects, and the rights given by it cannot be extended to other foreigners.

Art. 12. The contracting parties mutually send onto the territory of each of them their representatives with rights of minister, and establish the place of residence of commercial consuls.

Art. 13. The governments of the contracting parties recognize all treaties and conventions concluded between the Japanese and the former Russian governments, and the contracting parties equally recognize all rights, as they are, obtained by the citizens of both countries prior to the time of signing the treaty.

Art. 14. The government of the Far Eastern Republic takes upon itself to take down and, when needed, to blow up all its fortresses and fortifications along the coast in the Vladivostok area and on the Korean frontier, and never to rebuild them in future, and also not to take any military measures in the areas adjacent to Korea and Manchuria.

The government of the Far Eastern Republic should recognize the right of officials staying and travelling on all its territory of Japanese special military missions and individual Japanese army officers.

The government of the Far Eastern Republic takes upon itself to never keep a navy in the Pacific Ocean and to destroy the existing one.

Art. 15. The government of the Far Eastern Republic, when settling the Nikolayev question, takes upon itself to lease the northern part of the Saghalin Island to the Japanese government for a term of 80 years as compensation for losses incurred to the Japanese subjects during the Nikolayev incident.

Art. 16. The present treaty comes into force on its ratification by the governments of the contracting parties and continues in force prior to conclusion of a permanent treaty in future.

Art. 17. The present treaty is drawn up in the Russian and Japanese languages, and both copies are authentic.

Art. 11. Recognizing the open door principle the government of the Far Eastern Republic should abrogate all restrictions existing on its territory for the Japanese subjects in mining industry, agriculture, forestry and in all extractive industries in general, and never establish them again in future; it should also give the Japanese subjects full freedom of commerce and trades, making their status equal to that of the subjects of their own state. The government of the Far Eastern Republic takes upon itself to give the Japanese subject the right to land property and to full freedom of cabotage under the Japanese flag.

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Art. 16. The present treaty comes into force on its ratification by the governments of the contracting parties and continues in force prior to conclusion of a permanent treaty in future.

Art. 17. The present treaty is drawn up in the Russian and Japanese languages, and both copies are authentic.

Secret Articles:

- Art. 1. In case of an armed conflict between Japan and a third power, the government of the Far Eastern Republic will observe strict neutrality.
- Art. 2. The Japanese government will evacuate its armed forces from the Primorye region at its own will and whenever it considers it necessary.
- Art. 3. Evacuation from the Saghalin region will take place after actual receiving of the lease of the northern part of the Saghalin Island under conditions set forth in Article 15 of the treaty.

From the book on the "Japanese Intervention of 1918-1922 in Documents" Central Record Office, 1934 (pp 126, 127 and 128).

CERTIFICATE OF TRANSLATION OF
THE ABOVE DOCUMENT

I, M. GILDENBLAT, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated Document.

M. GILDENBLAT

Doc 228-71

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日本勞農社會主義共和國聯邦條約之本

規定ニ關スル協約

千九百二十五年(大正十四年)一月二十日

北京ニテ調印

第一條 締約國ハ本條約ノ實施ニ伴ヒ兩國間ニ

外交並ニ領事關係ヲ調整スルコトニ同意ス

第二條 勞農社會主義共和國聯邦ハ千九百五年

(明治三十八年)九月五日ノ條約ガ從來通り完

全ナル效力ヲ有スルコトニ同意ス

該「ポーツマス」條約以外ノ千九百十七年(大

正六年)十一月七日以前ニ日本、露西亞間ニ締

結サレタル條約、協約及ヒ協定ハ其後締約國政

府間ニ開催サル、會議ニ於テ再檢討シ、變化セ

ル情勢ノ要請ニ從ヒ、改正又ハ廢棄スルコトヲ

ルベキコトニ同意スルモノトス

第三條 締約國政府ハ本條約ノ實施ニ伴ヒ該漁

業條約ノ締結以來一様情況ニ起リタルト思ハル

、變化ヲ考慮スル、千九百十七年(明治四十年)

ノ漁業條約ノ改正ニ着手スルコトニ同意ス

改正條約ノ締結迄、勞農社會主義共和國聯邦政

府ハ千九百二十四年(大正十三年)日本人國民

ノ漁場ニ關シテ設定サレタル慣例ヲ遵行スルモ

Doc 228-12

ノトス

第四條 締約國政府ハ、本協約ノ實施ニ伴ヒ下記原則ニ從ツテ通商航海條約ノ締結ニ着手シ又斯カル條約ノ締結前兩國間ノ一般國交ハ該原則ニ據リ律スベキコトニ同意ス。

(一) 各締約國ノ臣民又ハ人民ハ該國ノ法律ニ從ヒ

(イ) 相手國ノ領土内ニ入り以テ旅行シ且ツ居住スル自由ヲ有シ、

(ロ) 自己ノ生命、財産ノ安全ニ對シ、不附ノ且ツ十分ナル保護ヲ享受スベシ。

(二) 各締約國ハ該國ノ法律ニ從ヒ、其領土内ニ於テ相手國ノ臣民又ハ人民ニ對シ、可及的廣範圍且ツ相互的條件ニ於テ私有權及通商、航海、工業、並ニ其他ノ平和的專業ニ從事スル自由ヲ與フベキモノトス

(三) 其ノ國ニ於ケル國際貿易制度ヲ其ノ國自身ノ法律ニヨリ規定スル兩締約國ノ在來ノ權利ニ損害又ハ迷惑ヲカケズニ、相互ノ商業、航行、産業ヲ出來得ル限り最惠國タル地徑ニ區ク目的ヲ以テ締約國ハイツレモ他方ノ國ニ對シ經濟或ハ其他ノ國交ノ發展ヲ妨害スル禁止、制限、課稅ノ如何ナル手段ヲモ適用セザルコトニ了解ス。

Doc 228-12

ノトス

第四條 締約國政府ハ、本協約ノ實施ニ伴ヒ下記原則ニ從ツテ通商航海條約ノ締結ニ着手シ又斯カル條約ノ締結進兩國間ノ一般國交ハ該原則ニ據リ律スベキコトニ同意ス。

(一) 各締約國ノ臣民又ハ人民ハ該國ノ法律ニ從ヒ

(イ) 相手國ノ領土内ニ入り且ツ旅行シ且ツ居住スル自由ヲ有シ、

(ロ) 自己ノ生命、財産ノ安全ニ對シ、不斷ノ且ツ十分ナル保護ヲ享受スベシ。

(二) 各締約國ハ該國ノ法律ニ從ヒ、其領土内ニ於テ相手國ノ臣民又ハ人民ニ對シ、可及的廣範且ツ相互的條件ニ於テ私有權及通商、航海、工業、並ニ其他ノ平和的專業ニ從事スル自由ヲ與フベキモノトス

(三) 其ノ國ニ於ケル國際貿易制度ヲ其ノ國自身ノ法律ニヨリ規定スル兩締約國ノ在來ノ權利ニ損害又ハ迷惑ヲカケズニ、相互ノ商業、航行、産業ヲ出來得ル限り最惠國タル地位ニ置ク目的ヲ以テ締約國ハイヅレモ他方ノ國ニ對シ經濟或ハ其他ノ國交ノ發展ヲ妨害スル禁止、制限、課税ノ如何ナル手段ヲモ適用セザルコトニ了解ス。

Doc 228-P3

締約國政府ハ更ニ情勢ノ妥協ニ從ヒ兩國間經濟關係ヲ調整及ビ助長ノ爲メニ、通商航海ニ關スル特別取極メ締結ノ爲メノ長々交渉ヲ行フコトニ同意ス

第五條 締約國ハ相互ニ平和親交裡ニ生活シ、ソノ獨自ナル方法ニ於テソノ獨自ノ管轄内ニ於テソノ獨自ノ生活ノ秩序ヲ保ツ國家ノ疑ナキ權利ヲ尊重ニ奪欲シ、兩締約國ノ如何ナル官職ニアル者全部及ビ兩締約國ヨリ受ケ居ル總テノ口体ノ日本及ビ勞農社會主義共和國聯邦ノ領土ノ如何ナル部分ニ於テモ如何ナル方法ヲモ其安寧秩序ヲ危險ニ及ボス如何ナル行動モ其ノ公然、非公然タルヲ問ハズ抑制スルコトノ彼等ノ希望及ビ目的ヲ正式ニ聲明ス。

締約國ハイツレモソノ管轄下ノ領土内ニテ左記ノ存在ヲ許サザルコトニ更ニ同意スルモノトス即チ(A)相手國領土ノ如何ナル部分ニ對シテ政權ヲ僞裝スル組織又ハ口体或ハ(B)該組織又ハ口体ノ爲メニ事實政治工作ヲ行ヒツツアルヲ發見サル、コトアルベキ外國人國民又ハ市民

第六條 兩國間ノ經濟關係増進ノ爲メ及ビ天然資源ニ就キテノ日本國ノ需要ヲ考慮ニ入レテ勞農社會主義共和國聯邦ハ日本國民、會社及ビ口

Doc 228, P 4

体ニ對シ勞農社會主義共和國聯邦ノ全領土ニ於
ケル礦物、森林及ヒソノ他ノ天然資源開發ノ權
利ヲ進ンテ許與スルモノトス。

第七條 本協約ハ批准セラル、モノトス
各締約國ノ該批准ハ、能フル限り迅速ナク、在
北京該外交代表トシテ相手方締約國政府ニ對シ
通告ヲ受クモノトシ且ソ本協約ハ該通告文書日
附ヲ以テ完成スルモノトス。

Doc 228, P 4

体ニ對シ勞農社會主義共和國聯邦ノ全領土ニ於
ケル礦物、森林及ビソノ他ノ天然資源開發ノ權
利ヲ進ンテ許與スルモノトス。

第七條 本協約ハ批准セラル、モノトス

各締約國ノ該批准ハ、能フル限り迅速ナク、在
北京該外交代表ト進ミ相手方締約國政府ニ對シ
通告ヲ受クモノトシ且ソ本協約ハ該通告文管日
附ヲ以テ公布スルモノトス。

Doc 258-1A5

本協定ハ日本語、佛語及泰語ヲ以テ作成ス、右三國
語本文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

昭和十六年一月三十一日訂成ニ於テ之ヲ作成ス

(全權委員氏名省略)

FILE COPY
RETURN TO ROOM 361

FILE COPY
RETURN TO ROOM 3

THE CONVENTION EMBODYING BASIC RULES
OF THE RELATIONS BETWEEN JAPAN AND THE
UNION OF SOVIET SOCIALIST REPUBLICS

Signed at Peking, January 20, 1925

ARTICLE I

The High Contracting Parties agree that with the coming into force of the present Convention, diplomatic and consular relations shall be established between them.

ARTICLE II

The Union of Soviet Socialist Republics agrees that the Treaty of September 5th, 1905, shall remain in full force.

It is agreed that the Treaties, Conventions and Agreements, other than the said Treaty of Portsmouth, which were concluded between Japan and Russia prior to November 7, 1917, shall be re-examined at a Conference to be subsequently held between the Governments of the High Contracting Parties and are liable to revision or annulment as altered circumstances may require.

ARTICLE III

The Governments of the High Contracting Parties agree that upon the coming into force of the present Convention, they shall proceed to the revision of the Fishery Convention of 1907, taking into consideration such changes as may have taken place in the general conditions since the conclusion of the said Fishery Convention.

Pending the conclusion of a convention so revised, the Government of the Union of Soviet Socialist Republics shall maintain the practices established in 1924 relating to the lease of fishery lots to Japanese subjects.

ARTICLE IV

The Governments of the High Contracting Parties agree that upon the coming into force of the present Convention, they shall proceed to the conclusion of a treaty of commerce and navigation in conformity with the principles hereunder mentioned, and that pending the conclusion of such a treaty, the general intercourse between the two countries shall be regulated by those principles.

(1) The subjects or citizens of each of the High Contracting Parties shall in accordance with the laws of the country: (a) have liberty to enter, travel and reside in the territories of the other, and (b) enjoy constant and complete protection for the safety of their lives and property.

(2) Each of the High Contracting Parties shall in accordance with the laws of the country accord in its territories to the subjects or citizens of the other, to the widest possible extent and on condition of reciprocity, the right of private ownership and the liberty to engage in commerce, navigation, industries, and other peaceful pursuits.

(3) Without prejudice to the right of each Contracting Party to regulate by its own laws the system of international trade in that country, it is understood that neither Contracting Party shall apply in discrimination against the other party any measures of prohibition, restriction or impost which may serve to hamper the growth of the intercourse, economic or otherwise, between the two countries, it being the intention of both Parties to place the commerce, navigation and industry of each country, as far as possible, on the footing of the most favoured nation.

The Governments of the High Contracting Parties further agree that they shall enter into negotiations, from time to time as circumstances may require, for the conclusion of special arrangements relative to commerce and navigation to adjust and to promote economic relations between the two countries.

ARTICLE V

The High Contracting Parties solemnly affirm their desire and intention to live in peace and amity with each other, scrupulously to respect the undoubted right of a State to order its own life within its own jurisdiction in its own way, to refrain and restrain all persons in any governmental service for them, and all organizations in receipt of any financial assistance from them, from any act overt or covert liable in any way whatever to endanger the order and security in any part of the territories of Japan or the Union of Soviet Socialist Republics.

It is further agreed that neither Contracting Party shall permit the presence in the territories under its jurisdiction -- (a) of organizations or groups pretending to be the Government for any part of the territories of the other Party, or (b) of alien subjects or citizens who may be found to be actually carrying on political activities for such organizations or groups.

ARTICLE VI

In the interest of promoting economic relations between the two countries, and taking into consideration the needs of Japan with regard to natural resources, the Government of the Union of Soviet Socialist Republics is willing to grant to Japanese subjects, companies and associations concessions for the exploitation of minerals, forest and other natural resources in all the territories of the Union of Soviet Socialist Republics.

ARTICLE VII

The present Convention shall be ratified.

Such ratification by each of the High Contracting Parties shall, with as little delay as possible, be communicated through its diplomatic representative at Peking, to the Government of the other Party, and from the date of the letter of such communications this Convention shall come into full force.

(3) Without prejudice to the right of each Contracting Party to regulate by its own laws the system of international trade in that country, it is understood that neither Contracting Party shall apply in discrimination against the other party any measures of prohibition, restriction or impost which may serve to hamper the growth of the intercourse, economic or otherwise, between the two countries, it being the intention of both Parties to place the commerce, navigation and industry of each country, as far as possible, on the footing of the most favoured nation.

The Governments of the High Contracting Parties further agree that they shall enter into negotiations, from time to time as circumstances may require, for the conclusion of special arrangements relative to commerce and navigation to adjust and to promote economic relations between the two countries.

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It is further agreed that neither Contracting Party shall permit the presence in the territories under its jurisdiction -- (a) of organizations or groups pretending to be the Government for any part of the territories of the other Party, or (b) of alien subjects or citizens who may be found to be actually carrying on political activities for such organizations or groups.

ARTICLE VI

In the interest of promoting economic relations between the two countries, and taking into consideration the needs of Japan with regard to natural resources, the Government of the Union of Soviet Socialist Republics is willing to grant to Japanese subjects, companies and associations concessions for the exploitation of minerals, forest and other natural resources in all the territories of the Union of Soviet Socialist Republics.

ARTICLE VII

The present Convention shall be ratified.

Such ratification by each of the High Contracting Parties shall, with as little delay as possible, be communicated through its diplomatic representative at Peking, to the Government of the other Party, and from the date of the letter of such communications this Convention shall come into full force.

右證據トシテ各全權委員ハ佛蘭西語及英吉利語ヲ以テ作成セラレ兩本文共ニ同等ノ效力ヲ有スル本條約ニ署名調印セリ

千九百二十八年八月二十七日巴里ニ於テ作成ス

- グスタフ、ストレーゼマン (印)
- フランク、ピト、ケログ (印)
- ポール、イーマンス (印)
- アリストタイド、ブリアン (印)
- クッシュンダン (印)
- ダブリエ、エル、マクケンジー、キング (印)
- エー、ジエ、マククラクラン (印)
- シー、ジエ、パール (印)
- ジエ、エス、スミット (印)
- リアム、テイ、マッコシガル (印)
- クッシュンダン (印)
- ジー、マンゾニ (印)
- 内田廉哉 (印)
- アウグスト、ザレスキ (印)
- ドクトル、エドアルド、ベネシュ (印)

In Faith whereof the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

Done at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

- [SEAL] GUSTAV STRESEMANN
- [SEAL] FRANK B. KELLOGG
- [SEAL] PAUL HYMANS
- [SEAL] ARI BRIAND
- [SEAL] CUSHENDUN
- [SEAL] W. L. MACKENZIE KING
- [SEAL] A. J. McLACHLAN
- [SEAL] C. J. PARR
- [SEAL] J. S. SMIT
- [SEAL] LIAM T. MACCOSAIR
- [SEAL] CUSHENDUN
- [SEAL] G. MANZONI
- [SEAL] UCHIDA
- [SEAL] AUGUST ZALESKI
- [SEAL] D^r EDUARD BENES.

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Doc 166 - P6

外務大臣「ドクトル」エドゥアルド・ベネシ

Dr Eduard BENES, Minister for Foreign Affairs;

因テ各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

who, having communicated to one another their full powers found in good and due form have agreed upon the following articles:

第一條

ARTICLE I.

締約國ハ國際紛争解決ノ爲戦争ニ訴フルコトヲ非トシ且其ノ相互關係ニ於テ國家ノ政策ノ手段トシテノ戦争ヲ放棄スルコトヲ其ノ各自ノ人民ノ名ニ於テ嚴肅ニ宣言ス

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

第二條

ARTICLE II.

締約國ハ相互間ニ起ルコトアルベキ一切ノ紛争又ハ紛議ハ其ノ性質又ハ起因ノ如何ヲ問ハズ平和的ノ手段ニ依ルノ外之ガ處理又ハ解決ヲ求メザルコトヲ約ス

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

第三條

ARTICLE III.

本條約ハ前文ニ掲ゲラルル締約國ニ依リ其ノ各自ノ憲法上ノ要件ニ從ヒ批准セラルベク且各國ノ批

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble

Doc 166 - P7

准書ガ總テ「ワシントン」ニ於テ寄託セラレタル後直ニ締約國間ニ實施セララルベシ

in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

本條約ハ前項ニ定ムル所ニ依リ實施セラレタルトキハ世界ノ他ノ一切ノ國ノ加入ノ爲必要ナル間開キ置カルベシ一國ノ加入ヲ證スル各文書ハ「ワシントン」ニ於テ寄託セララルベク本條約ハ右寄託ノ時ヨリ直ニ該加入國ト本條約ノ他ノ當事國トノ間ニ實施セララルベシ

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

亞米利加合衆國政府ハ前文ニ掲ゲラルル各國政府及附後本條約ニ加入スル各國政府ニ對シ本條約及一切ノ批准書又ハ加入書ノ認證原本ヲ交付スルノ義務ヲ有ス亞米利加合衆國政府ハ各批准書又ハ加入書ガ同國政府ニ寄託アリタルトキハ直ニ右諸國政府ニ電報ヲ以テ通告スルノ義務ヲ有ス

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

Doc 166-P4

ト、ブリタン「海外領土皇帝印度皇帝陛下
 「グレート、ブリタン」及北部「アイルランド」
 立ニ國際聯盟ノ個個ノ聯盟國ニ非ザル英帝國ノ
 一切ノ部分
 「ランカスター」公領尚書外務大臣代理「ロ
 ド、クッシュンダン」
 加 奈 陀
 總理大臣兼外務大臣「ウィリアム、ライオン、
 マッケンジー、キング」
 「オーストラリア」聯邦
 聯邦内閣員「アレクサンダー、ジョン、マ
 ラクラン」
 「ニュー、ジーランド」
 「グレート、ブリタン」駐在「ニュー、ジーラ
 ンド」高級委員「サー、クリストファー、ジエム
 ス、ボール」

BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA :

For GREAT BRITAIN and NORTHERN IRELAND and all parts of the British Empire which are not separate Members of the League of Nations :

The Right Honourable Lord CUSHENDUN, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs ;

For the DOMINION OF CANADA :

The Right Honourable William Lyon MACKENZIE KING, Prime Minister and Minister for External Affairs ;

For the COMMONWEALTH OF AUSTRALIA :

The Honourable Alexander John MCLACHLAN Member of the Executive Federal Council ;

For the DOMINION OF NEW ZEALAND :

The Honourable Sir Christopher James PARR, High Commissioner for New Zealand in Great Britain ;

Doc 166-PS

南阿弗利加聯邦
 「グレート、ブリタン」駐在南阿弗利加聯邦高
 級委員「ヤコブス、ステファンヌス、スミット」
 「アイルランド」自由國
 内閣議長「ウィリアム、トーマス、コスグレイ
 ヴ」
 印 度
 「ランカスター」公領尚書外務大臣代理「ロ
 ド、クッシュンダン」
 伊 太 利 國 皇 帝 陛 下
 佛蘭西國駐劄伊太利國特命全權大使伯爵「ガ
 エタノ、マンゾニ」
 日 本 國 皇 帝 陛 下
 樞密顧問官伯爵内田康哉
 波 蘭 共 和 國 大 統 領
 外務大臣「アー、ザレスキー」
 「チラコスロヴキア」共和國大統領

For the UNION OF SOUTH AFRICA :

The Honourable Jacobus Stephanus SMIT, High Commissioner for the Union of South Africa in Great Britain ;

For the IRISH FREE STATE :

Mr. William Thomas COSGRAVE, President of the Executive Council ;

For INDIA :

The Right Honourable Lord CUSHENDUN, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs ;

HIS MAJESTY THE KING OF ITALY :

Count Gaetano MANZONI, his Ambassador Extraordinary and Plenipotentiary at Paris.

HIS MAJESTY THE EMPEROR OF JAPAN :

Count UCHIDA, Privy Councillor ;

THE PRESIDENT OF THE REPUBLIC OF POLAND :

Mr. A. ZALESKI, Minister for Foreign Affairs ;

THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC :

Doc 166-P2

人類ノ福祉ヲ増進スベキ其ノ嚴肅ナル責務ヲ深ク感銘シ

其ノ人民間ニ現存スル平和及友好ノ關係ヲ永久ナラシメンガ爲メ國家ノ政策ノ手段トシテノ戦争ヲ卒直ニ拋棄スベキ時機ノ到來セルコトヲ確信シ

其ノ相互關係ニ於ケル一切ノ變更ハ平和的手段ニ依リテノミ之ヲ求ムベク又平和的ニシテ秩序アル手續ノ結果タルベキコト及今後戦争ニ訴ヘテ國家ノ利益ヲ増進セントスル署名國ハ本條約ノ供與スル利益ヲ拒否セラルベキモノナルコトヲ確信シ

其ノ範例ニ促サレ世界ノ他ノ一切ノ國ガ此ノ人道的努力ニ參加シ且本條約ノ實施後速ニ之ニ加入スルコトニ依リテ其ノ人民ヲシテ本條約ノ規定スル恩澤ニ浴セシメ、以テ國家ノ政策ノ手段トシテノ

THE KING OF ITALY, HIS MAJESTY THE EMPEROR OF JAPAN, THE PRESIDENT OF THE REPUBLIC OF POLAND, THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC,

Deeply sensible of their solemn duty to promote the welfare of mankind :

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated ;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty ;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavor and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its benef-

戦争ノ共同拋棄ニ世界ノ文明諸國ヲ結合センコトヲ希望シ

茲ニ條約ヲ締結スルコトニ決シ之ガ爲メ左ノ如ク其ノ全權委員ヲ任命セリ

獨逸國大統領

外務大臣「ドクトル、グスタフ、ストレーゼマン」

亞米利加合衆國大統領

國務長官「フランク、ビー、ケロッグ」

白耳義國皇帝陛下

外務大臣國務大臣「ポール、ハイマンス」

佛蘭西共和國大統領

外務大臣「アリスティド、ブリアン」

「グレート、ブリタン」「アイルランド」及「ダニー

icent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy ;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE GERMAN REICH :

Dr Gustav STRESEMANN, Minister for Foreign Affairs ;

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

The Honorable Frank B. KELLOGG, Secretary of State ;

HIS MAJESTY THE KING OF THE BELGIANS :

Mr. Paul HYMANS, Minister for Foreign Affairs, Minister of State ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

Mr. Aristide BRIAND, Minister for Foreign Affairs ;

HIS MAJESTY THE KING OF GREAT

Doc 166-P3

Ex. 37

Doc 166-P1

第三十三 不戰條約

戦争抛棄ニ關スル條約

一九二八年八月二七日巴黎ニ於テ署名
一九二九年六月二七日 批准
一九二九年七月二四日 批准書 寄託
一九二九年七月二五日 公布

獨逸國大統領、亞米利加合衆國大統領、白耳義國
皇帝陛下、佛蘭西共和國大統領、「グレート、ブリ
タン」「アイルランド」及「グレート、ブリタン」
海外領土皇帝印度皇帝陛下、伊太利國皇帝陛下、
日本國皇帝陛下、波蘭共和國大統領、「チリコ
スロヴァキア」共和國大統領、

NO. 33. RENONCIATION À LA
GUERRE.

GENERAL TREATY FOR RENUNCIA-
TION OF WAR AS AN INSTRUMENT
OF NATIONAL POLICY.

Signed at Paris, August 27, 1928.
Ratified June 27, 1929.
Ratification deposited at Washington, July 24, 1929.
Promulgated July 25, 1929.

THE PRESIDENT OF THE GERMAN
REICH, THE PRESIDENT OF THE
UNITED STATES OF AMERICA, HIS
MAJESTY THE KING OF THE BELGIANS,
THE PRESIDENT OF THE FRENCH
REPUBLIC, HIS MAJESTY THE KING
OF GREAT BRITAIN, IRELAND AND
THE BRITISH DOMINIONS BEYOND THE
SEAS, EMPEROR OF INDIA, HIS MAJESTY

EQ # 32.

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TREATY SERIES, No. 796

TREATY
BETWEEN THE
UNITED STATES AND OTHER POWERS
PROVIDING FOR THE
RENUNCIATION OF WAR
AS AN INSTRUMENT OF NATIONAL POLICY

SIGNED AT PARIS, AUGUST 27, 1928
RATIFICATION ADVISED BY THE SENATE, JANUARY 15, 1929 (LEGIS-
LATIVE DAY OF JANUARY 14, 1929)
RATIFIED BY THE PRESIDENT, JANUARY 17, 1929
INSTRUMENTS OF RATIFICATION DEPOSITED AT WASHINGTON
BY THE UNITED STATES OF AMERICA; AUSTRALIA; DOMINION OF
CANADA; CZECHOSLOVAKIA; GERMANY; GREAT BRITAIN; INDIA;
IRISH FREE STATE; ITALY; NEW ZEALAND; AND UNION OF SOUTH
AFRICA, MARCH 2, 1929
BY POLAND, MARCH 25, 1929
BY BELGIUM, MARCH 27, 1929
BY FRANCE, APRIL 22, 1929
BY JAPAN, JULY 24, 1929
PROCLAIMED, JULY 24, 1929



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1929

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Treaty between the President of the United States of America, the President of the German Reich, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland, and the President of the Czechoslovak Republic, providing for the renunciation of war as an instrument of national policy, was concluded and signed by their respective Plenipotentiaries at Paris on the twenty-seventh day of August, one thousand nine hundred and twenty-eight, the original of which Treaty, being in the English and French languages, is word for word as follows:

LE PRÉSIDENT DU REICH ALLEMAND, LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE, SA MAJESTÉ LE ROI DES BELGES, LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE, SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, SA MAJESTÉ LE ROI D'ITALIE, SA MAJESTÉ L'EMPEREUR DU JAPON, LE PRÉSIDENT DE LA RÉPUBLIQUE DE POLOGNE, LE PRÉSIDENT DE LA RÉPUBLIQUE TCHÉCOSLOVAQUE,

THE PRESIDENT OF THE GERMAN REICH, THE PRESIDENT OF THE UNITED STATES OF AMERICA, HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FRENCH REPUBLIC, HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, HIS MAJESTY THE KING OF ITALY, HIS MAJESTY THE EMPEROR OF JAPAN, THE PRESIDENT OF THE REPUBLIC OF POLAND, THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC,

Ayant le sentiment profond du devoir solennel qui leur incombe de développer le bien-être de l'humanité;

Persuadés que le moment est venu de procéder à une franche renonciation à la guerre comme instrument de politique nationale afin que les relations pacifiques et amicales existant actuellement entre leurs peuples puissent être perpétuées;

Convaincus que tous changements dans leurs relations mutuelles ne doivent être recherchés

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific

que par des procédés pacifiques et être réalisés dans l'ordre et dans la paix, et que toute Puissance signataire qui chercherait désormais à développer ses intérêts nationaux en recourant à la guerre devra être privée du bénéfice du présent Traité;

Espérant que, encouragées par leur exemple, toutes les autres nations du monde se joindront à ces efforts humanitaires et, en adhérant au présent Traité dès qu'il entrera en vigueur, mettront leurs peuples à même de profiter de ses bienfaites stipulations, unissant ainsi les nations civilisées du monde dans une renonciation commune à la guerre comme instrument de leur politique nationale;

Ont décidé de conclure un Traité et à cette fin ont désigné comme leurs Plénipotentiaires respectifs, savoir:

LE PRÉSIDENT DU REICH ALLEMAND:

M. le Docteur Gustav STRESEMANN, Ministre des Affaires Étrangères;

LE PRÉSIDENT DES ÉTATS-UNIS D'AMÉRIQUE:

L'Honorable Frank B. KELLOGG, Secrétaire d'État;

SA MAJESTÉ LE ROI DES BELGES:

M. Paul HYMANS, Ministre des Affaires Étrangères, Ministre d'État;

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

M. Aristide BRIAND, Ministre des Affaires Étrangères;

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES:

Pour la GRANDE-BRETAGNE et l'IRLANDE DU NORD et toutes les Parties de l'Empire Britannique qui ne sont pas individuellement Membres de la Société des Nations:

means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavor and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its beneficent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries:

THE PRESIDENT OF THE GERMAN REICH:

Dr Gustav STRESEMANN, Minister for Foreign Affairs;

THE PRESIDENT OF THE UNITED STATES OF AMERICA:

The Honorable Frank B. KELLOGG, Secretary of State;

HIS MAJESTY THE KING OF THE BELGIANS:

Mr Paul HYMAN, Minister for Foreign Affairs, Minister of State;

THE PRESIDENT OF THE FRENCH REPUBLIC:

Mr. Aristide BRIAND, Minister for Foreign Affairs;

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA:

For GREAT BRITAIN and NORTHERN IRELAND and all parts of the British Empire which are not separate Members of the League of Nations:

Le Très Honorable Lord CUSHENDUN, Chancelier du Duché de Lancastre, Secrétaire d'État pour les Affaires Étrangères *par interim*;

Pour le DOMINION DU CANADA:

Le Très Honorable William Lyon MACKENZIE KING, Premier Ministre et Ministre des Affaires Extérieures;

Pour le COMMONWEALTH D'AUS-
TRALIE:

L'Honorable Alexander John Mc-
LACHLAN, Membre du Conseil
Exécutif Fédéral;

Pour le DOMINION DE NOUVELLE-
ZÉLANDE:

L'Honorable Sir Christopher James
PARR, Haut-Commissaire de la
Nouvelle-Zélande en Grande-Bre-
tagne;

Pour l'UNION DE L'AFRIQUE DU
SUD:

L'Honorable Jacobus Stephanus
SMIT, Haut Commissaire de
l'Union de l'Afrique du Sud en
Grande-Bretagne;

POUR L'ÉTAT LIBRE d'IRLANDE:

M. William Thomas COSGRAVE,
Président du Conseil Exécutif;

POUR L'INDE:

Le Très Honorable Lord CUSHEN-
DUN, Chancelier du Duché de Lan-
castre, Secrétaire d'État pour les
Affaires Étrangères *par interim*;

SA MAJESTÉ LE ROI D'ITALIE:

Le Comte Gaetano MANZONI, Son
Ambassadeur Extraordinaire et
Plénipotentiaire à Paris;

SA MAJESTÉ L'EMPEREUR DU
JAPON:

Le Comte UCHIDA, Conseiller
Privé;

LE PRÉSIDENT DE LA RÉPU-
BLIQUE DE POLOGNE:

M. A. ZALESKI, Ministre des
Affaires Etrangères;

LE PRÉSIDENT DE LA RÉPU-
BLIQUE TCHÉCOSLOVAQUE:

M. le Docteur Eduard BENÈS
Ministre des Affaires Etrangères;

qui, après s'être communiqué
leurs pleins pouvoirs, reconnus

The Right Honourable Lord
CUSHENDUN, Chancellor of the
Duchy of Lancaster, Acting Secre-
tary of State for Foreign Affairs;

For the DOMINION OF CANADA:

The Right Honourable William Lyon
MACKENZIE KING, Prime Minister
and Minister for External Affairs;

For the COMMONWEALTH OF
AUSTRALIA:

The Honourable Alexander John
MCLACHLAN, Member of the Exec-
utive Federal Council;

For the DOMINION OF NEW
ZEALAND:

The Honourable Sir Christopher
James PARR, High Commissioner
for New Zealand in Great Britain;

For the UNION OF SOUTH
AFRICA:

The Honourable Jacobus Stephanus
SMIT, High Commissioner for the
Union of South Africa in Great
Britain;

For the IRISH FREE STATE:

Mr. William Thomas COSGRAVE,
President of the Executive Council;

For INDIA:

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of Lancaster, Acting Secretary of
State for Foreign Affairs;

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JAPAN:

Count UCHIDA, Privy Councillor;

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Mr. A. ZALESKI, Minister for
Foreign Affairs;

THE PRESIDENT OF THE
CZECHOSLOVAK REPUBLIC:

D^r Eduard BENÈS, Minister for
Foreign Affairs;

who, having communicated to one
another their full powers found in

que par des procédés pacifiques et être réalisés dans l'ordre et dans la paix, et que toute Puissance signataire qui chercherait désormais à développer ses intérêts nationaux en recourant à la guerre devra être privée du bénéfice du présent Traité;

Espérant que, encouragées par leur exemple, toutes les autres nations du monde se joindront à ces efforts humanitaires et, en adhérant au présent Traité dès qu'il entrera en vigueur, mettront leurs peuples à même de profiter de ses bienfaites stipulations, unissant ainsi les nations civilisées du monde dans une renonciation commune à la guerre comme instrument de leur politique nationale;

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L'Honorable Frank B. KELLOGG, Secrétaire d'État;

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M. Paul HYMANS, Ministre des Affaires Étrangères, Ministre d'État;

LE PRÉSIDENT DE LA RÉPUBLIQUE FRANÇAISE:

M. Aristide BRIAND, Ministre des Affaires Étrangères;

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Pour la GRANDE-BRETAGNE et l'IRLANDE DU NORD et toutes les Parties de l'Empire Britannique qui ne sont pas individuellement Membres de la Société des Nations:

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HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA:

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Pour le DOMINION DU CANADA:
Le Très Honorable William Lyon MACKENZIE KING, Premier Ministre et Ministre des Affaires Extérieures;

Pour le COMMONWEALTH D'AUS-
TRALIE:
L'Honorable Alexander John Mc-
LACHLAN, Membre du Conseil
Exécutif Fédéral;

Pour le DOMINION DE NOUVELLE-
ZÉLANDE:
L'Honorable Sir Christopher James
PARR, Haut-Commissaire de la
Nouvelle-Zélande en Grande-Bre-
tagne;

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Ambassadeur Extraordinaire et
Plénipotentiaire à Paris;

SA MAJESTÉ L'EMPEREUR DU
JAPON:
Le Comte UCHIDA, Conseiller
Privé;

LE PRÉSIDENT DE LA RÉPU-
BLIQUE DE POLOGNE:
M. A. ZALESKI, Ministre des
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LE PRÉSIDENT DE LA RÉPU-
BLIQUE TCHÉCOSLOVAQUE:
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James PARR, High Commissioner
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For the UNION OF SOUTH
AFRICA:
The Honourable Jacobus Stephanus
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Britain;

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For INDIA:
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Mr. A. ZALESKI, Minister for
Foreign Affairs;

THE PRESIDENT OF THE
CZECHOSLOVAK REPUBLIC:
Dr. Eduard BENÈS, Minister for
Foreign Affairs;

who, having communicated to one
another their full powers found in

en bonne et due forme, sont tombés d'accord sur les articles suivants:

good and due form have agreed upon the following articles:

ARTICLE I

Les Hautes Parties Contractantes déclarent solennellement au nom de leurs peuples respectifs qu'elles condamnent le recours à la guerre pour le règlement des différends internationaux, et y renoncent en tant qu'instrument de politique nationale dans leurs relations mutuelles.

ARTICLE I

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

ARTICLE II

Les Hautes Parties Contractantes reconnaissent que le règlement ou la solution de tous les différends ou conflits, de quelque nature ou de quelque origine qu'ils puissent être, qui pourront surgir entre elles, ne devra jamais être recherché que par des moyens pacifiques.

ARTICLE II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

ARTICLE III

Le présent Traité sera ratifié par les Hautes Parties Contractantes désignées dans le préambule, conformément aux exigences de leurs constitutions respectives, et il prendra effet entre elles dès que tous les instruments de ratification auront été déposés à Washington.

ARTICLE III

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

Le présent Traité, lorsqu'il aura été mis en vigueur ainsi qu'il est prévu au paragraphe précédent, restera ouvert aussi longtemps qu'il sera nécessaire pour l'adhésion de toutes les autres Puissances du monde. Chaque instrument établissant l'adhésion d'une Puissance sera déposé à Washington et le Traité, immédiatement après ce dépôt, entrera en vigueur entre la Puissance donnant ainsi son adhésion et les autres Puissances contractantes.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

Il appartiendra au Gouvernement des États-Unis de fournir à chaque Gouvernement désigné dans le préambule et à tout Gouvernement qui adhérera ultérieurement au présent Traité une copie certifiée conforme dudit Traité et de chacun des instruments de ratification ou d'adhésion. Il appartiendra également au Gouvernement des États-Unis de notifier télégraphiquement auxdits Gouvernements chaque instrument de ratification ou d'adhésion immédiatement après dépôt.

EN FOI DE QUOI, les Plénipotentiaires respectifs ont signé le présent Traité établi en langue française et en langue anglaise, les deux textes ayant force égale, et y ont apposé leurs cachets.

FAIT à Paris, le vingt-sept Août mil neuf cent vingt-huit.

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

IN FAITH WHEREOF the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

DONE at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

| | |
|--------|-----------------------------|
| [SEAL] | GUSTAV STRESEMANN |
| [SEAL] | FRANK B KELLOGG |
| [SEAL] | PAUL HYMANS |
| [SEAL] | ARI BRIAND |
| [SEAL] | CUSHENDUN |
| [SEAL] | W. L. MACKENZIE KING |
| [SEAL] | A J MCLACHLAN |
| [SEAL] | C. J. PARR |
| [SEAL] | J S. SMIT |
| [SEAL] | LIAM T. MACCOSGAIR |
| [SEAL] | CUSHENDUN |
| [SEAL] | G. MANZONI |
| [SEAL] | UCHIDA |
| [SEAL] | AUGUST ZALESKI |
| [SEAL] | D ^R EDUARD BENES |

AND WHEREAS it is stipulated in the said Treaty that it shall take effect as between the High Contracting Parties as soon as all the several instruments of ratification shall have been deposited at Washington;

AND WHEREAS the said Treaty has been duly ratified on the parts of all the High Contracting Parties and their several instruments of ratification have been deposited with the Government of the United States of America, the last on July 24, 1929;

Now, THEREFORE, be it known that I, Herbert Hoover, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause

en bonne et due forme, sont tombés d'accord sur les articles suivants: good and due form have agreed upon the following articles:

ARTICLE I

Les Hautes Parties Contractantes déclarent solennellement au nom de leurs peuples respectifs qu'elles condamnent le recours à la guerre pour le règlement des différends internationaux, et y renoncent en tant qu'instrument de politique nationale dans leurs relations mutuelles.

ARTICLE I

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

ARTICLE II

Les Hautes Parties Contractantes reconnaissent que le règlement ou la solution de tous les différends ou conflits, de quelque nature ou de quelque origine qu'ils puissent être, qui pourront surgir entre elles, ne devra jamais être recherché que par des moyens pacifiques.

ARTICLE II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

ARTICLE III

Le présent Traité sera ratifié par les Hautes Parties Contractantes désignées dans le préambule, conformément aux exigences de leurs constitutions respectives, et il prendra effet entre elles dès que tous les instruments de ratification auront été déposés à Washington.

ARTICLE III

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

Le présent Traité, lorsqu'il aura été mis en vigueur ainsi qu'il est prévu au paragraphe précédent, restera ouvert aussi longtemps qu'il sera nécessaire pour l'adhésion de toutes les autres Puissances du monde. Chaque instrument établissant l'adhésion d'une Puissance sera déposé à Washington et le Traité, immédiatement après ce dépôt, entrera en vigueur entre la Puissance donnant ainsi son adhésion et les autres Puissances contractantes.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

Il appartiendra au Gouvernement des États-Unis de fournir à chaque Gouvernement désigné dans le préambule et à tout Gouvernement qui adhérera ultérieurement au présent Traité une copie certifiée conforme dudit Traité et de chacun des instruments de ratification ou d'adhésion. Il appartiendra également au Gouvernement des États-Unis de notifier télégraphiquement auxdits Gouvernements chaque instrument de ratification ou d'adhésion immédiatement après dépôt.

EN FOI DE QUOI, les Plénipotentiaires respectifs ont signé le présent Traité établi en langue française et en langue anglaise, les deux textes ayant force égale, et y ont apposé leurs cachets.

FAIT à Paris, le vingt-sept Août mil neuf cent vingt-huit.

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

IN FAITH WHEREOF the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

DONE at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

[SEAL] GUSTAV STRESEMANN
 [SEAL] FRANK B KELLOGG
 [SEAL] PAUL HYMANS
 [SEAL] ARI BRIAND
 [SEAL] CUSHENDUN
 [SEAL] W. L. MACKENZIE KING
 [SEAL] A J MCLACHLAN
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 [SEAL] J S. SMIT
 [SEAL] LIAM T. MACCOSGAIR
 [SEAL] CUSHENDUN
 [SEAL] G. MANZONI
 [SEAL] UCHIDA
 [SEAL] AUGUST ZALESKI
 [SEAL] D^R EDUARD BENES

AND WHEREAS it is stipulated in the said Treaty that it shall take effect as between the High Contracting Parties as soon as all the several instruments of ratification shall have been deposited at Washington;

AND WHEREAS the said Treaty has been duly ratified on the parts of all the High Contracting Parties and their several instruments of ratification have been deposited with the Government of the United States of America, the last on July 24, 1929;

NOW, THEREFORE, be it known that I, Herbert Hoover, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause

thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this twenty-fourth day of July in the year of our Lord one thousand nine hundred and [SEAL] twenty-nine, and of the Independence of the United States of America the one hundred and fifty-fourth.

HERBERT HOOVER

By the President:

HENRY L. STIMSON
Secretary of State

NOTE BY THE DEPARTMENT OF STATE

ADHERING COUNTRIES

When this Treaty became effective on July 24, 1929, the instruments of ratification of all of the signatory powers having been deposited at Washington, the following countries, having deposited instruments of definitive adherence, became parties to it:

| | | |
|--------------------|-------------|--|
| Afghanistan | Finland | Peru |
| Albania | Guatemala | Portugal |
| Austria | Hungary | Rumania |
| Bulgaria | Iceland | Russia |
| China | Latvia | Kingdom of the Serbs, Croats and Slovenes |
| Cuba | Liberia | Siam |
| Denmark | Lithuania | Spain |
| Dominican Republic | Netherlands | Sweden |
| Egypt | Nicaragua | Turkey |
| Estonia | Norway | |
| Ethiopia | Panama | |

(7)

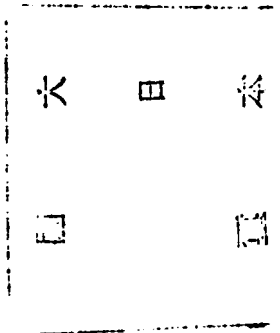
○

今 33

天祐ヲ保有シ萬世一系ノ帝統ヲ臨メル
 日本國皇帝裕仁此ノ誓ヲ見ル有衆ニ宣
 示ス朕昭和三年八月二十七日巴里ニ於
 テ帝國全權委員カ關係各國全權委員ト
 共ニ署名副印シ且第一條中ノ字句ニ曰
 シ昭和四年六月二十七日附テ以テ帝國
 政府カ宣言スル所アリタル戰爭拋棄ニ
 關スル條約ヲ閱覽點檢シ右帝國政府ノ
 宣言ヲ存シテ之ヲ滿清批准ス

神武天皇即位紀元二千五百八十九年昭和
 四年六月二十七日東京宮城ニ於テ親ラ名
 ヲ署シ璽ヲ鈐セシム

裕 仁



外務大臣身嘗 田 中 義 一

宣 告

帝國政府ハ千九百二十八年八月二十七
日巴里ニ於テ署名セラレタル戰争規程
ニ關スル條約第一條中ノ「其ノ各自ノ
人民ノ名ニ於テ」ナル字句ハ帝國憲法
ノ條章ヨリ觀テ日本國ニ限り適用ナキ
モノト了解スルコトヲ宣言ス

昭和四年六月二十七日

JAPANESE RATIFICATION OF PACT OF PARIS

(Translation 1)

HIROHITO, By the Grace of Heaven, Emperor of Japan,
ascended on the Throne occupied by the same Dynasty
changeless through ages eternal, To all to whom
these Presents shall come, Greeting!

Having examined the Treaty for the Renunciation
of War, signed at Paris by the Japanese Plenipotentiary
together with the Plenipotentiaries of the Powers
concerned on the twenty-seventh day of August, 1928,
regarding which Treaty the Japanese Government on
twenty-seventh day of the sixth month of the fourth
year of Showa issued a declaration concerning a
phrase contained in the First Article thereof, We,
maintaining the said declaration, approve, accept, and
ratify the same.

In faith whereof, We have signed this instrument
and caused the Great Seal of the Empire to be affixed
thereto at the Imperial Palace in Tokio, this twenty-
seventh day of the sixth month of the fourth year of
Showa, being the two thousand five hundred and eighty-
ninth year from the Accession of the Emperor Jimmu.

Hirohito.

(seal)

Baron Giichi Tanaka,
Minister for Foreign Affairs

The Japanese Ambassador (Debuchi) to the Secretary of
State (Stimson)

No. 92

Washington, July 24, 1929

Sir: I have the honor, under instructions from my
Government, to transmit herewith to you the Declaration
of the Imperial Government made on June 27 of this
year, concerning the phraseology "in the names of their
respective peoples", appearing in Article 1 of the
Treaty for the Renunciation of War, signed at Paris on
August 27, 1928. The Declaration was made for the
purpose of dispelling any doubt in relation to the

JAPANESE RATIFICATION OF PACT OF PARIS

(Translation 1)

Constitution of Japan, elucidating, as it does, the construction placed by the Japanese Government on the phraseology in question.

I am further instructed to request you to be so good as to send a copy of this note and of the declaration above mentioned to each of the other High Contracting Parties concerned.

Accept (etc)

K. Debuchi

1 Furnished by the Japanese Government.

(Translation 2)

DECLARATION

The Imperial Government declare that the phraseology "in the names of their respective peoples", appearing in Article I of the Treaty for the Renunciation of War, signed at Paris on August 27, 1928, viewed in the light of the provisions of the Imperial Constitution, is understood to be inapplicable in so far as Japan is concerned.

June 27, 4 Showa (1929).

2 Furnished by the Japanese Government.

JAPANESE IDENTIFICATION OF PACT OF PARIS

(Translation 1)

Constitution of Japan, elucidating, as it does, the construction placed by the Japanese Government on the phraseology in question.

I am further instructed to request you to be so good as to send a copy of this note and of the declaration above mentioned to each of the other High Contracting Parties concerned.

accept (etc)

K. Debuchi

1 Furnished by the Japanese Government.

(Translation 2)

DECLARATION

The Imperial Government declares that the phraseology "in the names of their respective peoples", appearing in article I of the Treaty for the renunciation of war, signed at Paris on August 27, 1928, viewed in the light of the provisions of the Imperial Constitution, is understood to be inapplicable in so far as Japan is concerned.

June 27, 4 Showa (1929).

2 Furnished by the Japanese Government.

7. 34

亞米利加合衆國、英帝國、佛蘭西國、伊太利國及日本國間ニ千九百二十二年二月六日華盛頓ニ於テ締結セラレタル右各國ノ海軍軍備制限ニ關スル條約ノ批准暨寄託證書

Doc 173

一九三三年(大正十二年)八月二十七日
同 年一月十五日告示

亞米利加合衆國、英帝國、佛蘭西國、伊太利國及日本國間ニ千九百二十二年二月六日華盛頓ニ於テ締結セラレタル右各國ノ海軍軍備制限ニ關スル條約第二十四條ニ從ヒ亞米利加合衆國、英帝國、佛蘭西國、伊太利國及日本國ノ代表者タル下名ノ其ノ代表スル政府ノ前記條約ノ批准書ヲ亞米利加合衆國政府ニ寄託スル爲本日華盛頓ニ於ケル國務省ニ付合セリ

佛蘭西共和國政府ノ代表者ハ左ノ聲明ヲ零シタリ
佛蘭西國政府ハ各締約國ニ對シテラレタル主力艦及航空母艦ノ總噸數ノ比率ハ右各國ノ海軍ニ關スル所定ノ重費ノ程度ヲ示スモノニ非ス又比率ヲ明白ニ定メラレタルモノ以外ノ時期ニ之ヲ及ホスコトヲ得スト思惟シ又當ニ思惟シタリ

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國政府ニ之ヲ委託シタリ

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右證據トシテ平調書ニ署名セリ其ノ認證謄本ハ亞米利

加合衆國政府之ヲ前記條約ノ各署名國ニ送付スヘシ

千九百二十三年八月十七日正午華盛頓ニ於テ

亞米利加合衆國

チャールス、エブアンス、ヒユース (印)

英 帝 國

エツチ、ジー、チルト シ (印)

佛 蘭 西 國

アンドレー、ド、ラフレイイ (印)

伊 太 利 國

アウグスト、ロツソ (印)

日 本 國

埴 原 正 直 (印)

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193 P3

海軍軍備制限ニ關スル條約締約國措置振一覽表

| 締約國 | 批准ノ日 | 英批准ノ日 | 英批准ノ日 | 留保附(批) | 推警審託調 | 参考照) |
|---------|-----------|-----------|-------|--------|-------|------|
| 米 國 | 一九三三。六。九 | 一九三三。八。一七 | | | | |
| 佛 蘭 西 國 | 一九三三。七。二八 | 一九三三。八。一七 | | | | |
| 英 帝 國 | 一九三三。八。四 | 一九三三。八。一七 | | | | |
| 伊 太 利 國 | 一九三三。四。一九 | 一九三三。八。一七 | | | | |
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Page 1

Treaty Series, No. 671

TREATY

Between the

UNITED STATES, THE BRITISH EMPIRE,
FRANCE, ITALY, AND JAPAN

LIMITATION OF NAVAL ARMAMENT

Signed at Washington, February 6, 1922
Ratification Advised by the Senate, March 29, 1922
Ratified by the President, June 9, 1923
Ratifications Deposited with the Government of the United
States, August 17, 1923
Proclaimed, August 21, 1923

By the President of the United States of America

A PROCLAMATION.

Whereas a Treaty between the United States of America, the British Empire, France, Italy and Japan, agreeing to a limitation of naval armament, was concluded and signed by their respective plenipotentiaries at Washington on February 6, 1922, the original of which Treaty, in the English and French languages, is word for word as follows:

The United States of America, the British Empire, France, Italy and Japan;

Desiring to contribute to the maintenance of the general peace, and to reduce the burdens of competition in armament;

Have resolved with a view to accomplishing these purposes, to conclude a treaty to limit their respective naval armament, and to that end have appointed as their Plenipotentiaries;

(Plenipotentiaries listed.)

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

CHAPTER I.

General Provisions Relating to the Limitation of Naval Armament

Article I.

The Contracting Powers agree to limit their respective naval armament as provided in the present Treaty.

Article II.

The Contracting Powers may retain respectively the capital ships which are specified in Chapter II, Part 1. On the coming into force of the present Treaty, but subject to the following provisions of this Article, all other capital ships, built or building, of the United States, the British Empire and Japan shall be disposed of as prescribed in Chapter II, Part 2.

In addition to the capital ships specified in Chapter II, Part 1, the United States may complete and retain two ships of the West Virginia class now under construction. On the completion of these two ships the North Dakota and Delaware shall be disposed of as prescribed in Chapter II, Part 2.

The British Empire may, in accordance with the replacement table in Chapter II, Part 3, construct two new capital ships not exceeding 35,000 tons (35,560 metric tons) standard displacement each. On the completion of the said two ships the Thunderer, Kin George V, Ajax and Centurion shall be disposed of as prescribed in Chapter II, Part 2.

Article III.

Subject to the provisions of Article II, the Contracting Powers shall abandon their respective capital ship building programs and no new capital ships shall be constructed or acquired by any of the Contracting Powers except replacement tonnage which may be constructed or acquired as specified in Chapter II, Part 3.

Ships which are replaced in accordance with Chapter II, Part 3, shall be disposed of as prescribed in Part 2 of that Chapter.

Article IV.

The total capital ship replacement tonnage of each of the Contracting Powers shall not exceed in standard displacement, for the United States 525,000 tons (533,400 metric tons); for the British Empire 525,000 tons (533,400 metric tons); for France 175,000 tons (177,800 metric tons); for Italy 175,000 tons (177,800 metric tons); for Japan 315,000 tons (320,040 metric tons).

Article V.

No capital ship exceeding 35,000 tons (35,560 metric tons) standard displacement shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers.

Article VI.

No capital ship of any of the Contracting Powers shall carry a gun with a calibre in excess of 16 inches (406 millimetres).

Article VII.

The total tonnage for aircraft carriers of each of the Contracting Powers shall not exceed in standard displacement, for the United States 135,000 tons (137,160 metric tons); for the British Empire 135,000 tons (137,160 metric tons); for France 60,000 tons (60,960 metric tons); for Italy 60,000 tons (60,960 metric tons); for Japan 81,000 tons (82,296 metric tons).

Article VIII.

The replacement of aircraft carriers shall be effected only as prescribed in Chapter II, Part 3, provided, however, that all aircraft carrier tonnage in existence or building on November 12, 1921, shall be considered experimental and may be replaced within the total tonnage limits prescribed in Article VII, without regard to its age.

Article IX.

No aircraft carrier exceeding 27,000 tons (27,432 metric tons) standard displacement shall be acquired by, or constructed by, for or within the jurisdiction of, any of the Contracting Powers.

However, any of the Contracting Powers may, provided that its total tonnage allowance of aircraft carriers is not thereby exceeded, build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons (33,528 metric tons) standard displacement, and in order to effect economy any of the Contracting Powers may use for this purpose any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the provisions of Article II. The armament of any aircraft carriers exceeding 27,000 tons (27,432 metric tons) standard displacement shall be in accordance with the requirements of Article X, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches (152 millimetres), except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed eight.

Article X.

No aircraft carrier of any of the Contracting Powers shall carry a gun with a calibre in excess of 8 inches (203 millimetres). Without prejudice to the provisions of Article IX, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5 inches (127 millimetres) is not limited.

Article XI.

No vessel of war exceeding 10,000 tons (10160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers. Vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troops transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitations of this Article.

Article XII.

No vessel of war of any of the Contracting Powers, hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

Article XIII.

Except as provided in Article IX, no ship designated in the present Treaty to be scrapped may be reconverted into a vessel of war.

Article XIV.

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inch (152 millimetres) calibre.

Article XV.

No vessel of war constructed within the jurisdiction of any of the Contracting Powers for a non-Contracting Power shall exceed the limitations as to displacement and armament prescribed by the

Article X.

No aircraft carrier of any of the Contracting Powers shall carry a gun with a calibre in excess of 8 inches (203 millimetres). Without prejudice to the provisions of Article IX, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5 inches (127 millimetres) is not limited.

Article XI.

No vessel of war exceeding 10,000 tons (10160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers. Vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troops transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitations of this Article.

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No vessel of war of any of the Contracting Powers, hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

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Except as provided in Article IX, no ship designated in the present Treaty to be scrapped may be reconverted into a vessel of war.

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No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inch (152 millimetres) calibre.

Article XV.

No vessel of war constructed within the jurisdiction of any of the Contracting Powers for a non-Contracting Power shall exceed the limitations as to displacement and armament prescribed by the

present Treaty for vessels of a similar type which may be constructed by or for any of the Contracting Powers; provided, however, that the displacement for aircraft carriers constructed for a non-Contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

Article XVI.

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the other Contracting Powers of the date of the signing of the contract and the date on which the keel of the ship is laid; and shall also communicate to them, the particulars relating to the ship prescribed in Chapter II, Part 3, Section I (b), (4) and (5).

Article XVII.

In the event of a Contracting Power being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

Article XVIII.

Each of the Contracting Powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the Navy of any foreign Power.

Article XIX.

The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present Treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands;

(2) Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean, east of the meridian of 110° east longitude, except (a) those adjacent to the coast of Canada (b) the Commonwealth of Australia and its Territories, and (c) New Zealand;

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa and the Pescadores, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.

The maintenance of the status quo under the foregoing provisions implies that no new fortifications or naval bases shall be established in the territories and possessions specified; that no measures shall be taken to increase the existing naval facilities for the repair and maintenance of naval forces, and that no increase shall be made in the coast defences of the territories and possessions above specified. This restriction, however, does not preclude such repair and replacement of worn-out weapons and equipment as is customary in naval and military establishments in time of peace.

Article XX.

The rules for determining tonnage displacement prescribed in Chapter II, Part 4, shall apply to the ships of each of the Contracting Powers.

CHAPTER II.

Rules Relating to the Execution of the Treaty-- Definition of Terms

Part 1.

Capital Ships Which May Be Retained by the Contracting Powers.

In accordance with Article II ships may be retained by each of the Contracting Powers as specified in this Part.

Ships which may be re- tained by the United States

| Name: | Tonnage. |
|--------------------|----------|
| Maryland..... | 32,600 |
| California..... | 32,300 |
| Tennessee..... | 32,300 |
| Idaho..... | 32,000 |
| New Mexico..... | 32,000 |
| Mississippi..... | 32,000 |
| Arizona..... | 31,400 |
| Pennsylvania..... | 31,400 |
| Oklahoma..... | 27,500 |
| Nevada..... | 27,500 |
| New York..... | 27,000 |
| Texas..... | 27,000 |
| Arkansas..... | 26,000 |
| Wyoming..... | 26,000 |
| Florida..... | 21,825 |
| Utah..... | 21,825 |
| North Dakota..... | 20,000 |
| Delaware..... | 20,000 |
| Total tonnage..... | 500,650 |

On the completion of the two ships of the West Virginia class and the scrapping of the North Dakota and Delaware, as provided in Article II, the total tonnage to be retained by the United States will be 525,850 tons.

Ships which may be re-
tained by the British Empire

| Name: | Tonnage. |
|-----------------------|----------|
| Royal Sovereign..... | 25,750 |
| Royal Oak..... | 25,750 |
| Revenge..... | 25,750 |
| Resolution..... | 25,750 |
| Ramillies..... | 25,750 |
| Malaya..... | 27,500 |
| Valiant..... | 27,500 |
| Barham..... | 27,500 |
| Queen Elizabeth..... | 27,500 |
| Warspite..... | 27,500 |
| Benbow..... | 25,000 |
| Emperor of India..... | 25,000 |
| Iron Duke..... | 25,000 |
| Marlborough..... | 25,000 |
| Hood..... | 41,200 |
| Renown..... | 26,500 |
| Repulse..... | 26,500 |
| Tiger..... | 28,500 |
| Thunderer..... | 22,500 |
| King George V..... | 23,000 |
| Ajax..... | 23,000 |
| Centurion..... | 23,000 |
| Total tonnage..... | 580,450 |

On the completion of the two new ships to be constructed and the scrapping of the Thunderer, King George V, Ajax and Centurion, as provided in Article II, the total tonnage to be retained by the British Empire will be 558,950 tons.

Ships which may be retained by France

| Name: | Tonnage. (Metric Tons) |
|--------------------|------------------------|
| Bretagne..... | 23,500 |
| Lorraine..... | 23,500 |
| Provence..... | 23,500 |
| Paris..... | 23,500 |
| France.. .. | 23,500 |
| Jean Bart..... | 23,500 |
| Courbet..... | 23,500 |
| Condorcet..... | 18,890 |
| Diderot..... | 18,890 |
| Voltaire..... | 18,890 |
| Total tonnage..... | 221,170 |

On the completion of the two ships of the West Virginia class and the scrapping of the North Dakota and Delaware, as provided in Article II, the total tonnage to be retained by the United States will be 525,850 tons.

Ships which may be re-
tained by the British Empire

| Name: | Tonnage. |
|-----------------------|----------------|
| Royal Sovereign..... | 25,750 |
| Royal Oak..... | 25,750 |
| Revenge..... | 25,750 |
| Resolution..... | 25,750 |
| Ranillies..... | 25,750 |
| Malaya..... | 27,500 |
| Valiant..... | 27,500 |
| Barham..... | 27,500 |
| Queen Elizabeth..... | 27,500 |
| Warspite..... | 27,500 |
| Benbow..... | 25,000 |
| Emperor of India..... | 25,000 |
| Iron Duke..... | 25,000 |
| Marlborough..... | 25,000 |
| Hood..... | 41,200 |
| Renown..... | 26,500 |
| Repulse..... | 26,500 |
| Tiger..... | 28,500 |
| Thunderer..... | 22,500 |
| King George V..... | 23,000 |
| Ajax..... | 23,000 |
| Centurion..... | 23,000 |
| Total tonnage..... | <u>580,450</u> |

On the completion of the two new ships to be constructed and the scrapping of the Thunderer, King George V, Ajax and Centurion, as provided in Article II, the total tonnage to be retained by the British Empire will be 558,950 tons.

Ships which may be retained by France

| Name: | Tonnage. (Metric Tons) |
|--------------------|------------------------|
| Bretagne..... | 23,500 |
| Lorraine..... | 23,500 |
| Provence..... | 23,500 |
| Paris..... | 23,500 |
| France.. .. | 23,500 |
| Jean Bart..... | 23,500 |
| Courbet..... | 23,500 |
| Condorcet..... | 18,890 |
| Diderot..... | 18,890 |
| Voltaire..... | 18,890 |
| Total tonnage..... | <u>221,170</u> |

France may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Ships which may be retained by Italy.

| Name: | Tonnage (metric tons). |
|------------------------|------------------------|
| Andrea Doria..... | 22,700 |
| Caio Duilio..... | 22,700 |
| Conte Di Cavour..... | 22,500 |
| Giulio Cesare..... | 22,500 |
| Leonardo Da Vinci..... | 22,500 |
| Dante Alighieri..... | 19,500 |
| Roma..... | 12,600 |
| Napoli..... | 12,600 |
| Vittorio Emanuele..... | 12,600 |
| Reina Elena..... | 12,600 |
| Total tonnage..... | 182,800 |

Italy may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Ships which may be retained by Japan.

| Name: | Tonnage |
|--------------------|---------|
| Mutsu..... | 33,800 |
| Nagato..... | 33,800 |
| Hiuga..... | 31,260 |
| Ise..... | 31,260 |
| Yamashiro..... | 30,600 |
| Fu-So..... | 30,600 |
| Kirishima..... | 27,500 |
| Haruna..... | 27,500 |
| Hiyei..... | 27,500 |
| Kongo..... | 27,500 |
| Total tonnage..... | 301,320 |

Part 2

Rules for Scrapping Vessels of War.

The following rules shall be observed for the scrapping of vessels of war which are to be disposed of in accordance with Articles II and III.

I. A vessel to be scrapped must be placed in such condition that it cannot be put to combatant use.

II. This result must be finally effected in any one of the following ways:

- (a) Permanent sinking of the vessel;
- (b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating;

(c) Converting the vessel to target use exclusively. In such case all the provisions of paragraph III of this Part, except sub-paragraph (6), in so far as may be necessary to enable the ship to be used as a mobile target, and except sub-paragraph (7), must be previously complied with. Not more than one capital ship may be retained for this purpose at one time by any of the Contracting Powers.

(d) Of the capital ships which would otherwise be scrapped under the present Treaty in or after the year 1931, France and Italy may each retain two sea-going vessels for training purposes exclusively, that is, as gunnery or torpedo schools. The two vessels retained by France shall be of the Jean Bart class, and of those retained by Italy one shall be the Dante Alighieri, the other of the Giulio Cesare class. On retaining these ships for the purpose above stated, France and Italy respectively undertake to remove and destroy their conning-towers, and not to use the said ships as vessels of war.

III. (a) Subject to the special exceptions contained in Article IX, when a vessel is due for scrapping, the first stage of scrapping, which consists in rendering a ship incapable of further warlike service, shall be immediately undertaken.

(b) A vessel shall be considered incapable of further warlike service when there shall have been removed and landed, or else destroyed in the ship:

- (1) All guns and essential portions of guns, fire-control tops and revolving parts of all barbets and turrets;
- (2) All machinery for working hydraulic or electric mountings;
- (3) All fire-control instruments and range-finders;
- (4) All ammunition, explosives and mines;
- (5) All torpedoes, war-heads and torpedo tubes;
- (6) All wireless telegraphy installations;
- (7) The conning tower and all side armour, or alternatively all main propelling machinery; and
- (8) All landing and flying-off platforms and all other aviation accessories.

IV. The periods in which scrapping of vessels is to be effected are as follows:

(a) In the case of vessels to be scrapped under the first paragraph of Article II, the work of rendering the vessels incapable of further warlike service, in accordance with paragraph III of this Part, shall be completed within six months from the coming into force of the present Treaty, and the scrapping shall be finally effected within eighteen months from such coming into force.

(b) In the case of vessels to be scrapped under the second and third paragraphs of Article II, or under Article III, the work of rendering the vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced not later than the date of completion of its successor, and shall be finished within six months from the date of such completion. The vessel shall be finally scrapped, in accordance with paragraph II of this Part, within eighteen months from the date of completion of its successor. If, however, the completion

of the new vessel be delayed, then the work of rendering the old vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced within four years from the laying of the keel of the new vessel, and shall be finished within six months from the date on which such work was commenced, and the old vessel shall be finally scrapped in accordance with paragraph II of this Part within eighteen months from the date when the work of rendering it incapable of further warlike service was commenced.

Part 3

Replacement.

The replacement of capital ships and aircraft carriers shall take place according to the rules in Section I and the tables in Section II of this Part.

Section I.

Rules for Replacement.

(a) Capital ships and aircraft carriers twenty years after the date of their completion may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be replaced by new construction, but within the limits prescribed in Article IV and Article VII. The keels of such new construction may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be laid down not earlier than seventeen years from the date of completion of the tonnage to be replaced, provided, however, that no capital ship tonnage with the exception of the ships referred to in the third paragraph of Article II, and the replacement tonnage specifically mentioned in Section II of this Part, shall be laid down until ten years from November 12, 1921.

(b) Each of the Contracting Powers shall communicate promptly to each of the other Contracting Powers the following information:

(1) The names of the capital ships and aircraft carriers to be replaced by new construction;

(2) The date of governmental authorization of replacement tonnage;

(3) The date of laying the keels of replacement tonnage;

(4) The standard displacement in tons and metric tons of each new ship to be laid down, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement;

(5) The date of completion of each new ship and its standard displacement in tons and metric tons, and the principal dimensions, namely, length at waterline, extreme beam at or below waterline, mean draft at standard displacement, at time of completion.

(c) In case of loss or accidental destruction of capital ships or aircraft carriers, they may immediately be replaced by new construction subject to the tonnage limits prescribed in Articles IV and VII and in conformity with the other provisions of the present Treaty, the regular replacement program being deemed to be advanced to that extent.

(d) No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defense against air and submarine attack, and subject to the following rules: The Contracting Powers may, for that purpose, equip existing tonnage with bulge or blister or anti-air attack deck protection, providing the increase of displacement thus effected does not exceed 5,000 tons (3,048 metric tons) displacement for each ship. No alterations in side armor, in calibre, number or general type of mounting of main armament shall be permitted except:

(1) in the case of France and Italy, which countries within the limits allowed for bulge may increase their armor protection and the calibre of the guns now carried on their existing capital ships so as not to exceed 16 inches (406 millimeters) and

(2) the British Empire shall be permitted to complete, in the case of the Renown, the alterations to armor that have already been commenced but temporarily suspended.

(* * * * *

(Section II, a chart on the replacement and scrapping of capital ships is omitted herefrom.)

* * * * *

Note Applicable To All the Tables
in Section II

The order above prescribed in which ships are to be scrapped is in accordance with their age. It is understood that when replacement begins according to the above tables the order of scrapping in the case of the ships of each of the Contracting Powers may be varied at its option; provided, however, that such Power shall scrap in each year the number of ships above stated.

Part 4.

Definitions

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this Part.

Capital Ship.

A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 millimetres).

Aircraft Carrier.

An aircraft carrier is defined as a vessel of war with a displacement in excess of 10,000 tons (10,160 metric tons) standard displacement designed for the specific and exclusive purpose of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed for carrying a more powerful armament than that allowed to it under Article IX or Article X as the case may be.

Standard Displacement.

The standard displacement of a ship is the displacement of the ship complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but without fuel or reserve feed water on board.

The word "ton" in the present Treaty, except in the expression "metric tons," shall be understood to mean the ton of 2240 pounds (1016 kilos).

Vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement. However, a Power expressing displacement in metric tons shall be considered for the application of the present Treaty as owning only the equivalent displacement in tons of 2240 pounds.

A vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

CHAPTER III.

Miscellaneous Provisions.

Article XXI.

If during the term of the present Treaty the requirements of the national security of any Contracting Power in respect of naval defence are, in the opinion of that Power, materially affected by any change of circumstances, the Contracting Powers will, at the request of such Power, meet in conference with a view to the reconsideration of the provisions of the Treaty and its amendment by mutual agreement.

In view of possible technical and scientific developments, the United States, after consultation with the other Contracting Powers, shall arrange for a conference of all the Contracting Powers which shall convene as soon as possible after the expiration of eight years from the coming into force of the present Treaty to consider what changes, if any, in the Treaty may be necessary to meet such developments.

Article XXII.

Whenever any Contracting Power shall become engaged in a war which in its opinion affects the naval defence of its national security, such Power may after notice to the other Contracting Powers suspend for the period of hostilities its obligations under the present Treaty other than those under Articles XIII and XVII, provided that such Power shall notify the other Contracting Powers that the emergency is of such a character as to require such suspension.

The remaining Contracting Powers shall in such case consult together with a view to agreement as to what temporary modifications if any should be made in the Treaty as between themselves. Should such consultation not produce agreement, duly made in accordance with the constitutional methods of the respective Powers, any one of said Contracting Powers may, by giving notice to the other Contracting Powers, suspend for the period of hostilities its obligations under the present Treaty, other than those under Articles XIII and XVII.

On the cessation of hostilities the Contracting Powers will meet in conference to consider what modifications, if any, should be made in the provisions of the present Treaty.

Article XXIII.

The present Treaty shall remain in force until December 31st, 1936, and in case none of the Contracting Powers shall have given notice two years before that date of its intention to terminate the Treaty, it shall continue in force until the expiration of two years from the date on which notice of termination shall be given by one of the Contracting Powers, whereupon the Treaty shall terminate as regards all the Contracting Powers. Such notice shall be communicated in writing to the Government of the United States, which shall immediately transmit a certified copy of the notification to the other Powers and inform them of the date on which it was received. The notice shall be deemed to have been given and shall take effect on that date. In the event of notice of termination being given by the Government of the United States, such notice shall be given to the diplomatic representatives at Washington of the other Contracting Powers, and the notice shall be deemed to have been given and shall take effect on the date of the communication made to the said diplomatic representatives.

Within one year of the date on which a notice of termination by any Power has taken effect, all the Contracting Powers shall meet in conference.

Article XXIV.

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the proces-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the sixth day of February, One Thousand Nine Hundred and Twenty-Two.

(Signatures follow.)

And Whereas the said Treaty has been duly ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 17, 1923;

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done in the City of Washington this twenty-first day of August in the year of our Lord one thousand nine hundred and twenty-three, and of the Independence of the United States of America the one hundred and forty-eighth.

/Seal/

CALVIN COOLIDGE

By the President:

Charles E. Hughes
Secretary of State.

Doc. 194

Page 1.

TRE.TY SERIES, No. 830
LIMITATION AND REDUCTION
OF NAVAL ARMAMENT

TRE.TY
between
THE UNITED STATES OF AMERICA
AND OTHER POWERS

Signed at London, April 22, 1930.
Ratification advised by the Senate of the United States,
July 21, 1930.
Ratified by the President of the United States,
July 22, 1930.

Ratifications deposited at London:

By the United States of America, the United Kingdom of
Great Britain and Northern Ireland and all parts of
the British Empire which are not separate members of
the League of Nations, the Dominion of Canada, the
Commonwealth of Australia, the Dominion of New
Zealand, the Union of South Africa, India, and Japan,
October 27, 1930:

By the Irish Free State, December 31, 1930.

Proclaimed by the President of the United States,
January 1, 1931.

INSERT

(TREATY SERIES, No. 830)

TREATY FOR THE LIMITATION AND REDUCTION OF NAVAL ARMAMENT
BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH
EMPIRE, FRANCE, ITALY, AND JAPAN, SIGNED AT LONDON,
APRIL 22, 1930.

(Note by the Department of State)

With the exception of part IV which, under the first exception in article 23, "shall remain in force without limit of time", and of the provisions of articles 3, 4, and 5, and of article 11 and annex II to part II so far as they relate to aircraft carriers, the Treaty for the Limitation and Reduction of Naval Armament, signed on the part of the United States of America, the British Empire, France, Italy, and Japan at London on April 22, 1930, and ratified by the United States, the British Empire, and Japan, ceased to be in force on December 31, 1936, in accordance with the provision of article 23 thereof, that the treaty should remain in force until that date.

The provisions of article 3, 4, and 5, and of article 11 and annex II to part II so far as they relate to aircraft carriers, terminated on December 31, 1936, under the second exception in article 23, that they should remain in force for the same period as the "Washington Treaty" (Treaty for the Limitation of Naval Armament, between the United States of America, the British Empire, France, Italy, and Japan, signed at Washington on February 6, 1922), by reason of the termination of the "Washington Treaty" pursuant to a notice given by Japan on December 29, 1934.

The Governments of France and Italy, which did not ratify the treaty of 1930 in its entirety, ratified part IV, and their instruments of ratification of part IV were deposited with the Government of the United Kingdom of Great Britain and Northern Ireland on November 6, 1936. Part IV of the treaty of 1930 is therefore now in force without limit of time among the United States of America, the British Empire, France, Italy, and Japan.

The rules of international law in part IV are also in effect with respect to Germany, which acceded thereto on November 23, 1936; Belgium, which acceded on December 23, 1936; the Union of Soviet Socialist Republics, which acceded on December 27, 1936; Greece, which acceded on January 11, 1937; Haiti, which acceded on January 23, 1937; Nepal, which acceded on January 27, 1937; Sweden, which acceded on February 15, 1937; Finland, which acceded February 18, 1937; Panama, which acceded on February 26, 1937; Bulgaria, which acceded on March 1, 1937; and Albania, which acceded on March 3, 1937.

Department of State,

Washington, March 31, 1937.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a Treaty for the limitation and reduction of naval armament was concluded and signed at London on April 22, 1930, by the respective plenipotentiaries of the President of the United States of America, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy and His Majesty the Emperor of Japan, the original of which Treaty, being in the French and English languages, is word for word as follows:

The President of the United States of America, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, and His Majesty the Emperor of Japan,

Desiring to prevent the dangers and reduce the burdens inherent in competitive armaments, and

Desiring to carry forward the work begun by the Washington Naval Conference and to facilitate the progressive realization of general limitation and reduction of armaments.

Have resolved to conclude a Treaty for the limitation and reduction of naval armament, and have accordingly appointed as their Plenipotentiaries:

(signatures follow)

Who, having communicated to one another their full powers, found in good and due form, have agreed as follows:

PART I.

ARTICLE I.

The High Contracting Parties agree not to exercise their rights to lay down the keels of capital ship replacement tonnage during the years 1931-1936 inclusive as provided in Chapter II, Part 3 of the Treaty for the Limitation of Naval Armament signed between them at Washington on the 6th February, 1922, and referred to in the present Treaty as the Washington Treaty.

This provision is without prejudice to the disposition relating to the replacement of ships accidentally lost or destroyed contained in Chapter II, Part 3, Section I, paragraph (c) of the said Treaty.

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said Treaty.

ARTICLE 2.

1. The United States, the United Kingdom of Great Britain and Northern Ireland and Japan shall dispose of the following capital ships as provided in this Article:

United States:

"FLORIDA".
"UTAH".
"ARKANSAS" or "WYOMING".

United Kingdom:

"BENBOW".
"IRON DUKE".
"MARLBOROUGH".
"EMPEROR OF INDIA".
"TIGER".

Japan:

"HIYEI".

(a) Subject to the provisions sub-paragraph (b), the above ships, unless converted to target use exclusively in accordance with Chapter II, Part 2, paragraph II(c) of the Washington Treaty shall be scrapped in the following manner:

One of the ships to be scrapped by the United States, and two of these to be scrapped by the United Kingdom shall be rendered unfit for warlike service, in accordance with Chapter II, Part 2, paragraph III(b) of the Washington Treaty, within twelve months from the coming into force of the present Treaty. These ships shall be finally scrapped in accordance with paragraph II(a) or (b) of the said Part 2; within twenty-four months from the said coming into force. In the case of the second of the ships to be scrapped by the United States, and of the third and fourth of the ships to be scrapped by the United Kingdom, the said periods shall be eighteen and thirty months respectively from the coming into force of the present Treaty.

(b) Of the ships to be disposed of under this Article, the following may be retained for training purposes:

by the United States: "ARKANSAS" or "WYOMING".
by the United Kingdom: "IRON DUKE".
by Japan: "HIYEI".

France and Italy may, however, build the replacement tonnage which they were entitled to lay down in 1927 and 1929 in accordance with the provisions of the said Treaty.

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(b) Of the ships to be disposed of under this Article, the following may be retained for training purposes:

by the United States: "ARKANSAS" or "WYOMING".
by the United Kingdom: "IRON DUKE".
by Japan: "HIYEI".

These ships shall be reduced to the condition prescribed in Section V of Annex II to Part II of the present Treaty. The work of reducing these vessels to the required condition shall begin, in the case of the United States and the United Kingdom, within twelve months, and in the case of Japan within eighteen months from the coming into force of the present Treaty; the work shall be completed within six months of the expiration of the above-mentioned periods.

Any of these ships which are not retained for training purposes shall be rendered unfit for warlike service within eighteen months, and finally scrapped within thirty months, of the coming into force of the present Treaty.

2. Subject to any disposal of capital ships which might be necessitated, in accordance with the Washington Treaty, by the building by France or Italy of the replacement tonnage referred to in Article 1 of the present Treaty, all existing capital ships mentioned in Chapter II, Part 3, Section II of the Washington Treaty and not designated above to be disposed of may be retained during the term of the present Treaty.

3. The right of replacement is not lost by delay in laying down replacement tonnage, and the old vessel may be retained until replaced even though due for scrapping under Chapter II, Part 3, Section II, of the Washington Treaty.

ARTICLE 3.

1. For the purpose of the Washington Treaty, the definition of an aircraft given in Chapter II, Part 4, of the Treaty is hereby replaced by following definition:

The expression "aircraft carrier" includes any surface vessel of war, whatever its displacement, designed for the specific and exclusive purpose of carrying aircraft and so constructed that aircraft can be launched therefrom and landed thereon.

2. The fitting of a landing-on or flying-off platform or deck on a capital ship, cruiser, or destroyer, provided such vessel was not designed or adapted exclusively as an aircraft carrier, shall not cause any vessel so fitted to be charged against or classified in the category of aircraft carriers.

3. No capital ship in existence on the 1st April, 1930, shall be fitted with a landing-on platform or deck.

ARTICLE 4.

1. No aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 mm.) calibre shall be acquired by or constructed by or for any of the High Contracting Parties.

2. As from the coming into force of the present Treaty in respect of all the High Contracting Parties, no aircraft carrier of 10,000 tons (10,160 metric tons) or less standard displacement mounting a gun above 6.1-inch (155 mm) calibre shall be constructed within the jurisdiction of any of the High Contracting Parties.

ARTICLE 5.

An aircraft carrier must not be designed and constructed for carrying a more powerful armament than that authorized by Article IX or Article X of the Washington Treaty, or by Article 4 of the present Treaty, as the case may be.

Wherever in the said Articles IX and X the calibre of 6 inches (152 mm.) is mentioned, the calibre of 6.1 inches (155mm.) is substituted therefor.

PART II.

ARTICLE 6.

1. The rules for determining standard displacement prescribed in Chapter II, Part 4 of the Washington Treaty shall apply to all surface vessels of war of each of the High Contracting Parties.

2. The standard displacement of a submarine is the surface displacement of the vessel complete (exclusive of the water in non-watertight structure) fully manned, engine, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions for crew, miscellaneous stores, and implements of every description that are intended to be carried in war, but without fuel, lubricating oil, fresh water or ballast water of any kind on board.

3. Each naval combatant vessel shall be rated at its displacement tonnage when in the standard condition. The word "ton", except in the expression "metric tons" shall be understood to be the ton of 2,240 pounds (1,016 kilos.).

ARTICLE 7.

1. No submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 mm.) calibre shall be acquired by or constructed by or for any of the High Contracting Parties.

2. Each of the High Contracting Parties may, however, retain, build or acquire a maximum number of three submarines of a standard displacement not exceeding 2,800 tons (2,845 metric tons); these submarines may carry guns not above 6.1 inch (155 mm.) calibre. Within this number, France may retain one unit, already launched, of 2,830 tons (2,926 metric tons), with guns the calibre of which is 8 inches (203 mm.).

3. The High Contracting Parties may retain the submarines which they possessed on the 1st April, 1930, having a standard displacement not in excess of 2,000 tons (2,032 metric tons) and armed with guns above 5.1-inch (130 mm) calibre.

4. As from the coming into force of the present Treaty in respect of all the High Contracting Parties, no submarine the standard displacement of which exceeds 2,000 tons (2,032 metric tons) or with a gun above 5.1-inch (130 mm.) calibre shall be constructed within the jurisdiction of any of the High Contracting Parties, except as provided in paragraph 2 of this Article.

ARTICLE 8.

Subject to any special agreements which may submit them to limitation, the following vessels are exempt from limitation:

(a) naval surface combatant vessels of 600 tons (610 metric tons) standard displacement and under;

(b) naval surface combatant vessels exceeding 600 tons (610 metric tons), but not exceeding 2,000 tons (2,032 metric tons) standard displacement, provided they have none of the following characteristics:

- (1) mount a gun above 6.1-inch (155 mm.) calibre;
- (2) mount more than four guns above 3-inch (76 mm.) calibre;
- (3) are designed or fitted to launch torpedoes;
- (4) are designed for a speed greater than twenty knots.

(c) naval surface vessels not specifically built as fighting ships which are employed on fleet duties or as troop transports or in some other way than as fighting ships, provided they have none of the following characteristics:

- (1) mount a gun above 6.1-inch (155 mm.) calibre;
- (2) mount more than four guns above 3-inch (76 mm.) calibre;

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- (3) are designed or fitted to launch torpedoes;
- (4) are designed for a speed greater than twenty knots.

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- (1) mount a gun above 6.1-inch (155 mm.) calibre;
- (2) mount more than four guns above 3-inch (76 mm.) calibre;

- (3) are designed or fitted to launch torpedoes;
- (4) are designed for a speed greater than twenty knots;
- (5) are protected by armour plate;
- (6) are designed or fitted to launch mines;
- (7) are fitted to receive aircraft on board from the air;
- (8) mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) if fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

ARTICLE 9.

The rules as to replacement contained in Annex I to this Part II are applicable to vessels of war not exceeding 10,000 tons (10,160 metric tons) standard displacement, with the exception of aircraft carriers, whose replacement is governed by the provisions of the Washington Treaty.

ARTICLE 10.

Within one month after the date of laying down and the date of completion respectively of each vessel of war, other than capital ships, aircraft carriers and the vessels exempt from limitation under Article 8, laid down or completed by or for them after the coming into force of the present Treaty, the High Contracting Parties shall communicate to each of the other High Contracting Parties the information detailed below:

- (a) the date of laying the keel and the following particulars:
 - classification of the vessels;
 - standard displacement in tons and metric tons;
 - principal dimensions, namely: length at water-line, extreme beam at or below water-line;
 - mean draft at standard displacement;
 - calibre of the largest gun.
- (b) the date of completion together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington Treaty.

ARTICLE 11.

Subject to the provisions of Article 2 of the present Treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said Treaty, and to aircraft carriers as defined in Article 3.

- (3) are designed or fitted to launch torpedoes;
- (4) are designed for a speed greater than twenty knots;
- (5) are protected by armour plate;
- (6) are designed or fitted to launch mines;
- (7) are fitted to receive aircraft on board from the air;
- (8) mount more than one aircraft-launching apparatus on the centre line; or two, one on each broadside;
- (9) if fitted with any means of launching aircraft into the air, are designed or adapted to operate at sea more than three aircraft.

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- (a) the date of laying the keel and the following particulars:
 - classification of the vessels;
 - standard displacement in tons and metric tons;
 - principal dimensions, namely: length at water-line, extreme beam at or below water-line;
 - mean draft at standard displacement;
 - calibre of the largest gun.
- (b) the date of completion together with the foregoing particulars relating to the vessel at that date.

The information to be given in the case of capital ships and aircraft carriers is governed by the Washington Treaty.

ARTICLE 11.

Subject to the provisions of Article 2 of the present Treaty, the rules for disposal contained in Annex II to this Part II shall be applied to all vessels of war to be disposed of under the said Treaty, and to aircraft carriers as defined in Article 3.

ARTICLE 12.

1. Subject to any supplementary agreements which may modify, as between the High Contracting Parties concerned, the lists in Annex III to this Part II, the special vessels shown therein may be retained and their tonnage shall not be included in the tonnage subject to limitation.

2. Any other vessel constructed, adapted or acquired to serve the purposes for which these special vessels are retained shall be charged against the tonnage of the appropriate combatant category, according to the characteristics of the vessel, unless such vessel conforms to the characteristics of vessels exempt from limitation under Article 8.

3. Japan may, however, replace the minelayers "Aso" and "Tokiwa" by two new mine-layers before the 31st December, 1936. The standard displacement of each of the new vessels shall not exceed 5,000 tons (5,080 metric tons); their speed shall not exceed twenty knots, and their other characteristics shall conform to the provisions of paragraph (b) of Article 8. The new vessels shall be regarded as special vessels and their tonnage shall not be chargeable to the tonnage of any combatant category. The "Aso" and "Tokiwa" shall be disposed of in accordance with Section I or II of Annex II to this Part II, on completion of the replacement vessels.

4. The "Asama", "Yakumo", "Izumo", "Iwate", and "Kasuga" shall be disposed of in accordance with Section I or II of Annex II to this Part II when the first three vessels of the "Kuma" class have been replaced by new vessels. These three vessels of the "Kuma" class shall be reduced to the condition prescribed in Section V, sub-paragraph (b) 2 of Annex II to this Part II, and are to be used for training ships, and their tonnage shall not thereafter be included in the tonnage subject to limitation.

ARTICLE 13.

Existing ships of various types, which, prior to the 1st April, 1930, have been used as stationary training establishments or hulks, may be retained in a non-seagoing condition.

ANNEX I.

Rules for replacement.

SECTION I.—Except as provided in Section III of this Annex and Part III of the present Treaty, a vessel shall not be replaced before it becomes "over-age". A vessel shall be deemed to be "over-age" when the following number of years have elapsed since the date of its completion:

(a) For a surface vessel exceeding 3,000 tons (3,048 metric tons) but not exceeding 10,000 tons (10,160 metric tons) standard displacement:

- (i) if laid down before the 1st January, 1920: 16 years;
- (ii) if laid down after the 31st December, 1919: 20 years.

(b) For a surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement:

- (i) if laid down before the 1st January, 1921: 12 years;
- (ii) if laid down after the 31st December, 1920: 16 years;

(c) For a submarine: 13 years.

The keels of replacement tonnage shall not be laid down more than three years before the year in which the vessel to be replaced becomes "over-age"; but this period is reduced to two years in the case of any replacement surface vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement.

The right of replacement is not lost by delay in laying down replacement tonnage.

SECTION II.-Except as otherwise provided in the present Treaty, the vessel or vessels, whose retention would cause the maximum tonnage permitted in the category to be exceeded, shall, on the completion or acquisition of replacement tonnage, be disposed of in accordance with Annex II to this Part II.

SECTION III.-In the event of loss or accidental destruction a vessel may be immediately replaced.

ANNEX II.

Rules for disposal of Vessels of War.

The present Treaty provides for the disposal of vessels of war in the following ways:

- (i) by scrapping (sinking or breaking-up);
- (ii) by converting the vessel to a bulk;
- (iii) by converting the vessel to target use exclusively;
- (iv) by retaining the vessel exclusively for experimental purposes;
- (v) by retaining the vessel exclusively for training purposes.

Any vessel of war to be disposed of, other than a capital ship, may either be scrapped or converted to a bulk at the option of the High Contracting Party concerned.

Vessels, other than capital ships, which have been retained for target, experimental or training purposes, shall finally be scrapped or converted to bulks.

SECTION I.-Vessels to be scrapped.

(a) A vessel to be disposed of by scrapping, by reason of its replacement, must be rendered incapable of war-like service within six months of the date of completion of its successor, if there are more than one. If, however, the completion of the new vessel or vessels be delayed, the work of rendering the old vessel incapable of warlike service shall, nevertheless, be completed within four and a half years from the date of laying the keel of the new vessel, or of the first new vessels; but should the new vessel not exceeding 3,000 tons (3,048 metric tons) standard displacement, this period is reduced to three and a half years.

(b) A vessel to be scrapped shall be considered incapable of warlike service when there shall have been removed and landed or else destroyed in the ship:

(1) all guns and essential parts of guns, fire control tops and revolving parts of all barbets and turrets;

(2) all hydraulic or electric machinery for operating turrets;

(3) all fire control instruments and rangefinders;

(4) all ammunition, explosives, mines and mine rails;

(5) all torpedoes, war heads, torpedo tubes and training racks;

(6) all wireless telegraphy installations;

(7) all main propelling machinery, or alternatively the armoured conning tower and all side armour plate;

(8) all aircraft cranes, derricks, lifts and launching apparatus. All landing-on or flying-off platforms and decks, or alternatively all main propelling machinery;

(9) in addition, in the case of submarines, all main storage batteries, air compressor plants and ballast pumps

(c) Scrapping shall be finally effected in either of the following ways within twelve months of the date on which the work of rendering the vessel incapable of war-like service is due for completion:

(1) permanent sinking of the vessel;

(2) breaking the vessel up; this shall always include the destruction or removal of all machinery, boilers, and armour, and all deck, side and bottom plating.

SECTION II.-Vessels to be converted to hulks.

A vessel to be disposed of by conversion to a hulk shall be considered finally disposed of when the conditions prescribed in Section I. paragraph (d), have been complied with, omitting sub-paragraphs (6), (7) and (8), and when the following have been effected:

(1) mutilation beyond repair of all propeller shafts, thrust blocks, turbine gearing or main propelling motors, and turbines or cylinders of main engines;

(2) removal of propeller brackets;

(3) removal and breaking up of all aircraft lifts, and the removal of all aircraft cranes, derricks and launching apparatus.

The vessel must be put in the above condition within the same limits of time as provided in Section I for rendering a vessel incapable of warlike service.

SECTION III.-Vessels to be converted to target use.

(a) A vessel to be disposed of by conversion to target use exclusively shall be considered incapable of warlike service when there have been removed and landed, or rendered unserviceable on board the following:

(1) all guns;

(2) all fire control tops and instruments and main fire control communication wiring;

(3) all machinery for operating gun mountings or turrets;

(4) all ammunition, explosives, mines, torpedoes and torpedo tubes;

(5) all aviation facilities and accessories.

The vessel must be put into the above condition within the same limits of time as providing in Section I for rendering a vessel incapable of warlike service.

(b) In addition to the rights already possessed by each High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain, for target use exclusively, at any one time:

(1) not more than three vessels (cruisers or destroyers), but of these three vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

(2) one submarine.

(c) On retaining a vessel for target us, the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION IV.-Vessels retained for experimental purposes.

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III(a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III(a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variations and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

(1) not more than two vessels (cruisers or destroyers), but one of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

(2) one submarine.

(d) The United Kingdom is allowed to retain, in their present conditions, the monitor "Roberts", the main armament guns and mountings of which have been mutilated, and the seaplane carrier "Ark Royal" until no longer required for experimental purposes. The retention of these two vessels is without prejudice to retention of vessels permitted under (c) above.

(e) On retaining a vessel for experimental purposes the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION V.-Vessels retained for training purposes.

(a) In addition to the rights already possessed by any High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain for training purposes exclusively the following vessels:

United States: 1 capital ship ("Arkansas" or "Wyoming");
France: 2 surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement;

(c) On retaining a vessel for target us, the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION IV.-Vessels retained for experimental purposes.

(a) A vessel to be disposed of by conversion to experimental purposes exclusively shall be dealt with in accordance with the provisions of Section III(a) of this Annex.

(b) Without prejudice to the general rules, and provided that due notice be given to the other High Contracting Parties, reasonable variation from the conditions prescribed in Section III(a) of this Annex, in so far as may be necessary for the purposes of a special experiment, may be permitted as a temporary measure.

Any High Contracting Party taking advantage of this provision is required to furnish full details of any such variations and the period for which they will be required.

(c) Each High Contracting Party is permitted to retain for experimental purposes exclusively at any one time:

(1) not more than two vessels (cruisers or destroyers), but one of these two vessels only one may exceed 3,000 tons (3,048 metric tons) standard displacement;

(2) one submarine.

(d) The United Kingdom is allowed to retain, in their present conditions, the monitor "Roberts", the main armament guns and mountings of which have been mutilated, and the seaplane carrier "Ark Royal" until no longer required for experimental purposes. The retention of these two vessels is without prejudice to retention of vessels permitted under (c) above.

(e) On retaining a vessel for experimental purposes the High Contracting Party concerned undertakes not to recondition it for warlike service.

SECTION V.-Vessels retained for training purposes.

(a) In addition to the rights already possessed by any High Contracting Party under the Washington Treaty, each High Contracting Party is permitted to retain for training purposes exclusively the following vessels:

United States: 1 capital ship ("Arkansas" or "Wyoming");
France: 2 surface vessels, one of which may exceed 3,000 tons (3,048 metric tons) standard displacement;

United Kingdom: 1 capital ship ("Iron Duke");
Italy: 2 surface vessels, one of which may exceed
3,000 tons (3,048 metric tons) standard displacement;
Japan: 1 capital ship ("Hiyabi"), 3 cruisers ("Kuma" class).

(b) Vessels retained for training purposes under the provisions of paragraph (a) shall, within six months of the date on which they are required to be disposed of, be dealt with as follows:

1. CAPITAL SHIPS.

The following is to be carried out:

(1) removal of main armament guns, revolving parts of all barbets and turrets; machinery for operating turrets; but three turrets with their armament may be retained in each ship;

(2) removal of all ammunition and explosive in excess of the quantity required for target practice training for the guns remaining on board;

(3) removal of conning tower and the side armour belt between the foremost and aftermost barbets;

(4) removal or mutilation of all torpedo tubes;

(5) removal or mutilation on board of all boilers in excess of the number required for a maximum speed of eighteen knots.

2. OTHER SURFACE VESSELS RETAINED BY FRANCE, ITALY and JAPAN.

The following is to be carried out:

(1) removal of one half of the guns, but four guns of main calibre may be retained on each vessel;

(2) removal of all torpedo tubes;

(3) removal of all aviation facilities and accessories;

(4) removal of one half of the boilers;

(c) The High Contracting Party concerned undertakes that vessels retained in accordance with the provisions of this Section shall not be used for any combatant purpose.

ANNEX III.
SPECIAL VESSELS
UNITED STATES.

| Name and type of vessel. | Displacement. Tons. |
|-----------------------------------|------------------------|
| ARCOSTOCK--Minelayer----- | 4,950 |
| OGLALA--Minelayer----- | 4,950 |
| BALTIMORE--Minelayer----- | 4,413 |
| SAN FRANCISCO--Minelayer----- | 4,083 |
| CHEYENNE--Monitor----- | 2,800 |
| PELENA--Gunboat----- | 1,392 |
| ISABEL--Yacht----- | 938 |
| NIAGARA--Yacht----- | 2,600 |
| BRIDGEPORT--Destroyer tender----- | 11,750 |
| DOEBIN--Destroyer tender----- | 12,450 |
| MELVILLE--Destroyer tender----- | 7,150 |
| WHITNEY--Destroyer tender----- | 12,450 |
| HOLLAND--Submarine tender----- | 11,570 |
| PENDERSON--Naval transport----- | 10,000 |
| | 91,496 |

FRANCE.

| Name and type of vessel. | Displacement. Tons. |
|--|------------------------|
| TOULUX--Minelayer----- | 2,461 |
| CASTOR--Minelayer----- | 3,150 |
| COMMANANT-TESTE--Seaplane carrier----- | 10,000 |
| AISNE Despatch vessel----- | 600 |
| MARNE " "----- | 600 |
| ANCRE " "----- | 604 |
| SCARPE " "----- | 604 |
| SUEPPE " "----- | 604 |
| DUNKERQUE " "----- | 644 |
| LAFFAUX " "----- | 644 |
| BAPAULE " "----- | 644 |
| MANO " "----- | 644 |
| CALAIS " "----- | 644 |
| LESSEIGNY " "----- | 644 |
| LES BARGES " "----- | 644 |
| REMBRELONG " "----- | 644 |
| TAHURE " "----- | 644 |
| TOUL " "----- | 644 |

| Name and type of vessel. | Displacement. Tons. |
|-----------------------------|------------------------|
| EPINAL Despatch Vessel----- | 644 |
| LIEVEN " "----- | 644 |
| (-)-Netlayer----- | 2,293 |
| | <hr/> |
| | 28,644 |

BRITISH COMMONWEALTH OF NATIONS.

| Name and type of vessel. | Displacement. Tons. |
|---|------------------------|
| ADVENTURE--Minelayer----- (United Kingdom) | 6,740 |
| ALBATROSS--Seaplane carrier----- (Australia) | 5,000 |
| EREBUS--Monitor----- (United Kingdom) | 7,200 |
| TERHOR--Monitor----- (United Kingdom) | 7,200 |
| MARSHAL SOULT--Monitor----- (United Kingdom) | 6,400 |
| CLIVE--Sloop----- (India) | 2,021 |
| MEDWAY--Submarine depot ship----- (United Kingdom) | 15,000 |
| | <hr/> |
| | 49,561 |

ITALY.

| Name and type of vessel. | Displacement. Tons. |
|---------------------------------|------------------------|
| MIRAGLIA--Seaplane carrier----- | 4,880 |
| FAA DI BRUNO--Monitor----- | 2,800 |
| MONTE GRAPPA--Monitor----- | 605 |
| MONTELO--Monitor----- | 605 |
| MONTE CENGIO--Ex-monitor----- | 500 |
| MONTE NOVEGNO--Ex-monitor----- | 500 |
| CAMPANIA--Sloop----- | 2,070 |
| | <hr/> |
| | 11,960 |

JAPAN.

| Name and type of vessel. | Displacement. Tons. |
|-----------------------------|------------------------|
| ASO--Minelayer----- | 7,180 |
| TOKIWA--Minelayer----- | 9,240 |
| ASAMA--Old cruiser----- | 9,240 |
| YAKUO--Old cruiser----- | 9,010 |
| IZUMO--Old cruiser----- | 9,180 |
| IWATE--Old cruiser----- | 9,180 |
| KASUGA--Old cruiser----- | 7,080 |
| YODO--Gunboat----- | 1,320 |
| | <hr/> |
| | 61,430 |

PART III.

The President of the United States of America, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan, have agreed as between themselves to the provisions of this Part III.

ARTICLE 14.

The naval combatant vessels of the United States, the British Commonwealth of Nations and Japan, other than capital ships, aircraft carriers and all vessels exempt from limitation under Article 8, shall be limited during the term of the present Treaty as provided in this Part III, and, in the case of special vessels, as provided in Article 12.

ARTICLE 15.

For the purpose of this Part III the definition of the cruiser and destroyer categories be as follows:

CRUISERS.

Surface vessels of war, other than capital ships or aircraft carriers, the standard displacement of which exceeds 1,850 tons (1,880 metric tons), or with a gun above 5.1 inch (130 mm.) calibre.

The cruiser category is divided into two sub-categories, as follows:

- (a) cruisers carrying a gun above 6.1-inch (155 mm.) calibre;
- (b) cruisers carrying a gun not above 6.1-inch (155 mm.) calibre.

DESTROYERS.

Surface vessels of war the standard displacement of which does not exceed 1,850 tons (1,880 metric tons), and with a gun not above 5.1-inch (130 mm.) calibre.

ARTICLE 16.

1. The completed tonnage in the cruiser, destroyer and submarine categories which is not to be exceeded on the 31st December, 1936, is given in the following table;

| Categories | United States | British Commonwealth of Nations | Japan |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| CRUISERS: | | | |
| (a) with guns of more than 6.1-inch (155 mm.) calibre or less. | 180,000 tons 182,830 metric tons | 146,800 tons 149,149 metric tons | 108,400 tons 110,134 metric tons |
| (b) with guns of 6.1-inch (155 mm.) calibre or less. | 143,500 tons 145,796 metric tons | 192,200 tons 195,275 metric tons | 100,450 tons 102,057 metric tons |
| DESTROYERS----- | 150,000 tons 152,400 metric tons | 150,000 tons 152,400 metric tons | 105,500 tons 107,188 metric tons |
| SUBMARINES----- | 52,700 tons 53,543 metric tons | 52,700 tons 53,543 metric tons | 52,700 tons 53,543 metric tons |

2. Vessels which cause the total tonnage in any category to exceed the figures given in the foregoing table shall be disposed of gradually during the period ending on 31st December, 1936.

3. The maximum number of cruisers of sub-category (a) shall be as follows: for the United States, eighteen; for the British Commonwealth of Nations, fifteen; for Japan, twelve.

4. In the destroyer category not more than sixteen per cent of the allowed total tonnage shall be employed in vessels of over 1,500 tons (1,524 metric tons) standard displacement. Destroyers completed or under construction on the 1st April, 1930, in excess of this percentage may be retained, but no other destroyers exceeding 1,500 tons (1,524 metric tons) standard displacement shall be constructed or acquired until a reduction to such sixteen per cent. has been effected.

5. Not more than twenty-five per cent. of the allowed total tonnage in the cruiser category may be fitted with a landing-on platform or deck or aircraft.

6. It is understood that the submarines referred to in paragraphs 2 and 3 of Article 7 will be counted as part of the total submarine tonnage of the High Contracting Party concerned.

7. The tonnage of any vessels retained under Article 13 or disposed of in accordance with Annex II to Part II of the present Treaty shall not be included in the tonnage subject to limitation.

ARTICLE 17.

A transfer not exceeding ten per cent. of the allowed total tonnage of the category or sub-category into which the transfer is to be made shall be permitted between cruisers of sub-category (b) and destroyers.

ARTICLE 18.

The United States contemplates the completion by 1935 of fifteen cruisers of sub-category (a) of an aggregate tonnage of 150,000 tons (152,400 metric tons). For each of the three remaining cruisers of sub-category (a) which it is entitled to construct the United States may elect to substitute 15,166 tons (15,409 metric tons) of cruisers of sub-category (b). In case the United States shall construct one or more of such three remaining cruisers of sub-category (a), the sixteenth unit will not be laid down before 1933 and will not be completed before 1936; the seventeenth will not be laid down before 1934 and will not be completed before 1937; the eighteenth will not be laid down before 1935 and will not be completed before 1938.

ARTICLE 19.

Except as provided in Article 20, the tonnage laid down in any category subject to limitation in accordance with Article 16 shall not exceed the amount necessary to reach the maximum allowed tonnage of the category, or to replace vessels that become "over-age" before the 31st December, 1936. Nevertheless, replacement tonnage may be laid down for cruisers and submarines that become "over-age" in 1937, 1938 and 1939, and for destroyers that become "over-age" in 1937 and 1938.

ARTICLE 20.

Notwithstanding the rules for replacement contained in Annex I to Part II:

(a) The "Frobisher" and "Effingham" (United Kingdom) may be disposed of during the year 1936. Apart from the cruisers under construction on the 1st April, 1939, the total replacement tonnage of cruisers to be completed, in the case of the British Commonwealth of Nations, prior to the 31st December, 1936, shall not exceed 91,000 tons (92,456 metric tons).

(b) Japan may replace the "Tama" by new construction to be completed during the year 1936.

(c) In addition to replacing destroyers becoming "over-age" before the 31st December, 1936, Japan may lay down, in each of the years 1935 and 1936, not more than 5,200 tons (5,283 metric tons) to replace part of the vessels that become "over-age" in 1938 and 1939.

(d) Japan may anticipate replacement during the term of the present Treaty by laying down not more than 19,200 tons (19,507 metric tons) of submarine tonnage of which not more than 12,000 tons (12,192 metric tons) shall be completed by the 31st December, 1936.

ARTICLE 21.

If, during the term of the present Treaty, the requirements of the national security of any High Contracting Party in respect of vessels of war limited by Part III of the present Treaty are in the opinion of that Party materially affected by new construction of any Power other than those who have joined in Part III of this Treaty, that High Contracting Party will notify the other Parties to Part III as to the increase required to be made in its own tonnage within one or more of the categories of such vessels of war, specifying particularly the proposed increases and the reason therefor, and shall be entitled to make such increase. Thereupon the other Parties to Part III of this Treaty shall be entitled to make a proportionate increase in the category or categories

specified; and the said other Parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

PART IV.

ARTICLE 22.

The following are accepted as established rules of International Law:

(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The High Contracting Parties invite all other Powers to express their assent to the above rules.

PART V.

ARTICLE 23.

The present Treaty shall remain in force until the 31st December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without limit of time;

(2) the provisions of Articles 3, 4 and 5, and of Article 11 and Annex II to Part II so far as they relate to aircraft carriers, shall remain in force for the same period as the Washington Treaty.

Unless the High Contracting Parties should agree otherwise by reason of a more general agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present Treaty, it being understood that none of the provisions of the present Treaty shall prejudice the attitude of any of the High Contracting Parties at the conference agreed to.

specified; and the said other Parties shall promptly advise with each other through diplomatic channels as to the situation thus presented.

PART IV.

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The following are accepted as established rules of International Law:

(1) In their action with regard to merchant ships, submarines must conform to the rules of International Law to which surface vessels are subject.

(2) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

The High Contracting Parties invite all other Powers to express their assent to the above rules.

PART V.

ARTICLE 23.

The present Treaty shall remain in force until the 31st December, 1936, subject to the following exceptions:

(1) Part IV shall remain in force without limit of time;

(2) the provisions of Articles 3, 4 and 5, and of Article 11 and Annex II to Part II so far as they relate to aircraft carriers, shall remain in force for the same period as the Washington Treaty.

Unless the High Contracting Parties should agree otherwise by reason of a more general agreement limiting naval armaments, to which they all become parties, they shall meet in conference in 1935 to frame a new treaty to replace and to carry out the purposes of the present Treaty, it being understood that none of the provisions of the present Treaty shall prejudice the attitude of any of the High Contracting Parties at the conference agreed to.

ARTICLE 24.

1. The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods and the ratifications shall be deposited at London as soon as possible. Certified copies of all the proces-verbaux of the deposit of ratifications will be transmitted to the Governments of all the High Contracting Parties.

2. As soon as the ratifications of the United States of America, of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of each and all of the Members of the British Commonwealth of Nations as enumerated in the preamble of the present Treaty, and of His Majesty the Emperor of Japan have been deposited, the Treaty shall come into force in respect of the said High Contracting Parties.

3. On the date of the coming into force referred to in the preceding paragraph, Parts I, II, IV and V of the present Treaty will come into force in respect of the French Republic and the Kingdom of Italy if their ratifications have been deposited at that date; otherwise these Parts will come into force in respect of each of those Powers on the deposit of its ratification.

4. The rights and obligations resulting from Part III of the present Treaty are limited to the High Contracting Parties mentioned in paragraph 2 of this Article. The High Contracting Parties will agree as to the date on which, and the conditions under which, the obligations assumed under the said Part III by the High Contracting Parties mentioned in paragraph 2 of this Article will bind them in relation to France and Italy; such agreement will determine at the same time the corresponding obligations of France and Italy in relation to the other High Contracting Parties.

ARTICLE 25.

After the deposit of the ratifications of all the High Contracting Parties, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will communicate the provisions inserted in Part IV of the present Treaty to all Powers which are not signatories of the said Treaty, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 24.

1. The present Treaty shall be ratified by the High Contracting Parties in accordance with their respective constitutional methods and the ratifications shall be deposited at London as soon as possible. Certified copies of all the procès-verbaux of the deposit of ratifications will be transmitted to the Governments of all the High Contracting Parties.

2. As soon as the ratifications of the United States of America, of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of each and all of the Members of the British Commonwealth of Nations as enumerated in the preamble of the present Treaty, and of His Majesty the Emperor of Japan have been deposited, the Treaty shall come into force in respect of the said High Contracting Parties.

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ARTICLE 25.

After the deposit of the ratifications of all the High Contracting Parties, His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland will communicate the provisions inserted in Part IV of the present Treaty to all Powers which are not signatories of the said Treaty, inviting them to accede thereto definitely and without limit of time.

Such accession shall be effected by a declaration addressed to His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland.

ARTICLE 26.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland. Duly certified copies shall be transmitted to the Governments of all the High Contracting Parties.

In faith whereof the above named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at London, the twenty-second day of April, nineteen hundred and thirty.
(signatures follow)

AND WHEREAS it is provided in Article 24 of the said Treaty that as soon as the ratifications of the United States of America, of His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of each and all of the members of the British Commonwealth of Nations as enumerated in the preamble of the said Treaty, and of His Majesty the Emperor of Japan, have been deposited, the Treaty shall come into force in respect of the said High Contracting Parties;

AND WHEREAS the ratification by the United States of America, subject to the understandings, set forth therein; that there are no secret files, documents, letters, understandings or agreements which in any way, directly or indirectly, modify, change, add to, or take from any of the stipulations, agreements or statements in said Treaty, and that excepting the agreement brought about through the exchange of notes between the Governments of the United States of America, Great Britain and Japan having reference to Article 19, there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said Treaty as to any construction that shall hereafter be given to any statement or provision contained therein, the ratifications by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of the United Kingdom of Great Britain and Northern Ireland and all parts of the British Empire which are not separate members of the League of Nations, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa and India, and the ratification by His Majesty the Emperor of Japan, were deposited at London on the 27th day of October, one thousand nine hundred and thirty, and the ratification by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of the Irish Free State, was deposited at London on the thirty-first day of December, one thousand nine hundred and thirty;

AND WHEREAS the said Treaty has thus come into force in respect of the United States of America, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of Japan;

Now, THEREFORE, BE IT KNOWN THAT I, HERBERT HOOVER, President of the United States of America, have caused the said Treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States of America and the citizens thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the city of Washington this first day of January in the year of our Lord one thousand nine hundred and (Seal) thirty one, and of the Independence of the United States of America the one hundred and fifty-fifth.

HERBERT HOOVER

By the President:
Henry L. Stimson
Secretary of State.

NOTES EXCHANGED BY THE GOVERNMENT OF THE UNITED STATES WITH THE GOVERNMENTS OF GREAT BRITAIN AND JAPAN RELATIVE TO THE INTERPRETATION OF ARTICLE 19 OF THE LONDON NAVAL TREATY OF 1930.

The American Ambassador (Castle) to the Japanese Minister for Foreign Affairs (Shidehara)

No. 49 EMBASSY OF THE UNITED STATES OF AMERICA,

Tokyo, May 21, 1930.

EXCELLENCY:

I have the honor, by direction of my Government, to state that it is the understanding of the Government of the United States that the word "category" in Article 19 of the London Naval Treaty of 1930 means "category" or "subcategory". The Government of the United States declares that it interprets the Treaty to mean that vessels becoming over age in either subcategory "A" or subcategory "B" of the cruiser categories (Article 16) shall be replaceable only in that subcategory.

The American Government will be most happy to have the confirmation of this understanding from the Japanese Government. I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

W.R. CASTLE, Jr.

HIS EXCELLENCY

BARON KIJURO SHIDEMARA,
His Imperial Japanese Majesty's Minister
for Foreign Affairs, etc., etc., etc.

The Japanese Minister for Foreign Affairs (Shidehara) to the
American Ambassador (Castle)

(Translation)

No. 66/T1

DEPARTMENT OF FOREIGN AFFAIRS,
TOKYO, May 24, 1930.

EXCELLENCY:

I have the honor to acknowledge receipt of your Note dated May 21, 1930, relative to the interpretation of the term "category" appearing in Article 19 of the London Naval Treaty of 1930.

The Imperial Government understands the word "category" appearing in Article 19 of the above-mentioned treaty to mean "category" or "sub-category"; thus, it interprets this treaty in the sense that ships belonging to either sub-category (a) or sub-category (b) of the cruiser category (Article 16) which shall become over age may be replaced only within that sub-category.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

BARON KIJURO SHIDEMARA,
Minister for Foreign Affairs.
(SEAL)

HIS EXCELLENCY

W.R. CASTLE, Jr.,
Ambassador Extraordinary and Plenipotentiary
of the United States of America.

Doc. 194

Page 25.

The American Government will be most happy to have the confirmation of this understanding from the Japanese Government.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

W.R. CASTLE, Jr.

VIS EXCELLENCY

BARON KIJURO SHIDEHARA,

His Imperial Japanese Majesty's Minister
for Foreign Affairs, etc., etc., etc.

The Japanese Minister for Foreign Affairs (Shidehara) to the
American Ambassador (Castle)

(Translation)

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DEPARTMENT OF FOREIGN AFFAIRS,
TOKYO, May 24, 1930.

EXCELLENCY:

I have the honor to acknowledge receipt of your Note dated May 21, 1930, relative to the interpretation of the term "category" appearing in Article 19 of the London Naval Treaty of 1930.

The Imperial Government understands the word "category" appearing in Article 19 of the above-mentioned treaty to mean "category" or "sub-category"; thus, it interprets this treaty in the sense that ships belonging to either sub-category (a) or sub-category (b) of the cruiser category (Article 16) which shall become over age may be replaced only within that sub-category.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

BARON KIJURO SHIDEHARA,
Minister for Foreign Affairs.
(SEAL)

VIS EXCELLENCY

W.R. CASTLE, Jr.,

Ambassador Extraordinary and Plenipotentiary
of the United States of America.

Doc. 194

Page 26.

The American Ambassador (Dawes) to the British Secretary of
State for Foreign Affairs (Henderson)

No. 611

EMBASSY OF THE UNITED STATES OF AMERICA
LONDON, June 5, 1930.

SIR:

It is the understanding of the Government of the United States that the word "category" in Article 19 of the London Naval Treaty of 1930 means category or sub-category. The Government of the United States declares that it interprets the Treaty to mean that vessels becoming over-age of either sub-category A or sub-category B of the cruiser categories (Article 16) shall be replaceable only in that sub-category.

I have the honor to state that my Government would be most happy to have a note of confirmation as to whether this interpretation is shared by His Majesty's Government.

I have the honor to be, with the highest consideration, Sir,
Your most obedient, humble servant,

(For the Ambassador)
RAY MERRION
Counselor of Embassy.

THE RIGHT HONBLE.
ARTHUR HENDERSON, M.P., etc., etc., etc.,
Foreign Office, S.W.1.

The British Secretary of State for Foreign Affairs (Henderson)
to the American Ambassador (Dawes)

A386/1/45.

FOREIGN OFFICE, S.W.1.
June 5th, 1930.

YOUR EXCELLENCY,

In the note No. 611 which Your Excellency was so good as to address to me on June 5th you stated that it was the understanding of the Government of the United States that the word "category" in Article 19 of the London Naval Treaty, 1930, meant category or sub-category. Your Excellency added that the Government of the United States declared that it interpreted the Treaty to mean that vessels becoming over-age of either sub-category A or sub-category B of the cruiser categories (Article 16) shall be replaceable only in that sub-category.

2. His Majesty's Government in the United Kingdom note the above understanding and interpretation of the London Naval Treaty of 1930 and concur therein. His Majesty's Government in the United Kingdom do so without prejudice to Article 20(a) of that Treaty under which they understand that the tonnage to be scrapped and replaced in the case of the British Commonwealth of Nations by the 91,000 tons of 6" cruiser tonnage which may be completed before 31st December, 1936, comprises partly 6" gun cruiser tonnage and partly cruiser tonnage of the 7.5" gun "Effingham" class.

I have the honour to be, with the highest consideration,
Your Excellency's obedient Servant,

(For the Secretary of State)
ROBERT VANSITTART

HIS EXCELLENCY

GENERAL CHARLES G. DAVES, C.B.,
&c., &c., &c.

(PROCES-VERBAL OF THE DEPOSIT OF RATIFICATIONS IN RESPECT OF THE UNITED STATES OF AMERICA, GREAT BRITAIN, AND NORTHERN IRELAND AND ALL PARTS OF THE BRITISH EMPIRE WHICH ARE NOT SEPARATE MEMBERS OF THE LEAGUE OF NATIONS, CANADA, AUSTRALIA, NEW ZEALAND, UNION OF SOUTH AFRICA, INDIA AND JAPAN)

The Undersigned, having met together for the purpose of proceeding to the deposit of ratifications of the Treaty for the limitation and reduction of Naval Armament, signed at London the 22nd day of April, 1930;

Having produced the instruments whereby the said Treaty has been ratified by the President of the United States of America; by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of all parts of the British Empire which are not separate members of the League of Nations, of the Dominion of Canada, of the Commonwealth of Australia, of the Dominion of New Zealand, of the Union of South Africa, and of India; and by His Majesty the Emperor of Japan;

And the respective Ratifications of the said Treaty having been carefully compared and found to be in due form, the said deposit in accordance with the provisions of Article 24(1) of the Treaty took place this day in the customary form.

The representative of the United States of America declared that the instrument of ratification of the United States of America was deposited subject to the distinct and explicit understandings set forth in the resolution of July 21, 1930, of the Senate of the United States of America advising and consenting to ratification, that there are no secret files, documents, letters, understandings or agreements which in any way, directly or indirectly, modify, change, add to or take from any of the stipulations, agreements or statements in said Treaty; and that, excepting the agreement brought

2. His Majesty's Government in the United Kingdom note the above understanding and interpretation of the London Naval Treaty of 1930 and concur therein. His Majesty's Government in the United Kingdom do so without prejudice to Article 20(a) of that Treaty under which they understand that the tonnage to be scrapped and replaced in the case of the British Commonwealth of Nations by the 91,000 tons of 6" cruiser tonnage which may be completed before 31st December, 1936, comprises partly 6" gun cruiser tonnage and partly cruiser tonnage of the 7.5" gun "Effingham" class.

I have the honour to be, with the highest consideration,

Your Excellency's obedient Servant,

(For the Secretary of State)
ROBERT VANSITTART

HIS EXCELLENCY

GENERAL CHARLES G. DAVES, C.B.,
&c., &c., &c.

(PROCES-VERBAL OF THE DEPOSIT OF RATIFICATIONS IN RESPECT OF THE UNITED STATES OF AMERICA, GREAT BRITAIN, AND NORTHERN IRELAND AND ALL PARTS OF THE BRITISH EMPIRE WHICH ARE NOT SEPARATE MEMBERS OF THE LEAGUE OF NATIONS, CANADA, AUSTRALIA, NEW ZEALAND, UNION OF SOUTH AFRICA, INDIA AND JAPAN)

The Undersigned, having met together for the purpose of proceeding to the deposit of ratifications of the Treaty for the limitation and reduction of Naval Armament, signed at London the 22nd day of April, 1930;

Having produced the instruments whereby the said Treaty has been ratified by the President of the United States of America; by His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in respect of all parts of the British Empire which are not separate members of the League of Nations, of the Dominion of Canada, of the Commonwealth of Australia, of the Dominion of New Zealand, of the Union of South Africa, and of India; and by His Majesty the Emperor of Japan;

And the respective Ratifications of the said Treaty having been carefully compared and found to be in due form, the said deposit in accordance with the provisions of Article 24(1) of the Treaty took place this day in the customary form.

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Dcc. 194

Page 28.

about through the exchange of notes between the Governments of the United States, Great Britain and Japan, having reference to Article 19, there is no agreement, secret or otherwise, expressed or implied, between any of the parties to said Treaty as to any construction that shall hereafter be given to any statement or provision contained therein.

IN WITNESS WHEREOF they have signed this proces-verbal, and have affixed thereto their seals.

DONE at London, the 27th day of October, 1930.

(signatures follow)

Certified a true copy:

(FOREIGN OFFICE SEAL)

S. GASELEE,
Librarian and Keeper of the
Papers at the Foreign Office

LONDON.

29th Oct: 1930.

Q#36

Doc. No. 921

PACT AGAINST THE COMMUNIST INTERNATIONAL

The Japanese Imperial Government and the German Government, admitting that the object of the Communist International (so-called Comintern), is the destruction and oppression by force of existing nations with all the possible ways and means, in the firm belief that to overlook the interference by Communist International with these nations' internal relations not only jeopardizes their domestic peace and social welfare but also is a menace to world peace as a whole, desirous to cooperate for the defense against Communistic destruction, concluded a pact as follows:

Article 1

The contracting parties agree to inform each other of the Communist International's activities, to discuss necessary measures for defense and promise to fulfill such measures through close cooperation.

Article 2

The contracting parties will jointly invite a third nation, whose internal peace is menaced by destructive activities of the Communist International, to take defense measures in the spirit of this pact, or to participate in the pact.

Article 3

As regards this pact, the Japanese and German texts are official. It comes into force on the day of signing and will be effective for five years. The contracting parties will, at a proper date prior to the expiration of the term, come to an understanding as to the form of cooperation between the two countries thereafter.

As an evidence thereof, the undersigned duly entrusted by their respective home governments, signed and sealed this pact. Two copies of this pact were prepared at Berlin on the 25th November of the 11th year of Showa, i.e. the 25th November, 1936.

(Sgd) Viscount MUSHAKOJI, Kintomo
Envoy Extraordinary and Ambassador
Plenipotentiary of Japanese Empire.

(Sgd) JCACHIM V. RIPPENTROP
Envoy Extraordinary and Ambassador
Plenipotentiary of Germany.

ACCESSORY PROTOCOL
to the Pact against the Communist International

On the occasion of signing today of the Pact against the Communist International, the undersigned Envoys Plenipotentiary agreed as follows:

(a) The authorities of the two contracting parties will closely cooperate with each other as regards the exchange of information relating to the activities of the Communist International and the enlightenment and defense measures against the Communist International.

(b) The authorities of the two contracting parties will take drastic steps, within the bounds of the existing law, in dealing with persons who, at home or abroad, directly or indirectly, are serving with the Communist International or foster its destructive activity.

(c) In order to facilitate the cooperation of the authorities of the two contracting parties, as provided in forementioned (a), a standing commission will be established. Other defense measures necessary for checking the destructive activities of the Communist International will be studied and discussed by the said commission.

Berlin, the 25th November of the 11th year of SHOWA, i.e. the 25th November, 1936.

(Signed) Viscount MUSHAKOJI, Kintomo
Envoy Extraordinary and Ambassador
Plenipotentiary of Japanese Empire.

(Signed) JOACHIM V. RIPPEMONT
Envoy Extraordinary and Ambassador
Plenipotentiary of Germany.

PROTOCOL

The Japanese Imperial Government, the Italian Government and the German Government, in view of the fact that the Communist International is constantly endangering the civilized world in both the Orient and Occident, and disturbing and destroying their peace and order, believing firmly that only the close cooperation among all the nations desirous of maintaining peace and order will be able to reduce and eliminate the said danger in view of the fact that Italy, who had fought the said danger with an indomitable determination since the inception of the Fascist Regime, and driven away the Communist International from her territory, has decided to fight against the common enemy with Japan and Germany, upholding the same intentions for defense against the Communist International, according to the provisions of Article II of the Pact

against the Communist International, as concluded between Japan and Germany on 25 November, 1936 in Berlin, have concluded an agreement as follows:

Article I

Italy participates in the Treaty and its attribute protocol against the Communist International, which has been concluded between Japan and Germany on 25 November 1936. The texts of the said Pact and accessory protocol are attached as appendices of this protocol.

Article II

The three signatories of this protocol agree that Italy is to be regarded as an original signatory of the treaty and accessory protocol as set forth in the preceding article.

The signature affixed on this protocol is as good as that on the original text of the treaty and accessory protocol.

Article III

This protocol makes one body together with the aforementioned treaty and its accessory protocol.

Article IV

This protocol is prepared in Japanese, Italian and German and respective texts are official.

This protocol will come into force as from the day of signing.

As an evidence thereof the undersigned, duly entrusted by their respective home governments, signed and sealed this protocol.

Two copies of this protocol were prepared in Rome on 6 November of the 12th year of SHOWA, i.e. 1937; 6 November of the 16th year of the Fascist calendar.

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獨逸國間協定締結ノ件ニ付本官等並ニ委員ヲ命ゼラ
レ本月十六日委員會ヲ開キ當局大臣及關係諸官ノ辯
明ヲ聽キテ之ガ査覈ヲ送ゲタリ
日獨兩國ハ醫學、文學、法領其ノ他各般ノ文化事項
ニ關シ多年相互ニ緊密ナル關係ヲ保持シ來リシガ一
昨年十一月防共協定ノ締結成リ爾後兩國ノ國交更ニ
親善ヲ加フルニ至ルヤ本年九月下旬獨逸國政府ヨリ
日獨兩國間ニ於テ近時歐洲諸國ニ其ノ例少カラザル
文化協定ヲ締結シ以テ兩國間ノ文化關係ヲ正文化シ
益々之ヲ増進セシメ惹テ其ノ友好關係ヲ一層鞏固ナ
ラシメンコトヲ提唱シ來リ特ニ政府ハ之ニ應諾シ爾
來雙方當局ニ於テ交渉ヲ重ネ其ノ協議詞ト本件協定

D7C 956

34 37

逕寄院會議筆記

一 文化的協力ニ關スル日本國獨逸國間協定締結ノ件

昭和十三年十一月二十二日（火曜日）午前十時十二分
開議

皇上前御

出席委員氏名省略

議長（平沼）之ヨリ會議ヲ開ク

文化的協力ニ關スル日本國獨逸國間協定締結ノ件
ヲ議題ニ供ス第一讀會ヲ開キ朗讀ヲ省略シテ直ニ審
査委員長ノ報告ヲ求ム

報告員（原）今同御諮詢ノ文化的協力ニ關スル日本國

ノ成案ヲ見ルニ到リシナリ而シテ帝國政府ニ於テハ
 單ニ之ヲ獨逸國ノミニ止メズ今後事情ノ許ス限り他
 ノ諸口トモ此ノ種ノ條約ヲ締結シテ文化外交ノ手段
 ニ依リ外交ノ一般目的ヲ達成スルニ寄與スルノ意圖
 アル旨ヲ當局大臣ハ陳述シタリ
 本協定ハ日獨兩國間ニ於ケル文化關係ヲ規律スベキ
 差本的條規タルモノニシテ其ノ前文ニ於テ兩國政府
 ハ兩國ノ文化關係ハ其ノ各々ノ文化ノ發展タル日本
 ノ固有ノ精神及獨逸ノ民族的國民的生活ニ基調ヲ置
 クベキモノナルコトヲ確認シ兩國各々ノ文化關係ヲ
 深カラシメ且兩國國民ノ相互的智識及理解ヲ増進セ
 シメ以テ兩國間ニ現存スル友好及相互的信賴ノ關係
 ヲ益々鞏固ナラシメンコトヲ欲スル旨ヲ擧ゲ其ノ本
 文第一條ニ於テ日獨兩國ハ相互ニ最モ緊密ナル協力
 ヲ以テ其ノ文化關係ヲ堅實ナル基礎ノ上ニ樹立スル
 コトニ努力スベク第二條ニ於テ之ガ爲メ兩國ハ學術、
 美術、音樂、文學、映畫、無線放送、青少年運動、
 運動競技等ノ諸方面ニ於テ其ノ文化關係ヲ組織的ニ
 増進スベク第三條ニ於テ之ガ實施ニ必要ナル細目ハ
 兩國ノ權限アル官廳間ニ於テ之ヲ協議決定スベキ旨
 ヲ定メ第四條ニ於テ本協定ハ署名ノ日ヨリ之ヲ實施
 シ兩國ノ一方ハ十二月前ノ豫告ヲ以テ之ヲ廢棄スル
 コトヲ得ル旨ヲ定メタリ
 按ズルニ本件ハ日獨兩國間ニ於テ其ノ協力ニ依リ文

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茲スルニ本件ハ日獨兩國間ニ於テ其ノ協力ニ依リ文

化關係ニ恣々發展セシメ延テ友好關係ヲ益々敦厚ナ
 ラシムル爲メ一協定ヲ締結セントスルモノニシテ此
 ノ協定ハ兩國ノ文化ノ向上ニ貢獻スルト共ニ其ノ國
 交ノ親善ニ裨補スル所抄カラザルベキガ故ニ其ノ意
 旨ニ於テ之ヲ妥當トスベク其ノ條項ニ付テモ亦別ニ
 支障ノ虞ヲ認メズ仍テ春臺委員會ニ於テハ本件ハ此
 ノ儘之ヲ可決セラレ然ルベキ旨全會一致ヲ以テ議決
 シタリ

右春臺ノ結果ヲ報告ス

二十八番 (石塚) 本協定ノ範圍ヲ爲スト認メラルル前
 文ニ於テ日獨兩國文化ノ眞實ヲ一方ハ日本ノ固有ノ
 精粹トシ他方ハ獨逸ノ民族的及國民的生活ト爲セリ
 兩者ノ對照ニ適當ヲ缺クモノアリト思料スルモ特ニ
 之ヲ嘗キ分ケタル理由ヲ承リタシ次ニ獨逸ノ民族的
 及國民的生活トハ如何ナル内容ヲ有スルモノナルカ
 孰近世ニ噴發セラルル獨逸或ハナチス民族主義ニ依
 レバ獨逸民族ハ他國ニ居住スル者ト雖之ヲ統一糾合
 シ攻讐ノ他民族ハ同國內ニ居住スル者ト雖之ヲ排斥
 セントス然ルニ我國固有ノ精粹ハ民族ノ如何ヲ問ハ
 ズ一視同仁等シク之ヲ德化スルニ在リ彼此懸隔スル
 コト例ヘバ新ノ如シ本協定ハ直接政治ニ關スルモノ
 ニハ非ザルモ恣イテ政治的影響ヲ行スニ至ルベシ仍
 テ國民ヲシテ其ノ衝ヲ所ヲ諒ラシメザル豫メ特別
 ノ配慮ヲ要スト考フルモ此ノ點ニ關シ政府ノ御所見

化關係ヲ益々發展セシメ延テ友好關係ヲ益々敦厚ナ
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旨ニ於テ之ヲ妥當トスベク其ノ條項ニ付テモ亦別ニ
文辭ノ儀ヲ認メズ仍テ終委委員會ニ於テハ本件ハ此
ノ儀之ヲ可決セラレ然ルベキ旨全會一致ヲ以テ議決
シタリ

右終委ノ結果ヲ報告ス

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コト例ヘバ新ノ如シ本協定ハ直禁政治ニ歸スルモノ
ニハ非ザルモ恣イテ政治的影響ヲ着スニ至ルベシ仍
テ國民ヲシテ其ノ害ヲ所ヲ認ラシメザル様豫メ特別
ノ配慮ヲ要スト考フルモ此ノ點ニ關シ政府ノ御所見

ヲ伺ヒタシ

十七番 (有田) 獨逸ノ民族的及國民的生活トハ畢竟獨逸ノ固有ノ精神ト云フニ外テラザルナリ之ヲ用ヒタル所以ハ本協定ノ協議ニ當リ獨逸國側ヨリ強ク此ノ用語ヲ主張シ獨逸ノ固有ノ精神ハ其ノ民族的及國民的生活ニ具現セラレツツアルヲ以テ茲ニ其ノ文化ノ眞髓ヲ置キタキ旨ノ申出アリタルニ因ルモノナリ
 次ニ本協定ハ兩國文化ノ連絡及其ノ組織的向上ヲ圖ラントシ日獨兩國ノ文化關係ハ各々ノ固有ノ精神ガ其ノ基調タルコトヲ認メタルモノニシテ政治上ニ影響ヲ及ボスモノアリトハ恩料セザルモ萬一實施ニ當リ御所見ノ如キ懸念アリトセバ充分ノ注意ヲ拂ヒタシ

二十八番 (石塚) 大體ニ付諒察セルモ本協定實施ノ長キ期間ニハ政治的影響ヲ齎スベキコト想像シ得ラルル所ナリ殊ニ最近我國ニ於テハ動モスレバ獨逸國ノ風潮ニ心酔セントスルノ傾向無シトセザルニ鑑ミ本官ハ重ネテ本協定締結ニ當リ國民ニ其ノ嚮フ所ヲ諺ラシメザル様何等カノ方法ヲ講ゼラレシコトヲ希望ス

議長 (平沼) 他ニ御發言ナキ故第二讀會以下ヲ省略シテ直ニ採決スベシ本採賛成ノ各位ノ起立ヲ請フ

(全員起立)

議長 (平沼) 全會一致可決セラレタリ

DOC 956

本日ハ之ニテ開會ス
皇上入御

(午前十時二十六分開會)

| | | | |
|------|---|---|-----|
| 議長男爵 | 平 | 沼 | 麟一郎 |
| 書記官長 | 村 | 上 | 恭一 |
| 書記官 | 高 | 江 | 正 |
| | 垣 | 辻 | 己 |
| | | | 雄 |

DOC 956

本日ハ之ニテ開會ス
皇 上 入 御

(午前十時二十六分開會)

議長男爵

平

沼

騏

一郎

書記官長

村

上

恭

一

書記官

高

江

孝

雄

相

辻

正

巳

文化的協力ニ關スル日本國獨逸國間協定

大日本帝國政府及

獨逸國政府ハ

日本文化及獨逸文化ガ一方ハ日本ノ固有ノ精神ヲ、他
方ハ獨逸ノ民族的及國民的生活ヲ其ノ眞實トスルニ鑑
ミ日本國及獨逸國ノ文化關係ハ茲ニ案ノ差調ヲ置クベ
キモノナルコトヲ嚴肅ニ認メ

兩國ノ各種ノ文化關係ヲ深カラシメ且兩國國民ノ相互
的智識及理解ヲ増進セシメ以テ既ニ等ニ兩國ヲ結合ス
ル友好及相互的信頼ノ關係ヲ益鞏固ナラシメンコトヲ
欲シ

左ノ通協定セリ

第一條

締約國ハ其ノ文化關係ヲ堅實ナル基礎ノ上ニ樹立スル
爲努力スベク相互ニ右ニ付最モ緊密ナル協力を爲スベ
シ

第二條

締約國ハ前條ノ目的ヲ達成スル爲學術、美術、音樂、
文學、映畫、無線放送、青少年運動、運動競技等ノ方
面ニ於テ兩國ノ文化關係ヲ組織的ニ増進スベシ

第三條

前條ノ規定ノ實施ニ必要ナル細目ハ締約國ノ權限アル
官憲關ニ於テ協定決定セラルベシ

第四條

本協定ハ署名ノ日ヨリ之ヲ實施スベク締約國ノ一方ハ
十二月ノ豫告ヲ以テ本協定ヲ廢棄スルコトヲ得

右證據トシテ下名ハ各本國政府ヨリ正當ノ委任ヲ受ケ
本協定ニ署名調印セリ

昭和十三年十一月 日即チ千九百三十八年十一月

日東京ニ於テ日本語及獨逸語ヲ以テ本誓二通ヲ作

成ス

大日本帝國外務大臣

獨逸國特命全權大使

Q # 37

DOCUMENT 956

Page 1

TREATY BETWEEN JAPAN AND GERMANY
PERTAINING TO CULTURAL COOPERATION

The Imperial Government of Japan and the Government of Germany, recognizing solemnly that, in view of the fact that Japan's own peculiar spirit and Germany's racial and national life constitute respectively the essence of Japan's culture and Germany's culture, the cultural relations between Japan and Germany should be based on these factors, and desiring to further strengthen the friendly and mutual trust, which fortunately binds the two countries already, by deepening the various cultural relations between the two countries and also by promoting the mutual knowledge and understanding between the peoples of the two countries, have entered into an agreement as follows:

ARTICLE I

The High Contracting Powers shall mutually cooperate most closely in order to strive to establish their cultural relations on a firm basis.

ARTICLE II

The High Contracting Powers, in order to achieve the object of the preceding article, shall systematically promote the cultural relations between the two countries in the fields of learning, arts, music, literature, cinema, radio broadcasting, youth movement, and sports.

ARTICLE III

The particulars necessary for the enforcement of the provision of the preceding article shall be decided by discussion between the competent authorities of the High Contracting Powers.

ARTICLE IV

This Agreement shall be enforced from the date of its signature. Either one of the High Contracting Powers may denounce this agreement by giving twelve months' advance notice.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Agreement and affixed their seals thereunto.

DOCUMENT 956

Page 2

Drawn up in duplicate, Japanese and German, at Tokyo
on November _____, of the 13th year of Showa, or November
_____ 1938.

Foreign Minister of Japan

Envoy Extraordinary and
Ambassador Plenipotentiary
of Germany.

DOCUMENT 956

Page 2

Drawn up in duplicate, Japanese and German, at Tokyo
on November _____, of the 13th year of Showa, or November
_____ 1938.

Foreign Minister of Japan

Envoy Extraordinary and
Ambassador Plenipotentiary
of Germany.

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Page 2

Drawn up in duplicate, Japanese and German, at Tokyo
on November _____, of the 13th year of Showa, or November
_____ 1938.

Foreign Minister of Japan

Envoy Extraordinary and
Ambassador Plenipotentiary
of Germany.

文化的協力ニ關スル日本國伊太利國協定(三月二十二日)

大日本帝國政府及

伊太利國政府ハ

兩國ノ永キ傳統ニ基礎ヲ置ク固有ノ文化ヲ相互ニ尊重シ且兩國間ノ各種ノ文化關係ヲ増進シ以テ兩國間ノ相互的理解ヲ深カラシムルト共ニ既ニ幸ニ兩國ヲ結合スル友好及相互的信頼ノ關係ヲ益鞏固ナラシムルノ希望ニ均シク促サレ左ノ道協定セリ

第一條

締約國ハ其ノ文化關係ヲ堅實ナル基礎ノ上ニ立スル爲努力スヘク且之ニ付最モ緊密ナル協力を爲スヘシ

第二條

締約國ハ前條ノ目的ヲ達成スル爲學術、美術、音樂、文學、演劇、映畫、寫眞、無線放送、青少年運動、運動競技等ヲ通シ兩國間ノ文化關係ヲ増進スヘシ

第三條

前條ノ規定ノ實施ニ必要ナル細目ハ締約國ノ相互ノ官憲間ノ合意ヲ以テ決定セララルヘシ

第四條

本協定ハ署名ノ日ヨリ之ヲ實施スヘク締約國ノ一

FILE COPY
RETURN TO ROOM 361

方ハ十二月ノ豫告ヲ以テ本協定ヲ廢棄スルコトヲ
待

右證據トシテ下右ハ各本國政府ヨリ正當ノ責任ヲ
受ケ本協定ニ署名調印セリ

昭和十四年三月二十三日即チ千九百三十九年二月

アシスト一曆下七年三月二十三日東京ニ於テ日本

謝及伊太利語ヲ以テ本條二通ヲ作成ス

AGREEMENT ON CULTURAL COOPERATION BETWEEN JAPAN AND ITALY.

The Japanese Government and
The Italian Government,

Equally animated by a desire to deepen the mutual understanding of both countries and to strengthen more and more the bonds of friendship and mutual confidence so happily connecting them already, by mutually respecting their intrinsic cultures based on their time-honoured traditions and by promoting their manifold cultural relations.

Have agreed upon the following Articles:

ARTICLE I.

The High Contracting States shall strive to put their cultural relations on a firm foundation and shall most closely collaborate in these regards.

ARTICLE II.

In order to attain the aim set forth in the preceding Article, the High Contracting States shall ever promote their cultural relations through the instrumentality of science and art, music and literature, stage and screen, photography and radio, youth-movements and sports, etc.

ARTICLE III.

The competent authorities of the High Contracting State shall decide by mutual agreement the detailed measures necessary for the execution of the stipulations of the preceding Article.

ARTICLE IV.

The present Agreement shall enter into force on the day of its signature. It shall expire twelve months after one of the High Contracting States shall have denounced it.

In witness whereof, the Undersigned, duly authorized by their respective Governments, have signed the present Agreement and affixed hereunto their seals.

Done in duplicate, in Japanese and Italian original texts, at Tokyo, the 23rd of March 1939 i.e. the 23rd day of the 3rd month of the 14th year of Syowa-Period corresponding to the 23rd day of the 3rd month of the 17th year of Fascist-Period.

(L.S.) Hachiro Arita.
(L.S.) Giacinto Auriti.



日本國及暹羅國貿易ニ關スル協定

大日本帝國政府及暹羅國政府ハ兩國ノ輸入及輸出ニ關スル利益ヲ適當ニ考慮シツツ相互ノ貿易ヲ促進シ且之ヲ現下ノ經濟狀況ニ自シテ兩國ノ利益ト爲ル様發展セシメントスルノ希望ノ下ニ互ノ同意ヲ定セリ

第一條

兩國ノ一方ノ政府ハ「平常取引」ニ於テ本協定年度中ニ兩國ノ利益アル官商間ノ合意ニ依リ各協定年度ニ付決定セラルル品目及價額ノ一方ノ國ノ産品ノ輸入ヲ許可スベシ

尚且ニ協定セラレタル産品ニ對スル支拂ハ兩國ノ利益アル官商間ノ合意ニ依リ決定セラルル品目及價額ノ方法ニ依リ及ハ自由外國ノ品ヲ以テ行ハルベシ

第二條

兩國ノ一方ノ政府ハ前條ニ協定セラレタル「平常取引」ニ附加シテ平ハルベキ「特別取引」ニ於テ本協定ノ制度中ニ兩國ノ利益アル官商間ノ合意ニ依リ決定セラルル品目及價額ノ一方ノ國ノ産品ノ輸入ヲ許可スベシ

尚且ニ協定セラレタル産品ニ對スル支拂ハ兩國ノ

料取アル官署間ノ合意ニ依リ決定セラルル所ニ
 従テ猶案及ハ借取ノ方法ニ依リ行ハルベシ
 獨逸國政府ハ獨逸銀行「特別取引」ニ於テ
 日本國ニ「ハセラレタル獨逸財産」ノ支拂ヲ容
 易ナラシムルハ「獨逸正金銀行」ニ資金ヲ供與スベ
 キヨトニ同意ス

日本國政府ハ前項ニ依リ供與セラレタル資金ノ
 返済ニ必要ナル資金許可ヲ「獨逸正金銀行」ニ對シ
 供給スベシ

第三條

兩國ノ一方ノ政府ハ本條定ノ決定ノ案ガニ依リ
 從來「獨逸」ノ貿易ニ從事シ來レル一方ノ國庫ノ
 利益ニ對シ適當ナル考慮ヲ拂フベシ又兩國政府
 ハ通常ノ取引條件ニ背離スルヲ必要ナラシムル
 ガ如キ事情ニ依リ兩國間ノ貿易ヲ阻害スルコト
 ナカルベシ

第四條

兩國ノ一方ノ政府ハ他方ニ輸出セラルベキ自國
 産品ノ賣却ノ不當ナル阻害ヲ斷グ爲第三四ニ於
 ケル國庫利益ノ保障ヲ爲シ適當ナル考慮ヲ
 拂フベシ

第五條

「獨逸」ハ「特別取引」ニ於テ容認セラレタル

産品ノ引取ガ本協定ノ範囲内ニ完了セララルル機
勢カスベシ

第六條

本協定ノ實施ニ必要ナル交換方法及技術件等目
ハ兩國ノ協議アル官制内ノ規程ニ依リ決定セラ
ルベシ

第七條

両國政府ハ前エズ相互長ノ署名ノ 秘ヲ注記シ
且之ヲ本協定ノ規定スル附ニ適合スル如ク訂定
スベシ之ガ爲各政府ノ任命スル代表者ハ三月内
ニ又ハ必要アラバ更ニ協議ニ責意及「ベルリ」
ニ於テ會合スベシ

第八條

本協定ノ規定ハ兩國ノ一方ノ意見ニシテ他三國
ニ對シテ理由スルト否トヲ問ハズ他方ニ直接施
ラレヌハ遺憾セララルルモノニノミ適用セララルベ
シ

第九條

本協定ハ運送受物ニハ適用セラレザルモノトス
本協定ニ依ル許集上江漢口ヨリ鄂黃州租界地ニ
輸入セラレヌハ江黃州租界地ヨリ江漢口ニ輸出
セララルル貨物ハ運送受物ト取扱サルベシ

第十條

吾國ノ一方ノ産品ニシテ本協定ニ依リ他方ニ輸
入セラレ且該輸入品ニ於テ經濟上合理的ナル等
更ヲ來ス加工ヲ施サルコトナクシテ左輸入品ヨ
リ第三國ニ再輸出セラレタルモノハ本協定ノ適
用ヨリ除外セラルベシ

第十一條

本協定ニ於テ

一 日本國又ハ獨逸國ノ「産品」トハ夫々日本
國又ハ獨逸國ニ於テ全部生産セラレタルカ又ハ
經濟上合理的ニシテ且其ノ性状ニ本國前ノ變化
ヲ來ス後ノ加工ヲ施サレタル産品ヲ指スモノ
トス

二 「協定年度」トハ十月一日ヲ以テ始マル一
年ヲ意味ス

第十二條

鱈魚詰、魚類魚詰、魚油、魚皮革ノ他類似ノ水
産物ニシテ日本國領水外ニ在ル日本國産品ニ於
テ又ハ「ソグイェト」社會主義共和國際領境
ニ於テ日本國企業ニ依リ製造セラレ又ハ加工セ
ラレタルモノハ本協定第十一條ニ適用セラレタ
ル日本國「産品」ニ合マルモノト看做サルベ
シ

前項ニ當テラレタル且長ガ前項ニ攝テラレタル
 場所ヨリ選擧ニ直接指授セラレ又ハ管轄セラ
 ルル場合ニハ本協定第八條ノ規定ニ拘ラズ日本
 國ヨリ積出サレ又ハ輸送セララルモノト手付サ
 ルベシ

第十三條

本協定ノ規定ハ兩國ノ側レカ一方ニ限リ又ハ其
 ノ管轄スル一切ノ地域及領土ニ適用セララルベシ
 但シ「ボヘミア」及「モラヒヤ」保護領ハ本協
 定ノ適用ヨリ除外セララルベシ

第十四條

本協定ハ千九百三十九年十月一日ヨリ生效セラ
 ルベク且千九百四十一年九月三十日ニ至ル迄効
 カラ存続スベシ
 兩國ノ側レカ一方ノ政府ガ本協定管轄ノ日ヨリ
 六月ヲ前タル日ニ他方ニ對シ本協定變更ノ希望
 ヲ通告シタルトキハ他方ノ政府ハ之ガ側面ヲ
 照會スルコトニ同意スベシ若シ本協定變更ノ希望
 ガ他方ノ政府ニ通告セラレタル日ヨリ起算シテ
 二月以内ニ商議整ハザルトキハ右協定ヲ希望シ
 タル政府ハ本協定ノ廢棄ヲ通告スルコトヲ得ベ
 シ此ノ場合ニ於テハ本協定ハ右廢棄通告アリタ
 ル月ノ翌月ノ末日ニ至ル迄効カラ存続スベシ

第十五條

本協定ニ依ル取引又ハ交換ニ付スル貨物ニシテ
本協定終了ノ際未ダ完了セザルモノハ本協定及
之ニ關聯スル取扱ノ協定ニ準據シテ辦理セラレ
ベシ

右諸様トシテ下名ハ各本國政府ヨリ正當ノ委任
ヲ受ケ本協定ニ署名セリ

昭和十四年 月 日 即チ千九百三十九年

月 日 「ベルリン」ニ於テ國等ノ傍カヲ有ス

ル

日本國及本協定本文ヲ以テ二部ヲ作成ス

Q # 37

Agreement Regarding Trade between Japan and Germany.

The Government of Japan and the Government of Germany, in due consideration regarding the import and export of both countries, have reached the following agreement in the hope of promoting mutual trade and to bring about its development for the benefit of both countries so as to meet present economic conditions.

Article 1.

The Government of one of the two countries shall permit, under ordinary transactions, the importation, during each fiscal year, of the products of the other country, according to the articles and prices agreed upon for each fiscal year by competent authorities of the two countries. The payment for the products mentioned above shall be made by liquidation decided upon by the agreement of competent authorities of the two countries, or by free foreign exchange.

Article 2.

The Government of one of the two countries shall permit, under "special transactions" to be added to the "ordinary transaction" mentioned in the preceding article, the importation of the products of the other country according to the articles and prices agreed upon by competent authorities of the two countries during the term of this Agreement. The payment for the above products shall be made by liquidation or credit as decided by the agreement of competent authorities of the two countries.

The German Government shall agree that the German Banking Syndicate will supply the Yokohama Specie Bank with funds for the purpose to facilitate the payment for the German products imported through "special transactions" by Japan.

The Japanese Government shall permit the Yokohama Specie Bank to remit necessary funds to repay the loan made according to the preceding clause.

Article 3.

The Government of one of the two countries, in the enforcement of the provisions of this agreement, shall pay due consideration to the interests of the people of the other country who have been engaged in trade between the two countries.

The Governments of both countries shall not hinder the trade between the two countries by such measures as will necessitate the alienation from ordinary terms of transactions.

Article 4.

The Government of one of the two countries in order to prevent unreasonable rises in the prices of products of its own country to be exported to the other country, shall take appropriate measures by always considering the price of the same products in a third country.

Article 5.

The Governments of both countries shall strive to complete within the term of this Agreement, the delivery of goods ordered in "special transactions".

Article 6.

The method of payment and technical details necessary for the enforcement of this Agreement shall be decided upon through the understanding of competent authorities of the two countries.

Article 7.

The Governments of both countries shall continually observe the development of the trade between the two countries and adjust it so as to conform with the provisions of this Agreement. For this purpose the representatives appointed by each Government shall meet in Tokyo and Berlin every three months, or more frequently if necessary.

Article 8.

The provisions of this Agreement shall be applicable only to those goods of one of the two countries shipped or transported directly to the other country, whether through a port of a third country or not.

Article 9.

This Agreement shall not be applicable to transit goods.

In the accounts stipulated in this Agreement, goods, either imported into the leased territory of Kwantung from Germany or exported to Germany from the leased territory of Kwantung, shall be regarded as transit goods.

Article 10.

Products of one of the two countries imported by the other country according to this Agreement, and re-exported by this import country to a third country without being manufactured to cause any radical changes economically, shall be outside the application of this Agreement.

Article 11.

In this Agreement:

- (1) "Products" of Japan or Germany shall mean commodities which are either completely manufactured or goods that are finished to give them the rational and substantial changes economically in the respective countries.
- (2) The "fiscal year" will be the one year beginning from October 1.

Article 12.

Canned crab, canned fish, whale oil, fish skin, and other similar marine products manufactured or finished on Japanese ships outside of the Japanese territorial waters or by Japanese enterprises in the territories of the Union of Soviet Socialist Republics shall be regarded "products" of Japan defined in Article 11 of this Agreement.

When these products are shipped or transported directly from the above places, they shall be regarded as being shipped or transported from Japan, irrespective of the provisions in Article 8 of this Agreement.

Article 13.

The provisions of this Agreement shall be applied to all areas belonging to or under the protection of one of the two countries. The protectorates of Bohemia and Moravia, however, shall be outside the application of this Agreement.

Article 14.

This Agreement shall take effect on the first of October, 1939, and shall be valid till the thirtieth of September, 1941.

If the Government of one of the two countries should notify the other Government, after six months from the date of enforcement of this Agreement, of its desire for any alterations in this Agreement, the other Government shall agree to open negotiations for this purpose. If the negotiation is not arranged within two months from the date of notification, the government desiring the above alterations may announce a renunciation of this Agreement. In this case this Agreement shall be valid till the last day of the following month after the announcement has been made.

Article 15.

Matters regarding transactions and payments according to this Agreement which are not completed at the expiration of this Agreement, shall be disposed of according to the provisions of this Agreement and other arrangements pertaining to it.

Article 11.

In this Agreement:

- (1) "Products" of Japan or Germany shall mean commodities which are either completely manufactured or goods that are finished to give them the rational and substantial changes economically in the respective countries.
- (2) The "fiscal year" will be the one year beginning from October 1.

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The provisions of this Agreement shall be applied to all areas belonging to or under the protection of one of the two countries. The protectorates of Bohemia and Moravia, however, shall be outside the application of this Agreement.

Article 14.

This Agreement shall take effect on the first of October, 1939, and shall be valid till the thirtieth of September, 1941.

If the Government of one of the two countries should notify the other Government, after six months from the date of enforcement of this Agreement, of its desire for any alterations in this Agreement, the other Government shall agree to open negotiations for this purpose. If the negotiation is not arranged within two months from the date of notification, the government desiring the above alterations may announce a renunciation of this Agreement. In this case this Agreement shall be valid till the last day of the following month after the announcement has been made.

Article 15.

Matters regarding transactions and payments according to this Agreement which are not completed at the expiration of this Agreement, shall be disposed of according to the provisions of this Agreement and other arrangements pertaining to it.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

Two copies of this of equal validity in Japanese and German are made in Berlin on _____, the fourteenth year of Showa or 1939.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

Two copies of this of equal validity in Japanese and German are made in Berlin on _____, the fourteenth year of Showa or 1939.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

Two copies of this of equal validity in Japanese and German are made in Berlin on _____, the fourteenth year of Showa or 1939.

In witness whereof, the undersigned, duly authorized by their respective Governments, have signed this Agreement.

Two copies of this of equal validity in Japanese and German are made in Berlin on _____, the fourteenth year of Showa or 1939.

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Enclosure no. 2 to despatch
no. 5182 dated December 2, 1940,
from the Embassy at Tokyo.

Translation

Treaty Concerning the Basic Relations Between
Japan and China

The Imperial Government of Japan and
The National Government of the Republic of China:

Being desirous that these two countries should respect their inherent characteristics and closely cooperate with each other as good neighbours under their common ideal of establishing a new order in East Asia on an ethical basis, establishing thereby a permanent peace in East Asia, and with this as a nucleus contributing toward the peace of the world in general, and

Desiring for this purpose to establish fundamental principles to regulate the relations between the two countries, have agreed as follows:

Article 1

The Governments of the two countries shall, in order to maintain permanently good neighbourly and amicable relations between the two countries, mutually respect their sovereignty and territories and at the same time take mutually helpful and friendly measures, political, economic, and cultural and otherwise.

The Governments of the two countries agree to eliminate, and to prohibit in the future, such measures and causes as are destructive of the amity between the two countries in politics, diplomacy, education, propaganda and trade and commerce, and other spheres.

Article 2

Article 2

The Governments of the two countries shall closely cooperate for cultural harmony, creation and development.

Article 3

The Governments of the two countries agree to engage in joint defense against all destructive operations of communistic nature that jeopardize the peace and welfare of their countries.

The Governments of the two countries shall, in order to accomplish the purpose mentioned in the preceding paragraph, eliminate communistic elements and organizations in their respective territories, and at the same time cooperate closely concerning information and propaganda with reference to the defense against communistic activities.

Japan shall, in order to carry out the defense against communistic activities through collaboration of the two countries, station required forces in specified areas of Meng-chiang and of North China for the necessary duration, in accordance with the terms to be agreed upon separately.

Article 4

The Governments of the two countries undertake to cooperate closely for the maintenance of common peace and order until the Japanese forces sent to China complete their evacuation in accordance with the terms as provided for separately.

The

The areas for stationing Japanese forces for the period requiring the maintenance of common peace and order and other matters pertaining thereto shall be determined as agreed separately between the two countries.

Article 5

The Government of the Republic of China shall recognize that Japan may, in accordance with previous practices or in order to preserve the common interests of the two countries, station for a required duration its naval units and vessels in specified areas within the territory of the Republic of China, in accordance with the terms to be agreed upon separately between the two countries.

Article 6

The Governments of the two countries shall effect close economic cooperation between the two countries in conformance with the spirit of complementing each other and ministering to each other's needs, as well as in accordance with the principles of equality and reciprocity.

With reference to specific resources in North China and Mengchiang, especially mineral resources required for national defense, the Government of the Republic of China undertake that they shall be developed through close cooperation of the two countries. With reference to the development of specific resources in other areas which are required for national defense, the Government of the Republic of China shall afford necessary facilities to Japan and Japanese subjects.

With

With regard to the utilization of the resources referred to in the preceding paragraph, while considering the requirements of China, the Government of the Republic of China, shall afford positive and full facilities to Japan and Japanese subjects.

The Governments of the two countries shall take all the necessary measures to promote trade in general and to facilitate and rationalize the demand and supply of goods between the two countries. The Governments of the two countries shall extend specially close cooperation with respect to the promotion of trade and commerce in the lower basin of the Yangtze River and the rationalization of the demand and supply of goods between Japan on the one hand and North China and Mengchiang on the other.

The Government of Japan shall, with respect to the rehabilitation and development of industries, finance, transportation and communication in China, extend necessary assistance and cooperation to China through consultation between the two countries.

Article 7

According to the development of the new relations between Japan and China under the present Treaty, the Government of Japan shall abolish extraterritorial rights possessed by Japan in China and render to the latter its concessions; and the Government of China shall open its territory for domicile and business of Japanese subjects.

Article 8

Article 8

The Governments of the two countries shall conclude separate agreements regarding specific items which are necessary to accomplish the object of the present treaty.

Article 9

The present Treaty shall come into effect from the date of its signature.

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

Done in duplicate, in the Japanese and Chinese languages, at Nanking the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 29th year of the Republic of China.

Enclosure no. 3 to despatch
no. 5182 dated [redacted]
from the Embassy at Tokyo.

Translation

Annexed Protocol

In proceeding this day to the signature of the Treaty concerning the Basic Relations between Japan and China, the Plenipotentiaries of the two countries have agreed as follows:

Article 1

The Government of the Republic of China, understanding that, during the period in which Japan continues the warlike operations it is at present carrying on in the territory of China, there exists a special state of affairs attendant upon such warlike operations, and that Japan must take such measures as are required for the attainment of the object of such operations, shall accordingly take the necessary measures.

Even during the continuation of the said warlike operations, the special state of affairs referred to in the preceding paragraph shall, in so far as there is no obstacle to the attainment of the object of the operations, be adjusted in accordance with the changing circumstances and in conformity with the Treaty and its annexed documents.

Article 2

While the affairs previously administered by the Provisional Government of the Republic of China, the Reformed Government of the Republic of China and others have been taken over and temporarily maintained as they are by the Government of the Republic of China, those which require adjustment but are not yet adjusted shall be adjusted in
conformity

conformity with the purpose of the Treaty and its annexed documents through consultation between the two countries, as promptly as circumstances may permit.

Article 3

When general peace is restored between the two countries and the state of war ceases to exist, the Japanese forces shall commence evacuation with the exception of those which are stationed in accordance with the Treaty concerning the Basic relations between Japan and China signed today and the existing agreements between the two countries, and shall complete it within two years with the firm establishment of peace and order; and the Government of the Republic of China shall guarantee the firm establishment of peace and order during this period.

Article 4

The Government of the Republic of China shall compensate the damages to rights and interests suffered by Japanese subjects in China on account of the China Affair since its outbreak.

The Government of Japan shall, with respect to the relief of the Chinese rendered destitute by the China Affair, cooperate with the Government of the Republic of China.

Article 5

The present Protocol shall come into effect simultaneously with the Treaty.

In witness whereof the Plenipotentiaries of the two countries have signed this Protocol and have affixed thereto
their

conformity with the purpose of the Treaty and its annexed documents through consultation between the two countries, as promptly as circumstances may permit.

Article 3

When general peace is restored between the two countries and the state of war ceases to exist, the Japanese forces shall commence evacuation with the exception of those which are stationed in accordance with the Treaty concerning the Basic relations between Japan and China signed today and the existing agreements between the two countries, and shall complete it within two years with the firm establishment of peace and order; and the Government of the Republic of China shall guarantee the firm establishment of peace and order during this period.

Article 4

The Government of the Republic of China shall compensate the damages to rights and interests suffered by Japanese subjects in China on account of the China Affair since its outbreak.

The Government of Japan shall, with respect to the relief of the Chinese rendered destitute by the China Affair, cooperate with the Government of the Republic of China.

Article 5

The present Protocol shall come into effect simultaneously with the Treaty.

In witness whereof the Plenipotentiaries of the two countries have signed this Protocol and have affixed thereto
their

their seals.

Done in duplicate, in the Japanese and Chinese languages, at Nanking the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 29th year of the Republic of China.

Enclosure no. 4 to despatch
no. 5182 dated December 1, 1940,
from the Embassy in Tokyo.

Translation

Agreed Terms of Understanding between the Plenipotentiaries
of Japan and China concerning the Annexed Protocol

In proceeding this day to the signature of the Treaty concerning the Basic Relations between Japan and China, the following understanding has been reached between the Plenipotentiaries of the two countries in connection with the stipulations of Articles 1 and 2 of the Annexed Protocol of the Treaty.

1. With regard to those various organs for collecting taxes in China which are at present in a special condition owing to military necessity, an adjustment shall be made promptly in accordance with the spirit of respecting the financial independence of China.

2. With regard to those industrial, mining and commercial establishments under governmental or private management which are at present controlled by Japanese forces, the necessary measures shall be taken for their prompt transfer to Chinese management in a rational manner, with the exception of those which are of enemy character or under special circumstances of unavoidable character including military necessity.

3. In case any Sino-Japanese joint enterprise requires modification in the evaluation of original assets, the proportion of capital investments and other matters, measures for their rectification shall be taken in accordance with the terms to be agreed upon separately through consultation between the two countries.

4. The Government of the Republic of China shall, in case they find it necessary to institute control on foreign trade, effect such control autonomously. They may not, however, infringe upon the principle of Sino-Japanese economic cooperation mentioned in Article 6 of the Treaty; and they shall consult with Japan with regard to such control during the continuation of the China Affair.

5. With regard to matters pertaining to transportation and communication in China which require adjustment, they shall be adjusted, as promptly as circumstance may permit, in accordance with the terms to be agreed upon separately through consultation between the two countries.

Done in duplicate, in the Japanese and Chinese languages at Nanking the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 29th year of the Republic of China.

Enclosure no. 5 to despatch
no. 5182 dated December 2, 1940,
from the Embassy at Tokyo.

Translation

Joint Declaration by the Governments of Japan,
Manchukuo and China

The Imperial Government of Japan;
The Imperial Government of Manchoukuo; and
The National Government of the Republic of China:

Being desirous that the three countries should respect one another's inherent characteristics and closely cooperate with one another as good neighbours under their common ideal of establishing a new order in East Asia on an ethical basis, constituting thereby the mainstay of a permanent peace in East Asia, and with this as a nucleus contributing toward the peace of the world in general, declare as follows:

1. Japan, Manchoukuo and China will respect mutually their sovereignty and territories.
2. Japan, Manchoukuo and China will bring about general cooperation on a reciprocal basis among the three countries, especially a good neighbourly friendship, common defense against communistic activities and economic cooperation, and for that purpose will take all the necessary measures in every direction.
3. Japan, Manchoukuo and China will promptly conclude agreements in accordance with the present Declaration.

Done at Nanking on this the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 7th year of Kangte, and to the 30th day of the 11th month of the 29th year of the Republic of China.

Enclosure no. 5 to despatch
no. 5182 dated December 2, 1940,
from the Embassy at Tokyo.

Translation

Joint Declaration by the Governments of Japan,
Manchukuo and China

The Imperial Government of Japan;
The Imperial Government of Manchoukuo; and
The National Government of the Republic of China:

Being desirous that the three countries should respect one another's inherent characteristics and closely cooperate with one another as good neighbours under their common ideal of establishing a new order in East Asia on an ethical basis, constituting thereby the mainstay of a permanent peace in East Asia, and with this as a nucleus contributing toward the peace of the world in general, declare as follows:

1. Japan, Manchoukuo and China will respect mutually their sovereignty and territories.
2. Japan, Manchoukuo and China will bring about general cooperation on a reciprocal basis among the three countries, especially a good neighbourly friendship, common defense against communistic activities and economic cooperation, and for that purpose will take all the necessary measures in every direction.
3. Japan, Manchoukuo and China will promptly conclude agreements in accordance with the present Declaration.

Done at Nanking on this the 30th day of the 11th month of the 15th year of Syowa, corresponding to the 30th day of the 11th month of the 7th year of Kangte, and to the 30th day of the 11th month of the 29th year of the Republic of China.

大日本帝國特命全權公使 (即) 井上 (即) 廣田
TO BE KEPT IN THE OFFICE OF THE SECRETARY OF STATE

(L.S.) K. Murai
His Imperial Majesty's Envoy Extraordinary
and Minister Plenipotentiary
(L.S.) Pibula Songgram
Minister of Foreign Affairs

友好關係ノ存續及相互ノ
領土尊重ニ關スル日本國
「タイ國間條約」

TREATY BETWEEN JAPAN AND THAILAND
CONCERNING THE CONTINUANCE OF
FRIENDLY RELATIONS AND THE MUTUAL
RESPECT OF EACH OTHER'S TERRITORIAL
INTEGRITY.

Signed at Tokyo, June 12, 1940.

Ratifications exchanged at Bangkok, December 23,
1940.

In force from December 23, 1940.

Proclaimed December 27, 1940.

His Majesty the Emperor of Japan and His
Majesty the King of Thailand,

being equally animated by the earnest desire of
reaffirming and further strengthening the tradi-

附則 一九四〇年六月十二日東京に於て署名
附則 一九四〇年(舊曆)十二月二十三日
「スシヨククニ」於て批准書交換
附則 一九四〇年(舊曆)十二月二十三日より代施
附則 一九四〇年(舊曆)十二月二十七日(即ち十二月二十七日)附宣報公布

大日本帝國天皇陛下及「タイ」國皇陛下、

日本國「タイ」國間ノ傳統的友好關係ノ再鞏固之且之
ノ存続ヲシテ、相互ノ領土尊重ニ關スル條約ヲ締結スル

附一P1

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日本帝國天皇陛下

外務大臣重臣位勳二等 有田六郎

タイ國皇帝陛下

日本國駐劄暹羅全權公使「ナイツ、クラント、クロス、オウ、サ、ニスト、ノイブル、オイヤ、オウ、サ、クラウン、オウ、タイランド、ニビヤ、シ、オナ」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良好妥當ナリシ認メタニ後左ノ條條ヲ協定セリ

第二條

相互ノ領土

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第三節 一、タイ國 友好關係ノ存続及相互ノ領土尊重ニ

tional bonds of friendship between Japan and Thailand, and

being convinced that the peace and the stability of East Asia is the common concern of the two States,

have resolved to conclude a treaty, and for that purpose have named as their Plenipotentiaries, that is to say :

His Majesty the Emperor of Japan :

Haclairo Arita, Zyosanmi, Grand Cordon of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister for Foreign Affairs ;

His Majesty the King of Thailand :

Phya Sri Sena, Knight Grand Cross of the Most Noble Order of the Crown of Thailand, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of Japan ;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles :

ARTICLE 1.

The High Contracting Parties shall mutually re-

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親善及友好關係ノ再新
在スル永久ノ平和及無窮ノ友好關係ヲ茲ニ再確認ス

友好接觸ノ保持
第二條
締約國ハ生ズルコトアルベキ共通ノ利害問題ニ關シ情
報ヲ交換シ及協議スル爲メニ友好の接觸ヲ保ツベシ

締約國ニ對シテ
第三條
締約國ノ一方カ一スハ二以上ノ第三國ヨリ攻撃ヲ受ク
ル場合ニハ他方ハ攻撃セラルル締約國ニ反シテ右第三
國ノ援助セサルコトノ約ス

批准及批准
書ノ交換
第四條
本條約ハ批准セラルル日其ノ批准書ハ成ルル連
一バンシクニ於テ交換セラルベシ

條約ノ有效期間
及履行ノ方法
第五條
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respect each other's territorial integrity and hereby reaffirm the constant peace and the perpetual friendship existing between them.

ARTICLE 2.

The High Contracting Parties shall mutually maintain friendly contact in order to exchange information, and to consult one another, on any question of common interest that may arise.

ARTICLE 3.

In the event of one of the High Contracting Parties suffering an attack from any third Power or Powers, the other Party undertakes not to give aid or assistance to the said Power or Powers against the Party attacked.

ARTICLE 4.

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Bangkok, as soon as possible.

ARTICLE 5.

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for five years from that date. In case neither of the High Contracting Parties

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十二日、西曆千九百四十年六月十二日東京ニ於テ本書
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有田 八郎 印
北 洋 子 印

shall have given notice to the other six months be-
fore the expiration of the said period of five years
of its intention to terminate the Treaty, it shall
continue operative until the expiration of one year
from the date on which either Party shall have
given such notice.

In witness whereof the respective Plenipoten-
tiaries have signed the present Treaty and have
hereunto affixed their seals.

Done in duplicate, at Tokyo, this twelfth day of
the sixth month in the fifteenth year of Syōwa,
corresponding to the twelfth day of the third month
in the two thousand four hundred and eighty-third
year of the Buddhist Era, and the twelfth day of
June in the nineteen hundred and fortieth year of
the Christian Era.

(L. S.) HOSONO ARITA

(L. S.) HIRATA SUI SENA

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N° 4791.

JAPON ET THAÏLANDE

Traité relatif au maintien des relations d'amitié
entre les deux pays et au respect réciproque
de leur intégrité territoriale. Signé à Tokio,
le 12 juin 1940.

*Texte officiel anglais communiqué par le délégué permanent de la Thaïlande
près la Société des Nations. L'enregistrement a eu lieu le 26 juillet 1941.*

JAPAN AND THAILAND

Treaty concerning the Continuance of Friendly
Relations between the Two Countries and
the Mutual Respect of Each Other's Terri-
torial Integrity. Signed at Tokyo, June 12th,
1940.

*English official text communicated by the Permanent Delegate of Thailand to
the League of Nations. The registration took place July 26th, 1941.*

TRADUCTION. — TRANSLATION.

No. 4791. TREATY¹ BETWEEN THAILAND AND JAPAN CONCERNING THE CONTINUANCE OF FRIENDLY RELATIONS AND THE MUTUAL RESPECT OF EACH OTHER'S TERRITORIAL INTEGRITY. SIGNED AT TOKYO, JUNE 12TH, 1940.

N^o 4791. TRAITÉ¹ ENTRE LE JAPON ET LA THAÏLANDE RELATIF AU MAINTIEN DES RELATIONS D'AMITIÉ ENTRE LES DEUX PAYS ET AU RESPECT RÉCIPROQUE DE LEUR INTÉGRITÉ TERRITORIALE. SIGNÉ A TOKIO, LE 12 JUIN 1940.

HIS MAJESTY THE KING OF THAILAND and HIS MAJESTY THE EMPEROR OF JAPAN.

Being equally animated by the earnest desire of reaffirming and further strengthening the traditional bonds of friendship between Thailand and Japan, and

Being convinced that the peace and the stability of East Asia is the common concern of the two States,

Have resolved to conclude a treaty, and for that purpose have named as their Plenipotentiaries, that is to say:

HIS MAJESTY THE KING OF THAILAND:

Phya Sri SENA, Knight Grand Cross of the Most Noble Order of the Crown of Thailand, His Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Emperor of Japan,

HIS MAJESTY THE EMPEROR OF JAPAN:

Hachiro ARITA, Zyosanmi, Grand Cordon of the Imperial Order of the Rising Sun, His Imperial Majesty's Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

Article 1.

The High Contracting Parties shall mutually respect each other's territorial integrity and hereby reaffirm the constant peace and the perpetual friendship existing between them.

¹The exchange of ratifications took place at Bangkok, December 23rd, 1940.

SA MAJESTÉ LE ROI DE THAÏLANDE et SA MAJESTÉ L'EMPEREUR DU JAPON.

Egalement animés du sincère désir de réaffirmer et de renforcer encore davantage les liens traditionnels d'amitié entre la Thaïlande et le Japon, et

Convaincus que la paix et la stabilité de l'Asie orientale constituent la préoccupation commune des deux Etats,

Ont résolu de conclure un traité et ont nommé, à cet effet, leurs plénipotentiaires, savoir:

SA MAJESTÉ LE ROI DE THAÏLANDE:

Phya Sri SENA, Chevalier Grand Croix du Très Noble Ordre de la Couronne de Thaïlande, envoyé extraordinaire et ministre plénipotentiaire de Sa Majesté à la Cour de Sa Majesté l'Empereur du Japon;

SA MAJESTÉ L'EMPEREUR DU JAPON:

Hachiro ARITA, Zyosanmi, Grand Cordon de l'Ordre Impérial du Soleil Levant, ministre des Affaires étrangères de Sa Majesté Impériale,

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles ci-après:

Article premier.

Les Hautes Parties contractantes respectent réciproquement leur intégrité territoriale et réaffirment, par le présent acte, la paix constante et l'amitié perpétuelle qui existent entre elles.

¹L'échange des ratifications a eu lieu à Bangkok, le 23 décembre 1940.

Article 2.

The High Contracting Parties shall mutually maintain friendly contact in order to exchange information, and to consult one another, on any question of common interest that may arise.

Article 3.

In the event of one of the High Contracting Parties suffering an attack from any third Power or Powers, the other Party undertakes not to give aid or assistance to the said Power or Powers against the Party attacked.

Article 4.

The present Treaty shall be ratified and the ratifications thereof shall be exchanged at Bangkok, as soon as possible.

Article 5.

The present Treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for five years from that date.

In case neither of the High Contracting Parties shall have given notice to the other six months before the expiration of the said period of five years of its intention to terminate the Treaty, it shall continue operative until the expiration of one year from the date on which either Party shall have given such notice.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have hereunto affixed their seals.

Done in duplicate, at Tôkyô, this twelfth day of the third month in the two thousand four hundred and eighty-third year of the Buddhist Era, corresponding to the twelfth day of the sixth month in the fifteenth year of Syôwa, and the twelfth day of June in the nineteen hundred and fortieth year of the Christian Era.

(L. S.) Phya Sri SENA.

(L. S.) Hachiro ARITA.

Certified true copy :
Delegate of Thailand.
 (Signature illegible.)

Article 2.

Les Hautes Parties contractantes resteront en contact amical l'une avec l'autre, afin d'échanger des renseignements et de se consulter sur toute question d'intérêt commun qui pourrait se présenter.

Article 3.

Au cas où l'une des Hautes Parties Contractantes serait attaquée par une tierce Puissance ou par de tierces Puissances, l'autre Partie s'engage à ne donner ni aide ni assistance à ladite Puissance ou auxdites Puissances contre la Partie attaquée.

Article 4.

Le présent traité sera ratifié et les instruments de ratification seront échangés à Bangkok dès que faire se pourra.

Article 5.

Le présent traité entrera en vigueur à la date de l'échange des ratifications et continuera d'exercer ses effets pendant cinq années à partir de cette date.

Si aucune des deux Hautes Parties contractantes n'a notifié à l'autre Partie, six mois avant l'expiration de ladite période de cinq ans, son intention de mettre fin au traité, celui-ci restera en vigueur jusqu'à l'expiration d'une année à compter de la date à laquelle l'une ou l'autre Partie aura donné ce préavis.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent traité et y ont apposé leur cachet.

Fait en double exemplaire, à Tokio, ce douzième jour du troisième mois de l'année deux mille quatre cent quatre-vingt-trois de l'Ère bouddhique, correspondant au douzième jour du sixième mois de la quinzième année de Syôwa, et au douzième jour de juin de l'an mil neuf cent quarante de l'Ère chrétienne.

Phya Sri SENA.

Hachiro ARITA.

[TRANSLATION]

TC No.

SUMMARY

MEMORANDUM OF EVENTS DATED AUGUST 30, 1940
INVOLVING THE AMBASSADOR OF FRANCE AT TOKYO
AND THE MINISTERS OF FOREIGN AFFAIRS OF JAPAN

I have the honor to inform Your Excellency that the French Government recognizes the dominant interests of Japan in the Far East in the economic as well as in the political domain.

My Government accordingly relies on the Imperial Government's being good enough to give it assurance that Japan intends to respect the rights and interests of France in the Far East and, in particular, the territorial integrity of Indochina and the sovereign rights of France in all parts of the Indochinese Union.

With respect to the economic domain, France is ready promptly to negotiate means of developing exchanges between Indochina and Japan and to guarantee to Japan and its nationals, in Indochina, the most advantageous possible situation and, in any case, a preferential situation as compared with that of other third powers.

With respect to the exceptional military facilities which Japan has requested, France takes note of the fact that they are only meant, in the interest of the Japanese Government, to make possible the settlement of its dispute with General Chiang-Kai-Shek, which facilities are temporary and will disappear when the dispute shall have been settled; finally, that they are applicable only to the Indochinese provinces bordering on China.

In these circumstances, the French Government is ready to instruct the commander of French troops in Indochina to discuss military questions with the Japanese Government. None of the demands which the Japanese Government has presented is excluded a priori; instructions sent to the French military authorities will not limit their power in this regard.

These conversations will be held under the following conditions:

Military chiefs will, under the protection of their word of honor as soldiers, exchange information to make possible accurate knowledge of the needs of the Japanese army and the manner in which the said needs might be met. These needs have to do only with the conduct of operations in Chinese provinces bordering on Indochina.

Following this exchange of information, trustworthy contacts will be made between the Japanese and French military authorities for the granting to the Japanese army of the military facilities in question.

The French Government will have no financial burden to bear on account of the various facilities which will be granted to Japanese troops; these facilities will not have the character of a military occupation, but will be strictly limited to the needs of the operations and will be provided through the French military authorities and under their supervision.

Finally, the Japanese Government undertakes to assume the cost of expenditures for damages which might be caused Indochina both by the acts of war themselves and by acts of retreating troops when the main processes of Japanese forces might have brought to Indochina.

I have the honor to acknowledge receipt of Your Excellency's letter dated _____, the text of which is as follows:

(Indented text of the French Ambassador's letter)

In reply to Your Excellency's letter, I have the honor to inform you that the Government of Japan gives assurance to the French Government that it intends to respect the rights and interests of France in the Far East and, in particular, the territorial integrity of Indochina and the sovereign rights of France in all parts of the Indochinese Union.

The Government of Japan, furthermore, agrees to the proposals presented to it by the French Government and accepts the responsibilities intended to enable the Japanese forces to be granted passage, entry and promptly brought to a successful conclusion. It expresses the hope that the French Government will give the Indochinese authorities the necessary instructions to that end.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

Reference No. 117
[REDACTED]
from the Embassy at
Vladivostok.

[TRANSLATION]

TC No.

DATE

Vladivostok, September 22, 1940

[REDACTED]

Provisional Agreement
of September 21.

1. Landing of Japanese military groups may use the
port of Vladivostok.

But they must conform to the following conditions:

- a) Landing shall be effected solely by merchant ships;
warships are not to approach within 5 miles of a specified line;
- b) no quartering will be authorized at Vladivostok, which must
be cleared within the shortest possible time.

2. Quarantine authorized in the quadrilateral: Vladivostok,
Vostochny, Vladivostok, Vladivostok.

A base of operations may be established at Vladivostok.

3. Airfield - Use of three air fields: Vladivostok, Vladivostok
and Vladivostok.

4. [REDACTED]

Vladivostok - 200 men
[REDACTED] General [REDACTED] and his general staff.
[REDACTED] [REDACTED]
[REDACTED], [REDACTED] [REDACTED], guard being provided by us [REDACTED]

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

Enclosure No. 2 to
Request No. 22 of September
1940 from the Japanese
Vichy.

[TRANSLATION]

TC No.

SECRET

Vichy, September 21, 1940

MEMORANDUM

Draft Franco-Japanese
Agreement of September 20,
1940.

1. Landing of Japanese Troops:

at Hainan, the night of September 20-21.

2. Aviation:

use of 4, and possibly 5 aircraft.

3. Exclusions:

Giving up the idea of attacking China for the present, the Japanese command does not insist on sending 25,000 men into Indochina. It agrees to limit the troops stationed in Indochina to 4,000 men. But it requests authorization to have part of the troops now in difficulty in Hwang-shi pass through Szechuan.

All other points of the agreement of September 8 are maintained.

Enclosure no. 4 to
Despatch no. 10 of Sept.
25, 1940 from the Embassy
at Vichy.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No.

Vichy, September 21, 1940

MEMORANDUM

Japanese demands of
September 20.

Scarcely had the agreement of September 20 been concluded when
General Hishidara presented new demands, which are:

1. Entry via Langson, at the same time as the landing at
Haiphong, of a division 20,000 men strong stationed at Langthoung;
2. Establishment of the Japanese general headquarters with all
its services and a hospital at Hanoi.

These requests, supported by an ultimatum from Hanoi, were
rejected.

Enclosure no. 5 to
Despatch no. 10 of
Sept. 21, 1940 from
the Embassy at Hanoi

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No.

RE:

September 21, 1940

MEMORANDUM

Agreement of September 21.

1. Three airbases, those at Hsu-tso, Chin-lan and Loehay (or Hsu-lung (thung)) may be used by the Japanese command.
2. The numerical importance of the flying force and force guarding the airbases, to be specified later, may not exceed the total number of 4,000 men.
3. Provision for a right of transit in case of operations against China, with the total number of Japanese effectives simultaneously present in Indochinese territory not to exceed 25,000 men.
4. Provision for the evacuation via Hiphong of a Japanese division which might be in difficulty in Koung-si. The conditions under which this transfer would be effected will be determined by the French command.
5. The first vessels bringing troops will anchor off Hiphong in the morning of September 21.

EX 143

Doc. No. 922

TRIPARTITE ALLIANCE OF JAPAN, GERMANY and ITALY.

We, the governments of Japan, Germany and Italy, under the common belief that the first essential for lasting peace rests only upon enabling every nation to have contentment and peace, being allotted to a certain sphere of activity of her own, have made it our fundamental principle to establish a new order for co-prosperity of its own race, in Great Asia and Europe, and to maintain the same; and have reached the decision to cooperate and co-assist each other in carrying out this basic fundamental in each respective field; and further, the governments of these three nations to be willing to extend their cooperative hands over all nations willing to endeavor in realization of the same idea in any part of the world; and in hope of the realization of our final object of establishing lasting peace, the governments of Japan, Germany and Italy have hereby entered into the following agreement:

Article I: Japan shall recognize and respect the leadership of Germany and Italy for establishment of new order in Europe.

Article II: Germany and Italy shall recognize and respect the leadership of Japan for establishment of new order in Great Asia.

Article III: Japan, Germany and Italy shall agree to cooperate with one another in carrying out the aforementioned policy; and, further, if and when any one of the signatories be attacked by any third power not presently engaged in the present European war, or the China Incident, the other two shall aid her in any way political, economical or military.

Article IV: In order to effect this alliance, a joint specialized committee, composed of representative members appointed by each power of Japan, Germany and Italy, shall meet as early as possible.

Article V: Japan, Germany and Italy shall confirm that the above stated articles of this alliance have no effect whatsoever to the present existing political relation between each or any one of the signatories with Soviet Union.

Article VI: This alliance shall become effective on the day of signature and shall remain in force for the period of 10 years.

Upon demand of any one of the signatories before expiration of the term, the signatories will confer over its renewal.

Doc. No. 922

Page 2

As evidence for the conclusion of this alliance, the undersigned, duly authorized by each respective nation hereby, has signed his signature on this paper on this day of twenty-seventh, the month of September, the Fifteenth Year of Showa, that is 1940 A.D.; the twenty-seventh day of September of Fascist Eighteenth year, 3 copies were made in Berlin.

Doc 258 - 1

Ex. 44

佛領印度支那及泰國間ノ停戰ニ關スル協定

日本帝國政府ハ佛領印度支那及泰國間ノ紛争ヲ成ル
ヘク速カニ終熄セシムル爲調停ヲ提議シタル處佛國
及泰國政府ハ右提議ヲ承諾シタリ依テ右三國政府ハ
夫々其ノ全權委員ヲ任命シ右委員ハ左ノ諸條ヲ協定
シタリ

第一條

佛領印度支那泰兩國陸軍軍隊ハ昭和十六年一月二十
八日午前十時（地方時間）ニ於ケル實際ノ位置ヨリ
原則トシテ夫々十軒後退スルモノトス
即テ兩國軍隊ハ夫々左記ノ地線又ハ地點ニ後退スル
モノトス

記

佛領印度支那側

1. Pailin
2. Srè Anteak
3. Ph. Dong
4. Kh. Damnak Preas Ang
5. Kh. Samrong - Kh. Svay Chek
6. Kandol
7. Ampil

泰側

1. Bar Tang Su
2. Komrieng Krom
3. Ph. Dong ノ西方三十軒ノ地點
4. Ph. Vang Snak
- トノ間ニ於テハ昭和十六年一月二十八日午前十時（地方時間）占領シアル主權地ヲ保持スルモ前進部隊ハ後退スルモノトス
6. Rolom Beng 附近國境
7. Ampil 北方國境

Doc 258 - 71

Ex. 44

佛領印度支那及泰國間ノ停戦ニ關スル協定

日本帝國政府ハ佛領印度支那及泰國間ノ紛争ヲ成ル
ヘク速カニ終熄セシムル爲調停ヲ提議シタル處佛國
及泰國政府ハ右提議ヲ承諾シタリ依テ右三國政府ハ
夫々其ノ全權委員ヲ任命シ右委員ハ左ノ諸條ヲ協定
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八日午前十時（地方時間）ニ於ケル實際ノ位置ヨリ
原則トシテ夫々十軒後退スルモノトス
即テ兩國軍隊ハ夫々左記ノ地線又ハ地點ニ後退スル
モノトス

記

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1. Pailin
2. Sré Anteak
3. Ph. Dong
4. Kh. Damnak Preas Ang
5. Kh. Samrong - Kh. Svay Chek
6. Kandol
7. Ampil

泰側

1. Bar Tang Su
2. Komrieng Krom
3. Ph. Dong
4. Ph. Vang Smak

西方三十
ノ地點

トノ間ニ於テハ昭和十六
年一月二十八日午前十時（地方時間）占領シアル
主權地ヲ保持スルモ前進部隊ハ後退スルモノトス

6. Rolom Beng 附近國境
7. Ampil 北方國境

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8. Chong Kal
9. Anlong Veng
10. Cheom-Ksan
11. S. Trap Klol
12. S. Trap Klol ヱリ
真東 Pakse 州境ニ到
リ爾後同州境界ヲ境
界トシ Mekong 河岸
ニ到ル
13. Mekong 河ノ最西
方ノ水流ノ左岸
14. 次イテ Moulapamok
ノ北方ニ於ケル
Mekong 河左岸

8. Samrong (Chong Kal 北方)
9. Anlong Veng 北方國境
10. Cheom-Ksan 北方國境
11. Col de Preach Chambok
12. Col de Preach Chambok ヱリ
Moulapamok ..ニ亘ル
線北方十軒ノ線
13. Mekong 河ノ最西方ノ水
流ノ右岸
14. 次イテ Moulapamok
ノ北方ニ於テ Nam-poui
川ノ合流點ニ到ル間ノ
Mekong 河右岸 Nam-poui
川ノ水流次ニ國境

兩國ノ領土ニシテ相互ノ軍隊ニ依リ永久的ニ占領セ
ラレス且一月二十八日午前十時(地方時間)ニ於テ
相手國ヨリ侵略セラレアラスルモノハ何レノ國ヨリ
モ軍事的ニ占領セラレサルハ勿論トス
佛領印度支那軍ノ後退セル諸點ヲ連ヌル線ト泰軍ノ
後退セル諸點ヲ連ヌル線トノ中間ニ引カレタル第三
線ハ Carabodge ニ於テ兩國政府警察權行使ノ限界ヲナ
スモノトス

メコン

Mekong 河右岸ノ南 Laos 地方ニ於テハ Col de Preach Chambok
ト Moulapanok トヲ通スル線以北ニ於テハ英ノ警察權
ハ泰國官憲ニ依リテ行使セラレ該線以南ニ於テハ佛
領印度支那官憲ニ依ツテ行使セラルヘキモノトス

Mekong 河右岸ノ北 Laos 地方ニ於テハ 湄公河川以南
ニ於テハ其警察權ハ泰國官憲ニ依ツテ行使セラレ該
川以北ニ於テハ佛領印度支那官憲ニ依テ行使セラル
ヘキモノトス

前記警察權行使區域内ニ於テハ兩國政府ハ單ニ拳銃
ノミヲ以テ武装シタル軍人ニアラサル警察官ノミ駐
屯セシメ得ルモノトス

第二條

兩國ノ海軍艦船ハ相互ニ左記ノ線ヲ通過セサルモノ
トス

記

暹羅灣海岸ニ於ケル兩國國境標柱ト、東經百二度四
十分ト北緯十一度トノ交會點トヲ結ブ線及該交會點
以南ハ該交會點ヲ通スル經度ニ應スル線

第三條

兩國ノ一方ノ軍用飛行機ハ他方ノ領空ヲ犯サス且ツ
前記第一條第二項及第二條ニ依リ決定セラレタル線
ノ後方三十浬ニ到セラレタル線ノ前方ニ進出セサ
ルモノトス

Doc 858. P4

第四條

前諸項ニ規定セラレタル軍隊ノ撤退ハ停戦協定署名
調印ノ時日ヨリ七十二時間以内ニ完了セラルヘキモ
ノトス

第五條

右ノ外兩國軍隊ハ紛争再發ノ虞アル一切ノ軍事行動
ヲ停止スルモノトス

第六條

停戦ハ昭和十六年一月二十八日ヨリ起算シ二週間ト
シ右期間終了前ニ紛争ノ終局的解決條件ヲ取決メラ
ルヘキモノトス尤モ前記期間内ニ紛争ノ終局的解決
ヲ見サルトキハ停戦ノ状態ハ關係三國政府ノ共同ノ
合意ニ依リ延長スルコトヲ得

第七條

帝國委員ハ停戦協定ニ署名調印シ且ツ停戦ニ關スル
諸規定ノ實行ヲ監督スルモノトス

第八條

兩國政府ハ停戦監督ニ關スル日本委員ノ任務遂行ニ
關シ一切ノ便宜ヲ與フルモノトス

第九條

相互ノ俘虜ハ紛争ノ決定的解決ニ關スル協定ノ署名
調印後直ニ返還セラルヘキモノトス

第十條

Doc 258-107

本協定ハ日本語、佛語及泰語ヲ以テ作成ス、右三國
語本文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

昭和十六年一月三十一日西貢ニ於テ之ヲ作成ス

(全權委員氏名省略)

10/10/1941

Doc 258-P 5

本協定ハ日本語、佛語及泰語ヲ以テ作成ス、右三國
語本文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

昭和十六年一月三十一日西貢ニ於テ之ヲ作成ス

(全體委員氏名省略)

10/10/1941

E, 1144

AGREEMENT CONCERNING THE TRUCE BETWEEN FRENCH
INDO-CHINA AND THAILAND SIGNED AT SAIGON -
31ST JANUARY, 1941

1. Agreement in Japanese
2. Protocol in Japanese

The Agreement of Truce between French Indo-China and Thailand with a view to bringing the dispute between French Indo-China and Thailand to an end as soon as possible, the Japanese Government had proposed a mediation which was accepted by the French and Thailand Governments. The three governments mentioned above had appointed their respective plenipotentiaries who agreed upon the following terms:

Article I

The armed forces of both French Indo-China and Thailand will as a principle retreat ten kilometres respectively from their actual position as at 10 p.m. (local meridian time) 28th January, 1941. The troops of both nations will retreat to the following lines or points:

French Indo-China

1. Pailin
2. Sre Anteak
3. Ph. Dong
4. Kh. Darnak Preas Ang
5. The principal positions occupied between Kh. Samrong and Kh. Svay Chok as at 10 p.m. (local meridian time) 28th January 1941, shall be maintained, but the advance forces shall retreat.
6. Kandol
7. Ampil
8. Chong Kal
9. Anlong Veng
10. Cheom Ksan
11. S. Trap Klol
12. Regions directly east of S. Trap Klol to Pakse State. Hereafter, the border of this state will become the boundary to the River Mekong.
13. Left bank of westernmost stream of the River Mekong.
14. And the left bank of the River Mekong in the north of Moulapamok.

Thailand

1. Bar Tang Su
2. Komrieng Krom
3. To a point 30 km. west of Ph. Dong
4. Ph. Vang Svak
5. The principal positions occupied between Kh. Samrong and Kh. Svay Chok as at 10 p.m. (local meridian time) 28th January 1941, shall be maintained, but the advance forces shall retreat.

E 444

AGREEMENT CONCERNING THE TRUCE BETWEEN FRENCH
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31ST JANUARY, 1941

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4. Ph. Vang Srak
5. The principal positions occupied between Kh. Samrong and Kh. Svay Chok as at 10 p.m. (local meridian time) 28th January 1941, shall be maintained, but the advance forces shall retreat.

Thailand

6. Boundary in the vicinity of Koton Dong
7. Boundary north of Lopburi
8. Samrong (north of Chong Kal)
9. Boundary north of Angong Veng
10. Boundary north of Cheor Ksen
11. Col de Preach Chamboi
12. Line 10 km. north of the line extending from Col de Preach Chamboi to Moulapamok
13. Right bank of the westernmost stream of the River Mekong
14. And the right bank of the River Mekong to the point where it joins the Nam Poui River in the north of Moulapamok.

Boundary

The territories of both countries not occupied permanently by either forces, and those areas not invaded by the other nation as at 10 p.m. (local meridian time) 28th. January, 1941, shall, of course, not be occupied militarily by either nation.

The third line drawn in the centre between a line joining the points to which the French troops will have retreated and a line joining the points to which the Thailand troops will have retreated, will be the limits for the execution of police powers of both nations at Cambodia.

In the South Laos regions on the right bank of the River Mekong, the police power shall be executed by Thailand officials in the areas north of the line joining Col de Preach Chamboi and Moulapamok, and it will be executed by the French Indo-China officials in the areas south of the same line.

In the North Laos regions on the right bank of the River Mekong, the police power shall be executed by the Thailand officials in the areas south of the River Nam Poui, and it will be executed by the French Indo-China officials in the areas north of the same river.

It is to be understood that the governments of both nations shall station policemen, armed with only pistols, and who are not members of the armed forces, within the areas of police jurisdiction mentioned above.

Article II

Navy vessels of both countries shall not cross the following lines:
The line that joins the boundary mark of both countries on the coast of Siam with a point long. $102^{\circ} 40'$ E. Lat. 11° N. and in the south of this point, the line corresponding to the longitude that passes this point.

Article III

Military planes of both nations shall not fly over each others' territories and cross a line designated 10 km. behind the line decided in the above Articles I and II.

Article IV

The evacuation of the forces specified by the foregoing provisions shall be completed within seventy-two hours of the signing of the agreement.

Article V

In addition to the foregoing, the troops of both countries shall stop all military actions as might cause a recurrence of dispute.

Article VI

The term of truce shall be for two weeks commencing on the 28th January, 1941, and the final agreement of settlement of the dispute shall be agreed upon before the expiration of the foregoing term and in case the period should expire without reaching the final conclusion of the agreement, the condition of truce may be prolonged with the consent of the three governments concerned.

Article VII

The plenipotentiary of the Japanese Government shall sign and seal the truce and supervise the execution of the provisions therein.

Article VIII

The governments of both nations shall afford every facility to the Japanese delegates in executing their duties of supervising the truce.

Article IX

The Prisoners of War of the respective countries shall be sent back immediately after the agreement for the final settlement of disputes shall have been signed and sealed.

Article X

The languages to be used in the framing of this agreement shall be Japanese, French and the Dutch; and in case of difference in the interpretation of the text it shall be settled by the Japanese text.

DATED: 31st January 1941.

(Signatures follow).

Article III

Military planes of both nations shall not fly over each others' territories and cross a line designated 10 km. behind the line decided in the above Articles I and II.

Article IV

The evacuation of the forces specified by the foregoing provisions shall be completed within seventy-two hours of the signing of the agreement.

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Article X

The languages to be used in the framing of this agreement shall be Japanese, French and (Dutch); and in case of difference in the interpretation of the text it shall be settled by the Japanese text.

DATED: 31st January 1941.

(Signatures follow).

ソビエツト聯邦最高委員會主席

ソビエツト聯邦外務人民委員及人民委員議長

アチエスラー・ミツタハイロヴァイツチ・モロト

フ及

日本國天皇陛下

從三位勳一等松岡洋右及ソビエツト聯邦陸軍特

命全權大使從三位勳一等功四級陸軍中將竹川

次ハ互ヒニ相當スル委任狀ヲ呈出シ、法令ニ準

ジテ正式ニ認メタル後左ノ如ク協定セリ

第一條 各締約國ハ相互間ニ平和的及友交的關

係ヲ維持スルコトヲ約シ且相互的ニ他方ノ締約

國ノ領土保全及不可侵ヲ尊重スルコトヲ約ス

第二條 締約國ノ一方ガ他ノ一方又ハ數國ノ爲

ニ軍事行動ノ主体トナリタル時ハ、締約國ノ他

ノ一方ハ國爭ノ全期ニ互リ中立ヲ維持スベシ

第三條 本條約ハ兩締約國ニ依リ批准サレタル

日ヨリ其ノ效方ヲ發スルモノトス且其ノ有效期

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TURN TO ROOM 361

ソビエツト聯邦ト日本國間トノ中立條約

ソビエツト聯邦最高委員會主席及日本國天皇陛下
下ハ兩國間ノ平和的及外交的關係ヲ鞏固ナラシ
メント欲スルニ因リ、中立條約ヲ締結スルコト
ニ決シ左ノ如ク其ノ委員ヲ任命セリ

間ハ五年トス。締約國ノ何レモ本條約終了期一
年前ニ之ヲ廢棄セザルトキハ自動的ニ繼續五年
間效力ヲ有スルモノト見做ス

第四條 本條約ハ可及的遠カニ批准セラレベシ
批准交換ノ手續ハ可及的遠カニ東京ニ於テ行ハ
ルベシ。

右證據トシテ本條約書二通ヲロシヤ語及日本語
ヲ以テ作成シ前記委員ハ之ニ署名調印セリ

V · M O L O T O V

松岡洋右

竹川義次

日ソ中立條約ハ昭和十六年四月十三日ソビエツ
ト聯邦最高人民委員會主席ニ依リ批准セラレタ
リ

日ソ中立條約ノ批准ノ交換ハ昭和十六年五月二
十日東京ニ於テ行ハレタリ

宣 言

昭和十六年四月十三日、ソビエツト聯邦及日本
國間ニ締結サレタル中立條約ノ精神ニ則リ、ソ
ビエツト聯邦政府及日本國政府ハ兩國間ニ平和
的及友交的關係ヲ確保セント欲シ、ソビエツト

聯邦ハ滿洲國ノ領土的保全及不可侵ヲ尊重シ、
日本國ハ蒙古自治政府ノ領土的保全及不可侵ヲ
尊重スルニトシ茲ニ此ニ重言ス。

於此ニスコト 昭和十六年四月十三日

ソビエツト聯邦政府ヲ代表シテ

V . びり E O t O V

日本國政府ニ代リ

松 岡 洋 右

竹 川 義 次

「ソビエツト最高委員會電報」昭和十六年四月
六日、第二十四號ヨリ。

聯邦ハ滿洲國ノ領土的保全及不可侵ヲ尊重シ、
日本國ハ蒙古自治政府ノ領土的保全及不可侵ヲ
尊重スルニトシテ是ニ意ニ置言ス。

於此ニスルニ 昭和十六年四月十三日

ソビエツト聯邦政府ヲ代表シテ

V . M . И . O . B . O . V

日本國政府ニ代リ

松 岡 洋 右

竹 川 義 次

「ソビエツト最高委員會電報」昭和十六年四月
六日、第二十四號ヨリ。

THE NEUTRALITY PACT
Between the Union of Soviet Socialist Republics
and Japan.

The Presidium of the Supreme Council of the Union of Soviet Socialist Republics and His Majesty, the Emperor of Japan, guided by the wish to consolidate peaceful and friendly relations between both countries, decided to conclude the Neutrality Pact and with this purpose appointed as their representatives:

The Presidium of the Supreme Council of the Union of Soviet Socialist Republics:

Vlacheslar Michailovitch Molotov, Chairman of the Council of People's Commissars and People's Commissar for Foreign Affairs of the Union of Soviet Socialist Republics.

His Majesty, the Emperor of Japan:

Matsuoka, Yosuke, Foreign Minister; Yusanmi, holder of the Order of the Sacred Treasure, first degree, and

Jatekava, Yoshitsugu, Envoy-extraordinary and Ambassador plenipotentiary to the Union of Soviet Socialist Republics, Lieutenant-General Yusanmi, holder of the Order of the Rising Sun, first degree and the Order of the Golden Kite, fourth degree, who submitting to each other their corresponding credentials, accepted being drawn up in due and lawful form, came to the following agreement:

ARTICLE I.

Both contracting parties engage to maintain peaceful and friendly relations between themselves and mutually respect the territorial integrity and inviolability of the other contracting party.

ARTICLE II.

In case one of the contracting parties becomes the object of military action from the part of one or several other powers, the other contracting party will maintain neutrality during the whole period of the conflict.

ARTICLE III.

The present Pact will come into force from the day of its ratification by both contracting parties and

will remain in force during five years. If neither of the contracting parties denounces the Pact a year before the Pact expires, it will be considered to automatically continue for the following five years.

ARTICLE IV.

The present pact is to be ratified in the shortest possible time. The exchange of the ratification acts must be done in Tokyo, also in the shortest possible time.

To certify this the above named representatives signed this Pact in two copies, written in the Russian and Japanese language, and put their seals to it.

Drawn up in Moscow on April 13, 1941, which corresponds to the 13th day of the fourth month of the 16th year of Showa.

V. Molotov

Yosuke Matsuoka
Yoshitsugu Jatekawa

The Neutrality Pact between the U.S.S.R. and Japan was ratified by the Presidium of the Supreme Council of the U.S.S.R. on April 25, 1941.

The exchange of ratification acts of the Neutrality Pact between the U.S.S.R. and Japan was done in Tokyo on May 20, 1941.

DECLARATION

In accordance with the spirit of the Neutrality Pact concluded on April 13, 1941 between the U.S.S.R. and Japan, the government of the U.S.S.R. and the government of Japan, in the interests of securing peaceful and friendly relations between both countries, solemnly declare that the U.S.S.R. engages to respect the territorial integrity and inviolability of Manchukuo, and Japan engages to respect the territorial integrity and inviolability of the Mongolian People's Republic.

Moscow, April 13, 1941

On behalf of the Government of the U.S.S.R.

V. Molotov

For the Government of Japan

Yosuke Matsuoka
Yoshitsugu Jatekawa

Source: "The Official Gazette of the Supreme Council of the U.S.S.R." -- April 6, 1941 - No.24.

Franco-Japanese Treaty of Residence and Navigation
Relative to French Indo-China.

His Majesty, the Emperor of Japan, and the Chief of State of France, desiring equally to further the good neighborly relations and to develop the economic relations between Japan and Indo-China, and believing that a clear, precise determination of the regulations applicable to the residence and navigation between Japan and Indo-China would contribute to the actualization of the most desirable results, have decided to conclude for this purpose a treaty of residence and navigation and have appointed as their plenipotentiaries the following:

His Majesty the Emperor of Japan:

Yosuke MATSUOKA, Foreign Minister,
Jun MATSUMIYA, Envoy Extraordinary and Ambassador Plenipotentiary

The Chief of State of France:

Arsene-Henry, Envoy Extraordinary and Ambassador
Plenipotentiary of France to Japan,
Rene Robin, Honorary Governor-General of the Colonies,

who, after showing to each other their respective commissions of full powers and finding these to be in good and proper form, have agreed on the following articles:

Article I.

The nationals and native subjects, /"ressortissants"/ of each of the two countries shall have full liberty, with their families, to enter and reside in all the expanse of the territories of the other. Under the condition that they will conform to the laws of the country, they shall enjoy the following rights:

1. They shall, in all matters concerning travel and residence, be treated in the same manner as the nationals of the country;
2. They shall, like the nationals, have the right to carry on business and manufacturing industry and to deal in all articles which are the objects of lawful commerce, whether it be operated in person or by agents, whether alone or in partnership with foreigners or with nationals;
3. They shall be, in matters concerning the engagement in industry, trade, or profession, and the pursuit of studies or scientific investigations, treated, in all respects, the same as the nationals and native subjects of the most favored nation.
4. They shall be able to own or lease and occupy homes, factories, warehouses, stores and places which are necessary to them, and to lease land for the purpose of residing or utilizing them for the object of lawful commerce, industry, agriculture, or other business.

5. They shall be able, under reciprocal conditions, to obtain or to possess freely all kinds of movable or immovable property, which the laws of the country permit, or may permit this acquisition or possession to the nationals and native subjects /"ressortissants"/ of the most favored nation; they shall be able to dispose of the said movable or immovable property by sale, exchange, donation, marriage, will or in any other manner, under the same conditions which are prescribed or may be prescribed in respect to the nationals themselves. They shall also be able to export freely the proceeds of the sale of their properties, and all accessories, without being subjected, on the ground that they are foreigners, to other taxes or heavier taxes than those to which the nationals are subjected under the same circumstances;
6. They shall enjoy constant and complete protection and security of their bodies and properties; they shall have free and easy access close to the courts and tribunals for the prosecution and defense of their rights, and they shall be, like the nationals themselves, free to choose and employ lawyers, solicitors and other law-office agents to represent them at the courts and tribunals, and in general they shall have the same rights and privileges as the nationals in all matters concerning the administration of justice;
7. They shall be exempted from all compulsory military service, whether it be in the army, navy, or air forces, whether in the national guard or militia, and also from all contributions imposed in lieu and place of personal service. They shall be also exempted, regardless of peace or war time, from all compulsory subscription of public bonds and all military requisitions or contributions, with the exception of those which are levied on them similarly as on the nationals themselves, in their capacity as the possessors, tenants or occupants of the immovable properties. In respect to the foregoing matters, the nationals and native subjects /"ressortissants"/ of each of the two countries shall not be treated, in the territories of the other, less favorably than the nationals and native subjects /"ressortissants"/ of the most favored nation;
8. They shall not be subjected to assessments, taxes, fees or contributions, of whatever they may be, different or higher than those which are imposed or may be imposed on the nationals. These provisions shall not preclude, in case of necessity, the collection of fees concerning the execution of police procedures or of so called sojourn taxes. However, the nationals and native subjects /"ressortissants"/ of the two countries shall possess the most favored treatment concerning the tariff;
9. They shall possess an absolute freedom concerning religion; they may erect and possess a place of worship, worship publicly or privately, and build, possess and maintain cemeteries according to their religious custom and they may establish educational, religious, charitable or philanthropic institutes;
10. The premises, warehouses, manufactories, and shops or all other accessory places possessed by nationals and native subjects of either country and in the domains of the other, shall not be trespassed if legally used.

Neither can they be inspected or searched nor can the account-books, documents or statistics be examined and inspected unless under the conditions and method prescribed in the ordinance for the nationals themselves.

Article 2.

The existence of Japanese commercial, industrial and financial joint stock companies and other companies or associations shall be acknowledged by Indo-China if the organization or purpose does not violate the public peace in the territories of Indo-China. The existence of commercial, industrial or financial joint stock companies and other companies or commercial associations established legally in accordance with French laws and existing and carrying on business in Indo-China shall be acknowledged by Japan if the organization or purpose does not violate the public peace in the territories of Japan.

The above-mentioned companies or commercial associations shall enjoy the treatment allowed to the most favored nation when carrying on the business in the territories of either country in accordance with the laws.

The above-mentioned companies and commercial associations and their branch offices or agencies shall not be levied customs duties, commissions, taxes or contributes, regardless of their nomenclature, different or higher than those charged on the companies or commercial associations of the most favored nation. Concerning the taxes calculated on the capital, profits and interests, these companies or commercial associations or their branch offices and agencies shall be levied in that country taxes, according to their nature, in proportion to that part of the capital invested in that country, the property possessed, the negotiable instrument, the profits acquired and the business done in the said country.

Article 3.

In case of the death of a national or native subject /"ressortissant"/ of either one of the two countries in the territories of the other, if the deceased does not leave in the country where he died an evident heir or an executor of his will, the competent local officials shall immediately give notice of his death to the consular official of the country of which the deceased is a national or native subject, in the district where the death occurred.

On demand of the consular official, the competent local officials shall complete the notification by delivering a copy of the certificate of death in due form and free of charge.

In the case of the absence or incompetence of a successor or one of the successors, or in case of the absence of the executors, the consular official may request the competent authorities to take necessary measures for recognizing and preserving the rights of the successor.

In case a national or native subject of one of the two countries who possesses some property in the territories of the other dies outside the above mentioned territories, the preceding provisions shall be applied correspondingly.

Article 4.

Merchants or manufacturers who are the nationals or native subjects of one of the two countries may, in the territories of the other country, whether personally or by commercial travellers, make purchases or take orders, with or without samples and models. These merchants, manufacturers and their commercial travellers, in making purchases or in taking orders, shall enjoy, in all matters, the treatment of the most favored nation.

Articles imported as samples and models for the above-mentioned purposes shall, in each of the two countries, be admitted temporarily duty-free in conformity with the customs regulations and formalities established in order to secure their re-exportation or the payment of the prescribed customs duties in case of non-re-exportation within the period fixed by law. However, this privilege shall not be extended to the articles which, because of their quantity or value, cannot be considered as samples or models, or which, because of their nature, cannot be identified at the time of re-exportation. The right of deciding whether the sample or model may be admitted duty-free shall belong exclusively, in all cases, to the competent customs authorities of the place where the importation has been made.

The two Governments shall notify each other the organs charged with the right to issue the credentials which may be required of the merchants, manufacturers and commercial travellers, and also of the model of the above credentials.

Article 5.

The nationals and native subjects of each of the two countries shall enjoy, in the territories of the other country, the same rights as those enjoyed by the nationals themselves in all matters concerning the protection of patent-rights, manufacturing and commercial labels, all kinds of industrial designs and models, trade styles, and the indication of the place of origin, and in all matters concerning the repression of illegal competition, provided that they fulfill the formalities and conditions prescribed by law.

Article 6.

The Japanese and French merchant ships entering or leaving Indo-Chinese or Japanese territorial waters or parts, whatever be the place of their departure or destination, shall not be subjected, in entering or leaving port, to any taxes or fees, whatever their denominations be collected in the name and account of the country, state, city, town, village, competent public or private organizations, different from or higher than those which are imposed on the merchant ships of the home country.

It is the intention of both contracting parties to agree to grant to the other countries' vessels all rights and privileges equal to those which are granted or may be granted to home vessels. In all matters concerning the mooring, loading, unloading and replenishing of vessels in ports, anchorages and docks, and generally all formalities and regulations to which the merchant ships, their crews or cargoes are subject, or all operations which merchant ships may perform, it is agreed that the privileges and favors which are or may be accorded to the home vessels shall be equally accorded to those of the other country, the intention of the two Contracting Parties being that, under this relation also, their vessels shall be treated on the footing of perfect equality.

Article 7.

The passengers and their luggages on ships prescribed in the preceding article shall receive the same treatment as when travelling on ships of their own country.

The cargoes of the said ships, regardless of the place of origin or dispatch, shall not be levied custom duties or assessments different from or higher than that levied on cargoes transported by ships of the home country. Especially, all merchandise imported or may be imported, lawfully, to the port of one of the two countries on ships of the home country, shall equally be imported to the same port on ships of the other country, and in this case, the said merchandise, regardless of names, shall not be levied duties or taxes different from or higher than that levied on merchandise imported by ships of the home country. The above mutual treatment of equality shall be applicable whether the said merchandise comes directly from the place of origin or from any other country. Likewise, both countries shall receive the treatment of absolute equality pertaining to export; and accordingly, on all products, exported or may be exported lawfully from the respective domains of both countries, whether transported by Japanese or by French vessels, and regardless of the place of destination, shall be paid the same amount of export duties and receive the same amount of subsidies or drawbacks.

Article 8.

The Japanese or French vessels charged with regular mail transport, whether they are government vessels or owned by companies receiving subsidies from the government for the same purpose, shall have the same advantages, privileges and exemptions, in the territorial waters of the other country, as similar vessels of the most favored nation.

Article 9.

When vessels of either country call at a port of the other, because of wreckage, running aground, damage at sea, or on force majeure, assistance, protection or exemption equal to that permitted to the home vessels under the similar conditions shall be permitted, whether the said vessel belongs to the

government or to a private firm. Everything rescued from the said vessel or from its cargo when not disposed of in that country, shall be exempted from customs duties. When disposed of within that country, regular customs duties shall be paid.

Article 10.

The consular officers of each of the two countries shall exclusively take charge of maintaining order on board the merchant ships of their country. They shall settle all disputes which may arise among the captain, officers and crews, and especially disputes pertaining to the fulfillment of employment contracts. The local authorities shall be able to intervene only when the disorders arising on board the ships are of such a nature as to disturb the public peace and tranquility on land or in the port, or when some nationals of the country or some persons not belonging to the crew are participating in the disorder.

Article 11.

The consular officers of each of the two countries shall receive, from local authorities of the other country, and in conformity with the laws of the country, aid and assistance for the arrest and transfer of deserting members of the crew of the merchant ships of their country, except when the deserting members are nationals of the country.

Article 12.

The High Contracting Parties agree that, in all matters concerning residence and navigation, all privileges, favors or immunities which one of the two countries accords or may accord to another state, shall be extended, immediately and without condition, to the other country, their intention being to assure the other country the treatment of the most favored nation in all relations.

Article 13.

The stipulations of the present Convention concerning the treatment of the most favored nation shall not be applied:

1. To special advantages which are accorded or will be accorded to an adjoining state to facilitate frontier trade;
2. To special advantages resulting from a customs union;
3. To advantages based on contracts which are accorded or which may be accorded to a third state in order to avoid double taxation.

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3. To advantages based on contracts which are accorded or which may be accorded to a third state in order to avoid double taxation.

Article 14.

In the application of the present Convention, it is understood that:

1. The expressions "the two countries", "each of the two countries", mean Japan and Indo-China; the expressions "one of the two countries", and "the other country" mean Japan or Indo-China;
2. The term "state", when it concerns France, means the French Government or the Government-General of French Indo-China;
3. The term "nationals and native subjects" /"ressortissants"/, when it concerns Indo-China, means French citizens who have their domiciles or their principal establishments in Indo-China, the French subjects or proteges who are natives of Indo-China or who have their domiciles or their principal establishments in Indo-China;
4. The term "nationals", when it concerns Indo-China, means French citizens who have their domiciles or their principal establishments in Indo-China;
5. The expression "Japanese merchant ships" means the merchant ships which navigate under Japanese flag and which have on board the documents required by Japanese laws for establishing Japanese nationality.
6. The expression "French merchant ships" means merchant ships which navigate under French flag, registered in Indo-China and which have on board the documents required by the French laws for establishing French nationality.

Article 15.

The stipulations of the present treaty is applicable to all the territories and possessions belonging to or under the jurisdiction of Japan, and to all the territories constituting the Government-General of French Indo-China.

Article 16.

The present treaty shall be ratified, and the instrument of ratification shall be exchanged in Tokyo as soon as possible. However, the French Government may, in case of necessity, substitute for the instrument of ratification a written notification of ratification, in which case the French Government shall dispatch the instrument of ratification as soon as possible to the Japanese Government.

The present treaty shall come into effect from the day of the exchange of the instrument of ratifications.

The present treaty shall be effective for five years.

If neither of the two contracting parties notifies the other a year before the expiration of the five-year period, its intention of ending the present treaty, the treaty shall remain effective until the expiration of one year from the day when one of the Contracting Parties made this notification.

The present treaty replaces the declaration of June 10, 1907, concerning French Indo-China, the declaration of August 19, 1911, concerning French Indo-China, and the protocol of August 30, 1927, prescribing the system of residence and navigations between Japan and Indo-China.

In witness whereof, the respective plenipotentiaries have signed the present treaty and affixed their seals thereto.

Drawn up in duplicate, in Japanese and in French, in Tokyo, on the 6th of May in the 16th year of Showa, that is on May 6, 1941.

Yosuke MATSUOKA
Jun MATSUMIYA
Charles Arsene HENRI
Lene ROBIN.

Ex 46

佛領印度支那ニ關スル日佛居住航海條約

大日本帝國天皇陛下及「フランス」國主席ハ
 日本領印度支那間ニ於ケル日佛關係ヲ強化シ且經
 済關係ヲ増進セシムトシテ切シク希望シ
 日本領印度支那間ノ居住航海ノ關係ニ適用セラル
 ベキ條規ヲ明確ニ定ムルハ其ノ最モ望マシキ結果
 ノ實現ニ資スベキヲ信ジ
 之ガ爲居住航海條約ヲ締結スルコトニ決シ左ノ如
 ク各其ノ全權委員ヲ任命セリ
 大日本帝國天皇陛下

外務大臣松岡洋右

特命全權大臣松宮貞

「フランス」國主席

日本國駐佛「フランス」國特命全權大臣予

ルセーヌ・アンリー

殖民地名譽總督「ルネ・ロバン」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之ガ良
 好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

第一條

兩國ノ各ノ國民ハ他方ノ領土ノ各地ニ到リ又ハ滯
 在スルコトニ付家族ト共ニ完全ナル自由ヲ有スベ
 ク當該國ノ法令ニ從フニ於テハ其ノ權利ヲ享ス
 ベシ

THE RETURN TO ROOM 361 COPY

一 旅行及住居ニ關スル事項ニ付總テ内口民ト同様ニ待遇セラレベク

二 自ラ行フト代理人ニ依リテ行フトラ同ハズ又單獨ニテ行フト外人又ハ内口民ト共同シテ行フトラ同ハズ商業及製造業ヲ營ミ或ニ道法ナル商業ノ目的切タル一切ノ商品ヲ取引スルノ權利ヲ内口民ト同様ニ享有スベク

三 産業、左業又ハ取業ニ從フコト及修學又ハ學術上ノ研究ヲ行フコトニ關スル事項ニ付總テ長官同ノ内口民ト同様ニ待遇セラレベク

四 必置ナル家屋、製造所、倉庫、店舖及場所ヲ所有シ又ハ賃借シテ之ヲ使用シ又住居スル爲又ハ商業、産業、長業其ノ他道法ナル目的ヲ以テ賃借スル爲土地ヲ賃借スルコトヲ得ベク

五 當該口ノ法令ガ最善口ノ内口民ニ對シ取得シ又ハ占有スルコトヲ許與シ又ハ許與スルコトアルベキ一切ノ種類ノ動産又ハ不動産ヲ相互條件ニ依リ自由ニ取得シ又占有スルコトヲ得ベク

内口民ニ對シテ制定セラレ又ハ制定セラレコトアルベキ所ト同一ノ條件ニ依リ賣買、交換、贈與、婚姻、遺言其ノ他一切ノ方法ニ依リ右動産又ハ不動産ヲ處分スルコトヲ得ベク又其ノ財產ノ賣待金及總テ其ノ所屬品ヲ自由ニ輸出スル

- コトヲ待ベク外人タルノ故ヲ以テ之ガ爲同一ノ場合ニ内山民ノ負擔スル所ト異ナルカ又ハ之ヨリ高キ税金ヲ課セラルルコトナカルベク
- 六 身體及財産ニ對シテ常ニ完全ナル保護及保障ヲ享有スベク其ノ福利ノ主張及保護ノ爲自由且容易ニ裁判所ニ申出ヅルニトヲ待ベク内國民ト同様ニ右裁判所ニ於テ自己ヲ代理セシメンガ爲辯護士、代書人其ノ他ノ法律事務取扱人ヲ選擇使用スルノ自由ヲ享有シ且一般ニ司法ニ關スル一切ノ事項ニ付内山民ト同一ノ福利及特權ヲ享有スベク
- 七 陸軍、海軍、空軍、護山軍又ハ民兵ノ何レタルヲ問ハズ一切ノ兵制兵役ヲ免レ且服役ノ代リトシテ課セラルル一切ノ貢納ヲ免ルベシ又平時タルト以時タルトラ問ハズ強募公債及軍需上ノ徵發又ハ取立金ニ付テハ不動産ノ所有者、賃借者又ハ使用者トシテ内山民ト均シク課セラルルモノヲ除クノ外一切之ヲ免除セラルベク前記ノ事項ニ關シテ内山ノ各ノ國民ハ他方ノ領域内ニ於テ最意國ノ國民ニ對シ與ヘラレ又ハ與ヘラルルコトアルベキ所ニ比シ不利益ナル待遇ヲ與ヘラルルコトナカルベク
- 八 内山民ニ課セラレ又ハ課セラルルコトアルベキ

所ト異ナルカ又ハ之ヨリ高キ課金、租税、手徴
料又ハ貢納ヲ其ノ性質ノ如何ニ拘ラス徴收セラ
ルルコトナカルベシ右規定ハ必要アル場合警察
手徴ノ履行ニ由スル手徴料又ハ所謂滞在税ノ徴
收ヲ妨グルモノニ非ズ但シ爾日ノ國民ハ其ノ率
ニ由シ最惠ニ待遇ヲ享有スベキモノトス

九 信教ニ由シ完全ナル自由ヲ有スベク禮拜堂ヲ建
設シ所有シ其ノ宗教ノ公私ノ禮拜ヲ行ヒ其ノ宗
教上ノ慣習ニ從ヒ墓地ヲ構築シ所有シ維持シ並
ニ教育施設及宗教的、博愛的及慈善的事業ヲ設
立スルコトヲ得ベク

十 爾日ノ各ノ國民ガ他方ノ領域内ニ於テ有スル家
宅、倉庫、製造所及店舗並ニ之ニ附屬スル一切
ノ場所ニシテ道法ノ目的ニ使用セララルルモノハ
之ヲ使スベカラズ内國民ニ對シ法令ヲ以テ定ム
ル條件及方式ニ依ルノ外之ガ隨意搜索ヲ爲シ又
ハ帳簿、書類若ハ計集書ノ檢査監閲ヲ爲スコト
ヲ得ス

第二條

商業、産業又ハ金融業ニ由スル日本國ノ株式會社
又ハ其ノ他ノ會社及組合ハ其ノ構成又ハ目的ガ印
度支那ノ領域内ノ公ノ秩序ニ反セザル限り印度支
那ニ依リ正規ニ存在スルモノト認めラル一フラン

ス「日本ノ法令ニ從ヒ道法ニ設立セラレタル商業、
産業又ハ金融業ニ關スル株式会社又ハ其ノ他ノ合
社及組合ニシテ印度又ハ邦ニ住所ヲ有シ且同口ニ於
テ業務ヲ營ムモノハ其ノ利益又ハ目的ガ日本口ノ
領域内ノ公ノ秩序ニ與セザル限り日本口ニ依リ正
規ニ存在スルモノト認めラル

右会社及組合ハ他方ノ口ノ領域内ニ於テ其ノ法令
ニ遵由シ其ノ業務ヲ行フニ付投票口待遇ヲ享有ス
ベシ

右会社及組合並ニ其ノ支店及代理店ハ他方ノ口ノ
領域内ニ於テ名稱ノ如何ヲ問ハズ投票口ノ会社及
組合ニ依リ負擔セラルル所ト爲ナルカ又ハ之ヨリ
高キ税金、手数料、社税及費用ヲ課セラルルコト
ナルベシ又ハ、賦税又ハ利益ニ對シテ計算セラル
ル租税ニ關シテハ右会社及組合、其ノ支店又ハ代
理店ハ社税ノ性質ニ從ヒ該口ニ投與セル資本ノ部
分、該口ニ所有スル財産、該口ニ流通スル證券、
該口ニ於テ獲得スル利益又ハ該口ニ於テ爲ス業務
ニ應ジテノミ該口ニ於テ課税セラルベシ

第三條

兩國ノ一方ノ國民ガ他方ノ領域内ニ於テ死亡シタ
ル場合ニ於テ死亡者ガ列國セル相続人又ハ遺言執

スルノ法令ニ從ヒ道法ニ設立セラレタル商業、
産業又ハ金融業ニ關スル株式会社又ハ其ノ他ノ合
社及組合ニシテ印長又郵ニ住所ヲ有シ且同口ニ於
テ業務ヲ營ムキノハ其ノ領域又ハ目的ガ日本口ノ
領域内ノ公ノ秩序ニ長セザル限り日本口ニ依リ正
規ニ存在スルモノト認めラル

右会社及組合ハ他方ノ口ノ領域内ニ於テ其ノ法令
ニ遵由シ其ノ業務ヲ行フニ付該口待遇ヲ享有ス
ベシ

右会社及組合並ニ其ノ支店及代理店ハ他方ノ口ノ
領域内ニ於テ名稱ノ如何ヲ問ハズ該口ノ会社及
組合ニ依リ負擔セラルル所ト爲ナルカ又ハ之ヨリ
尚キ税金、手取料、社税及賃金ヲ課セラルルコト
ナカルベシ又ハ、股息又ハ利益ニ當キ計算セラル
ル租税ニ關シテハ右官社及組合、其ノ支店又ハ代
理店ハ租税ノ性質ニ從ヒ該口ニ投與セル資本ノ部
分、該口ニ所有スル財産、該口ニ流通スル證券、
該口ニ於テ獲得スル利益又ハ該口ニ於テ爲ス業務
ニ應ジテノミ該口ニ於テ課税セラルベシ

第三條

前口ノ一方ノ口民ガ他方ノ領域内ニ於テ死亡シタ
ル場合ニ於テ死亡者ガ別居セル相続人又ハ遺言執

ス一國ノ法令ニ從ヒ道法ニ設立セラレタル商業、
産業又ハ金融業ニ關スル株式会社又ハ其ノ他ノ會
社及組合ニシテ印長又郵ニ住所ヲ有シ且同口ニ於
テ業務ヲ營ムキノハ其ノ憲法又ハ目的が日本口ノ
領域内ノ公ノ秩序ニ反セザル限り日本口ニ依リ正
規ニ存在スルモノト認めラル

右会社及組合ハ他方ノ口ノ領域内ニ於テ其ノ法令
ニ遵由シ其ノ業務ヲ行フニ付該口待遇ヲ享有ス
ベシ

右会社及組合並ニ其ノ支店及代理店ハ他方ノ口ノ
領域内ニ於テ名稱ノ如何ヲ問ハズ該口ノ会社及
組合ニ依リ負擔セラルル所ト爲ナルカ又ハ之ヨリ
高キ税金、手数料、社税及賦金ヲ課セラルルコト
ナカルベシ資本、股息又ハ利益ニ關シ計算セラル
ル租税ニ關シテハ右会社及組合、其ノ支店又ハ代
理店ハ社税ノ性質ニ從ヒ該口ニ投資セル資本ノ部
分、該口ニ所有スル財産、該口ニ流進スル證券、
該口ニ於テ獲得スル利益又ハ該口ニ於テ爲ス業務
ニ應ジテノミ該口ニ於テ課税セラルベシ

第三條

同口ノ一方ノ口民が他方ノ領域内ニ於テ死亡シタ
ル場合ニ於テ死亡者が列國セル相繼人又ハ遺言執

行若ヲ死亡シタル山ニ渡サザルトキハ権限アル地
方官憲ハ右死亡ノ發生シタル地ヲ管轄スル死亡者
所屬國ノ領事官ニ直ニ右死亡ヲ通知スルコトヲ要
ス

権限アル地方官憲ハ領事官ノ要求アルトキハ死亡
證明書ノ正規ノ形式ノ謄本ヲ無料ニテ交付シ以テ
右通知ヲ補充スベシ

相續者若ハ其ノ或若ノ不在若ハ無能力又ハ逆言
執行者ノ不在ノ場合ニ於テハ領事官ハ権限アル官
憲ヨリ相續者ノ權利ノ承認及保存ニ必要ナル措
置ヲ求ムルコトヲ得ベシ

兩國ノ一方ノ國民ニシテ他方ノ領域内ニ財産ヲ所
有スル者ガ右領域外ニ於テ死亡シタル場合ニモ亦
前記ノ規定ヲ準用ス

第四條

兩國ノ一方ノ國民タル商工業者ハ他方ノ領域内ニ
於テ自ラ行フト又ハ該商ニ依リテ行フトラ同ハズ
見本及雛形ヲ携帶シ又ハ携帶セズシテ買入ヲ爲シ
又ハ注文ヲ取集ムルコトヲ得ベシ右商工業者及其
ノ該商ハ新ク買入ヲ爲シ又ハ注文ヲ取集ムルニ當
リ總テ最惠國待遇ヲ享有スベシ

前記ノ目的ヲ以テ見本及雛形トシテ輸入セラルル
物品ハ其ノ再輸出セラルベキコト又ハ法定期間内

ニ再輸出セラレザル場合ニ正税ノ關稅ノ納付セラ
 ルベキコトヲ確實ナラシムル爲メ制定セラレタル稅
 關ノ規則及手續ニ從フニ於テハ前口ノ各ニ於テ一
 時無稅輸入ヲ許可セラルベシ
 尤モ右特權ハ物品ニシテ其ノ價昂若ハ價落ニ徴シ
 見本若ハ雜形ト認ムルコト能ハザルモノ又ハ其ノ
 性質上再輸出ノ餘餘一物ナルコトヲ認識スルコト
 能ハザルモノニ及ブコトナカルベシ見本又ハ雜形
 ガ無稅輸入ヲ許可セラルベキモノナリヤ否ヤヲ決
 定スル權利ハ何レノ場合ニ於テモ輸入ノ行ハレタ
 ル地ノ權限アル稅關官憲ニ專屬ス
 兩國政府ハ商工業若及旅商ニ付要求セラルルコト
 アルベキ身分證明書ノ發給權限ヲ有スル機關並ニ
 右證明書ノ雜形ヲ相互ニ通報スベシ

第五條

前口ノ各ノ國民ハ他方ノ領域内ニ於テ特許、製造
 標又ハ商標、一切ノ種類ノ工業的意匠及雜形、商
 標及原產地ノ表示ノ保護並ニ不正競走ノ防遏ニ關
 スル一切ノ事項ニ付法定ノ手續及條件ヲ履行スル
 ニ於テハ内國民ト同一ノ權利ヲ享有スベシ

第六條

日本國商船及一ラフランス國商船ニシテ印
 若ハ日本國ノ領水及港前^ニ出ヅルモノハ其ノ出發^部

地又ハ目的地ノ如何ニ拘ラズ其ノ出入及碇泊ニ當
 リ名稱ノ如何ニ拘ラズ内國船舶ニ課セラレ又ハ課
 セラルルコトアルベキ所ト異ルカ又ハ之ヨリ高キ
 税金又ハ手数料ヲ國家、州、市町村又ハ公ノ若ハ
 權限ヲ與ヘラレタル私ノ機關ノ名義及計算ニ於テ
 徴收セララルコトナカルベシ

港、碇泊所及泊渠ニ於ケル船舶ノ豫留、荷積及荷
 卸、箱給或ハ一處ニ面船、其ノ船員及貨物ニ適用
 セラルルコトアルベキ一切ノ手續及規定又ハ商船
 ノ爲スコトアルベキ一切ノ操作ニ關シテハ商船約
 定ノ意圖ハ此ノ關係ニ於テモ亦商船約定ノ碇泊ガ
 完全ナル均等ノ地步ニ於テ待遇セララルニ在ルヲ
 以テ内國船舶ニ對シ許與セラレ又ハ許與セララル
 コトアルベキ一切ノ特權及恩與ハ均シク他方ノ内
 國船舶ニ對シ許與セララルベキコトヲ約ス

第七條

前條ニ規定セララル船舶ノ船積及貨ノ手荷物ハ右
 旅客ガ内國船舶ニ依リ旅行スル場合ト同様ニ取扱
 ハルベシ

右船舶ノ貨物ハ原産地又ハ發源地ノ如何ヲ問ハズ
 内國船舶ニ依リ運送セラレタルトキト異リ又ハ之
 ヨリ高キ税金ヲ支拂ヒ又之ト異ル課金ヲ課セラ
 ルコトナカルベシ然レ南島ノ一方ノ港ニ内國船舶

ヲ以テ適法ニ輸入セラレ又ハ輸入セラルルコトアルベキ一切ノ産品ハ他方ノ口ノ船舶ヲ以テモ亦均シク右港ニ輸入スルコトヲ得ベク此ノ場合ニ於テハ名稱ノ如何ニ拘ラス右産品ノ内口船舶ニ依リ輸入セラルルトキ課セラルル所ト異ルカ又ハ之ヨリ高キ税金又ハ課金ヲ課セラルルコトナカルベシ右相互均等ノ待遇ハ右産品ガ直接ニ原産地ヨリ來ルト又ハ別口ヨリ來ルト之間ハス道用セラルベシ輸出ニ關シテモ右ト同様ニ全ク均等ノ待遇ヲ爲スベク從テ兩國ノ各ノ領域ヨリ適法ニ輸出セラレ又ハ輸出セラルルコトアルベキ産品ニ付テハ其ノ輸出ガ日本國船舶ニ依ルト又ハ一フランス國船舶ニ依ルト之間ハス其ノ仕向地ノ如何ニ拘ラス之ガ輸出ニ當リ右領域内ニ於テ同一ノ輸出税ヲ納付シ且同一ノ奨励金又ハ戻税ヲ受クベシ

第八條

日本國船舶及一フランス國船舶ニシテ兩國ノ一方ノ定期郵便運送ノ任務ニ當ルモノハ國家ニ屬スルト又ハ右目的ノ爲國家ヨリ補助金ヲ受クル會社ニ屬スルト之間ハス領事ノ口ノ領水内ニ於テ最意圖ノ向豫ノ船然ニ計得ル所ト同一ノ便益、特權及免除ヲ享有スルベシ

第九條

難破、坐礁、海上損害又ハ不可抗力ニ因ル寄航ノ

ヲ以テ適法ニ輸入セラレ又ハ輸入セラルルコトアルベキ一切ノ産品ハ他方ノ國ノ船舶ヲ以テモ亦均シク右港ニ輸入スルコトヲ得ベク此ノ場合ニ於テハ名稱ノ如何ニ拘ラズ右産品ノ内國船舶ニ依リ輸入セラルルトキ課セラルル所ト異ルカ又ハ之ヨリ高キ税金又ハ課金ヲ課セラルルコトナカルベシ右相互均等ノ待遇ハ右産品ガ直接ニ原産地ヨリ來ルト又ハ別國ヨリ來ルトラ間ハス道用セラルベシ輸出ニ關シテモ右ト同様ニ全ク均等ノ待遇ヲ爲スベク從テ兩國ノ各ノ領域ヨリ適法ニ輸出セラレ又ハ輸出セラルルコトアルベキ産品ニ付テハ其ノ輸出ガ日本國船舶ニ使ルト又ハ一フランス國船舶ニ使ルトラ間ハス互其ノ仕向地ノ如何ニ拘ラズ之ガ輸出ニ當リ右領域内ニ於テ同一ノ輸出税ヲ納付シ且同一ノ奨励金又ハ長税ヲ受クベシ

第八條

日本國船舶及一フランス國船舶ニシテ兩國ノ一方ノ定期郵便運送ノ任務ニ當ルモノハ國家ニ屬スルト又ハ右目的ノ爲國家ヨリ補助金ヲ受クル會社ニ屬スルトラ間ハス雙方ノ國ノ領水内ニ於テ最惠國ノ同様ノ船旗ニ許得ベシル所ト同一ノ便宜、特權及免除ヲ享有スル

第九條

難破、坐礁、海上損害又ハ不可抗力ニ因ル寄航ノ

場合ニ於テ兩國ノ各ハ他方ノ船舶ニ對シ右船舶ガ
 一家ニ屬スルト又ハ船入ニ屬スルトヲ同ハス同様
 ノ場合ニ内國船舶ニ許與セラルルト同一ノ援助、
 保護及見送ヲ許與スベシ右船舶又ハ其ノ貨物ヨリ
 救上ゲラレタル一切ノモノハ内國ノ消費ニ供セラ
 レザル限リ同稅ヲ見送セラルベシ内國ノ消費ニ供
 セラルル場合ニハ正規ノ同稅ヲ納付スベキモノト
 ス

第十條

兩國ノ各ノ領事官ハ自國商船内ノ秩序ノ維持ヲ專
 管スベク又船長、職員及船員間ニ生スルコトアル
 ベキ一切ノ種類ノ紛議ニ船入契約ノ履行ニ關ス
 ル紛議ヲ自ラ處理スベシ地方官憲ハ自國船内ニ於テ
 發生セル紛議ガ自若ハ港内ノ安寧及秩序ヲ管ス
 ルガ如キ場合又ハ當該口國民若ハ船員以外ノ若ガ
 右紛議ニ關係シ居ル場合ニノミ干與スルコトヲ得
 ベシ

第十一條

兩國ノ各ノ領事官ハ自國商船ノ脱走船員ノ逮捕及
 引渡ニ付他方ノ口ノ地方官憲ヨリ該口ノ法令ニ從
 ヒ援助ヲ受クベシ但シ脱走船員ガ該口ノ國民タル
 場合ハ此ノ限ニ在ラス

第十二條

本條約に一切ノ關係ニ於テ最惠國待遇ヲ他方ノ國ニ確保スルノ意圖ナルヲ以テ居住及航海ニ關スル一切ノ事項ニ付前條ノ一方が別國ニ對シテ許兵シ又ハ許兵スルコトアルベキ一切ノ特權、恩典又ハ免除ヲ即時且無條件ニ他方ノ國ニ及ボスベキコトヲ約ス

第十三條

最惠國待遇ニ關スル本條約ノ規定ハ左ノ事項ニ對シテハ適用ナルベシ

一 國境貿易ヲ便ナラシムル爲メ環口ニ對シ許兵セラレ又ハ許兵セラルルコトアルベキ特殊利益

二 關稅同盟ニ差ク特殊利益

三 二重關稅ヲ避クル爲メ第三國ニ對シ許兵セラレルコトアルベキ約定ニ依ル利益

第十四條

本條約ノ適用ニ於テハ左ノ如ク保スベキモノトス

一 「兩國」、「前條ノ各」トハ日本國及印度支那、一兩國ノ一方」、「他方ノ國」トハ日本國又ハ印度支那

二 「國家」トハ「フランス」國ニ關スルトキハ「フランス」國政府又ハ領領印度支那政府

第十二條

本條約ハ一切ノ關係ニ於テ最惠國待遇ヲ他方ノ國ニ確保スルノ意圖ナルヲ以テ居住及就業ニ關スル一切ノ事項ニ付兩國ノ一方ガ別國ニ對シテ許與シ又ハ許與スルコトアルベキ一切ノ特權、恩典又ハ免除ヲ即時且無條件ニ他方ノ國ニ及ボスベキコトヲ約ス

第十三條

最惠國待遇ニ關スル本條約ノ規定ハ左ノ事項ニ對シテハ適用ナカルベシ

一 國境貿易ヲ便ナラシムル爲メ環境ニ對シ許與セラレ又ハ許與セラルルコトアルベキ特殊利益

全

二 關稅同盟ニ差ク特殊利益

三 二重課稅セラルル爲メ第三國ニ對シ許與セラレ又ハ許與スルコトアルベキ約定ニ依ル利益

第十四條

本條約ノ適用ニ於テハ左ノ如ク解スベキモノトス

一 「兩國」ハ「兩國」ノ各一トハ日本國及印度支那、一兩國ノ一方一、一他方ノ國一トハ日本國又ハ印度支那

二 「國家」トハ「フランス」國ニ關スルトキハ「フランス」國政府又ハ佛領印度支那政府

三 一 山民トハ印度支那ニ属スルトキハ一アラ
 シス一國ノ市民ニシテ印度支那ニ其ノ住所又
 ハ主タル營業所ヲ有スル者、一フランス一國
 ノ人民又ハ保護民ニシテ印度支那ニ出生シタ
 ル者又ハ印度支那ニ其ノ住所若ハ主タル營業
 所ヲ有スル者

四 一 内山民トハ印度支那ニ属スルトキハ一フ
 ランス一國ノ市民ニシテ印度支那ニ其ノ住所
 又ハ其ノ主タル營業所ヲ有スル者

五 一 日本國商船トハ日本國ノ国旗ヲ掲ゲ航行
 スル商船ニシテ日本國ノ法令ニ依リ其ノ口籍
 ラ證明スル爲メ要求セララルル書類ヲ船内ニ有ス
 ルモノ

六 一 フランス國商船トハ一フランス一國ノ國
 旗ヲ掲ゲ航行スル商船ニシテ印度支那ニ登録
 セラレ且一フランス一國ノ法令ニ依リ其ノ口
 籍ヲ證明スル爲メ要求セララルル書類ヲ船内ニ有
 スルモノ

第十五條

本條約ノ規定ハ日本國ニ屬シ又ハ其ノ管治スル一
 切ノ地域及屬地並ニ領領印度支那政府ノ管轄スル
 一切ノ地域ニ適用セララルベシ

第十六條

本條約ハ批准セララルベク且其ノ批准書ハ成ルベク
速ニ東京ニ於テ交換セララルベシ但シ一フランス一
國政府ハ已ムヲ待ザル場合ニハ批准ノ通報書ヲ以
テ批准書ニ代フルコトヲ待ベク此ノ場合ニハ一フ
ランス一國政府ハ成ルベク速ニ批准書ヲ日本國政
府ニ送付スベシ

本條約ハ批准書交換ノ日ヨリ實施セララルベシ

本條約ハ五年間有效トス

兩締約國ノ何レノ一方モ本條約ヲ終了セシムルノ
意思ヲ右五年ノ期間満了ノ一年前ニ通告セザル場
合ニハ本條約ハ兩締約國ノ何レカノ一方ガ之ガ廢
棄ノ通告ヲ爲シタル日ヨリ一年ノ期間ノ満了ニ至
ル迄引續キ效力ヲ有スベシ

本條約ハ千九百七年六月十日ノ信領印度支那ニ關
スル宣言書、千九百十一年八月十九日ノ信領印度
支那ニ關スル宣言書及千九百二十七年八月三十日
ノ日本國及印度支那國ノ居住及航海ノ制度ヲ定ム
ル議定書ニ代ルモノトス

右證據トシテ各締約委員ハ本條約ニ署名訂印セリ

昭和十六年五月六日即チ千九百四十一年五月六日

DCC 1258

東京ニ於テ日本及以「ソシヤ」次ノ原大後部日
道ヲ作爲ス

論 田 景 恒(証)

論 田 恒 景(証)

論 田 恒 景(証)

論 田 恒 景(証)

DCC 1258

東京ニ於テ日本共産党「フランス」次々原大長官日
領ヲ侵襲ス

松田 義 次(産)

田 中 義 次(産)

小坂 信 次(産)

小坂 信 次(産)

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「タイ」國「フランス」國間
平和條約及附屬議定書

一 「タイ」國「フランス」國間
平和條約

昭和十六年(西曆)五月九日東京ニ於テ署名
昭和十六年(西曆)七月五日東京ニ於テ批准書交換

「フランス」國主席及「タイ」國皇帝陛下ハ

佛領印度支那「タイ」國間國境ニ於テ發生セル武力紛
争ヲ最終的ニ解決スル爲ノ日本國政府ノ調停ヲ受諾シ
タルニ依リ

佛領印度支那「タイ」國間國境ニ於ケル紛争ノ再發ヲ防
退スル爲佛領印度支那「タイ」國間ノ現國境ノ再調整
ヲ行ヒ且國境地帯ニ於ケル靜謐ノ維持方法ニ關シ兩國
間ニ協定スルノ肝要ナルヲ認メ

「フランス」國「タイ」國間ニ傳統的友好關係ヲ完全ニ恢
復センコトヲ希望シ

之ガ爲條約ヲ締結スルコトニ決シ左ノ如ク各其ノ全權

CONVENTION DE PAIX ENTRE LA FRANCE
ET LA THAÏLANDE

Signée à Tôkyô, le 9 mai 1941.

Ratifications échangées à Tôkyô, le 5 juillet 1941.

Le Chef de l'Etat Francais et Sa Majesté le
Roi de Thaïlande,

ayant accepté la médiation du Gouvernement
du Japon en vue d'apporter un règlement final
au conflit armé survenu à la frontière de l'Indo-
chine Francaise et de la Thaïlande,

reconnaissant la nécessité de procéder au rajus-
tement de la frontière actuelle de l'Indochine
Francaise et de la Thaïlande, en vue de prévenir
le retour de conflits à cette frontière, et de s'en-
tendre sur les moyens de maintenir la tranquillité
dans la zone frontière,

désireux de rétablir pleinement les tradition-
nelles relations d'amitié entre la France et la
Thaïlande,

ont décidé, à cet effet, de conclure une Conven-

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「タイ」國「フランス」國間
平和條約及附屬議定書

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平和條約

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争ヲ最終的ニ解決スル爲ノ日本國政府ノ調停ヲ受諾シ
タルニ依リ
佛領印度支那「タイ」國間國境ニ於ケル紛争ノ再發ヲ防
退スル爲佛領印度支那「タイ」國間ノ現國境ノ再調整
ヲ行ヒ且國境地帶ニ於ケル靜謐ノ維持方法ニ關シ兩國
間ニ協定スルノ肝要ナルヲ認メ
「フランス」國「タイ」國間ニ傳統的友好關係ヲ完全ニ恢
復センコトヲ希望シ
之方爲條約ヲ締結スルコトニ決シ左ノ如ク各其ノ全權

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dans la zone frontière,
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nelles relations d'amitié entre la France et la
Thaïlande,
ont décidé, à cet effet, de conclure une Conven-

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「タイ」國「フランス」國間平和條約及附屬議定書

一 「タイ」國「フランス」國間平和條約

昭和十六年(西曆三十二年)五月九日東京ニ於テ署名
昭和十六年(西曆三十二年)七月五日東京ニ於テ批准書交換

「フランス」國主席及「タイ」國皇帝陛下ハ
佛領印度支那「タイ」國間國境ニ於テ發生セル武力紛争ヲ最終的ニ解決スル爲ノ日本國政府ノ調停ヲ受諾シタルニ依リ
佛領印度支那「タイ」國間國境ニ於ケル紛争ノ再發ヲ防退スル爲佛領印度支那「タイ」國間ノ現國境ノ再調整ヲ行ヒ且國境地帯ニ於ケル靜謐ノ維持方法ニ關シ兩國間ニ協定スルノ肝要ナルヲ認め
「フランス」國「タイ」國間ニ傳統的友好關係ヲ完全ニ恢復センコトヲ希冀シ
之方爲條約ヲ締結スルコトニ決シ左ノ如ク各其ノ全權

CONVENTION DE PAIX ENTRE LA FRANCE ET LA THAÏLANDE

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reconnaissant la nécessité de procéder au rajustement de la frontière actuelle de l'Indochine Francaise et de la Thaïlande, en vue de prévenir le retour de conflits à cette frontière, et de s'entendre sur les moyens de maintenir la tranquillité dans la zone frontière,
désireux de rétablir pleinement les traditionnelles relations d'amitié entre la France et la Thaïlande,
ont décidé, à cet effet, de conclure une Conven-

Doc 907-P2

恢復關係ノ
條約

委員ヲ任命セリ

「フランス」國主席

日本國駐節「フランス」國特命全權大使「シャルル・アルセニス・アンリ」

植民地名譽總督「ルネ・ロベ」

「タイ」國帝陛下

内閣顧問兼外務省顧問「ワンワイクタイヤコーン」殿下

日本國駐節「タイ」國特命全權公使「ピア、シー、セナ」

「タイ」國參謀總長陸軍大佐「アラ、シラバ、チャイストラコム」

貿易局長官「ナイ、ワニット、パーナナンダ」

右各全權委員ハ互ニ其ノ全權委任狀ヲ示シ之方良好妥當ナルヲ認メタル後左ノ諸條ヲ協定セリ

第一條

「フランス」國「タイ」國間ニ千九百三十七年十二月七日

tion et ont nommé pour leurs Plénipotentiaires, savoir :

le Chef de l'Etat Français :

M. Charles Arsène-Henry, Ambassadeur extraordinaire et plénipotentiaire de France au Japon ;

M. René Robin, Gouverneur Général Honoraire des Colonies ; et

Sa Majesté le Roi de Thaïlande :

Son Altesse le Prince Varnvaidyakara, Conseiller de la Présidence du Conseil et du Ministère des Affaires Etrangères ;

Phya Sri Sena, Envoyé extraordinaire et Ministre plénipotentiaire de S. M. le Roi de Thaïlande au Japon ;

M. le Colonel Phra Silpa Sastrakom, Chef de l'Etat Major Général de la Thaïlande ;

Nai Vanich Panananda, Directeur du Département du Commerce ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE 1.

Les relations amicales sont rétablies entre la France et la Thaïlande sur la base fondamentale

交渉ノ開始ニ
關スル規定

國境ニ
關スル規定

Doc 907-P3

ノ友好通商航海條約ノ基礎ニ於テ友好關係恢復セラレ

ル
依テ紛争ヨリ生シタル一切ノ懸案ノ解決ノ爲成ルベク
速ニ「バンコック」ニ於テ直接外交交渉ヲ開始スベシ

第二條

佛領印度支那「タイ」國間國境ハ左ノ通商調整セラレ
ベシ

北方ヨリ始マリ國境ハ佛領印度支那「タイ」國及
「ビルマ」ノ國境ノ接合點ヨリ發シ「メコン」河ニ沿
ヒ同河ガ十五度ノ緯線ヲ切ル地點ニ至ル（印度支那
測量部五十萬分ノ一地圖參照）

右部分ノ全部ニ於テ國境ハ主ナル航路ノ中央線ヲ以
テ構成セラレベシ但シ「コン」島ハ引續キ佛領印度
支那ノ領域タルベク「コース」島ハ「タイ」國ニ歸
屬スベキモノトス

國境ハ其レヨリ西方ニ向ヒ十五度ノ緯線ニ沿ヒ次チ
南方ニ向ヒ「シエムレアブ」州ト「ベクタンベン」州
トノ現境界ガ「クラン、クック」ニ終ル地點（「スッ

du Traité d'Amitié, de Commerce et de Navigation du 7 décembre 1937.

En conséquence, des négociations diplomatiques directes seront engagées dans le plus bref délai à Bangkok pour la liquidation de toutes les questions pendantes résultant du conflit.

ARTICLE 2.

La frontière entre l'Indochine Française et la Thaïlande sera rajustée ainsi qu'il suit :

En partant du nord, la frontière suivra le fleuve Mékong depuis le point de jonction des frontières de l'Indochine Française, de la Thaïlande et de la Birmanie, jusqu'au point où le Mékong coupe le parallèle du quinzième grade. (Carte du Service Géographique de l'Indochine-Echelle de 1:500.000.)

Dans toute cette partie, la frontière sera constituée par la ligne médiane du chenal de navigation principal. Toutefois, il est expressément convenu que l'île de Khong restera territoire de l'Indochine Française, tandis que l'île de Khone sera attribuée à la Thaïlande.

La frontière suivra ensuite, vers l'ouest, le parallèle du quinzième grade puis, vers le sud, le méridien qui passe par le point d'aboutissement au Grand

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英女復好關係ノ

委員ヲ任命セリ

「フランス」國主席

日本國駐節「フランス」國特命全權大使「シヤルル・アルセーヌ・アンリー」

殖林地名譽總督「ルネ、ロバン」

「タイ」國帝陛下

内閣顧問兼外務省顧問「ワンワイタイヤコーン」殿下

日本國駐節「タイ」國特命全權公使「ピア、シー、セナ」

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直接外交交渉ノ開始

國境調整ニ

Doc 907-P3

ノ友好通商航海條約ノ基礎ニ於テ友好關係恢復セラレ

ル 依テ紛争ヨリ生シタル一切ノ懸案ノ解決ノ爲成ルベク 速ニ「ベンコック」ニ於テ直接外交交渉ヲ開始スベシ

第二條

佛領印度支那「タイ」國間國境ハ左ノ通再調整セラレ

ベシ 北方ヨリ始マリ國境ハ佛領印度支那、「タイ」國及 「ビルマ」ノ國境ノ接合點ヨリ發シ「メコン」河ニ沿ヒ同河ガ十五度ノ緯線ヲ切ル地點ニ至ル（印度支那測量部五十萬分ノ地圖參照）

右部分ノ全部ニ於テ國境ハ主ナル航路ノ中央線ヲ以テ構成セラルベシ但シ「コン」島ハ引續キ佛領印度支那ノ領域タルベク「コース」島ハ「タイ」國ニ歸屬スベキモノトス

國境ハ共レヨリ西方ニ向ヒ十五度ノ緯線ニ沿ヒ次テ南方ニ向ヒ「シエムレアブ」州ト「ベクタンベン」州トノ現境界ガ「クラン、ラック」ニ在ル地點（スケ

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La frontière suivra ensuite, vers l'ouest, le parallèle du quinzième grade puis, vers le sud, le méridien qui passe par le point d'aboutissement au Grand

ン、コンボト」ノ河口」ヲ通過スル經線ニ沿フ

右部分ノ全部ニ於テ第四條ニ規定セラルル國境劃定委員會ハ必要アルニ於テハ將來ノ實際的困難ヲ能フ限リ避ケル様國境ヲ前記ノ線ニ隣接セル自然的境界線又ハ行政區劃ニ合致セシムルコトニ努ムベシ

「グラン、ラック」上ニ於テハ國境ハ「シエムレニア」州ト「ベクタンベン」州トノ現州境方同湖ニ終ル地點（「スツン、コンボト」ノ河口）ト「ベクタンベン」州ト「アルサト」州トノ現州境方同湖ニ終ル地點（「スツン、ドントリ」ノ河口）トヲ結ブ半徑二十キロメートルノ圓弧ニ依リ構成セラルベシ

「グラン、ラック」ノ全部ニ於テ航行及漁業ハ兩締約國ノ國民ニ對シ自由タルベシ但シ岸ニ沿ヒテ設置セラレタル漁業用固定設備ヲ尊重スルコトヲ要ス右諸神ニ基キ締約國ハ成ルベク速ニ「グラン、ラック」水域ノ警察、航行及漁業ニ關スル共同ノ規則ヲ作成スベキモノトス

Lac de la limite actuelle des provinces de Siemréap et de Battambang (embouchure du Stung Kombot).

Dans toute cette partie, la Commission de délimitation prévue à l'article 4 s'efforcera, s'il y a lieu, de rattacher la frontière à des lignes naturelles ou à des limites administratives, voisines du tracé défini ci-dessus, de manière à éviter, dans la mesure du possible, des difficultés pratiques ultérieures.

Sur le Grand Lac, la frontière sera constituée par un arc de cercle de vingt kilomètres de rayon joignant le point d'aboutissement au Grand Lac de la limite actuelle des provinces de Siemréap et de Battambang (embouchure du Stung Kombot) au point a d'aboutissement au Grand Lac de la limite actuelle des provinces de Battambang et de Pursat (embouchure du Stung Dontri).

Dans toute l'étendue du Grand Lac, la navigation et la pêche seront libres pour les ressortissants des deux Hautes Parties Contractantes, sous réserve du respect des installations fixes de pêche établies le long du rivage. Il est entendu que, dans cet esprit, les Hautes Parties Contractantes élaboreront, dans le plus bref délai, une réglementation

「スツン、ドントリ」ノ河口ヨリ新國境ハ南西ノ方向ニ「ベクタンベン」州ト「アルサト」州トノ現州境ニ沿ヒ右州境ト佛領印度支那「タイ」國間ノ現國境トノ會合點（「カオ、クウア」）ニ至リ其レヨリ國境ハ現國境ニ變更ヲ加フルコトナクシテ之ニ沿ヒ海ニ至ル

第三條

佛領印度支那「タイ」國間ノ現國境ト第二條ニ定メラレタル新國境線トノ間ニ合マルル地域ハ本條約附屬議定書（附屬書一）ニ規定セラルル態様ニ從ヒ撤退セラレ且引渡サルベシ

第四條

第二條ニ規定セラレタル佛領印度支那「タイ」國間ノ國境ノ劃定事業ハ右國境ノ陸上ノ部分ニ付テモ又河川上ノ部分ニ付テモ本條約ノ實施後一週間以内ニ構成セラレ且一年以内ニ事業ヲ完了スベキ國境劃定委員會ニ依リ爲サルベシ

commune de la police, de la navigation et de la pêche sur les eaux du Grand Lac.

A Partir de l'embouchure du Stung Dontri, la nouvelle frontière suivra, en direction du sud-ouest, l'actuelle limite des provinces de Battambang et de Pursat, jusqu'au point de rencontre de cette limite avec la frontière actuelle de l'Indochine Française et de la Thaïlande (Khao Kou) qu'elle suivra ensuite sans modification jusqu'à la mer.

ARTICLE 3.

Les territoires compris entre la frontière actuelle de l'Indochine Française et de la Thaïlande et la nouvelle ligne frontière définie à l'article 2, seront évacués et transférés conformément aux modalités prévues au Protocole annexé à la présente Convention. (Annexe I)

ARTICLE 4.

Les travaux de délimitation de la frontière de l'Indochine Française et de la Thaïlande, telle qu'elle est définie à l'article 2, seront effectués, tant en ce qui concerne la partie terrestre que la partie fluviale de cette frontière, par une Commission de délimitation qui sera constituée dans la semaine

條約
及
引渡

國境
劃定
委員會

Doc 907-P6

條人割
件二屬
國地
ス城
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有委員會ノ組織及運用ハ本條約附屬議定書(附屬書二)
ニ於テ之ヲ定ム

第五條

割讓地域ハ左ノ條件ニ從ヒ「タイ」國ニ編入セララルベシ

一 右地域ハ其ノ全部ニ互リ非武装地帯トス但シ従前佛領「ラオス」ノ一部ヲ成セル「メコン」河沿岸地域ヲ除ク

二 右地域ノ全部ニ於テ「フランス」國國民(市民、人民及保護民)ハ入國、居住、企業ニ付「タイ」國國民ニ許與セララルベキ所ト絶對ニ平等ノ待遇ヲ享有スベシ

「フランス」國國民ニ關シテハ利權、不動産賃借及認可ヨリ生ジタル既得ノ權利ニシテ千九百四十一年三月十一日ニ取得セラレ居ルモノハ割讓地域ノ全部ニ於テ尊重セララルベキモノトス

suivant la mise en vigueur de la présente Convention et qui achèvera ses travaux dans le délai d'un an.

La constitution et le fonctionnement de ladite Commission font l'objet du Protocole annexé à la présente Convention. (Annexe II)

ARTICLE 5.

Les territoires cédés seront incorporés à la Thaïlande sous les conditions suivantes :

1° Ils seront démilitarisés dans toute leur étendue, à l'exception des territoires limitrophes du Mékong, faisant antérieurement partie du Laos français.

2° En ce qui concerne l'entrée, l'établissement et les entreprises, les ressortissants français (citoyens, sujets et protégés français) jouiront, dans toute l'étendue de ces territoires, d'un traitement absolument égal à celui qui sera accordé aux nationaux de la Thaïlande.

Il est entendu que, en ce qui concerne les ressortissants français, les droits acquis résultant des concessions, affermage et permis obtenus à la date du 11 mars 1941, seront respectés sur toute l'étendue des territoires cédés.

圖各内非
類二武裝
スル割讓
ル地帯
規定

Doc 907-P7

三 「ルアン、アラバン」前庭ノ「メコン」河右岸ニ於ケル王室陵ニ對シ「タイ」國政府ハ充分尊敬ノ意ヲ表シ其ノ保存及參拜ニ關シ「ルアン、アラバン」ノ王室及宮内官ニ對シ一切ノ便宜ヲ供與スベシ

第六條

前條一ニ依リ設置セラレタル非武装地帯ニ付テハ本條約附屬議定書(附屬書三)ニ規定セララルル條件ニ從ヒ左ノ原則ヲ適用ス

一 非武装地帯ニ於テハ「タイ」國ハ安寧及秩序ノ維持ニ必要ナル警察隊以外ノ武装部隊ヲ維持スルコトヲ得ス

尤モ「タイ」國ハ非常警察行動ノ必要トスル範圍ニ於テ其ノ警察隊ヲ一時的ニ増強スル權利ヲ留保ス同様ニ「タイ」國ハ隣接區域ニ於ケル警察行動又ハ第三國ニ對スル軍事行動ノ要求スルコトアルベキ軍隊及資材ノ輸送ヲ非武装地帯ヲ通過シ自國領域内ニ於テ行フ權能ヲ留保ス

3° Le Gouvernement de la Thaïlande assurera plein respect aux tombeaux royaux qui se trouvent sur la rive droite du Mékong en face de Luang Prabang et donnera toutes facilités à la Famille Royale de Luang Prabang et aux fonctionnaires de la Cour, pour la conservation et la visite de ces tombeaux.

ARTICLE 6.

Dans les conditions prévues au Protocole annexé à la présente Convention (Annexe III), les principes suivants seront appliqués à la zone démilitarisée établie en vertu du point 1° de l'article précédent:

1° Dans la zone démilitarisée, la Thaïlande ne pourra entretenir d'autres forces armées que les forces de police nécessaires au maintien de la sûreté et de l'ordre public.

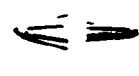
Néanmoins, la Thaïlande se réserve le droit de renforcer momentanément ses forces de police dans la mesure où des opérations de police extraordinaires le rendraient nécessaire. Elle se réserve également la faculté d'effectuer sur son territoire, à travers la zone démilitarisée, les transports de troupes et de matériel qu'exigeraient des opérations de police dans les circonscriptions voisines ou des opérations militaires contre de tierces Puissances.

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| <p>帶邊ノ非武裝地 廢止</p> | <p>最後ニ非武裝地帯内ニ於テ「タイ」國ハ武裝セザル 軍用航空機ヲ常ニ駐屯セシムルコトヲ得ベシ</p> <p>一 非武裝地帯内ニ於テハ要塞、軍用營造物、軍隊專 用ノ飛行場、武器、彈藥又ハ軍用器材ノ貯藏所ヲ存 置スルコトヲ得ズ但シ武裝セザル軍用航空機ニ必要 ナル通常ノ器材及燃料ノ貯藏所ハ此ノ限ニ在ラス</p> <p>警察隊ノ各種ノ營舎ハ其ノ安全ノ爲通常必要ナル防 衛組織ヲ備フルコトヲ得ベシ</p> <p>第七條</p> <p>締約國ハ「メコン」河ガ佛領「ラオス」「タイ」國間ノ 國境ヲ成ス部分ニ於ケル同河ノ兩側ニ現存スル非武裝 地帯ヲ廢止スルコトニ合意ス</p> | <p>Enfin, dans la zone démilitarisée, la Thaïlande sera autorisée à faire stationner en tout temps des aéronefs militaires non armés.</p> <p>2° Il ne pourra exister dans la zone démilitarisée ni places fortes, ni établissements militaires, ni aérodromes à l'usage exclusif de l'armée, ni dépôts d'armes, de munitions ou de matériel de guerre, à l'exception des dépôts de matériel courant et de combustible nécessaires aux aéronefs militaires non armés.</p> <p>Les divers casernements des forces de police pourront comporter l'organisation défensive normalement nécessaire à leur sécurité.</p> <p>ARTICLE 7.</p> <p>Les Hautes Parties Contractantes sont d'accord pour supprimer les zones démilitarisées existant de part et d'autre du Mékong sur la partie du cours de ce fleuve ou il forme la frontière entre le Laos français et la Thaïlande.</p> |
| <p>移住割 地帯ノ地 民ニ關ス ス條内</p> | <p>第八條</p> <p>「タイ」國ニ割讓セラレタル地域ニ對スル主權ノ移轉方 決定的ト爲リタルトキ直ニ右地域ニ居住スル「フラン</p> | <p>ARTICLE 8.</p> <p>Dès que le transfert de la souveraineté sur les territoires cédés à la Thaïlande sera définitif, la nationalité de la Thaïlande sera acquise de plein</p> |



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| <p>ス」國國民ハ當然ニ「タイ」國國籍ヲ取得スベシ</p> <p>尤モ主權ノ決定的移轉後一年以内ニ「フランス」國國 民ハ「フランス」國ノ國籍ヲ選擇スル權能ヲ有スベシ</p> <p>右選擇ハ左ノ方法ニ依リ行ハルベシ</p> <p>一 「フランス」國市民ニ付テハ權限アル行政官憲ノ前 ニテ行フ宣言ニ依ル</p> <p>二 「フランス」國人民及保護民ニ付テハ「フランス」國 領域ヘノ住居ノ移轉ニ依ル</p> <p>「タイ」國ハ右「フランス」國人民及保護民ノ撤退ニ對 シ又ハ歸還スルコトアルベキトキハ之ニ對シ理由ノ如 何ニ拘ラス如何ナル妨礙ヲモ爲サザルベシ殊ニ右人民 及保護民ハ出發前其ノ動產及不動産ヲ自由ニ處分スル コトヲ得ベシ右人民及保護民ハ其ノ一切ノ種類ノ動 產、家畜、農產物、貨幣又ハ紙幣ヲ關稅ヲ免除セラレ テ搬出シ又ハ搬出セシムル權能ヲ有スベシ如何ナル場 合ニ於テモ右人民及保護民ハ「タイ」國ニ編入セラレ タル地域ニ於テ其ノ不動産ノ所有權ヲ保有スルコトヲ</p> | <p>droit par les ressortissants français établis sur ces territoires.</p> <p>Toutefois, dans l'année qui suivra le transfert définitif de la souveraineté, les ressortissants français auront la faculté d'opter pour la nationalité française.</p> <p>Cette option s'exercera de la manière suivante:</p> <p>1° en ce qui concerne les citoyens français, par une déclaration faite devant l'autorité administrative compétente;</p> <p>2° en ce qui concerne les sujets et protégés français, par un transfert de domicile en territoire français.</p> <p>Aucun obstacle ne sera apporté par la Thaïlande, quelle qu'en soit la raison, à l'évacuation ou au retour éventuel de ces sujets et protégés français. En particulier, ils pourront, avant leur départ, disposer librement de leurs biens mobiliers et immobiliers. Ils auront la faculté d'emporter avec eux ou de faire transporter, en franchise douanière, leurs biens mobiliers de toute nature, bétail, produits agricoles, monnaies ou billets de banque. En tout état de cause, ils pourront conserver, sur les territoires incorporés à la Thaïlande, la propriété de</p> |
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| <p>帶備ノ非武裝地 ノ廢止</p> | <p>最後ニ非武裝地帯内ニ於テ「タイ」國ハ武裝セザル 軍用航空機ヲ常ニ駐屯セシムルコトヲ得ベシ</p> <p>一 非武裝地帯内ニ於テハ要塞、軍用營造物、軍隊專 用ノ飛行場、武器、彈藥又ハ軍用器材ノ貯藏所ヲ存 置スルコトヲ得ス但シ武裝セザル軍用航空機ニ必要 ナル通常ノ器材及燃料ノ貯藏所ハ此ノ限ニ在ラス</p> <p>警察隊ノ各種ノ營舎ハ其ノ安全ノ爲通常必要ナル防 衛組織ヲ備フルコトヲ得ベシ</p> <p>第七條</p> <p>締約國ハ「メコン」河ガ佛領「ラオス」「タイ」國間ノ 國境ヲ成ス部分ニ於ケル同河ノ兩側ニ現存スル非武裝 地帯ヲ廢止スルコトニ合意ス</p> | <p>Enfin, dans la zone démilitarisée, la Thaïlande sera autorisée à faire stationner en tout temps des aéronefs militaires non armés.</p> <p>2° Il ne pourra exister dans la zone démilitarisée ni places fortes, ni établissements militaires, ni aérodromes à l'usage exclusif de l'armée, ni dépôts d'armes, de munitions ou de matériel de guerre, à l'exception des dépôts de matériel courant et de combustible nécessaires aux aéronefs militaires non armés.</p> <p>Les divers casernements des forces de police pourront comporter l'organisation défensive normalement nécessaire à leur sécurité.</p> <p>ARTICLE 7.</p> <p>Les Hautes Parties Contractantes sont d'accord pour supprimer les zones démilitarisées existant de part et d'autre du Mékong sur la partie du cours de ce fleuve ou il forme la frontière entre le Laos français et la Thaïlande.</p> |
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第九條

「フランス」國及「タイ」國ハ「タイ」國ノ「フラン
ス」國ヘノ六百萬印度支那「ピアストル」ノ額ノ支拂
ニ依リ第二條ニ規定セララル地域ノ移轉ヨリ生スル國
家間ノ一切ノ財政上ノ主張ヲ決定的ニ拋棄スルコトニ
合意ス右額ノ支拂ハ本條約實施ヨリ六年ニ互リ等分ニ
分タルベシ

前項ノ適用ヲ確保スル爲竝ニ本條約ノ目的ヲ成ス地域
ノ割讓ノ結果生ジ得ベキ通貨及有價證券移轉ニ關スル
一切ノ問題ヲ解決スル爲佛領印度支那及「タイ」國ノ
楯眼アル官憲ハ成ルベク速ニ商議ヲ開始スベシ

第十條

本條約ノ規定ノ解釋又ハ其ノ適用ニ關シ兩締約國間ニ
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leurs biens immobiliers.

ARTICLE 9.

La France et la Thaïlande sont d'accord pour renoncer définitivement à toute prétention d'ordre financier, d'Etat à Etat, résultant du transfert de territoires prévu à l'article 2, moyennant le paiement, par la Thaïlande à la France, d'une somme de six millions de piastres indochinoises. Le paiement de cette somme sera réparti, par tranches égales, sur six années à compter de la mise en vigueur de la présente Convention.

Pour assurer l'application du paragraphe précédent, ainsi que pour régler toutes les questions monétaires et de transfert de valeurs que peuvent poser les cessions de territoires faisant l'objet de la présente Convention, les administrations compétentes de l'Indochine Française et de la Thaïlande entreront en négociations dans le plus bref délai.

ARTICLE 10.

Tout conflit pouvant surgir entre les deux Hautes Parties Contractantes au sujet de l'interprétation ou de l'application des dispositions de la présente Convention sera résolu amialement par la voie diplomatique.

Si le conflit ne peut être ainsi résolu, il sera

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第十一條

「フランス」國「タイ」國間ニ存スル條約及協定ノ規
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第十二條

本條約ハ批准セララルベク批准書ハ署名ノ日ヨリ二月以
内ニ東京ニ於テ交換セララルベシ「フランス」國政府ハ
已ムヲ得ザル場合ニハ批准ノ通報書ヲ以テ批准書ニ代
フルコトヲ得此ノ場合ニハ「フランス」國政府ハ成ル
ベク速ニ批准書ヲ「タイ」國政府ニ送付スベシ

本條約ハ批准書交換ノ日ヨリ實施セララルベシ

右證據トシテ各全權委員ハ本條約ニ署名調印セリ

soumis à la médiation du Gouvernement du Japon.

ARTICLE 11.

Toutes dispositions des Traités, Conventions et Accords existant entre la France et la Thaïlande, qui ne sont pas incompatibles avec les dispositions de la présente Convention, sont et demeurent maintenues en vigueur.

ARTICLE 12.

La présente Convntion sera ratifiée et les ratifications en seront échangées à Tokyo dans les deux mois suivant la date de sa signature. Le Gouvernement Français pourra, le cas échéant, substituer à son instrument de ratification une notification écrite de ratification; dans ce cas, le Gouvernement Français enverra son instrument de ratification au Gouvernement de la Thaïlande aussitôt que faire se pourra.

La présente Convention entrera en vigueur le jour de l'échange des ratifications.

En foi de quoi, les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé leurs cachets.

昭和十六年五月九日即チ千九百四十一年五月九日、佛
曆二千四百八十四年五月九日東京ニ於テ日本文「フラ
ンス」文及「タイ」文ヲ以テ本書ニ通テ作成ス

Fait en triple exemplaire, en langues française,
japonaise et thaïe, à Tôkyô, le neuf mai mil neuf
cent quarante et un, correspondant au neuvième
jour du cinquième mois de la seizième année de
Syôwa, et au neuvième jour du cinquième mois
de la deux-mille quatre cent quatre-vingt-quatrième
année de l'ère bouddhique.

シャルル、アルセニス、アンリ (印)
ルネ、ロバ (印)
ワンワイタイヤコーン (印)
シ、セ (印)
ジ、セ、シラバ、サストラコム (印)
ワット、バーナナンダ (印)

Charles Arsène Henry (L.S.)
René Robin (L.S.)
Varnvaidyakara (L.S.)
Sri Sena (L.S.)
G. C. Silpa Sastrakom (L.S.)
Vanich Panananda (L.S.)

FILE COPY
RETURN TO ROOM 361

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

Ex-47

[TRANSLATION]

TC No. 17544

807

PEACE AGREEMENT BETWEEN FRANCE
AND THAILAND

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PEACE AGREEMENT BETWEEN FRANCE
AND THAILAND

The French Chief of State and His Majesty the King of Thailand,

Having accepted the mediation of the Government of Japan with a view to bringing about a final settlement of the armed conflict which has arisen on the border of French Indochina and Thailand,

Recognizing the need for proceeding to the readjustment of the present boundary of French Indochina and Thailand, with a view to preventing the return of conflicts on the said border, and to reaching an understanding on the means of preserving tranquility in the frontier zone,

Wishing fully to re-establish the traditional relations of friendship between France and Thailand,

Have decided, for this purpose, to conclude an Agreement and have appointed as their Plenipotentiaries, to wit:

The Chief of the French State:

Mr. Charles Arsène-Henry, Ambassador Extraordinary and Plenipotentiary of France to Japan;

Mr. René Robin, Honorary Governor-General of the Colonies; and

His Majesty the King of Thailand:

His Highness Prince Varnvaidyakara,

Counselor

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PEACE AGREEMENT BETWEEN FRANCE
AND THAILAND

The French Chief of State and His Majesty the King
of Thailand,

Having accepted the mediation of the Government of
Japan with a view to bringing about a final settlement
of the armed conflict which has arisen on the border of
French Indochina and Thailand,

Recognizing the need for proceeding to the readjust-
ment of the present boundary of French Indochina and
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ing on the means of preserving tranquility in the frontier
zone,

Wishing fully to re-establish the traditional rela-
tions of friendship between France and Thailand,

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Agreement and have appointed as their Plenipotentiaries,
to wit:

The Chief of the French State:

Mr. Charles Arsène-Henry, Ambassador Extraor-
dinary and Plenipotentiary of France to
Japan;

Mr. René Robin, Honorary Governor-General of
the Colonies; and

His Majesty the King of Thailand:

His Highness Prince Varnvaidyakara,

Counselor

Counselor of the Office of the Resident of
the Council and of the Ministry of Foreign
Affairs;

Phya Sri Sena, Envoy Extraordinary and Minister
Plenipotentiary of H.M. the King of Thailand
to Japan;

Colonel Phra Silpa Sastrakon, Chief of the General
Staff of Thailand;

Nai Vanich Panananda, Director of the Department
of Commerce;

Who, after having communicated their full powers,
found in good and due form, have agreed on the following
articles:

Article 1

Friendly relations shall be re-established between
France and Thailand on the fundamental basis of the
Treaty of Friendship, Commerce and Navigation of Decem-
ber 7, 1937.

Accordingly, direct diplomatic negotiations shall
be entered into as soon as possible at Bangkok for the
settlement of all questions pending as a result of the
conflict.

Article 2

The boundary between French Indochina and Thailand
shall be readjusted as follows:

Starting in the north, the boundary shall follow
the Mekong river from the point of junction of the
boundaries of French Indochina, Thailand and Burma, to
the point where the Mekong crosses the 15th degree of
latitude. (Map of the Geographic Service of Indochina -
Scale of 1:500,000.)

Throughout

Throughout this part, the median line of the principal channel of navigation shall constitute the boundary. Nevertheless, it is expressly agreed that the Island of Khong shall remain territory of French Indochina, while the Island of Phou shall be assigned to Thailand.

The boundary shall thereafter follow, westwards, the 15th degree of latitude, then, southwards, the meridian which passes through the terminal point at the Tonle Sap of the present boundary line of the provinces of Siem Reap and Battambang (mouth of the Stung Sambot).

Throughout this part, the Boundary Commission provided for in Article 4 shall, if necessary, endeavor to have the boundary follow natural lines or administrative boundaries near the line defined above, so as to avoid, as far as possible, subsequent practical difficulties.

On the Tonle Sap, an arc of a circle with a radius of twenty kilometers joining the terminal point at the Tonle Sap of the present boundary of the provinces of Siem Reap and Battambang (mouth of the Stung Sambot) to the terminal point at the Tonle Sap of the present boundary of the provinces of Battambang and Pursat (mouth of the Stung Dontri), shall constitute the border.

Through the whole extent of the Tonle Sap, navigation and fishing shall be free for the nationals of both High Contracting Parties, subject to respect for fixed fishing installations along the shore. It is understood that, in this spirit, the High Contracting Parties shall draw up, as soon as possible, common police, navigation and fishing regulations for the waters of the Tonle Sap.

From

- 1 -

The present boundary shall remain in force until the new boundary-line of the Province of Laos is determined, to the point at which the said boundary-line meets the present boundary of French Indochina and Thailand, which it shall follow thereafter, without change, to the sea.

Article 3

The territories included between the present boundary of French Indochina and Thailand and the new boundary-line defined in Article 1, shall be evacuated and transferred in conformity with the modalities provided for in the protocol annexed to the present Agreement.
(Annex I)

Article 4

The work of delimitation of the boundary of French Indochina and Thailand, as defined in Article 2, shall be performed, as regards both the land and the river portions of the said boundary, by a Boundary Commission, which shall be instituted within one week following the coming into force of the present Agreement and which shall complete its work within the period of one year.

The institution and procedure of the said Commission shall form the subject of the protocol annexed to the present Agreement. (Annex II)

Article 5

The territories transferred shall be incorporated into Thailand under the following conditions:

1. They shall be demilitarized throughout their extent, with the exception of the territories bordering on the Mekong, which were formerly a part of French Laos.

2. As

2. As regards entry, establishment and enterprises, French nationals (French citizens, subjects and protected persons) shall enjoy, throughout the said territories, absolutely the same treatment as that granted to nationals of Thailand.

It is understood that, as regards French nationals, vested interests resulting from concessions, leases and permits obtained on or before March 11, 1941, shall be respected throughout the territories transferred.

3. The Government of Thailand shall assure full respect to the royal tombs which are on the right bank of the Mekong opposite Luang Prabang and shall give every facility to the Royal Family of Luang Prabang and to the Court Officials, for the preservation and visiting of the said tombs.

Article 6

Under the conditions provided for in the Protocol annexed to the present Agreement (Annex III), the following principles shall be applied to the demilitarized zone established under Number 1 of the preceding Article:

1. In the demilitarized zone, Thailand may not keep armed forces other than the police forces necessary for the maintenance of security and public order.

Thailand, however, reserves the right to reinforce her police forces temporarily to the extent that extraordinary police operations might render it necessary. She reserves likewise the power to effect on her territory, across the demilitarized zone, the transportation of troops and matériel required for police operations in the neighboring districts or for military operations against third powers.

Lastly,

Lastly, Thailand shall be authorized to have unarmed military aircraft stationed in the demilitarized zone at any time.

2. Neither fortified places, nor military establishments, nor airfields for the exclusive use of the Army, nor stores of arms, munitions or war matériel, with the exception of stores of matériel or fuel currently needed by the unarmed military aircraft, shall exist in the demilitarized zone.

The various barracks of the police forces may have the defensive organization normally necessary for their security.

Article 7

The High Contracting Parties are in agreement to eliminate the demilitarized zones on either bank of the Mekong in the portion of the course of the said River where it forms the boundary between French Laos and Thailand.

Article 8

As soon as the transfer of sovereignty over the territories ceded to Thailand becomes definitive, Thai nationality shall be automatically acquired by French nationals established in the said territories.

Nevertheless, during the year following the definitive transfer of sovereignty, French nationals shall have the right to choose French nationality.

This option shall be exercised as follows:

1. As regards French citizens, by a declaration made before the competent administrative authority;

2. As

Lastly, Thailand shall be authorized to have unarmed military aircraft stationed in the demilitarized zone at any time.

2. Neither fortified places, nor military establishments, nor airfields for the exclusive use of the Army, nor stores of arms, munitions or war matériel, with the exception of stores of matériel or fuel currently needed by the unarmed military aircraft, shall exist in the demilitarized zone.

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Nevertheless, during the year following the definitive transfer of sovereignty, French nationals shall have the right to choose French nationality.

This option shall be exercised as follows:

1. As regards French citizens, by a declaration made before the competent administrative authority;

2. As

2. As regards French subjects and protected persons, by a transfer of domicile to French territory.

No obstacle shall be raised by Thailand, for whatever reason, to any evacuation or return of such French subjects and protected persons. Especially, they may, before their departure, dispose freely of their real and personal property. They shall have the right to carry away with them or to have transported, duty-free, their personal property of any character, cattle, agricultural products, coins or banknotes. In any case, they may retain, in the territories incorporated into Thailand, ownership of their real property.

Article 9

France and Thailand agree to renounce definitively any claim of a financial character, between the two States, resulting from the transfer of territories provided for in Article 2, upon payment to France by Thailand of the amount of six million Indochinese piastres. The payment of this amount shall be distributed, in equal portions, over six years counting from the putting into force of the present Agreement.

In order to assure the application of the preceding paragraph, as well as to regulate all the monetary questions and questions of the transfer of securities which may arise from the cession of territories that forms the subject of the present Agreement, the competent administrative offices of French Indochina and of Thailand shall enter into negotiations as soon as possible.

Article 10

Any conflict which may arise between the two High Contracting Parties with regard to the interpretation
or the

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Article 10

Any conflict which may arise between the two High Contracting Parties with regard to the interpretation
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or the application of the provisions of the present Agreement shall be settled amicably through diplomatic channels.

If the conflict cannot be thus settled, it shall be submitted to the mediation of the Government of Japan.

Article 11

All provisions of the Treaties, Conventions and Agreements existing between France and Thailand that are not incompatible with the provisions of the present Agreement, shall be continued in force.

Article 12

The present Agreement shall be ratified and the ratifications shall be exchanged at Tokyo within two months following the date of signature. The French Government may, if necessary, substitute for its instrument of ratification a written notice of ratification; in that case, the French Government shall send its instrument of ratification to the Government of Thailand as soon as feasible.

The present Agreement shall come into force on the day of the exchange of ratifications.

In faith whereof, the respective Plenipotentiaries have signed the present Agreement and thereunto affixed their seals.

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo, on the ninth of May one thousand nine hundred and forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era, and to the ninth day of the fifth month of the two thousand four hundred and eighty-fourth year of the Buddhist Era.

(Annex I)

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(Annex I)

(Annex I)

Protocol Concerning the Modalities of Evacuation and
Transfer of the Territories

The French Government and the Government of Thailand
agree as follows:

I. Transfer of Public Real Property

The French Government shall deliver to the Govern-
ment of Thailand, within twenty days after the exchange
of ratifications, an inventory of the public real property
in the ceded territories, as well a list of the French
Delegates charged with the transfer operations.

The Government of Thailand shall deliver to the
French Government, within the same period, a list of
the persons in charge of taking possession of the said
real property. The Delegates of the two Governments shall
be divided into five groups corresponding to the districts
of Pak Lay, Bassac, Kompong Thom, Siem Reap and Battambang.

The Delegates of Thailand shall present themselves on
a date which shall be fixed by common accord, at Pak Lay,
Bassac, Cheom Ksan, Samrong and Poinet, where they shall
be received by the French Delegates.

II. Transfer of the Archives

The communal and provincial archives, the archives of
the courts and other State organs, as well as the cadastral
plans deposited in the ceded territories, shall be trans-
ferred to the Thailand Authorities. As regards the plans,
registers and other cadastral documents deposited outside
the said territories, certified copies shall be delivered
to the Thailand Government.

The

The transfer shall be completed within two months after the exchange of ratifications.

III. Evacuation of the Territories

The territories forming the subject of the present Protocol shall be evacuated by French military units and occupied by police forces or military units of Thailand in conformity with the following principles:

a) The French military units stationed between the present boundary and the new boundary-line shall set out on the twentieth day after the exchange of ratifications, and must be on the French side of the new boundary-line seven days thereafter, at the latest. They shall be preceded by the French gendarmes, police and administrative authorities (with the exception of those that will participate in the work of transfer stipulated in Parts I and II above) which are in the aforesaid territories.

b) The police forces and the military units which the Thailand Government might intend to send into the aforesaid territories shall set out on the day after the day on which the French units began evacuation and may arrive at the new boundary line at the earliest, seven days thereafter. They may be followed by the administrative authorities of Thailand appointed to posts in the aforesaid territories.

c) The police forces or military units of Thailand shall regulate their march so as to maintain a uniform distance from the French units.

d) Military units of Thailand in the demilitarized zone mentioned in Article 5 of the Agreement, shall be evacuated within a period of one month from the transfer of the territories.

IV. Practical

IV. Practical Measures

The Governments of both Parties shall take any necessary/ practical measures in order that the evacuation and transfer operations provided for in the present Protocol may be effected in good order and without incident:

a) The military units evacuated may leave behind neither irregular military forces nor individuals provided with firearms. Likewise, the occupying police forces or military units may have neither irregular military forces nor individuals provided with firearms precede them.

b) Both Governments shall, respectively, give their military units and police strict orders to abstain from any act of pillage.

The present Protocol shall be ratified by France and Thailand simultaneously with the Agreement.

The present Protocol shall come into force simultaneously with the agreement.

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

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo, on the ninth of May one thousand nine hundred and forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era, and to the ninth day of the fifth month of the two thousand four hundred and eighty-fourth year of the Buddhist Era.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

(Annex II)

TC No. 17544

Protocol Relative to the Institution and Procedure of
the Boundary Commission

The Governments of France, Japan and Thailand agree as follows, with regard to the Boundary Commission provided for in Article 4 of the Peace Agreement between France and Thailand:

I. Composition

The Governments of the three Parties shall appoint, respectively, five Delegates and five Deputy Delegates.

The Delegates of each of the Parties may be accompanied by such experts and secretaries as they shall deem necessary.

In case of inability to attend, Delegates may be replaced in their duties by Deputy Delegates.

The duties of Chairman of the Commission shall be entrusted to one of the Japanese Delegates.

II. Duties

The Commission shall proceed on the spot to the delimitation of the land and river boundary as provided for in Article 4 of the Agreement.

It shall prepare a map of the said boundary and proceed to the placing of boundary-markers at the points deemed necessary.

III. Procedure

The French Government and the Government of Thailand shall grant to the Members of the Commission all the necessary facilities for the fulfilment of their mission.

The

The salaries and traveling expenses of the members of the Commission shall be paid by their respective Governments.

The cost of the work of the Commission shall be divided equally between the French Government and the Government of Thailand.

It is provided that the Commission may establish its own rules of procedure.

The present Protocol shall be ratified by France and Thailand simultaneously with the Agreement. As regards Japan, it shall be approved by her Government.

The present Protocol shall come into force simultaneously with the Agreement.

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

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo, on the ninth of May one thousand nine hundred and forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era, and to the ninth day of the fifth month of the two thousand four hundred and eighty-fourth year of the Buddhist Era.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

(Annex III)

PROTOCOL RELATING TO THE CARRYING OUT OF THE
PROVISIONS CONCERNING THE DEMILITARIZED ZONE.

The Governments of France, Japan and the Thailand agree on the following on the subject of the carrying out of the provisions concerning the demilitarized zone and (as) provided for in articles 5 and 6 of the Peace Agreement between France and Thailand:

I. Through the whole duration of its functioning the Boundary Commission, set up by Article 4 of the Agreement shall be charged with supervising the carrying out of the provisions provided for in Number 1 of Article 5 and in Article 6 of the Agreement.

The same Commission shall submit for the approval of the Thailand Government provisions having as their purpose:

a) The establishment of the nature, number and armament of the Thailand Police in the demilitarized zone;

b) The determination of the conditions under which the Thailand will be able to make use of the facilities conceded to it by virtue of Paragraph 2 of Number 1 of Article 6;

c) Finally, the setting up of special regulations for air navigation in the demilitarized zone.

In addition it may propose to the two Governments concerned all measures which it may judge necessary in order to assure the carrying out of the provisions contemplated.

II. After

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

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The same Commission shall submit for the approval of the Thailand Government provisions having as their purpose:

a) The establishment of the nature, number and armament of the Thailand Police in the demilitarized zone;

b) The determination of the conditions under which the Thailand will be able to make use of the facilities conceded to it by virtue of Paragraph 2 of Number 1 of Article 6;

c) Finally, the setting up of special regulations for air navigation in the demilitarized zone.

In addition it may propose to the two Governments concerned all measures which it may judge necessary in order to assure the carrying out of the provisions contemplated.

II. After

II. After the dissolution of the Boundary Commission, the above determined powers shall be exercised, in case of need, by a Mixed Commission, composed of three members for each Party, which shall convene on the request of one of the Governments concerned.

The functions of the Chairman of this Commission shall be entrusted to one of the Japanese Delegates.

The present Protocol shall be ratified by France and Thailand at the same time as the Agreement. So far as concerns Japan it shall be approved by its Government.

The present Protocol shall come into force at the same time as the Agreement.

In faith whereof, the undersigned, having been duly authorized by their respective Governments, have signed the present Protocol and thereunto affixed their seals.

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo on the ninth of May one thousand nine hundred forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era and to the ninth day of the fifth month of the two thousand four hundred eighty-fourth year of the Buddhist era.

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DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PROTOCOL BETWEEN FRANCE AND JAPAN
CONCERNING THE GUARANTEE AND
THE POLITICAL UNDERSTANDING.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PROTOCOL BETWEEN FRANCE AND JAPAN
CONCERNING THE GUARANTEE AND
THE POLITICAL UNDERSTANDING.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PROTOCOL BETWEEN FRANCE AND JAPAN
CONCERNING THE GUARANTEE AND
THE POLITICAL UNDERSTANDING.

The French Government and the Japanese Government
equally desirous of maintaining peace in the Far East.

Inspired by the pacific and friendly spirit which
prevailed at the drawing up of the agreement brought in-
to being by the notes exchanged on August 30, 1940, and
likewise promoted by the sincere desire to adhere to such
course.

Anxious to assure the stabilization of the friendly
relations recently established between France and Thailand,
have on the following:

1. The Japanese Government guarantees to the French
Government the final and irrevocable character of the
settlement of the conflict between France and Thailand,
such as it ensued, in consequence of the mediation of
the Japanese Government, from the Peace Agreement of
May 9, 1941 between France and Thailand and the annexed
documents.

2. The French Government accepts the above-mentioned
guarantee of the Japanese Government. It will exert itself
in the maintenance of peace in the Far East, and in particu-
lar in the establishment of friendly good neighbour relations,
as well as in the development of close economic relations
between French Indochina and Japan.

Moreover

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

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CONCERNING THE GUARANTEE AND
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equally desirous of maintaining peace in the Far East.

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prevailed at the drawing up of the agreement brought in-
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guarantee of the Japanese Government. It will exert itself
in the maintenance of peace in the Far East, and in particu-
lar in the establishment of friendly good neighbour relations,
as well as in the development of close economic relations
between French Indochina and Japan.

Moreover

Moreover the French Government declares that it does not intend to conclude, with regard to the French Indochina, any agreement or understanding with a third power, which may provide for political, economic or military cooperation of a nature directly or indirectly opposing Japan.

3. The present Protocol shall be ratified and the ratifications shall be exchanged at Tokyo within two months following the date of signature. In case of need, the French Government may substitute its instrument of ratification by a written notice of ratification; in such case the French Government shall send its instrument of ratification to the Japanese Government as soon as possible.

The present Protocol shall come into force on the day of the exchange of ratification.

In faith whereof, the undersigned, having been duly authorized by their respective Governments have signed this Protocol and thereunto affixed their seals.

Done in duplicate in the French and Japanese languages, at Tokyo on May 9, 1941, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era.

Moreover the French Government declares that it does not intend to conclude, with regard to the French Indochina, any agreement or understanding with a third power, which may provide for political, economic or military cooperation of a nature directly or indirectly opposing Japan.

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The present Protocol shall come into force on the day of the exchange of ratification.

In faith whereof, the undersigned, having been duly authorized by their respective Governments have signed this Protocol and thereunto affixed their seals.

Done in duplicate in the French and Japanese languages, at Tokyo on May 9, 1941, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era.

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

Enclosure No. 3a to despatch No. 5613
dated May 23, 1941, from the Embassy
at Tokyo

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Ambassa-
dor at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the instruments of ratification of the ^{Pact of} non-aggression
concluded on June 12, 1940 between Thailand and France
must be exchanged at Bangkok within two months following
the exchange of ratifications of the Peace Agreement which
we have just signed.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
consideration.

(Signed): VARHVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary and
Plenipotentiary of France in
Japan.

TOKYO.

Enclosure No. 3(b) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Ambassa-
dor at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the principle of opening Consulates of Thailand
at Hanoi, Phnom Penh and Vientiane and of establishing
a Consulate of France at Battambang has been mutually
accepted.

It is likewise understood that the former Consulates
of France in Thailand can be re-established, as has stipu-
lated at the time of the conclusion of the treaty of 1937.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very
high consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

TOKYO.

Enclosure No. 3(c) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of
the Thai-French Indochinese agreement, to the French
Ambassador at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which it will be recommended to the Commission for the
delimitation of the new boundary to take into account, on
the basis of the stipulations of Article 2, 6 of the Peace
Agreement, the desire of the French Government to retain
the temple of BANTEAL SREI, as forming part of the Angkor
group.

It is agreed that the Boundary Commission shall, if
necessary provide, in tracing the new boundary, a ter-
ritorial compensation of equal area in favor of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very
high consideration.

Signed: VARNVAIDYA.

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

TOKYO.

Enclosure No. 3(c) to despatch
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Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which it will be recommended to the Commission for the
delimitation of the new boundary to take into account, on
the basis of the stipulations of Article 2, 6 of the Peace
Agreement, the desire of the French Government to retain
the temple of BANTEAL SREI, as forming part of the Angkor
group.

It is agreed that the Boundary Commission shall, if
necessary provide, in tracing the new boundary, a ter-
ritorial compensation of equal area in favor of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very
high consideration.

Signed: VARNVAIDYA.

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

TOKYO.

Enclosure No. 3(d) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Ambassa-
dor at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the verbal agreement already reached by us, under the terms of which it is desirable that following the readjustment of the boundaries, direct negotiations between the competent authorities of Thailand and Indochina be initiated as soon as possible, with regard to the carrying out of the provisions of the Commercial and Customs Agreement of December 9, 1937, and for a new definition of the duties of the Mekong High Commission.

It is likewise agreed that the competent authorities of Thailand and Indochina shall come into contact, as soon as possible, in order to work out common regulations for the Border Police.

I avail myself of this opportunity, Mr. Ambassador, to renew to Your Excellency the assurance of my very high consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
to Japan.

TOKYO.

Enclosure No. 3(e) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Ambaa-
sador at Tokyo, M. Charles Arsene-Henry.

Tokyo, May 9, 1941

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the equality of treatment, as regards entry,
establishment and enterprises, provided for in Article 5,
2 of the Agreement which we have just signed, must be
interpreted as equality of treatment in all respects,
with the following two exceptions:

1 - French nationals shall not benefit from the
equal treatment with respect to the acquisition of real
property of the public domain. They shall be subject
in this respect to the provisions of the Treaty of Friend-
ship, Commerce and Navigation of December 7, 1937 and its
Annexes.

2 - French nationals who were not domiciled in the
ceded territories at the time of the transfer of sovereignty
and who enter the ceded territories shall be subject to the
provisions of the Immigration Law of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

Enclosure No. 3(e) to despatch
No. 5613 dated May 23, 1941,
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Tokyo, May 9, 1941

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and who enter the ceded territories shall be subject to the
provisions of the Immigration Law of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
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Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

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sador at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the equality of treatment, as regards entry,
establishment and enterprises, provided for in Article 5,
2 of the Agreement which we have just signed, must be
interpreted as equality of treatment in all respects,
with the following two exceptions:

1 - French nationals shall not benefit from the
equal treatment with respect to the acquisition of real
property of the public domain. They shall be subject
in this respect to the provisions of the Treaty of Friend-
ship, Commerce and Navigation of December 7, 1937 and its
Annexes.

2 - French nationals who were not domiciled in the
ceded territories at the time of the transfer of sovereignty
and who enter the ceded territories shall be subject to the
provisions of the Immigration Law of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

Doc 1555

CONCERNING THE CONCLUSION OF THE PROTOCOL
WITH RESPECT TO THE EXTENSION OF VALIDITY
OF THE ANTI-COMINTERN PACT

-Announcement by the Board Of Information
Made on November 25, 1941.

Since the conclusion on November 25, 1936 between Japan and Germany of the Agreement against the Communist International - the so-called Anti-Comintern Pact - Italy adhered to it on November 6 of the following year (1937), as original signatory. She was then followed by Manchukuo, Hungary and Spain, bringing the number of the participants to six countries, thus displaying its effectiveness. As the five-year period of the validity of the Agreement was about to expire, the Signatory Powers consulted among themselves, which resulted in an agreement of views to extend its validity for five more years. A new Protocol concerning the extension of validity of the agreement was signed today, November 25, at Berlin between the plenipotentiaries of the six Powers, namely, Japan, Germany, Italy, Manchukuo, Hungary and Spain.

It requires no reiteration that the Communist International, or the Comintern, with its world-wide organization, is carrying on disruptive machinations of communistic nature in all parts of the world. Accordingly, defence against such machinations must be of a world-wide scope. With the task of establishing a new order in East Asia as the basis of her national policy, Japan feels keenly the increasing necessity of safeguarding against the Comintern. That the Anti-Comintern Pact has accordingly been renewed, and that participation of countries, which will share similar intentions under the provisions of the new Protocol, is envisaged, is a source of profound congratulation.

The contents of the new Protocol are as follows:

PROTOCOL

The Government of the Empire of Japan, the Government of Germany, the Government of the Kingdom of Italy, the Government of the Kingdom of Hungary, the Government of the Empire of Manchoukuo, and the Government of Spain;

Recognizing that the Agreement concluded between them for safeguarding against the activities of the Communist International has been most effective;

Believing firmly that the common interests of their countries require their close cooperation against the said common enemy, have decided to extend the period of validity of the above-mentioned Agreement, and have agreed upon the following provisions for the purpose;

Article 1

The agreement against the Communist International consisting of the Agreement and the annexed Protocol of November 25, 1936, and the Protocol of November 6, 1937; and the Protocol of February 24, 1939, the Protocol of February 24, 1939, and the Protocol of March 27, 1939, by which Hungary, Manchoukuo and Spain respectively participated, shall be prolonged for five years beginning with November 25, 1941.

Article 2

The countries, which desire to participate in the said Agreement through the invitation by the Government of the Japanese Empire, Germany and the Italian Kingdom, shall communicate to the German Government by document the declaration of their participation; and the German Government shall notify the Governments of the other Signatories concerning the said communication. Such participation shall become effective from the day of the receipt by the German Government of the declaration of participation.

Article 3

The present Protocol shall be made in the Japanese, German and Italian languages and shall be the official texts of the respective countries. The present Protocol shall come into force from the day of its signature.

The Contracting Powers shall, at a suitable time, prior to the expiry of the five-year period stipulated in Article 1, come to an understanding concerning the method of their subsequent cooperation

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

C E R T I F I C A T E

I HEREBY CERTIFY that the above instrument is a true and accurate copy in English extracted from pages 366 and 367 of the January 1942 copy of the "TOKYO GAZETTE", a monthly report of current policies, official statements and statistics, published monthly by the Tokyo Gazette Publishing House.

Lindsay Williamson
LINDSEY WILLIAMSON
O-1845845, Capt JAGD.

NATIONAL TOP SECRET

No. 6
(Japan)

Military Agreement
between
Germany, Italy, and Japan

The German and Italian Armed Forces, as well as the Japanese Army and Navy, herewith conclude a military agreement in the spirit of the Tripartite Pact of 27 September 1940 and in connection with the agreement between Germany, Italy, and Japan of 11 December 1941 to secure the operational co-operation among themselves and to destroy as soon as possible the fighting power of the enemy.

I. Division of the zones for operations.

The German and Italian Armed Forces as well as the Japanese Army and Navy will carry out the required operations within the zones assigned to them as follows:

1. Japan.

- (a) The waters eastward from about 70°, East longitude, to the West Coast of the American Continent, as well as the continent and islands (Australia, Netherlands, East Indies, New Zealand, etc.) which are situated in these waters.
- (b) The Asiatic Continent East of about 70°, East longitude.

2. Germany and Italy.

- (a) The waters westward from about 70°, East longitude, to the East Coast of the American Continent as well as the continent and islands (Africa, Iceland, etc.) which are situated in these waters.
- (b) The Near East, the Middle East and Europe westwards from about 70°, East longitude.

3. In the Indian Ocean the operations may be carried out beyond the zone-borders /zone limits/ agreed upon above according to the situation.

II. General Operations Plan.

1. Japan.

will, working together with the German and Italian operations against England and the U.S.A., carry out the operations in the South Sea Area and in the Pacific.

- (a) She will destroy important English, United States, and Netherlands bases in Greater East Asia, /and/ attack or occupy their territories in that area.
- (b) She will seek the annihilation of the North American and English land, sea, and air forces in the Pacific and the Indian Ocean, in order to secure for herself the control of the seas in the Western Pacific.
- (c) If the North American and English fleets concentrate largely in the Atlantic, Japan will reinforce her commerce raiding /Handelskrieg/ in the entire area of the Pacific and the Indian Ocean and, in addition, send part of her naval forces to the Atlantic and there collaborate directly with the German and Italian Navies.

2. Germany and Italy.

will, in cooperation with the Japanese operations in the South Sea Area and the Pacific, carry out the operations against England and the United States of America.

- (a) They will destroy important English and United States bases in the Near East and Middle East, in the Mediterranean Sea and the Atlantic, attack or occupy their territories in that area.
- (b) They will seek the annihilation of the English and American land, sea, and air forces in the Atlantic and the Mediterranean Sea, and the destruction of enemy commerce.
- (c) If the English and United States fleets concentrate largely in the Pacific, Germany and Italy will send part of their naval forces to the Pacific and there collaborate directly with the Japanese Navy.

III. Main Points of Military Cooperation.

1. Maintenance of contact regarding important points of operational planning.
2. Collaboration in economic warfare, including:

- (a) Maintenance of contact regarding the planning of economic warfare.
 - (b) Maintenance of contact regarding the course of the economic warfare, important information and other necessary particulars.
 - (c) In case one partner wishes to carry out economic warfare beyond the operational zone assigned to him, he will inform the other partners beforehand of his own plan, to secure the cooperation and mutual support regarding use of the operations bases, reinforcement, supply, recreation of the crews, repair work, etc.
3. Collaboration concerning the assembling and exchanging of information important to the operations.
 4. Collaboration concerning psychological warfare /militaerische Zersetzungsarbeit/.
 5. Collaboration for securing mutual military message transmission.
 6. Collaboration for the purpose of establishing air communication between Germany, Italy, and Japan, insofar as technical requirements exist, as well as the opening of the sea lanes and sea transport across the Indian Ocean.

In witness whereof the Chief of the High Command of the German Armed Forces, the Plenipotentiary of the High Command of the Italian Armed Forces and the Plenipotentiaries of the Chief of the Imperial Japanese General Staff and of the Chief of the Imperial Japanese Naval General Staff have signed this agreement.

Drawn up in German, Italian, and Japanese original in Berlin on 18 January 1942 - in the 20th year of the Fascist Era - corresponding to the ___ day of the first month of the 17th year of the Sywa Era.

Signed: Keitel
Korras
Nomonura
Banzai

12.10

7.50

對外國關係ニ關スル政府公表集（情報局）

一〇、一一、一二頁ヨリノ抜萃

日本國獨逸國間經濟提携ニ關スル協定

日本帝國政府並

獨逸國政府ハ

大東亞並歐羅巴ニ新秩序ヲ建設セントスル今次戰爭ニ於テ全經濟力ヲ擧ゲテ相互援助ヲナシ且、戰勝後新秩序ヲ實現シ其ノ夫々ノ經濟圈ニ大規模ナル建設計畫ヲナシテ關係國民ノ共存共榮ヲ確固タルモノタラシムル爲、左ノ協定ヲ締結シ兩國間經濟提携ノ一層ノ緊密化ヲ圖ルコト、決定セリ。

第一條

日獨兩國ハ其ノ各々ノ經濟圈ニ於ケル財貨並全スル援助ニ付其ノ全カヲ擧ゲテ之カ交流ヲ促進シ且ツ其ノ遂行ニ當ルヘキモノトス

兩國ハ物資獲得並設備ノ増附ニ就キ相互援助ヲナシ且ツ技術上緊密ナル提携ヲナスヘキモノトス

第二條

日獨兩國ハ前條ノ任務實施一併ヒ生スヘキ支拂ヲ圖滑ナラシムル爲、全體上緊密ナル提携ヲナスモノトス。

第三條

日獨兩國ハ經濟政策遂行上ノ提携ヲ一層效果テラシ

ムル爲緊密ナル關係ヲ保持スヘキモノトス

兩國政府ハ兩國間ノ經濟關係ノ推移ヲ總ヘ又注視ス

ルノ目的ヲ以テ委員會ヲ特設スヘキモノトス。

第四條

兩國政府ノ主務官廳ハ本協定實施ニ必要ナル細目ニ

關スル取扱ヲナスヘキモノトス。

第五條

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五年即チ一九四〇年九月二十七日調印ノ日獨伊三國同

盟條約ト同一ノ存續期間ヲ有スヘシ。

日本國伊太利國間經濟提携ニ關スル協定

(本協定ノ原文ハ日獨協定ノ夫レト同一ナリ。前文

ニ於テ「獨逸國政府」ニ代フルニ「伊太利國政府」ト

アリ本文中「獨逸」ナル名稱ニ代フルニ「伊太利」ナ

ル名稱ガ用ヒラレアリ。第五條ニ於ル日附「一九四〇

年九月二十七日」後ニ「アソスト政權體」ニテ十八年

「ト追加セラレタリ。

本協定ガ獨逸總統本部ニ於テ日獨兩國ノ署名ヲ見タ
ル直後貿易及技術上ノ提携並支持ニ關スル具體的細目

Doc 1210

ニ付キテノ到極ガ東京ニ於テ外務大臣谷正之氏、獨逸
大使オムツツト中將並獨逸經濟使節團長へ
心ト。ツツト氏トノ間ニ締結セラレタリ。

上起、日伊獨協定實施ニ關スル細目ニ付キテハ
目下兩國間ニ於テ討議中ナリ。

EXTRACTS FROM PAGE 10, 11, 12 FROM OFFICIAL ANNOUNCEMENTS CONCERNING
FOREIGN RELATIONS
BOARD OF INFORMATION

AGREEMENT BETWEEN JAPAN AND GERMANY CONCERNING ECONOMIC CO-OPERATION

The Imperial Government of Japan and
The Government of Germany.

In order to assist mutually with total economic strength in the present war for the construction of the new order in Greater East Asia and Europe and to realize after the conclusion of the war in their victory the new order to secure co-existence and co-prosperity of the peoples concerned by a plan of extensive construction in their respective economic spheres, having decided to render still closer the economic co-operation between them. Have agreed as follows:

ARTICLE I

Japan and Germany shall accelerate and prosecute with all their power the exchange of economic goods and services in all branches between their economic spheres.

They shall mutually assist in the procurement of materials and in the installation of equipments and effect close technical co-operation.

ARTICLE II

Japan and Germany shall effect close financial co-operation to facilitate Payment arising from the enforcement of the provisions in the preceding article.

ARTICLE III

Japan and Germany shall maintain close contact to make more effective their co-operation regarding the prosecution of their economic policies.

The Governments of the two countries shall make committees, appointed specially for the purpose, to pay constant attention to the development of economic relations between the two countries.

ARTICLE IV

The competent authorities of the two countries shall make agreement concerning necessary details for the enforcement of the present Agreement.

ARTICLE V

The present Agreement shall come into effect from the day of its signature and shall remain valid for the same duration as the Tripartite Pact between Japan, Germany and Italy of September 27, of the 15th year of Syowa or September 27th, 1940.

AGREEMENT BETWEEN JAPAN AND ITALY CONCERNING ECONOMIC CO-OPERATION

(The text of the Agreement is identical with that of the Japanese-German Agreement. In the preamble, replace "The Government of Germany" with "The Government of the Kingdom of Italy," and in all articles in which the name "Germany" appears, replace with the name "Italy", In Article V added after September 27, 1940, "the 18th year of the Fascist calendar.")

Immediately after the signature of the Agreement between Japan and Germany at the General Headquarters of the German Fuehrer, three arrangements including concrete details pertaining to trade, technical co-operation and payment were concluded at Tokyo between the Foreign Minister, Mr. Masayuki Tani, and the German Ambassador, Lieutenant-General Eugen Ott, and the Chief of the German Economic Mission, Mr. Helmuth Wohlthat.

As regards the details concerning the enforcement of the above-mentioned Japanese-Italian Agreement they are presently being discussed between the two countries.

Q. 51

XCIV. ANNOUNCEMENT OF THE BOARD OF INFORMATION CONCERNING THE CONCLUSION OF AN AGREEMENT BETWEEN JAPAN, GERMANY AND ITALY WITH RESPECT TO THEIR JOINT PROSECUTION OF WAR AGAINST THE UNITED STATES AND THE BRITISH EMPIRE, ABSTENTION FROM CONCLUDING PEACE AND CO-OPERATION FOR THE ESTABLISHMENT OF A NEW ORDER

December 11, 1941

Germany and Italy having decided to wage war in common with Japan against the United States of America, an agreement was signed today (December 11) at Berlin between the Japanese Plenipotentiary, the Ambassador to Germany, Lieutenant-General Hiroshi Oshima, the German Plenipotentiary, the Foreign Minister, Mr. Joachim Ribbentrop and the Italian Plenipotentiary, the Ambassador to Germany, Mr. Dino Alfieri. The contents of the agreement are as follows:

Agreement between Japan, Germany and Italy.

In the unflexible determination not to lay down arms until the common war against the United States and the British Empire is successfully concluded, the Imperial Japanese Government, the German Government and the Italian Government have agreed upon the following stipulations.

Article I

Japan, Germany and Italy shall prosecute the war forced upon them by the United States of America and the British Empire with all forceful means at their command until it ends in their victory.

Article II

Japan, Germany and Italy pledge that, without complete understanding between themselves, they will not conclude armistice or peace with either the United States of America or the British Empire.

Article III

Japan, Germany and Italy shall, even after the termination of the war in their victory, co-operate most closely for the purpose of realizing a righteous new order in the meaning of the Tripartite Pact which they concluded on September 27, 1940.

Article IV

The present Agreement shall come into effect on the date of its signature and shall remain in force as long as the Tripartite Pact of September 27, 1940 is in force. The High Contracting Parties shall, at an appropriate time before the expiration of the said period of validity, reach an understanding concerning the manner of subsequent co-operation provided in Article III of the present Agreement.

Doc 1204

EXHIBIT NO. 51

對米英戰共同遂行單訂不講和及新秩序建設協力

二開スル日本國、ドイツ國及イタリヤ國間協定

締結ニ就キ情報局發表(十二月十一日午後十一時)

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外相並ニ伊國全權「アルフイエリ」大使ノ間ニ對米

英戰ノ共同遂行、單獨不講和及新秩序建設協力ヲ内

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以テ大日本帝國政府、「ドイツ」國政府及「イタリ

ヤ」國政府ハ左ノ語規定ヲ協定セリ

第一條

日本國、「ドイツ」國及「イタリヤ」國ハ「アメリカ

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2

第三條

日本國、「ドイツ」國及「イタリヤ」國ハ戰争ヲ勝利ヲ以テ終結シタル後ニ於テモ亦千九百四十年九月二十七日其ノ締結シタル三國條約ノ意義ニ於ケル公正ナル新秩序招來ノ爲最モ密接ニ協カスヘシ

第四條

本協定ハ署名ト同時ニ實施セラルヘク且千九百四十年九月二十七日ノ三國條約ト同一期間有效タルヘシ締約國ハ右有效期間ノ滿了前適當ナル時期ニ於テ互ニ於ケル本協定第三條ニ規定セラレタル協力ノ義務ニ付了解ヲ達クヘシ

NOTE:

This is a reprocessed copy of the Japanese text of Prosecution Document 117, Court Exhibit 52, one of the Prosecution's basic documents.

The Japanese copy which has been served previously is incorrect and should be replaced by the one attached hereto.

FILE COPY
RETURN TO ROOM 381

Doc 117

英文

日本國憲法(國體)可謂神聖不可侵犯之
神聖條約

其第一條云日本天皇者神聖不可侵犯

其第二條云日本天皇者神聖不可侵犯

其第三條云日本天皇者神聖不可侵犯

其第四條云日本天皇者神聖不可侵犯

日本國皇統繼承

及若讓國皇統繼承人日本國皇統繼承人

其第一條云日本皇統繼承人

其第二條云日本皇統繼承人

其第三條云日本皇統繼承人

其第四條云日本皇統繼承人

其第五條云日本皇統繼承人

日本國皇統繼承

其第一條云日本皇統繼承人

其第二條云日本皇統繼承人

其第三條云日本皇統繼承人

其第四條云日本皇統繼承人

其第五條云日本皇統繼承人

其第六條云日本皇統繼承人

NO1

Doc 117

常設國際
委員會
之條件
及手續

第一條
締約國間發生之爭端，外交手續無效，相宜期間已過，
若此項爭端，經雙方同意，得由本條所定之委員會，
規定之程序，予以解決，且該委員會之組織，
應由締約國，自其成立後，又其成立後，請求之，
兩締約國，於本條所定之程序，及該委員會之組織，
應由締約國，自其成立後，外常設國際委員會，
之

第二條

本條
之適用
手續

第一、本條所定之程序，及該委員會之組織，
應由締約國，自其成立後，外常設國際委員會，
之

第三條

常設國際
司法機關
之條件
及手續

第一、本條所定之程序，及該委員會之組織，
應由締約國，自其成立後，外常設國際委員會，
之

特別
委員會
之條件
及手續

特別
委員會
之條件
及手續

No 2

特別取
行規定

付具
手續

常設
司法

本條
通則

及
手續

第二條

締約國之生員通過等，及手續規定，由該會擬定之。該會應於一九二四年十月一日以前，將該會之章程，及一切關於該會之條件，及手續，呈請大會通過。大會應於一九二四年十月一日以前，將該會之章程，及一切關於該會之條件，及手續，呈請大會通過。大會應於一九二四年十月一日以前，將該會之章程，及一切關於該會之條件，及手續，呈請大會通過。

本條

本條之主要目的，在於解決因之爭端，及一切關於該會之條件，及手續，呈請大會通過。大會應於一九二四年十月一日以前，將該會之章程，及一切關於該會之條件，及手續，呈請大會通過。大會應於一九二四年十月一日以前，將該會之章程，及一切關於該會之條件，及手續，呈請大會通過。

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管轄
問題

締結國、本二條、他三條、外三條、他三條、同高河
 裁判有以、他三條、本二條、他三條、外三條、他三條、同高河
 時三三、一、期間、本二條、他三條、外三條、他三條、同高河
 由三三、一、期間、本二條、他三條、外三條、他三條、同高河
 以三三、一、期間、本二條、他三條、外三條、他三條、同高河
 之三三、一、期間、本二條、他三條、外三條、他三條、同高河
 此三三、一、期間、本二條、他三條、外三條、他三條、同高河
 擬定三三、一、期間、本二條、他三條、外三條、他三條、同高河
 來、三三、一、期間、本二條、他三條、外三條、他三條、同高河
 應設國、本二條、他三條、外三條、他三條、同高河

第 四 條

中
國
領
土
主
權
命
命
法
法

締結國、本二條、他三條、外三條、他三條、同高河
 見三三、一、期間、本二條、他三條、外三條、他三條、同高河
 五在、裁判有以、他三條、本二條、他三條、外三條、他三條、同高河
 置三三、一、期間、本二條、他三條、外三條、他三條、同高河
 二得三三、一、期間、本二條、他三條、外三條、他三條、同高河
 判三三、一、期間、本二條、他三條、外三條、他三條、同高河
 中三三、一、期間、本二條、他三條、外三條、他三條、同高河
 教三三、一、期間、本二條、他三條、外三條、他三條、同高河
 中三三、一、期間、本二條、他三條、外三條、他三條、同高河
 所三三、一、期間、本二條、他三條、外三條、他三條、同高河
 期三三、一、期間、本二條、他三條、外三條、他三條、同高河
 九三三、一、期間、本二條、他三條、外三條、他三條、同高河

No 3

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No 4

Kore 117

裁判官
之
選定
之
權
限
之
規定

第八條

仲裁裁判官之選定之方法與權限
 關於前條之解法之仲裁裁判官之選定
 其決定之方法
 兩國之國間之法律之衝突之
 由來之法律的規則
 法律之承認之及之權限之
 國際的權限
 文明國之承認之及之權限
 法律的規則決定之權限之
 裁判官之權限

第九條

裁判官
之
權
限

仲裁判決之再審
 三及之規定之權限
 國內之國際法
 年十月十八日之條約
 三項之規定

第十條

裁判
所
及
內
國
之
權
限

締結之其目的之締約國
 依之該締約國之內國裁判官
 之權限
 內國裁判官之權限
 非依之本條約
 付託之

NO 7

Kase 117

裁判官
適用
法廷
裁判

第八條

仲裁裁判官之適用之公平與否
 應以該國之法律為準
 其來源各為之
 兩端之適用
 應以裁判官之職權
 是否合法的權利
 法上之承認
 國際的慣習
 文明國之承認
 目的規則決定
 裁判官之職權
 裁判官之職權

第九條

裁判官
適用

仲裁判決之適用
 應以該國之法律為準
 國內國際法
 年十月十八日
 三項之規定

第十條

裁判官
所及之國
裁判官

NO 5

紛爭之其目的之締約國
 依該締約國之法律
 內國裁判官之管轄
 內國之權限
 判決後之非本條
 付託

Doc 117

調停委員
會之構成及
委員之任命
方法

第十一條

本條約ニ依リ定メルル事ニ於テ調停委員會ハ次
ノ方法ニ依リ指定セラルルニテ委員ハ以テ構成
セラルルニテ即チ締約國ハ各自、國民中ヨリ一名、委
員ヲ各任命スルコトヲ且チ第三國、國民中ヨリ也テ三名
ノ委員ヲ合意ニ依リ指定スルコトヲ且チ三名ノ委員ハ
各果シテ此國ノ籍ヲ有スルコトヲ且チ、第一ノ締約
國ハ委員會、議長ヲ指定スルコト

委員之任期

委員ハ任期ハ本條約、第廿條、ヨリ五年トシ其
ノ委任ハ更ニ新セラルルニテ得石委員ハ其ノ委任
ニ致ル迄又一切ノ場合ニ於テ其ノ委任ノ滿期、際
ニ進行中ナル事業、完了ニ至ル迄職務ヲ留ルルニ

調停委員
會之補充
方法

死亡、辭任又ハ永久的若ハ一時的ノ故障ニ因リ生
ズルコト下ルル事調停委員ハ任命ニ付定メタル方法ニ
從ヒ成ルルニ速ニ且三月ヲ超エタル期間内ニ補充
セラルルニ斯ク指定セラルル者ハ任期ハ其ノ前任
者ノ未ダ委任期間ノニテハ之ニ

第十二條

委員會議事

一時期

本條約ニ於テ調停委員會ハ本條約ノ批准書、交換後
成ルルニ速ニ設置セラルルニ

No 6

第三國人民
之任命
指名ニ
付テ常設
司法裁判所
ノ依リ

共同ニテ指定セラルル本委員ノ任命ハ條約ノ批
准書、交換後七日内ニ行ハルガリ又ハ補充場合
ニ於テ調停委員ノ生ズルコト下ルル事ヨリ三月内ニ行ハル

Doc 117

上キハ當設國際自遠裁判所長ハ別般ノ了解
ナキ限リ兩締約國ニ依リ共同ニ又ハ其一方ニ依
リ必要ナル指名ヲ爲スニトヲ求メラレハハ裁判所
長ニ故障アリカ又ハ裁判所長ガ締約國一方ノ
國民ナルトキハ裁判所次長ハ右指名ノ爲メト
ヲ求メラレハハ裁判所次長ニ故障アリカ又ハ裁
判所次長ガ締約國一方ノ國民ナルトキハ裁判所
一名ノ順位ニ依リ他ノ裁判官中ノ首席ナル
者ニシテ何レノ締約國ノ國民ニ非ズレバ一方ノ指
名ヲ爲スニトヲ求メラレハハ

第十三條

委員會、
紛争付託
手續

當設調停委員會ノ議長ニ於テハ此ノ請求ノ
方法ニ依リ事件ノ付託ヲ受ケルベシ
請求ハ紛争ノ目的ヲ簡單ニ敘述シタル後調
停ニ達スルニ適當ナル一切ノ措置ヲ執ルベキト
委員會ニ對スル要領ヲ包含セラルベシ
請求ガ締約國一方ノシヨリ提出セラルルハ該
請求ハ右締約國ニ依リ相手方締約國ニ達シ
ク應答セラルベシ

第十四條

委員會ニ
要任務
No 7

當設調停委員會ハ紛争問題ヲ明ニシ之ガ
為ニ審查又ハ他ノ方法ニ依リ一切ノ有用ナル情報ヲ
蒐集シ且締約國ヲ調停スルニ努ムルニトシテ任務
トスルハ右委員會ハ事件ノ審理ニ依リ其ノ適當

Doc 117

和解條件
一 呈示

報告書
作成

判斷效力

事業期間
及終了

委員會
選擇手續

NO 8

上認め和解條件締約國ニ呈示し且必要
アルトキ締約國ニ其ノ意見ヲ開陳スル爲メ
猶豫ヲ與フルコトヲ得

委員會ハ其ノ事業ヲ終了スルニ當リ該事
業ノ結果ヲ記載セシメ報告書ヲ作成ス
ル該報告書ハ通シテ各締約國ニ交付スルニ報告
書ニ委員會ノ決定ハ全會一致ニヨリ爲サレタリヤ

又ハ過半数ニヨリ爲サレタリヤハ此ヲ記載セザルニ
締約國ノ委員會採用セル事案上法律上ノ他ノ判
斷ニ何モ影響東セズルコトヲ力ルベシ

委員會ノ事業ハ委員會ガ紛争ノ解決ヲ爲ス
ル日ヨリ開始スルモ三月内ニ開始セザルニ締約國ガ
別段ノ協定ヲ爲サザルカ又ハ委員會ガ期間ヲ延長
スルコトヲ必要ト認めザルニ在リ事業ハ委員會ガ
開始ヲ宣シタル日ヨリ六月ノ期間内ニ終了セザル
ニ委員會ハ六月ノ期間ヲ起シテノ事業ヲ繼續
スルコトヲ必要ト認めタル時ハ其ノ理由ヲ兩締約國ニ
通報スルベシ

第十五條

常設調停委員會ノ及對一特別規定ヲ付
シ自力ヲ盡シテ解決スルニ在リ手續ハ何ノ場合ニ
於テモ秘密的ナルニシテ審査三國ニテハ委員會
ハ其ノ全會一致ヲ以テ別段ノ決定ヲ爲サザルニ
國際紛争ノ平和的處理ニ關シ一九〇七年十月十日

No. 117

招集會

一、凡締約國(國際聯盟成員國)應依此
從之

本十六條

締約國(常設調停委員會)應依此
成立之該委員會應由締約國
委員會(締約國)及非締約國
長之指定之地及日(委員會)

本十七條

委員會
非空國
王義

應設調停委員會(委員會)應由締約國
同意(委員會)之決定(委員會)外(委員會)之
締約國(委員會)之非締約國(委員會)之
委員會(委員會)之非締約國(委員會)之

本十八條

代理人
代理人
代理人

締約國(締約國)應設調停委員會(委員會)
代理人(代理人)之代理人(代理人)之代理人
代理人(代理人)之代理人(代理人)之代理人
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代理人(代理人)之代理人(代理人)之代理人

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第十九條

本員會、常設調停員會、及常設國際司法裁判所、決定之案件、
其決議案數、係以多數為之

本員會、由本員之互選召集、且其長共同、
選任之、其一切本員之任期、均為二年、其任期、
由本員之互選、且其任期、

第二十條

本員會、常設調停員會、常設國際司法裁判所、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、

第二十一條

本員會、常設調停員會、常設國際司法裁判所、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、

第二十二條

本員會、常設調停員會、常設國際司法裁判所、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、

No 118

本員會、常設調停員會、常設國際司法裁判所、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、
其決議案、係以多數為之、且其決議案、

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常設調停委員會、檢察官、法官、對又仲裁裁判
所若常設國際司法裁判所、法官執行對
不利之裁量、與此等何等、皆置其執
此等之仲裁裁判所、締約國之行政的手段
依其執、得以此等之締約國、亦、或、係、假
借、置、其、否、否、得、常、設、調、停、委、員、會、之、國、自、由
以下提字、否、否、得、常、設、調、停、委、員、會、之、國、自、由
所、閱、之、其、規、程、亦、適、用、之、也

第二十三條

本條約解釋 本條約解釋之字、何字、均、係、指、締、約、國、間
釋、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也
紛爭 以手續、從、之、解、決、之、也

第二十四條

批准及批准 本條約、批准、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也
書交換 於、下、交、換、之、也

第二十五條

實施 本條約、批准、書、交、換、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也
期間 從、上、等、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也
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NO 11

條約滿期 本條約、之、期、間、滿、了、有、前、條、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也
警察屬 常設調停委員會、常設國際司法裁判所、又、仲裁裁判所、警察屬、上、等、之、字、均、係、指、締、約、國、間、之、爭、端、也、本、條、之、規、程、亦、適、用、之、也

No 12

Doc 117

本文

續其、定了三至迄銀行也、

右證據上、前之金額本、相違著、
印、

昭和三年四月九日、即一千九百三三年四月九日、
三、於本書、遺子作成、

齊藤 博 (印)

〇〇〇〇〇〇〇〇

〇〇〇〇〇〇〇〇 (印)

No 12

Doc / 17

本文

續其、良了三至迄銀行也、

右證據上、前、言、金、種、本、業、
印、下、

昭和九年四月廿九日即一千九百三十三年四月廿九日
三行本書通子作成人

齊藤 博 (印)

〇〇〇〇〇〇〇〇

〇〇〇〇〇〇〇〇 (印)

doc 117

No 13

署名議定書

昭和六年(一九三一年)九月八日(即前記條約
昭和六年(一九三一年)九月三日公布

前文

日本國在蘭國間司法的解決仲裁裁判及
調停條約署名者為「二十二年」全體各員
左記行意見(即前記宣言)

本國利益
直接關係
凡此等條

一前記條約、兩國間發生之「二十二年」紛爭
三「二十二年」間、利益直接關係條約「二十二年」
適用之

常設國
國際聯盟
日本國
法律地位
不平等
不平等
不平等

一九三三年三月二日自發告白日本國
國際聯盟脫退、實現「條約」常設國際司
法裁判所「二十二年」日本國、法律地位喪失
先「二十二年」間各締約國日本國政府、決
定「依」前記條約規定、在「二十二年」間係
「二十二年」變更不平等不平等審查委員會商
議「開始」之「二十二年」間「前記規定」適用、
停止「二十二年」日本國政府「前記規定」為
「二十二年」常設國際司法裁判所「繫屬
中」手續、其「完了」之「二十二年」後、又「前
記條約」規定、此等場合「在裁判所」決
定「引致」適用之

末文

昭和六年(一九三一年)九月八日(即前記條約
昭和六年(一九三一年)九月三日公布

Doc 117

No 13

署名議定書

昭和三年(一九三三)四月九日(一)訂於前記各
昭和三(一九三三)年三月公布

前文

日本國和蘭國間司法的解決仲裁裁判及
調停條約，與署名為「二十二年」全體會員
「左記」之意見一致之旨，宣言書

本國利益

一 前記條約，兩國間「二十年」一九二二，紛爭
「二十二年」三國，訂定「直接關係」一九二二
適用之

直接關係
已於前條

常設國

國際司法裁

判所

日本國法

律的地位

化生不

正心

場答

指置

一九百三十三年三月二日，日本國
國際聯盟脫退，實現「依」常設國際司
法裁判所「訂定」日本國，法律的地位，其
先「二十二年」場合「締約國」日本國政府，其
在「依」前記條約規定，「在」裁判所，關係
「不」變更「文字」下「不」字，屬審查「出」商
議「開始」之「在」商議中，前記規定，適用「
停止」之「在」日本國政府，前記「請求」為
「之」際，常設國際司法裁判所「繫屬
中」手續，其「完了」至「迄」續行「之」，又前
記條約規定，此等場合「在」裁判所，決
定「引」續「適用」之

末文

昭和三年四月十九日即一千九百三十三年四月

No 14

doc 117

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Ex # 52

N° 3778.

JAPON ET PAYS-BAS

Traité de règlement judiciaire, d'arbitrage et de conciliation, et protocole de signature. Signés à La Haye, le 19 avril 1933.

**JAPAN
AND THE NETHERLANDS**

Treaty of Judicial Settlement, Arbitration and Conciliation, and Protocol of Signature. Signed at The Hague, April 19th, 1933.

N^o 3778. — TRAITÉ¹ DE RÉGLEMENT JUDICIAIRE, D'ARBITRAGE
ET DE CONCILIATION ENTRE LE JAPON ET LES PAYS-BAS.
SIGNÉ A LA HAYE, LE 19 AVRIL 1933.

Texte officiel français communiqué par le ministre des Affaires étrangères des Pays-Bas. L'enregistrement de ce traité a eu lieu le 27 novembre 1935.

SA MAJESTÉ LA REINE DES PAYS-BAS

et

SA MAJESTÉ L'EMPEREUR DU JAPON,

Egalement animés du désir de consolider les rapports d'amitié séculaires entre les Pays-Bas et le Japon,

Fermement résolus à ne rechercher, dans aucun cas, autrement que par voie pacifique le règlement des différends de quelque nature qu'ils soient, qui viendraient à s'élever entre leurs deux pays,

Ont décidé de conclure un traité à cet effet et ont nommé pour leurs plénipotentiaires respectifs, savoir :

SA MAJESTÉ LA REINE DES PAYS-BAS :

Jonkheer Frans BEELAERTS VAN BLOKLAND, son ministre des Affaires étrangères ;

SA MAJESTÉ L'EMPEREUR DU JAPON :

Monsieur Hiroshi SAITO, son envoyé extraordinaire et ministre plénipotentiaire près Sa Majesté la Reine des Pays-Bas ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs trouvés en bonne et due forme, sont convenus des dispositions suivantes :

Article premier.

Tous les différends de quelque nature qu'ils soient, qui pourraient se produire entre les Hautes Parties contractantes et qui n'auraient pu être réglés, dans un délai raisonnable, par les procédés diplomatiques ordinaires seront, d'un commun accord entre les Parties ou à la demande de l'une d'elles, soumis à une Commission permanente de conciliation, constituée et fonctionnant conformément aux dispositions du présent traité. Les différends qui de l'avis des deux Parties seraient d'ordre juridique, ne seront soumis à la Commission permanente de conciliation que d'un commun accord entre les Parties.

¹ L'échange des ratifications a eu lieu à La Haye, le 12 août 1935.

¹ TRADUCTION. — TRANSLATION.

No. 3778. — TREATY² OF JUDICIAL SETTLEMENT, ARBITRATION AND CONCILIATION BETWEEN JAPAN AND THE NETHERLANDS. SIGNED AT THE HAGUE, APRIL 19TH, 1933.

French official text communicated by the Netherlands Minister for Foreign Affairs. The registration of this Treaty took place November 27th, 1935.

HER MAJESTY THE QUEEN OF THE NETHERLANDS
and

HIS MAJESTY THE EMPEROR OF JAPAN,

Equally desirous of strengthening the friendly relations which have existed between the Netherlands and Japan for centuries,

Firmly resolved in no case to seek a settlement other than by pacific means of disputes of any character which may arise between their two countries,

Have decided to conclude a Treaty for that purpose and have appointed as their respective Plenipotentiaries :

HER MAJESTY THE QUEEN OF THE NETHERLANDS :

Jonkheer Frans BEELAERTS VAN BLOKLAND, Her Minister for Foreign Affairs ;

HIS MAJESTY THE EMPEROR OF JAPAN :

Monsieur Hiroshi SAITO, His Envoy Extraordinary and Minister Plenipotentiary accredited to Her Majesty the Queen of the Netherlands ;

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions :

Article 1.

All disputes of any character arising between the High Contracting Parties, which it has not been possible to settle amicably within a reasonable period by the normal diplomatic procedure, shall be justiciable, by common accord between the Parties or at the request of either one of them, by a Permanent Conciliation Commission to be established under the provisions of the present Treaty and to exercise its functions in accordance therewith. Disputes which in the opinion of both Parties are of a juridical character shall be submitted to the Permanent Conciliation Commission only by common accord between the Parties.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at The Hague, August 12th, 1935.

¹ TRADUCTION. — TRANSLATION.

No. 3778. — TREATY ² OF JUDICIAL SETTLEMENT, ARBITRATION
AND CONCILIATION BETWEEN JAPAN AND THE NETHERLANDS.
SIGNED AT THE HAGUE, APRIL 19TH, 1933.

*French official text communicated by the Netherlands Minister for Foreign Affairs. The registration
of this Treaty took place November 27th, 1935.*

HER MAJESTY THE QUEEN OF THE NETHERLANDS
and

HIS MAJESTY THE EMPEROR OF JAPAN,

Equally desirous of strengthening the friendly relations which have existed between the
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Firmly resolved in no case to seek a settlement other than by pacific means of disputes of
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¹ Traduit par le Secrétariat de la Société des
Nations, à titre d'information.

¹ Translated by the Secretariat of the League
of Nations, for information.

² The exchange of ratifications took place at The Hague, August 12th, 1935.

• Article 2.

Les différends pour la solution desquels une procédure spéciale est prévue par d'autres conventions en vigueur entre les Hautes Parties contractantes, seront réglés conformément aux dispositions de ces conventions.

Article 3.

Les différends d'ordre juridique, notamment ceux concernant l'interprétation des traités en vigueur entre les Hautes Parties contractantes, différends qui n'auraient pas été soumis à la Commission permanente de conciliation ou qui, ayant été soumis à celle-ci, n'auraient pas été réglés dans les trois mois après le dressement de son rapport, seront, à la demande de l'une des Parties adressée à l'autre, soumis d'un commun accord par voie de compromis soit à la Cour permanente de Justice internationale qui statuera dans les conditions et suivant la procédure prévues par son Statut¹, soit à un Tribunal arbitral qui statuera dans les conditions et suivant la procédure prévues par la Convention² de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux. Le compromis est établi par échange de notes entre les gouvernements des Hautes Parties contractantes.

A défaut d'accord entre les Parties sur le choix de la juridiction dans un délai de trois mois à compter de la proposition adressée par l'une des Parties à l'autre de soumettre le différend à la Cour permanente de Justice internationale ou à un Tribunal arbitral, le différend sera soumis, selon la procédure prévue à l'alinéa précédent, à ladite Cour, qui statuera dans les conditions et suivant la procédure prévues par son Statut. Il sera également soumis à cette Cour, suivant la même procédure, si, les Hautes Parties contractantes ayant été d'accord pour soumettre le différend à un Tribunal arbitral, la constitution de celui-ci selon les dispositions de l'article suivant n'a pas eu lieu dans les cinq mois à compter de la demande visée à l'alinéa 2 dudit article.

Article 4.

Si les Hautes Parties contractantes se sont mises d'accord pour soumettre le différend à un Tribunal arbitral, celui-ci sera, à défaut d'autre entente, composé de cinq membres et constitué de la manière suivante : les Parties nommeront chacune un arbitre qui pourra être choisi parmi leurs nationaux ; le président et les deux autres arbitres seront choisis d'un commun accord parmi les ressortissants de tierces Puissances ; ces trois arbitres devront être de nationalités différentes.

Si la nomination des membres du Tribunal arbitral n'intervient pas dans un délai de trois mois à compter de la demande adressée par l'une des Parties à l'autre de constituer ensemble un Tribunal arbitral, le soin de procéder aux nominations nécessaires sera confié à une tierce Puissance choisie d'un commun accord par les Parties.

Si l'accord ne s'établit pas à ce sujet, chaque Partie désignera une Puissance différente et les nominations seront faites de concert par les Puissances ainsi choisies.

¹ Vol. VI, page 379 ; vol. XI, page 404 ; vol. XV, page 304 ; vol. XXIV, page 152 ; vol. XXVII, page 416 ; vol. XXXIX, page 165 ; vol. XLV, page 96 ; vol. L, page 159 ; vol. LIV, page 387 ; vol. LXIX, page 70 ; vol. LXXII, page 452 ; vol. LXXVIII, page 435 ; vol. LXXXVIII, page 272 ; vol. XCII, page 362 ; vol. XCVI, page 180 ; vol. C, page 153 ; vol. CIV, page 492 ; vol. CVII, page 461 ; vol. CXI, page 402 ; vol. CXVII, page 46 ; vol. CXXVI, page 430 ; vol. CXXX, page 440 ; vol. CXXXIV, page 392 ; vol. CXLVII, page 318 ; vol. CLII, page 282 ; vol. CLVI, page 176 ; et vol. CLX, page 325, de ce recueil.

² DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome III, page 360.

Article 2.

Disputes, for the solution of which a special procedure is provided under other Conventions in force between the High Contracting Parties, shall be settled in accordance with the provisions of such Conventions.

Article 3.

Disputes of a legal character (and, in particular, disputes in regard to the interpretation of Treaties in force between the High Contracting Parties) which have not been submitted to the Permanent Conciliation Commission or, having been submitted to the said Commission, have not been settled within three months after its report has been drawn up, shall be submitted for arbitration, at the request of either one of the Parties addressed to the other or by common accord, either to the Permanent Court of International Justice, which shall decide in accordance with the conditions and procedure provided in its Statute,¹ or to an Arbitral Tribunal, which shall decide in accordance with the conditions and procedure provided in the Hague Convention² of October 18th, 1907, for the Pacific Settlement of International Disputes. The submission to the Court or Tribunal shall consist of an exchange of notes between the Governments of the High Contracting Parties.

In default of agreement as to the choice between the Permanent Court of International Justice and an Arbitral Tribunal being reached by the Parties within three months from the addressing of a proposal by one of the Parties to the other for the submission of the dispute to the Court or Tribunal, the dispute shall be submitted in accordance with the procedure provided in the preceding paragraph to the Court, the which shall decide in accordance with the conditions and procedure provided in its Statute. The dispute shall also be submitted to the Court in accordance with the same procedure in the case where, the High Contracting Parties having agreed to submit the dispute to an Arbitral Tribunal, the Tribunal has not been set up in accordance with the provisions of Article 4 within five months from the request to which paragraph 2 of Article 4 relates.

Article 4.

In the event of the High Contracting Parties agreeing to submit a dispute to an Arbitral Tribunal, the following shall be the composition and constitution of the Tribunal, save in so far as otherwise agreed. The Tribunal shall consist of five arbitrators, whereof one shall be appointed by each of the Parties. The said two arbitrators may be nationals of the States by which they are appointed. The Chairman and the other two arbitrators shall be chosen by common accord from nationals of third Powers in such wise that each is of a different nationality.

In default of the appointment of the members of the Arbitral Tribunal within three months from the addressing of the proposal by one of the Parties to the other for the joint establishment of an Arbitral Tribunal, the necessary appointments shall be made by a third Power chosen by common accord between the Parties.

In default of agreement as to the choice of the third Power, each Party shall designate a different Power, and the appointments shall be made by the Powers thus chosen in concert.

¹ Vol. VI, page 379; Vol. XI, page 405; Vol. XV, page 305; Vol. XXIV, page 153; Vol. XXVII, page 417; Vol. XXXIX, page 165; Vol. XLV, page 96; Vol. L, page 159; Vol. LIV, page 387; Vol. LXIX, page 70; Vol. LXXII, page 452; Vol. LXXVIII, page 435; Vol. LXXXVIII, page 272; Vol. XCII, page 362; Vol. XCVI, page 180; Vol. C, page 153; Vol. CIV, page 492; Vol. CVII, page 461; Vol. CXI, page 402; Vol. CXVII, page 46; Vol. CXXVI, page 430; Vol. CXXX, page 440; Vol. CXXXIV, page 392; Vol. CXLVII, page 318; Vol. CLII, page 282; Vol. CLVI, page 176; and Vol. CLX, page 325, of this Series.

² *British and Foreign State Papers*, Vol. 100, page 298.

Article 2.

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Article 4.

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¹ Vol. VI, page 379; Vol. XI, page 405; Vol. XV, page 305; Vol. XXIV, page 153; Vol. XXVII, page 417; Vol. XXXIX, page 165; Vol. XLV, page 96; Vol. L, page 159; Vol. LIV, page 387; Vol. LXIX, page 70; Vol. LXXII, page 452; Vol. LXXVIII, page 435; Vol. LXXXVIII, page 272; Vol. XCII, page 362; Vol. XCVI, page 180; Vol. C, page 153; Vol. CIV, page 492; Vol. CVII, page 461; Vol. CXI, page 402; Vol. CXVII, page 46; Vol. CXXVI, page 430; Vol. CXXX, page 440; Vol. CXXXIV, page 392; Vol. CXLVII, page 318; Vol. CLII, page 282; Vol. CLVI, page 176; and Vol. CLX, page 325, of this Series.

² *British and Foreign State Papers*, Vol. 100, page 298.

Article 5.

Il sera pourvu, dans le plus bref délai, aux vacances qui viendraient à se produire dans le Tribunal arbitral par suite de décès, de démission, ou de quelque autre empêchement en suivant le mode fixé à l'article 4 pour les nominations.

Article 6.

L'arbitrage visé à l'article 4 sera régi par les dispositions des articles 7, 8 et 9.

Article 7.

Les Hautes Parties contractantes rédigeront un compromis déterminant l'objet du différend et la procédure à suivre.

A défaut d'indications ou de précisions suffisantes dans le compromis, la procédure arbitrale sera réglée par les dispositions de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

Article 8.

A défaut d'autre entente concernant les règles de fond à appliquer par les arbitres, le Tribunal arbitral fonde ses décisions :

1° Sur les conventions générales ou spéciales en vigueur entre les deux Parties et les règles de droit qui en découlent ;

2° Sur la coutume internationale considérée comme l'expression d'une pratique générale acceptée comme étant le droit ;

3° Sur les principes généraux de droit reconnus par les nations civilisées ;

4° Sur les résultats de la doctrine et de la jurisprudence les plus autorisées, comme moyens auxiliaires de détermination des règles de droit.

Article 9.

Sauf stipulation contraire du compromis d'arbitrage, une demande de révision de la sentence arbitrale sera admise conformément aux dispositions de l'article 83, alinéa 2 et 3 de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux, dans le délai qui sera fixé par le Tribunal.

Article 10.

S'il s'agit d'un différend dont l'objet, d'après la législation intérieure de l'une des Hautes Parties contractantes, relève de la compétence des tribunaux nationaux de celle-ci, le différend ne pourra être soumis à la procédure prévue par le présent traité qu'après jugement passé en force de chose jugée et rendu dans des délais raisonnables par l'autorité judiciaire nationale compétente.

Article 11.

La Commission permanente de conciliation prévue par le présent traité sera composée de cinq membres, qui seront désignés comme il suit, savoir : Les Hautes Parties contractantes nommeront chacune un commissaire choisi parmi leurs nationaux respectifs et désigneront d'un commun accord les trois autres commissaires parmi les ressortissants de tierces Puissances ; ces trois commissaires devront être de nationalités différentes et, parmi eux, les Hautes Parties contractantes désigneront le président de la Commission.

Article 5.

Vacancies in the membership of the Arbitral Tribunal by reason of death, resignation or other impediment shall be filled as soon as possible in accordance with the provisions in Article 4 in regard to appointments.

Article 6.

The arbitral procedure for which Article 4 provides shall be governed by the provisions of Articles 7, 8 and 9.

Article 7.

The High Contracting Parties shall draw up a submission defining the subject of the dispute and the procedure to be followed.

In default of sufficient indications or particulars in the submission, the arbitral procedure shall be governed by the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 8.

Save in so far as otherwise agreed, the fundamental rules on which the Arbitral Tribunal shall base its decisions shall be :

- (1) Such general or specific Conventions as are in force between the two Parties, and the rules of law deriving therefrom ;
- (2) International custom regarded as the expression of general practice accepted as law ;
- (3) General principles of law recognised by civilised nations ;
- (4) The result of the most authoritative judicial doctrine and practice regarded as auxiliary means of determining rules of law.

Article 9.

Save in so far as otherwise provided in the submissions, appeals for revision of arbitral awards may be lodged, in accordance with the provisions of Article 83, paragraphs 2 and 3, of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes, within a period to be fixed by the Tribunal.

Article 10.

Where the subject of a dispute according to the municipal law of one of the High Contracting Parties falls within the competence of the said Party's national courts, the dispute shall not be justiciable under the procedure provided in the present Treaty until such time as a final judgment has been passed by the competent national judicial authority, such judgment to be passed within a reasonable period.

Article 11.

The Permanent Conciliation Commission for which the present Treaty provides shall be composed of five members, who shall be appointed as follows, that is to say : the High Contracting Parties shall each appoint one of their own nationals to be a Commissioner, and the remaining three Commissioners shall be chosen by common accord from nationals of third Powers in such wise that each is of a different nationality, one of the latter to be appointed by the High Contracting Parties as President of the Commission.

Les commissaires sont nommés pour cinq ans à compter de la date de l'entrée en vigueur du présent traité ; leur mandat est renouvelable. Ils resteront en fonctions jusqu'à leur remplacement et, dans tous les cas, jusqu'à l'achèvement de leurs travaux en cours au moment de l'expiration de leur mandat.

Il sera pourvu aussi rapidement que possible et dans un délai qui ne devra pas excéder trois mois, aux vacances qui viendraient à se produire par suite de décès, de démission ou de quelque empêchement permanent ou temporaire en suivant le mode fixé pour les nominations. Les personnes ainsi désignées ne seront nommées que pour la période non écoulée du mandat des commissaires qu'elles remplacent.

Article 12.

La Commission permanente de conciliation sera constituée aussitôt que possible après l'échange des ratifications du présent traité.

Si la nomination des membres à désigner en commun n'intervenait pas dans les six mois après l'échange des ratifications du traité ou, en cas de remplacement, dans les trois mois à compter de la vacance du siège, le président de la Cour permanente de Justice internationale serait, à défaut d'autre entente, prié par les deux Hautes Parties contractantes conjointement ou par l'une d'elles, de procéder aux désignations nécessaires. Si le président est empêché ou s'il est ressortissant de l'une des Parties, le vice-président sera prié de procéder à ces désignations. Si celui-ci est empêché ou s'il est ressortissant de l'une des Parties, le premier des autres juges selon l'ordre du tableau de la Cour qui n'est ressortissant d'aucune des Parties, sera prié de procéder à ces désignations.

Article 13.

La Commission permanente de conciliation sera saisie par voie de requête adressée au président.

La requête, après avoir exposé sommairement l'objet du différend, contiendra l'invitation à la Commission de procéder à toutes mesures propres à conduire à une conciliation.

Si la requête émane d'une seule des Parties, elle sera notifiée par celle-ci sans délai à la Partie adverse.

Article 14.

La Commission permanente de conciliation aura pour tâche d'élucider les questions en litige, de recueillir à cet effet toutes les informations utiles par voie d'enquête ou autrement et de s'efforcer de concilier les Parties. Elle pourra, après examen de l'affaire, exposer aux Parties les termes de l'arrangement qui lui paraîtrait convenable, et, s'il y a lieu, leur impartir un délai pour se prononcer.

A la fin de ses travaux, la Commission dressera un rapport qui en constatera le résultat et dont un exemplaire sera remis à chacune des Parties. Le rapport ne mentionnera pas si les décisions de la Commission ont été prises à l'unanimité ou à la majorité.

Les Hautes Parties contractantes ne seront jamais liées par les considérations de fait, de droit ou autres auxquelles la Commission se sera arrêtée.

Les travaux de la Commission devront être ouverts au plus tard dans les deux mois à compter du jour où elle aura été saisie du différend. A moins que les Parties n'en conviennent différemment ou que la Commission ne juge indispensable de prolonger le délai, les travaux doivent être terminés dans un délai de six mois à compter du jour où la Commission en aura déclaré l'ouverture. Si la Commission juge indispensable de continuer ses travaux au delà du délai de six mois, elle communiquera les motifs aux deux Parties.

The Commissioners shall be appointed for five years as from the date of the coming into force of the present Treaty ; their term of office shall be renewable. They shall remain in office until replaced, and in any case until the termination of such work as they may have in hand at the moment of the expiry of their term of office.

Vacancies occurring as a result of death, resignation or other permanent or temporary impediment shall be filled as soon as possible, and in any case within three months, in accordance with the provisions in regard to appointments. Persons thus appointed shall be appointed only for the unexpired portion of the term of office of the Commissioners they replace.

Article 12.

The Permanent Conciliation Commission shall be constituted as soon as possible after the ratifications of the present Treaty have been exchanged.

In the event of the appointment of the members to be appointed by common accord not having been made within six months from the exchange of ratifications of the Treaty or, in the case of the filling of a vacancy, within three months after the vacancy occurs, the President of the Permanent Court of International Justice shall be requested, in default of agreement as to any other procedure, by the two High Contracting Parties jointly, or by either one of them, to make the necessary appointments. Should the President be prevented from making the appointments or should he be a national of either of the Parties, the Vice-President shall be requested to make the appointments. Should the Vice-President be prevented from making the appointments or should he be a national of either of the Parties, the next Judge on the roll of the Court, not being a national of either of the Parties, shall be requested to make the appointments.

Article 13.

Disputes shall be brought before the Permanent Conciliation Commission by means of requests addressed to the President.

Requests shall contain a summary account of the subject of the dispute, together with an invitation to the Commission to take all necessary steps with a view to an amicable settlement.

Where a request emanates from one only of the Parties, the Party making the request shall notify the other Party forthwith.

Article 14.

It shall be the duty of the Permanent Conciliation Commission to elucidate questions in dispute, to collect with that object all necessary information by enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It shall be open to the Commission, after examination of the case, to indicate to the Parties such terms of settlement as it may consider reasonable, and to specify (should it so see fit) a time-limit for the statement by the Parties of their attitude in regard to the same.

At the close of the proceedings, the Commission shall draw up a report stating the result of the proceedings. A copy of the report shall be delivered to each Party. The report shall not mention whether the decisions of the Commission were taken by a unanimous or by a majority vote.

The High Contracting Parties shall at no time be bound by any considerations of fact or law or any other considerations accepted by the Commission.

The proceedings of the Commission shall begin not later than two months from the date on which the dispute has been brought before it. They shall be concluded within six months from the date on which the Commission has declared the proceedings open, unless the Parties otherwise agree or the Commission is of opinion that an extension of the time-limit is indispensable. In the event of the Commission being of opinion that an extension of the time-limit is indispensable, it shall communicate a statement of the reasons for its opinion to both Parties.

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Article 15.

A moins de stipulations spéciales contraires, la Commission permanente de conciliation réglera elle-même sa procédure qui, dans tous les cas, devra être contradictoire. En matière d'enquêtes, la Commission, si elle n'en décide autrement à l'unanimité, se conformera aux dispositions du Titre III (Commission internationale d'enquête) de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

Article 16.

Le président convoquera la Commission permanente de conciliation aussitôt que possible après que celle-ci aura été saisie du différend.

La Commission se réunira, sauf accord contraire entre les Parties, au lieu désigné et à la date fixée par son président.

Article 17.

Les travaux de la Commission permanente de conciliation ne sont publics qu'en vertu d'une décision prise par la Commission avec l'assentiment des Parties.

Les Hautes Parties contractantes s'engagent à ne pas publier le résultat des travaux de la Commission sans s'être préalablement consultées.

Article 18.

Les Hautes Parties contractantes seront représentées auprès de la Commission permanente de conciliation par des agents ayant mission de servir d'intermédiaires entre elles et la Commission; elles pourront, en outre, se faire assister par des conseils et experts nommés par elles à cet effet et demander l'audition de toutes personnes dont le témoignage leur paraîtrait utile.

La Commission aura, de son côté, la faculté de demander des explications orales aux agents, conseils et experts des deux Parties, ainsi qu'à toutes personnes qu'elle jugerait utile de faire comparaître avec l'assentiment de leur gouvernement.

Article 19.

Sauf dispositions contraires du présent traité, les décisions de la Commission permanente de conciliation seront prises à la majorité des voix.

La Commission ne pourra prendre de décision portant sur le fond du différend que si tous les membres ont été dûment convoqués et si au moins tous les membres élus en commun sont présents.

Article 20.

Les Hautes Parties contractantes s'engagent à faciliter les travaux de la Commission permanente de conciliation et, en particulier, à assurer à celle-ci l'assistance de leurs autorités compétentes, à lui fournir dans la plus large mesure possible tous documents et informations utiles et à prendre les mesures nécessaires pour permettre à la Commission de procéder sur leur territoire à la citation et à l'audition de témoins ou d'experts et à des transports sur les lieux.

Article 21.

Pendant la durée des travaux de la Commission permanente de conciliation, chacun des commissaires recevra une indemnité dont le montant sera arrêté d'un commun accord entre les

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Save in so far as otherwise specifically provided, the Permanent Conciliation Commission shall lay down its own procedure. The procedure must in any case provide for both Parties being heard. In all cases of enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 16.

The President shall convene the Permanent Conciliation Commission as soon as possible after a dispute has been brought before it.

Save in so far as otherwise agreed between the Parties, the Commission shall meet at the place and on the date fixed by the President.

Article 17.

The proceedings of the Permanent Conciliation Commission shall be private save in so far as otherwise decided by the Commission with the consent of the Parties.

The High Contracting Parties undertake not to publish the results of the proceedings of the Commission without previous consultation with one another.

Article 18.

The High Contracting Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediaries between the High Contracting Parties and the Commission. The High Contracting Parties may, further, be assisted by counsel or experts appointed by them for the purpose, and may request that all persons whose evidence appears to them useful should be heard.

The Commission shall be entitled to require oral explanations from the agents, counsel and experts of the two Parties, as well as from any person it may see fit, with the consent of the said person's Government, to call.

Article 19.

Save in so far as otherwise provided in the present Treaty, the decisions of the Permanent Conciliation Commission shall be taken by a majority vote.

The Commission may not take any decision relating to the substance of the dispute, unless all the members have been duly convened and at least all the members appointed by common accord are present.

Article 20.

The High Contracting Parties undertake to facilitate the labours of the Permanent Conciliation Commission and, in particular, to lend it the assistance of their competent authorities, to supply it to the fullest possible extent with all material documents and information, and to take the necessary steps to allow the Commission to proceed in their several territories to the calling and hearing of witnesses or experts, and to visit particular localities with a view to enquiries on the spot.

Article 21.

For the period of the proceedings of the Permanent Conciliation Commission, each Commissioner shall receive emoluments, the amount of which shall be fixed by common accord between the

Hautes Parties contractantes qui en supporteront chacune une part égale. Les frais généraux occasionnés par le fonctionnement de la Commission seront répartis par moitié.

Article 22.

Les décisions du Tribunal arbitral ou de la Cour permanente de Justice internationale devront être exécutées de bonne foi par les Parties.

Les Hautes Parties contractantes s'engagent à ne prendre pendant la durée de la procédure de la Commission permanente de conciliation, du Tribunal arbitral ou de la Cour permanente de Justice internationale, aucune mesure qui pourrait avoir une répercussion défavorable sur l'acceptation de la proposition de la Commission permanente de conciliation ou sur l'exécution de la décision du Tribunal arbitral ou de la Cour permanente de Justice internationale. Le Tribunal arbitral peut, à la demande de l'une des Parties, ordonner des mesures provisoires, pour autant que ces mesures peuvent être prises par les Parties par la voie administrative. La Commission permanente de conciliation peut également faire des propositions dans le même but. Pour ce qui concerne la Cour permanente de Justice internationale, son Statut est applicable.

Article 23.

Si quelque différend venait à surgir entre les Hautes Parties contractantes relativement à l'interprétation du présent traité, ce différend serait réglé selon la procédure prévue à l'article 3.

Article 24.

Le présent traité sera ratifié. Les ratifications en seront échangées à La Haye aussitôt que faire se pourra.

Article 25.

Le présent traité entrera en vigueur dès l'échange des ratifications et aura une durée de cinq ans à compter de son entrée en vigueur. S'il n'est pas dénoncé six mois avant l'expiration de cette période, il sera considéré comme renouvelé tacitement pour une nouvelle période de cinq ans et ainsi de suite.

Si, lors de l'expiration de la durée du présent traité, une procédure quelconque en vertu de ce traité se trouvait pendante devant la Commission permanente de conciliation, devant la Cour permanente de Justice internationale ou devant le Tribunal arbitral, cette procédure serait poursuivie jusqu'à son achèvement.

En foi de quoi les plénipotentiaires susnommés ont signé le présent traité et y ont apposé leurs cachets.

Fait à La Haye, en double exemplaire, le 19 avril 1933, correspondant au dix-neuvième jour du quatrième mois de la huitième année de Showa.

(L. S.) BEELAERTS VAN BLOKLAND.

(L. S.) HIROSI SAITO.

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(L. S.) HIROSI SAITO.

High Contracting Parties, each of which shall contribute an equal moiety thereof. The general cost of the proceedings of the Commission shall be divided equally between the two Parties.

Article 22.

The decisions of the Arbitral Tribunal or of the Permanent Court of International Justice shall be executed in good faith by the Parties.

The High Contracting Parties undertake for the period of the proceedings of the Permanent Conciliation Commission, the Arbitral Tribunal or the Permanent Court of International Justice not to take any step capable of exercising an adverse influence on the acceptance of proposals by the Permanent Conciliation Commission, or on the execution of decisions of the Arbitral Tribunal or of the Permanent Court of International Justice. The Arbitral Tribunal may order provisional measures, at the request of either one of the Parties, provided such measures admit of execution by the Parties by means of administrative regulations. The Permanent Conciliation Commission may make proposals in the same sense. In the case of the Permanent Court of International Justice, the provisions of the Statute of the same shall be applicable.

Article 23.

In the event of dispute between the High Contracting Parties concerning the interpretation of the present Treaty, such dispute shall be settled in accordance with the procedure provided in Article 3.

Article 24.

The present Treaty shall be ratified and the ratifications shall be exchanged at The Hague as soon as possible.

Article 25.

The present Treaty shall come into force as soon as the ratifications have been exchanged and shall remain in force for a period of five years as from its coming into force. If not denounced six months before the expiry of the said period, it shall be deemed to be tacitly renewed for further successive periods of five years.

Any proceedings of whatever kind under the present Treaty which may be pending, at the time of the expiry of the same, before the Permanent Conciliation Commission, the Permanent Court of International Justice or the Arbitral Tribunal shall continue until they are concluded.

In faith whereof the Plenipotentiaries aforesaid have signed the present Treaty and have thereto affixed their seals.

Done at The Hague in duplicate on April 19th, 1933, corresponding to the nineteenth day of the fourth month of the eighth year of Showa.

(L. S.) BEELAERTS VAN BLOKLAND.

(L. S.) HIROSI SAITO.

PROTÔCOLE DE SIGNATURE

Au moment de procéder à la signature du Traité de règlement judiciaire, d'arbitrage et de conciliation entre les Pays-Bas et le Japon les plénipotentiaires soussignés se sont déclarés d'accord sur ce qui suit :

1^o Le traité susmentionné sera applicable à tous les différends qui viendraient à s'élever entre les deux pays et qui ne toucheraient pas directement aux intérêts de tierces Puissances.

2^o Au cas où, par suite de la réalisation du retrait du Japon de la Société des Nations dont préavis a été donné le 27 mars 1933, un changement viendrait à se produire dans la situation juridique du Japon vis-à-vis de la Cour permanente de Justice internationale, les Hautes Parties contractantes entreront en pourparlers, à la demande du Gouvernement japonais, pour examiner s'il y a lieu de modifier des dispositions dudit traité qui ont trait à ladite Cour. Pendant ces pourparlers l'application desdites dispositions sera suspendue. Les procédures pendantes devant la Cour au moment où le Gouvernement du Japon aurait fait la demande visée ci-dessus, seraient toutefois poursuivies jusqu'à leur achèvement et les dispositions du traité resteraient applicables aux décisions de la Cour dans ces cas.

La Haye, le 19 avril 1933, correspondant au dix-neuvième jour du quatrième mois de la huitième année de Showa.

BEELAERTS VAN BLOKLAND.

Hiroshi SAITO.

Certifié pour copie conforme :

*Le Secrétaire général
du Ministère des Affaires étrangères
des Pays-Bas,*

A. M. Snouck Hurgronje.

PROTOCOL OF SIGNATURE.

At the moment of proceeding to the signature of the Treaty of Judicial Settlement, Arbitration and Conciliation between the Netherlands and Japan, the undersigned Plenipotentiaries declare themselves agreed as to the following :

(1) The aforesaid Treaty shall be applicable to all disputes which may arise between the two countries not directly affecting the interests of third Powers.

(2) Should the legal situation of Japan in relation to the Permanent Court of International Justice be modified as a result of the withdrawal of Japan from the League of Nations, notice of which was given on March 27th, 1933, becoming definitive, the High Contracting Parties shall proceed, at the request of the Japanese Government, to enter into negotiations in order to decide whether it is necessary to amend the provisions of the said Treaty relating to the said Court. For the period of such negotiations the application of the said provisions shall be suspended. Nevertheless, proceedings pending before the Court at the time of the Japanese Government's request shall continue until a conclusion is reached ; and the provisions of the Treaty shall continue to be applicable to decisions of the Court in such cases.

The Hague, April 19th, 1933, corresponding to the nineteenth day of the fourth month of the eighth year of Showa.

BEELAERTS VAN BLOKLAND.
Hirosi SAITO.

「平和と戦争」ヨリ以幸（第七五頁）

國務長官ヨリ日本大使（東京）宛

一九三九年（昭和十四年）七月二十六日

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 銀行中ノ通商航海條約ニ就テ新ル條約ガ締結セラ
 レタルソノ目的ニ資スル爲メニ必兵トセラレル歟
 疑ヲ旋スベク石條約ヲ除ク調査中デアリマス。
 コノ調査ヲ適シテ合衆國政府ハ一九一一年（明治
 四十四年）二月二十一日「ワシントン」ニ於テ訂印
 セラレタル日米通商航海條約ニハ着タル考慮ヲ
 兵スベキ條約ガ合マレテキルトノ結論ニ到達致シ
 マシタ。新發展ニ伴ヒ兵求セラルベキ米口ノ利益
 ヲ増進シ且ツ安全防衛スルノ目的ヲ以テ前述ノ考
 慮ニ従スル方法ヲ準備スルニ當リ合衆國政府ハ石
 ニ参照セル條約第七條ニ規定セラレタル手續キ
 ニ準ジテ條約ノ解除セラレシコトヲ希望シ、以テ
 法ニ通告致スセノデアリマス。爾シテ新ク通商後
 條約ハソレニ添附セル迄暫ト來ニ當日附ヨリ六
 ケ月後ニ於テ効力ヲ失フ事ト期待スルモ
 ノデアリマス。

コーデル、ハル、

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Doc 2217-21

一平和ト取等「ヨリ」取等（西七五頁）

國務長官ヨリ日本六使（第四）宛

一九三九年（昭和十四年）七月二十六日

近年ニ至リ合衆國政府ハ各省衆國ト對外國トノ關係

實行中ノ範圍擴張ニ加テ新ル條約ガ締結セラ

レタルソノ目的ニ資スル爲メニ必要トセラレル政

策ヲ決定スベク石炭條約ヲ降除制定中デアリマス。

コノ利益ヲ獲シテ合衆國政府ハ一九一一年（明治

四十一年）二月二日一ラシントソニ於テ調印

セラレタル日米通商航海條約ニハ新タナル考慮ヲ

具スベキ條項ガ含まレテナキルトノ端緒ニ到達シ

マシタ。新發展ニ伴ヒ兵隊セラレベキ米國ノ利益

ヲ増進シ且ツ安全防衛スルノ目的ヲ以テ前述ノ考

慮ニ對スル方策ヲ準備スルニ當リ合衆國政府ハ石

ニ参照セル條約第七條ニ規定セラレタル手續キ

ニ準ジテ條約ノ締結セラレシコトヲ希望シ、以テ

送ニ通告致スモノデアリマス。而シテ新ク訂條後

該條約ハソレニ添附セル地誓ト案ニ當リ附ヨリ大

ケ月後ニ於テ効力ヲ開始スルモノト期待スルモ

ノデアリマス。

コピー、ハル、

553

Doc 2216 21

一平初ト俄國ニヨリ返却(西七五頁)

國府長官ヨリ日本大使(東京)宛

一九三九年(昭和十四年)七月二十六日

近年ニ至リ合衆國政府ハ合衆國ト對外國トノ關係ニ

實行中ノ總商規程條約ニ就テ新ル條約ヲ締結セラ

レタルソノ目的ニ賛スル爲メニ必兵トセラレル致

スルヲ放棄スベク石炭條約ヲ降除制置中テアリマス。

コノ關係ヲ總シテ合衆國政府ハ一九一一年(明治

四十一年)二月二十一日(ワシントン)ニ於テ謂印

セラレタル日米通商航海條約ニハ新タナル考慮ヲ

具スベキ條約ガ含まレナキルトノ結論ニ到達致シ

マシタ。新發展ニ伴ヒ兵裝セララルベキ米國ノ利益

ヲ増進シ且ツ安全防衛スルノ目的ヲ以テ前述ノ考

慮ニ對スル方法ヲ準備スルニ當リ合衆國政府ハ石

ニ参照セル條約第七條ニ規定セラレタル手續キ

ニ準ジテ條約ノ締結セラレシコトヲ希望シ、以テ

茲ニ通告致スモノデアリマス。而シテ斯ク日露條約

廢止ハソレニ添附セル地盤ト共ニ當日附ヨリ六

ヶ月後ニ於テ効力ヲ同加了セラルモノト期待スルモ

ノデアリマス。

コトデアル、ハル、

商務長官ヨリ駐米日本國大使(瀨内)宛

一九三九年(昭和十四年)七月二十一日 譯登頓

閣下 聖米利加合衆國政府ハ、後述ノ如キ諸條約

ヲ締結セラレタ目的ヲ一層充分ニ遂行スル爲ニハ

如何ナル城壁ヲ必長テアルベキカラ決定スル目的

ニテ、最近數年間、米國ト諸外國間トノ現行通商

流海條約ヲ制定シテ來タ。此制定中ニ、聖米利加

合衆國政府ハ、一九一一年(明治四十四年)二月二

十一日 譯登頓ニ於テ前即セラレタル日米通商條約

條約ニハ新タニ考慮ヲ要スル條項ヲ添テ云フ

諸條ニ對シテ。前述ノ考慮ノ實施ヲ準備スル爲、

且ツ新發展ノ長計ニ依ル米國利益ノヨリ充分ナル

保證功成ノ爲ニ、前記條約第七條ニ規定セラレ

タル手續ニ順應シテ、聖米利加合衆國政府ハ、此

邊ニ該條約終了欲求ノ通告ヲ發シ且ツ、附帯セル

宛書ト共ニ、該條約ハ、比日附ヨリ六ヶ月後期限

満了スルコトヲ希望スル旨通告スル。

コトナル。ハル

Doc 22

Q # 53

DOCUMENT #221F

EXTRACT FROM "PEACE AND WAR", PAGE 475.

135

711.942/235

The Secretary of State to the Japanese Ambassador (Horinouchi)

Washington, July 26, 1939.

EXCELLENCY: During recent years the Government of the United States has been examining the treaties of commerce and navigation in force between the United States and foreign countries with a view to determining what changes may need to be made toward better serving the purposes for which such treaties are concluded. In the course of this survey, the Government of the United States has come to the conclusion that the Treaty of Commerce and Navigation between the United States and Japan which was signed at Washington on February 21, 1911, contains provisions which need new consideration. Toward preparing the way for such consideration and with a view to better safeguarding and promoting American interests as new developments may require, the Government of the United States, acting in accordance with the procedure prescribed in Article XVII of the treaty under reference, gives notice hereby of its desire that this treaty be terminated, and, having thus given notice, will expect the treaty, together with its accompanying protocol, to expire six months from this date.

Accept /etc/

CORDELL HULL

Extract from a report on the Manchurian and Chinese Incident beginning at page 117 of a volume procured from the Tokyo Imperial University and bearing the number M 50

198

Resolution of League of Nations, March 4, 1932 calling for cessation of hostilities.

The proposal of the Council was not carried into effect. As fighting continued, the Assembly after hearing the representatives of the two parties on March 3rd, adopted the following resolution on March 4th:

"The Assembly,

"Recalling the suggestions made by the Council on February 29th and without prejudice to the other measures therein envisaged:

"(1) Calls upon the Governments of China and Japan to take immediately the necessary measures to ensure that the orders which, as it has been informed, have been issued by the military commanders on both sides for the cessation of hostilities, shall be made effective;

"(2) Requests the other Powers which have special interests in the Shanghai Settlements to inform the Assembly of the manner in which the invitation set out in the previous paragraph is executed:

"(3) Recommends that negotiations be entered into by the Chinese and Japanese representatives, with the assistance of the military, naval and civilian authorities of the Powers mentioned above, for the conclusion of arrangements which shall render definite the cessation of hostilities and regulate the withdrawal of the Japanese forces. The Assembly will be glad to be kept informed by the Powers mentioned above of the development of these negotiations."

ア.イ.一

55
LAWYER

理諭各ノ機界ハ其行セラレザリキ其間ガ相續セル
一方總管ハ三月三日付管界ニ代表ノ管ヲ繼キタル
然三月四日次ノ決断ヲ採擇セリ

「總管ハ二月二十七日付總管ニ任リ爲サレタル機
界ヲ總管シ且右機界中ニ規定セラレタル他ノ地位
ヲ管スルコトナク

(一) 總管ガ總管ヲ使ケタル如ク管界ノ管界方ノ互換
而令管ニ任リ使セラレタル付令ヲ有様ナラシム
ルニ必要ナル位置ヲ取ラシコトヲ支那及日
本ノ政府ニ要求ス

(二) 上海租界ニ於テ特殊ノ利益ヲ有スル他ノ諸國ニ
對シ前項所定ノ要求ノ履行セラレタル方法ヲ總
管ニ通知セシコトヲ要求ス

(三) 租界ノ停止ヲ決定的ナラシム且日本ニノ徵收ヲ
規定スル總管前管ノ前管諸國ノ自衛軍管轄及
文官ノ援助ヲ以テ支那及日本ノ代表ニ任リ支那
ノ二管ヲラレベキコトヲ通告ス總管ハ前管諸國
ニ任リ右支那ノ進行策ヲ他ニ通知セラレシコト
ヲ希望ス」

FILE COPY
RETURN TO ROOM 361

FILE COPY

RETURN TO ROOM 361

ルベキモノナリ殊ニ次ノ諸點ニ關シ然ルモノナ
ルコトヲ思ヒ

(一)(二)

條約ノ最重要ナル尊重ノ原則

一切ノ聯盟國ノ領土保全及現在ノ政治的獨
立ヲ尊重シ且外部ノ侵略ニ對シ之ヲ維護スル
ノ聯盟國ノ爲シタル約定

(三)

聯盟國間ニ發生スルコトアルベキ紛争ヲ平

和的解決方法ニ付スルノ聯盟國ノ義務
當時ノ理事會議長「ブリアン」氏ガ千九百三
十一年十二月十日ノ其ノ宣言中ニ表明セル原
則ヲ採擧シ

十二理事國ハ千九百三十二年二月十六日ノ日
本政府ニ對スル其ノ要請中ニ尋ビ右諸原則ヲ
採用シ一親約第下條ヲ無視シテ行ハレタル聯
盟國ノ領土保全ノ侵害及其ノ政治的獨立ノ變
革ハ聯盟國ニ依リ有效且實效的ト認メラルル

總會ノ討議 三月十一日ノ決議 第五條ニ

基ク報告準備ノ期限ニ關スル決定

此ノ間總會ハ「ジュネーヴ」ニ於テ紛争ノ存在
ヲ發行シ來レルガ下分ナル討議ノ末三月十一日
次ノ決議ヲ採擇セリ

一一

總會ハ規約ノ規定ガ今次ノ紛争ニ全部適用セラ

コトヲ待ザルコト「ラ宣言シタルノ事實ヲ想
起シ

聯盟同盟ノ目標關係及紛争ノ平和的解決ヲ規
律スル原則ニシテ上ニ想起セラレタルモノハ
世界ノ平和組織ノ礎石ノ一ヲ爲シ且第二條ニ
於テ「常規」ハ相互間ニ起ルコトアルベキ一
切ノ紛争又ハ紛争ハ素ノ性質又ハ起因ノ如何
ヲ問ハズ平和的手段ニ依ルノ外之が處理又ハ
解決ヲ求メザルコトヲ規スル旨規定スルニ
「一」條約ト益々調和スルモノナルコトヲ思ヒ
總會ニ付託セラレタル紛争解決ノ爲總會が終
局ニ於テ執ルベキ責任ニ至ル間

上記ノ原則及規定ノ強制的性質ヲ強調シ且聯
盟同盟ハ聯盟規約及「一」條約ニ反スル手段
ニ依リテ獲得セララルコトアルベキ一切ノ事
態、條約又ハ協定ヲ認メザルノ義務アルコト
ヲ宣言ス

二

總會ハ

日支紛争ノ解決が當事國ノ一方ノ武力的壓迫ノ下
ニ求メラルベキコトハ規約ノ精神ニ反スルコトヲ
確認シ

千九百三十一年九月三十日及同年十二月十日附書

總會ノ協力ヲ待テ理事會ニ依リ採擇セラレタル決
議ヲ想起ス

確定的管職及日本軍艦隊ノ目的ヲ以テ爾管總會ノ
協力ヲ待テ採擇セラレタル千九百三十二年三月四
日ノ總會自身ノ決議ヲモ併セテ想起シ又上海租界
ニ於テ特殊ノ利益ヲ有スル機關ガ右目的ノ爲有
ラユル助カラズノ用意アルコトヲ了察シ此等ノ
諸口ニ對シ必兵ノ場合ニ於テ艦兵地獄内ニ於ケル
秩序維持ノ爲協力セシコトヲ請求ス

三

總會ハ

本件紛争ニ對シ四條第五條第四十五條所定ノ手續
ヲ適用セントスル旨ノ一月二十九日支那政府ノ爲
セル請求ニ應ジ

規約第十五條第九項ニ従ヒ本件ヲ總會ニ付託セン
トスル旨ノ二月十二日支那政府ノ爲セル請求及二
月十九日ノ理事會ノ決定ニ應ジ

總會ガ支那政府ノ請求ノ主眼タル紛争全般ノ付託
ヲ受ケタルコト並ニ規約第四十五條第三項所定ノ和
協手續及必兵ノ場合ニハ同條第四項所定ノ報告ニ
關スル手續ヲ適用スルノ義務アルコトヲ思ヒ

十九名ノ委員即チ委員長ヲ推當スベキ總會議長、

致シ親年三及右侍ヲ有スルノ權ノ定メテ
三 下殿ニ年三及右侍ヲ有スルノ權ノ定メテ

(一) 親年三及右侍ヲ有スルノ權ノ定メテ
三 下殿ニ年三及右侍ヲ有スルノ權ノ定メテ

親年三及右侍ヲ有スルノ權ノ定メテ
三 下殿ニ年三及右侍ヲ有スルノ權ノ定メテ

親年三及右侍ヲ有スルノ權ノ定メテ
三 下殿ニ年三及右侍ヲ有スルノ權ノ定メテ

(七) 能ク限リ返ニ且進クモ千九百三十二年五月一

ト

(六) 必稟ト認メテハシラシムルノ一切ノ稟急電電ヲ送案スル

ト

(五) 必稟テハ協合ニハ求ムルコトヲ第五條案四ノ項行テ

ト

(四) 必稟ノ協合ニハ求ムルコトヲ第五條案四ノ項行テ

ト

(三) 以テ協合ノ準備方ニ努力シ且協會ニ説明書ヲ

ト

(二) 會ニ接リ深テ下シテ九月三日及十月二日在日

ト

會ニ接リ深テ下シテ九月三日及十月二日在日

日進ニ志願ニ由スル第一回報告書ヲ總會ニ提出
スルコト

總會ハ理事會ニ對シ其ノ有スルコトアルベキ意見
ト共ニ理事會ガ總會ニ忖慮スルコトヲ適當ナリト
認ムル資料ヲ右委員會ニ通報セシコトヲ簡求ス
總會ハ會期ヲ繼續シ且其ノ議長ハ其ノ必要ト認ム
ル場合直ニ之ヲ招集スルコトヲ待

Extract from a report on the Manchurian and Chinese Incident beginning at page 120 of a volume procured from the Tokyo Imperial University and bearing the number M 50
192

Resolution of League of Nations, March 11, 1932, calling for the non-recognition of conquests in violation of international law.

10. DISCUSSIONS OF THE ASSEMBLY.-RESOLUTION OF MARCH 11TH.-
DECISIONS REGARDING THE TIME-LIMIT FOR THE PREPARATION
OF THE REPORT UNDER ARTICLE 15

Meanwhile the Assembly, continuing its examination of the dispute at Geneva, adopted, on March 11th, 1932, after a full discussion, the following resolution:

"I.

"The Assembly,

"Considering that the provisions of the Covenant are entirely applicable to the present dispute, more particularly as regards:

"(1) The principle of a scrupulous respect for treaties;

"(2) The undertaking entered into by Members of the League of Nations to respect and preserve as against external aggression the territorial integrity, and existing political independence of all the Members of the League;

"(3) Their obligation to submit any dispute which may arise between them to procedures for peaceful settlement;

"Adopting the principles laid down by the acting President of the Council, M. Briand, in his declaration of December 10th, 1931;

"Recalling the fact that twelve Members of the Council again invoked those principles in their appeal to the Japanese Government on February 16th, 1932, when they declared 'that no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of Article 10 of the Covenant ought to be recognized as valid and effectual by Members of the League of Nations';

Extract from a report on the Manchurian and Chinese Incident beginning at page 120 of a volume procured from the Tokyo Imperial University and bearing the number M 50
198

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"Considering that the principles governing international relations and the peaceful settlement of disputes between Members of the League above referred to are in full harmony with the Pact of Paris, which is one of the corner-stones of the peace organization of the world and under Article 2 of which 'the High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature and whatever origin they may be, which may arise among them shall never be sought except by pacific means;

"Pending the steps which it may ultimately take for the settlement of the dispute which has been referred to it;

"Proclaims the binding nature of the principles and provisions referred to above and declares that it is incumbent upon the Members of the League of Nations not to recognize any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

"II.

"The Assembly,

"Affirming that it is contrary to the spirit of the Covenant that the settlement of the Sino-Japanese dispute should be sought under the stress of military pressure on the part of either party:

"Recalls the resolutions adopted by the Council on September 30th, and on December 10th, 1931, in agreement with the parties;

"Recalls also its own resolution of March 4th, 1932, adopted in agreement with the parties, with a view to the definitive cessation of hostilities and the withdrawal of the Japanese forces; notes that the Powers Members of the League of Nations having special interests in the Shanghai Settlements are prepared to give every assistance to this end, and requests those Powers, if necessary, to cooperate in maintaining order in the evacuated zone.

"III.

"The Assembly,

"In view of the request formulated on January 29th by the Chinese Government, invoking the application to the dispute of the procedure provided for in Article 15 of the Covenant of the League of Nations;

"In view of the request formulated on February 12th, by the Chinese Government that the dispute should be referred to the Assembly in conformity with Article 15, Paragraph 9, of the Covenant and in view of the Council's decision of February 19th;

"Considering that the whole of the dispute which forms the subject of the Chinese Government's request is referred to it and that it is under an obligation to apply the procedure of conciliation provided for in Paragraph 3 of Article 15 of the Covenant and, if necessary, the procedure in regard to recommendations provided for in Paragraph 4 of the same Article;

"Decides to set up a Committee of nineteen members—namely, the President of the Assembly, who will act as Chairman of the Committee, the Members of the Council other than the parties to the dispute and six other Members to be elected by secret ballot.

"This Committee, exercising its functions on behalf of and under the supervision of the Assembly, shall be instructed:

"(1) To report as soon as possible on the cessation of hostilities and the conclusion of arrangements which shall render definitive the said cessation and shall regulate the withdrawal of the Japanese forces in conformity with the Assembly resolution of March 4th, 1932;

"(2) To follow the execution of the resolutions adopted by the Council on September 30th and December 10th, 1931;

"(3) To endeavor to prepare the settlement of the dispute in agreement with the parties, in accordance with Article 15, Paragraph 3, of the Covenant, and to submit a statement to the Assembly,

"(4) To propose, if necessary, that the Assembly submit to the Permanent Court of International Justice a request for an advisory opinion;

"(5) To prepare, if need be, the draft of the report provided for in Article 15, Paragraph 4, of the Covenant;

"(6) To propose any urgent measure which may appear necessary;

"(7) To submit a first progress report to the Assembly as soon as possible and at latest on May 1st, 1932.

"The Assembly requests the Council to communicate to the Committee, together with any observations it may have to make, any documentation that it may think fit to transmit to the Assembly.

"The Assembly shall remain in session and its President may convene it as soon as he may deem this necessary."

MANCHURIA

REPORT OF THE COMMISSION OF ENQUIRY
APPOINTED BY THE LEAGUE OF NATIONS

EQ # 3

MANCHURIA

REPORT OF THE COMMISSION OF ENQUIRY
APPOINTED BY THE LEAGUE OF NATIONS

THE DEPARTMENT OF STATE

MANCHURIA

REPORT OF THE COMMISSION OF ENQUIRY
APPOINTED BY THE LEAGUE OF NATIONS



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON: 1932

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PUBLICATION NO. 378

**This publication is a verbatim reprint of the League
of Nations document of October 1, 1932.**

**Neither the maps which accompany the report nor
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Note by

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[Communicated to the Council
and the Members of the League.]

Official No. : C. 663. M. 320. 1932. VII.

Geneva, October 1st, 1932.

LEAGUE OF NATIONS

**APPEAL
BY THE CHINESE GOVERNMENT**

**REPORT
OF THE
COMMISSION OF ENQUIRY**

Note by the Secretary-General :

The Secretary-General has the honour to circulate to the Council and the Members of the League the Report of the Commission of Enquiry, which was signed by the Members of the Commission on September 4th, 1932, at Peiping.

Series of League of Nations Publications

VII. POLITICAL

1932. VII. 12.

REPORT OF THE COMMISSION OF ENQUIRY

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INTRODUCTION

On September 21st, 1931, the representative of the Chinese Government at Geneva wrote to the Secretary-General of the League of Nations asking him to bring to the attention of the Council the dispute between China and Japan which had arisen from the events which took place at Mukden on the night of September 18th-19th, and appealed to the Council, under Article 11 of the Covenant, to "take immediate steps to prevent the further development of a situation endangering the peace of nations".

**Formal
appeal by
China,
September
21st, 1931.**

On September 30th, the Council passed the following resolution :

**Resolution
of the Council,
September
30th.**

"The Council :

"(1) Notes the replies of the Chinese and Japanese Governments to the urgent appeal addressed to them by its President and the steps that have already been taken in response to that appeal ;

"(2) Recognises the importance of the Japanese Government's statement that it has no territorial designs in Manchuria ;

"(3) Notes the Japanese representative's statement that his Government will continue, as rapidly as possible, the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be ;

"(4) Notes the Chinese representative's statement that his 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 forces are re-established ;

"(5) Being convinced that both Governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective Governments will take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation ;

"(6) Requests both Parties to do all in their power to hasten the restoration of normal relations between them and for that purpose to continue and speedily complete the execution of the above-mentioned undertakings ;

"(7) Requests both Parties to furnish the Council at frequent intervals with full information as to the development of the situation ;

"(8) Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, October 14th, 1931, to consider the situation as it then stands ;

"(9) Authorises its President to cancel the meeting of the Council fixed for October 14th, should he decide, after consulting his colleagues, and more particularly the representatives of the two Parties, that, in view of such information as he may have received from the Parties or from other Members of the Council as to the development of the situation, the meeting is no longer necessary. "

In the course of the discussions that preceded the adoption of this resolution, the Chinese representative expressed the view of his Government that " the best method that may be devised by the Council for securing the prompt and complete withdrawal of the Japanese troops and police and the full re-establishment of the *status quo ante* is the sending of a neutral commission to Manchuria ".

Session of
the Council,
October
13th-24th.

The Council held a further session for the consideration of the dispute from October 13th to the 24th. In consequence of the opposition of the Japanese representative, unanimity could not be obtained for the resolution proposed at this session.

Session of
the Council at
Paris,
November 16th-
December 10th.

The Council met again on November 16th in Paris and devoted nearly four weeks to a study of the situation. On November 21st, the Japanese representative, after stating that his Government was anxious that the resolution of September 30th should be observed in the spirit and letter, proposed that a Commission of Enquiry should be sent to the spot. This proposal was subsequently welcomed by all the other Members of the Council and, on December 10th, 1931, the following resolution was unanimously adopted :

Resolution
of December
10th.

" The Council :

" (1) Reaffirms the resolution passed unanimously by it on September 30th, 1931, by which the two Parties declare that they are solemnly bound ; it therefore calls upon the Chinese and Japanese Governments to take all steps necessary to assure its execution so that the withdrawal of the Japanese troops within the railway zone may be effected as speedily as possible under the conditions set forth in the said resolution ;

" (2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24th, notes that the two Parties undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life ;

" (3) Invites the two Parties to continue to keep the Council informed as to the development of the situation ;

" (4) Invites the other Members of the Council to furnish the Council with any information received from their representatives on the spot ;

" (5) Without prejudice to the carrying out of the above-mentioned measures ;

" Desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two Governments of the questions at issue between them :

" Decides to appoint a Commission of five members to study on the spot and to report to the Council on any circumstance which, affecting international relations, threatens to disturb peace between China and Japan, or the good understanding between them upon which peace depends ;

" The Governments of China and of Japan will each have the right to nominate one Assessor to assist the Commission ;

" The two Governments will afford the Commission all facilities to obtain on the spot whatever information it may require ;

" It is understood that, should the two Parties initiate any negotiations, these would not fall within the scope of the terms of reference of the Commission, nor would it be within the competence of the Commission to interfere with the military arrangements of either Party ;

" The appointment and deliberation of the Commission shall not prejudice in any way the undertaking given by the Japanese Government in the resolution of September 30th as regards the withdrawal of the Japanese troops within the railway zone ;

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“ (6) Between now and its next ordinary session, which will be held on January 25th, 1932, the Council, which remains seized of the matter, invites its President to follow the question and to summon it afresh if necessary. ”

In introducing this resolution, the President, M. Briand, made the following declaration :

**Declaration
of the
President.**

“ It will be observed that the resolution which is before you provides for action on two separate lines : (1) to put an end to the immediate threat to peace ; (2) to facilitate the final solution of existing causes of dispute between the two countries.

“ The Council was glad to find during its present sittings that an enquiry into the circumstances which tend to disturb the relations between China and Japan, in itself desirable, would be acceptable to the Parties. The Council therefore welcomed the proposal to establish a Commission which was brought before it on November 21st. The final paragraph of the resolution provides for the appointment and functioning of such a Commission.

“ I shall now make certain comments on the resolution, paragraph by paragraph.

“ *Paragraph 1.* — This paragraph reaffirms the resolution unanimously adopted by the Council on September 30th, laying particular stress on the withdrawal of the Japanese troops within the railway zone on the conditions described therein as speedily as possible.

“ The Council attaches the utmost importance to this resolution and is persuaded that the two Governments will set themselves to the complete fulfilment of the engagements which they assumed on September 30th.

“ *Paragraph 2.* — It is an unfortunate fact that, since the last meeting of the Council, events have occurred which have seriously aggravated the situation and have given rise to legitimate apprehension. It is indispensable and urgent to abstain from any initiative which may lead to further fighting, and from all other action likely to aggravate the situation.

“ *Paragraph 4.* — Under paragraph 4, the Members of the Council other than the Parties are requested to continue to furnish the Council with information received from their representatives on the spot.

“ Such information having proved of high value in the past, the Powers which have the possibility of sending such representatives to various localities have agreed to do all that is possible to continue and improve the present system.

“ For this purpose, these Powers will keep in touch with the two Parties, so that the latter may, should they so desire, indicate to them the localities to which they would desire the despatch of such representatives.

“ *Paragraph 5* provides for the institution of a Commission of Enquiry. Subject to its purely advisory character, the terms of reference of the Commission are wide. In principle, no question which it feels called upon to study will be excluded, provided that the question relates to any circumstances which, affecting international relations, threaten to disturb peace between China and Japan, or the good understanding between them upon which peace depends. Each of the two Governments will have the right to request the Commission to consider any question the examination of which it particularly desires. The Commission will have full discretion to determine the questions upon which it will report to the Council, and will have power to make interim reports when desirable.

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“ *Paragraph 4.* — Under paragraph 4, the Members of the Council other than the Parties are requested to continue to furnish the Council with information received from their representatives on the spot.

“ Such information having proved of high value in the past, the Powers which have the possibility of sending such representatives to various localities have agreed to do all that is possible to continue and improve the present system.

“ For this purpose, these Powers will keep in touch with the two Parties, so that the latter may, should they so desire, indicate to them the localities to which they would desire the despatch of such representatives.

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“ If the undertakings given by the two Parties according to the resolution of September 30th have not been carried out by the time of the arrival of the Commission, the Commission should as speedily as possible report to the Council on the situation.

“ It is specially provided that, ‘ should the two Parties initiate any negotiations, these would not fall within the scope of the terms of reference of the Commission, nor would it be within the competence of the Commission to interfere with the military arrangements of either Party’. This latter provision does not limit in any way its faculty of investigation. It is also clear that the Commission will enjoy full liberty of movement in order to obtain the information it may require for its reports. ”

Reservations
and comments
of the two
Parties.

The Japanese representative, in accepting the resolution, made a reservation concerning paragraph 2 of the resolution, stating that he accepted it on behalf of his Government, “ on the understanding that this paragraph was not intended to preclude the Japanese forces from taking such action as might be rendered necessary to provide directly for the protection of the lives and property of Japanese subjects against the activities of bandits and lawless elements rampant in various parts of Manchuria ”.

The Chinese representative, on his part, accepted the resolution, but asked that certain of his observations and reservations on points of principle should be placed on record as follows :

“ I. China must and does fully reserve any and all rights, remedies and juridical positions to which she is or may be entitled under and by virtue of all the provisions of the Covenant, under all the existing treaties to which China is a party, and under the accepted principles of international law and practice.

“ II. The present arrangement evidenced by the resolution and the statement made by the President of the Council is regarded by China as a practical measure embodying four essential and interdependent elements :

“ (a) Immediate cessation of hostilities ;

“ (b) Liquidation of the Japanese occupation of Manchuria within the shortest possible period of time ;

“ (c) Neutral observation and reporting upon all developments from now on ;

“ (d) A comprehensive enquiry into the entire Manchurian situation on the spot by a Commission appointed by the Council.

“ The said arrangement being in effect and in spirit predicated upon these fundamental factors, its integrity would be manifestly destroyed by the failure of any one of them to materialise and be effectively realised as contemplated.

“ III. China understands and expects that the Commission provided for in the resolution will make it its first duty to enquire into and report, with its recommendations, on the withdrawal of the Japanese forces, if such withdrawal has not been completed when the Commission arrives on the spot.

“ IV. China assumes that the said arrangement neither directly nor by implication affects the question of reparations and damages to China and her nationals growing out of the recent events in Manchuria, and makes a specific reservation in that respect.

“ V. In accepting the resolution laid before us, China appreciates the efforts of the Council to prevent further fighting and bloodshed by enjoining both China and Japan to avoid any initiative which may lead to further fighting or any other action likely to aggravate the situation. It must be clearly pointed out that this injunction should

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not be violated under the pretext of the existence of lawlessness caused by a state of affairs which it is the very purpose of the resolution to do away with. It is to be observed that much of the lawlessness now prevalent in Manchuria is due to the interruption of normal life caused by the invasion of the Japanese forces. The only sure way of restoring the normal peaceful life is to hasten the withdrawal of the Japanese troops and allow the Chinese authorities to assume the responsibility for the maintenance of peace and order. China cannot tolerate the invasion and occupation of her territory by the troops of any foreign country; far less can she permit these troops to usurp the police functions of the Chinese authorities.

“ VI. China notes with satisfaction the purpose to continue and improve the present system of neutral observation and reporting through representatives of other Powers, and China will from time to time, as occasion requires, indicate the localities to which it seems desirable to despatch such representatives.

“ VII. It should be understood that, in agreeing to this resolution which provides for the withdrawal of the Japanese forces to the railway zone, China in no way recedes from the position she has always taken with respect to the maintenance of military forces in the said railway zone.

“ VIII. China would regard any attempt by Japan to bring about complications of a political character affecting China's territorial or administrative integrity (such as promoting so-called independence movements or utilising disorderly elements for such purposes) as an obvious violation of the undertaking to avoid any further aggravation of the situation. ”

The Members of the Commission were subsequently selected by the President of the Council, and, after the approval of the two parties had been obtained, the membership was finally approved by the Council on January 14th, 1932, as follows :

H.E. Count ALDROVANDI (Italian),
Général de Division Henri CLAUDEL (French),
The Rt. Hon. The EARL OF LYTTON, P.C., G.C.S.I., G.C.I.E.
(British),
Major-General Frank ROSS MCCOY (American),
H.E. Dr. Heinrich SCHNEE (German).

The European members, with a representative of the American member, held two sittings in Geneva on January 21st, at which Lord Lytton was unanimously elected Chairman and a provisional programme of work was approved. The Governments of Japan and China, each of which had, by virtue of the resolution of December 10th, “ the right to nominate one Assessor to assist the Commission ”, subsequently appointed as their Assessors H.E. Mr. Isaburo YOSHIDA, Ambassador of Japan in Turkey, and H.E. Dr. Wellington Koo, a former Prime Minister and former Minister for Foreign Affairs of China.

The Secretary-General of the League designated M. Robert HAAS, Director in the Secretariat of the League, to act as Secretary-General of the Commission. ¹

¹ The Secretary-General had put at the disposal of the Secretariat of the Commission :

Mr. PELT, member of the Information Section; Mr. von KOTZE, assistant to the Under-Secretary-General in charge of International Bureaux; Mr. PASTUHOV, member of the Political Section; the Hon. W. W. ASTOR, temporary member of the Secretariat acting as Secretary of the Chairman of the Commission; and M. CHARRERE, of the Information Section.

Major P. JOUVELET, Army Medical Corps, French Army, acted as personal

**Appointment
of the
Commission of
Enquiry.**

**Organisation
of the
Commission.**

In the course of its work, the Commission was assisted by the technical advice of Professor G. H. BLAKESLEE, Professor at the Clark University, U. S. A., Ph.D., L.L.D. ; M. DENNERY, Agrégé de l'Université de France ; Mr. BEN DORFMAN, B.A., M.A., William Harrison Mills Fellow, University of California, U.S.A. ; Dr. A. D. A. de KAT ANGELINO, Colonel T. A. HIAM, assistant to the Chairman of the Canadian National Railways ; G. S. MOSS, Esq., C.B.E., H.B.M. Consul in Weihaiwei ; Dr. C. Walter YOUNG, M.A., Ph.D., Far Eastern Representative of the Institute of Current World Affairs, New York City.

The European members of the Commission sailed from Le Havre and Plymouth on February 3rd, and were joined by the American member at New York on February 9th.

Chinese
Appeal to the
League of
Nations under
Articles 10, 11
and 15 of the
Covenant.

Meanwhile, the development of the situation in the Far East caused the Chinese Government, on January 29th, to submit a further appeal to the League of Nations under Articles 10, 11 and 15 of the Covenant. On February 12th, 1932, the Chinese representative requested the Council to submit the dispute to the Assembly in accordance with paragraph 9 of Article 15 of the Covenant. Since no further instructions were received from the Council, the Commission continued to interpret its mandate according to the resolution of the Council of December 10th. This included :

(1) An examination of the issues between China and Japan, which were referred to the Council, including their causes, development and status at the time of the enquiry ;

(2) A consideration of a possible solution of the Sino-Japanese dispute which would reconcile the fundamental interests of the two countries.

Arrival of
the Commission
at Tokyo,
February 29th,
1932.

This conception of its mission determined the programme of its work. * Before reaching Manchuria, the main theatre of the conflict, contact was established with the Governments of Japan and China and with representatives of various shades of opinion, in order to ascertain the nature of the interests of the two countries. The Commission arrived in Tokyo on February 29th, where it was joined by the Japanese Assessor. It had the honour of being received by His Majesty the Emperor. Eight days were spent in Tokyo, and daily conferences were held with members of the Government and others, including the Prime Minister, Mr. INUKAI, the Minister for Foreign Affairs, Mr. YOSHIZAWA, the Minister of War, Lieutenant-General ARAKI, the Minister of Navy, Admiral OSUMI. Interviews were also held with leading bankers, business-men, representatives of various organisations and others. From all of these we received information regarding the rights and interests of Japan in Manchuria and her historical associations with that country. The Shanghai situation was also discussed. After leaving Tokyo, we learned while in Kyoto of the establishment of a new " State " in Manchuria, under the name of " Manchukuo " (the Manchu State). In Osaka, conferences were arranged with representatives of the business community.

Shanghai,
March
14th-26th.

The Commission reached Shanghai on March 14th and was joined there by the Chinese Assessor. Here a fortnight was occupied, in addition to our general enquiry, in learning as much as possible about the facts of the recent fighting and the possibility of an armistice, which we had

assistant to General Claudel, and Lieut. BIDDLE as personal assistant to General McCoy, and collaborated also in the general work of the Secretariat.

M. DEPEYRE, French Vice-Consul at Yokohama, acted as interpreter in the Japanese language.

Mr. AOKI and Mr. WOU SAO-FONG, members of the Information Section, collaborated with the Secretariat of the Commission.

* Note by the Secretariat : For the itineraries of the Commission, see the Appendix, page 140, and Maps Nos. 13 and 14.

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¹ See Ann

previously discussed with Mr. YOSHIZAWA in Tokyo. We paid a visit to the devastated areas, and heard statements from the Japanese naval and military authorities regarding recent operations. We also interviewed some of the members of the Chinese Government and leaders of business, educational and other circles, including Canton.

On March 26th, the Commission proceeded to Nanking, some of its members visiting Hangchow on the way. During the following week, it had the honour of being received by the President of the National Government. Interviews were held with Mr. WANG CHING-WEI, President of the Executive Yuan; General CHIANG KAI-SHEK, Chairman of the Military Council; Dr. LO WEN-KAN, Minister for Foreign Affairs; Mr. T. V. SOONG, Minister of Finance; General CHENG MING-CHU, Minister of Communications; Mr. CHU CHIA-HUA, Minister of Education; and other members of the Government.

**Nanking,
March 26th-
April 1st.**

In order to acquaint ourselves more fully with representative opinion and with conditions existing in various parts of China, we proceeded on April 1st to Hankow, stopping *en route* at Kiukiang. Some representatives of the Commission visited Ichang, Wanhsien and Chungking in the province of Hupeh and Szechuan.

**Yangtze Valley,
April 1st-7th.**

On April 9th, the Commission arrived at Peiping (as Peking is now called), where several conferences were held with Marshal CHANG HSUEH-LIANG and with officials who had been members of the administration in Manchuria until September 18th. Evidence was also given by the Chinese Generals who had been in command of the troops at the barracks at Mukden on the night of September 18th.

**Peiping,
April 9th-19th.**

Our stay in Peiping was prolonged owing to a difficulty which arose regarding the entry into Manchuria of Dr. Wellington Koo, the Chinese Assessor.

In proceeding to Manchuria, the Commission divided into two groups, some of the party travelling to Mukden by rail via Shanhaikwan, and the remainder, including Dr. Koo, by sea via Dairen, thus remaining within the Japanese railway area. The objection to Dr. Koo's entry into "Manchukuo" territory was finally withdrawn after the arrival of the Commission in Changchun, the northern terminus of the Japanese railway area.

We remained in Manchuria for about six weeks, visiting Mukden, Changchun, Kirin, Harbin, Dairen, Port Arthur, Anshan, Fushun and Chinchow. We had intended to visit Tsitsihar as well, but, while we were in Harbin, there was continuous fighting in the surrounding districts, and the Japanese military authorities stated that they were unable at that moment to guarantee the safety of the Commission by rail on the western branch of the Chinese Eastern Railway. Accordingly, some members of our staff visited Tsitsihar by air. From there they travelled by the Taonan-Angangchi and Ssupingkai-Taonan Railways and rejoined the main body in Mukden.

**Manchuria,
April 20th-
June 4th.**

During our stay in Manchuria we wrote a Preliminary Report, which we despatched to Geneva on April 29th.¹

We had numerous conferences with Lieutenant-General HONJO, Commander of the Kwantung Army, other military officers, and Japanese consular officials. At Changchun we visited the Chief Executive of "Manchukuo", the former Emperor, HSUAN TUNG, now known by his personal name of Henry PU-YI. We also had interviews with members of the "Manchukuo" Government, including officials and advisers of Japanese nationality, and Governors of Provinces. Delegations were received from the local population, most of which were presented by the Japanese or "Manchukuo" authorities. In addition to our public meetings, we were able to arrange interviews with a great number of individuals, both Chinese and foreign.

¹ See Annex I (separate volume).

Peiping,
June 5th-28th.

The Commission returned to Peiping on June 5th. where an analysis of the voluminous documentary material collected was begun. Two more conferences were also held with Mr. WANG CHING-WEI, President of the Executive Yuan ; Dr. LO WEN-KAN, Minister for Foreign Affairs ; and Mr. T. V. SOONG, Minister of Finance.

Tokyo,
July 4th-15th.

On June 28th the Commission proceeded to Tokyo via Chosen (Korea). Its departure for Japan was delayed by the fact that no Foreign Minister had yet been appointed in the Cabinet of Admiral Viscount Saito. After their arrival in Tokyo on July 4th, conferences were held with leaders of the new Government, including the Prime Minister, Admiral Viscount SAITO ; the Minister for Foreign Affairs, Count UCHIDA ; and the Minister of War, Lieutenant-General ARAKI. From these we learned the present views and policy of the Government regarding the development of the situation in Manchuria and Sino-Japanese relations.

Peiping,
July 20th.

Having thus renewed contact with both the Chinese and the Japanese Governments, the Commission returned to Peiping, where the drafting of the Report was undertaken.

Assessors.

The two Assessors, who throughout spared no effort to assist the work of the Commission, presented a great amount of valuable documentary evidence. The material received from each Assessor was shown to the other, and an opportunity given for subsequent comment. These documents will be published.

The large number of persons and organisations interviewed, as listed in the Appendix, will illustrate the amount of evidence examined. Further, in the course of our travels, we have been presented with a great quantity of printed pamphlets, petitions, appeals, and letters. In Manchuria alone, we received approximately 1,550 letters in Chinese and 400 letters in Russian, without mentioning those written in English, French or Japanese.

The arrangement, translation and study of these documents involved a considerable labour, which was carried out in spite of our continual movement from place to place. It was finally completed on our return to Peiping in July and before our last visit to Japan.

The
conception
of its mission
under
resolution of
December 10th
determined the
plan of the
Commission's
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The Commission's conception of its mission, which determined the programme of its work and itinerary, has equally guided the plan of its Report.

First, we have tried to provide an historical background by describing the rights and interests of the two countries in Manchuria, which provide the fundamental causes of the dispute ; the more recent specific issues which immediately preceded the actual outbreak were then examined, and the course of events since September 18th, 1931, described. Throughout this review of the issues, we have insisted less on the responsibility for past actions than on the necessity of finding means to avoid their repetition in the future.

Finally, the Report concludes with some reflections and considerations which we have desired to submit to the Council upon the various issues with which it is confronted, and with some suggestions on the lines on which it seemed to us possible to effect a durable solution of the conflict and the re-establishment of a good understanding between China and Japan.

OUTLINE

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Chapter I.

OUTLINE OF RECENT DEVELOPMENTS IN CHINA.

The events of September 18th, 1931, which first brought the present conflict to the notice of the League of Nations, were but the outcome of a long chain of minor occasions of friction, indicating a growing tension in the relations between China and Japan. A knowledge of the essential factors in the recent relations of these two countries is necessary, to a complete understanding of the present conflict. It has been necessary, therefore, to extend our study of the issues beyond the limits of Manchuria itself and to consider in their widest aspect all the factors which determine present Sino-Japanese relations. The national aspirations of the Republic of China, the expansionist policy of the Japanese Empire and of the former Russian Empire, the present dissemination of Communism from the U.S.S.R., the economic and strategic needs of these three countries: such matters as these, for example, are factors of fundamental importance in any study of the Manchurian problem.

Situated as this part of China is geographically between the territories of Japan and Russia, Manchuria has become politically a centre of conflict, and wars between all three countries have been fought upon its soil. Manchuria is in fact the meeting-ground of conflicting needs and policies, which themselves require investigation before the concrete facts of the present conflict can be fully appreciated. We shall therefore begin by reviewing these essential factors *seriatim*.

The dominating factor in China is the modernisation of the nation itself which is slowly taking place. China to-day is a nation in evolution, showing evidence of transition in all aspects of its national life. Political upheavals, civil wars, social and economic unrest, with the resulting weakness of the Central Government, have been the characteristics of China since the revolution of 1911. Those conditions have adversely affected all the nations with which China has been brought into contact and, until remedied, will continue a menace to world peace and a contributory cause of world economic depression.

Of the stages by which the present conditions have been reached only a brief summary can here be given, which in no sense aims at being a comprehensive history. Throughout the first centuries of her intercourse with individual Occidentals, China remained, as far as Western influence is concerned, practically an isolated country. This condition of isolation was bound to come to an end when, at the beginning of the 19th century, the improvement of modern communication diminished distance and brought the Far East within easy reach of other nations, but in fact the country was not ready for the new contact when it came. As a result of the Treaty of Nanking, which ended the war of 1842, some ports were opened to foreign trade and residence. Foreign influences were introduced into a country whose Government had made no preparations to assimilate them. Foreign traders began to settle in her ports before she could provide for their administrative, legal, judicial, intellectual and sanitary requirements. The former therefore brought with them conditions and standards to which they were accustomed. Foreign cities sprang up in the Treaty

A knowledge of antecedent conditions necessary to a complete understanding of the present conflict.

China, a nation in evolution.

China first opened to foreigners in 1842.

Ports. Foreign methods of organisation, of administration and business asserted themselves. Any efforts there may have been on either side to mitigate the contrast were not effective, and a long period of friction and misunderstanding followed.

The efficacy of foreign arms having been demonstrated in a series of armed conflicts, China hoped, by building arsenals and by military training according to Western methods, to meet force with force. Her efforts in this direction, restricted as they were in scope, were doomed to failure. Much more fundamental reforms were needed to enable the country to hold its own against the foreigner, but China did not desire such reforms. On the contrary, she wanted to protect her culture and dominion against them.

Japanese comparison.

Japan had to face similar problems when that country was first opened to Western influences: new contacts with disturbing ideas, the conflict of different standards, leading to the establishment of foreign settlements, one-sided tariff conventions and extra-territorial claims. But Japan solved these problems by internal reforms, by raising her standards of modern requirements to those of the West and by diplomatic negotiations. Her assimilation of Western thought may not yet be complete, and friction may sometimes be seen between the old and the new ideas of different generations, but the rapidity and the thoroughness with which Japan has assimilated Western science and technique and adopted Western standards without diminishing the value of her old traditions have aroused general admiration.

China's problem vastly more difficult.

However difficult Japan's problems of assimilation and transformation may have been, those faced by China were much more difficult, owing to the vastness of her territory, the lack of national unity of her people, and her traditional financial system, under which the whole of the revenue collected did not reach the central Treasury. Although the complexity of the problem which China has to solve may be so much greater than that which confronted Japan as to make unjust any comparison between the two, yet the solution required for China must ultimately follow lines similar to those adopted by Japan. The reluctance of China to receive foreigners and her attitude towards those who were in the country was bound to have serious consequences. It concentrated the attention of her rulers on resistance to and restriction of foreign influence, and prevented her from profiting by the experience of more modern conditions in the foreign settlements. As a result, the constructive reform necessary to enable the country to cope with the new conditions was almost completely neglected.

China's losses from conflict with foreign Powers.

The inevitable conflict of two irreconcilable conceptions of respective rights and international relations led to wars and disputes resulting in the progressive surrender of sovereign rights and the loss of territory, either temporary or permanent. China lost a huge area on the north bank of the Amur River, and the Maritime Province; the Luchu Islands; Hong-Kong; Burma; Annam; Tongking; Laos; Cochin-China (provinces of Indo-China); Formosa; Korea; and several other tributary States; she also granted long leases of other territories. Foreign courts, administration, police and military establishments were admitted on Chinese soil. The right to regulate at will her tariff on imports and exports was lost for the time being. China had to pay damages for injuries to foreign lives and property and heavy war indemnities which have been a burden to her finances ever since. Her very existence was even threatened by the division of her territory into spheres of interest of foreign Powers.

Reform movement starts after Boxer uprising in 1900.

Her defeat in the Sino-Japanese war of 1894-95, and the disastrous consequences of the Boxer uprising of 1900, opened the eyes of some thoughtful leaders to the necessity for fundamental reform. The reform movement was willing at first to accept the leadership of the Manchu House, but turned away from this dynasty after its cause and its leaders had been

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The Manchu Dynasty had ruled China for 250 years. In its later years it was weakened by a series of rebellions: the Taiping rebellion (1850-1865), the Mohammedan risings in Yunnan (1856-1875), and the risings in Chinese Turkestan (1864-1877). The Taiping rebellion especially shook the Empire to its foundation and dealt a blow to the prestige of the dynasty, from which it never recovered. Finally, after the death of the then Empress Dowager in 1908, it collapsed through its own inherent weakness.

After some minor attempts at insurrection, the revolutionaries were successful in South China. A brief period followed during which a Republican Government was established at Nanking, with Dr. Sun Yat-sen, the leading figure of the Revolution, as provisional President. On February 12th, 1912, the then Empress Dowager, in the name of the child Emperor, signed a decree of abdication, and a provisional constitutional regime, with Yuan Shih-kai as President, was then inaugurated. With the abdication of the Emperor, his representatives in the provinces, prefectures and districts lost the influence and moral prestige which they had derived from his authority. They became ordinary men, to be obeyed only in so far as they were able to enforce their decisions. The gradual substitution of military for civil governors in the provinces was an inevitable consequence. The post of central executive could, likewise, be held only by the military leader who had the strongest army or was supported by the strongest group of provincial or local military chiefs.

This tendency towards military dictatorship, which was more apparent in the North, was facilitated by the fact that the army had gained some popularity by the support it had given in many instances to the Revolution. Military leaders did not hesitate to lay claim to the merit of having made the Revolution a success. Most of them were Northern leaders, to a certain extent grouped together in the so-called Peiyang Party — men who had risen from a low status to higher commands in the model army trained by Yuan Shih-kai after the Sino-Japanese war. They could more or less be trusted by him because of the tie of personal allegiance which, in China, has not yet given place to the corporate loyalty which characterises organisations in the West. These men were appointed military governors by Yuan Shih-kai in the provinces under his control. There the power rested in their hands and provincial revenues could accordingly be taken at will by them to be used for their personal armies and adherents.

In the Southern provinces, the situation was different, partly as a result of intercourse with foreign countries and partly on account of the different social customs of the population. The people of South China have always been averse to military autocracy and official interference from outside. Dr. Sun Yat-sen and their other leaders remained faithful to the idea of constitutionalism. They had, however, little military force behind them, because the re-organisation of the army had not yet progressed very far in the provinces south of the Yangtze, and they had no well-equipped arsenals.

When, after much procrastination, the first Parliament was convened in Peking in 1913, Yuan Shih-kai had consolidated his military position, and lacked only sufficient financial resources to ensure the loyalty of the provincial armies. A huge foreign loan, the so-called Re-organisation Loan, provided him with the necessary financial means. But his action in concluding that loan without the consent of Parliament brought his political opponents of the Kuomintang or Nationalist Party, under Dr. Sun's leadership, into open revolt. In a military sense the South was weaker than the North, and was still more weakened when the victorious Northern

**Fall of the
Manchu
Dynasty.**

**Tendency
towards
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dictatorship
in the North.**

**Position in
the South.**

**Revolt against
Yuan Shih-kai,
1913.**

Civil war and political unrest, 1914-1928.

commanders, after conquering a number of Southern provinces, placed the latter under Northern generals.

There were several attempts to reinstate the 1913 Parliament, which had been introduced by Yuan Shih-kai, or to convene bogus Parliaments, two attempts to establish monarchical rule, many changes of Presidents and Cabinets, continuous shifting of allegiance among military leaders, and many declarations of temporary independence of one or more provinces. In Canton, the Kuomintang Government, headed by Dr. Sun, succeeded in maintaining itself from 1917 onwards, with occasional intervals during which it ceased to function. During these years China was ravaged by warring factions; and the ever-present bandits grew into veritable armies by the enlistment of ruined farmers, desperate inhabitants of famine-stricken districts, or unpaid soldiers. Even the constitutionalists, who were fighting in the South, were repeatedly exposed to the danger of militarist feuds arising in their midst.

Re-organisation of the Kuomintang.

In 1923, convinced by Russian revolutionists that a definite programme, strict party discipline, and systematic propaganda were necessary to ensure the victory of his cause, Dr. Sun Yat-sen re-organised the Kuomintang with a programme which he outlined in his "Manifesto" and "Three Principles of the People¹". Systematic organisation ensured party discipline and unity of action through the intermediary of a Central Executive Committee. A political training institute instructed propagandists and organisers of local branches, while a military training institute at Whampoo, with the help of Russian officers, was instrumental in providing the party with an efficient army, the leaders of which were permeated with the idea of the party. Thus equipped, the Kuomintang was soon ready to establish contacts with the people at large. Sympathisers were organised in local branches or in peasant and labour unions affiliated to the party. This preliminary conquest of the people's mind was, after the death of Dr. Sun in 1925, followed up by the successful Northern Expedition of the Kuomintang Army, which, by the end of 1928, succeeded in producing a nominal unity for the first time in many years, and a measure of actual unity which lasted for a time.

The first, or military, phase of Dr. Sun's programme had thus been brought to a successful end.

The second period of political tutelage under party dictatorship could begin. It was to be devoted to the education of the people in the art of self-government and to the reconstruction of the country.

A Central Government established.

In 1927, a Central Government was established at Nanking. It was controlled by the party — it was, in fact, merely one important organ of the party. It consisted of five Yuans or Boards (the Executive, the Legislative, the Judicial, the Control, and the Examination Boards). The Government had been modelled as closely as possible on the lines of Dr. Sun's "Five-Power Constitution" — the Trias Politica of Montesquieu with the addition of two old Chinese institutions, the Censorate and the Public Services Examination Board — in order to facilitate the transition to the final or constitutional stage, when the people, partly directly and partly through its elected representatives, would itself take charge of the direction of its government.

In the provinces, similarly, a committee system was adopted for the organisation of provincial governments, while in villages, towns and districts, the people were to be trained in the handling of local self-government. The party was now ready to put into operation its schemes of political and economic reconstruction, but was prevented from doing so by internal dissensions, the periodical revolt of various Generals with personal armies,

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¹ National Independence, Democratic Government and Social Re-organisation.

and the menace of Communism. In fact, the Central Government had repeatedly to fight for its very existence.

For a time unity was maintained on the surface. But not even the semblance of unity could be preserved when powerful war lords concluded alliances amongst themselves and marched their armies against Nanking. Though they never succeeded in their object, they remained, even after defeat, potential forces to be reckoned with. Moreover, they never took the position that war against the Central Government was an act of rebellion. It was in their eyes simply a struggle for supremacy between their faction and another one which happened to reside in the national capital and to be recognised as the Central Government by foreign Powers. This lack of hierarchical relations is all the more dangerous because serious dissensions in the Party itself have weakened the title of the Central Government to be the unquestioned successors of Dr. Sun. The new schism has led to the estrangement of influential Southern leaders, who retired to Canton, where the local authorities and the local branch of the Kuomintang frequently act independently of the Central Government.

From this summary description it appears that disruptive forces in China are still powerful. The cause of this lack of cohesion is the tendency of the mass of the people to think in terms of family and locality, rather than in terms of the nation, except in periods of acute tension between their own country and foreign Powers. Although there are, nowadays, a number of leaders who have risen above particularist sentiments, it is evident that a national outlook must be attained by a far greater number of citizens before real national unity can result.

Although the spectacle of China's transitional period, with its unavoidable political, social, intellectual and moral disorder, is disappointing to her impatient friends and has created enmities which have become a danger to peace, it is nevertheless true that, in spite of difficulties, delays and failures, considerable progress has in fact been made. An argument which constantly reappears in the polemics of the present controversy is that China is "not an organised State" or "is in a condition of complete chaos and incredible anarchy", and that her present-day conditions should disqualify her from membership of the League of Nations and deprive her of the protective clauses of the Covenant. In this connection, it may be useful to remember that an altogether different attitude was taken at the time of the Washington Conference by all the participating Powers. Yet, even at that time, China had two completely separate Governments, one at Peking and one at Canton, and was disturbed by large bandit forces which frequently interfered with communications in the interior, while preparations were being made for a civil war involving all China. As a result of this war, which was preceded by an ultimatum sent to the Central Government on January 13th, 1922, when the Washington Conference was still in session, the Central Government was overthrown in May, and the independence of Manchuria from the Government installed at Peking in its place was declared in July by Marshal Chang Tso-lin. Thus, there existed no fewer than three Governments professing to be independent, not to mention the virtually autonomous status of a number of provinces or parts of provinces. Although, at present, the Central Government's authority is still weak in a number of provinces, the central authority is not, at least openly, repudiated, and there is reason to hope that, if the Central Government as such can be maintained, provincial administration, military forces and finance will acquire an increasingly national character. Those, among others, were doubtless the reasons which induced the Assembly of the League of Nations last September to elect China to the Council.

The present Government has tried to balance its current receipts and expenditure and to adhere to sound financial principles. Various taxes have been consolidated and simplified. In default of a proper budgetary

The authority of the Central Government challenged from without and weakened by dissensions within.

Present condition of China compared with that at the time of the Washington Conference.

Efforts for Chinese reconstruction.

system, an annual statement has been issued by the Ministry of Finance. A Central Bank has been established. A National Financial Committee has been appointed, which includes among its members influential representatives of banking and commercial interests. The Ministry of Finance is also trying to supervise the finances of the provinces, where the methods of raising taxes are often still highly unsatisfactory. For all these measures the Government is entitled to credit. It has, however, been forced by recurrent civil wars to increase its domestic indebtedness by about a billion dollars (silver) since 1927. Lack of funds has prevented it from executing its ambitious plans of reconstruction, or completing the improvement of communications which is so vitally necessary for the solution of most of the country's problems. In many things, no doubt, the Government has failed, but it has already accomplished much.

Nationalism.

The nationalism of modern China is a normal aspect of the period of political transition through which the country is passing. National sentiments and aspirations of a similar kind would be found in any country placed in the same position. But, in addition to the natural desire to be free from any outside control in a people that has become conscious of national unity, the influence of the Kuomintang has introduced into the nationalism of China an additional and abnormal tinge of bitterness against all foreign influences, and has expanded its aims so as to include the liberation of all Asiatic people still subject to "imperialistic oppression". This is partly due to the slogans of its early communistic connection. Chinese nationalism to-day is also permeated by memories of former greatness, which it desires to revive. It demands the return of leased territories, of administrative and other not purely commercial rights exercised by a foreign agency in railway areas, of administrative rights in concessions and settlements, and of extra-territorial rights which imply that foreigners are not amenable to Chinese laws, law courts and taxation. Public opinion is strongly opposed to the continuance of these rights, which are regarded as a national humiliation.

Attitude of foreign Powers on the subject of extra-territoriality.

Foreign Powers have in general taken a sympathetic attitude towards these desires. At the Washington Conference, 1921-22, they were admitted to be acceptable in principle, though there was divergence of opinion as to the best time and method of giving effect to them. It was felt that an immediate surrender of such rights would impose upon China the obligation to provide administration, police and justice of a standard which, owing to financial and other internal difficulties, she could not at present attain. The present single issue of extra-territoriality might lead to a number of separate issues with foreign Powers if the former were abolished prematurely. It was also felt that international relations would not improve but would deteriorate if foreign nationals were to be exposed to the same unjust treatment and extortionate taxation as Chinese citizens were subjected to in so many parts of the country. In spite of these reservations, much was actually accomplished, especially at Washington, or as a result of that Conference. China has recovered two out of five leased territories, many concessions, administrative rights in the area of the Chinese Eastern Railway, Customs autonomy, and postal rights. Many treaties on the basis of equality have also been negotiated.

Having started upon the road of international co-operation for the purpose of solving her difficulties, as was done at Washington, China might have made more substantial progress in the ten years that have since elapsed had she continued to follow that road. She has only been hampered by the virulence of the anti-foreign propaganda which has been pursued. In two particulars has this been carried so far as to contribute to the creation of the atmosphere in which the present conflict arose — namely, the use made of the economic boycott, to which reference is made in Chapter VII, and the introduction of anti-foreign propaganda into the schools.

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¹ Article 4

It is provided in the Provisional Constitution of China promulgated on June 1st, 1931,¹ that "the Three Principles of the People shall be the basic principles of education in the Republic of China". The ideas of Dr. Sun Yat-sen are now taught in the schools as if they had the same authority as that of the Classics in former centuries. The sayings of the master receive the same veneration as the sayings of Confucius received in the days before the Revolution. Unfortunately, however, more attention has been given to the negative than to the constructive side of nationalism in the education of the young. A perusal of the text-books used in the schools leaves the impression on the mind of a reader that their authors have sought to kindle patriotism with the flame of hatred, and to build up manliness upon a sense of injury. As a result of this virulent anti-foreign propaganda, begun in the schools and carried through every phase of public life, the students have been induced to engage in political activities which sometimes have culminated in attacks on the persons, homes or offices of Ministers and other authorities, and in attempts to overthrow the Government. Unaccompanied by effective internal reforms or improvements in national standards, this attitude tended to alarm the foreign Powers and to increase their reluctance to surrender the rights which are at the moment their only protection.

In connection with the problems of maintaining law and order, the present inadequate means of communication in China is a serious handicap. Unless communications are sufficient to ensure prompt transportation of national forces, the safeguarding of law and order must largely, if not completely, be entrusted to provincial authorities, who, on account of the distance of the Central Government, must be allowed to use their own judgment in handling provincial affairs. Under such conditions, independence of mind and action may easily cross the boundary of law, with the result that the province gradually takes on the aspect of a private estate. Its armed forces are also identified with their commander, not with the nation. The transfer of a commander from one army to another by order of the Central Government is, in many cases, impossible. The danger of civil war must continue to exist so long as the Central Government lacks the material means to make its authority swiftly and permanently felt all over the country.

The problem of banditry, which may be traced throughout the history of China, and which exists to-day in all parts of the country, is subject to the same considerations. Banditry has always existed in China and the administration has never been able to suppress it thoroughly. Lack of proper communications was one of the reasons which prevented the administration from getting rid of this evil, which increased or decreased according to changing circumstances. Another contributing cause is to be found in the local uprisings and rebellions which have often occurred in China, especially as a result of maladministration. Even after the successful suppression of such rebellions, bandit gangs recruited from the ranks of the rebels often remained active in parts of the country. This was specially the case in the period following the suppression of the Taiping rebellion (1850-1865). In more recent times, bandits have also originated from the ranks of unpaid soldiers who were not able to find other means of living and had been accustomed to looting during the civil wars in which they had taken part.

Other causes which have given rise to an increase of banditry in parts of China were floods and droughts. These are more or less regular occurrences, and they have always brought famine and banditry in their wake. The problem has been further aggravated by the pressure of a rapidly increasing population. In congested areas, normal economic difficulties were still further increased and, amongst people living on a bare subsistence

**Nationalism
in the schools.**

**Problems of
law and order :
Necessity of
adequate
communica-
tions.**

Local armies.

Banditry.

¹ Article 47 of the Chapter on "Education of the Citizens".

level with no margin to meet times of crisis, the slightest deterioration in the conditions of life might bring large numbers to the point of destitution. Banditry, therefore, has been largely influenced by the prevailing economic conditions. In prosperous periods or districts it has diminished, but where for any of the reasons mentioned the struggle for existence was intensified or the political conditions were disturbed it was sure to increase.

When once banditry had become well established in any area, its suppression by force was rendered difficult because of the defective communications in the interior of the country. It is in regions which are difficult of access, where a few miles may involve days of travel, that large armed bands can move freely, appearing and disappearing suddenly, without their abodes and movements being known. When bandit suppression has been long neglected, and when the soldiers even co-operate with bandits secretly, as has happened often enough, traffic along highways and waterways is interfered with. Such occurrences can only be stopped by adequate police forces. In the districts of the interior, bandit suppression is much more difficult, because guerilla warfare inevitably develops.

But, though the personal armies of local Generals and the prevalence of bandit hordes throughout the country may disturb the internal peace of the country, they are no longer a menace to the authority of the Central Government as such. There is, however, a menace of this kind from another source — namely, Communism.

The Communist movement in China, during the first years of its existence, remained restricted within intellectual and labour circles, where the doctrine gained considerable influence in the period 1919-1924. Rural China was, at that time, scarcely touched by this movement. The manifesto of the Soviet Government of July 25th, 1919, declaring its willingness to renounce all privileges "extorted" from China by the former Tsarist Government, created a favourable impression throughout China, especially amongst the intelligentsia. In May 1921, the "Chinese Communist Party" was formally constituted. Propaganda was especially conducted in labour circles at Shanghai, where red syndicates were organised. In June 1922, at its second congress, the Communist Party, which did not then number more than three hundred members, decided to ally itself with the Kuomintang. Dr. Sun Yat-sen, although opposed to the Communist doctrine, was prepared to admit individual Chinese Communists into the party. In the autumn of 1922, the Soviet Government sent a Mission to China, headed by Mr. Joffe. Important interviews, which took place between him and Dr. Sun resulted in the joint declaration of January 26th, 1923, by which assurance was given of Soviet sympathy and support to the cause of the national unification and independence of China. It was explicitly stated, on the other hand, that the Communist organisation and the Soviet system of government could not be introduced at that time under the conditions prevailing in China. Following this agreement, a number of military and civil advisers were sent from Moscow by the end of 1923, and "undertook, under the control of Dr. Sun, the modification of the internal organisation of the Kuomintang and of the Cantonese Army".

At the first National Congress of the Kuomintang, convened in March 1924, the admission of Chinese Communists into the party was formally agreed to, on condition that such members should not take any further part in the preparation of the proletarian revolution. The period of tolerance with regard to Communism thus began.

This period lasted from 1924 until 1927. Early in 1924 the Communists counted about 2,000 adherents, and red syndicates approximately 60,000 members. But the Communists soon acquired enough influence inside the Kuomintang to raise anxiety amongst the orthodox members of the party. They presented to the Central Committee, at the end of 1926, a proposal going so far as to include the nationalisation of all landed properties

Communism a challenge to the authority of the Central Government.

Origin of Communism in China, 1921.

Period of tolerance with regard to Communism, 1924-1927.

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except those belonging to workmen, peasants or soldiers ; the re-organisation of the Kuomintang ; the elimination of all military leaders hostile to Communism ; and the arming of 20,000 Communists and 50,000 workmen and peasants. This proposal, however, was defeated, and the Communists ceased to support the intended campaign of the Kuomintang against the Northern militarists, although they had previously been most active in the organisation of the Nationalist forces. Nevertheless, at a later stage, they joined in it, and when the Northern Expedition reached Central China and established a Nationalist Government at Wu-Han in 1927, the Communists succeeded in obtaining a controlling position in it, as the Nationalist leaders were not prepared to join issue with them until their own forces had occupied Nanking and Shanghai. The Wu-Han Government put into operation in the provinces of Hunan and Hupeh a series of purely communistic measures. The Nationalist Revolution was almost on the point of being transformed into a Communist Revolution.

The Nationalist leaders at last decided that Communism had become too serious a menace to be tolerated any longer. As soon as they were firmly established at Nanking, where another National Government was constituted on April 10th, 1927, a proclamation was issued in which the Nanking Government ordered the immediate purification of the Army and the Civil Service from Communism. On July 15th, the majority of the Central Executive of the Kuomintang at Wu-Han, who had so far refused to join the Nationalist leaders at Nanking, adopted a resolution excluding Communists from the Kuomintang and ordering the Soviet advisers to leave China. As a result of this decision, the Kuomintang regained its unity and the Government at Nanking became generally recognised by the party.

During the period of tolerance, several military units had been gained to the Communist cause. These had been left in the rear, mostly in Kiangsi Province, when the Nationalist Army was marching to the North. Communist agents were sent to co-ordinate these units and to persuade them to take action against the National Government. On July 30th, 1927, the garrison at Nanchang, the capital of Kiangsi Province, together with some other military units, revolted and subjected the population to numerous excesses. However, on August 5th, they were defeated by the Government forces and withdrew to the South. On December 11th, a Communist rising at Canton delivered control of the city for two days into their hands. The Nanking Government considered that official Soviet agents had actively participated in these uprisings. An order of December 14th, 1927, withdrew the *exequatur* of all the consuls of the U.S.S.R. residing in China.

The recrudescence of civil war favoured the growth of Communist influence in the period between 1928 and 1931. A Red army was organised, and extensive areas in Kiangsi and Fukien were sovietised. Only in November 1930, shortly after the defeat of a powerful coalition of Northern militarists, was the Central Government able to take up the suppression of Communism in earnest. The Communist forces had operated in parts of Kiangsi and Hunan Provinces and were then reported to have caused in two or three months the loss of 200,000 lives and of property valued at about one billion dollars (silver). They had now become so strong that they were able to defeat the first and frustrate the second expedition sent against them by the Government. The third expedition, directed by the Commander-in-Chief, General Chiang Kai-shek, defeated the Communist armies in several encounters. By the middle of July 1931, the most important Communist strongholds had been taken, and their forces were in full retreat towards Fukien.

Whilst constituting a political commission to re-organise the areas which had been devastated, General Chiang Kai-shek pursued the Red armies, and drove them into the mountainous region north-east of Kiangsi.

**Break between
Kuomintang
and
Communism,
1927.**

**Affairs of
Nanchang and
Canton.**

**Continuation
of armed
struggle
with the
Communist
armies.**

The Nanking Government was thus on the point of putting the principal Red army out of action, when events occurred in different parts of China which obliged them to suspend this offensive and to withdraw a large part of their troops. In the North had occurred the rebellion of General Shih Yu-san, supported by a hostile intervention on the part of the Cantonese troops in the province of Hunan ; simultaneously with this intervention came the events of September 18th at Mukden. Encouraged by these circumstances, the Reds resumed the offensive, and before long the fruits of the victorious campaign were almost completely lost.

**Present
extent of
Communist
organisations.**

Large parts of the provinces of Fukien and Kiangsi, and parts of Kwangtung, are reliably reported to be completely sovietised. Communist zones of influence are far more extensive. They cover a large part of China south of the Yangtze, and parts of the provinces of Hupeh, Anhwei, and Kiangsu north of that river. Shanghai has been the centre of Communist propaganda. Individual sympathisers with Communism may probably be found in every town in China. So far, two provincial Communist governments only have been organised in Kiangsi and Fukien, but the number of minor Soviets runs into hundreds. The Communist government itself is formed by a committee elected by a congress of local workers and peasants. It is, in reality, controlled by representatives of the Chinese Communist Party, which sends out trained men for that purpose, a large number of whom have been previously trained in the U.S.S.R. Regional Committees, under the control of the Central Committee of the Chinese Communist Party, in their turn control provincial committees and these, again, district committees, and so on, down to the Communist cells organised in factories, schools, military barracks, etc.

**Methods
employed by
the
Communists.**

When a district has been occupied by a Red army, efforts are made to sovietise it, if the occupation appears to be of a more or less permanent nature. Any opposition from the population is suppressed by terrorism. A Communist government, as described above, is then established. The complete organisation of such governments comprises : Commissariats for Internal Affairs, for the struggle against the anti-revolutionaries (G. P. U.), for Financial Affairs, for Rural Economy, for Education, for Hygiene, for Post and Telegraph, for Communications ; and Committees for Military Affairs and for the control of workmen and peasants. Such elaborate government organisations exist only in completely sovietised districts.

Elsewhere the organisation is much more modest.

The programme of action consists in the cancellation of debts, the distribution amongs landless proletarians and small farmers of land forcibly seized, either from large private owners or from religious institutions, such as temples, monasteries and churches. Taxation is simplified ; the peasants have to contribute a certain part of the produce of their lands. With a view to the improvement of agriculture, steps are taken to develop irrigation, rural credit systems, and co-operatives. Public schools, hospitals and dispensaries may also be established.

Thus the poorest farmers derive considerable benefit from Communism, whereas the rich and middle-class landowners, merchants and local gentry are completely ruined, either by immediate expropriation or by levies and fines, and, in applying its agrarian programme, the Communist Party expects to gain the support of the masses. In this respect, its propaganda and action have met with considerable success, notwithstanding the fact that Communist theory conflicts with the Chinese social system. Existing grievances resulting from oppressive taxation, extortion, usury and pillage by soldiery or bandits were fully exploited. Special slogans were employed for farmers, workmen, soldiers and intellectuals, with variations specially adapted to women.

**Special
character of
Communism
in China.**

Communism in China not only means, as in most countries other than the U.S.S.R., either a political doctrine held by certain members of existing parties, or the organisation of a special party to compete for power with

other political parties. It has become an actual rival of the National Government. It possesses its own law, army and government, and its own territorial sphere of action. For this state of affairs there is no parallel in any other country. Moreover, in China, the disturbance created by the Communist war is made more serious by the fact that the country is going through a critical period of internal reconstruction, still further complicated during the last eleven months by an external crisis of exceptional gravity. The National Government seems to be determined to regain the control of the districts under Communist influence, and to pursue in those districts, once their recovery is achieved, a policy of economic rehabilitation ; but in its military campaigns, apart from difficulties already mentioned, both internal and external, it is hampered by lack of funds and defective communications. The problem of Communism in China is thus linked up with the larger problem of national reconstruction.

In the summer of 1932, important military operations, having for their object a final suppression of the Red resistance, were announced by the Government of Nanking. They were commenced and, as stated above, were to have been accompanied by a thorough social and administrative reorganisation of the recaptured regions, but up to the present no important results have been announced.

So far as Japan is China's nearest neighbour and largest customer, she has suffered more than any other Power from the lawless conditions described in this chapter. Over two-thirds of the foreign residents in China are Japanese, and the number of Koreans in Manchuria is estimated at about 800,000. She has more nationals, therefore, than any other Power, who would suffer if they were made amenable to Chinese law, justice and taxation under present conditions.

Japan felt it impossible to satisfy Chinese aspirations so long as satisfactory safeguards to take the place of her Treaty rights could not be hoped for. Her interests in China, and more especially in Manchuria, began to be more prominently asserted as those of the other major Powers receded into the background. Japan's anxiety to safeguard the life and property of her subjects in China caused her to intervene repeatedly in times of civil war or of local disturbances. Such action was bitterly resented by China, especially when it resulted in an armed clash such as occurred in 1928 at Tsinan. In recent years, the claims of Japan have come to be regarded in China as constituting a more serious challenge to national aspirations than the rights of all the other Powers taken together.

This issue, however, though affecting Japan to a greater extent than other Powers, is not a Sino-Japanese issue alone. China demands immediately the surrender of certain exceptional powers and privileges because they are felt to be derogatory to her national dignity and sovereignty. The foreign Powers have hesitated to meet these wishes as long as conditions in China did not ensure adequate protection of their nationals, whose interests depend on the security afforded by the enjoyment of special Treaty rights. The process of fermentation, inevitable in a period of transition, which this chapter has attempted to describe, has developed forces of public opinion which will probably continue to embarrass the Central Government in the conduct of its foreign policy, as long as it is weakened by failure to complete the unification and reconstruction of the country. The realisation of China's national aspirations in the field of foreign relations depends on her ability to discharge the functions of a modern Government in the sphere of domestic affairs, and until the discrepancy between these two has been removed the danger of international friction and of incidents, boycotts, and armed interventions will continue.

The present extreme case of international friction having forced China once more to seek the intervention of the League of Nations should, if a satisfactory settlement can be effected, convince her of the advantages of

Effect of these conditions upon Sino - Japanese relations.

International interest in the problems of Chinese reconstruction.

International co-operation offers the

best hope of
their solution.

the policy of international co-operation, which was inaugurated at Washington with such beneficial results in 1922. China has not at the moment the capital nor the trained specialists necessary for the unaided accomplishment of her national reconstruction. Dr. Sun Yat-sen himself realised this, and actually drew up an ambitious plan of international participation in the economic development of his country. The National Government, too, has in recent years sought and accepted international help in the solution of her problems — in financial matters since 1930, in matters relating to economic planning and development in liaison with the technical organisations of the League of Nations since the constitution of the National Economic Council in 1931, and in relief of the distress caused by the great flood of the same year. Along this road of international co-operation, China would make the surest and most rapid progress towards the attainment of her national ideals, and such a policy would make it easier for foreign Powers to give what support the Central Government may seek, and to help in the removal as rapidly and as effectively as possible of any causes of friction which may endanger her peaceful relations with the rest of the world.

Chapter II.

MANCHURIA.

DESCRIPTION, RELATIONS WITH THE REST OF CHINA AND WITH RUSSIA.

1. DESCRIPTION.

Introductory.

Manchuria, which is known in China as the Three Eastern Provinces, a large, fertile region only forty years ago almost undeveloped and even now still under-populated, has assumed an increasingly important role in the solution of the surplus population problems of China and Japan. The provinces of Shantung and Hopei have poured millions of destitute farmers into Manchuria, while Japan has exported to that country her manufactured articles and capital, in exchange for food supplies and raw materials. In providing for the respective needs of China and Japan, Manchuria has proved the usefulness of their partnership. Without Japan's activity, Manchuria could not have attracted and absorbed such a large population. Without the influx of Chinese farmers and labourers, Manchuria could not have developed so rapidly, providing Japan thereby with a market and with supplies of food, fertilisers, and raw materials.

Manchuria a
coveted
region, first on
account of its
strategic
advantages,
subsequently
on account of
agricultural
and mineral
resources.

Yet, Manchuria, so largely dependent on co-operation, was destined, for reasons already indicated, to become a region of conflict: at first between Russia and Japan, later between China and her two powerful neighbours. At first, Manchuria entered into this great conflict of policies only as an area, the occupation of which was thought to imply domination of Far-Eastern politics. It became coveted for its own sake later, when its agricultural, mineral and forestry resources had been discovered. Exceptional treaty rights were acquired in the first instance by Russia at the expense of China. Those which concerned South Manchuria were subsequently transferred to Japan. The use of the privileges so acquired became more and more instrumental in furthering the economic development of South Manchuria. Strategical considerations have remained paramount, but the extensive economic interests resulting from the active part taken

by Russia and Japan in the development of Manchuria found an ever-increasing insistence in the foreign policy of these two countries.

China at first showed little activity in the field of development. She almost allowed Manchuria to pass from her control to that of Russia. Even after the Treaty of Portsmouth, which reaffirmed her sovereignty in Manchuria, the economic activities of Russia and Japan in developing those provinces figured more prominently than her own in the eyes of the world. Meanwhile the immigration of millions of Chinese farmers settled the future possession of the land. This immigration was in fact an occupation—peaceful, inconspicuous, but none the less real. While Russia and Japan were engaged in delimiting their respective spheres of interest in North and South Manchuria, Chinese farmers took possession of the soil and Manchuria is now unalterably Chinese. In such circumstances, China could afford to wait for a favourable opportunity to reassert her sovereign rights. The Russian revolution of 1917 gave her that opportunity in North Manchuria. She began to take a more active part in the government and development of the country, which had been so long neglected. In recent years she has tried to diminish Japan's influence in South Manchuria. Growing friction resulted from that policy, the culminating point of which was reached on September 18th, 1931.

The total population is estimated at about 30,000,000, of whom 28,000,000 are said to be Chinese or assimilated Manchus. The number of Koreans is put at 800,000, of whom a large number are congregated in the so-called Chientao District on the Korean border, the remainder being widely scattered in Manchuria. Mongol tribes live in the pasture lands bordering Inner Mongolia, their number being small. There may be about 150,000 Russians in Manchuria, most of them living in the area along the Chinese Eastern Railway, especially at Harbin. About 230,000 Japanese are mainly concentrated in the settlements along the South Manchuria Railway and in the Kwantung Leased Territory (Liaotung Peninsula). The total number of Japanese, Russians and other foreigners (excluding Koreans) in Manchuria does not exceed 400,000.

Manchuria is a vast country with an area as large as that of France and Germany taken together, estimated at about 380,000 square miles. In China it is always referred to as the "Three Eastern Provinces" because of its administrative division into the three provinces of Liaoning (or Fengtien) in the South, Kirin in the East, and Heilungkiang in the North. Liaoning is estimated to have an area of 70,000 square miles, Kirin of 100,000, Heilungkiang of over 200,000.

Manchuria is continental in its characteristics. There are two mountain ranges, the Changpai Range in the south-east and the Great Khingan Range in the north-west. Between these two mountain ranges lies the great Manchurian plain, of which the northern part belongs to the basin of the Sungari River and the southern part to that of the Liao River. The watershed between them, which has some historical importance, is a range of hills dividing the Manchurian plain into a northern and a southern part.

Manchuria is bounded on the west by the province of Hopeh and by Outer and Inner Mongolia. Inner Mongolia was formerly divided into three special administrative areas—Jehol, Chahar and Suiyuan—which were given the full status of provinces by the National Government in 1928. Inner Mongolia, and more especially Jehol, has always had relations with Manchuria, and exercises some influence in Manchurian affairs. On the north-west, north-east, and east, Manchuria is bounded by the Siberian provinces of the U.S.S.R., on the south-east by Korea, and on the south by the Yellow Sea. The southern end of the Liaotung Peninsula has been held by Japan since 1905. Its area is over 1,300 square miles, and it is administered as a Japanese leased territory. In addition, Japan exercises

Occupation of
the soil by
Chinese
farmers.

Population.

Area

Geography.

certain rights over a narrow strip of land, which extends beyond the Leased Territory, and which contains the lines of the South Manchuria Railway. The total area is only 108 square miles, whereas the length of the lines is 690 miles.

Economic resources.

The soil of Manchuria is generally fertile, but its development is dependent on transportation facilities. Many important towns flourish along its rivers and railways. Formerly, development was practically dependent on the river system, which is still of much importance, though the railways have now taken the first place as a means of transport. The production of important crops, such as soya beans, kaoliang, wheat, millet, barley, rice, oats, has doubled in fifteen years. In 1929, these crops were estimated at over 876,000,000 bushels. According to estimates given in the *Manchurian Year-Book*, 1931, only 12.6 per cent of the total area has been brought under cultivation in 1929, whereas 28.4 per cent was cultivable. A large increase of production may therefore be expected in the future if economic conditions improve. The total value of the agricultural products of Manchuria for the year 1928 was estimated at over £130,000,000 sterling. A large part of the agricultural produce is exported. Pongee or tussah silk is another important article of export from Manchuria.

Timber and minerals

The mountainous regions are rich in timber and minerals, especially coal. Important deposits of iron and gold are also known to exist, while large quantities of oil shale, dolomite, magnesite, limestone, fireclay, steatite, and silica of excellent quality have been found. The mining industry may therefore be expected to become of great importance.¹

2. RELATIONS WITH THE REST OF CHINA.

Early history of the fall of the Manchu Dynasty.

Manchuria has, since the dawn of history, been inhabited by various Tungus tribes, who mixed freely with Mongol Tartars. Under the influence of Chinese immigrants of superior civilisation they learned to organise themselves and established several kingdoms which sometimes dominated the greater part of Manchuria and some northern districts in China and Korea. The Liao, Chin, and Manchu Dynasties even conquered large parts or the whole of China over which they ruled for centuries. China, on the other hand, under strong emperors, was able to stem the tide from the North, and in her turn to establish sovereignty over large parts of Manchuria. Colonisation by Chinese settlers was practised at a very early date. Various Chinese towns which radiated the influence of Chinese culture through the surrounding districts date from the same early time. For two thousand years a permanent foothold has been maintained, and Chinese culture has always been active in the southernmost part of Manchuria. The influence of this culture had become very strong during the rule of the Ming Dynasty (1368-1644), whose authority extended over practically the whole of Manchuria. The Manchus were permeated by Chinese culture and had amalgamated to a great extent with the Chinese before they overthrew the Ming administration in Manchuria in 1616, and in 1628 passed the Great Wall to conquer China. In the Manchu Army were large numbers of Chinese who were organised in separate military units known as Chinese Banners.

After the conquest, the Manchus quartered their garrisons in the more important cities of China, forbade Manchus to engage in certain professions, prohibited intermarriage between Manchus and Chinese, and restricted the immigration of Chinese into Manchuria and Mongolia. These measures were inspired more by political than by racial discrimination, and aimed at safeguarding the permanent dominance of the dynasty. They did not

¹ See also Chapter VII and the special studies No. 2 and No. 3 annexed to this Report.

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affect the numerous Chinese Bannermen, who enjoyed practically the same privileged status as the Manchus themselves.

The exodus of the Manchus and their Chinese allies greatly reduced the population of Manchuria. However, in the South, Chinese communities continued to exist. From this foothold a few settlers spread across the central part of Fengtien province. Their number was increased by a continuous infiltration of immigrants from China, who succeeded in evading the exclusion laws or who had profited by their modifications from time to time. Manchus and Chinese became still more amalgamated, and even the Manchu language was virtually replaced by Chinese. The Mongols, however, were not assimilated but pushed back by the advancing immigrants. Finally, to stem the Russian advance from the North, the Manchu Government decided to encourage Chinese immigration. In 1878, various parts of Manchuria were accordingly opened and various forms of encouragement given to immigrants, with the result that, at the time of the Chinese Revolution in 1911, the population of Manchuria was estimated at 18,000,000.

In 1907, a few years only before its abdication, the Manchu Dynasty had decided to reform the administration in Manchuria. These provinces had hitherto been administered as a separate, extra-mural dominion, with its own form of government. The Chinese practice of entrusting the civil administration in the provinces to scholars who had passed the competitive examinations had not been followed in Manchuria, which had been placed under a purely military regime in which Manchu officials and traditions were maintained. In China, officials were not allowed to hold office in their native province. Each Manchurian province had a military governor, who exercised complete power in civil as well as in military matters. Later, attempts had been made to separate military and civil administration. The results were not satisfactory. The demarcation of the respective spheres of authority was not adequate; misunderstandings and intrigues were frequent and inefficiency resulted. In 1907, therefore, this attempt was given up. The three military governors were replaced by a Viceroy for all Manchuria, with the object of centralising authority, especially in the domain of foreign policy. Provincial civil governors under the control of the Viceroy were in charge of provincial administration. This reorganisation prepared the way for the later administrative reforms which introduced the Chinese system of provincial government. These last measures of the Manchus were very effective, thanks to the able administrators in charge of Manchurian affairs after 1907.

When the Revolution broke out in 1911, the Manchurian authorities who were not in favour of the Republic succeeded in saving these provinces from the turmoil of civil war by ordering Chang Tso-lin, who was later to become the dictator of both Manchuria and North China, to resist the advance of the revolutionary troops. When the Republic had been established, the Manchurian authorities accepted the *fait accompli* and voluntarily followed the leadership of Yuan Shih-kai, who was chosen the first President of the Republic. To each province both civil and military governors were appointed. In Manchuria, as in the rest of China, the military governors soon succeeded in putting their civil colleagues into the background.

In 1916, Chang Tso-lin was appointed military governor of Fengtien province, concurrently acting as civil governor. His personal influence extended much further. When the question arose of declaring war against Germany, he joined the military leaders in China in their request to dissolve the Parliament which had opposed that measure. When the request was rejected by the President, he declared his province independent from the Central Government at Peking. Later, he withdrew that declaration and in 1918, in recognition of his service to the Central Government, he was appointed Inspector-General of all Manchuria. In this way Manchuria again became an administrative unit with its own special regime.

**After the fall of
the Manchu
Dynasty.**

**1916.
Chang Tso-lin
appointed
Governor
of Fengtien
province.**

**1922.
He severs
allegiance to
Central
Government
at Peking.**

Chang Tso-lin accepted the honours accorded by the Central Government, but his attitude from time to time depended on the nature of his personal relations with the military leaders who controlled the changing central authorities. He seems to have looked upon his relations with the Government in the sense of a personal alliance. In July 1922, when he failed to establish his authority south of the Great Wall and saw his rivals taking control of the Peking Government, he renounced allegiance to the Central Government and maintained complete independence of action in Manchuria until he extended his authority south of the Wall and became master of Peking as well. He expressed his willingness to respect foreign rights, and accepted the obligations of China, but he requested foreign Powers to negotiate henceforth directly with his administration in all matters concerning Manchuria.

**The Mukden
Agreement
with
U.S.S.R.
1924.**

Accordingly, he repudiated the Sino-Soviet Agreement of May 31st, 1924, though very advantageous to China, and persuaded the U.S.S.R. to conclude a separate agreement with him in September 1924. It was virtually identical with that of May 31st, 1924, with the Central Government. This fact emphasised Chang Tso-lin's insistence on the recognition of his complete independence of action, both in domestic and foreign policy.

**Marshal Chang
Tso-lin defeats
General
Wu Pei-fu.**

In 1924, he invaded China again and was successful, because General (now Marshal) Feng Yu-hsiang abandoned his superior, General (now Marshal) Wu Pei-fu, at a critical moment in the campaign. The immediate result was the overthrow of the Central Government and the expansion of Marshal Chang's influence as far south as Shanghai.

**Mutiny of Kuo
Sung-lin, 1925.**

In 1925, Marshal Chang had again to resort to arms, this time against his late ally, General Feng. In this campaign one of his commanders, Kuo Sung-lin, abandoned him at a most critical moment in favour of General Feng. The mutiny of Kuo Sung-lin in November 1925 was of more than passing interest, because it involved both the U.S.S.R. and Japan, the action of the former having been indirectly of advantage to General Feng and that of the latter to Marshal Chang. Kuo Sung-lin, though a subordinate of the Marshal, shared General Feng's views about social reform, and turned against his superior in the belief that his downfall was necessary to put an end to civil war. This defection put the Marshal in a most critical position. Kuo Sung-lin was in possession of the territory west of the railway and the Marshal was at Mukden with greatly reduced forces. At this moment, Japan, in her own interests in South Manchuria, declared a neutral zone of 20 li (7 miles) on each side of the South Manchuria Railway, across which she would allow no troops to pass. This prevented Kuo Sung-lin from advancing against the Marshal and allowed time for the reinforcements from Heilungkiang to reach him. They were delayed by the action of the Soviet railway authorities, who refused to allow them to travel over the railway without first paying their fares in cash, but they managed to travel by another route.

The arrival of these reinforcements and the more or less open help given by the Japanese settled the campaign in the Marshal's favour. Kuo Sung-lin was defeated and General Feng was forced to withdraw and to abandon Peking to Marshal Chang. Marshal Chang resented the action of the authorities of the Chinese Eastern Railway on this occasion and left no stone unturned to retaliate by continuous encroachments on the rights of this railways. The experience provided by this incident appears to have been an important factor in causing him to build an independent railway system connecting the three provincial capitals of Manchuria.

**Meaning of
Manchurian
independence.**

The independence declared by Marshal Chang Tso-lin at different times never meant that he or the people of Manchuria wished to be separated from China. His armies did not invade China as if it were a foreign country, but merely as participants in the civil war. Like the war lords of any other province, the Marshal alternately supported, attacked, or declared

his territory independent of the Central Government, but never in such a way as to involve the partition of China into separate States. On the contrary, most Chinese civil wars were directly or indirectly connected with some ambitious scheme to unify the country under a really strong Government. Through all its wars and periods of "independence", therefore, Manchuria remained an integral part of China.

Although Marshal Chang Tso-lin and the Kuomintang had been allies in the wars against Wu Pei-fu, the former did not himself accept the doctrines of the Kuomintang. He did not approve of the constitution as desired by Dr. Sun, as it did not seem to him to harmonise with the spirit of the Chinese people; but he desired the unification of China, and his policy with regard to the spheres of interest of the U.S.S.R. and Japan in Manchuria shows that he would have liquidated both if he could have done so. Indeed, he almost succeeded in accomplishing this in the case of the sphere of the U.S.S.R. and initiated the policy of railway construction already referred to, which was to cut off the South Manchuria Railway from some of its feeder districts. This attitude towards U.S.S.R. and Japanese interests in Manchuria may be attributed partly to impatience at the limitations of his authority in dealing with these countries and partly to the resentment which he shared with all shades of Chinese opinion regarding the privileged position of foreigners in China. In fact, in November 1924, he invited Dr. Sun to a re-organisation conference in the programme of which the latter wanted to include the improvement of the standard of living, the convening of a national convention, and the abolition of unequal treaties. Dr. Sun's fatal illness prevented this conference from taking place; but his proposals suggest a certain understanding with the Marshal and a possible basis of agreement between them with regard to the foreign policy of their country.

In the last years of his life, Marshal Chang Tso-lin showed increasing unwillingness to allow Japan to profit by the privileges she derived from various treaties and agreements. Their relations at times became somewhat strained. Japanese advice that he should keep out of the factional strife in China and concentrate his energy on the development of Manchuria he resented and disregarded, as did his son after him. After the defeat of General Feng, Chang Tso-lin became the chief of the alliance of the Northern militarists, with the title of Great Marshal.

In 1928, he suffered defeat at the hands of the Kuomintang Army in their Northern Expedition referred to in Chapter I, and was advised by Japan to withdraw his armies into Manchuria before it was too late. The declared object of Japan was to save Manchuria from the evils of civil war which would have resulted from the entry of a defeated army pursued by its victors.

The Marshal resented the advice, but was obliged to follow it. He left Peiping (formerly Peking) on June 3rd, 1928, for Mukden, but was killed the next day by an explosion which wrecked his train just outside the city at the spot where the Peiping-Mukden Railway passes underneath the bridge over which run the lines of the South Manchuria Railway.

The responsibility for this murder has never been established. The tragedy remains shrouded in mystery, but the suspicion of Japanese complicity to which it gave rise became an additional factor in the state of tension which Sino-Japanese relations had already reached by that time.

After the death of Marshal Chang Tso-lin, his son, Chang Hsueh-liang, became the ruler of Manchuria. He shared many of the national aspirations of the younger generation, and desired to stop civil warfare and assist the Kuomintang in its policy of unification. As Japan had already some experience of the policy and tendencies of the Kuomintang, she did not welcome the prospect of such influences penetrating into Manchuria. The young Marshal was advised accordingly. Like his father, he resented that

**Chang Tso-lin
and the
Kuomintang.**

**Last years of
Chang Tso-lin.**

**Death of
Marshal
Chang Tso-lin,
June 4th, 1928.**

**Succeeded by
his son,
Marshal
Chang
Hsueh-liang.**

**The young
Marshal
declares
allegiance to
the Central
Government.**

**Kuomintang
connection
more nominal
than real.**

**Effect of
union with
Nationalist
Government on
foreign policy
in Manchuria.**

advice and decided to follow his own counsel. His relations with the Kuomintang and with Nanking became closer and, in December 1928, he accepted the national flag and declared his allegiance to the Central Government. He was made Commander-in-Chief of the North-Eastern Frontier Army and was also confirmed as chief of the administration of Manchuria, with the addition of Jehol, a part of Inner Mongolia with an area of about 60,000 square miles.

The union of Manchuria with Nationalist China necessitated some changes in the administrative organisation, which was made to approximate to that of the Central Government. The committee system was introduced and Kuomintang headquarters were established. In reality, the old system and its personnel continued to function as before. The interference of party branches with the local administrations, such as continually occurred in China, was not tolerated in Manchuria. The provision which required all important military officers and civil officials to be members of the Kuomintang was treated as a mere formality. The relationship with the Central Government depended, in all affairs — military, civil, financial and foreign — on voluntary co-operation. Orders or instructions requiring unquestioning obedience would not have been tolerated. Appointments or dismissals against the wishes of the Manchurian authorities were unthinkable. In various other parts of China, a similar independence of action in government and party affairs existed. All important appointments are, in such cases, really made by the local authorities and only confirmed by the Central Government.

In the domain of foreign policy, the union of Manchuria with the Nationalist Government was to have more important consequences, although, in this respect, the local authorities were also left much liberty of action. The persistent assaults of Marshal Chang Tso-lin on the position of the Chinese Eastern Railway in Manchuria and his disregard of certain rights claimed by Japan show that, in Manchuria, a "forward policy" had already been adopted before the union with the Nationalists. However, after the union, Manchuria was opened to well-organised and systematic Kuomintang propaganda. In its official party publications and numerous affiliated organs, it never ceased to insist on the primary importance of the recovery of lost sovereign rights, the abolition of unequal treaties, and the wickedness of imperialism. Such propaganda was bound to make a profound impression in Manchuria, where the reality of foreign interests, courts, police, guards or soldiers on Chinese soil, was apparent. Through the Nationalist school-books, party propaganda entered the schools. Associations such as the Liaoning Peoples' Foreign Policy Association made their appearance. They stimulated and intensified the nationalist sentiment and carried on an anti-Japanese agitation. Pressure was brought to bear on Chinese house-owners and landlords to raise the rents of Japanese and Korean tenants, or to refuse renewal of rent contracts¹. The Japanese reported to the Commission many cases of this nature. Korean settlers were subjected to systematic persecution. Various orders and instructions of an anti-Japanese nature were issued. Cases of friction accumulated and dangerous tension developed. The Kuomintang Party headquarters in the provincial capitals were established in March 1931, and subsequently branch organisations were set up in the other towns and districts. Party propagandists from China came North in increasing numbers. The Japanese complained that the anti-Japanese agitation was intensified every day. In April 1931, a five-days' conference under the auspices of the People's Foreign Policy Association was held at Mukden, with over three hundred delegates from various parts of Manchuria in attendance. The possibility of liquidating the Japanese position in Manchuria was discussed, the

¹ See special study No. 9, annexed to this Report.

recovery of the South Manchuria Railway being included in the resolutions adopted. At the same time, the U.S.S.R. and her citizens suffered from similar tendencies, while the White Russians, although they had no sovereign rights or exceptional privileges to surrender, were subjected to humiliation and ill-treatment.

As regards domestic affairs, the Manchurian authorities had retained all the power they wanted, and they had no objection to following administrative rules and methods adopted by the Central Government so long as the essentials of power were not affected.

Soon after the union, the Political Committee of the North-Eastern Provinces was established at Mukden. It was, under the nominal supervision of the Central Government, the highest administrative authority in the North-Eastern Provinces. It consisted of thirteen members, who elected one of their number as President. The Committee was responsible for the direction and supervision of the work of the Governments of the four provinces of Liaoning, Kirin, Heilungkiang and Jehol, and of the so-called Special District which, since 1922, had replaced the administrative sphere of the Chinese Eastern Railway. The Committee had authority to deal with all matters not specifically reserved to the Central Government and to take any action which did not conflict with their laws and orders. It was the duty of the Governments of the Provinces and of the Special District to carry out the decisions reached by the Committee.

The administrative system of the Provinces did not differ essentially from the organisation adopted in the rest of China. The concession made with regard to the preservation of Manchuria as an administrative unit was the most important difference. Without this concession, voluntary union would probably not have taken place. In fact, notwithstanding external changes, the old conditions continued to exist. The Manchurian authorities realised that, as before, their power derived much more from their armies than from Nanking.

This fact explains the maintenance of large standing armies numbering about 250,000 men, and of the huge arsenal on which more than \$200,000,000 (silver) are reported to have been spent. Military expenses are estimated to have amounted to 80 per cent of the total expenditure. The remainder was not sufficient to provide for the costs of administration, police, justice and education. The treasury was not capable of paying adequate salaries to the officials. As all power rested in the hands of a few military men; office could be owned only through them. Nepotism, corruption, and maladministration continued to be unavoidable consequences of this state of affairs. The Commission found grave complaints concerning this maladministration to be widely current. This state of affairs, however, was not peculiar to Manchuria, as similar or even worse conditions existed in other parts of China.

Heavy taxation was needed for the upkeep of the army. As ordinary revenues were still insufficient, the authorities further taxed the people by steadily depreciating the irredeemable provincial currencies¹. This was often done, particularly of late, in connection with "official bean-buying" operations, which by 1930 had already assumed monopolistic proportions. By gaining control over Manchuria's staple products, the authorities had hoped to enhance their gains by compelling the foreign bean-buyers, particularly the Japanese, to pay higher prices. Such transactions show the extent to which the authorities controlled banks and commerce. Officials likewise engaged freely in all sorts of private enterprise, and used their power to gather wealth for themselves and their favourites.

Whatever the shortcomings of the administration in Manchuria may have been in the period preceding the events of September 1931, efforts

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domestic
affairs.**

**The Political
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the
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were made in some parts of the country to improve the administration, and certain achievements must be noted, particularly in the field of education, progress, of municipal administration, and of public utility work. It is necessary, in particular, to emphasise that, during this period, under the administration of Marshal Chang Tso-lin and Marshal Chang Hsueh-liang, the Chinese population and Chinese interests played a much greater part than formerly in the development and organisation of the economic resources of Manchuria ¹.

The extensive settlement of Chinese immigrants, already mentioned, helped to develop the economic and social relations between Manchuria and the rest of China. But apart from this colonisation, it was during this period that Chinese railways, independent of Japanese capital, notably the Mukden-Hailung, the Tahushan-Tungliao (a branch of the Peiping-Mukden system), the Tsitsihar-Koshan, and the Hulun-Hailun railways, were built, and that the Hulutao Harbour project, the Liao River Conservancy work, and some navigation enterprises on various rivers were started. Official and private Chinese interests participated in many enterprises. In mining, they had an interest in the Penhsihu, Muling, Chalainoerh and Laotoukou coal-mines, and sole responsibility for the development of other mines, many of them under the direction of the official North-Eastern Mining Administration; they were also interested in gold-mining in Heilungkiang province. In forestry, they had a joint interest with Japanese in the Yalu Timber Company and were engaged in the timber industry in Heilungkiang and Kirin Provinces. Agricultural experimental stations were started in various places in Manchuria, and agricultural associations and irrigation projects were encouraged. Finally, Chinese interests were engaged in milling and textile industries, bean, oil and flour mills in Harbin, spinning and weaving mills for Pongee or Tussah silk, cotton and wool.

**Commercial
relations with
the rest of
China.**

Commerce between Manchuria and the rest of China also increased ². This trade was partly financed by Chinese banks, notably the Bank of China, which had established branches in the leading towns in Manchuria. Chinese steamships and native junks plied between China Proper and Dairen, Yingkow (New-chwang) and Antung. They carried increasing amounts of cargo and occupied second place in Manchuria's shipping, being exceeded only by Japanese tonnage. Chinese insurance business was also on the increase, and the Chinese Maritime Customs derived an ever-increasing revenue from the trade of Manchuria.

Thus, during the period preceding the conflict between China and Japan, both the political and economic ties between Manchuria and the rest of China were gradually strengthened. This growing interdependence contributed to induce Chinese leaders, both in Manchuria and in Nanking, to pursue an increasingly nationalist policy directed against the interests and rights acquired by Russia or Japan.

3. RELATIONS WITH RUSSIA.

**Russo-Chinese
Relations.**

The Sino-Japanese war of 1894-95 had given Russia an opportunity to intervene, ostensibly on behalf of China, but in fact in her own interest, as subsequent events proved. Japan was forced by diplomatic pressure to return to China the Liaotung Peninsula in South Manchuria, which had been ceded to Japan by the Treaty of Shimonoseki in 1895, and Russia assisted China to pay off the war indemnities which had been imposed by Japan. In 1896, a secret defensive alliance was concluded between the two countries and, in the same year, in consideration of the services above

¹ See also Chapter VIII and special study No. 3, annexed to this Report.

² See also Chapter VIII and special study No. 6, annexed to this Report.

referred to, Russia was authorised by China to carry a branch of the Trans-Siberian Railway across Manchuria in a direct line from Chita to Vladivostok. This line was said to be needed for the transportation of Russian forces to be sent to the East in case Japan should again attack China. The Russo-Chinese Bank (later the Russo-Asiatic Bank) was established to mask somewhat the official character of the enterprise. The Bank formed in its turn the Chinese Eastern Railway Company for the construction and operation of the railway. By the terms of the contract of September 8th, 1896, between the Bank and the Chinese Government, the Company was to build the railway and operate it for eighty years, at the end of which it was to become the property of China free of charge, but China had the right of purchasing it at a price to be agreed upon at the end of thirty-six years. During the period of the contract, the company was to have the absolute and exclusive right of administration of its lands. This clause was interpreted by Russia in a much broader way than various other stipulations in the contract seem to warrant. China protested against the continuous Russian attempts to enlarge the scope of the contract, but was not able to prevent it. Russia gradually succeeded in exercising in the Chinese Eastern Railway area, with its rapidly developing railway towns, rights equivalent to rights of sovereignty. China had also consented to hand over free of charge all Government lands needed by the railway, while private lands might be expropriated at current prices. The Company had, furthermore, been permitted to construct and operate the telegraph lines necessary for its own use.

In 1898, Russia secured a lease for twenty-five years of the southern part of the Liaotung Peninsula, which Japan had been forced to give up in 1895, and also secured the right to connect the Chinese Eastern Railway at Harbin with Port Arthur and Dalny (now Dairen) in the leased territory. Authority was given for the construction of a naval port at Port Arthur. In the area traversed by this branch line, the Company was granted the right to cut timber and to mine coal for the use of the railway. All the stipulations of the contract of September 8th, 1896, were extended to the supplementary branches. Russia was authorised to make her own tariff arrangements inside the leased territory. In 1899, Dalny (now Dairen) was declared a free port and opened to foreign shipping and commerce. No railway privileges were to be given to the subjects of other Powers in the area traversed by the branch line. In the neutral ground north of the leased territory, no ports were to be opened to foreign trade and no concessions or privileges were to be granted without the consent of Russia.

In 1900, Russia occupied Manchuria on the ground that the Boxer rising had endangered her nationals. Other Powers protested and demanded the withdrawal of her forces, but Russia delayed taking action in this sense. In February 1901, the draft of a secret Sino-Russian treaty was discussed in St. Petersburg, by the terms of which China, in return for the restoration of her civil authority in Manchuria, was to sanction the maintenance of the railway guards which Russia had established under Clause 6 of the Fundamental Contract of 1896, and to engage not to transfer to other nations or their subjects, without the consent of Russia, mines or other interests in Manchuria, Mongolia, and Sinkiang. These and some other clauses in the draft treaty, when they became known, aroused opposition from public opinion in China and other countries and, on April 3rd, 1901, the Russian Government issued a circular note to the effect that the project had been withdrawn.

Japan followed these manœuvres with particular attention. On January 30th, 1902, she had concluded the Anglo-Japanese Treaty of Alliance and accordingly felt herself more secure. However, she was still concerned at the prospect of Russian encroachments into Korea and Manchuria. She therefore pressed with the other Powers for the evacuation

**The Chinese
Eastern
Railway.**

**Contract of
September 8th,
1896.**

**Lease of the
Liaotung
Peninsula
to Russia,
1898.**

**Russian
occupation of
Manchuria,
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**Japan
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of the Russian forces in Manchuria. Russia declared her willingness to withdraw on conditions which would have virtually closed Manchuria and Mongolia to other than Russian enterprise. In Korea, Russian pressure increased also. In July 1902, Russian troops appeared at the mouth of the Yalu River. Several other acts convinced Japan that Russia had decided upon a policy which was a menace to her interests, if not to her very existence. In July 1903, she began negotiations with Russia concerning the maintenance of the policy of the Open Door and the territorial integrity of China, but, having met with no success whatever, she resorted to war on February 10th, 1904. China remained neutral.

**Treaty of
Portsmouth**

Russia was defeated. On September 5th, 1905, she concluded the Treaty of Portsmouth, whereby she relinquished her exceptional rights in South Manchuria in favour of Japan. The leased territory and all rights connected with the lease were transferred to Japan, and also the railway between Port Arthur and Changchun, with its branches, as well as all coal-mines in that region belonging to or worked for the benefit of the railway. Both parties agreed to restore to the exclusive administration of China all portions of Manchuria occupied or under the control of their respective troops, with the exception of the leased territory. Both reserved the right to maintain (under certain specified conditions) guards to protect their respective railway lines in Manchuria, the number of such guards not to exceed fifteen per kilometre.

**Russian
influence
restricted to
North
Manchuria.**

Russia had lost half of her sphere of influence, which was henceforth to be restricted to North Manchuria. She retained her position there and increased her influence in the following years, but, when the Russian Revolution broke out in 1917, China decided to reassert her sovereignty in this area.

**Siberian
expedition.**

At first, her action was restricted to participation in the Allied intervention (1918-1920) which, in connection with the chaotic conditions rapidly developing, after the Russian Revolution, in Siberia and North Manchuria, had been proposed by the United States of America for the double purpose of protecting the vast stores of war material and supplies accumulated at Vladivostok and of assisting the evacuation of some 50,000 Czechoslovak troops, who were retreating from the eastern front across Siberia. This proposal was accepted and it was arranged that each country should send an expeditionary force of 7,000 men to be assigned to its own special section of the Trans-Siberian line, the Chinese Eastern Railway being confided to the sole charge of the Chinese. To ensure the working of the railways in co-operation with the Allied forces, a special Inter-Allied Railway Committee was formed in 1919 with technical and transportation boards under it. In 1920, the intervention came to an end and the Allied forces were withdrawn from Siberia except the Japanese, who had become involved in open hostilities with the Bolsheviks. The fighting dragged on for nearly two years. In 1922, after the Washington Conference, the Japanese troops were also withdrawn and, simultaneously, the Inter-Allied Committee, with its technical board, ceased to exist.

**After outbreak
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Meanwhile, China, after an abortive attempt of General Horvath, the head of the Chinese Eastern Railway, to set up an independent regime in the railway area, assumed responsibility for the preservation of order in that area (1920). In the same year, she concluded an agreement with the re-organised Russo-Asiatic Bank and announced her intention of assuming temporarily supreme control of an agreement with a new Russian Government. China also announced her intention of resuming the advantages conferred on her by the contract of 1896 and the original statutes of the Company. Thenceforth, the President and four members of the Board of Directors of the Company and two members of the Audit Committee were to be nominated by the Chinese Government. Russian predominance was also weakened by other measures which followed. The Russian armed

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forces in the railway area were disarmed and replaced by Chinese soldiers. The extra-territorial status of Russians was abolished. The courts were forcibly entered and closed. Russians were made amenable to Chinese law, justice and taxation. They could be arrested by the Chinese police and held by them indefinitely, as the police had large powers and were insufficiently controlled.

In 1922, the railway area which so far had been under the administration of the Company was transformed into a Special District of the Three Eastern Provinces under a Chief Administrator directly responsible to Mukden. The administration of the lands belonging to the railway was also interfered with. Marshal Chang Tso-lin had practically liquidated the Russian sphere before Russia's new Government had been recognised, and private interests had suffered heavily in the process. When the Soviet Government succeeded to the Manchurian inheritance of its predecessor, the railway had been shorn of most of its privileges.

The declarations of policy made in 1919 and 1920 by the Soviet Government with regard to China implied a complete relinquishment of the special rights which the Imperial Government had acquired in China, notably those acquired in North Manchuria.

In accordance with this policy, the Soviet Government agreed to the regularisation of the *fait accompli* by a new agreement. By the Sino-Russian Agreement of May 31st, 1924, the Chinese Eastern Railway became a purely commercial concern under joint management, in which China also acquired a financial interest. The Government of the U.S.S.R. had, however, the right of appointing the General Manager (who exercises extensive and ill-defined powers) and, under the Agreement, the Government of the U.S.S.R. exercised a preponderant influence in the affairs of the railway and was able to retain the essential parts of its economic interests in North Manchuria. As mentioned above, the Agreement of May 1924, concluded with the Chinese Government at Peking, was not accepted by Marshal Chang Tso-lin, who insisted on a separate Agreement being concluded with himself. This Agreement, signed in September 1924, was almost identical in its terms, but by it the lease of the railway was shortened from eighty to sixty years.

This Agreement did not inaugurate a period of friendly relations between the U.S.S.R. and the administration of Marshal Chang Tso-lin in Manchuria.

The convening of the conference which was to deal with the many questions left unsettled in the two Agreements of 1924 was postponed on various pretexts. On two occasions, in 1925 and 1926, the General Manager of the Chinese Eastern Railway refused to transport troops of the Marshal on the railway. The second incident led to the arrest of the General Manager and to an ultimatum from the U.S.S.R. (January 23rd, 1926). Nor were these isolated incidents. Nevertheless, the Chinese authorities persisted in a policy which was directed against Russian interests and which was resented both by the Government of the U.S.S.R. and by the White Russians.

After the adherence of Manchuria to the Nanking Government, nationalist spirit increased in strength, and the efforts of the U.S.S.R. to maintain predominating control over the railway were, more than ever before, resented. In May 1929, an attempt was made to liquidate the last remnants of the Russian sphere of interest. The attack started with a raid on the Soviet consulates at various places by the Chinese police, who made many arrests and claimed to have found evidence proving that a Communist revolution was being plotted by employees of the Soviet Government and of the Chinese Eastern Railway. In July, the telegraph and telephone systems of the railway were seized, and many important Soviet organisations and enterprises were forcibly closed down. Finally, the Soviet Manager of the railway was requested to hand over the management to a Chinese

**Special
Administrative
Districts
joined.**

**Sino-Soviet
agreement.**

**Agreement
of 1924.**

**Chang Tso-lin's
aggressive
policy against
the interests
of the
U.S.S.R.**

**Final efforts
of China to
liquidate Soviet
influence in
Manchuria,
1929.**

appointee. He refused to do so and was thereupon forbidden to carry on his duties. The Chinese authorities replaced freely members of the Soviet staff by their own nominees, many Soviet citizens were arrested, and some were deported. The Chinese justified the violent action taken on the ground that the Soviet Government had broken its pledge not to engage in propaganda directed against the political and social systems of China. The Soviet Government, in its note of May 30th, denied the charge.

Action of the
U.S.S.R.

In consequence of the forcible liquidation of the remaining Russian rights and interests, the Soviet Government decided to take action. After the exchange of several notes, it recalled from China its diplomatic and commercial representatives, and all its nominees to posts in the Chinese Eastern Railway, and severed all railway communications between its territory and China. China, likewise, broke off relations with the U.S.S.R. and withdrew all Chinese diplomatic officers from Soviet territory. Raids by Soviet troops across the Manchurian border began and developed into a military invasion in November 1929. After having suffered defeat and severe loss of prestige, the Manchurian authorities, to whom the Nanking Government entrusted the settlement of the dispute, were forced to accept the demands of the U.S.S.R. On December 22nd, 1929, a Protocol was signed at Habarovsk whereby the *statu quo* was re-established. During the dispute, the Soviet Government had always taken the position, in answer to various memoranda from third-Power signatories to the Pact of Paris, that her action had been taken in legitimate self-defence and could in no way be interpreted as a breach of that agreement.

Protocol of
Habarovsk,
December
22nd, 1929.

Russo-
Japanese
relations
regarding
Manchuria
since 1905.

Policy of
co-operation,
1907-1917.

Before describing the interests of Japan in Manchuria, which are dealt with at length in the next chapter, a brief reference must be made, in this account of the position of Russia in Manchuria, to the relations between that country and Japan since 1905.

It is an interesting fact that the war between Russia and Japan was followed almost immediately by a policy of close co-operation, and when peace was concluded they were able to strike a satisfactory balance between their respective spheres of interest in North and South Manchuria. Such traces of the conflict as might have remained behind were rapidly effaced by controversies with other Powers which wanted to engage actively in the development of Manchuria. The fear of other rivals hastened the process which was reconciling the two countries. The Treaties of 1907, 1910, 1912 and 1916 brought the two countries progressively closer together.

Effect of
the Russian
Revolution
on Japan.

The Russian Revolution of 1917, followed by the declarations of the Soviet Government of July 25th, 1919, and of October 27th, 1920, regarding its policy towards the Chinese people and, later, by the Sino-Soviet Agreements of May 31st, 1924, and September 20th, 1924, shattered the basis of Russo-Japanese understanding and co-operation in Manchuria. This fundamental reversal of policy radically changed the relations of the three Powers in the Far East. Moreover, the Allied intervention (1918-1920), with its aftermath of friction between the Japanese and Soviet forces in Siberia (1920-1922), had accentuated the change in the relations between Japan and Russia. The attitude of the Soviet Government gave a strong impetus to China's nationalistic aspirations. As the Soviet Government and the Third International had adopted a policy opposed to all imperialist Powers which maintained relations with China on the basis of the existing treaties, it seemed probable that they would support China in the struggle for the recovery of sovereign rights. This development revived all the old anxieties and suspicions of Japan towards her Russian neighbour. This country, with which she had once been at war, had, during the years which followed that war, become a friend and ally. Now this relationship was changed, and the possibility of a danger from across the North-Manchurian border again became a matter of concern to Japan. The likelihood of an alliance between the Communist doctrines in the

appointee. He refused to do so and was thereupon forbidden to carry on his duties. The Chinese authorities replaced freely members of the Soviet staff by their own nominees, many Soviet citizens were arrested, and some were deported. The Chinese justified the violent action taken on the ground that the Soviet Government had broken its pledge not to engage in propaganda directed against the political and social systems of China. The Soviet Government, in its note of May 30th, denied the charge.

Action of the
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North and the anti-Japanese propaganda of the Kuomintang in the South made the desire to impose between the two a Manchuria which should be free from both increasingly felt in Japan. Japanese misgivings have been still further increased in the last few years by the predominant influence acquired by the U.S.S.R. in Outer Mongolia and the growth of Communism in China.

The Convention concluded between Japan and the U.S.S.R. in January 1925 served to establish regular relations, but did not revive the close co-operation of the pre-revolution period.

Chapter III.

MANCHURIAN ISSUES BETWEEN JAPAN AND CHINA.

(Before September 18th, 1831)

1. JAPAN'S INTEREST IN CHINA.

During the quarter of a century before September 1931, the ties which bound Manchuria to the rest of China were growing stronger and, at the same time, the interests of Japan in Manchuria were increasing. Manchuria was admittedly a part of China, but it was a part in which Japan had acquired or claimed such exceptional rights, so restricting the exercise of China's sovereign rights, that a conflict between the two countries was a natural result.

By the Treaty of Peking of December 1905, China gave her consent to the transfer to Japan of the Kwantung Leased Territory, which was formerly leased to Russia, and of the southern branch of the Russian-controlled Chinese Eastern Railway as far north as Changchun. In an additional agreement, China granted to Japan a concession to improve the military railway line between Antung and Mukden and to operate it for fifteen years.

**Japan's Treaty
Rights of 1905.**

In August 1906, the South Manchuria Railway Company was organised by Imperial Decree to take over and administer the former Russian Railway, as well as the Antung-Mukden Railway. The Japanese Government acquired control of the company by taking half of the shares in exchange for the railway, its properties, and the valuable coal-mines at Fushun and Yentai. The company was entrusted, in the railway area, with the functions of administration and was allowed to levy taxes; it was also authorised to engage in mining, electrical enterprises, warehousing, and many other branches of business.

**South
Manchuria
Railway
Company
was organised
in August 1906.**

In 1910, Japan annexed Korea. This annexation indirectly increased Japanese rights in Manchuria, since Korean settlers became Japanese subjects over whom Japanese officials exercised jurisdiction.

**Annexation
of Korea.**

In 1915, as a result of the group of exceptional demands made by the Japanese and generally known as the "Twenty-one Demands", Japan and China signed a Treaty and exchanged Notes on May 25th regarding South Manchuria and Eastern Inner Mongolia. By those agreements, the lease of the Kwantung Territory, including Port Arthur and Dalny (now Dairen), which was originally for a period of twenty-five years, and the concessions for the South Manchuria and the Antung-Mukden Railways, were all extended to ninety-nine years. Furthermore, Japanese subjects in South Manchuria acquired the right to travel and reside, to engage in business of any kind, and to lease land necessary for trade, industry and agriculture. Japan also obtained rights of priority for railway and certain other loans in

**The Treaty
and Notes
of 1915.**

South Manchuria and Eastern Inner Mongolia, and preferential rights regarding the appointment of advisers in South Manchuria. At the Washington Conference, 1921-22, however, Japan relinquished her rights regarding the loans and the advisers.

These treaties and other agreements gave to Japan an important and unusual position in Manchuria. She governed the leased territory with practically full rights of sovereignty. Through the South Manchuria Railway, she administered the railway areas, including several towns and large sections of such populous cities as Mukden and Changchun ; and in these areas she controlled the police, taxation, education and public utilities. She maintained armed forces in many parts of the country : the Kwantung Army in the Leased Territory, Railway Guards in the railway areas, and Consular Police throughout the various districts.

Exceptional character of the political, economic and legal relations between Japan and China in Manchuria.

This summary of the long list of Japan's rights in Manchuria shows clearly the exceptional character of the political, economic and legal relations created between that country and China in Manchuria. There is probably nowhere in the world an exact parallel to this situation, no example of a country enjoying in the territory of a neighbouring State such extensive economic and administrative privileges. A situation of this kind could possibly be maintained without leading to incessant complications and disputes if it were freely desired or accepted on both sides, and if it were the sign and embodiment of a well-considered policy of close collaboration in the economic and in the political sphere. But, in the absence of those conditions, it could only lead to friction and conflict.

II. CONFLICT BETWEEN THE FUNDAMENTAL INTERESTS OF JAPAN AND CHINA IN MANCHURIA.

Chinese attitude towards Manchuria.

The Chinese people regard Manchuria as an integral part of China and deeply resent any attempt to separate it from the rest of their country. Hitherto, these Three Eastern Provinces have always been considered both by China and by foreign Powers as a part of China, and the *de jure* authority of the Chinese Government there has been unquestioned. This is evidenced in many Sino-Japanese treaties and agreements, as well as in other international conventions, and has been reiterated in numerous statements issued officially by Foreign Offices, including that of Japan.

Manchuria, China's first line of defence.

The Chinese regard Manchuria as their " first line of defence ". As Chinese territory, it is looked upon as a sort of buffer against the adjoining territories of Japan and Russia, a region which constitutes an outpost against the penetration of Japanese and Russian influences from those regions into the other parts of China. The facility with which China, south of the Great Wall, including the city of Peiping, can be invaded from Manchuria has been demonstrated to the Chinese from historical experience. This fear of foreign invasion from the north-east has been increased in recent years by the development of railway communication, and has been intensified during the events of the past year.

China's economic interest in Manchuria.

Manchuria is also regarded by the Chinese as important to them for economic reasons. For decades they have called it the " granary of China ", and more recently have regarded it as a region which furnishes seasonal employment to Chinese farmers and labourers from neighbouring Chinese provinces.

Whether China as a whole can be said to be over-populated may be open to question, but that certain regions and provinces — as, for example, Shantung — are now peopled in such numbers as to require emigration is generally accepted by the most competent authorities on this subject ¹. The Chinese, therefore, regard Manchuria as a frontier region, capable

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of affording relief for the present and future population problems of other parts of China. They deny the statement that the Japanese are principally responsible for the economic development of Manchuria, and point to their own colonisation enterprises, especially since 1925, to their railway development, and other enterprises, in refutation of these claims.

Japanese interests in Manchuria differ both in character and degree from those of any other foreign country. Deep in the mind of every Japanese is the memory of their country's great struggle with Russia in 1904-05, fought on the plains of Manchuria, at Mukden and Liaoyang, along the line of the South Manchuria Railway, at the Yalu River, and in the Liaotung Peninsula. To the Japanese the war with Russia will ever be remembered as a life-and-death struggle fought in self-defence against the menace of Russian encroachments. The facts that a hundred thousand Japanese soldiers died in this war and that two billion gold yen were expended have created in Japanese minds a determination that these sacrifices shall not have been made in vain.

Japanese interest in Manchuria, however, began ten years before that war. The war with China, in 1894-95, principally over Korea, was largely fought at Port Arthur and on the plains of Manchuria; and the Treaty of Peace signed at Shimonoseki ceded to Japan in full sovereignty the Liaotung Peninsula. To the Japanese, the fact that Russia, France and Germany forced them to renounce this cession does not affect their conviction that Japan obtained this part of Manchuria as the result of a successful war and thereby acquired a moral right to it which still exists.

Manchuria has been frequently referred to as the "life-line" of Japan. Manchuria adjoins Korea, now Japanese territory. The vision of a China, unified, strong and hostile, a nation of four hundred millions, dominant in Manchuria and in Eastern Asia, is disturbing to many Japanese. But to the greater number, when they speak of menace to their national existence and of the necessity for self-defence, they have in mind Russia rather than China. Fundamental, therefore, among the interests of Japan in Manchuria is the strategic importance of this territory.

There are those in Japan who think that she should entrench herself firmly in Manchuria against the possibility of attack from the U.S.S.R. They have an ever-present anxiety lest Korean malcontents in league with Russian Communists in the nearby Maritime Province might in future invite, or co-operate with, some new military advance from the North. They regard Manchuria as a buffer region against both the U.S.S.R. and the rest of China. Especially in the minds of Japanese military men, the right claimed, under agreements, with Russia and China, to station a few thousand railway guards along the South Manchuria Railway is small recompense for the enormous sacrifices of their country in the Russo-Japanese War, and a meagre security against the possibility of attack from that direction.

Patriotic sentiment, the paramount need for military defence, and the exceptional treaty rights all combine to create the claim to a "special position" in Manchuria. The Japanese conception of this "special position" is not limited to what is legally defined in treaties and agreements either with China or with other States. Feelings and historical association, which are the heritage of the Russo-Japanese War, and pride in the achievements of Japanese enterprise in Manchuria for the last quarter-century, are an indefinable but real part of the Japanese claim to a "special position". It is only natural, therefore, that the Japanese use of this expression in diplomatic language should be obscure, and that other States should have found it difficult, if not impossible, to recognise it by international instruments.

The Japanese Government, since the Russo-Japanese War, has at various times sought to obtain from Russia, France, the United Kingdom

**Japanese
interests in
Manchuria:
sentiment
resulting
from the Russo-
Japanese War.**

**Japan's
strategic
interest in
Manchuria.**

**Japan's
"special
position"
in Manchuria.**

and the United States of America recognition of their country's "special position", "special influence and interest", or "paramount interest" in Manchuria. These efforts have only met with partial success, and, where recognition of such claims has been accorded, in more or less definite terms, the international agreements or understandings containing them have largely disappeared with the passage of time, either by formal abrogation or otherwise — as, for example: the Russo-Japanese secret Conventions of 1907, 1910, 1912 and 1916, made with the former Tsarist Government of Russia; the Anglo-Japanese Conventions of Alliance, Guarantee and Declaration of Policies; and the Lansing-Ishii Exchange of Notes of 1917. The signatories of the Nine-Power Treaty of the Washington Conference of February 6th, 1922¹, by agreeing "to respect the sovereignty, the independence, and the territorial and administrative integrity" of China, to maintain "equality of opportunity in China for the trade and industry of all nations", by refraining from taking advantage of conditions in China "in order to seek special rights or privileges" there, and by providing "the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government", challenged to a large extent the claims of any signatory State to a "special position" or to "special rights and interests" in any part of China, including Manchuria.

But the provisions of the Nine-Power Treaty and the abandonment, by abrogation or otherwise, of such agreements as those mentioned above have led to no change in the attitude of the Japanese. Viscount Ishii doubtless well expressed the general view of his countrymen in his recent *Memoirs* (Gaiko Yoroku), when he said:

"Even if the Lansing-Ishii agreement is abolished, Japan's special interests unshakably exist there. The special interests which Japan possesses in China neither were created by an international agreement, nor can they become the objects of abolition."

Japan's claims to a "special position" in Manchuria in conflict with China's sovereign rights and policies.

This Japanese claim with respect to Manchuria conflicts with the sovereign rights of China and is irreconcilable with the aspirations of the National Government, which seeks to curtail existing exceptional rights and privileges of foreign States throughout China and to prevent their further extension in the future. The development of this conflict will be clearer from a consideration of the respective policies pursued by Japan and China in Manchuria.

Japan's general policy towards Manchuria.

Until the events of September 1931, the various Japanese Cabinets, since 1905, appeared to have the same general aims in Manchuria, but they differed as to the policies best suited to achieve these aims. They also differed somewhat as to the extent of the responsibility which Japan should assume for the maintenance of peace and order.

The general aims for which they worked in Manchuria were to maintain and develop Japan's vested interests, to foster the expansion of Japanese enterprise, and to obtain adequate protection for Japanese lives and property. In the policies adopted for realising these aims there was one cardinal feature which may be said to have been common to them all. This feature has been the tendency to regard Manchuria and Eastern Inner Mongolia as distinct from the rest of China. It resulted naturally from the Japanese conception of their country's "special position" in Manchuria. Whatever differences may have been observable between the specific policies advocated by the various Cabinets in Japan — as, for example, between the so-called "friendship policy" of Baron Shidehara and the so-called "positive policy" of the late General Baron Tanaka — they have always had this feature in common.

¹ The nine Powers were: the United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands, Portugal.

The "friendship policy" developed from about the time of the Washington Conference and was maintained until April 1927; it was then supplanted by the "positive policy", which was followed until July 1929; finally, the "friendship policy" was again adopted and continued the official policy of the Foreign Office until September 1931. In the spirit which actuated the two policies there was a marked difference: the "friendship policy" rested, in Baron Shidehara's words, "on the basis of good will and neighbourliness"; the "positive policy" rested upon military force. But, in regard to the concrete measures which should be adopted in Manchuria, these two policies differed largely on the question as to the lengths to which Japan should go to maintain peace and order in Manchuria and to protect Japanese interests.

The "positive policy" of the Tanaka Ministry placed greater emphasis upon the necessity for regarding Manchuria as distinct from the rest of China; its positive character was made clear by the frank declaration that, "if disturbances spread to Manchuria and Mongolia, and, as a result, peace and order are disrupted, thereby menacing our special position and rights and interests in these regions", Japan would "defend them, no matter whence the menace comes". The Tanaka policy definitely asserted that Japan would take upon herself the task of preserving "peace and order" in Manchuria — in contrast to previous policies which limited their objectives to protecting Japanese interests there.

The Japanese Government has generally pursued a firmer policy in Manchuria than elsewhere in China, in order to preserve and develop those vested interests which are peculiar to that region. Certain of the Cabinets have tended to place great reliance on the use of interventionist methods, accompanied by a threat of force. This was true especially at the time of the presentation of the "Twenty-one Demands" on China in 1915, but as to the wisdom of the "Twenty-one Demands", as well as to other methods of intervention and force, there has always been a marked difference of opinion in Japan.

The Washington Conference, although it had a marked effect upon the situation in the rest of China, made little actual change in Manchuria. The Nine-Power Treaty of February 6th, 1922, in spite of its provisions with respect to the integrity of China and the policy of the "Open Door", has had but qualified application to Manchuria in view of the character and extent of Japan's vested interests there, although textually the Treaty is applicable to that region. The Nine-Power Treaty did not materially diminish the claims based on these vested interests, although, as already stated, Japan formally relinquished her special rights regarding loans and advisers which had been granted in the Treaty of 1915.

During the period from the Washington Conference until the death of Marshal Chang Tso-lin in 1928, the policy of Japan in Manchuria was chiefly concerned with its relations with the *de facto* ruler of the Three Eastern Provinces. Japan gave him a measure of support, notably during the Kuo Sung-lin mutiny mentioned in the last chapter. Marshal Chang Tso-lin, in return, although opposed to many of the Japanese demands, felt it necessary to give due recognition to Japan's desires, since these might at any time be enforced by superior military power. He also wished to be able, upon occasion, to obtain Japanese support against Russian opposition in the North. Upon the whole, Japanese relations with Marshal Chang Tso-lin were reasonably satisfactory from her point of view, although they became increasingly disturbed towards the end of his life in consequence of his failure to fulfil some of his alleged promises and agreements. Some evidence even of a revulsion of Japanese feeling against him became apparent in the months preceding his defeat and final retreat to Mukden in June 1928.

In the spring of 1928, when the Nationalist armies of China were marching on Peking in an effort to drive out the forces of Chang Tso-lin,

**The effect of
the
Washington
Conference
upon Japan's
position
and policy in
Manchuria.**

**Japan's
relations with
Chang Tso-lin.**

**Japan's claim
to maintain**

peace and
order in
Manchuria.

the Japanese Government, under the premiership of Baron Tanaka, issued a declaration that, on account of her "special position" in Manchuria, Japan would maintain peace and order in that region. When it seemed possible that the Nationalist armies might carry the civil war north of the Great Wall, the Japanese Government, on May 28th, sent to the leading Chinese generals a communication which said :

"The Japanese Government attaches the utmost importance to the maintenance of peace and order in Manchuria, and is prepared to do all it can to prevent the occurrence of any such state of affairs as may disturb that peace and order, or constitute the probable cause of such a disturbance.

"In these circumstances, should disturbances develop further in the direction of Peking and Tientsin, and the situation become so menacing as to threaten the peace and order of Manchuria, Japan may possibly be constrained to take appropriate effective steps for the maintenance of peace and order in Manchuria."

At the same time, Baron Tanaka issued a more definite statement, that the Japanese Government would prevent "defeated troops or those in pursuit of them" from entering Manchuria.

The announcement of this far-reaching policy brought protests from both the Peking and the Nanking Governments, the Nanking note stating that such measures as Japan proposed would be not only "an interference with Chinese domestic affairs, but also a flagrant violation of the principle of mutual respect for territorial sovereignty".

In Japan itself, this "positive policy" of the Tanaka Government, while it received strong support from one party, was vigorously criticised by another, especially by the Shidehara group, on the ground that the preservation of peace and order over all Manchuria was not the responsibility of Japan.

Strained
relations
between Japan
and Chang
Hsueh-liang.

Japan's relations with Marshal Chang Hsueh-liang, who succeeded his father in 1928, were increasingly strained from the outset. Japan wished Manchuria to remain separate from the newly established National Government at Nanking, while Marshal Chang Hsueh-liang was in favour of recognising the authority of that Government. Reference has already been made to the urgent advice given by Japanese officials that allegiance should not be pledged to the Central Government. When, however, the Mukden Government raised the Nationalist flag over Government buildings in Mukden in December 1928, the Japanese Government made no attempt to interfere.

Japanese relations with Marshal Chang Hsueh-liang continued to be strained and acute friction developed in the months immediately preceding September 1931.

III. SINO-JAPANESE RAILWAY ISSUES IN MANCHURIA.

Manchurian
international
politics largely
railway
politics.

The international politics of Manchuria for a quarter of a century have been largely railway politics. Considerations of a purely economic and railway-operating character have been overshadowed by the dictates of State policies, with the result that Manchurian railways cannot be said to have contributed their maximum to the economic development of the region. Our study of Manchurian railway questions has revealed that in Manchuria there has been little or no co-operation between the Chinese and Japanese railway builders and authorities directed to achieving a comprehensive and mutually beneficial railway plan. In contrast with railway development in such regions as Western Canada and Argentina, where economic considerations have in large measure determined railway expansion, railway development in Manchuria has been largely a matter

of rivalry between China and Japan. No railway of any importance has ever been constructed in Manchuria without causing an interchange of notes between China and Japan or other interested foreign States.

Manchurian railway construction began with the Russian-financed-and-directed Chinese Eastern Railway which, after the Russo-Japanese War, was replaced in the South by a Japanese-controlled system, the South Manchuria Railway, thus making inevitable future rivalry between China and Japan. The South Manchuria Railway Company, although nominally a private corporation, is, in fact, a Japanese Government enterprise. Its functions include, not only the management of its railway lines, but also exceptional rights of political administration. From the time of its incorporation, the Japanese have never regarded it as a purely economic enterprise. The late Viscount Goto, first President of the Company, laid down a fundamental principle that the South Manchuria Railway should serve Japan's "special mission" in Manchuria.

The South Manchuria Railway system has developed into an efficient and well-managed railway enterprise and has contributed much to the economic development of Manchuria, serving at the same time as an example for the Chinese in its numerous services of a non-railway character, such as its schools, laboratories, libraries and agricultural experiment stations. But this has been accompanied by limitations and positive hindrances arising out of the political character of the Company, its connection with party politics in Japan, and certain large expenditures from which no commensurate financial returns can have been expected. Since its formation, the policy of the Railway Company has been to finance the construction of only such Chinese lines as would be connected with its own system; thus, by means of through-traffic agreements, to divert the major part of the freight to the South Manchuria Railway for seaboard export at Dairen in the Japanese leased territory. Very large sums have been expended in financing these lines and it is doubtful if their construction, in certain cases, was justified on purely economic grounds, especially in view of the large capital advances made and the loan considerations involved.

The very existence of such a foreign-controlled institution as the South Manchuria Railway on Chinese soil was naturally looked upon with disfavour by the Chinese authorities, and questions concerning its rights and privileges under treaties and agreements have constantly arisen since the Russo-Japanese War. More particularly, after 1924, when the Chinese authorities in Manchuria, having come to recognise the importance of railway development, sought to develop their own railways independent of Japanese capital, did these problems become more critical. Both economic and strategic considerations were involved. The Tahushan-Tungliao line, for example, was projected to develop new territory and to increase the revenues of the Peking-Mukden Railway, while, on the other hand, the Kuo Sung-lin mutiny in December 1925 demonstrated the possible strategic and political value of independently owned and operated Chinese lines. The Chinese attempt to overcome the Japanese monopoly, and to place obstacles in the way of its future development, anteceded the period of political influence of the Nationalist Government in Manchuria, the Tahushan-Tungliao, Mukden-Hailungcheng and Hulan-Hailun Railways, for example, having been constructed while Marshal Chang Tso-lin was in power. The policy of Marshal Chang Hsueh-liang, after his assumption of authority in 1928, re-enforced by the widespread movement for "rights recovery" sponsored by the Central Government and the Kuomintang, came into collision with Japan's monopolistic and expansionist policies, centred, as they were, around the South Manchuria Railway Company.

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engagement made by the Chinese Government during the Sino-Japanese Conference held at Peking in November-December 1905, which was to the following effect :

“ The Chinese Government engages, for the purpose of protecting the interests of the South Manchuria Railway, not to construct, prior to the recovery by it of the said railway, any main line in the neighbourhood of and parallel to that railway, or any branch line which might be prejudicial to the interests of the above-mentioned railway. ”

This dispute over the question of so-called “ parallel railways ” in Manchuria is of long-standing importance. The issue first arose in 1907-08, when the Japanese Government, asserting this claim of right, prevented the Chinese from constructing, under contract with a British firm, the Hsinmintun-Fakumen Railway. Since 1924, when the Chinese in Manchuria undertook with renewed vigour to develop their own railways independent of Japanese financial interest, the Japanese Government has protested against the construction by the Chinese of the Tahushan-Tungliao and the Kirin-Hailungcheng lines, although both these lines were completed and opened to traffic in spite of Japanese protests.

The question as to the existence of a “ treaty right ” or a “ secret protocol ”.

Prior to the arrival of the Commission in the Far East, there had been much doubt as to the actual existence of any such engagement as was claimed by Japan. In view of the longstanding importance of this dispute, the Commission took special pains to obtain information on the essential facts. In Tokyo, Nanking and Peiping, all the relevant documents were examined, and we are now able to state that the alleged engagement of the Chinese plenipotentiaries of the Peking Conference of November-December 1905 regarding so-called “ parallel railways ” is not contained in any formal treaty ; that the alleged engagement in question is to be found in the minutes of the eleventh day of the Peking Conference, December 4th, 1905. We have obtained agreement from the Japanese and Chinese Assessors that no other document containing such alleged engagement exists beyond this entry in the minutes of the Peking Conference.

The real question at issue.

The real question at issue, therefore, is not whether there exists a “ treaty right ” whereby Japan is entitled to claim that certain railways in Manchuria have been constructed by the Chinese in violation of such an engagement, but whether this entry in the minutes of the Peking Conference of 1905, whether called a “ protocol ” or not, is a binding commitment on the part of China, having the force of a formal agreement and without limitations as to the period of circumstances of its application.

The determination of the question whether this entry into the minutes of the Peking Conference constituted, from an international legal point of view, a binding agreement, and whether, if so, there is but one interpretation which may reasonably be placed upon it, was properly a matter for judgment by an impartial judicial tribunal.

The Chinese and Japanese official translations of this entry into the minutes of the Conference leave no doubt that the disputed passage concerning “ parallel railways ” is a declaration or statement of intention on the part of the Chinese plenipotentiaries.

That there was a statement of intention has not been disputed by the Chinese, but there has, throughout the controversy, been a difference of opinion between the two parties as to the nature of the intention expressed. Japan has claimed that the words employed preclude China from building or allowing to be built any railway which, in the opinion of the South Manchuria Railway Company, was in competition with its system. The Chinese, on the other hand, contend that the only commitment involved in the disputed passage was a statement of intention not to build lines with the deliberate object of unduly impairing the commercial usefulness and value of the South Manchuria Railway. During the exchange of notes of 1907

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concerning the Hsinmintun-Fakumen-Railway project, Prince Ching, representing the Chinese Government, stated to Baron Hayashi, the Japanese Minister, in a communication dated April 7th, 1907, that the Japanese plenipotentiaries in the Peking Conference, while refusing to agree to a definition of the term "parallel line" in terms of specific mileage from the South Manchuria Railway, declared that Japan "would do nothing to prevent China from any steps she might take in the future for the development of Manchuria". It would seem, therefore, that the Chinese Government during this period admitted in practice that there was, on their part, an obligation not to construct railways patently and unreasonably prejudicial to the interests of the South Manchuria Railway, though they have always denied that Japan had any valid claim to a right to monopolise railway construction in Southern Manchuria.

There has never been a definition as to what would constitute a parallel railway, although the Chinese desired one. When the Japanese Government opposed the construction of the Hsinmintun-Fakumen Railway in 1906-1908, the impression was created that Japan considered a "parallel" railway one within approximately thirty-five miles of the South Manchuria Railway, but, in 1926, the Japanese Government protested against the construction of the Tahushan-Tungliao Railway as a "competitive parallel line", noting that the distance between the proposed railway and the South Manchuria Railway would be "no more than seventy miles on the average". It would be difficult to make a thoroughly satisfactory definition.

From a railway-operating point of view, a "parallel" line can be considered a "competing line": one which deprives another railway of some part of the traffic which naturally would have gravitated to it. Competitive traffic includes both local and through traffic and, especially when the latter is considered, it is not difficult to see how a stipulation against the construction of "parallel" lines is capable of very broad interpretation. Nor is there any agreement between China and Japan as to what constitutes a "main line" or a "branch line". These terms, from a railway-operating point of view, are subject to change. The Peiping-Mukden Railway line from Tahushan extending north was originally considered by that administration as a "branch line", but, after the line had been completed from Tahushan to Tungliao, it was possible to regard this as a "main line".

It was only natural that the interpretation of the undertaking in regard to parallel railways should lead to bitter controversy between China and Japan. The Chinese attempted to build their own railways in South Manchuria, but in almost every case met with a protest from Japan.

A second group of railway issues which increased the tension between China and Japan before the events of September last were those which arose from the agreement under which the Japanese advanced money for the construction of various Chinese Government Railways in Manchuria. Japanese capital to the present value, including arrears and interests, of 150,000,000 yen had been expended in the building of the following Chinese lines: the Kirin-Changchun, the Kirin-Tunhua, the Ssupingkai-Taonan, and the Taonan-Angangchi Railways, and certain narrow-gauge lines.

The Japanese complained that the Chinese would not pay these loans, nor make adequate provision for them, nor carry out various stipulations in the agreements, such as those respecting the appointment of Japanese railway advisers. They made repeated demands that the Chinese should fulfil the alleged promises made by their Government that Japanese interests should be permitted to participate in the construction of the Kirin-Kwainei Railway. This projected line would extend the Kirin-Tunhua Railway to the Korean border, and would make available for Japan a new short sea-and-rail route from her seaports to the centre of Manchuria, and, in conjunction with the other railways, shorten the communications with the interior.

Difficulties in interpretation of a clause phrased so broadly and non-technically

Issues caused by Japanese loans for construction of Chinese railways in Manchuria.

**The Chinese
defence.**

In defence of the failure to repay their loans, the Chinese pointed out that these were not normal financial transactions. They claimed that the loans were made largely by the South Manchuria Railway in order to monopolise railway construction in South Manchuria; that the object was primarily strategic and political; and that, in any case, the new lines had been so heavily over-capitalised that they were, at least for the time being, financially unable to earn the necessary money to repay the construction expenses and loans. They contended that in each instance of alleged failure to fulfil obligations, an impartial examination would show adequate justification for their conduct. As for the Kirin-Kwainei Railway, they denied the moral, and even the legal, validity of the alleged agreements.

**The South
Manchuria
Railway
desired a
system of
branch lines.**

There were certain conditions which existed in connection with those railway agreements which made it natural for the loan controversy to arise. The South Manchuria Railway had practically no branches and wished to develop a system of feeder lines in order to increase its freight and passenger traffic. The Company was therefore willing to advance money for the building of such new lines, even though there was little likelihood that the loans would be repaid in the near future; it was also willing to continue to make further advances when earlier loans were still outstanding.

In these circumstances, and so long as the newly constructed Chinese lines functioned as feeders to the South Manchuria system and were operated in some measure under its influence, the South Manchuria Railway Company appeared to make no special effort to force payment of the loans, and the Chinese lines operated with ever-increasing debt obligations. But when certain of these lines were connected with a new Chinese railway system, and in 1930-31 started a serious competition with the South Manchuria Railway, the non-payment of the loans at once became a subject of complaint.

**The Nishihara
loans.**

Another complicating factor, in the case of certain of these loan agreements, was their political character. It was as a result of the "Twenty-one Demands" that the Kirin-Changchun Railway was placed under the direction of the South Manchuria Railway Company, and the outstanding indebtedness of the line converted into a long-term loan, maturing in 1947. The advance of 20,000,000 yen made in 1918 in consequence of the so-called "Four Manchuria-Mongolia Railways Agreement" was one of the so-called "Nishihara loans", made to the military Government of the "Anfu clique", without any restriction as to the purpose for which it might be used. Similarly, it was from a Nishihara loan that an advance was made of 10,000,000 yen to this clique in connection with the preliminary loan contract agreement of 1918 for the construction of the Kirin-Kwainei Railway. Chinese national sentiment has been greatly aroused over the subject of the "Nishihara loans" ever since their negotiation; but, in spite of this, the Chinese Government has never repudiated them. In these circumstances, the Chinese felt little moral obligation to fulfil the conditions of the loan contracts.

**The
Kirin-Kwainei
Railway
project.**

Especially important in Sino-Japanese relations were the issues over the Kirin-Kwainei Railway project. The first act of issues related to the section of the line from Kirin to Tunhua, the construction of which was completed in 1928. From that time on, the Japanese complained because the Chinese would not convert the Japanese advances for construction purposes into a formal loan secured by the earnings of the railway, and maintained that the Chinese were violating the contract by their refusal to appoint a Japanese accountant for the line.

The Chinese in turn claimed that the construction costs submitted were not only much higher than the estimates of the Japanese engineers, but were greatly in excess of the amount for which vouchers were presented. They refused to take over the line formally until the construction costs should be settled; and contended that, until they should do so, they were under no obligation to appoint a Japanese accountant.

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These issues, definite and technical, involving no problems of principle or policy, were obviously suited for arbitration or judicial discrimination, but they remained unsettled and served to intensify the mutual resentment of Chinese and Japanese.

Of much greater importance, and far more complicated, was the issue over the construction of the railway from Tunhua to Kwainei. This section would complete the railway from Changchun to the Korean border, where it would connect with a Japanese railway running to a nearby Korean port. Such a line, giving direct entrance to Central Manchuria and opening a region rich in timber and mineral resources, would be of economic value as well as of great strategic importance to Japan.

The Japanese were insistent that this line should be built and that they should participate in its financing. They claimed that China had given treaty assurances to this effect. The Chinese Government had promised, they pointed out, in the Chientao Agreement of September 4th, 1909, to build the line "upon consultation with the Government of Japan", the promise being given in part as a consideration for Japan's relinquishing the old claims of Korea to the Chientao region in Manchuria. Later, in 1918, the Chinese Government and the Japanese banks signed a preliminary agreement for a loan for the construction of this line and, in accordance with the agreement, the banks advanced to the Chinese Government the sum of 10,000,000 yen. This, however, was one of the Nishihara loans, a fact which, in the view of the Chinese, affected the validity of the engagement.

Neither of them, however, was a definitive loan contract agreement, obliging China, without condition and before a specific date, to permit Japanese financiers to participate in the construction of such a line.

It was alleged that formal, definitive contracts for the construction of this line were signed in Peking in May 1928, but there was much uncertainty regarding their validity. Such contracts were doubtless signed, under very irregular circumstances, on May 13th-15th by a representative of the Ministry of Communications of the Government at Peking, then under Marshal Chang Tso-lin. But the Chinese contend that the Marshal, who was then hard-pressed by the Nationalist Armies and was about to evacuate Peking, gave his consent that this official should sign, under "a duress of compulsion", due to threats of the Japanese that, if he should not sanction the contracts, his retreat to Mukden would be endangered. Whether Marshal Chang Tso-lin himself also signed the contracts has been a matter of dispute. After the death of the Marshal, the North-Eastern Political Council at Mukden and Marshal Chang Hsueh-liang both refused to approve the contracts on the ground that they were faulty in form and negotiated under duress and had never been ratified by the Peking Cabinet or the North-Eastern Political Council.

The underlying reason for the opposition of the Chinese to the construction of the Tunhua-Kwainei line was their fear of Japan's military and strategic purposes and their belief that their sovereign rights and interests would be threatened by this new Japanese approach to Manchuria from the Japan Sea.

This particular railway issue was not primarily a financial or commercial problem, but involved a conflict between the State policies of Japan and China.

There were additional issues over through-traffic arrangements between the Chinese and Japanese lines, rate questions and rivalries between the seaport of Dairen and such Chinese ports as Yingkow (Newchwang).

By September 1931, the Chinese had built unaided and were owning and operating railways with a total length of nearly a thousand kilometres, of which the most important were: the Mukden-Hailung, the Hailung-Kirin, the Tsitsihar-Koshan, the Hulan-Hailun and the Tahushan-Tungliao

**The projected
Tunhua-
Kwainei
line.**

**The contracts
of May 1928.**

**Through-
traffic
controversies.**

(a branch of the Peiping-Mukden system) lines ; and they owned the Peiping-Mukden Railway and the following Japanese-financed lines : the Kirin-Changchun, the Kirin-Tunhua, Ssuping kai-Taonan and Taonan-Angangchi lines. During the two years preceding the outbreak of the present conflict, the Chinese attempted to operate these various lines as a great Chinese railway system and made efforts to route all freight, if possible, exclusively over the Chinese-operated lines, with a seaboard exit at the Chinese port of Yingkow (Newchwang) — potentially at Hulutao. As a result, the Chinese made through-traffic arrangements for all ports of their railway system and refused in important sections to make similar traffic agreements between their lines and the South Manchuria system. The Japanese claimed that this discrimination deprived the South Manchuria Railway of much freight from North Manchuria which would normally pass over at least a part of its line and would find an outlet at Dairen.

**A war of
railway rates.**

Associated with these through-traffic controversies, a bitter rate war sprang up between the Japanese and Chinese lines, which began in 1929-30, when the Chinese reduced their rates after the opening of the Tahushan-Tungliao and the Kirin-Hailung lines. The Chinese lines appeared to have a natural advantage at that time due to the fall in the value of the Chinese silver currency, which made the silver rates on these lines cheaper than the gold-yen rates on the South Manchuria Railway. The Japanese claimed that the Chinese rates were so low that they constituted unfair competition, but the Chinese replied that their aim was not primarily to make profits, as was the case with the South Manchuria, but to develop the country and to enable the rural population to reach the markets as cheaply as possible.

**Allegations of
national
discrimination
in favour of
native-
manufactured
goods.**

Incidental to this rivalry in rate-cutting, allegations were made by each side that the other indulged in rate discrimination or secret rebates in favour of its own nationals. The Japanese complained that the Chinese made railway classifications which enabled Chinese products to be carried over Chinese lines more cheaply than foreign goods, and that they gave lower rates than normal for native goods and for freight shipped over Chinese lines to a Chinese-controlled seaport. The Chinese, on their side, charged the South Manchuria Railway with granting secret rebates, pointing out particularly that a Japanese forwarding agency was quoting rates for freight consigned through them which were lower than the regular scheduled rates of the South Manchuria line.

These issues were highly technical and involved, and it was difficult to determine the justice of the charges which each side was making against the other. It is obvious that such questions as these should normally be settled by a Railroad Commission or by regular judicial determination ¹.

**Port
controversies.**

The railway policies of the Chinese authorities in Manchuria were focussed upon the new port development at Hulutao. Yingkow was to be the secondary port and, pending the completion of Hulutao, the principal one. Many new railways were projected which would serve practically all parts of Manchuria. The Japanese claimed that the through-traffic arrangements and the low rates put into effect by the Chinese deprived the port of Dairen of much cargo that would normally have moved to it and that this situation was particularly evident in 1930. They stated that the export freight carried to Dairen by the South Manchuria Railway fell off over a million metric tons in 1930, while the port of Yingkow actually showed an increase over the previous year. The Chinese, however, pointed out that the falling-off in freight at Dairen was due principally to the general depression and to the especially severe slump in soya beans which constituted a large part of the freight normally carried over the South Manchuria line. They claimed also that the increase at Yingkow was the result of traffic from regions recently opened by the new Chinese railway lines.

¹ See special study No. 1, annexed to this Report.

(a branch of the Peiping-Mukden system) lines ; and they owned the Peiping-Mukden Railway and the following Japanese-financed lines : the Kirin-Changchun, the Kirin-Tunhua, Ssuping kai-Taonan and Taonan-Angangchi lines. During the two years preceding the outbreak of the present conflict, the Chinese attempted to operate these various lines as a great Chinese railway system and made efforts to route all freight, if possible, exclusively over the Chinese-operated lines, with a seaboard exit at the Chinese port of Yingkow (Newchwang) — potentially at Hulutao. As a result, the Chinese made through-traffic arrangements for all ports of their railway system and refused in important sections to make similar traffic agreements between their lines and the South Manchuria system. The Japanese claimed that this discrimination deprived the South Manchuria Railway of much freight from North Manchuria which would normally pass over at least a part of its line and would find an outlet at Dairen.

A war of railway rates.

Associated with these through-traffic controversies, a bitter rate war sprang up between the Japanese and Chinese lines, which began in 1929-30, when the Chinese reduced their rates after the opening of the Tahushan-Tungliao and the Kirin-Hailung lines. The Chinese lines appeared to have a natural advantage at that time due to the fall in the value of the Chinese silver currency, which made the silver rates on these lines cheaper than the gold-yen rates on the South Manchuria Railway. The Japanese claimed that the Chinese rates were so low that they constituted unfair competition, but the Chinese replied that their aim was not primarily to make profits, as was the case with the South Manchuria, but to develop the country and to enable the rural population to reach the markets as cheaply as possible.

Allegations of national discrimination in favour of native-manufactured goods.

Incidental to this rivalry in rate-cutting, allegations were made by each side that the other indulged in rate discrimination or secret rebates in favour of its own nationals. The Japanese complained that the Chinese made railway classifications which enabled Chinese products to be carried over Chinese lines more cheaply than foreign goods, and that they gave lower rates than normal for native goods and for freight shipped over Chinese lines to a Chinese-controlled seaport. The Chinese, on their side, charged the South Manchuria Railway with granting secret rebates, pointing out particularly that a Japanese forwarding agency was quoting rates for freight consigned through them which were lower than the regular scheduled rates of the South Manchuria line.

These issues were highly technical and involved, and it was difficult to determine the justice of the charges which each side was making against the other. It is obvious that such questions as these should normally be settled by a Railroad Commission or by regular judicial determination ¹.

Port controversies.

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¹ See special study No. 1, annexed to this Report.

The Japanese appeared to be especially concerned over the potential competition of the Chinese lines and the port of Hulutao, and complained that the purpose of the Chinese in planning to construct many new railways and in developing Hulutao Harbour was to make "the port of Dairen as well as the South Manchuria Railway itself as good as valueless".

Viewing these many railroad issues as a whole, it is evident that a number of them were technical in character and were quite capable of settlement by ordinary arbitral or judicial process, but that others of them were due to intense rivalry between China and Japan which resulted from a deep-seated conflict in national policies.

Practically all these railway questions were still outstanding at the opening of the year 1931. Beginning in January and continuing sporadically into the summer, a final but futile effort was made by both Japan and China to hold a conference in order to reconcile their policies with respect to these outstanding railway questions. These Kimura-Kao negotiations, as they were called, achieved no result. There was evidence of sincerity on both sides when the negotiations began in January, but various delays occurred for which both Chinese and Japanese were responsible, with the result that the formal conference, for which extended preparations had been made, had not yet met when the present conflict started.

**The
Sino-Japanese
railway
negotiations
of 1931.**

IV. THE SINO-JAPANESE TREATY AND NOTES OF 1915 AND RELATED ISSUES.

With the exception of their railway controversies, the Sino-Japanese issues of greatest importance which were outstanding in September 1931 were those which arose from the Sino-Japanese Treaties and Notes of 1915, which in turn were a result of the so-called "Twenty-one Demands". These issues mainly concerned South Manchuria and Eastern Inner Mongolia, since, with the exception of the question of the Hanyehping Mine (near Hankow), the other agreements negotiated in 1915 had either been replaced by new ones or had been voluntarily given up by Japan. The controversies in Manchuria were over the following provisions :

**The
Twenty-one
Demands and
the Treaty and
Notes of 1915.**

(1) The extension of the term of Japanese possession of the Kwantung Leased Territory to ninety-nine years (1997) ;

(2) The prolongation of the period of Japanese possession of the South Manchuria Railway and the Antung-Mukden Railway to ninety-nine years (2002 and 2007 respectively) ;

(3) The grant to Japanese subjects of the right to lease land in the interior of "South Manchuria" — i.e., outside those areas opened by treaty or otherwise to foreign residence and trade ;

(4) The grant to Japanese subjects of the right to travel, reside and conduct business in the interior of South Manchuria and to participate in joint Sino-Japanese agricultural enterprises in Eastern Inner Mongolia.

The legal right of the Japanese to enjoy these grants and concessions depended entirely upon the validity of the Treaty and Notes of 1915, and the Chinese continuously denied that these were binding upon them. No amount of technical explanation or argument could divest the minds of the Chinese people, officials or laymen, of their conviction that the term "Twenty-one Demands" was practically synonymous with the "Treaties and Notes of 1915" and that China's aim should be to free herself from them. At the Paris Conference, 1919, China demanded their abrogation on the ground that they had been concluded "under coercion of a Japanese ultimatum threatening war". At the Washington Conference, 1921-22, the Chinese delegation raised the question "as to the equity and justice of these agreements and therefore as to their fundamental validity", and,

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in March 1923, shortly before the expiration of the original twenty-five-year lease of the Liaotung (Kwantung) Territory which China granted in 1898 to Russia, the Chinese Government communicated to Japan a further request for the abrogation of the provisions of 1915, and stated that " the Treaties and Notes of 1915 have been consistently condemned by public opinion in China ". Since the Chinese maintained that the agreements of 1915 lacked " fundamental validity ", they declined to carry out the provisions relating to Manchuria except in so far as circumstances made it expedient to do so.

The Japanese complained bitterly of the consequent violations of their treaty rights by the Chinese. They contended that the Treaties and Notes of 1915 were duly signed and ratified and were in full force. To be sure, there was a considerable body of public opinion in Japan which from the first did not agree with the " Twenty-one Demands " ; and, more recently, it has been common for Japanese speakers and publicists to criticise this policy. But the Japanese Government and people appeared unanimous in insisting upon the validity of those provisions which related to Manchuria.

The extension
of the lease
of the Liaotung
Territory and
of the
concessions
for the South
Manchuria and
Antung-
Mukden
Railway.

Two important provisions in the Treaty and Notes of 1915 were those for the extension of the lease of the Kwantung Territory from twenty-five to ninety-nine years, and of the concessions of the South Manchuria and the Antung-Mukden Railways to a similar period of ninety-nine years. For the dual reasons that these extensions were a result of the 1915 agreements and that recovery of the territories originally leased by former Governments was included in the Nationalist " Rights Recovery " movement directed against foreign interests in China, the Kwantung Leased Territory and the South Manchuria Railway were made objects, at various times, of agitation and even diplomatic representation on the part of the Chinese. The policy of Marshal Chang Hsueh-liang of declaring Manchuria's allegiance to the Central Government and of permitting the spread of Kuomintang influence in Manchuria made these issues acute after 1928, although they remained in the background of practical politics.

Associated also with the Treaty and Notes of 1915 was the agitation for the recovery of the South Manchuria Railway, or for stripping that institution of its political character in order to reduce it to a purely economic enterprise. As the earliest date fixed for the recovery of this railway on repayment of the capital and interest outlay was 1939, the mere abrogation of the 1915 Treaties would not in itself have recovered the South Manchuria Railway for China. It was extremely doubtful whether China, in any case, would have been able to obtain the capital for this purpose. The occasional utterances of Chinese Nationalist spokesmen, urging recovery of the South Manchuria Railway, served as an irritant to the Japanese, whose legitimate rights and interests were thereby threatened.

The disagreement between the Japanese and Chinese as to the proper functions of the South Manchuria Railway continued from the time of the railway company's organisation in 1906. Technically, of course, the railway company is organised under Japanese law as a private joint-stock enterprise and is quite beyond the pale of Chinese jurisdiction in practice. Particularly since 1927, there had been an agitation among Chinese groups in Manchuria for divesting the South Manchuria Railway of its political and administrative functions and converting it into a " purely commercial enterprise ". No concrete plan for achieving this end seems to have been proposed by the Chinese. The railway company was in fact a political enterprise. It was a Japanese Government agency, the Government controlling a majority of its shares ; its administrative policy was so closely controlled by the Government that the company's higher officials were almost invariably changed when a new Cabinet came into power in Japan. Moreover, the company had always been charged, under Japanese

law, with broad political administrative functions, including police, taxation and education. To have divested the company of these functions would have been to abandon the entire "special mission" of the South Manchuria Railway, as originally conceived and subsequently developed.

Numerous issues arose in regard to the administrative rights of the Japanese within the South Manchuria Railway area, especially as to the acquisition of land, the levying of taxes, and the maintenance of railway guards.

The railway area includes, in addition to a few yards on each side of the railway tracks, fifteen municipalities, termed Japanese "railway towns", situated along the entire system of the South Manchuria Railway from Dairen to Changchun and from Antung to Mukden. Some of these railway towns, such as those at Mukden, Changchun and Antung, comprise large sections of populous Chinese cities.

The right of the South Manchuria Railway to maintain practically complete municipal governments in the railway area rested legally upon a clause in the original Russo-Chinese Railway Agreement of 1896, which gave the railway company "absolute and exclusive administration of its lands". The Russian Government, until the Sino-Soviet Agreement of 1924, and later the Japanese Government, which acquired the original rights of the Chinese Eastern Railway so far as concerned the South Manchuria Railway, interpreted this provision as granting political control of the railway area. The Chinese always denied this interpretation, insisting that other provisions in the Treaty of 1896 made it clear that this clause was not intended to grant such broad administrative rights as control of police, taxation, education, and public utilities.

Disputes regarding the acquisition of land by the railway company were common. By virtue of one of the clauses of the original Agreement of 1896, the railway company had the right to acquire by purchase or lease private lands "actually necessary for the construction, operation and protection of the line". But the Chinese contended that the Japanese attempted to make improper use of this right, in order to obtain additional territory. The result was almost continuous controversy between the South Manchuria Railway Company and the Chinese local authorities.

Conflicting claims as to the right to levy taxes within the railway area led to frequent controversy. The Japanese based their claim upon the original grant to the railway company of the "absolute and exclusive administration of its lands"; the Chinese, upon the rights of the sovereign State. Speaking generally, the *de facto* situation was that the railway company levied and collected taxes from Japanese, Chinese and foreigners residing in the railway areas, and that the Chinese authorities did not exercise such authority, although they claimed the legal right to do so.

A type of controversy which was frequently arising was where the Chinese attempted to tax produce (such as soya-bean shipments) which was being carted to the South Manchuria Railway towns for transport by rail to Dairen over the Japanese line. This was described by the Chinese as a uniform tax, necessarily to be collected at the boundaries of the Japanese "railway towns", since to refrain from doing so would have been to discriminate in favour of produce carried by the South Manchuria Railway.

The issues as to Japanese railway guards led to almost continuous difficulty. They were also indicative of a fundamental conflict of State policies in Manchuria already referred to and were the cause of a series of incidents, resulting in considerable loss of life. The legal basis of Japan's alleged right to maintain these guards was the oft-quoted clause in the original Agreement of 1896 which granted to the Chinese Eastern Railway "the absolute and exclusive right of administration of its lands". Russia maintained, and China denied, that this gave the right to guard the railway line by Russian troops. In the Portsmouth Treaty, 1905, Russia and Japan,

The railway
area.

Land
disputes.

Controversies
over the right
of taxation
in the railway
areas.

The question of
Japan's right to
maintain
"railway
guards" along
the South
Manchuria
Railway.

as between themselves, reserved the right to maintain railway guards "not to exceed 15 men per kilometre". But in the subsequent Treaty of Peking, signed by China and Japan later in the same year, the Chinese Government did not give its assent to this particular provision of the agreement between Japan and Russia. China and Japan, however, did include the following provision in Article II of the Additional Agreement of December 22nd, 1905, which is an annex to the Sino-Japanese Treaty of Peking of that date :

" In view of the earnest desire expressed by the Imperial Chinese Government to have the Japanese and Russian troops and railway guards in Manchuria withdrawn as soon as possible, and in order to meet this desire, the Imperial Japanese Government, in the event of Russia's agreeing to the withdrawal of her railway guards, or in case other proper measures are agreed to between China and Russia, consents to take similar steps accordingly. When tranquillity shall have been re-established in Manchuria and China shall have become herself capable of affording full protection to the lives and property of foreigners, Japan will withdraw her railway guards simultaneously with Russia. "

**Japanese
contention.**

It is this article upon which Japan based her treaty right. Russia, however, long since withdrew her guards and she relinquished her rights to keep them by the Sino-Soviet Agreements of 1924. But Japan contended that tranquillity had not been established in Manchuria and that China was not herself capable of affording full protection to foreigners ; therefore she claimed that she still retained a valid treaty right to maintain railway guards.

Japan has appeared increasingly inclined to defend her use of these guards less upon treaty right than upon the grounds of "absolute necessity under the existing state of affairs in Manchuria".

**Chinese
contention.**

The Chinese Government consistently controverted the contention of Japan. It insisted that the stationing of Japanese railway guards in Manchuria was not justified either in law or in fact and that it impaired the territorial and administrative integrity of China. As to the stipulation in the Sino-Japanese Treaty of Peking, already quoted, the Chinese Government contended that this was merely declaratory of a *de facto* situation of a provisional character and that it could not be said to confer a right, especially of a permanent character. Moreover, it claimed that Japan was legally obliged to withdraw her guards, since Russia had withdrawn hers, tranquillity had been re-established in Manchuria, and the Chinese authorities were able to give adequate protection to the South Manchuria Railway, as they were doing for other railway lines in Manchuria, provided the Japanese guards would permit them to do so.

**Activities of
the Japanese
railway guards
outside of the
railway area.**

The controversies which arose regarding the Japanese railway guards were not limited to their presence and activities within the railway area. These guards were regular Japanese soldiers and they frequently carried their police functions into adjoining districts or conducted manoeuvres outside the railway areas, with or without the permission of, and with or without notification to, the Chinese authorities. These acts were particularly obnoxious to the Chinese, officials and public alike, and were regarded as unjustifiable in law and provocative of unfortunate incidents.

Frequent misunderstandings and considerable damage to Chinese farm crops resulted from the manoeuvres, and material remuneration failed to alleviate the hostile feelings thus aroused.

**Japanese
Consular
Police.**

Closely associated with the question of the Japanese railway guards was that of the Japanese consular police. Such police were attached to the Japanese consulates and branch consulates in all the Japanese consular districts in Manchuria, not only along the South Manchuria Railway, but in such cities as Harbin, Tsitsihar and Manchouli, as well as in the so-called

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THE DEPARTMENT OF STATE

PUBLICATION No. 378: ADDENDUM

The following Addendum is a photographic reprint of the Addendum to the Report of the Commission of Enquiry published by the League of Nations. It is suggested that it be incorporated in Publication No. 378, which is a photographic reprint of the original edition of the League Report.

LEAGUE OF NATIONS

APPEAL BY THE CHINESE GOVERNMENT.

Addendum to the Report of the Commission of Enquiry. (C.663.M.320.1932.VII.)

The two following sentences are to be inserted on page 113, English text, last line but one, between "considerations." and "Notwithstanding":

"In 1926 the Japanese Diet, however, passed a law requiring the Government to take over these loans to the extent of 100,000,000 Yen, plus interest. Many of the loans to Chinese enterprises had also proved to be of doubtful value."

Series of League of Nations Publications
VII. POLITICAL
1932.VII.12. - Addendum

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THE DEPARTMENT OF STATE
PUBLICATION No. 378: LIST OF CORRIGENDA

The following List of Corrigenda is a photographic reprint of the list accompanying the second edition of the Report of the Commission of Enquiry published by the League of Nations. It is suggested that it be incorporated in Publication No. 378, which is a photographic reprint of the original edition of the League Report.

[Communicated to the Council
and the Members of the League.]

Official No.: C.663.M.320.1932.VII. Erratum.

LEAGUE OF NATIONS

APPEAL BY THE CHINESE GOVERNMENT

Report of the Commission of Enquiry

LIST OF CORRIGENDA

The following modifications have been made in the accompanying reprint of this report, and attention is drawn to them here so that they may be incorporated in any available copies of the original edition :

- Page
3. List of Maps : *transpose* 11 and 12.
 7. 16th line : *for* " final " *read* " penultimate ".
 10. 3rd line : *for* " L.L.D. " *read* " L.H.D. "
 11. 18th line : *for* " province " *read* " provinces ".
 12. 46th line : *for* " on " *read* " regarding ".
 13. Last line : *for* " were " *read* " had been ".
 15. 10th line : *delete* " then ".
 17. 18th line : *for* " appears " *read* " is evident ".
 - 23rd line : *delete* " it is evident that ".
 18. 45th line : *for* " especially " *read* " either ".
 25. 1st line of last paragraph : *for* " Hopeh " *read* " Hopei ".
 32. 2nd and 3rd lines : *for* " education, progress " *read* " educational progress ".
 34. 31st line : *for* " proposed by the United States of America " *read* " decided on ".
 - 6th line of last paragraph : *for* " of an agreement " *read* " pending an agreement ".
 38. 14th line : *delete* " in Manchuria ".
 40. 43rd line : *delete* " in Manchuria ".
 41. 9th line : *delete* " in Manchuria ".
 - 10th line : *for* " polices " *read* " policies ", and *for* " as to " *read* " of ".
 - 44th line : *for* " chiefly concerned with its " *read* " determined by her ".
 - 52nd line : *delete* " from her point of view ".
 42. 38th line : *delete* " in Mukden ".
 45. 25th line : *insert* " if it is " between " line " and " one ".
 46. 46th line : *for* " act " *read* " set ".
 48. 8th line : *for* " as a result, the Chinese " *read* " They ".
 - 9th line : *for* " ports " *read* " parts ".
 67. 7th line : *delete* " in Japan ".
 83. *Delete* marginal note " (See Map No. 6.) ".
 104. 29th line : *insert* " subjects " after " Japanese ".
 115. 9th line : *for* " of Koreans " *read* " in Korea ".
 117. 46th line : *for* " resume " *read* " revive ".
 120. 45th line : *for* " should " *read* " may ".
 122. 28th line : *for* " Shihli " *read* " Chihli ".
 - 53rd line : *delete* " definitely ".
 128. 3rd line : *for* " appeal " *read* " appear ".
 - 4th line : *for* " principle " *read* " principles ".
 139. 2nd line : *for* " : as " *read* " , so ".

“ Chientao District ”, the area in which lived a large number of the Koreans resident in Manchuria.

The Japanese claimed that the right to maintain consular police was a corollary to the right of extra-territoriality ; that it was merely an extension of the judicial functions of the consular courts, these police being necessary to protect and discipline Japanese subjects. In fact, Japanese consular police, in smaller numbers, have also been attached to Japanese consulates in other parts of China, contrary to the general practice of countries having extra-territorial treaties.

As a practical matter, the Japanese Government apparently believed that the stationing of consular police in Manchuria was a necessity under the conditions which prevailed there, especially in view of the importance of the Japanese interests involved and the large number of resident Japanese subjects, including Koreans.

The Chinese Government, however, always contested this position advanced by Japan as justification for stationing Japanese consular police in Manchuria and sent frequent protests to Japan on the subject. She claimed that there was no necessity to station Japanese police officers anywhere in Manchuria, that the question of police could not be associated with extra-territoriality, and that their presence was without treaty basis and a violation of China's sovereignty.

Whether justified or not, the presence of consular police led in a number of cases to serious conflicts between members of their force and those of the local Chinese authorities.

The Sino-Japanese Treaty of 1915 provided that “ Japanese subjects shall be free to reside and travel in South Manchuria and to engage in business and manufacture of any kind whatsoever ”. This was an important right, but one which was objectionable to the Chinese, since in no other part of China were foreigners as a class permitted to reside and to engage in business outside the Treaty Ports. It was the policy of the Chinese Government to withhold this privilege until extra-territoriality should be abolished and foreigners should be subject to Chinese laws and jurisdiction.

In South Manchuria, however, this right had certain limitations : the Japanese were required to carry passports and observe Chinese laws and regulations while in the interior of South Manchuria ; but the Chinese regulations applicable to Japanese were not to be enforced until the Chinese authorities had first “ come to an understanding with the Japanese Consul ”.

On many occasions, the action of the Chinese authorities was inconsistent with the terms of this agreement, the validity of which they always contested. The fact that restrictions were placed upon the residence, travel and business activities of Japanese subjects in the interior of South Manchuria, and that orders and regulations were issued by various Chinese officials prohibiting Japanese or other foreigners from residing outside the Treaty Ports or from renewing leases of buildings is not contested in the documents officially presented to the Commission by the Chinese Assessor. Official pressure, sometimes supported by severe police measures, was exerted upon the Japanese to force them to withdraw from many cities and towns in South Manchuria and Eastern Inner Mongolia, and upon Chinese property owners to prevent them from renting houses to Japanese. It was stated by the Japanese that the Chinese authorities also refused to issue passports to Japanese, harassed them by illegal taxes, and, for some years before September 1931, failed to carry out the stipulation in the agreement by which they had undertaken to submit to the Japanese Consul the regulations which were to be binding upon the Japanese.

The object of the Chinese was the execution of their national policy of restricting the exceptional privileges of Japanese in Manchuria and thus strengthening the control of China over these Three Eastern Provinces. They justified their actions on the ground that they regarded the Treaty

**The Japanese
justification
for stationing
Consular
Police in
Manchuria.**

**The Chinese
denied the
Japanese
claims.**

**The right of
the Japanese to
travel, reside
and conduct
commercial
enterprises in
interior places
in South
Manchuria.**

**The defence
and the
explanation
of the Chinese.**

This controversy was a constant irritant until the events of September 1931.

The land lease issue.

The Japanese have acquired land by lease, mortgage and purchase in "North Manchuria" as well as in "South Manchuria".

Sino-Japanese negotiations on the issue of land lease.

of 1915 as without "fundamental validity". They pointed out, moreover, that the Japanese attempted to reside and conduct business in all parts of Manchuria, although the treaty provision was limited to South Manchuria.

In view of the conflicting national policies and aims of China and Japan, it was almost inevitable that continuous and bitter controversies should arise over this treaty provision. Both countries admit that the situation was a growing irritant in their mutual relations up to the events of September 1931.

Closely associated with the right to reside and to do business in the interior of South Manchuria was the right to lease land, which was granted to Japanese by the Treaty of 1915 in the following terms: "Japanese subjects in South Manchuria may, by negotiation, lease land necessary for erecting suitable buildings for trade and manufacture or for prosecuting agricultural enterprises". An exchange of notes between the two Governments at the time of the treaty defined the expression "lease by negotiation" to imply, according to the Chinese version, "a long-term lease of not more than thirty years and also the possibility of its unconditional renewal"; the Japanese version simply provided for "leases for a long term up to thirty years and unconditionally renewable". Disputes naturally arose over the question whether the Japanese land leases were, at the sole option of the Japanese, "unconditionally renewable".

The Chinese interpreted the desire of the Japanese to obtain lands in Manchuria, whether by lease, purchase, or mortgage, as evidence of a Japanese national policy to "buy Manchuria". Their authorities therefore very generally attempted to obstruct efforts of the Japanese to this end, and became increasingly active in the three or four years preceding September 1931, a period during which the Chinese "Rights-Recovery Movement" was at its height.

In making strict regulations against the purchase of land by the Japanese, their ownership of it in freehold, or their acquisition of a lien through mortgage, the Chinese authorities appeared to be within their legal rights, since the treaty granted only the privilege of leasing land. The Japanese, however, complained that it was not in conformity with the spirit of the treaty to forbid mortgages upon land.

Chinese officials, however, did not accept the validity of the treaty and consequently put every obstacle in the way of Japanese leasing land, by orders, provincial and local, calculated to make the leasing of lands to Japanese punishable under the criminal laws; by imposition of special fees and taxes payable in advance on such leases; and by instructions to local officials prohibiting them, under threat of punishment, from approving such transfers to Japanese.

In spite of these obstacles, great tracts of land have, as a matter of fact, not only been leased by the Japanese, but actually obtained in freehold — although the titles might not be recognised in a Chinese court — through outright purchase, or by the more usual means of foreclosing a mortgage. These mortgages on land have been obtained by Japanese loan operators, especially large loan associations, certain of which have been organised especially for the purpose of acquiring land tracts. The total area of lands leased to Japanese in the whole of Manchuria, and in Jehol, according to Japanese official sources, increased from about 80,000 acres in 1922-23 to over 500,000 acres in 1931. A small proportion of this total was in North Manchuria, where the Japanese had no legal right under Chinese law and international treaty to acquire land leases.

Due to the importance of this land lease issue, there were at least three attempts during the decade preceding 1931 to reach some agreement by direct Sino-Japanese negotiation. A possible solution, which there is reason to believe was under consideration, would have treated together the two subjects of land leasing and the abolition of extra-territoriality: in

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This controversy was a constant irritant until the events of September 1931.

The land lease issue.

The Japanese have acquired land by lease, mortgage and purchase in "North Manchuria" as well as in "South Manchuria".

Sino-Japanese negotiations on the issue of land lease.

of 1915 as without "fundamental validity". They pointed out, moreover, that the Japanese attempted to reside and conduct business in all parts of Manchuria, although the treaty provision was limited to South Manchuria.

In view of the conflicting national policies and aims of China and Japan, it was almost inevitable that continuous and bitter controversies should arise over this treaty provision. Both countries admit that the situation was a growing irritant in their mutual relations up to the events of September 1931.

Closely associated with the right to reside and to do business in the interior of South Manchuria was the right to lease land, which was granted to Japanese by the Treaty of 1915 in the following terms: "Japanese subjects in South Manchuria may, by negotiation, lease land necessary for erecting suitable buildings for trade and manufacture or for prosecuting agricultural enterprises". An exchange of notes between the two Governments at the time of the treaty defined the expression "lease by negotiation" to imply, according to the Chinese version, "a long-term lease of not more than thirty years and also the possibility of its unconditional renewal"; the Japanese version simply provided for "leases for a long term up to thirty years and unconditionally renewable". Disputes naturally arose over the question whether the Japanese land leases were, at the sole option of the Japanese, "unconditionally renewable".

The Chinese interpreted the desire of the Japanese to obtain lands in Manchuria, whether by lease, purchase, or mortgage, as evidence of a Japanese national policy to "buy Manchuria". Their authorities therefore very generally attempted to obstruct efforts of the Japanese to this end, and became increasingly active in the three or four years preceding September 1931, a period during which the Chinese "Rights-Recovery Movement" was at its height.

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Manchuria, the Japanese were to surrender extra-territoriality and the Chinese were to permit the Japanese to lease land freely. But the negotiations were unsuccessful.

This long-standing Sino-Japanese controversy over the right of Japanese to lease land arose, like the other issues already mentioned, out of the fundamental conflict between rival State policies, the allegations and counter-statements concerning violation of international agreements being less consequential in themselves than the underlying objectives of each policy.

5. THE KOREAN PROBLEM IN MANCHURIA.

The presence of about 800,000 Koreans in Manchuria, who possess Japanese nationality under the Japanese law, served to accentuate the conflict of policies of China and of Japan. Out of this situation there arose various controversies, in consequence of which the Koreans themselves were victimised, being subjected to suffering and brutalities¹.

Chinese opposition to Korean acquisition, by purchase or lease, of land in Manchuria was resented by the Japanese, who claimed that the Koreans were entitled, as Japanese subjects, to the privileges of land-leasing acquired by Japan in the Treaty and Notes of 1915. The problem of dual nationality also arose, as the Japanese refused to recognise the naturalisation of Koreans as Chinese subjects. The use of Japanese consular police to invigilate and protect the Koreans was resented by the Chinese and resulted in innumerable clashes between Chinese and Japanese police. Special problems arose in the Chientao District, just north of the Korean border, where the 400,000 Korean residents outnumber the Chinese by three to one. By 1927, these questions led the Chinese to pursue a policy of restricting the free residence of Koreans in Manchuria — a policy which the Japanese characterised as one of unjustifiable oppression.

The status and rights of Koreans in Manchuria are determined largely in three Sino-Japanese agreements — viz., the Agreement relating to the Chientao Region, September 4th, 1909; the Treaty and Notes of May 25th, 1915, concerning South Manchuria and Eastern Inner Mongolia; and the so-called "Mitsuya Agreement" of July 8th, 1925. The delicate question of dual nationality in the case of the Koreans has never been regularised by Sino-Japanese agreement.

By 1927, the Chinese authorities in Manchuria generally came to believe that the Koreans had become, in fact, "a vanguard of Japanese penetration and absorption" of Manchuria. In this view, so long as the Japanese refused to recognise the naturalisation of Koreans as Chinese subjects, and especially since the Japanese consular police constantly exercised surveillance over Koreans, the acquisition of land by Koreans, whether by purchase or lease, was an economic and political danger "which threatened the very existence of Chinese people in Manchuria".

The view was prevalent among the Chinese that the Koreans were being compelled to migrate from their homeland in consequence of the studied policy of the Japanese Government to displace Koreans with Japanese immigrants from Japan, or to make life so miserable for them, politically and economically, especially by forcing them to dispose of their land holdings, that emigration to Manchuria would naturally follow. According to the Chinese view, the Koreans, being an "oppressed race" ruled by an alien Government in their own land, where the Japanese monopolised all the important official posts, were forced to migrate to Manchuria to seek political freedom and an economic livelihood. The Korean immigrants, 90 per cent of whom are farmers, and almost all of whom cultivators of ricefields, were thus at first welcomed by the Chinese as an economic asset

**Sino-Japanese
agreements
governing the
status of
Koreans in
Manchuria.**

**Chinese
contentions.**

¹ See special study No. 9, annexed to this Report.

and favoured out of a natural sympathy for their supposed oppression. They contended that, but for the Japanese refusal to permit Koreans to become naturalised Chinese subjects and the Japanese policy of pursuing them into Manchuria on the pretext of offering them necessary police protection, this Korean colonisation in Manchuria would have created no major political and economic problems. The Chinese deny that the efforts admittedly made by their officials in Manchuria, especially after 1927, to restrict the free settlement of Koreans on the land in Manchuria, except as mere tenants or labourers, can be regarded as instances of "oppression".

Japanese denial of these Chinese accusations.

The Korean problem intensified the Sino-Japanese hostilities, victimising the Koreans themselves.

The Koreans and the land lease question.

Conflict over the Sino-Japanese agreements concerning the right of Koreans to lease land.

The Japanese admit that the Chinese suspicion was the principal cause of Chinese "oppression" of the Koreans, but vigorously deny the allegation that they pursued any definite policy of encouraging Korean migration to Manchuria, stating that "Japan having neither encouraged nor restricted it, the Korean emigration to Manchuria must be regarded as the outcome of a natural tendency", a phenomenon uninfluenced by any political or diplomatic motives. They therefore declare that "the fear on the part of China that Japan is plotting the absorption of the two regions by making use of Korean immigrants is entirely groundless".

These irreconcilable views intensified such problems as those related to the leasing of land, questions of jurisdiction and the Japanese consular police, these having created a most unfortunate situation for the Koreans and embittered Sino-Japanese relations¹.

There exist no Sino-Japanese agreements which specifically grant or deny the right of Koreans to settle, reside, and conduct occupations outside the Treaty Ports, or to lease or otherwise acquire land in Manchuria, except in the so-called Chientao District. Probably, however, over 400,000 Koreans do live in Manchuria outside Chientao. They are widely distributed, especially in the eastern half of Manchuria, and are numerous in the regions lying north of Korea, in Kirin Province, and have penetrated in large numbers into the region of the eastern section of the Chinese Eastern Railway, the lower Sungari valley and along the Sino-Russian border from North-Eastern Korea to the Ussuri and the Amur River valleys, their migration and settlement having overflowed into the adjoining territories of the U.S.S.R. Moreover, partly because a very considerable group of the Koreans are natives of Manchuria, their ancestors having immigrated generations ago, and partly because others have renounced their allegiance to Japan and have become naturalised Chinese subjects, a great many Koreans to-day actually possess agricultural lands in Manchuria, outside of Chientao, both by virtue of freehold title and leasehold. The vast majority, however, cultivate paddy fields simply as tenant farmers under rental contracts, on a crop-division basis, with the Chinese landlords, these contracts usually being limited to periods from one to three years, renewable at the discretion of the landlord.

The Chinese deny that the Koreans have the right to purchase or lease agricultural lands in Manchuria outside the Chientao District, since the only Sino-Japanese agreement on the point is the Chientao Agreement of 1909, which is restricted in its application to that area. Only Koreans who are Chinese subjects, therefore, are entitled to purchase land, or, for that matter, to reside and lease land in the interior of Manchuria. In denying the claim of right of the Koreans to lease land freely in Manchuria, the Chinese Government has contended that the Chientao Agreement of 1909, which granted Koreans the right of residence with special land-holding privileges in the Chientao District alone and specified that the Koreans were to be subject to Chinese jurisdiction, is in itself a self-contained instrument "purporting to settle, by mutual concessions, local issues then pending between China and Japan in that area". The Chientao

¹ See special study No. 9, annexed to this Report.

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Agreement contained a *quid pro quo*, Japan waiving the claim of jurisdiction over the Koreans, China granting them the special privilege of possessing agricultural lands.

Both countries continued to observe the agreement after the annexation of Korea by Japan in 1910, China contending that the Treaty and Notes of 1915 could not alter the stipulations of the Chientao Agreement, especially as the new Treaty contained a clause specifying that "all existing treaties between China and Japan relating to Manchuria shall, except as otherwise provided for by this Treaty, remain in force". No exception was made for the Chientao Agreement. The Chinese Government further contends that the Treaty and Notes of 1915 do not apply to the Chientao District, since the latter is not geographically a part of "South Manchuria" — a term which is ill-defined both geographically and politically.

The Chinese contention.

This Chinese contention has been contested by the Japanese since 1915, their position being that, inasmuch as the Koreans became Japanese subjects by virtue of the annexation of Korea in 1910, the provisions of the Sino-Japanese Treaty and Notes of 1915 concerning South Manchuria and Eastern Inner Mongolia, which grant Japanese subjects the right to reside and lease lands in South Manchuria and to participate in joint agricultural enterprises in Eastern Inner Mongolia, apply equally to the Koreans. The Japanese Government has contended that the Chientao Agreement was superseded by those provisions of the 1915 agreements in conflict therewith, that the Chinese contention that the Chientao Agreement is a self-contained instrument is untenable, since the right secured by the Koreans in Chientao was actually in consequence of Japan's agreement to recognise that region as a part of Chinese territory. It asserts that it would be discriminatory on its part to refrain from seeking for the Koreans in Manchuria rights and privileges granted to other Japanese subjects.

The Japanese contention.

The Japanese reason for favouring the acquisition of land by Koreans in Manchuria is partly due to their desire to obtain rice exports for Japan, a desire which, so far, has been but partly satisfied, since probably half the rice production of over seven million bushels in 1930 is consumed locally, and the export of the balance has been restricted. The Japanese assert that the Korean tenants, after having reclaimed waste lands and making them profitable for the Chinese owners, have been unjustly ejected. The Chinese, on the other hand, while equally desirous of having the cultivable lowlands producing rice, have generally employed the Koreans as tenants or labourers to prevent the land itself from falling into Japanese hands. Many Koreans have therefore become naturalised Chinese subjects in order to possess land, some of them, however, having acquired such titles, transferring them to Japanese land-mortgage associations. This suggests one reason why there has been a difference of opinion among the Japanese themselves as to whether naturalisation of Koreans as Chinese subjects should be recognised by the Japanese Government.

The effect of these rival contentions on the conditions of the Koreans.

Under a Chinese Nationality Law of 1914, only aliens who, under the law of their own country, were permitted to become naturalised in another were capable of being naturalised Chinese subjects. The Chinese revised Nationality Law of February 5th, 1929, however, contained no provision by which an alien was required to lose his original nationality in order to acquire Chinese nationality. Koreans were therefore naturalised as Chinese regardless of the Japanese insistence that such naturalisation could not be recognised under Japanese law. The Japanese nationality laws have never permitted Koreans to lose their Japanese nationality and, although a revised Nationality Law of 1924 contained an article to the effect that "a person who acquires foreign nationality voluntarily loses Japanese nationality", this general law has never been made applicable to the Koreans by special Imperial Ordinance. Nevertheless, many Koreans in Manchuria, varying from 5 to 20 per cent of the total Korean population in certain districts, especially where they are

The problem of dual nationality of Koreans in Manchuria.

relatively inaccessible by the Japanese consular officials, have become naturalised as Chinese. Others, incidentally, when migrating beyond the Manchurian borders into Soviet territory, have become citizens of the U.S.S.R.

Effect of dual nationality of the Koreans on Chinese policy.

This problem of dual nationality of the Koreans influenced the National Government of China and the provincial authorities in Manchuria generally to look with disfavour upon indiscriminate naturalisation of Koreans, fearing that they might, by temporarily acquiring Chinese nationality, become potential instruments of a Japanese policy of acquiring agricultural lands. In Regulations issued by the Kirin Provincial Government, September 1930, governing the purchase and sale of land throughout the province, it was provided that "when a naturalised Korean purchases land, investigation must be made in order to discover whether he wants to purchase it as a means of residing as a permanently naturalised citizen or on behalf of some Japanese". The local district officials, however, seem to have wavered in their attitude, at times enforcing the orders of the higher authorities, but frequently issuing temporary naturalisation certificates in lieu of formal certificates requiring the approval of the provincial government and the Ministry of the Interior at Nanking. These local officials, especially in areas far removed from Japanese consulates, often readily consented to the issuing of such certificates to the Koreans who applied for them and, on occasion, no doubt actually compelled the Koreans to become naturalised or to leave the country, their actions being influenced both by the policy of the Japanese and by the revenue derivable from the naturalisation fees. The Chinese have asserted, moreover, that some Japanese themselves actually connived at this business of naturalising Koreans in order to use them as dummy land-owners or to acquire lands by transfer from such naturalised Koreans. Generally speaking, however, the Japanese authorities discountenanced naturalisation of Koreans and assumed jurisdiction over them wherever possible.

Problems arising from conflicting claims to police jurisdiction peculiarly serious, involving the Koreans.

The Japanese claim of right to maintain consular police in Manchuria as a corollary of extra-territoriality became a source of constant conflict where the Koreans were involved. Whether the Koreans desired such Japanese interference, ostensibly in their behalf, or not, the Japanese consular police, especially in the Chientao District, undertook, not only protective functions, but also freely assumed the right to conduct searches and seizures of Korean premises, especially where the Koreans were suspected of being involved in the Independence Movement, or in Communist or anti-Japanese activities. The Chinese police, for their part, frequently came into collision with the Japanese police in their efforts to enforce Chinese laws, preserve the peace, or suppress the activities of "undesirable" Koreans. Although the Chinese and Japanese police did co-operate on many occasions, as provided for in the so-called "Mitsuya Agreement" of 1925, in which it was agreed that, in Eastern Fengtien Province, the Chinese would suppress "the Korean societies" and turn over "Koreans of bad character" to the Japanese on the latter's request, the actual state of affairs was really one of constant controversy and friction. Such a situation was bound to cause trouble.

The special problem of Chientao.

The Korean problems and the resulting Sino Japanese relations over the Chientao District had attained a peculiarly complicated and serious character. Chientao (called "Kanto" in Japanese and "Kando" in Korean) comprises the three districts of Yenchi, Holung and Wangching in Liaoning (Fengtien) Province, and, in practice, as evidenced by the attitude of the Japanese Government, includes also the district of Hunchun, which four districts adjoin the north-east corner of Korea just across the Tumen River.

The Japanese attitude and policy towards Chientao.

The Japanese, describing the traditional attitude of the Koreans towards the Chientao area, have been disinclined to admit that the Chientao Agreement of 1909 closed once and for all the issue whether this territory

should belong to them, "they may practice elsewhere exercising consular jurisdiction. Consular jurisdiction of the Government administrative character Japanese subjects for the Korean emigrants since Chinese Communist where, as in 1920, a serious political governance from the fact between Japan

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should belong to China or to Korea, the idea being that, since the district is predominantly Korean, over half of the arable land being cultivated by them, "they have so firmly established themselves in the locality that it may practically be regarded as a Korean sphere". In Chientao, more than elsewhere in Manchuria, the Japanese Government has been insistent on exercising jurisdiction and surveillance over the Koreans, over 400 Japanese consular police having been maintained there for years. The Japanese Consular Service, in co-operation with Japanese functionaries assigned by the Government-General of Chosen, exercise broad powers of an administrative character in the region, their functions including maintenance of Japanese schools, hospitals and Government-subsidised financing media for the Koreans. The area is regarded as a natural outlet for Korean emigrants who cultivate rice-fields, while politically it has special importance, since Chientao has long been a refuge of Korean independence advocates, Communist groups and other disaffected anti-Japanese partisans, a region where, as evidenced by the Hunchun Rising of Koreans against the Japanese in 1920, after the Independence Outbreak in Korea, the Japanese have had serious political problems intimately associated with the general problem of governance of Korea. The military importance of this region is obvious from the fact that the lower reaches of the Tumen River form the boundary between Japanese, Chinese and Soviet territory.

The Chientao Agreement provided that "the residence of Korean subjects, as heretofore, on agricultural lands lying north of the River Tumen", should be permitted by China; that Korean subjects residing on such lands should henceforth "be amenable to the jurisdiction of the Chinese local officials"; that they should be given equal treatment with the Chinese; and that, although all civil and criminal cases involving such Koreans should be "heard and decided by the Chinese authorities", a Japanese consular official should be permitted to attend the court, especially in capital cases, with the right to "apply to the Chinese authorities for a new trial" under special Chinese judicial procedure.

The Japanese, however, have taken the position that the Sino-Japanese Treaty and Notes of 1915 override the Chientao Agreement in so far as jurisdictional questions are concerned, and that, since 1915, Koreans, as Japanese subjects, are entitled to all the rights and privileges of extra-territorial status under the Japanese treaties with China. This contention has never been admitted by the Chinese Government, the Chinese insisting that the Chientao Agreement, if applicable in so far as the right granted to Koreans to reside on agricultural lands is concerned, is also applicable in those articles where it is provided that the Koreans should submit to Chinese jurisdiction. The Japanese have interpreted the article permitting Korean residence on agricultural lands to mean the right to purchase and lease such lands in Chientao; the Chinese, contesting this interpretation, take up the position that the article must be interpreted literally and that only Koreans who have become naturalised Chinese subjects are entitled to purchase land there.

The actual situation is therefore anomalous, since, as a matter of fact, there are non-naturalised Koreans in Chientao who have acquired lands in freehold title, with the connivance of the local Chinese officials, although as a general rule the Koreans themselves recognise the acquisition of Chinese nationality as a necessary condition of obtaining the right to purchase land in Chientao. Japanese official figures represent over half the arable land of Chientao (including Hunchun) as "owned" by Koreans, their figures admitting that over 15 per cent of the Koreans there have become naturalised as Chinese subjects. Whether it is these naturalised Koreans who "own" those lands is impossible to say. Such a situation naturally gave rise to numerous irregularities and constant differences, often manifested by open clashes between the Chinese and Japanese police.

Conflicts of the Chinese and Japanese interpretations of the Chientao Agreement.

The actual situation as to Korean land ownership is anomalous.

**Japanese
allegations of
Chinese
oppression of
the Koreans.**

The Japanese assert that, about the end of 1927, a movement for persecuting Korean immigrants in Manchuria broke out, under Chinese official instigation, as an aftermath of a general anti-Japanese agitation, and state that this oppression was intensified after the Manchurian provinces declared their allegiance to the National Government at Nanking. Numerous translations of orders issued by the central and local Chinese authorities in Manchuria have been submitted as evidence to the Commission of a definite Chinese policy of oppressing the Koreans by forcing them to become naturalised as Chinese, driving them from their rice-fields, compelling them to re-migrate, subjecting them to arbitrary levies and exorbitant taxation, preventing them from entering into contracts of lease or rental for houses and lands, and inflicting upon them many brutalities. It is stated that this campaign of cruelty was particularly directed against the "pro-Japanese" Koreans, that Korean Residents' Associations, which are subsidised by the Japanese Government, were the objects of persecution, that non-Chinese schools maintained by or for the Koreans were closed, that "undesirable Koreans" were permitted to levy blackmail and perpetrate atrocities upon Korean farmers, and that Koreans were compelled to wear Chinese clothing and renounce any claim of reliance upon Japanese protection or assistance in their miserable plight.

The fact that the Manchurian authorities did issue orders discriminatory against non-naturalised Koreans is not denied by the Chinese, the number and character of these orders and instructions, especially since 1927, establishing beyond a doubt that the Chinese authorities in Manchuria generally regarded the Korean infiltration, in so far as it was accompanied by Japanese jurisdiction, as a menace which deserved to be opposed.

**Special
attention
given to the
Korean
problem by
the
Commission.**

Because of the seriousness of the Japanese allegations and the pitiable plight of the Korean population of Manchuria, the Commission gave special attention to this subject and, without accepting all these accusations as adequately descriptive of the facts, or concluding that certain of these restrictive measures applied to the Koreans were entirely unjustified, is in a position to confirm this general description of the Chinese actions towards the Koreans in certain parts of Manchuria. While in Manchuria, numerous delegations, who represented themselves as spokesmen of Korean communities, were received by the Commission.

It is obvious that the presence of this large minority of Koreans in Manchuria served to complicate the Sino-Japanese controversies over land leasing, jurisdiction and police, and the economic rivalries which formed a prelude to the events of September 1931. While the great majority of the Koreans only wanted to be left alone to earn their livelihood, there were among them groups which were branded by the Chinese or Japanese, or both, as "undesirable Koreans", including the advocates and partisans of the independence of Korea from Japanese rule, Communists, professional law breakers, including smugglers and drug traders, and those who, in league with Chinese bandits, levied blackmail or extorted money from those of their own blood. Even the Korean farmer himself frequently invited oppression by his ignorance, improvidence and willingness to incur indebtedness to his more agile-minded landlord.

**The Chinese
explanation of
their
treatment of
the Koreans.**

Aside from the involvement of the Koreans, however unwittingly, in the controversies which, in the Chinese view, were the inevitable results of the general Japanese policies with respect to Manchuria, the Chinese submit that much of what has been termed "oppression" of the Koreans should not properly be so called, and that certain of the measures taken against the Koreans by the Chinese were actually either approved or connived at by the Japanese authorities themselves. They assert that it should not be forgotten that the great majority of the Koreans are bitterly anti-Japanese and unreconciled to the Japanese annexation of their native land, and that the Korean emigrants, who would never have left their

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homeland but for the political and economic difficulties under which they have suffered, generally desire to be free from Japanese surveillance in Manchuria.

The Chinese, while admitting a certain sympathy with the Koreans, draw attention to the existence of the "Mitsuya Agreement" of June-July 1925 as evidence both of a willingness on the part of the Chinese authorities to curb the activities of Koreans whom the Japanese consider "bad characters" and a menace to their position in Korea, and of official sanction on the part of the Japanese themselves for certain of those very acts which the Japanese would have others believe are instances of Chinese "oppression" of the Koreans. This agreement, which has never been widely known abroad, was negotiated by the Japanese Police Commissioner of the Government-General of Chosen and the Chinese Police Commissioner of Fengtien Province. It provided for co-operation between the Chinese and Japanese police in suppressing "Korean societies" (presumably of an anti-Japanese character) in Eastern Fengtien Province, stipulating that "the Chinese authorities shall immediately arrest and extradite those leaders of the Korean societies whose names had been designated by the authorities of Korea", and that Koreans of "bad character" should be arrested by the Chinese police and turned over to the Japanese for trial and punishment. The Chinese assert, therefore, that "it is largely for the purpose of giving practical effect to this agreement that certain restrictive measures have been put into force governing the treatment of Koreans. If they are taken as evidence proving the oppression of Koreans by Chinese authorities, then such measures of oppression, if indeed they are, have been resorted to principally in the interest of Japan". Furthermore, the Chinese submit that, "in view of the keen economic competition with native farmers, it is but natural that the Chinese authorities should exercise their inherent right to take measures to protect the interests of their own countrymen".

So-called
"Mitsuya
Agreement",
1925.

6. THE WANPAOSHAN AFFAIR AND THE ANTI-CHINESE RIOTS IN KOREA.

The Wanpaoshan affair, together with the case of Captain Nakamura, have been widely regarded as the causes immediately contributing to the Sino-Japanese crisis in Manchuria. The intrinsic importance of the former, however, was greatly exaggerated. The sensational accounts of what occurred at Wanpaoshan, where there were no casualties, led to a feeling of bitterness between Chinese and Japanese and, in Korea, to the serious attacks by Koreans upon Chinese residents. These anti-Chinese riots, in turn, revived the anti-Japanese boycott in China. Judged by itself, the Wanpaoshan affair was no more serious than several other incidents involving clashes between Chinese and Japanese troops or police which had occurred during the past few years in Manchuria.

Wanpaoshan is a small village located some 18 miles (30 kilometres) north of Changchun, adjoining a low marshy area alongside the Itung River. It was here that one Hao Yung-teh, a Chinese broker, leased on behalf of the Chang Nung Agricultural Company, from the Chinese owners, a large tract of land by a contract dated April 16th, 1931. It was stipulated in the contract that it should be null and void in case the District Magistrate refused to approve its terms.

Shortly after this, the lessee sub-leased this entire plot of land to a group of Koreans. This second contract contained no provision requiring official approval for enforcement and took for granted that the Koreans would construct an irrigation canal with tributary ditches. Hao Young-teh had sub-leased this land to the Korean farmers without first having obtained Chinese formal approval of the original lease contract with the Chinese owners.

The relations
of the
Wanpaoshan
affair to the
events of
September
1931.

A lease
contract for
rice-land
between the
Chinese
landowners
and the
Chinese broker
required the
official
approval of
the Chinese
authorities.

This land was
sub-leased by
the Chinese
broker to the
Korean
tenants.

The digging of an irrigation ditch by the Koreans across land owned by Chinese farmers was the principal cause of local Chinese opposition.

The Chinese farmers demanded the cessation of work on the irrigation ditch and the evacuation of the Koreans.

The Chinese and Japanese authorities at Changchun agreed upon a joint investigation.

Inclusive investigation.

The incident of July 1st.

The anti-Chinese riots in Korea.

Heavy loss of life and property among the Chinese residents.

Alleged responsibility of the Japanese

Immediately after the conclusion of the second lease, the Koreans began digging an irrigation ditch or canal, several miles long, in order to divert the water of the Itung River and distribute it over this low marshy area for the purpose of making it suitable for paddy cultivation. This ditch traversed large areas of land cultivated by Chinese who were not parties to either lease transaction, since their lands lay between the river and that leased by the Koreans. In order to provide ample water supply to be deflected through this ditch to their holdings, the Koreans undertook to construct a dam across the Itung River.

After a considerable length of the irrigation ditch had been completed, the Chinese farmers whose lands were cut by the canal rose up *en masse* and protested to the Wanpaoshan authorities, begging them to intervene in their behalf. As a result, the Chinese local authorities despatched police to the spot and ordered the Koreans to stop excavation work at once and to vacate the area. At the same time, the Japanese Consul at Changchun sent consular police to protect the Koreans. Local negotiations between the Japanese and Chinese representatives failed to solve the problem. Somewhat later, both sides sent additional police, with resulting protests, counter-statements and attempted negotiations.

On June 8th, both sides agreed to withdraw their police forces and to conduct a joint investigation of the situation at Wanpaoshan. This investigation revealed the fact that the original lease contained a clause providing that the entire contract would be "null and void" if it should not be approved by the Chinese District Magistrate, and that this approval was never given.

The joint investigators, however, apparently failed to agree upon their findings, the Chinese maintaining that the digging of the irrigation ditch could not fail to violate the rights of the Chinese farmers whose lands were cut by it and the Japanese insisting that the Koreans should be permitted to continue their work, since it would be unfair to eject them on account of the error in the lease procedure for which they were in no way at fault. Shortly thereafter, the Koreans, assisted by Japanese consular police, continued to dig the ditch.

Out of this train of circumstances came the incident of July 1st, when a party of 400 Chinese farmers whose lands were cut by the irrigation ditch, armed with agricultural implements and pikes, drove the Koreans away and filled in much of the ditch. The Japanese consular police thereupon opened rifle fire to disperse the mob and to protect the Koreans, but there were no casualties. The Chinese farmers withdrew and the Japanese police remained on the spot until the Koreans completed the ditch and the dam across the Itung River.

After the incident of July 1st, the Chinese municipal authorities continued to protest to the Japanese Consul at Changchun against the action of the Japanese consular police and of the Koreans.

Far more serious than the Wanpaoshan affair was the reaction to this dispute in Chosen (Korea). In consequence of sensational accounts of the situation at Wanpaoshan, especially of the events of July 1st, which were printed in the Japanese and Korean Press, a series of anti-Chinese riots occurred throughout Korea. These riots began at Jinsen on July 3rd, and spread rapidly to other cities.

The Chinese state, on the basis of their official reports, that 127 Chinese were massacred and 393 wounded, and that Chinese property to the value of 2,500,000 Yen was destroyed. They claim, moreover, that the Japanese authorities in Korea were in large measure responsible for the results of these riots, since, it was alleged, they took no adequate steps to prevent them and did not suppress them until great loss of Chinese life and property had resulted. The Japanese and Korean newspapers were not prevented from publishing sensational and incorrect accounts of the Wanpaoshan incident

of July 1st, which were of a character to arouse the hatred of the Korean populace against the Chinese residents.

The Japanese claim, however, that these riots were due to the spontaneous outburst of racial feeling, and that the Japanese authorities suppressed them as soon as possible.

A result of importance was the fact that these outbreaks in Korea served directly to revive the anti-Japanese boycott throughout China.

Shortly after the anti-Chinese riots in Korea and while the Wanpaoshan affair was still unsettled, the Chinese Government made a protest to Japan, on account of the riots, charging Japan with full responsibility for failure to suppress them. The Japanese Government, in reply, on July 15th, expressed regret at the occurrence of these riots and offered compensation for the families of the dead.

From July 22nd until September 15th, there were negotiations and exchanges of notes between the Chinese and Japanese local and central authorities over the Wanpaoshan affair. The Chinese maintained that the difficulties at Wanpaoshan were due to the fact that the Koreans were living where they had no right to be, since their privileges of residing and leasing of land did not extend outside the Chientao District, in accordance with the Chientao Agreement of September 4th, 1909.

The Chinese Government protested against the stationing of Japanese consular police in China and asserted that the despatch of a large force of these police to Wanpaoshan was responsible for the incident of July 1st.

The Japanese, on the other hand, insisted that the Koreans had a treaty right to reside and lease land at Wanpaoshan, since their privileges were not limited to those specified in the Chientao Agreement, but included the rights, granted to Japanese subjects in general, of residing and leasing land throughout South Manchuria. The status of the Koreans, it was claimed, was identical with that of other Japanese subjects. The Japanese also urged that the Koreans had undertaken their rice cultivation project in good faith and that the Japanese authorities could not assume responsibility for the irregularities of the Chinese broker who arranged the lease. The Japanese Government consented to the withdrawal of the consular police from Wanpaoshan, but the Korean tenants remained and continued to cultivate their rice-lands.

A complete solution of the Wanpaoshan affair had not been reached by September 1931.

7. THE CASE OF CAPTAIN NAKAMURA.

The case of Captain Nakamura was viewed by the Japanese as the culminating incident of a long series of events which showed the utter disregard of the Chinese for Japanese rights and interests in Manchuria. Captain Nakamura was killed by Chinese soldiers in an out-of-the-way region in Manchuria during the mid-summer of 1931.

Captain Shintaro Nakamura was a Japanese military officer on active duty and, as was admitted by the Japanese Government, was on a mission under the orders of the Japanese Army. While passing through Harbin, where his passport was examined by the Chinese authorities, he represented himself as an agricultural expert. He was at that time warned that the region in which he intended to travel was a bandit-ridden area, and this fact was noted on his passport. He was armed, and carried patent medicine which, according to the Chinese, included narcotic drugs for non-medical purposes.

On June 9th, accompanied by three interpreters and assistants, Captain Nakamura left Ilikotu Station on the western section of the Chinese Eastern Railway. When he had reached a point some distance in the interior, in the direction of Taonan, he and the other members of his party were placed

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in Korea.

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the
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The Japanese
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The grounds
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under detention by Chinese soldiers under Kuan Yuheng, the Commander of the Third Regiment of the Reclamation Army. Several days later, about June 27th, he and his companions were shot by Chinese soldiers and their bodies were cremated to conceal the evidence of the deed.

The Japanese contention.

The Japanese insisted that the killing of Captain Nakamura and his companions was unjustified and showed arrogant disrespect for the Japanese Army and nation ; they asserted that the Chinese authorities in Manchuria delayed to institute official enquiries into the circumstances, were reluctant to assume responsibility for the occurrence, and were insincere in their claim that they were making every effort to ascertain the facts in the case.

The Chinese contention.

The Chinese declared, at first, that Captain Nakamura and his party were detained pending an examination of their permits, which, according to custom, were required of foreigners travelling in the interior ; that they had been treated well ; and that Captain Nakamura was shot by a sentry while endeavouring to make his escape. Documents, including a Japanese military map and two diaries, they stated, were found on his person, which proved that he was either a military spy or an officer on special military mission.

Investigations.

On July 17th, a report of the death of Captain Nakamura reached the Japanese Consul-General at Tsitsihar and, at the end of the month, Japanese officials in Mukden informed the local Chinese authorities that they had definite evidence that Captain Nakamura had been killed by Chinese soldiers. On August 17th, the Japanese military authorities in Mukden released for publication the first account of his death (see *Manchuria Daily News*, August 17th, 1931). On the same day, Consul-General Hayashi, and also Major Mori, who had been sent by the Japanese General Staff from Tokyo to Manchuria to investigate the circumstances, had interviews with Governor Tsang Shih-yi, of Liaoning Province. Governor Tsang promised to investigate it at once.

Immediately thereafter, Governor Tsang Shih-yi communicated with Marshal Chang Hsueh-liang (who was then ill in a hospital in Peiping) and with the Minister for Foreign Affairs in Nanking and, also, appointed two Chinese investigators, who proceeded at once to the scene of the alleged murder. These two men returned to Mukden on September 3rd. Major Mori, who had been conducting an independent investigation on behalf of the Japanese General Staff, returned to Mukden on September 4th. On that day Consul-General Hayashi called on General Yung Chen, the Chinese Chief of Staff, and was informed that the findings of the Chinese investigators were indecisive and unsatisfactory, and that it would therefore be necessary to conduct a second enquiry. General Yung Chen left for Peiping on September 4th to consult with Marshal Chang Hsueh-liang on the new developments in the Manchurian situation, returning to Mukden on September 7th.

Efforts of Chinese to reach a settlement.

Having been informed of the seriousness of the situation in Manchuria, Marshal Chang Hsueh-liang instructed Governor Tsang Shih-yi and General Yung Chen to conduct, without delay and on the spot, a second enquiry into the Nakamura case. Learning from his Japanese military advisers of the deep concern of the Japanese military over this affair, he sent Major Shibayama to Tokyo to make it clear that he wished to settle the case amicably. Major Shibayama arrived in Tokyo on September 12th, and stated, according to subsequent Press reports, that Marshal Chang Hsueh-liang was sincerely desirous of securing an early and equitable termination of the Nakamura issue. In the meantime, Marshal Chang had sent Mr. Tang Er-ho, a high official, on a special mission to Tokyo to consult with the Minister for Foreign Affairs, Baron Shidehara, in order to ascertain what common ground might be found for a solution of various pending Sino-Japanese questions concerning Manchuria. Mr. Tang Er-ho had conversations with Baron Shidehara, General Minami and other high military officials.

On September 16th, Marshal Chang Hsueh-liang gave out an interview to the Press which reported him as saying that the Nakamura case, in accordance with the wish of the Japanese, would be handled by Governor Tsang Shih-yi and the Manchurian authorities, and not by the Foreign Office at Nanking.

The second Chinese commission of investigation, after visiting the scene of the killing of Captain Nakamura, returned to Mukden on the morning of September 16th. On the afternoon of the 18th, the Japanese Consul called upon General Yung Chen, when the latter stated that Commander Kuan Yu-heng had been brought to Mukden on September 16th charged with responsibility for the murder of Captain Nakamura and would be immediately tried by a military court-martial. Later, it was made known by the Japanese, after their occupation of Mukden, that Commander Kuan had been detained by the Chinese in a military prison.

Consul-General Hayashi, Mukden, was reported on September 12th-13th to have reported to the Japanese Foreign Office that "an amicable settlement would probably be made after the return of the investigators to Mukden", especially as General Yung Chen had definitely admitted that Chinese soldiers had been responsible for the death of Captain Nakamura. The Mukden correspondent of the *Nippon Dempo Service* telegraphed a despatch on September 12th stating that "an amicable settlement of the alleged murder case of Captain Shintaro Nakamura of the Japanese General Staff Office by soldiers of the Chinese Reclamation Army Corps is in sight". Numerous statements of Japanese military officers, however, especially those of Colonel K. Doihara, continued to question the sincerity of the Chinese efforts to arrive at a satisfactory solution of the Nakamura case, in view of the fact that Commander Kuan, alleged to have been responsible for the death of Captain Nakamura, had been taken into custody in Mukden by the Chinese authorities, the date of his court-martial having been announced as to occur within a week. Since the Chinese authorities admitted to Japanese consular officials in Mukden, in a formal conference held on the afternoon of September 18th, that Chinese soldiers were responsible for the death of Captain Nakamura, expressing also a desire to secure a settlement of the case diplomatically without delay, it would seem that diplomatic negotiations for attaining a solution of the Nakamura case were actually progressing favourably up to the night of September 18th.

The Nakamura case, more than any other single incident, greatly aggravated the resentment of the Japanese and their agitation in favour of forceful means to effect a solution of outstanding Sino-Japanese difficulties in regard to Manchuria. The inherent seriousness of the case was aggravated by the fact that Sino-Japanese relations just at this time were strained on account of the Wanpaoshan affair, the anti-Chinese riots in Korea, the Japanese military manoeuvres across the Tumen River on the Manchurian-Korean frontier, and the Chinese mob violence committed at Tsingtao, in protest against the activities of the local Japanese patriotic societies.

Captain Nakamura was an army officer on active service, a fact which was pointed to by the Japanese as a justification for strong and swift military action. Mass meetings were held in Manchuria and in Japan for the purpose of crystallising public sentiment in favour of such action. During the first two weeks of September, the Japanese Press repeatedly declared that the army had decided that the "solution ought to be by force", since there was no other alternative.

The Chinese claimed that the importance of the case was greatly exaggerated and that it was made a pretext for the Japanese military occupation of Manchuria. They denied the contention of the Japanese that there was insincerity or delay on the part of the Chinese officials in dealing with the case.

**The results of
the Nakamura
case.**

By the end of August 1931, therefore, Sino-Japanese relations over Manchuria were severely strained in consequence of the many controversies and incidents described in this chapter. The claim that there were 300 cases outstanding between the two countries and that peaceful methods for settling each of them had been progressively exhausted by one of the parties cannot be substantiated. These so-called "cases" were rather situations arising out of broader issues, which were rooted in fundamentally irreconcilable policies. Each side accuses the other of having violated, unilaterally interpreted, or ignored the stipulations of the Sino-Japanese agreements. Each side had legitimate grievances against the other.

The account here given of the efforts made by one side or the other to secure a settlement of these questions at issue between them shows that some efforts were being made to dispose of these questions by the normal procedure of diplomatic negotiation and peaceful means, and these means had not yet been exhausted. But the long delays put a severe strain on the patience of the Japanese. Army circles in particular were insisting on the immediate settlement of the Nakamura case and demanded satisfactory reparation. The Imperial Ex-Soldiers' Association, amongst others, was instrumental in rousing public opinion.

In the course of September, public sentiment regarding the Chinese questions, with the Nakamura case as the focal point, became very strong. Time and again the opinion was expressed that the policy of leaving so many issues in Manchuria unsettled had caused the Chinese authorities to make light of Japan. Settlement of all pending issues, if necessary by force, became a popular slogan. Reference was freely made in the Press to a decision to resort to armed force, to conferences between the Ministry of War, the General Staff and other authorities for the discussion of a plan with this object, to definite instructions regarding the execution, in case of necessity, of that plan to the Commander-in-Chief of the Kwantung Army and to Colonel Doihara, Resident Officer at Mukden, who had been summoned to Tokyo early in September and who was quoted by the Press as the advocate of a solution of all pending issues, if necessary by force and as soon as possible. The reports of the Press regarding the sentiments expressed by these circles and some other groups point to a growing and dangerous tension.

Chapter IV.

NARRATIVE OF EVENTS IN MANCHURIA ON AND SUBSEQUENT TO SEPTEMBER 18th, 1931.

Situation
immediately
preceding the
outbreak.

(See
Map No. 5*)

In the preceding chapter, the growing tension between the Japanese and Chinese interests in Manchuria was discussed and its effect on the attitudes of the military forces of the two nations described. Certain internal, economic and political factors had undoubtedly for some time been preparing the Japanese people for a resumption of the "positive policy" in Manchuria. The dissatisfaction of the army; the financial policy of the Government; the appearance of a new political force emanating from the army, the country districts and the nationalist youth, which expressed dissatisfaction with all political parties, which despised the compromise methods of Western civilisation and relied on the virtues of Old Japan and which included in its condemnation the self-seeking methods whether of financiers or politicians; the fall in commodity prices,

* Note by the Secretariat: All maps are to be found in the pocket of the Cover.

which inclined the primary producer to look to an adventurous foreign policy for the alleviation of his lot ; the trade depression, which caused the industrial and commercial community to believe that better business would result from a more vigorous foreign policy : all these factors were preparing the way for the abandonment of the Shidehara "policy of conciliation" with China which seemed to have achieved such meagre results. This impatience in Japan was even greater among the Japanese in Manchuria, where the tension throughout the summer was increasing. As September wore on, this tension reached such a point that it was apparent to all careful observers that a breaking-point must soon be reached. The public Press of both countries tended rather to inflame than to calm public opinion. Vigorous speeches of the Japanese War Minister in Tokyo, counselling direct action by their army in Manchuria, were reported. Protracted delay by the Chinese authorities in making satisfactory investigation of and redress for the murder of Captain Nakamura had particularly incensed the young officers of the Japanese Army in Manchuria, who clearly showed their sensitiveness to irresponsible remarks and slurs made by equally irresponsible Chinese officers on the streets or in restaurants and other places of close contact. And so the stage was set for the events which followed.

On the morning of Saturday, September 19th, the population of Mukden woke to find their city in the hands of Japanese troops. During the night sounds of firing had been heard, but there was nothing unusual in this ; it had been a nightly experience throughout the week, as the Japanese had been carrying out night manœuvres involving vigorous rifle and machine-gun firing. True that, on the night of September 18th, the booming of guns and the sound of shells caused some alarm to the few that distinguished them, but the majority of the population considered the firing to be merely another repetition of Japanese manœuvres, perhaps rather noisier than usual.

Appreciating the great importance of this occurrence, which, as will be shown, was the first step of a movement which resulted in the military occupation of practically the whole of Manchuria, the Commission conducted an extensive enquiry into the events of that night. Of great value and interest, of course, were the official accounts of the Japanese and Chinese military leaders involved. The Japanese case was presented by Lieutenant Kawamoto, who is the earliest witness in the story, by Lieutenant-Colonel Shimamoto, the Commanding Officer of the battalion which carried out the attack on the North Barracks (Peitaying), and by Colonel Hirata, who captured the walled city. We also heard evidence from Lieutenant-General Honjo, the Commander-in-Chief of the Kwantung Army, and from several members of his staff. The Chinese case was presented by General Wang I-Cheh, the officer in command of the Chinese troops in the North Barracks, supplemented by the personal narratives of his Chief of Staff and of other officers who were present during the operations. We also heard the evidence of Marshal Chang Hsueh-liang and of his Chief of Staff, General Yung Chen.

According to the Japanese versions, Lieutenant Kawamoto, with six men under his command, was on patrol duty on the night of September 18th, practising defence exercises along the track of the South Manchuria Railway to the north of Mukden. They were proceeding southwards in the direction of Mukden. The night was dark but clear and the field of vision was not wide. When they reached a point at which a small road crosses the line, they heard the noise of a loud explosion a little way behind them. They turned and ran back, and after going about 200 yards they discovered that a portion of one of the rails on the down track had been blown out. The explosion took place at the point of junction of two rails ; the end of each rail had been cleanly severed, creating a gap in the

**The night of
September
18th-19th.
(See
Map No. 6)**

**The Japanese
version.**

line of 31 inches. On arrival at the site of the explosion, the patrol was fired upon from the fields on the east side of the line. Lieutenant Kawamoto immediately ordered his men to deploy and return the fire. The attacking body, estimated at about five or six, then stopped firing and retreated northwards. The Japanese patrol at once started in pursuit and, having gone about 200 yards, they were again fired upon by a larger body, estimated at between three and four hundred. Finding himself in danger of being surrounded by this large force, Lieutenant Kawamoto then ordered one of his men to report to the Commander of No. 3 Company, who was also engaged in night manoeuvres some 1,500 yards to the north; at the same time, he ordered another of his men to telephone (by means of a box telephone near the spot) to Battalion Headquarters at Mukden for reinforcements.

At this moment the south-bound train from Changchun was heard approaching. Fearing that the train might be wrecked when it reached the damaged line, the Japanese patrol interrupted their engagement and placed detonators on the line in the hope of warning the train in time. The train, however, proceeded at full speed. When it reached the site of the explosion it was seen to sway and heel over to one side, but it recovered and passed on without stopping. As the train was due at Mukden at 10.30 p.m., where it arrived punctually, it must have been about 10 o'clock p.m., according to Lieutenant Kawamoto, when he first heard the explosion.

Fighting was then resumed. Captain Kawashima, with No. 3 Company, having heard the explosion, was already proceeding southwards when he met Lieutenant Kawamoto's messenger, who guided them to the spot. They arrived at about 10.50 p.m. Meanwhile, Lieutenant-Colonel Shimamoto, the Battalion Commander, on receipt of a telephone message, at once ordered the 1st and 4th Companies that were with him at Mukden to proceed to the spot. He also sent orders to the 2nd Company, which was at Fushun — an hour and a-half away — to join them as soon as possible. The two Companies proceeded by rail from Mukden to Liutiaohu Station, and then on foot to the scene of action, where they arrived a little after midnight.

Lieutenant Kawamoto's patrol, reinforced by Captain Kawashima's Company, was still sustaining the fire of the Chinese troops concealed in the tall kaoliang grass, when the two Companies arrived from Mukden. Although his force was then only 500, and he believed the Chinese army in the North Barracks numbered 10,000, Lieutenant-Colonel Shimamoto at once ordered an attack on the Barracks, believing, as he told us, that "offence is the best defence". The ground between the railway and the North Barracks — a distance of about 250 yards — was difficult to cross in mass formation because of patches of water, and, while the Chinese troops were being driven back over this ground, Lieutenant Noda was sent up the railway with a section of the 3rd Company to intercept their retreat. When the Japanese reached the North Barracks, which were described as glittering with electric light, an attack was made by the 3rd Company, which succeeded in occupying a corner of the left wing. The attack was vigorously contested by the Chinese troops within, and there was fierce fighting for some hours. The 1st Company attacked on the right and the 4th Company in the centre. At 5 a.m. the south gate of the Barracks was blown in by two shells from a small cannon left in an outhouse immediately opposite to it by the Chinese, and by 6 o'clock a.m. the entire barracks were captured at the cost of two Japanese privates killed and twenty-two wounded. Some of the barracks caught fire during the fighting; the remainder were burned out by the Japanese on the morning of the 19th. The Japanese stated that they buried 320 Chinese, but only found about 20 wounded.

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In the meantime, operations in other places were being carried out with equal rapidity and thoroughness. Colonel Hirata received a telephone message from Lieutenant-Colonel Shimamoto about 10.40 p.m. to the effect that the South Manchuria Railway track had been destroyed by Chinese troops and that he was about to start to attack the enemy. Colonel Hirata approved his action and himself decided to attack the walled city. The concentration of his troops was complete by 11.30 p.m. and his attack commenced. No resistance was offered, only occasional fighting on the streets, mostly with the Chinese police, of whom 75 were killed. At 2.15 a.m. the wall of the city was scaled. By 3.40 a.m. he had captured it. At 4.50 a.m. he received information that the staff of the 2nd Division and a part of the 16th Regiment had left Liaoyang at 3.30 a.m. These troops arrived shortly after 5 a.m. At 6 a.m. the occupation of the eastern wall was completed; the arsenal and aerodrome were captured at 7.30. The East Barracks were then attacked and by 1 p.m. were occupied without fighting. The total casualties in these operations were 7 Japanese wounded and 30 Chinese killed.

Lieutenant-General Honjo, who had only returned from his tour of inspection that very day, received the first news of what was happening at Mukden by telephone from a newspaper agency at about 11 o'clock a.m. The Chief of Staff received a telegraphic report at 11.46 a.m. from the Special Service Station at Mukden, giving details of the attack, and orders were immediately sent to the troops at Liaoyang, Yingkow and Fenghuangsheng to proceed to Mukden. The fleet was ordered to leave Port Arthur and proceed to Yingkow and the Commander-in-Chief of the Japanese Garrison Army in Korea was asked to send reinforcements. Lieutenant-General Honjo left Port Arthur at 3.30 a.m. and arrived at Mukden at noon.

According to the Chinese version, the Japanese attack on the Barracks (Peitaying) was entirely unprovoked and came as a complete surprise. On the night of September 18th, all the soldiers of the 7th Brigade, numbering about 10,000, were in the North Barracks. As instructions had been received from Marshal Chang Hsueh-liang on September 6th¹ that special care was to be taken to avoid any clash with the Japanese troops in the tense state of feeling existing at the time, the sentries at the walls of the Barracks were only armed with dummy rifles. For the same reason, the west gate in the mud wall surrounding the camp which gave access to the railway had been closed. The Japanese had been carrying out night manoeuvres around the barracks on the nights of September 14th, 15th, 16th and 17th. At 7 p.m. on the evening of the 18th, they were manoeuvring at a village called Wenkuantun. At 9 p.m., Officer Liu reported that a train composed of three or four coaches, but without the usual type of locomotive, had stopped there. At 10 p.m. the sound of a loud explosion was heard, immediately followed by rifle fire. This was reported over the telephone by the Chief of Staff to the Commanding Officer, General Wang I-Cheh, who was at his private house situated near the railway, about six or seven miles from the barracks, to the south. While the Chief of Staff was still at the telephone, news was brought to him that the Japanese were attacking the barracks and that two sentries had been wounded. At about 11 o'clock p.m., a general attack on the south-west corner of the barracks began, and at 11.30 p.m. the Japanese had effected an entry

The Chinese
version.

¹ The text of the telegram shown to the Commission at Peiping was as follows :

“ Our relations with Japan have become very delicate. We must be particularly cautious in our intercourse with them. No matter how they may challenge us, we must be extremely patient and never resort to force, so as to avoid any conflict whatever. You are instructed to issue, secretly and immediately, orders to all the officers, calling their attention to this point. ”

through a hole in the wall. As soon as the attack began, the Chief of Staff gave orders for the lights to be extinguished, and again reported to General Wang I-Cheh by telephone. The latter replied that no resistance was to be offered. Distant artillery fire was heard at 10.30 o'clock p.m. from the south-west and north-west. At midnight, live shells began to fall inside the barracks. On reaching the south gate, the retreating troops of the 621st Regiment found that the Japanese were attacking that gate and that the guard was withdrawing. They accordingly took shelter in some trenches and earthworks until after the Japanese soldiers had passed through into the interior, when they were able to make their escape through the south gate and reached the village of Erhtaitze, to the north-east of the barracks, about 2 a.m. Other troops made their escape through the east gate and the empty barracks just outside the east wall, finally reaching the same village between 3 and 4 a.m.

The only resistance was offered by the 620th Regiment, quartered in the north-east corner building and the second building south of it. The commander of this regiment stated that, when the Japanese troops entered through the south gate at 1 a.m., the Chinese troops withdrew from one building to another, leaving the Japanese to attack empty buildings. After the main body of the Chinese troops had withdrawn, the Japanese turned eastwards and occupied the eastern exit. The 620th Regiment thus found themselves cut off, and had no option but to fight their way through. They started to break through at 5 a.m., but did not get completely clear until 7 a.m. This was the only actual fighting that took place in the barracks and was responsible for most of the casualties. This regiment was the last to reach the village of Erhtaitze.

As soon as they were all assembled, the Chinese troops left the village in the early morning of the 19th for Tungling Station. From here they made their way to a village near Kirin, where they obtained a supply of winter clothing. Colonel Wang was sent to obtain permission from General Hsi Hsia for the troops to enter Kirin City. The Japanese residents at Kirin were so alarmed at the approach of the Chinese soldiers that reinforcements were at once sent from Changchun, Ssuping kai and Mukden to Kirin. Consequently, the Chinese turned back towards Mukden. They left their trains 13 miles outside Mukden, separated into nine groups, and marched round Mukden by night. To escape detection by the Japanese, General Wang I-Cheh himself rode through the town disguised as a peasant. In the morning, the Japanese obtained news of their presence and sent aeroplanes to bomb them. They were obliged to lie hidden by day, but continued their march at night. Eventually they reached a station on the Peiping-Mukden railway, and here they were able to order seven trains, which brought them to Shanhaikwan by October 4th.

**Opinion of the
Commission.**

Such are the two stories of the so-called incident of September 18th as they were told to the Commission by the participants on both sides. Clearly, and not unnaturally in the circumstances, they are different and contradictory.

Appreciating the tense situation and high feeling which had preceded this incident, and realising the discrepancies which are bound to occur in accounts of interested persons, especially with regard to an event which took place at night, the Commission, during its stay in the Far East, interviewed as many as possible of the representative foreigners who had been in Mukden at the time of the occurrences or soon after, including newspaper correspondents and other persons who had visited the scene of conflict shortly after the event, and to whom the first official Japanese account had been given. After a thorough consideration of such opinions, as well as of the accounts of the interested parties, and after a mature study of the considerable quantity of written material and a careful weighing

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of the great mass of evidence which was presented or collected, the Commission has come to the following conclusions :

Tense feeling undoubtedly existed between the Japanese and Chinese military forces. The Japanese, as was explained to the Commission in evidence, had a carefully prepared plan to meet the case of possible hostilities between themselves and the Chinese. On the night of September 18th-19th, this plan was put into operation with swiftness and precision. The Chinese, in accordance with the instructions referred to on page 69, had no plan of attacking the Japanese troops, or of endangering the lives or property of Japanese nationals at this particular time or place. They made no concerted or authorised attack on the Japanese forces and were surprised by the Japanese attack and subsequent operations. An explosion undoubtedly occurred on or near the railroad between 10 and 10.30 p.m. on September 18th, but the damage, if any, to the railroad did not in fact prevent the punctual arrival of the south-bound train from Changchun, and was not in itself sufficient to justify military action. The military operations of the Japanese troops during this night, which have been described above, cannot be regarded as measures of legitimate self-defence. In saying this, the Commission does not exclude the hypothesis that the officers on the spot may have thought they were acting in self-defence.

The narrative of the subsequent events must now be resumed.

On the night of September 18th, the Japanese troops in Manchuria were distributed as follows : In addition to the four Companies of the Battalion of Railway Guards which took part in the attack on the North Barracks, and the 29th Regiment of the 2nd Division under Colonel Hirata, which captured the Walled City of Mukden, already described, the rest of the 2nd Division was distributed in various places ; the Headquarters of the 4th Regiment was at Changchun, of the 16th at Liaoyang, of the 30th at Port Arthur ; other parts of these regiments were stationed at Antung, Yingkow, and at many smaller places on the Changchun-Mukden branch and the Antung-Mukden branch of the South Manchuria Railway. Another battalion of Railway Guards was at Changchun, and units of the Railway Guards and Gendarmerie were distributed with the 2nd Division in the smaller places already mentioned. Lastly, there were the garrison troops of Korea.

All the forces in Manchuria, and some of those in Korea, were brought into action almost simultaneously on the night of September 18th over the whole area of the South Manchuria Railway from Changchun to Port Arthur. Their total strength was as follows : 2nd Division, 5,400 men and 16 field-guns ; Railway Guards about 5,000 men ; Gendarmerie about 500. The Chinese troops at Antung, Yingkow, Liaoyang and other smaller towns were overcome and disarmed without resistance. The Railway Guards and Gendarmerie remained in these places, while the units of the 2nd Division at once concentrated at Mukden to take part in the more serious operations. The 16th and 30th Regiments arrived in time to join Colonel Hirata and assisted in the capture of the East Barracks. The 39th Mixed Brigade of the 20th Division (4,000 men and artillery) concentrated at 10 a.m. on the 19th at Shingishu on the Korean frontier, crossed the Yalu river on the 21st, and arrived at Mukden at midnight. From here detachments were sent to Liaoyuan and Hsinmin, which they occupied on the 22nd.

The Chinese Garrisons of Kuanchengtze and Nanling at Changchun, with an estimated strength of 10,000 men and 40 guns, were attacked on the night of September 18th by the 4th Regiment of the 2nd Division and 1st Railway Guard Battalion stationed there (under Major-General Hasebe). Here, however, some resistance was shown by the Chinese. Fighting began at midnight. Nanling barracks were captured by 11 a.m. on the 19th, those of Kuanchengtze by 3 p.m. that day. The total Japanese casualties

**Movements of
Japanese
troops.**

**Occupation of
Changchun on
September
18th-19th,
and Kirin on
September
21st.**

involved were 3 officers and 64 men killed and 3 officers and 85 men wounded. As soon as the fighting at Mukden was over, the Regiments of the 2nd Division were concentrated at Changchun, the staff, with General Tamon, the 30th Regiment and one Battalion of Field Artillery arriving on the 20th, and the 15th Brigade under General Amano arriving on the 22nd. Kirin was occupied on the 21st without the firing of a shot, and the Chinese troops were removed to a distance of about 8 miles.

The Herald of Asia, a semi-official Japanese publication of that time, states that all military operations were then regarded as completed, and that no further movements of troops were anticipated. The military operations which in fact ensued are attributed to Chinese provocation: an anti-Japanese demonstration at Chientao on the 20th, the destruction of a railway station at Lungchingtsun, and the explosion of some bombs which did no damage on Japanese premises at Harbin on September 23rd are mentioned as examples of such provocation. Complaint is also made of growing banditry and of the activities of disbanded soldiers. All of these things, it is claimed, finally forced the Japanese to new military operations against their will.

**Bombing of
Chinchow.**

The first of these operations was the bombing, on October 8th, of Chinchow, to which place the Provincial Government of Liaoning Province had been transferred by Marshal Chang Hsueh-liang at the end of September. According to the Japanese account, the bombing was chiefly directed against the military barracks and the Communications University, where the offices of the Civil Government had been established. The bombing of a civil administration by military forces cannot be justified and there is some doubt whether the area bombed was in fact as restricted as the Japanese allege. Mr. Lewis, an American honorary adviser of the Chinese Government, arrived at Chinchow on October 12th and wrote an account of what he found there to Dr. Koo, who passed on the information later to the Commission in his capacity of Assessor. According to Mr. Lewis, the military barracks were in fact not touched at all and a multitude of bombs fell everywhere in the town, even on the hospital, as well as on the University buildings. The Commander of the bombing-planes informed a Japanese newspaper shortly afterwards that four planes from Changchun were ordered to Mukden at 8.30 a.m. on the 8th. There they joined other planes and a squad of six scouting and five bombing-planes were immediately despatched to Chinchow heavily loaded with bombs and fuel. They arrived at about 1 p.m., within ten to fifteen minutes dropped eighty bombs, and immediately returned to Mukden. The Chinese, according to Mr. Lewis, did not return the fire.

**Nonni Bridge
operations.**

The next operation was that of the Nonni River Bridges, which started in the middle of October and ended on November 19th with the occupation of Tsitsihar by the Japanese troops. The justification for this given by the Japanese was that they were attacked while repairing the bridge over the Nonni River which had been destroyed by General Ma Chan-shan. But the story must be begun earlier and an explanation given of the destruction of the bridges.

At the beginning of October, General Chang Hai-peng, the Garrison Commander at Taonan, who in former times had held the same rank as Ma Chan-shan and Wan Fu-lin, and had tried to become Governor of Heilungkiang Province in their place, started an advance movement along the Taonan-Angangchi Railway with the obvious object of seizing the Provincial Government by force. It is alleged in the Chinese Assessor's document No. 3, and this view is supported by information from neutral sources, that this offensive was instigated by the Japanese. In order to prevent the advance of Chang Hai-peng's troops, General Ma Chan-shan ordered the destruction of the bridges over the Nonni river and both armies faced each other across the large and swampy valley of that river.

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The Taonan-Angangchi Railway had been built with capital supplied by the South Manchuria Railway and the line was pledged as security for the loan. Accordingly, the South Manchuria Railway authorities felt that the interruption to the traffic on this line could not be allowed to continue at a season when the transportation of crops from the north of Manchuria was particularly needed. The Japanese Consul-General at Tsitsihar, on instructions from his Government, requested General Ma Chan-shan, who had arrived at Tsitsihar on October 20th, to have the bridges repaired as soon as possible, but no time-limit accompanied this request. The Japanese authorities believed that General Ma Chan-shan would delay as long as possible the repairing of the bridges, as this interruption helped him to keep General Chang Hai-peng's troops at a distance. On October 20th, a small party of employees of the Taonan-Angangchi Railway and the South Manchuria Railway, without military escort, attempted to inspect the damage to the bridges, and was fired upon by Chinese troops in spite of explanations previously given to an officer of the Heilungkiang Provincial forces. This aggravated the situation and accordingly, on October 28th, Major Hayashi, the representative of General Honjo at Tsitsihar, demanded the completion of the repairs by noon of November 3rd, stating that, if they were not carried out by that date, engineers of the South Manchuria Railway, under the protection of Japanese troops, would take over the work. The Chinese authorities asked for an extension of the time-limit, but no answer was returned to this request and Japanese troops were despatched from Ssuningkai for the purpose of protecting the execution of the repair work.

By November 2nd, the negotiations had not progressed and no decision had been reached. On that day, Major Hayashi delivered an ultimatum to Generals Ma Chan-shan and Chang Hai-peng, demanding that neither of them should use the railway for tactical purposes and that both should withdraw their forces to a distance of 10 kilometres from each side of the river. It was intimated that, if the troops of either of these Generals obstructed the repair of the bridges by the engineers of the South Manchuria Railway, the Japanese would regard them as enemies. The ultimatum was to take effect as from noon of November 3rd, and the Japanese protective detachment was under orders to advance to Tahsing Station, on the north side of the valley, by noon of November 4th. The Chinese Assessor (document No. 3), the Japanese Consul-General at Tsitsihar and various officers of the 2nd Division all concur that General Ma Chan-shan replied that, pending instructions from the Central Government, he provisionally accepted, on his own authority, the Japanese demands. But the Japanese witnesses, on the other hand, added that they did not believe in the sincerity of General Ma, who obviously did not intend to permit the damaged bridges to be quickly or effectively repaired. Twice on November 4th a joint commission, including Major Hayashi, a representative of the Japanese Consul-General, and Chinese officers and civil officials went to the bridges in order to avoid an outbreak of hostilities, and the Chinese delegates asked for a postponement of the Japanese advance. The demand was not complied with, and Colonel Hamamoto, the Commander of the 16th Infantry Regiment, in compliance with his orders, advanced to the bridges with one battalion of his regiment, two companies of field artillery and one company of engineers, to begin the repair work in accordance with the terms of the Japanese ultimatum. The engineers, under the command of Captain Hanai, started work on the morning of November 4th, and one infantry company, with two Japanese flags, began its advance to Tahsing Station by noon of that day.

Hostilities actually began during the second attempt of the above-mentioned mixed commission, which went to the spot early in the afternoon of the 4th in order to make a last attempt to secure the withdrawal of the

Chinese troops. As soon as firing began, Colonel Hamamoto realised that his men were in a very difficult position and went immediately to their support with whatever troops he had available. A rapid reconnaissance convinced him that a frontal attack was impossible on account of the swampy ground, and that nothing but an encircling movement against the left wing of the opposing force would help him out of this difficult situation. Accordingly, he despatched his reserve companies to attack the hill on which the left wing of the opposing forces rested, but the small number of his forces and the impossibility of bringing his guns near enough for action prevented him from gaining the position before nightfall. The hill was captured by 8.30 p.m., but no further advance was possible on that day.

The Kwantung Army Headquarters, on receiving a report of the position, immediately despatched strong reinforcements, and another battalion of infantry arrived during the night, enabling the Colonel to re-open his attack at dawn of November 5th. Even then, after a couple of hours and reaching the first Chinese position, he found himself confronted with a strong line of trenches, defended, according to his own statement to the Commission, with about seventy automatic and machine-guns. His attack was held up, and his troops suffered heavy losses as a result of a Chinese encircling counter-attack executed by infantry and cavalry men. The Japanese troops were forced to retire and for the second time they could do nothing but hold their position until nightfall. During the night of November 5th-6th, two fresh battalions arrived. This relieved the situation, and a renewed attack on the morning of the 6th rolled up the entire Chinese front, and brought Tahsing Station into the hands of the Japanese troops by noon. As Colonel Hamamoto's mission was only to occupy Tahsing Station in order to cover the repair work of the bridges, no pursuit of the retreating Chinese troops was made, but the Japanese troops remained in the vicinity of the station.

The Chinese Assessor, in the same document No. 3, alleges that Major Hayashi, on November 6th, made a new request to the Heilungkiang Government, asking (1) that General Ma Chan-shan should resign from the Governorship in favour of General Chang Hai-peng, and (2) that a public safety committee should be organised. A photograph of Major Hayashi's letter containing these requests was shown to the Commission. This document further states that, on the following day, without waiting for a reply, the Japanese troops began a new attack on the provincial forces now stationed at Sanchienfang, about 20 miles north of Tahsing, and that, on November 8th, Major Hayashi sent another letter repeating the demand for General Ma Chan-shan's retirement from the Governorship of the province in favour of General Chang Hai-peng, and for a reply before midnight of that day. On November 11th, the Chinese account continues, General Honjo himself asked by telegram for General Ma Chan-shan's retirement, the evacuation of Tsitsihar, and the right for the Japanese troops to advance to Angangchi Station, again requiring a reply before nightfall of that day. On November 13th, Major Hayashi increased the third demand to one for the Japanese troops to occupy, not only Angangchi Station, but Tsitsihar Station as well. General Ma Chan-shan pointed out in reply that Tsitsihar Station had nothing to do with the Taonan-Angangchi Railway.

On November 14th and 15th, the Japanese combined forces renewed their attack with the support of four aeroplanes. On November 16th, General Honjo demanded the retreat of General Ma Chan-shan to the north of Tsitsihar, the withdrawal of Chinese troops to the north of the Chinese Eastern Railway, and an undertaking not to interfere in any way with the traffic and operation of the Taonan-Angangchi Railway, these demands to be carried out within ten days from November 15th, and a reply to be sent to the Japanese Special Bureau at Harbin. When General Ma Chan-shan declined to accept these terms, General Tamon began a

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new general attack on November 18th. General Ma Chan-shan's troops retreated, first to Tsitsihar, which was taken by the Japanese on November 19th, and then to Hailun, to which place the administrative offices of the Government were removed.

According to the evidence of Japanese Generals commanding on the spot, the new operations did not begin before November 12th. General Ma Chan-shan at that time had gathered about 20,000 of his troops to the west of Sanchienfang, and even sent for the land colonisation troops in Heilungkiang Province and the forces of General Ting Chao. Against these large forces, which showed an increasingly threatening attitude, the Japanese could oppose only the now concentrated division of General Tamon, consisting of two brigades under Generals Amano and Hasabe. In order to relieve this tense situation, General Honjo demanded, on November 12th, that all Heilungkiang troops should retire to the north of Tsitsihar and that his troops should be allowed to proceed northward for the protection of the Taonan-Angangchi Railway. The advance did not begin before November 17th, when the Chinese sent cavalry troops around the right flank of the Japanese and attacked them. General Tamon informed the Commission that, in spite of his small strength of 3,000 infantrymen and 24 field-guns, he ventured to attack the Chinese forces and completely defeated them on November 18th, with the result that Tsitsihar was occupied on the morning of the 19th. One week later, the 2nd Division returned to its original quarters, leaving General Amano with one infantry regiment and one battery of artillery at Tsitsihar to hold the place against General Ma Chan-shan's troops. This small Japanese force was subsequently reinforced by the newly-formed "Manchukuo" troops, but these new troops, at the time of our visit to Tsitsihar in May 1932, were not yet considered capable of fighting the forces of General Ma Chan-shan.

The attached Map No. 7 (Military Situation Chart) shows the distribution of regular troops of both sides at the time of the first resolution of the Council. No account is taken of disbanded soldiers and bandit groups which, at that time, specially infested the areas east and west of the Liao River and the Chientao district. Both the parties have accused each other of purposely instigating banditry — the Japanese attributing to the Chinese the motive of wishing to create disorder in the lost parts of Manchuria, and the Chinese suspecting the Japanese of wishing to find pretexts for occupying the country and still further extending their military operations. The strength and military value of these gangs are so vague and changeable that it would not be possible to insert an accurate estimate of their significance into the picture of the military situation. The chart shows that the Command of the North-Eastern troops had succeeded in organising a force of considerable strength in the south-western part of Liaoning Province. These troops had been able to construct a strongly entrenched position on the right bank of the Taling River very close to the foremost Japanese outposts. Such a situation may well have caused the Japanese military authorities some anxiety, as they estimated the total strength of these regular troops at 35,000 men, or about double the total admitted strength of their own forces in Manchuria at that moment.

This situation was relieved by action taken in consequence of certain events which occurred at Tientsin during the month of November. Reports as to the origin of the trouble differ widely. There were two outbreaks, on November 8th and 26th, respectively, but the whole affair is extremely obscure.

According to the Japanese account in the *Herald of Asia*, the Chinese population at Tientsin was divided between those who supported and those who opposed Marshal Chang Hsueh-liang, and the latter organised forces to create a political demonstration in the Chinese city by attacking the guardians of public order on November 8th. In this dispute between

(See
Map No. 7)

**The Tientsin
Incident.**

**Outbreak of
November 8th :
Japanese
version.**

two Chinese factions, the Commander of the Japanese garrison observed strict neutrality from the beginning, but was forced to open fire when Chinese guards in the vicinity of the Japanese Concession began to shoot indiscriminately into his district. His demand that the combating Chinese forces should keep at 300 yards distance from the border of the Concession did not relieve the situation, which grew so tense that, on November 11th or 12th, all foreign garrisons mounted guard.

Chinese version.

The account given by the Municipal Government of Tientsin is very different. They assert that the Japanese employed Chinese ruffians and Japanese plain-clothes men, who were formed into operating gangs within the Japanese Concession, in order to start trouble in the Chinese city. Their police authorities, being timely informed by agents of this situation, were able to repulse the disorderly bands emerging from the Japanese Concession. They say that, from the confession of arrested members of these gangs, they are able to prove that the riot was organised by the Japanese and that the men were armed with guns and ammunition of Japanese make. They admit that the Japanese garrison Commander complained on the morning of the 9th that some of his men had been wounded by stray bullets and that he had asked for a withdrawal to a distance of 300 yards, but they assert that, in spite of their acceptance of these conditions, the Japanese regular troops attacked the Chinese city with armoured cars and shelled it.

The account of the Municipal Government further states that, on November 17th, an agreement was reached which fixed the details for the withdrawal to a distance of 300 yards, but it asserts that the Japanese did not carry out their part of the agreement, and that consequently the situation grew worse.

On November 26th, a terrific explosion was heard, immediately followed by firing of cannon, machine-guns and rifles. The electric lights in the Japanese Concession were put out, and plain-clothes men emerged from it attacking the police stations in the vicinity.

Outbreak of November 26th : Conflicting accounts.

The Japanese account of this later disturbance as given in the *Herald of Asia* is to the effect that, on the 26th, the situation had become so much better that their volunteer corps was disbanded and that, on the same evening, the Chinese opened fire on the Japanese barracks, and as the fire, in spite of their protests, did not stop until noon of the 27th, they had no choice but to accept the challenge and to fight the Chinese. The battle went on until the afternoon of the 27th, when a peace conference was held. On that occasion, the Japanese demanded the immediate cessation of hostilities and the withdrawal of Chinese troops and police forces to a distance of 20 Chinese li from all places where foreign troops were stationed. The Chinese agreed to withdraw their soldiers, but not their police forces, which were alone responsible for the safety of foreigners in that district. The Japanese say that, on November 29th, the Chinese offered their withdrawal from the neighbourhood of the Concession ; their offer was accepted ; the Chinese armed police withdrew on the morning of the 29th and the defence work was removed on the 30th.

Effect of the Tientsin disturbances on the situation in Manchuria.

The threatening situation at Tientsin on the 26th caused the staff officers of the Kwantung Army to propose to the Commander an immediate expedition of troops via Chinchow and Shanhaikwan to reinforce the endangered small force at Tientsin. As a mere transport problem it would have been easier and quicker to despatch reinforcements by sea via Dairen. But considered strategically, the suggested route had this advantage, that it would enable the advancing troops to dispose *en route* of the very inconvenient Chinese concentration around Chinchow. It was assumed that the delay in taking this route would not be long, as little or no resistance from the Chinese was anticipated. The suggestion was approved, and one armoured train, one troop train, and a couple of aeroplanes crossed the Liao River on November 27th, and their attack on the first Chinese outposts was sufficient

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to initiate a retreat of the Chinese troops from their entrenched position. The armoured-car corps also changed its position. A shade of resistance led the Japanese to reinforce their strength by more armoured trains, infantry trains, and artillery. They also repeatedly threw bombs on Chinchow, but news of the improved situation at Tientsin soon deprived the expedition of its original objective and, on November 29th, to the great surprise of the Chinese, the Japanese forces were withdrawn to Hsinmin.

Another consequence of the earlier disturbances at Tientsin was that the former Emperor, who had been living in the Japanese Concession there, sought a safer refuge at Port Arthur on November 13th, after a talk with Colonel Doihara.

The districts evacuated by the Japanese were re-occupied by the Chinese troops, and this fact was widely advertised. Chinese *morale* was slightly raised; and the activities of irregular forces and bandits increased. Profiting by the winter season, they crossed the frozen Liao River at many points and raided the country around Mukden. The Japanese military authorities realised that, even to maintain their existing positions, reinforcements would be necessary, and with these reinforcements they hoped to be able to get rid of the menace of the Chinese concentration at Chinchow.

Meanwhile, the situation in Manchuria was a subject of further discussion in Geneva. When accepting the resolution on December 10th, the Japanese delegate stated that his acceptance " was based on the understanding that this paragraph (No. 2) was not intended to preclude the Japanese forces from taking such action as might be necessary 'to provide directly for the protection of the lives and property of Japanese subjects against the activity of bandits and lawless elements rampant in various parts of Manchuria'. Such action was admittedly 'an exceptional measure called for by the special situation prevailing in Manchuria', and its necessity would end when normal conditions should be restored there ". To that the Chinese representative replied " that the injunction to the parties not to aggravate the situation should not be violated under the pretext of the existence of lawlessness caused by the state of affairs in Manchuria ", and several Council members taking part in the discussion admitted that " circumstances might arise there causing danger to Japanese lives and property and in such an emergency it might be inevitable that Japanese forces in the neighbourhood should take action ". When this matter has been referred to by Japanese officers who have given evidence before the Commission, it has been usually asserted that the resolution of December 10th " gave Japan the right to maintain her troops " in Manchuria, or made the Japanese Army responsible for the suppression of banditry there. In describing the subsequent operations, they assert that, while executing this right against the bandit forces near the Liao River, they incidentally came in conflict with the remaining Chinese forces near Chinchow, which were in consequence withdrawn within the Great Wall. The fact remains that, having made their reservation at Geneva, the Japanese continued to deal with the situation in Manchuria according to their plans.

The 2nd Division, with the exception of its garrison at Tsitsihar, was concentrated west of Mukden. Reinforcements soon began to arrive; the 4th Brigade of the 8th Division¹ between December 10th and 15th. On December 27th, Imperial sanction was obtained for the despatch of the Staff of the 20th Division and another brigade from Korea. Changchun and Kirin were for the time being only protected by Independent Railway Guards.

As a Japanese advance on Chinchow was imminent, the Chinese Minister for Foreign Affairs made an attempt to prevent further fighting by offering to withdraw the Chinese troops to within the Great Wall, provided that three or

¹ All the statements here given concerning numbers of units and strength of the Japanese forces are based on official Japanese information.

The
occupation of
Chinchow.

Japanese
reservation
when accepting
the resolution
of the Council
on December
10th.

Arrival of
reinforce-
ments.
(See
Map No. 8.)

Abortive
negotiations
for the
withdrawal of
Chinese
troops.

four foreign Powers were willing to guarantee the maintenance of a neutral zone north and south of Chinchow. Nothing came of the proposal. Meanwhile, conversations were initiated between Marshal Chang Hsueh-liang and the Japanese Chargé d'Affaires at Peiping, but these too were abortive for different reasons. The Chinese allege in their document No. 3, Annex E, that, at each successive visit, on December 7th, 25th and 29th, the Japanese delegate increased his demands concerning the Chinese retreat, and his promises with regard to the restraint of the Japanese troops became more and more vague. The Japanese, on the other hand, claim that the Chinese promises to withdraw were never sincere.

**Attack on
Chinchow.**

The concentrated attack of the Japanese forces began on December 23rd, when the 19th Chinese Brigade was forced to give up its position. From that day, the advance continued with perfect regularity and hardly met with any resistance at all, the Chinese Commander having given out a general order to retreat. Chinchow was occupied on the morning of January 3rd and the Japanese forces continued their advance right up to the Great Wall at Schanhaikwan, where they established a permanent contact with the Japanese garrison in that place.

The complete evacuation of Manchuria by the troops of Marshal Chang Hsueh-liang, practically without striking a blow, was not unconnected with the internal conditions of China south of the Wall. Reference has been made in an earlier chapter to the feuds between rival Generals and it must be remembered these feuds had not ceased.

**The
occupation of
Harbin.**

The comparative ease with which the offensive down to Shanhaikwan was carried out enabled the Japanese to release some of their troops from their original positions and make them available for advances in other directions. The main force of the 2nd Division, which had done nearly all the fighting so far, returned to their quarters at Liaoyang, Mukden, and Changchun for a rest. On the other hand, the increased length of railway line to be protected against possible bandit raids at any point necessitated the use of a large number of troops the fighting strength of which was diminished by their distribution over such wide areas. The two brigades under the command of the Staff of the 20th Division were left for this purpose in the newly occupied zone, and the 4th Brigade of the 8th Division joined them more to the north. The Japanese military authorities assured us that, within these well-guarded areas, a state of law and order was soon established and that banditry was practically extinguished on both sides of the Liao River during the following weeks. This statement was made to us in the month of June, but, at the moment of writing this Report, we read of vigorous raids from volunteer troops on Yingkow and Haicheng, with threats even to Mukden and Chinchow.

The district which, at the beginning of this year, gave more trouble than any other was that north and east of Harbin, to which the remaining followers of the two former Provincial Governments of Kirin and Heilungkiang had withdrawn. The Chinese Generals in this northern sector seemed to have maintained some contact with Headquarters at Peiping, whence they received some support from time to time. The advance on Harbin began, as that on Tsitsihar had done, by an encounter between two Chinese forces. General Hsi Hsia at the beginning of January prepared for an expedition to the North with the view to occupying Harbin. Between him and that city were Generals Ting Chao and Li Tu, with what are described as anti-Kirin forces. According to information provided by the Japanese Assessor, when our preliminary report was under consideration, satisfactory terms would have been arranged by negotiation between the parties had it not been for the influence of the authorities at Peiping. Negotiations were in fact initiated and, while they were being carried on, General Hsi Hsia advanced with his troops as far as Shuangchong, which they reached on January 25th, but, when it came to serious fighting on

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the following morning in the immediate neighbourhood south of the city, the advance was at once checked. The situation thus created was felt by the Japanese to be full of danger for the large Japanese and Korean colonies at Harbin. Fighting between two more or less irregular Chinese forces in the immediate neighbourhood would have resulted in the retreat on the town of a defeated army, the horrors of which the recent history of China provides so many examples. Urgent appeals were therefore sent to the Kwantung Army, even Chinese merchants, so the Japanese assert, joining in the appeal from fear that their property might be looted.

Colonel Doihara, now General, who, in this emergency, was sent to Harbin on the 26th in order to take over the office of the special Japanese service there, told the Commission that the fighting between the two Chinese forces around Harbin continued for about ten days, and that there was great anxiety for the 4,000 Japanese residents, who mostly lived in a menaced area, together with 1,600 Koreans in the Chinese suburb of Fuchiatien, who were exposed to the danger of massacre. In spite of the fact that the anti-Kirin forces held the town during ten days of continual fighting, the casualties among the Korean and Japanese residents were comparatively few. The latter organised themselves into armed volunteer bands and helped their nationals to escape from the Chinese suburb. One Japanese and three Koreans are said to have been killed while trying to escape. In addition, one of the Japanese aeroplanes, sent to reconnoitre the threatening situation, was forced to land owing to engine trouble and its occupants are said to have been killed by Ting Chao's troops.

These two incidents decided the Japanese military authorities to intervene. Again the 2nd Division was called upon to help its endangered countrymen. But this time the problem was not so much one of fighting as of transportation, the railing north of Changchun being a joint Sino-Russian undertaking. As the rolling-stock of the southern branch of the Chinese Eastern Railway was greatly depleted, the Commander of the 2nd Division decided to send, in the first instance, only General Hasebe and two infantry battalions. Negotiations with the railway authorities were started, but, when these seemed likely to be long drawn out, the Japanese officers decided to enforce the transport of their troops. The railway authorities protested and refused to work the trains, but, in spite of their opposition, the Japanese military authorities succeeded on the night of January 28th in forming three military trains, which went as far north as the second Sungari bridge, which they found damaged by the Chinese forces. As the repairs were made on the 29th, Shuangcheng was reached on the afternoon of January 30th. Early on the following morning, and still under cover of darkness, the small Japanese force was attacked by Ting Chao's troops and severe fighting took place, resulting in the repulse of the Chinese, but no further progress was possible that day. By that time, the Soviet and Chinese railway authorities had agreed that the transport of Japanese troops on the Chinese Eastern Railway would be allowed, on the understanding that they were proceeding with the sole object of giving protection to the Japanese residents at Harbin. The fares of the troops were paid for in cash. On February 1st, the Japanese troops began to arrive and the main force of the 2nd Division was concentrated near Shuangcheng on the morning of February 3rd. Reinforcements were even called upon from Tsitsihar, where, as will be remembered, a part of the 2nd Division had remained since November 19th. But many difficulties had still to be overcome, as the line between Harbin and Tsitsihar was cut by the Chinese, who, at the same time, attacked detachments of the Independent Railway Guards on the southern branch of the Chinese Eastern Railway at different places.

On February 3rd, the anti-Kirin troops, now estimated to have a total strength of about 13,000 to 14,000 soldiers with 16 guns, had taken up an

entrenched position along the southern boundary of the city. The 2nd Division began to advance against this position on the same day, reaching the Weitangkou (Nanchengtze) River, about 20 miles north of Shuangcheng, on the night of February 3rd-4th. Fighting commenced on the following morning. On the evening of the 4th, the Chinese position was partly taken by the Japanese troops, and by noon of the 5th a final decision was reached. Harbin was occupied on the afternoon of the same day, and the Chinese withdrew in the direction of Sanhsing.

**Further
Japanese
military
operations up
to the end of
August 1932.
(See Maps
Nos. 9 and 10.)**

The successful attack of the 2nd Division brought the town of Harbin into the hands of the Japanese authorities, but, as it was not immediately followed by any pursuit of the retiring Chinese forces, little change was produced on the situation in Northern Manchuria as a whole. The railways north and east of Harbin and the important waterway of the Sungari River still remained under the control of the anti-Kirin troops and those of Ma Chan-shan. The arrival of further reinforcements, repeated expeditions to the east and north and six months of fighting took place before the occupied area was extended as far as Hailun in the north and the districts of Fangchung and Hailin in the east. According to Japanese official statements, the anti-Kirin troops, with those of General Ma Chan-shan, were completely routed, but, according to official Chinese sources, they are still in existence. Although reduced in their fighting strength, they continually hamper the Japanese forces, at the same time avoiding actual encounters in the open field. According to newspaper information, both the eastern and western branches of the Chinese Eastern Railway are still being attacked and damaged at different places between Harbin and Hailin.

The Japanese operations since the beginning of February may be summarised as follows :

Towards the end of March, the main part of the 2nd Division left Harbin in the direction of Fangcheng in order to suppress the anti-Kirin troops of Generals Ting Chao and Li Tu. The Division advanced as far as the region of Sanhsing and returned to Harbin in the earlier part of April. By that time, the 10th Division had arrived at Harbin and took over the sector from the 2nd Division. This unit was engaged for about a month in constant fighting against the anti-Kirin troops with the greater part of its forces in the district near Sanhsing and with a minor detachment along the eastern branch of the Chinese Eastern Railway, in the direction of Hailin.

In the earlier part of May, the Japanese forces in the north of Manchuria were further reinforced by the 14th Division. A detachment of this unit took part in the fighting against the anti-Kirin forces and advanced as far as the valley of Mutan River, south of Sanhsing, forcing the opposing troops to withdraw to the most eastern corner of Kirin Province. But the main operations of the 14th Division, which began in the latter part of May, took place in the region north of Harbin and were directed against the troops of General Ma Chan-shan. The 14th Division carried out its main attack to the north of Harbin, along the Hulan-Hailun Railway, and, with minor forces to the east of Koshan, the proposed terminus of the Tsitsihar-Koshan Railway. The Japanese claim that, during the earlier part of August, the troops of General Ma Chan-shan were again effectively routed and that they have strong evidence that the General himself was killed. The Chinese assert that the General is still alive. In this action, cavalry newly arrived from Japan likewise took part.

During the month of August, several minor engagements took place on the borders of Fengtien and Jehol Provinces, mainly near the Chinchow-Peipiao branch line (of the Peiping-Mukden Railway), which is the only means of access to Jehol by railway. There are widespread fears in China that these events are only a prelude to larger military operations at an early date, aimed at the occupation of Jehol by the Japanese. The main lines

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of communication which still exist between China Proper and the Chinese forces in Manchuria run through Jehol, and the fear of a Japanese attack in this province, which is already claimed as part of the territory of "Manchukuo", is not unreasonable. Its imminence is freely discussed in the Japanese Press.

The Japanese version of the recent events submitted to the Commission by the Japanese Assessor is as follows :

An official attached to the Kwantung Army Headquarters named Ishimoto was kidnapped by Chinese "volunteers" on July 17th from a train travelling between Peipiao and Chinchow, within the boundaries of the Province of Jehol. A small detachment of Japanese infantry with light artillery made an immediate attempt to rescue him, but failed in their purpose, and the result was the occupation of a village on the frontier of Jehol by Japanese troops.

During the latter part of July and in August, Japanese aeroplanes demonstrated several times over this part of Jehol and dropped some bombs, but "uninhabited areas outside the villages" were carefully selected. On August 19th, a Japanese staff officer was sent to Nanling, a small town situated between Peipiao and the provincial boundary to negotiate for the release of Mr. Ishimoto. On his return journey with a small infantry detachment, he was fired upon. In self-defence the fire was returned and, on the arrival of another infantry detachment, Nanling was occupied but evacuated on the following day.

Through the Chinese Assessor, extracts were submitted to the Commission from the reports of General Tang Yu-ling, the Governor of the Province of Jehol. These reports claim that fighting on a much larger scale took place, and that a Chinese battalion of railway guards was in action against a superior number of Japanese infantry, supported by two armoured trains. They claim that the bombing referred to by the Japanese was directed against Chaoyang, one of the larger towns in that region, and that, as a result, 30 casualties were caused among both military and civilians. The Japanese offensive was resumed on August 10th, when an armoured train attacked Nanling.

The information given by the Japanese Assessor concludes by stating that, although the maintenance of order in Jehol is "a matter of internal policy for Manchukuo, Japan cannot be indifferent to the situation in that region in view of the important role played by Japan in the maintenance of peace and order in Manchuria and Mongolia, and that any disorders in Jehol would immediately produce very serious repercussions throughout Manchuria and Mongolia". General Tang Yu-ling concludes his report by stating that all possible measures were being taken to offer effective resistance should the Japanese attacks be renewed.

From these communications, it seems that an extension of the area of conflict in this region is a contingency which must be reckoned with.

Although the main Chinese Army was withdrawn within the Great Wall at the end of 1931, the Japanese continued to meet with opposition of an irregular kind in different parts of Manchuria. There have been no further battles such as occurred on the Nonni River, but fighting has been constant and widely dispersed. It has been the practice of the Japanese to describe indiscriminately as "bandits" all the forces now opposed to them. There are, in fact, apart from bandits, two distinct categories of organised resistance to the Japanese troops or to those of "Manchukuo" — namely, the regular and irregular Chinese troops. It is extremely difficult to estimate the number of these two and, as the Commission was not able to meet any of the Chinese Generals still in the field, it is necessary to make reservations with regard to the reliability of the information given below. Chinese authorities are naturally reluctant to give away exact information about such troops as are still offering resistance to the Japanese in Manchuria.

**Nature of
resistance
offered by the
Chinese.**

Remnants of
the original
North-Eastern
Armies.

Japanese authorities, on the other hand, are disposed to minimise the numbers and fighting value of the forces still opposed to them.

The remnants of the original North-Eastern Armies are to be found exclusively in the provinces of Kirin and Heilungkiang. The re-organisation of troops which took place around Chinchow late in 1931 was not of long duration, because all those units were subsequently withdrawn inside the Great Wall. But the regular Chinese troops, which, before September 1931, were stationed in the Sungari region and along the Chinese Eastern Railway, have never been seriously engaged with the Japanese troops, and continue to carry on a guerilla warfare which has given, and still gives, much trouble to the Japanese and "Manchukuo" forces. The Generals Ma Chan-shan, Ting Chao and Li Tu have acquired great fame throughout China as leaders of these troops. All three are former brigade-generals in command of railway guards or garrison troops in North Manchuria. Probably the greater part of the troops under their command remained faithful to their respective leaders and the cause of China after the destruction of the Young Marshal's regime. The strength of General Ma's troops cannot easily be determined, because, as will be remembered, this General changed his allegiance.

As Governor of Heilungkiang Province, he was in command of all the provincial troops, the number of which was given to us as seven brigades in all. Since the month of April, he has definitely taken up a position against Japan and "Manchukuo". The number of troops at his disposal between Hulan River, Hailun and Taheiho is estimated by Japanese authorities as six regiments, or between 7,000 and 8,000 men. Generals Ting Chao and Li Tu control six old brigades of Chang Hsueh-liang's Army, and have since raised in the country three additional brigades. Their total strength at the time of our Preliminary Report was estimated by Japanese authorities at about 30,000; but it is very probable that the troops of General Ma Chan-shan, as well as those of Generals Ting Chao and Li Tu, have considerably diminished in number since the month of April and are now below the estimated figure. Both units, as will be seen later on, have suffered a great deal from concentrated attacks of regular Japanese troops since the occupation of Harbin. At present, they seem unable to hinder any operation by the Japanese troops and carefully avoid meeting them in the open field. The use of aeroplanes by the Japanese and the complete absence of this weapon on the other side account for the greater part of such losses as they have sustained.

Irregular
forces.
Volunteers.

When considering the irregular forces, it is necessary to distinguish between the different volunteer forces in Kirin Province co-operating with the Armies of Generals Ting Chao and Li Tu. In our Preliminary Report of April 29th, 1932, we mentioned, on page 5, under the heading "Volunteers", three different volunteer armies and several minor corps, one of the latter between Tunhua and Tienpaoshan remaining in touch with these regular troops of Generals Ting Chao and Li Tu. Owing to the absence of railways and other means of communication in those districts, this corps still keeps the same position. Its Chief, Wang Teh-ling, united different "anti-Manchukuo" forces and kept them firmly under his command. Though this force may be of small significance compared with Japanese troops (which hardly exhibit any activity to the east of Tunhua), it seems well able to hold its own against the "Manchukuo" troops and maintains its position in a considerable part of Kirin Province. No evidence is available concerning the present activity of the "Big Sword Society" which, while keeping in touch with Wang Teh-ling, created considerable disturbance in the Chientao district. On the other hand, no action of importance has been undertaken against it by Japanese troops.

An official Japanese document has been submitted to the Commission enumerating a large number of so-called route-armies and other Chinese

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units, each containing not more than 200 to 400 men, which form the subdivisions of the volunteer armies. Their field of activity extends to the areas around Mukden and the Antung-Mukden Railway, to Chinchow and the boundary between Jehol and Fengtien Provinces, to the western branch of the Chinese Eastern Railway and to the district between Hsinmin and Mukden. Thus the area covered by these volunteers and the anti-Kirin forces combined comprises the greater part of Manchuria.

In the middle of August, fighting broke out in the immediate neighbourhood of Mukden, at different places of the southern part of the South Manchuria Railway, especially at Haicheng and at Yingkow. On several occasions, the Japanese troops have found themselves in a difficult position, but nowhere have the volunteers succeeded in attaining a victory of any importance. It seems doubtful whether any change in the general situation in Manchuria is to be anticipated in the near future, but, at the time of the completion of our Report, fighting continues over a wide area.

As in China, banditry has always existed in Manchuria. Increasing or diminishing in numbers in relation to the activity or the weakness of the Government, professional bandits are to be found in all parts of the Three Provinces and their services were often employed by different parties for political purposes. The Chinese Government has presented to the Commission a document stating that, during the last twenty or thirty years, Japanese agents to a great extent instigated bandits to serve their political interests. A passage from the "Second Report of Progress of Manchuria to 1930", published by the South Manchuria Railway, is quoted in this document to the effect that, within the railway area alone, the number of cases of banditry had increased from 9 cases in 1906 to 368 in 1929. According to the Chinese document quoted above, banditry has been encouraged by the smuggling of arms and munitions on a large scale from Dairen and the Kwantung Leased Territory. It is asserted, for instance, that the notorious bandit chief, Lin Yin-shin, was provided in November last with arms, munitions and other means in order to establish the so-called Independent Self-Defence Army which was organised with the help of three Japanese agents and destined to attack Chinchow. After the failure of this attempt, another bandit chief got Japanese help for the same purpose, but fell into the hands of the Chinese authorities with all his material of Japanese origin.

Japanese authorities, of course, see the state of banditry in Manchuria in quite a different light. According to them, its existence is due exclusively to the inefficiency of the Chinese Government. They allege also that Chang Tso-lin, to a certain extent, favoured the existence of bandit gangs in his territory, because he thought that, in time of need, they could easily be converted into soldiers. The Japanese authorities, while admitting the fact that the complete overthrow of Chang Hsueh-liang's Government and Army greatly added to the number of bandits in the country, claim that the presence of their troops in the country will enable them to wipe out the principal bandit units within from two to three years. They hope that the organisation of "Manchukuo" police and of self-defence corps in each community will help to put an end to banditry. Many of the present bandits are believed to have been peaceful citizens who, on account of the complete loss of their property, were induced to take up their present occupation. Given the opportunity of resuming the occupation of farming, it is hoped that they will return to their former peaceful mode of life.

(See
Map No. 6.)

Bandits.

Chapter V. SHANGHAI.

**The
Shanghai
affair.**

*(See Map
No. 11.)*

At the end of January, fighting broke out at Shanghai. The story of that affair has already been told in its broad outlines down to February 20th by the Consular Committee appointed by the League. The fighting was still in progress when the Commission arrived at Tokyo on the 29th, and several discussions took place with members of the Japanese Government on the origin, motives and consequences of their armed intervention in this place. When we reached Shanghai, on March 14th, the fighting was over, but the negotiations for an armistice were proving difficult. The arrival of the Commission at this moment was opportune, and may have helped to create a propitious atmosphere. We were able to appreciate the tense feeling which had been created by the recent hostilities and to obtain an immediate and vivid impression both of the difficulties and of the issues involved in this controversy. The Commission was not instructed to continue the work of the Consular Committee or to make a special study of the recent events there. In fact, we were informed by the Secretary-General of the League of Nations that the Chinese Government had expressed themselves as opposed to any suggestion that the Commission should delay its journey to Manchuria for the purpose of studying the situation at Shanghai.

We heard the views of both the Chinese and the Japanese Governments on the Shanghai affair, and were the recipients of a large amount of literature from both sides on the subject. We also visited the devastated area and heard statements from Japanese naval and military officers on the recent operations. In an individual capacity, too, we had conversations with the representatives of many shades of opinion on matters which were fresh in the memory of everyone living in Shanghai. But we did not, as a Commission, officially investigate the Shanghai affair and therefore express no opinion upon the disputed points connected with it. We shall, however, for purposes of record, complete the story of the operations from February 20th until the final withdrawal of the Japanese troops.

The last report of the Consular Committee ended, it will be remembered, by stating that the Japanese, on February 20th, opened a new attack in the Kiangwan and Woosung areas. This attack brought no marked success to the Japanese troops, despite the fact that it was continued on the following days, but it enabled them to learn that parts of the so-called Chinese Bodyguard Army — viz., the 87th and 88th Divisions — were now fighting against them as well as the 19th Route Army. This fact, together with the difficulties which the nature of the country presented, decided the Japanese to reinforce their troops by two more divisions — namely, the 11th and 14th.

On February 28th, the Japanese troops occupied the western part of Kiangwan, which had been evacuated by the Chinese. On the same day, the Woosung fort and fortifications along the Yangtse River were again bombed from the air and from the sea, and bombing-planes operated over the whole front, including the aerodrome at Hungjao and the Nanking Railway. General Shirakawa, who was appointed to the supreme command of the Army, arrived in Shanghai on February 29th. From this date onwards the Japanese Headquarters announced substantial progress. In the district of Kiangwan they advanced slowly, and the Naval Headquarters stated that the opposing forces at Chapei showed signs of giving way as a consequence of the daily bombardment. On the same day, the aerodrome

**Narrative of
events at
Shanghai from
February 20th
onwards.**

*(See Map
No. 12.)*

at Hangchow, which is 100 miles distant from Shanghai, was bombed from the air.

On March 1st, as the frontal attack had advanced but slowly, the Japanese Army Commander initiated a wide enveloping movement by landing the main force of the 11th Division at some distance on the right bank of the Yangtze River, in the vicinity of Tsiyakow, for the purpose of making a surprise attack on the left flank of the Chinese Army. The manoeuvre was successful in compelling an immediate retreat of the Chinese forces beyond the 20-kilometre limit originally asked for in the Japanese Commander's ultimatum of February 20th. Woosung fort had been evacuated by the Chinese troops when, on March 3rd, it was entered by the Japanese troops after many aerial and naval bombardments. On the previous day, bombing operations had been extended as far as 7 kilometres east of Quinsan Station on the Shanghai-Nanking Railway, with the alleged object of preventing the transportation of reinforcements to the Chinese front.

On the afternoon of March 3rd, the Japanese Commander gave the order to stop fighting. The Chinese Commander issued a similar order on March 4th. A strong complaint was made by the Chinese that the 14th Japanese Division was landed at Shanghai between March 7th and 17th, after the cessation of hostilities, and about a month later was transported to Manchuria in order to reinforce the Japanese troops there.

In the meantime, attempts to secure a cessation of hostilities through the good offices of friendly Powers and of the League of Nations had been continued. On February 28th, the British Admiral, Sir Howard Kelly, received on his flagship the delegates of both parties. An agreement on the basis of mutual and simultaneous withdrawal and of a temporary character was proposed. The conference was not successful, owing to the differing opinions of the two parties as to the basis of the negotiations.

On February 29th, the President of the Council of the League of Nations made recommendations which contemplated, amongst other things, "a mixed conference in the presence of other interested Powers in view of the final conclusion of the fighting and for a definite cessation of hostilities, subject to local arrangements". Both parties accepted, but a successful outcome of the negotiations was rendered impossible by the conditions of the Japanese delegates, who demanded that : (1) the Chinese troops should first begin to withdraw, and (2) the Japanese, having ascertained that the withdrawal was taking place, should then retire, not, as formerly stated, to the International Settlement and the extra-Settlement streets, but to an area extending from Shanghai to Woosung.

On March 4th, the Assembly of the League, recalling the suggestions of the Council, (1) called on both Governments to make the cessation of hostilities effective ; (2) requested other interested Powers to inform the Assembly on the execution of the previous paragraph ; and (3) recommended negotiations, with the assistance of other Powers, for the conclusion of the arrangements in order to render definite the cessation of hostilities and to regulate the withdrawal of the Japanese troops, wishing to be informed by the Powers on the development of these negotiations.

On March 9th, the Japanese sent a memorandum to the Chinese through the intermediary of the British Minister, in which their readiness to negotiate on the basis of the points laid down by the Assembly was expressed.

On March 10th, the Chinese replied through the same channel that they too were ready to negotiate on this basis, but on condition that the conference should be limited to matters pertaining to the definite cessation of hostilities and the complete and unconditional withdrawal of the Japanese troops. On March 13th, the Japanese intimated that they were not disposed to regard the Chinese reservations as modifying the sense of the resolutions of the League of Nations or in any way binding on themselves. They thought that both parties should meet on the basis of the resolutions.

On March 24th, the Sino-Japanese Conference on the cessation of hostilities was opened. In the meantime, the withdrawal of Japanese military and naval forces had actually begun. On March 20th naval and air contingents left Shanghai, reducing the remaining strength to something not far above normal. The Japanese Headquarters announced on March 27th, on the occasion of further withdrawal, that this had nothing to do with the above-mentioned Conference or with the League of Nations, but was simply the outcome of the independent decision of the Headquarters of the Imperial Japanese Army to recall units no longer required at Shanghai.

On March 30th, the Conference announced that, on the preceding day, an agreement relative to a definite cessation of hostilities had been reached, but further difficulties supervened and it was not till May 5th that a complete armistice agreement was ready for signature. It provided for a definite cessation of hostilities, fixed a line to the west of Shanghai as a temporary limit for the advance of Chinese troops, pending further arrangements upon the re-establishment of normal conditions, and provided for the withdrawal of the Japanese troops to the International Settlement and the extra-Settlement roads (streets) as previous to January 28th. Certain areas outside the Settlement had to be temporarily included, because the number of Japanese troops was too large to be quartered within the Settlement alone, but these do not require to be mentioned as they have since been evacuated. A Joint Commission, in which the assistant friendly Powers — the United States of America, Great Britain, France and Italy — and the two parties were represented, was established to certify the mutual withdrawal. This Commission was also to collaborate in arranging for the transfer from the Japanese forces to the Chinese Police.

The Chinese added two qualifications to the agreement. The first declared that nothing in the agreement was to imply permanent restriction of the movement of Chinese troops in Chinese territory, and the second that it was to be understood that, even in areas temporarily provided for the stationing of the Japanese troops, all municipal functions, including that of policing, would remain with the Chinese authorities.

The terms of this agreement as a whole have in the main since been carried out. The evacuated areas were turned over to the Chinese Special Police Force between May 9th and 30th. The turning-over, however, of these four areas has been somewhat delayed. It was but natural that, when the Chinese owners of houses and factories, officials of railways and companies, and others began to re-enter the evacuated areas, numerous complaints concerning looting, wilful destruction and carrying away of property should have been addressed to the Japanese military authorities. In the opinion of the Chinese, the whole question of reparations remains for further negotiations. They estimate the casualties in killed, wounded and missing as 24,000 officers, men and civilians, and the total material loss at approximately 1,500,000,000 Mexican dollars. A draft agreement dealing with the extra-Settlement road areas has been initialled by representatives of the Shanghai Municipal Council and of the Chinese Municipality of Greater Shanghai, but it has not yet received the approval of either the Municipal Council or of the City Government. The Municipal Council has referred it to the Senior Consul for the observations of the Consular Body.

Effect on the Manchurian situation of the Chinese resistance at Shanghai.

The Shanghai affair undoubtedly exercised considerable influence upon the situation in Manchuria. The ease with which the Japanese had been able to occupy the greater part of Manchuria, and the absence of any resistance by the Chinese troops, not only led to a belief in Japanese naval and military circles that the fighting quality of the Chinese Army was negligible, but also caused profound depression throughout China. The stout resistance put up from the first by the Chinese 19th Route Army,

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with the assistance later of the 87th and 88th Guard Divisions, was hailed throughout China with the greatest enthusiasm, and the fact that the original 3,000 marines had to be supplanted by three divisions and a mixed brigade of the Japanese Army before the Chinese forces were finally dislodged and driven back after six weeks of fighting created a profound impression upon the Chinese *morale*. The feeling prevailed that China must be saved by her own efforts. The Sino-Japanese conflict was brought home to the people throughout China. Everywhere opinion hardened and the spirit of resistance increased. Former pessimism gave place to equally exaggerated optimism. In Manchuria, the news from Shanghai put fresh heart into the scattered forces still opposing the Japanese troops. It encouraged the subsequent resistance of General Ma Chan-shan and stimulated the patriotism of the Chinese all over the world. The resistance of the Volunteer Armies increased. Expeditions to suppress them met with indifferent success, and in some areas the Japanese stood on the defensive, taking up positions along certain railway lines, which were frequently attacked.

The hostilities at Shanghai were followed by several other incidents, one of which was the short bombardment of Nanking. This incident created much excitement and alarm, even outside China. It happened on the late evening of February 1st, but did not last for more than an hour. The incident was probably caused by a misunderstanding, but had the important consequence of a temporary removal of the Chinese Government from Nanking to Loyang.

Chinese and Japanese versions both of the origin and of the facts are widely divergent. Two justifications were given to us from Japanese sources. The first was that, since the outbreak of hostilities at Shanghai, the Chinese had extended the Lion Hill Forts, constructed trenches and established artillery positions at the gates near the river and on the opposite side of it, thus making military preparations on a scale sufficient to arouse concern amongst the Japanese, who had warships on the river. The second was that the vernacular papers had spread untruthful stories of Chinese victories at Shanghai, which had caused great excitement among the Chinese population of Nanking. In consequence, Chinese employed by Japanese were, it is alleged, forced by threats to give up their situations, and Chinese merchants refused to sell even the necessary food supplies to Japanese residents, including the Consular staff and the crews of warships.

The Chinese did not comment on these complaints. They assert that the general uneasiness and tense atmosphere prevailing were caused by the fact that the Japanese, after the Shanghai outbreak, increased the number of their warships from two to five, and subsequently to seven (the Japanese authorities give the number as six, these being three old gunboats and three destroyers); that the Commander of the warships landed a certain number of sailors and put them on guard duty before the wharf of the Nisshin Kisen Kaisha, where the Japanese Consular staff and all the Japanese residents had taken refuge on a hulk. With the events of Shanghai fresh in their memories, such measures may well have filled the minds of the already-excited population at Nanking with fears of a similar experience.

We know from a report of the Police Commissioner of Nanking to the Ministry of Foreign Affairs that the authorities at Nanking who were solely responsible for the protection of their own subjects and of foreign nationals at that place greatly resented the landing of Japanese naval forces. They addressed representations to the Japanese Vice-Consul, who replied that he was unable to do anything in the matter. At the same time, special instructions were given to the local police station at Hsiakwan, where the warships were anchored and the above-mentioned wharf was situated, to prevent, if possible, any contact between Chinese and Japanese in this area, especially at night-time. According to the Japanese official reports, their refugees were taken on board a steamer

**The Incident
of Nanking,
February 1st,
1932.**

of the name *Nisshin Kisen Kaisha* during the days following January 29th, and a considerable number were transported to Shanghai. On the late evening of February 1st, the Japanese assert that three gunshots were suddenly fired, apparently from the Lion Hill Forts. At the same time, Chinese regulars fired on the Japanese naval guards on the river banks, causing two casualties, of which one was fatal. The fire was returned, but directed only at the immediate neighbourhood of their landing-place and stopped as soon as the firing from the shore had ceased. Such is the Japanese version. The Chinese, on the other hand, stoutly deny that any firing at all took place, but allege that eight shells in all were fired at the forts, at Hsiakwan station and at other places, accompanied by machine-gun and rifle firing, and that during this time searchlights were directed at the shore. This caused considerable panic amongst the inhabitants, who rushed into the interior of the city; but no casualties were reported and the material damage was not great.

It is also possible that the incident was first started by the firing of crackers by the excited Chinese population, celebrating a supposed victory at Shanghai.

Chapter VI.

“ MANCHUKUO ”.

PART I. — STAGES IN THE FORMATION OF THE “ NEW STATE ”.

Chaotic conditions resulting from Japanese occupation of Mukden.

As a result of the events of September 18th, 1931, as described in Chapter IV, the civil administration of Mukden City and of the Province of Liaoning (Fengtien) was completely disorganised and even that of the other two provinces was affected to a lesser extent. The suddenness of the attack on Mukden, which was not only the political centre of all Manchuria but, next to Dairen, also the most important commercial centre of South Manchuria, created a panic among the Chinese population. Most of the prominent officials, and the leading members of the educational and commercial communities who could afford to do so, left immediately with their families. During the days following September 19th, over 100,000 Chinese residents left Mukden by the Peiping-Mukden Railway, and many who could not get away went into hiding. The police, and even the prison warders, disappeared. The municipal, district and provincial administrations at Mukden completely broke down, the public utility companies for the supply of electric light, water, etc., the buses and tramways, and the telephone and telegraph services, ceased to function. Banks and shops kept their doors closed.

Restoration of order and civil administration in Mukden City.

The immediate necessity was the organisation of a municipal government and the restoration of the ordinary civic life of the city. This was undertaken by the Japanese and carried through quickly and efficiently. Colonel Doihara was installed as Mayor of Mukden, and within three days normal civil administration was restored. Several hundred police and most of the prison warders were brought back with the help of General Tsang Shih-yi, the Civil Governor of the Province, and the public utility services were restored. An Emergency Committee, with a majority of Japanese members, helped Colonel Doihara, who held his post for one month. On October 20th, the reins of municipal government were restored to a qualified Chinese body, with Dr. Chao Hsin-po (a lawyer who had studied for eleven years in Japan and was a Doctor of Law of Tokyo University) as Mayor.

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The next problem was to re-organise the provincial administration in each of the Three Provinces. This task was more difficult in Liaoning than in either of the other two, because Mukden was the centre of this provincial administration ; most of the influential men had fled, and for a time a Chinese provincial administration continued to be carried on at Chinchow. It was three months, therefore, before the re-organisation was completely accomplished. Lieutenant-General Tsang Shih-yi, the existing President of the Liaoning Provincial Government, was first approached on September 20th and invited to organise a Provincial Government, independent of the Chinese Central Government. This he refused to do. He was then put under arrest and released on December 15th.

After General Tsang Shih-yi had refused to help in the establishment of an independent Government, another influential Chinese official, Mr. Yuan Chin-kai, was approached. He was a former provincial governor and a Vice-President of the North-Eastern Political Committee. The Japanese military authorities invited him and eight other Chinese residents to form a "Committee for the Maintenance of Peace and Order". This Committee was declared to have been formed on September 24th. The Japanese Press at once acclaimed it as the first step in a separatist movement, but Mr. Yuan Chin-kai publicly disclaimed any such intention on October 5th. The Committee, he said, had "been brought into being to preserve peace and order after the breakdown of the former administration. It assisted, moreover, in relieving refugees, in restoring the money market, and it attended to some other matters, solely for the sake of preventing unnecessary hardship. It had, however, no intention of organising a Provincial Government or declaring independence".

On October 19th, the Committee opened the Board of Finance, and Japanese advisers were appointed to assist the Chinese functionaries. The Director of the Board of Finance had to obtain the approval of the military authorities before giving effect to the Board's decisions. In the districts, the tax collectors' offices were controlled by the Japanese gendarmerie or other agencies. In some cases, they had to submit their books daily for inspection to the gendarmerie, whose approval had to be obtained for the disbursement of any monies on public objects, such as police, justice, education, etc. Any case of remittance of taxes to the "hostile party" at Chinchow was to be at once reported to the Japanese authorities. At the same time, a Financial Readjustment Committee was organised the chief business of which was to re-organise the taxation system. Japanese representatives and the representatives of Chinese guilds were allowed to take part in discussions on taxation. According to a statement in the "History of the Independence of Manchukuo", dated May 30th, 1932, and submitted to the Commission by the "Department of Foreign Affairs" at Changchun, these discussions led to the abolition on November 16th, 1931, of six taxes, the reduction of four others by half, the transfer of eight others to local governments, and the prohibition of all levies, without a legal basis.

On October 21st, the Board of Industry was opened by the Committee, whose name was now changed to that of "Liaoning Province Self-Government Office". The consent of the Japanese military authorities was sought and obtained and a number of Japanese advisers were appointed. Before issuing any orders, the Director was required to obtain the approval of the Japanese military authorities.

Lastly, the Liaoning Self-Government Office organised a new North-Eastern Communications Committee, which gradually assumed control of various railways, not only in Liaoning Province, but also in Kirin and Heilungkiang. This Committee was separated from the Liaoning Self-Government Office on November 1st.

On November 7th, the Liaoning Province Self-Government Office transformed itself into the Liaoning Provincial Government *ad interim*,

**The
re-organisation
of Provincial
Government :**
(1) LIAONING
PROVINCE

**General Tsang
Shih-yi refuses
to organise
an independent
Provincial
Government.**

**Formation of a
"Peace and
Order
Maintenance
Committee"
under the
chairmanship
of Mr. Yuan
Chin-kai,
Septemb. 25th.**

**Board of
Finance
opened,
October 19th.**

**Board of
Industry
established,
October 21st.**

**North-Eastern
Communi-
cations
Committee.**

**Declaration of
November 7th,**

and establishment of a Provincial Government on November 10th.

Appointment of Supreme Advisory Board.

Name of Province changed to Fengtien on November 20th, and General Tsang Shih-yi installed as Governor on December 15th.

(2) KIRIN PROVINCE

(3) THE SPECIAL ADMINISTRATIVE DISTRICT OF THE CHINESE EASTERN RAILWAY

which issued a declaration by which it severed its relations with the former North-Eastern Government and with the Central Government at Nanking. It requested the local governments in Liaoning to abide by the decrees it had issued, and announced that henceforth it would exercise the authority of a Provincial Government. On November 10th, a public opening ceremony took place.

Simultaneously with the transformation of the Self-Government Office into the Liaoning Provincial Government *ad interim*, a Supreme Advisory Board was inaugurated under the chairmanship of Mr. Yu Chung-han, who had been Vice-Director of the Peace and Order Maintenance Committee. Mr. Yu announced the objects of this Board as : the maintenance of order, the improvement of administration by the suppression of bad taxes, the reduction of taxation, and the improvement of the organisation of production and sale. The Board was, furthermore, to direct and supervise the acting Provincial Government, and to foster the development of local self-government in accordance with the traditions of local communities and with modern needs. It comprised sections dealing with general affairs, investigation, protocol, guidance, supervision, and an Institute for Training in Self-Government. Nearly all the important functionaries were Japanese.

On November 20th, the name of the Province was changed to that of Fengtien, which had been its name before its union with Nationalist China in 1928, and, on December 15th, Mr. Yuan Chin-kai was replaced by General Tsang Shih-yi, who was released from his confinement and installed as Governor of Fengtien Province.

The task of establishing a provincial Government in the province of Kirin was far easier. On the 23rd, the Commander of the 2nd Division, Major-General Tamon, had an interview with Lieutenant-General Hsi Hsia, the acting head of the provincial administration in the absence of General Chang Tso-hsiang, and invited him to assume the chairmanship of the Provincial Government. After this interview, General Hsi Hsia summoned the various Government organisations and public associations to a meeting on September 25th, which was also attended by Japanese military officers. No opposition was expressed to the idea of establishing a new provisional government, and a proclamation to that effect was published on September 30th. The Organic Law of the new Provincial Government of Kirin was subsequently announced. The committee system of government was abolished, and Governor Hsi Hsia took full responsibility for the conduct of government. Some days later, the principal officials of the new Government were appointed by him and some Japanese functionaries were added later. The chief of the Bureau of General Affairs was a Japanese. In the districts also, some administrative re-organisation and change of personnel took place. Out of forty-three districts, fifteen were re-organised, which involved the dismissal of the Chinese District Officers. In ten others, the District Officers were retained after declaring their allegiance to General Hsi Hsia. The others still remained under Chinese military leaders loyal to the old regime, or kept aloof from the contending factions.

The Chief Administrator of the Special District, Lieutenant-General Chang Ching-hui, was friendly to the Japanese. He had no military force behind him, whereas the old regime could still dispose of considerable forces both in Kirin and Heilungkiang, as well as the railway guards in the Special District itself. On September 27th, he summoned a conference in his office at Harbin to discuss the organisation of the Emergency Committee of the Special District. This Committee was formed with General Chang as Chairman and eight other members, amongst whom were General Wang Juihwa and General Ting Chao, who later, in January 1932, became the leader of the " anti-Kirin " forces, in opposition to General Hsi Hsia. On November 5th, the anti-Kirin Army, under the command of the Generals

of Chang Tso-hsiang, established a new Kirin Provincial Government at Harbin. After General Chang Ching-hui had been appointed, on January 1st, 1932, Governor of Heilungkiang, he declared in that capacity the independence of the Province on January 7th. On January 29th, General Ting Chao took possession of the office of the Chief Administrator and placed General Chang under restraint in his own house. The latter regained his liberty when the Japanese forces came north and occupied Harbin on February 5th, after defeating General Ting Chao. From that time onwards, the Japanese influence made itself increasingly felt in the Special District.

In Heilungkiang Province, a more complicated situation had arisen owing to the conflict between General Chang Hai-peng and General Ma Chan-shan, which was described in the last chapter. After the occupation of Tsitsihar by the Japanese on November 19th, a Self-Government Association of the usual type was established, and this Association, which was said to represent the will of the people, invited General Chang Ching-hui, of the Special District, to act concurrently as Governor of Heilungkiang. As the situation around Harbin was still unsettled, and no definite agreement with General Ma had been reached, this invitation was not accepted until early in January 1932. Even then General Ma's attitude was ambiguous for some time. He co-operated with General Ting Chao until the latter's defeat in February, and then came to terms with the Japanese, accepting the Governorship of Heilungkiang out of General Chang's hands, and subsequently co-operated with the other Governors in the establishment of the new State. A Self-Government Guiding Committee was established at Tsitsihar on January 25th, and the same form of Provincial Government as in the other Provinces was gradually established.

The Province of Jehol has hitherto kept aloof from the political changes which have taken place in Manchuria. Jehol is part of Inner Mongolia. Over 3,000,000 Chinese settlers now live in the Province and they are gradually pushing out to the north the nomadic Mongols, who still live under their traditional tribal or Banner system. These Mongols, who are said to number about one million, have maintained some relations with the Mongol Banners settled in the west of Fengtien Province. The Mongols in Fengtien and Jehol have formed "Leagues" the most influential of which is the Cherim League. The Cherim League joined the Independence movement, as did also the Mongols in the Barga District, or Hulunbuir, in the west of Heilungkiang, who have often attempted to free themselves from Chinese rule. The Mongols do not easily assimilate with the Chinese. They are a proud race, and every Mongol remembers the exploits of Genghis Khan and the conquest of China by Mongol warriors. They resent Chinese over-lordship and they resent particularly the immigration of Chinese settlers, by which they are being gradually extruded from their territory. The Leagues of Chaota and Chosatu in Jehol are keeping in touch with the Banners in Fengtien, which are now ruled by committees. General Tang Ju-lin, the Governor of the Province, is reported to have assumed full responsibility for his Province on September 29th, and to have kept in touch with his colleagues in Manchuria. At the inauguration of "Manchukuo" on March 9th, Jehol was included in the new State. In fact, however, no decisive step was taken by the Government of the Province. The latest events in this Province were referred to at the end of chapter IV.

The local self-governing administrations thus established in all the Provinces were subsequently combined into a separate and independent "State". To understand the ease with which this was accomplished and the amount of evidence which it has been possible to bring forward of Chinese support for it when it was accomplished, it is necessary to consider the peculiar feature of Chinese organised life which in some circumstances is a strength and in others a weakness. As has been already stated in Chapter I, the community obligations recognised by the Chinese are rather

(4)
HEILUNGKIANG.

(5) JEHOI.

The creation
of an
independent
"State".

to the family, to a locality, or to persons, than to the State. Patriotism as it is understood in the West is only beginning to be felt. Guilds, associations, leagues, armies, are all accustomed to follow certain individual leaders. If, therefore, the support of a particular leader can be secured by persuasion or coercion, the support of his adherents over the whole area of his influence follows as a matter of course. The foregoing narrative of events shows how successfully this Chinese characteristic was utilised in the organisation of the Provincial Governments, and the agency of the same few individuals was used to complete the final stage.

The Self-Government Guiding Board.

The chief agency in bringing about independence was the Self-Government Guiding Board, which had its central office in Mukden. By reliable witnesses, it was stated to the Commission to have been organised, and in large part officered, by Japanese, although its chief was a Chinese, and to have functioned as an organ of the Fourth Department of the Kwantung Army Headquarters. Its main purpose was to foster the independence movement. Under the direction and supervision of this Central Board, local self-government executive committees were formed in the districts of Fengtien Province. To those various districts, as occasion demanded, the Central Board sent out members from its large and experienced staff of inspectors, directors and lecturers, many of whom were Japanese. It utilised also a newspaper, which it edited and published.

The proclamation of the Self-Government Guiding Board, Mukden, January 7th.

The nature of the instructions given by the Central Board is apparent from the proclamation which it issued as early as January 7th, under date of January 1st. The proclamation stated that the North-East was faced with the need for developing, without delay, a great popular movement for the establishment of a new independent State in Manchuria and Mongolia. It described the development of its work in various districts in Fengtien Province, and outlined its plan for the extension of its activities to the remaining districts and even to the other Provinces. It then appealed to the people of the North-East to overthrow Marshal Chang Hsueh-liang, to join the Self-Government Association, to co-operate in setting up a clean administration and improving the living conditions of the people, and it ended with the words: "Organisations of the North-East, Unite! Towards the new State! Towards Independence!" Of this proclamation, fifty thousand copies were distributed.

Plans of the Chief of the Board in January.

As early as January also, the Chief of the Self-Government Guiding Board, Mr. Yu Chung-han, was already making plans, together with Governor Tsang Shih-yi, for the new State which, it was reported, was to be established on February 10th. But the Harbin outbreak of January 29th and General Ma's ambiguous attitude during the conflict with Ting Chao appear to have been the main reasons for the temporary postponement of further preparations at that time.

The Mukden Conference, February 16th-17th.

Later, after Ting Chao's defeat, negotiations between Lieutenant-General Chang Ching-hui and General Ma had brought about, on February 14th, a settlement according to which General Ma was to become Governor of Heilungkiang. The meeting at which the foundation of the new State was to be arranged was held on February 16th and 17th at Mukden. The Governors of the Three Provinces and the Special District were present in person, as well as Dr. Chao Hsin-po, who had played a prominent part in all the preparatory work.

At a meeting of these five men, it was decided that a new State should be established, that a North-Eastern Administrative Council should be organised which would exercise temporarily the supreme authority over the Provinces and the Special District, and, finally, that this Supreme Council should, without delay, make all necessary preparations for the founding of the new State. On the second day of the Conference, two Mongol Princes attended, one representing the Barga District (Hulunbuir) in Western Heilungkiang, the other, Prince Chiwang of the Cherim Leagues,

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representing practically all Banners, who respect this Prince more than any other leader.

The Supreme Administrative Council was constituted the same day. Its members were Lieutenant-General Chang Ching-hui, Chairman of the Council, the Governors of Fengtien, Kirin, Heilungkiang and Jehol, and Prince Chiwang and Prince Ling Sheng for the Mongolian districts. The first decisions of the Council were : to adopt the republican system for the new " State " ; to respect the autonomy of the constituting Provinces ; to give the title of " Regent " to the Chief Executive, and to issue a Declaration of Independence, to be signed by the Governors of the four Provinces and the Special District, by Prince Chiwang for all the Banners, and by Prince Kueifu for Hulunbuir in Heilungkiang. The Commander-in-Chief of the Kwantung Army gave that night an official dinner in honour of the " Heads of the new State ", whom he congratulated on their success and assured of his assistance in case of need.

The Declaration of Independence was published on February 18th. It referred to the ardent wishes of the people to have permanent peace and to the duty of the Governors, who were said to have been chosen by the people, to fulfil those wishes. The Declaration referred to the necessity for the establishment of a new State, and claimed that the North-Eastern Administrative Council had been constituted for this purpose. Now that relations with the Kuomintang and the Government at Nanking had been severed, the people were promised the enjoyment of good government. This Declaration was sent by circular wire to all places in Manchuria. Governor Ma and Governor Hsi Hsia then returned to their respective provincial capitals, but they designated representatives to meet Governor Tsang Shih-yi, Governor Chang Ching-hui, and Mayor Chao Hsin-po for the purpose of working out the details of the plan.

In a subsequent meeting held by this group, on February 19th, it was decided to establish a Republic, to lay down the principle of the separation of powers in the Constitution, and to ask the former Emperor Hsuan-Tung to become the Chief Executive. In the following days, it was decided that the capital should be Changchun ; the new era of government was to be styled " Tatung " (Great Harmony), and the design of the national flag was fixed. Notification of the decisions taken was sent, on February 25th, to all provincial governments, including Jehol, as well as to the Mongol administrative offices of Hulunbuir and of the Cherim, Chaota and Chosatu Leagues. The last-named Leagues are established in Jehol. They could, therefore, as already stated, take no steps against the wishes of the Chairman of the Government of that Province.

After the Declaration of Independence and the announcement of the plans for the new State, the Self-Government Guiding Board took the leading part in organising popular manifestations of support. It was instrumental in forming societies for the " Acceleration of the Foundation of the New State ". It instructed its branches in the various districts throughout Fengtien, the Self-Government Executive Committees, to do everything possible to strengthen and hasten the independence movement. In consequence, the new " Acceleration Societies " sprang up rapidly, centring around the Self-Government Executive Committees.

From February 20th onwards, these newly-formed " Acceleration Societies " became active. Posters were prepared, slogans printed, books and pamphlets issued, a *North-Eastern Civilisation Half-Monthly* was edited and red scrolls were distributed. Leaflets were sent by post to various prominent citizens asking them to help the propaganda work. At Mukden the scrolls were distributed by the Chinese Chamber of Commerce, to be placed on the door-posts.

During the same time, the Self-Government Executive Committees in the districts summoned meetings of popular representatives, such as

**The Supreme
Administrative
Council,
February 17th.**

**Declaration of
Independence,
February 18th.**

**Plans for the
new State.**

**The State
Foundation
Acceleration
Movement.**

**The
organisation**

of popular approval of independence.

The Mukden resolutions favouring a New State, February 28th.

The Independence Movement in Kirin Province.

In Heilungkiang Province.

members of the local gentry, and the chairmen and prominent members of commercial, agricultural, industrial and educational associations. In addition, mass meetings were organised and parades or processions were conducted through the principal streets of the district capitals. Resolutions expressing the wishes either of the people in general or of special groups were passed at conferences of prominent local men and at the mass meetings, in which it was claimed many thousands of persons took part. These resolutions were naturally sent to the Self-Government Guiding Board at Mukden.

After the Acceleration Societies and the Self-Government Executive Committees had been active in various districts of Fengtien, a provincial convention was organised at Mukden to give concrete evidence of the general desire of the people for the establishment of the State. Accordingly, on February 28th, a meeting was held in which about 600 persons took part, including all the district officers of the Province and the representatives of nearly all classes and organisations. This meeting issued a declaration which stated that it expressed the joy of the 16,000,000 inhabitants of Fengtien Province at the downfall of the old oppressive military caste and the dawn of a new era. As far as Fengtien was concerned, the movement had thus been brought to a conclusion.

The movement in Kirin Province in favour of a new State was also organised and directed. While in the Conference at Mukden on February 16th, Governor Hsi Hsia sent a circular telegram to his District Officers asking them to enlighten him as to public opinion in regard to the policy to be followed by the new State. The District Officers were enjoined to give adequate guidance to the various guilds and associations in their districts. In direct response to the telegram, independence movements sprang up everywhere. On February 20th, the Kirin Provincial Government created the State Foundation Committee, which was to guide the various organisations in conducting their independence campaigns. On February 24th, the People's Association at Changchun held a mass meeting in which about 4,000 persons are reported to have taken part. They demanded the acceleration of the foundation of the new State. Similar meetings were held in other districts and also in Harbin. On February 25th, the mass meeting for the whole Province was held at the city of Kirin. About ten thousand persons were reported to have been present. A declaration was duly issued similar to that passed at Mukden on February 28th.

In Heilungkiang Province, the Mukden Self-Government Guidance Board played an important part. On January 7th, after General Chang Ching-hui had accepted the governorship of Heilungkiang, he declared the Province to be independent.

The Board lent its assistance in conducting the acceleration movement in Heilungkiang. Four directing officers, two of whom were Japanese, were despatched from Mukden to Tsitsihar. Two days after their arrival, on February 22nd, they convened a meeting in the reception hall of the Government House, in which a large number of associations were represented. It was a Pan-Heilungkiang Conference, which was to decide upon the methods of preparing for the establishment of the State. It was resolved to hold a mass demonstration on February 24th.

Many thousands of persons took part in the mass demonstration at Tsitsihar, which was covered with posters, scrolls, streamers and pennants in commemoration of the event. The Japanese artillery fired 101 guns in honour of the day. Japanese planes circled overhead, dropping down leaflets. A declaration was promptly issued which favoured a republican form of government, with a responsible Cabinet and a President as the head of the State. All powers were to be concentrated in the Central Government, and the provincial governments were to be abolished, leaving districts and municipalities as the units of local government.

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By the end of February, Fengtien, Kirin, Heilungkiang and the Special District had passed the stages of district and provincial declarations. The Mongol Banners had also given their allegiance to the new State, since it was known that it would mark off special autonomous Mongol districts and would in other ways guarantee the rights of the Mongol inhabitants. The Mohammedans had already, at a meeting on February 15th, at Mukden, pledged their allegiance. The majority of the small number of unassimilated Manchus were also in favour of the new State as soon as it had become known that their former Emperor would probably be offered the post of Chief Executive.

After the districts and provinces had given formal support to the plan of a new State, the Self-Government Guiding Board took the lead in convening an All-Manchuria Convention, which was held at Mukden on February 29th. There were present official delegates from the provinces, the districts of Fengtien Province and the Mongol territories, and, in addition, many others, including representatives of various groups, such as the Koreans in Kirin Province and the Special District, and the branches of the Youth League of Manchuria and Mongolia : altogether over 700 persons.

Speeches were delivered and a declaration and resolution were unanimously approved, the former denouncing the previous regime, the latter welcoming the new State. A second resolution was also adopted designating as the provisional President of the new State the former Emperor Hsuan Tung, now known by his personal name as Mr. Henry Pu-yi.

The North-Eastern Administrative Council met at once in urgent session and elected six delegates to proceed to Port Arthur, to convey their invitation to the former Emperor at Port Arthur, where he had been residing since he left Tientsin in the previous November. Mr. Pu-yi at first declined it, but on March 4th a second delegation comprising twenty-nine delegates obtained his consent to accept the post for one year only. Then the Administrative Council elected its chairman, Lieutenant-General Chang Ching-hui, and nine others, to be the Reception Committee. On March 5th, the Committee went to Port Arthur and was received in audience. In response to its request, the former Emperor, on March 6th, left Port Arthur for Tangkangtze, and after two days began, on the 8th, to receive homage as the Regent of "Manchukuo".

The inauguration ceremonies were held at the new capital, Changchun, on March 9th. Mr. Pu-yi, as Regent, made a declaration in which he promised to found the policy of the new State upon the basis of "morality, benevolence and love". On the 10th, the principal members of the Government were appointed ; the members of the Cabinet, the Presidents of the Board of Legislation and the Board of Control ; the President and Vice-President and Councillors of the Privy Council, the Governors of the Provinces and of the Special District, the Commanders of the Defence Forces of the Provinces, and some other high officials. A notice regarding the establishment of "Manchukuo" was issued by telegram on March 12th to the foreign Powers. The declared purpose of this notice was to communicate to the foreign Powers the fundamental object of the formation of "Manchukuo" and its principles of foreign policy ; and to request that they recognise it as a new State.

Prior to the arrival of the Regent, a number of laws and regulations, on which Dr. Shao Hsin-po had been working for some time, had been made ready for adoption and promulgation. They came into force on March 9th, simultaneously with the law regulating the organisation of the Government, while the laws which theretofore had been in effect, in so far as they were not in conflict with the new laws, or with the fundamental policy of the State, were provisionally adopted by special ordinance of the same date.

**The All-
Manchuria
Convention,
Mukden,
February 29th.**

**Mr. Henry
Pu-yi,
the former
Emperor,
accepts
the headship
of
"Manchukuo"**

**The
Inauguration
ceremonies,
Changchun,
March 9th.**

**The date of the
establishment
of
"Manchukuo";
Laws and
Regulations.**

Sources of Information.

This narrative of the stages by which the "State of Manchukuo" was created has been compiled from all the sources of information available. The events were reported at length, as they occurred, in Japanese newspapers, and most fully, perhaps, in the columns of the Japanese-edited *Manchuria Daily News*. The two documents entitled "Histoire de l'Indépendance du Mandchoukouo — Ministère des Affaires étrangères du Mandchoukouo", and "A General Outline of Manchukuo — Department of Foreign Affairs, Manchukuo", which were prepared at Changchun on May 30th by the present administration, and the "Memorandum on the so-called Independence Movement in the Three Eastern Provinces", prepared by the Chinese Assessor, have also been carefully studied. In addition, wherever possible, neutral sources of information were utilised.

Civil administration since September 18th.

The measures of civil administration taken by the Japanese military authorities between September 18th and the establishment of the "Manchukuo Government", notably the control of the Banks, the administration of the public utility services and the management of the railways, indicated that, from the commencement of the operations, objects more permanent than the requirements of a temporary military occupation were being pursued. Immediately after the occupation of Mukden, on September 19th, guards were placed in or in front of all Chinese banks, railway offices, the administrative offices of public utility services, the office of the Mining Administration, and similar premises. Investigations were then conducted into the financial and general situation of these enterprises. When they were allowed to re-open, Japanese were appointed as advisers, experts, or secretaries to officials, usually with administrative powers. Many business enterprises were owned by the former administration of the Three Eastern Provinces, as well as by the provincial administrations; and, as the previous Government was regarded as an enemy Government in time of war, no bank, no mining, agricultural or industrial enterprise, no railway offices, no public utility — in fact, no single source of revenue in which they had been interested in either their public or private capacities — was left without supervision.

Railways.

As regards railways, the measures taken by the Japanese authorities from the outset of the period of military occupation were designed to settle definitely, in a manner favourable to Japanese interests, some of the questions which had long been in dispute between the Chinese and Japanese railways, and which have been described in Chapter III. The following measures were promptly taken :

1. All the Chinese-owned railways north of the Great Wall, and the monies standing to their credit in banks in Manchuria, were seized.
2. In order that the railways might be co-ordinated with the South Manchuria Railway, certain changes were made in the arrangement of tracks in and around Mukden, by cutting the tracks of the Peiping-Mukden Railway at the viaduct under the South Manchuria Railway, thus closing the Liaoning Central station, the Fengtien East station, the Fengtien North Gate station, and thus severing the connection with the Chinese Government railway to Kirin (later replaced).
3. At Kirin, a physical connection was made between the Hailun-Kirin line and the Kirin-Tunhua and Kirin-Changchun Railways.
4. A staff of Japanese technical advisers was installed in various departments of the railways.
5. The "special rates" adopted by the Chinese authorities were abolished and the original tariffs restored, thus bringing freight rates on Chinese railways more into conformity with those of the South Manchuria Railway.

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During the period between September 18th, when the North-Eastern Communications Committee ceased to function, and the date of the creation of the " Manchukuo Ministry of Communications ", the Japanese authorities assumed entire responsibility for the administration of the railways.

Measures of a similar kind, which went beyond those which were necessary for the protection of the lives and property of their nationals, were taken by the Japanese in respect of the public electricity supplies at Mukden and Antung. Also, in the period between September 18th and the establishment of " Manchukuo ", the Japanese authorities made changes in the administration and management of the Chinese Government telephone, telegraph and wireless services which would ensure their intimate co-ordination with the Japanese telephone and telegraph services in Manchuria.

Since September 18th, 1931, the activities of the Japanese military authorities, in civil as well as in military matters, were marked by essentially political considerations. The progressive military occupation of the Three Eastern Provinces removed in succession from the control of the Chinese authorities the towns of Tsitsihar, Chinchow and Harbin, finally all the important towns of Manchuria ; and following each occupation, the civil administration was re-organised. It is clear that the Independence Movement, which had never been heard of in Manchuria before September 1931, was only made possible by the presence of the Japanese troops.

A group of Japanese civil and military officials, both active and retired, who were in close touch with the new political movement in Japan to which reference was made in Chapter IV, conceived, organised and carried through this movement, as a solution to the situation in Manchuria as it existed after the events of September 18th.

With this object, they made use of the names and actions of certain Chinese individuals, and took advantage of certain minorities among the inhabitants, who had grievances against the former administration.

It is also clear that the Japanese General Staff realised from the start, or at least in a short time, the use which could be made of such an autonomy movement. In consequence, they provided assistance and gave direction to the organisers of the movement. The evidence received from all sources has satisfied the Commission that, while there were a number of factors which contributed to the creation of " Manchukuo ", the two which, in combination, were most effective, and without which, in our judgment, the new State could not have been formed, were the presence of Japanese troops and the activities of Japanese officials, both civil and military.

For this reason, the present regime cannot be considered to have been called into existence by a genuine and spontaneous independence movement.

PART II. — THE PRESENT GOVERNMENT OF " MANCHUKUO "

" Manchukuo " is governed in accordance with an Organic Law and a Guarantee Law of Civil Rights. The Organic Law prescribes the fundamental organisation of the governmental organs. It was promulgated by Ordinance No. 1 issued on March 9th, the first year of Tatung (1932).

The Regent is head of the State. All executive power is vested in him, and he has also the authority to overrule the Legislative Council. He is assisted by a Privy Council, which is to advise him upon important affairs.

A characteristic feature of the Organic Law is the separation of governmental power into four divisions or departments : the Executive, the Legislative, the Judicial and the Supervisory.

The functions of the Executive department are carried out, under the direction of the Regent, by the Premier and the Ministers of State, who together form a State Council or Cabinet. The Premier supervises

**Other public
utilities.**

Conclusions.

**The Organic
Law.**

**The Executive
Department.**

the work of the Ministries and, through the powerful Board of General Affairs, has direct charge of their confidential matters, personnel, accounting and supplies. Subordinate to the State Council are various bureaux, especially the important Advisory Bureau and the Legislative Bureau. Executive power is thus largely concentrated in the hands of the Premier and the Regent.

**The
Legislative
Department.**

The legislative power is vested in the Legislative Council. Its approval will be necessary for all laws and revenue Acts. But should it reject any Bill, the Regent may ask the Council to re-consider its decision and, if it should again reject it, the Regent, after consulting the Privy Council, shall decide the matter. At present, however, no law has yet been passed for the organisation of the Council, with the result that laws are drafted by the State Council and become effective after the Privy Council has been consulted and the approval of the Regent has been obtained. So long as the Legislative Council is not organised, the Premier's position is predominant.

**The Judicial
Department.**

The judiciary comprises a number of law courts, divided into three grades, the Supreme Court, Higher Courts, and District Courts.

**The
Supervisory
Department.**

The Supervisory Council supervises the conduct of officials and audits their accounts. The members of the Council may not be dismissed except for a criminal offence or disciplinary punishment, and may not be subjected to suspension or transfer of office or reduction of salary against their wishes.

**Provinces and
Special
Districts.**

For purposes of local government, "Manchukuo" is divided into five provinces and two special districts. The provinces are Fengtien, Kirin, Heilungkiang, Jehol, and Hsin-An or Hsingan. The last-named, which contains the Mongol districts, is subdivided into three areas or sub-provinces, so as to conform to the traditional Banner system and the union of Banners into Leagues. The special districts are the old Chinese Eastern Railway, or Harbin district, and the newly established Chientao, or Korean district. By means of this administrative division, the important minorities, Mongols, Koreans and Russians, are to be guaranteed, as far as possible, special administration in conformity with their needs. Although the Commission made several requests to be shown a map of the area claimed to be included in the "State of Manchukuo", this was not provided, but a letter was received giving the boundaries of the "State" as follows:

"The new State is bounded on the south by the Great Wall, and the Mongol Leagues and Banners in the same comprise Hulinbuir and the Leagues of Cherim, Chaota and Chosatu and their Banners."

At the head of the provinces are Civil Governors. But since it is desired to concentrate executive power in the Central Government, they are to be given no authority over either troops or finance. In the provinces, as well as in the central government, the General Affairs Department holds a controlling position. It is in charge of confidential matters, of personnel, accounting, correspondence, and matters which do not come under other departments.

**Districts and
municipalities.**

Provinces are divided into districts. These are administered largely by district self-government offices, which have under their direction various governmental departments, particularly that of General Affairs. Municipal governments exist at Mukden, Harbin, and Changchun. At Harbin, however, it is planned to create a Greater Harbin, which will include both the Russian and the Chinese cities. The Special Railway District is to be abolished. Part of it will be included in Greater Harbin, and the remainder, stretching east and west along the Chinese Eastern Railway, is to be added to Heilungkiang and Kirin Province.

The "Government of Manchukuo" regards the provinces as administrative areas, and the districts and the municipalities as units of finance.

It determines the amount of their taxes and passes upon the budget. All local revenues must be paid into the Central Treasury, which will then supervise the proper disbursement. These revenues may not be retained, in whole or in part, by the local authorities, as was customary under the old regime. Naturally, this system has not as yet been brought into satisfactory operation.

In the "Government of Manchukuo", Japanese officials are prominent, and Japanese advisers are attached to all important Departments. Although the Premier and his Ministers are all Chinese, the heads of the various Boards of General Affairs, which, in the organisation of the new State, exercise the greatest measure of actual power, are Japanese. At first they were designated as advisers, but more recently those holding the most important posts have been made full Government officials on the same basis as the Chinese. In the Central Government alone, not including those in local governments or in the War Office and the military forces or in Government enterprises, nearly 200 Japanese are "Manchukuo" officials.

Japanese
officials
and advisers.

Japanese control the Board of General Affairs and the Legislative and Advisory Bureaux, which in practice constitute a Premier's Office, the General Affairs Department in the Ministries and in the Provincial Governments, and the Self-Government Directing Committees in the Districts, and the police departments in the Provinces of Fengtien, Kirin, and Heilungkiang. In most bureaux, moreover, there are Japanese advisers, counsellors and secretaries.

There are also many Japanese in the railway offices and in the Central Bank. In the Supervisory Council, Japanese hold the posts of Chief of the Bureau of General Affairs, Chief of the Control Bureau, and Chief of the Auditing Board. In the Legislative Council, the Chief Secretary is a Japanese. Finally, some of the most important officials of the Regent are Japanese, including the Chief of the Office of Internal Affairs and the Commander of the Regent's bodyguard¹.

The aim of the Government, as expressed in the proclamation of the North-Eastern Administrative Committee of February 18th, and of the "Government of Manchukuo" of March 1st, is to rule in accordance with the fundamental principle of "Wang Tao". It is difficult to find an exact English equivalent for this phrase. The interpreters provided by the "Manchukuo" authorities translated it "love", but scholars give the meaning as the "kingly way", which may have many shades of meaning. Traditionally, the Chinese have used the expression "Wang Tao" as antithetical to "Pa Tao", which latter expression as discussed by Dr. Sun Yat-sen in his "San Min Chu Yi" (Three People's Principles), connotes reliance upon physical force and compulsion. Sun Yat-sen explained that "Wang Tao", therefore, was the antithesis of "Might makes right".

The aims of
the
Government.

The policy of the Self-Government Guiding Board, the chief agency in the creation of the new Government, was continued by the Advisory Bureau, which had superseded it. Military officers were not to be allowed to interfere in matters of administration. Regulations governing the qualifications for Government service are to be enacted and appointments are to be made on the basis of the ability of the candidates.

Taxation is to be reduced and placed on a legal basis, and reformed in accordance with sound principles of economics and administration. Direct taxes are to be transferred to the District and Municipal Governments, while the Central Government is to secure the income derived from indirect taxes.

Taxation.

¹ The more important appointments have meanwhile been announced in the *Manchuria Government Gazette*.

The documents supplied by the Changchun authorities state that a number of taxes have already been abolished, while others have been reduced. Hopes are expressed that readjustment of Government enterprises and Government-owned resources will increase revenue and that the eventual reduction of the military forces will lessen expenditure. However, for the time being, the financial position of the new State is unsatisfactory. Guerilla warfare has kept military expenditure high, while, at the same time, the Government is not receiving revenues from various normal sources. Expenditure for the first year is now roughly estimated at \$85,000,000, against revenue \$65,000,000, showing a deficit of \$20,000,000, which it is intended to cover by a loan from the newly established Central Bank as explained hereafter¹.

The Government declared its intentions, as financial conditions improve, to spend as much as possible of its revenue upon education, public welfare, and development of the country, including reclamation of waste land, exploitation of mineral and forestry resources, and extension of the system of communications. It states that it will welcome foreign financial assistance in the development of the country, and that it will adhere to the principles of Equal Opportunity and of the Open Door.

Education.

The Government has already begun to re-open primary and secondary schools, and it intends to train a large number of teachers who will thoroughly understand the spirit and policies of the new State. A new curriculum is to be adopted, new text-books compiled, and all anti-foreign education abolished. The new educational system will aim to improve primary schools and to stress vocational education, the training of the primary school-teachers, and the teaching of sound ideas as to sanitary living. The teaching of English and Japanese is to be compulsory in the middle schools, and of Japanese is to be voluntary in the primary schools.

Justice and police.

The "Manchukuo" authorities have decided that, in the domain of justice, the interference of administrative authorities should not be tolerated. The status of judicial officers is guaranteed by the law, and their salaries are to be adequate. The qualifications for judicial positions will be raised. Extra-territorial rights, for the time being, will be respected, but the Government intends to start negotiations with foreign Powers for their abolition as soon as adequate reforms in the present system shall have been effected. The police are to be properly selected, trained and paid, and completely separated from the Army, which is not to be allowed to usurp police functions.

The Army.

Re-organisation of the Army is planned, but, since at present it consists largely of the old Manchurian soldiery, caution is felt to be necessary in order to avoid increasing discontent and mutiny.

"Manchukuo" Central Bank opened its head offices in Changchun and branches in many other Manchurian cities on July 1st, 1932.

The Central Bank of "Manchukuo" was established on June 14th, and officially opened its doors for business on July 1st. The Bank has its head offices in Changchun, the capital of "Manchukuo", and branches and sub-branches to the number of 170 in most of the cities of Manchuria.

The Bank was organised as a joint-stock company with a charter to run for thirty years. Its first officers were Chinese and Japanese bankers and financiers. It was empowered to "regulate the circulation of the domestic currency, maintain its stability and control the financing service". The capital of the bank was authorised at \$30,000,000 (silver) and permission was given it to issue notes against a specie reserve of at least 30%.

The Central Bank absorbed all of the old provincial banks, including the Frontier Bank.

The old provincial banks, including the Frontier Bank, were amalgamated with the new Central Bank, and their entire businesses, including affiliated enterprises, were turned over to it. Provision was further made for liquidating the non-Manchurian branches of the old provincial banks.

¹ See special study No. 4, annexed to this Report.

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In addition to what it will be able to salvage from the old banks, the Central Bank has a Japanese loan reported at 20,000,000 Yen¹ and a subscription to its capital of \$7,500,000 (silver) from the "Manchukuo Government" on which to establish itself². The Bank has planned to unify all the Manchurian currencies by redeeming them for new notes at rates which have been officially prescribed as from July 1st, 1932. These new notes are based on the silver dollar and are to be covered to the extent of at least 30 per cent by silver, gold, foreign currencies or deposits. Whether or not the new currency is to be convertible on demand and without limit into hard money is not made clear in official pronouncements. The old notes will be permitted to circulate for two years from the passage of the Conversion Act, but will not be valid after that time.

The order for the new Central Bank notes has been placed with the Japanese Government, but thus far neither the notes nor the new hard money are in circulation. The present currencies of Manchuria remain what they were prior to September 18th, 1931, with the exception that the notes are being surcharged with the signature of Mr. Yung-hou (the President of the new Central Bank) as they pass through the various banks.

It is not clear how the new "Manchukuo" Bank can hope to accomplish its ambitious programme of unifying and stabilising all the present Manchurian currencies with the limited amount of capital at its disposal. The resources inherited from the old provincial banking institutions with the addition of a loan from Japanese banks and a subscription to its capital from the "Manchukuo Government" seem entirely inadequate for the purpose. Moreover, it is not clear on what basis the financial relations between the Bank and the "Manchukuo Government" will be established. According to the preliminary "Manchukuo" budget supplied to the Commission by the Finance Minister, "Manchukuo" expects to face a deficit of over 20,000,000 Yuan³ during its first year of existence. According to the Minister, this was to be covered by a loan from the Central Bank (not then in existence). A Government which subscribes 7,500,000 Yuan to its bank and then borrows over 20,000,000 Yuan from it to balance its budget is not establishing either its Central Bank or its budget on a sound financial basis.

Unless the Central Bank can obtain more actual hard money than it now appears to possess, it can hardly hope to unify and stabilise all Manchurian currencies on a *convertible* silver-dollar basis. Even if it were to succeed in creating a currency which was uniform though not convertible, it would possibly have accomplished something, but even a uniform currency the stability of which is not guaranteed by conversion falls short of the requirements of a sound monetary system.⁴

In regard to various public utilities, as well as in regard to the railways, arrangements have been made which have tended to link up the Chinese and Japanese systems. Before the outbreak at Mukden, the Japanese were anxious to bring this about, but the Chinese consistently refused to give their consent. Between September 18th, however, and the formation of

New currency to be based on the silver dollar, but whether it will be convertible is not clear.

Present Manchurian currencies essentially what they were prior to September 18th, 1931.

"Manchukuo's" unification programme based on inadequate supply of hard money.

Central Bank more likely to unify the currencies than to make them convertible.

The Japanese extend their control over the Chinese Public Utility System.

¹ It is quite possible that this was intended to be "Yuan".

² According to the preliminary budget furnished the Commission by the "Manchukuo" Finance Minister on May 5th, 1932.

³ This and the following items in the budget were given as *Yen* in an interview by the "Manchukuo" Finance Minister with a Commissioner, but in the English translation of "A General Outline of Manchukuo" presented by the Department of Foreign Affairs, Manchukuo, they are given in terms of Yuan. The Commission therefore takes the liberty of using *Yuan* rather than *Yen* in its reference to this and the following budgetary items.

The fact that the Chinese symbol for *Yuan* is the same as the one which the Japanese employ for the *Yen* has been a constant source of difficulty in dealing with the English and French translations supplied the Commission by both the Chinese and Japanese.

⁴ See special study No. 5, annexed to this Report.

“ Manchukuo ”, steps were at once taken to realise the wishes of the Japanese as already mentioned in the first section of this chapter. Since the formation of the “ new State ”, the policy of the “ Manchukuo Ministry of Communications ” seems to be to enter into agreements with the South Manchuria Railway Company for the exploitation of at least some of the main railway lines under its authority.

The Chinese Telephone, Telegraph and Radio Systems.

The Chinese telephone, telegraph and radio systems in Manchuria, being entirely Government-owned, had their own executives and, in addition, were subject to a unified control by the North-Eastern Telephone, Telegraph and Radio Administration. Since September 18th, all three of these systems have been brought into closer co-operation with existing Japanese systems throughout Manchuria. Moreover, arrangements have been made between the Japanese and the North-Eastern Telegraph Administration for through telegrams from or to any place in Manchuria and to or from any place in Kwantung Leased Territory, Japan, Korea, Formosa, and the South Sea Islands. Between the principal centres in North Manchuria and the Japanese post offices at Dairen, Mukden and Changchun, direct circuit lines have been constructed to ensure the quick transmission of messages.

Japanese “ kana ”¹ messages have been given especially low rates. To learn to handle Japanese “ kana ” syllables, special training is being given to the Chinese staff, and it is planned to have Japanese clerks gradually join the Chinese telegraph workers at the chief centres. Thus, every facility has been given to favour telegraphic intercourse between Manchuria and the whole Japanese Empire. Naturally, the commercial connections between the countries are thereby greatly strengthened.

The Salt Gabelle. The Japanese military authorities took control in September 1931, of the funds of the Salt Gabelle.

After the events of September 18th - 19th, the Japanese authorities issued orders to the offices and banks in which the revenue of the Salt Gabelle was retained that no payment from these funds was to be made without their consent.

Marshal Chang Hsueh-liang agreed in 1928 to pay the Manchurian quota.

Supervision over the Salt Gabelle was insisted upon on the ground that the greater part of the revenue from this source, though nominally national, had in fact been retained by Marshal Chang Hsueh-liang's Government. Income from this source, in 1930, had amounted to about \$25,000,000 silver, of which \$24,000,000 had been retained in Manchuria. Only \$1,000,000 had been remitted to the Inspectorate-General of the Salt Gabelle in Shanghai.

After Marshal Chang Hsueh-liang had joined the National Government in December 1928, he agreed to pay the monthly quota of \$86,600 silver which had been fixed as the amount due from Manchuria towards the loans secured on the Salt Gabelle. Somewhat later, in April 1930, a revised table was announced in which the Manchurian monthly quota was raised to \$217,800. Because of local pressure upon the Manchurian finances, however, Marshal Chang requested a postponement of the new assignment. At the time of the Mukden incident, his arrears amounted to \$576,200. The first remittance at the new rate of \$217,800 was actually made on September 29th, 1931, by consent of the Japanese Army officers. Since then, to March 1932 inclusive, the newly-established authorities in Manchuria have remitted to the Central Government, not only these monthly quotas, but also the quota arrears left unpaid by Marshal Chang Hsueh-liang. The surplus from the Salt revenue, however, they regarded as Manchurian, and not national, income, and therefore considered that they were justified in retaining it for local purposes.

The seizure of Salt funds at Newchwang (Yinkow) in October and November 1931.

After the Mukden Committee for the Maintenance of Peace and Order had been transformed into the Provincial Government *ad interim*, it ordered the District Salt Inspectorate at Newchwang to transfer all its funds to the Provincial Bank for disbursement by the Board of Finance. According to Chinese official reports, the Bank of China at Newchwang was likewise,

¹ A Japanese phonetic script.

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on October 30th, forced to give up the Salt funds on deposit, amounting to \$672,709.56 silver without authority from the original depositors. A receipt was given in the name of the Liaoning Finance Board, which was signed only by the Japanese adviser to that Board.

The new Kirin Provincial Government took similar steps with regard to the Salt Transportation Office of Kirin and Heilungkiang. According to Chinese official report, it demanded the transfer of the Salt revenue to its provincial treasury. When the Chief of the Office refused, he was detained for some days and replaced by a nominee of Governor Hsi Hsia, who, on October 22nd, forcibly took possession of the Office, while the Auditorate Office was closed under Governor Hsi Hsia's orders. In this case, too, the Salt funds deposited in the Bank of China and the Bank of Communications were claimed by the new Kirin authorities and, on November 6th, were transferred to the Provincial Bank. Since then, Salt funds have from time to time been withdrawn and expended by the local authorities, while the monthly quotas have been sent regularly to Shanghai. From October 30th, 1931, to August 25th, 1932, for which period Chinese official figures are available, Salt revenue amounting to \$11,000,000 silver was retained in Manchuria.

The Salt Administration throughout Manchuria continued to function, although under the restrictions described and under supervision, until March 28th, when the Minister of Finance of the "Manchukuo Government" ordered that the deposits, accounts, documents, and other properties belonging to the Inspectorate should be handed over on the following day to the Salt Comptroller of "Manchukuo", and that the collection of Salt revenue, which was originally undertaken by the Bank of China, should be transferred to the Bank of the Three Eastern Provinces. He stated that those officials who wished to continue their service in the Salt Gabelle Administration of the "Manchukuo" should report their names to the Salt Comptroller's Office, and promised that their applications would receive serious consideration provided they first renounced allegiance to the Government of the Republic of China.

On April 15th, the District Inspectorate at Newchwang was dissolved by force. The Director and Deputy-Director were put out of office. The premises were occupied, and safes and documents and seals were seized. The remaining officials were requested to continue their service, but they are all reported to have refused. A number of those who had been in the Salt Administration followed the Director to Tientsin and waited for further instructions from Shanghai. The work of the former Salt Inspectorate in the Three Eastern Provinces was thus completely taken over by the new Comptroller's Office of "Manchukuo". The new Government, however, has stated that it is prepared to continue to pay its equitable proportion of the sums required for the service of the foreign loans secured on the Salt revenue.

Since the Customs funds collected in Manchuria had always been remitted to the Central Government, the Japanese military authorities did not interfere with the Customs administration nor with the remittance of funds to Shanghai. Interference with this revenue was first made by the "Manchukuo Government" on the ground that their State was independent.

One of the first acts of the North-Eastern Administrative Committee, which was established on February 17th as the Provincial "Government of Manchukuo", was to instruct the Superintendents of Customs at the Manchurian Treaty ports that, although the Customs revenue belonged of right to "Manchukuo" and would, in the future, be under the control of the Committee, for the time being the Superintendents and Commissioners of Customs should carry on their duties as usual. They were informed that a Japanese Customs Adviser had been appointed at each Manchurian

The new Kirin Provincial Government also seized the Salt Revenue.

The "Government of Manchukuo" took over the administration of the Salt Gabelle.

The Customs.

Customs revenue in Manchuria.

port for the purpose of supervising the general Customs administration. The ports concerned were Lungchingsun, Antung, Newchwang and Harbin, together with some sub-stations, at which the revenue collected in 1931 amounted respectively to Hk. Tls. 574,000, 3,682,000, 3,792,000, and 5,272,000. The port of Aigun, which is still outside the sphere of control of the "Manchukuo Government", is functioning under the Chinese Customs Service. The port of Dairen, in the Kwantung Leased Territory, has a distinct status. The fact that the Customs revenue collected in the Manchurian ports, including Dairen, amounted in 1930 to 14.7 per cent and in 1931 to 13.5 per cent of the total for all China shows the importance of Manchuria in the Chinese Customs Administration.

The procedure by which the "Manchukuo" authorities took over the entire Customs administration in Manchuria is well illustrated by the action taken at Antung, which has been described as follows by the Inspectorate-General of Customs :

The
"Government
of
Manchukuo"
took over the
Customs
Administration
and Revenue,
March-June
1932.

A Japanese Customs Adviser was appointed to the Antung Customs Office in March, but he took no active steps until the middle of June, when he sent definite orders from the "Manchukuo" Ministry of Finance to the Bank of China that Customs funds were no longer to be remitted to Shanghai. On June 16th, four armed "Manchukuo" police, accompanied by the Assistant Superintendent of Police, a Japanese, visited the Bank of China and informed the Manager that they had come to guard the revenue. On June 19th, the Bank of China handed over to the Bank of the Three Eastern Provinces Tls. 783,000, and informed the Commissioner that this action was taken as a result of *force majeure*.

On June 26th and 27th, a Japanese Adviser of the "Manchukuo Government" demanded that the Customs House at Antung should be handed over to him. The Commissioner refused, but "Manchukuo" police, all Japanese, forced the Commissioner to leave the Customs House. The Commissioner, however, still attempted to carry on the Customs work in his home, since 80 per cent of the Antung Customs revenue is collected in the railway area, hoping that the Japanese authorities would not permit interference within this area. But the "Manchukuo" police entered the Japanese railway zone, arrested a number of Customs staff, intimidated the others, and forced the Commissioner to suspend the Chinese Customs Service.

The Customs
situation at
Dairen.

Until June 7th, the Dairen Customs revenue was remitted to Shanghai at intervals of three or four days, but, under date of June 9th, the "Manchukuo Government" gave notice that these remittances should no longer be made. When no further funds reached Shanghai, the Inspector-General of Customs took up the matter by telegraph with the Japanese Commissioner at Dairen. As a result, the Commissioner refused to send on the Customs receipts on the ground that the Chief of the Foreign Section of the Government of the Japanese Leased Territory had advised him that the remittance of the Customs revenue might severely affect Japanese interests. The Inspector-General therefore, on June 24th, dismissed the Dairen Commissioner for insubordination.

The "Manchukuo Government", on June 27th, appointed the dismissed Commissioner and the members of his staff as "Manchukuo" officials, to serve in their former positions. It had threatened to establish a new Customs House at Wafangtien, on the frontier of the Leased Territory, if the Japanese authorities should prevent them from taking charge of the Dairen Customs. The Japanese authorities of the Leased Territory did not oppose the passing of the Customs administration into the hands of the newly appointed "Manchukuo" officials. They maintained that the problem did not concern Japan, but was an issue solely between "Manchukuo" on the one hand and the Government of China and its Dairen Commissioner on the other.

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The " Manchukuo Government " maintains that, since " Manchukuo " is an independent State, it exercises, of right, complete jurisdiction over the Customs administration of its territory. But it has stated that, in view of the fact that various foreign loans and indemnities were based upon the Chinese Customs revenue, it is prepared to pay its equitable proportion of the annual sums necessary to meet these obligations. It hopes that, after depositing this amount in the Yokohama Specia Bank, there will be a Customs surplus for 1932-33 available for local use of about \$19,000,000 silver.

The Japanese military authorities in Manchuria, after September 18th, did not greatly interfere with the Post Office, apart from exercising a certain censorship of newspapers and letters. After the establishment of " Manchukuo ", the Government desired to take over the postal services of the territory, and appointed, on April 14th, special officers to take charge of the transfer of the Postal Administration. On April 24th, it applied for permission to join the International Post Union, for which it has not yet qualified.

As the Postal Commissioners refused to surrender their offices, the *status quo* was for some time respected, although " Manchukuo " supervisors were placed in certain offices with a view to exercising a measure of control. The " Manchukuo Government ", however, finally decided to issue its own stamps and to discontinue the use of the Chinese stamps. By ordinance of the Ministry of Communications of July 9th, it informed the public that the new stamps and cards would be offered for sale on August 1st. At this stage, the Chinese Government ordered the Postal Commissioners to close the office in Manchuria and to give the staff the choice of receiving three months' pay or of returning to designated bases in China for service at other places. The " Manchukuo " authorities, in turn, offered to take into their service all the postal employees who wished to remain, and promised to guarantee their financial and other rights acquired under the Chinese Administration. On July 26th, the " Manchukuo Government " took over completely the postal service throughout Manchuria.

The " Manchukuo Government " has stated that it will respect private property and all concessions awarded by either the Central Government of China or by the former Government of Manchuria, provided the concessions were legally granted in accordance with the laws and regulations previously in force. It has also promised to pay the lawful debts and obligations of the former administration and has appointed a Commission to pass upon claims of indebtedness. In regard to the properties belonging to Marshal Chang Hsueh-liang and some of the other prominent leaders of the former regime, it is yet too early to state what action will be taken. According to Chinese official reports, all the personal property of Marshal Chang Hsueh-liang, General Wan Fu-lin, General Po Yu-lin, and certain others has been confiscated. The " Manchukuo " authorities, however, take the view that, since the former Government officials used their power to amass wealth for themselves, they are not yet prepared to recognise property thus acquired as properly " private property ". A careful investigation is being made of the possessions of the former officials. This is reported to have been finished as far as Bank deposits are concerned.

Having thus described the organisation of the " Manchukuo Government ", its programme, and some of the measures it has taken to affirm its independence from China, we must state our conclusions regarding its operations and its principal characteristics.

The programme of this " Government " contains a number of liberal reforms the application of which would be desirable, not only in Manchuria, but also in the rest of China ; in fact, many of these reforms figure equally in the programme of the Chinese Government. In their interviews with

The view of
the
" Manchukuo
Government "
regarding the
Customs.

The Postal
Administration
in Manchuria.

The treatment
of private
property.

Comments.

the Commission, the representatives of this "Government" claimed that, with the help of the Japanese, they would be able to establish peace and order within a reasonable time and would thereafter be able to maintain it permanently. They expressed the belief that they would be able to secure the support of the people in time by assuring them an honest and efficient administration, security from bandit raids, lower taxation as the result of reduced military expenditure, currency reform, improved communications and popular political representation.

But, after making every allowance for the short time which has hitherto been at the disposal of the "Manchukuo Government" for carrying out its policy, and after paying due regard to the steps already taken, there is no indication that this "Government" will in fact be able to carry out many of its reforms. To mention but one example¹: there seem to be serious obstacles in the way of the realisation of their budgetary and currency reforms. A thorough programme of reforms, orderly conditions and economic prosperity could not be realised in the conditions of insecurity and disturbance which existed in 1932.

As regards the "Government" and the public services, although the titular heads of the Departments are Chinese residents in Manchuria, the main political and administrative power rests in the hands of Japanese officials and advisers. The political and administrative organisation of the "Government" is such as to give to these officials and advisers opportunities, not merely of giving technical advice, but also of actually controlling and directing the administration. They are doubtless not under the orders of the Tokyo Government, and their policy has not always coincided with the official policy either of the Japanese Government or of the Headquarters of the Kwantung Army. But in the case of all-important problems, these officials and advisers, some of whom were able to act more or less independently in the first days of the new organisation, have been constrained more and more to follow the direction of Japanese official authority. This authority, in fact, by reason of the occupation of the country by its troops, by the dependence of the "Manchukuo Government" on those troops for the maintenance of its authority both internally and externally, in consequence, too, of the more and more important role entrusted to the South Manchuria Railway Company in the management of the railways under the jurisdiction of the "Manchukuo Government", and finally by the presence of its consuls, as liaison agents, in the most important urban centres, possesses in every contingency the means of exercising an irresistible pressure. The liaison between the "Manchukuo Government" and Japanese official authority is still further emphasised by the recent appointment of a special ambassador, not officially accredited, but resident in the capital of Manchuria, exercising in his capacity of Governor-General of the Kwantung Leased Territory a control over the South Manchuria Railway Company and concentrating in the same office the authority of a diplomatic representative, the head of the Consular Service, and Commander-in-chief of the Army of Occupation.

The relations between "Manchukuo" and Japan have hitherto been somewhat difficult to define, but the latest information in the possession of the Commission indicates that it is the intention of the Japanese Government to define them before long. A letter dated August 27th, 1932, addressed to the Commission by the Japanese Assessor, states that the Special Ambassador, General Muto, "left Tokyo on August 20th for Manchuria. On arrival he will commence negotiations for the conclusion of a fundamental treaty concerning the establishment of friendly relations between Japan and Manchuria. The Government of Japan regards the conclusion of this treaty as a formal recognition of "Manchukuo".

¹ See special studies Nos. 4 and 5, annexed to this Report.

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PART III. — THE OPINIONS OF THE INHABITANTS
OF MANCHURIA.

It was one of the objects of the Commission to ascertain the attitude of the inhabitants of Manchuria towards the new "State". Owing to the circumstances in which the enquiry had to be made, however, the obtaining of evidence presented some difficulty. The danger, real or supposed, to the Commission from bandits, Korean Communists, or supporters of the new Government who might be angered by the presence of the Chinese Assessor on account of his criticisms of that regime, provided a reason for exceptional measures of protection. There were no doubt occasional real dangers in the unsettled conditions of the country, and we are grateful for the efficient protection with which we were provided throughout our tour. But the effect of the police measures adopted was to keep away witnesses; and many Chinese were frankly afraid of even meeting members of our staff. We were informed at one place that, before our arrival, it had been announced that no one would be allowed to see the Commission without official permission. Interviews were therefore usually arranged with considerable difficulty and in secrecy, and many informed us that it was too dangerous for them to meet us even in this way.

In spite of these difficulties, we were able to arrange private interviews with business-men, bankers, teachers, doctors, police, tradesmen and others, in addition to our public interviews with "Manchukuo" officials, Japanese consuls and military officers. We also received over 1,500 written communications, some delivered by hand, the majority sent by post to different addresses. The information so received was checked as far as possible from neutral sources.

Many delegations representing public bodies and associations were received, and usually presented to us written statements. Most of the delegations were introduced by the Japanese or "Manchukuo" authorities, and we had strong grounds for believing that the statements left with us had previously obtained Japanese approval. In fact, in some cases persons who had presented them informed us afterwards that they had been written or substantially revised by the Japanese and were not to be taken as the expression of their real feelings. These documents were remarkable for the studied neglect to comment either favourably or otherwise upon Japanese participation in the establishment or maintenance of the "Manchukuo" administration. In the main, these statements were concerned with the relation of grievances against the former Chinese administration and contained expressions of hope and confidence in the future of the new "State".

The letters received came from farmers, small tradesmen, town workers and students, and related the feelings and experiences of the writers. After the return of the Commission to Peiping in June, this mass of correspondence was translated, analysed and arranged by an expert staff specially selected for the purpose. All these 1,550 letters, except two, were bitterly hostile to the new "Manchukuo Government" and to the Japanese. They appeared to be sincere and spontaneous expressions of opinion.

The higher Chinese officials of the "Manchukuo Government" are in office for various reasons. Many of them were previously in the former regime and have been retained either by inducements or by intimidation of one kind or another. Some of them conveyed messages to the Commission to the effect that they had been forced to remain in office under duress, that all power was in Japanese hands, that they were loyal to China, and that what they had said at their interviews with the Commission in the presence of the Japanese was not necessarily to be believed. Some officials have remained in office to prevent their property from being confiscated, as has happened in the case of some of those who have fled into China.

Attitude of the
inhabitants of
Manchuria.

Deputations
and prepared
statements.

Letters.

Officials of the
"Manchukuo"

Others, men of good repute, joined in the hope that they would have power to improve the administration, and under promise of the Japanese that they would have a free hand. Some Manchus joined in the hope of getting benefits for persons of Manchu race. Some of these have been disappointed and complained that no real authority was conceded to them. Lastly, a few men are in office because they had personal grievances against the former regime or for reasons of profit.

Minor and local officials.

The minor and local officials have in the main retained their offices under the new regime, partly because of the necessity for earning a living and supporting their families and partly because they feel that if they go worse men might be put in their place. Most of the local magistrates have also remained in office, partly from a sense of duty to the people under their charge and partly under pressure. While it was often difficult to fill the higher posts with reputable Chinese, it was an easy matter to get Chinese for service in minor posts and local offices, though the loyalty of the service rendered in such circumstances is at least questionable.

Police.

The "Manchukuo" Police are partly composed of members of the former Chinese police, partly of new recruits. In the larger towns, there are actually Japanese officers in the police, and in many other places there are Japanese advisers. Some individual members of the police who spoke to us expressed their dislike of the new regime, but said they must continue to serve to make a living.

Army.

The "Manchukuo" Army also consists in the main of the former Manchurian soldiers re-organised under Japanese supervision. Such troops were at first content to take service under the new regime provided they were merely required to maintain local order. But, since they have on occasions been called upon to engage in serious warfare against Chinese forces and to fight under Japanese orders side by side with Japanese troops, the "Manchukuo" Army has become increasingly unreliable. Japanese sources report the frequent defection of "Manchukuo" forces to the Chinese side, while the Chinese claim that one of their most reliable and fruitful sources of warlike supplies is the "Manchukuo" Army.

Business-men and bankers.

The Chinese business-men and bankers who were interviewed by us were hostile to "Manchukuo". They disliked the Japanese; they feared for their lives and property, and frequently remarked: "We do not want to become like the Koreans." After September 18th, there was a large exodus of business-men to China, but some of the less rich ones are now returning. Generally speaking, the smaller shopkeepers expect to suffer less from Japanese competition than do the larger merchants and manufacturers, who often had profitable relations with the former officials. Many shops were still closed at the time of our visit. The increase in banditry adversely affected business in the countryside, and the machinery of credit has largely broken down. The announced Japanese intention to exploit Manchuria economically, and the numerous visits of Japanese economic missions to Manchuria in the last few months, have caused apprehension among Chinese business-men, in spite of the fact that many of these missions are reported to have returned to Japan disappointed.

Professional classes : doctors, teachers, students.

The professional classes, teachers and doctors, are hostile to "Manchukuo". They allege that they are spied upon and intimidated. The interference with education, the closing of Universities and some schools, and the alterations in the school text-books, have added to their hostility, already great on patriotic grounds. The censorship of the Press, post and opinion is resented, as is also the prohibition of the entry into "Manchukuo" of newspapers published in China. There are, of course, Chinese who have been educated in Japan who are not included in this generalisation. Many letters were received from students and young people directed against "Manchukuo".

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Evidence regarding the attitude of farmers and town workers is divergent and naturally difficult to obtain. Opinion among foreigners and educated Chinese was to the effect that they were either hostile or indifferent to "Manchukuo". The farmer and worker is politically uneducated, usually illiterate, and normally takes little interest in the Government. The following reasons were advanced by witnesses for the agricultural populations being hostile to "Manchukuo", and were confirmed in some of the letters received from this class of person. The farmers have good grounds for believing that the new regime will lead to an increased immigration of Koreans, and possibly of Japanese. The Korean immigrants do not assimilate with the Chinese, and their methods of agriculture are different. While the Chinese farmer mainly grows beans, kaoliang and wheat, the Korean farmer cultivates rice. This means digging canals and dykes and flooding the fields. If there are heavy rains, the dykes built by the Koreans are liable to burst and flood neighbouring Chinese land, ruining the crops. There have also been constant quarrels in the past with Koreans over land ownership and rents. Since the establishment of "Manchukuo" the Chinese allege that the Koreans have often ceased to pay rent, that they have seized lands from the Chinese, and that the Japanese have forced the Chinese to sell their lands at an unfavourable price. The farmers near the railways and towns have suffered from orders forbidding the planting of kaoliang — a crop which grows to ten feet in height and favours the operations of bandits — within five hundred metres of railway lines and towns. The falling-off of the seasonal migration of labourers from China proper, due to the economic depression and accentuated to some extent by the political disturbances, continues. The public lands, usually available on terms to immigrants from China, have now been taken over by "Manchukuo".

Farmers and
town workers.

Since September 18th, 1931, there has been an unparalleled growth of banditry and lawlessness in the countryside, partly due to disbanded soldiery and partly due to farmers who, having been ruined by bandits, have to take to banditry themselves for a living. Organised warfare, from which Manchuria, compared to the rest of China, had been free for many years, is now being waged in many parts of the Three Provinces between Japanese and "Manchukuo" troops and the scattered forces still loyal to China. This warfare naturally inflicts great hardships on the farmers, especially as the Japanese aeroplanes have been bombing villages suspected of harbouring anti-"Manchukuo" forces. One result has been that large areas have not been planted, and next year the farmer will find it harder than ever to pay his taxes. Since the outbreak of disorders, large numbers of the more-recently-established immigrants from China have fled back inside the Wall. These material reasons, when added to a certain ingrained dislike of the Japanese, caused many witnesses to tell us that the Chinese farmers, who constitute the overwhelming mass of the population of Manchuria, suffer from and dislike the new regime, and that their attitude is one of passive hostility.

As regards the townspeople, in certain places they have suffered from the attitude of Japanese soldiers, gendarmes and police. Generally speaking, the behaviour of the Japanese troops has been good, there being no widespread lootings or massacres, though we have received in our letters complaints of individual brutality. On the other hand, the Japanese have been vigorous in suppressing elements that they believed to be hostile. The Chinese allege that many executions have taken place, and also that prisoners have been threatened and tortured in Japanese gendarmerie stations.

It was, we were told, impossible to stimulate in the towns a show of popular enthusiasm for the inauguration ceremonies of "Manchukuo".

Generally speaking, the attitude of the town population is a mixture of passive acquiescence and hostility.

Minorities.

While we found the Chinese majority either hostile or indifferent to the "Manchukuo", the new Government receives some support from among various minority racial groups in Manchuria, such as the Mongols, Koreans, White Russians and Manchus. They have in varying degrees suffered oppression from the former administration, or economic disadvantage from the large immigration of Chinese in the last few decades, and, while no section is entirely enthusiastic, they hope for better treatment from the new regime, whose policy in turn is to encourage these minority groups.

Mongols.

The Mongols have remained a race apart from the Chinese and have, as already stated, preserved a strong race-consciousness, as well as their tribal system, aristocracy, language, dress, special modes of life, manners, customs and religion. Though still mainly a pastoral people, they are increasingly engaged in agriculture and in the transportation of products by carts and animals. The Mongols bordering Manchuria have suffered increasingly from Chinese immigrants who obtain possession of and cultivate their lands from which they are being gradually extruded. This leads to chronic and unavoidable ill-feeling. Mongol delegations we received complained also of past sufferings from the rapaciousness of Chinese officials and tax-gatherers. The Mongols of Inner Mongolia have seen Outer Mongolia pass under the influence of the U.S.S.R., whose extension to Inner Mongolia they dread. They wish to preserve their separate national existence against the encroachments of the Chinese on the one hand and the U.S.S.R. on the other. Placed in this precarious position, they have greater hope of preserving their separate existence under the new regime. It must be observed, moreover, that the Princes are mainly dependent for their wealth on fixed property and on their special privileges, and that they therefore tend to become amenable to *de facto* authorities. A deputation, however, of Mongol Princes was received by the Commission in Peiping and stated their opposition to the new regime. At present, the connection between the Mongols bordering on Manchuria and the "Manchukuo Government" is undefined, and the "Manchukuo Government" has so far refrained from interfering in their administration. While the support of certain of these Mongol elements at present is genuine, if cautious, they are quite prepared to withdraw it should the Japanese prove a menace to their independence or economic interests at some future date.

Manchus.

The Manchus have been almost completely assimilated with the Chinese, although in Kirin and Heilungkiang there still exist small and politically unimportant colonies of Manchus who, though bilingual, remain distinctly Manchu. Since the establishment of the Republic, the remnants of the Manchu race lost their privileged position: although the Republic promised to continue the payment of their subsidies, they were paid in depreciated currency, and were therefore forced to take up farming and trade, in which they had no experience. The few distinct Manchu groups that remain may cherish hopes that, with the establishment of "Manchukuo", whose backers spoke so often about the inhabitants of Manchuria being distinct in race from those of the rest of China, and in which the last of the Manchu Emperors is the chief executive, they may once more get privileged treatment. Persons of Manchu race have entered the Government with such hopes, but Chinese witnesses in Manchuria alleged that these office-holders have been disillusioned by finding all the power in Japanese hands and their own proposals ignored. Although there may still exist some sentimental loyalty to the ex-Emperor among persons of Manchu blood, there does not exist any race-conscious Manchu movement of any significance. They have been so largely assimilated with the Chinese that, although efforts have been made to recruit Manchus for the administration

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and to stimulate Manchu race-consciousness, this source of support for the new Government is not sufficient to give it any title to represent the people.

In the past, there has been much friction between Korean farmers backed by the Japanese authorities on the one hand, and Chinese officials, landowners and farmers on the other. There is no doubt that, in the past, Korean farmers suffered from violence and extortion.

The Korean deputations which appeared before the Commission generally welcomed the new regime, but we cannot say to what extent they were representative of their community. In any case, those Koreans who are political refugees having emigrated to escape Japanese domination might not be expected to welcome an extension of that domination. These refugees have proved a fertile ground for Communist propaganda, and maintain contact with the revolutionary groups inside Korea.¹

Of all the minority communities in Manchuria, the small colony of White Russians — at least 100,000 in number — in and around Harbin has suffered the most in recent years. Because they are a minority community with no national Government to protect them, they have been subjected to every kind of humiliation by the Chinese officials and police. They are in conflict with the Government of their own country and are, even in Manchuria, in constant anxiety on that account. The richer and more educated members of their community can earn a livelihood, but they have been liable to suffer whenever the Chinese authorities have thought some advantage was to be gained from the U.S.S.R. at their expense. The poorer members find it very hard to make a living and have suffered continually at the hands of the police and the Chinese courts. In a province where taxes are assessed by a process of bargaining, they have been made to pay a higher portion of their assessed taxes than their Chinese neighbours. They have experienced many restrictions on their trade and movements and have had to pay bribes to the officials to have their passports examined, their contracts approved or their land transferred. It is not to be wondered at that many members of this community, whose condition could not well be made worse, should have welcomed the Japanese and now entertain hopes that their lot may be improved under the new administration.

We received a deputation of White Russians when we were in Harbin, as well as many letters, and we gathered from them that they would support any regime which would guarantee to them :

- (1) The right of asylum ;
- (2) An honest and efficient police administration ;
- (3) Justice in the law courts ;
- (4) An equitable system of taxation ;
- (5) Rights of trade and settlement, not dependent on the payment of bribes ;
- (6) Facilities for educating their children.

Their requirements in this respect were chiefly efficient teaching of foreign languages to enable them to emigrate, and good technical education to enable them to obtain business employment in China.

- (7) Some assistance regarding land settlement and emigration.

Such are the opinions of the local population conveyed to us during our tour in Manchuria. After careful study of the evidence presented to us in public and private interviews, in letters and written statements, we have come to the conclusion that there is no general Chinese support for the "Manchukuo Government", which is regarded by the local Chinese as an instrument of the Japanese.

Koreans.

**White
Russians.**

**Conclusions
of the
Commission.**

¹ See also Chapter III and special study No. 9, annexed to this Report.

Chapter VII.

JAPAN'S ECONOMIC INTERESTS AND THE CHINESE BOYCOTT^{1 2}.

Chinese boycott of Japanese goods an important factor in Sino-Japanese struggle.

The three preceding chapters have been chiefly confined to a description of military and political events since September 18th, 1931. No survey of the Sino-Japanese conflict would be accurate or complete without some account of another important factor in the struggle — namely, the Chinese boycott of Japanese goods. To understand the methods employed in this boycott movement and their effect on Japanese trade, some indication must be given of the general economic position of Japan, of her economic and financial interests in China, and of the foreign trade of China. This is also necessary to understand the extent and character of the economic interests of both China and Japan in Manchuria, which will be discussed in the next chapter.

Japan's over-population.

During the Meiji Restoration period in the sixties of the last century, Japan emerged from her isolation of over two centuries, and within less than fifty years developed into a world Power of the first rank. A population formerly almost stationary started to grow rapidly from 33,000,000 in 1872 until it reached a figure of 65,000,000 in 1930; and this tremendous growth still continues at the rate of about 900,000 per year.

The population of Japan compared with its total surface is approximately 437 persons per square mile, as against about 41 in the United States, 330 in Germany, 349 in Italy, 468 in the United Kingdom, 670 in Belgium and 254 in China.

Comparing the population of Japan per square mile of *arable* land with that of other countries, the ratio for Japan is exceptionally high, due to the particular geographical formation of the Island Empire :

| | | | |
|-------------------------|-------|---------------------------|-----|
| Japan | 2,774 | Germany | 806 |
| The United Kingdom. . . | 2,170 | France | 467 |
| Belgium | 1,709 | United States of America. | 229 |
| Italy | 819 | | |

Due to a highly concentrated population on agricultural land, the individual holdings are exceedingly small, 35 per cent of the farmers tilling less than one acre and 34 per cent less than two and a-half acres. The expansion limit of tillable land has been reached, as has also the limit of cultivation intensity — in short, the soil of Japan cannot be expected to produce much more than it does to-day, nor can it provide much additional employment.

Agrarian difficulties.

Moreover, as a result of intensive cultivation and the widespread use of fertilisers, the cost of production is high.

The price of land is far higher than in any other part of Asia, and even in the most overcrowded parts of Europe. Much discontent seems to exist amongst the heavily indebted population, and conflicts between tenants and landowners are on the increase. Emigration has been considered a possible remedy, but, for reasons dealt with in the next chapter, it has not, up to the present time, proved to be a solution.

¹ "BOYCOTT"... The word was first used in Ireland, and was derived from the name of Captain Charles Cunningham Boycott (1832-1897), agent for the estates of the Earl of Earne in County Mayo. For refusing in 1880 to receive rents at figures fixed by the tenants, Captain Boycott's life was threatened, his servants were compelled to leave him, his fences torn down, his letters intercepted and his food supplies interfered with. The term soon came into common English use, and was speedily adopted into many foreign languages. — *Encyclopædia Britannica*.

² See special study (No. 8) on this subject, annexed to this Report.

Japan at first turned to industrialism to foster the growth of an urban population which would both provide a home market for agricultural products and turn labour to the production of goods for domestic and foreign use. Several changes have occurred since that time. Where, formerly, Japan was more than self-sufficing from the point of view of food supply, of recent years from 8 to 15 per cent of its total imports have been foodstuffs, the fluctuation being due to the varying conditions of the home crops, principally rice. The importation of foodstuffs, and the probable increasing need of these imports, necessitate an attempt to offset the country's already unfavourable trade balance by an increase in exports of industrial products.

If Japan is to find employment for her increasing population through the process of further industrialisation, the development of her export trade and of foreign markets capable of absorbing an increasing amount of her manufactured and semi-manufactured goods becomes more and more essential. Such markets would, at the same time, serve as a source of supply of raw materials and of foodstuffs.

Japanese export trade, as hitherto developed, has two main directions: her luxury product, raw silk, goes to the United States of America and her staple manufactures, chiefly cotton textiles, go to the countries of Asia, the United States taking 42.5 per cent of her exports and the Asia market as a whole taking 42.6 per cent. Of this latter trade, China, the Kwantung Leased Territory and Hong-Kong take 24.7 per cent, and a large share of the remainder is handled by Chinese merchants in other parts of Asia.¹

During 1930, the last year for which complete figures are available, the total exports of Japan amounted to 1,469,852,000 Yen, and her imports to 1,546,071,000 Yen. Of the exports, 260,826,000 Yen, or 17.7 per cent, went to China (excluding the Kwantung Leased Territory and Hong-Kong), while, of the imports, 161,667,000 Yen, or 10.4 per cent, came from China (excluding the Kwantung Leased Territory and Hong-Kong).

Analysing the principal commodities exported by Japan to China, it will be found that China takes 32.8 per cent of all aquatic products exported by Japan; 84.6 per cent of refined sugar; 75.1 per cent of coal and 31.9 per cent of cotton tissues, or an average of 51.6 per cent.

The same analysis applied to the commodities imported from China shows that 24.5 per cent of the total amount of beans and peas imported by Japan comes from China; 53 per cent of the oil-cake; and 25 per cent of vegetable fibres; or an average of 34.5 per cent.

As these figures are for China only, excluding Hong-Kong and the Kwantung Leased Territory, they do not indicate the extent of Japanese trade with Manchuria, which passes mainly through the port of Dairen.

The facts and figures just given clearly show the importance to Japan of her trade with China. Nor is Japan's interest in China limited to trade alone; she has a considerable amount of capital invested in industrial enterprises, as well as in railways, shipping and banking, and, in all of these branches of financial and economic activity, the general trend of development has been increasing considerably during the last three decades.

In 1898, the only Japanese investment of any consequence was a small cotton gin in Shanghai owned jointly with Chinese, representing a value of about 100,000 taels. By 1913, the estimated total of Japanese investments in China and Manchuria amounted to 435,000,000 Yen out of a total of 535,000,000 Yen estimated investments abroad. By the end of the World War, Japan had more than doubled her investments in China and Manchuria over those of 1913, a considerable part of this increase being due to the famous "Nishihara loans", which had been partially granted for political considerations. Notwithstanding this setback, Japan's investments in China and Manchuria in 1929 were estimated at almost 2,000,000,000

Need for further industrialisation.

China a market for Japanese export trade.

Importance of Sino-Japanese trade relations.

Japanese investments in China.

¹ Figures for 1929 — *Japan Year-book of 1931.*

Yen¹ out of her total investments abroad of 2,100,000,000 Yen, showing that Japan's investments abroad have been almost entirely confined to China and Manchuria, the latter having absorbed by far the greater part of this investment (particularly in railways).

Apart from these investments, China has been indebted to Japan for various State, provincial and municipal loans which, in 1925, were estimated at a total of 304,458,000 Yen (the greater part unsecured), plus 18,037,000 Yen interest.

Although the bulk of Japan's investments are in Manchuria, a considerable amount is invested in industries, shipping and banking in China proper. Nearly 50 per cent of the total number of spindles operated in the spinning and weaving industry in China in 1929 were owned by Japanese. Japan was second in the carrying trade of China, and the number of Japanese banks in China in 1932 is put at thirty, a few of which are joint Sino-Japanese enterprises.

**China's
interests
in the
development
of trade
with Japan.**

Although the foregoing figures are stated from the standpoint of Japan, it is easy to see their relative importance from the standpoint of China. Foreign trade with Japan has held first place in the total foreign trade of China up to 1932. In 1930, 24.1 per cent of her exports went to Japan, while in the same year 24.9 per cent of her imports came from Japan. This, in comparison with the figures from Japan's standpoint, shows that the trade of China with Japan is a greater percentage of her total foreign trade than is the trade of Japan with China of the total foreign trade of Japan. But China has no investments, banking or shipping interests in Japan. China requires, above all else, to be able to export her products in increasing quantities to enable her to pay for the many finished products she needs and in order to establish a sound basis of credit on which to borrow the capital required for further development.

**Sino-Japanese
economic and
financial
relations
easily affected
by any
disturbing
factor.**

From the foregoing, it is evident that Sino-Japanese economic and financial relations are both extensive and varied, and, consequently, easily affected and disorganised by any disturbing factor. It also appears that, in its entirety, Japanese dependence on China is greater than China's dependence on Japan. Hence Japan is the more vulnerable and has more to lose in case of disturbed relations.

It is therefore clear that the many political disputes which have arisen between the two countries since the Sino-Japanese war of 1895 have in turn affected their mutual economic relations, and the fact that, in spite of these disturbances, the trade between them has continued to increase proves that there is an underlying economic tie that no political antagonism has been able to sever.

**Origin of
boycott.**

For centuries the Chinese have been familiar with boycott methods in the organisation of their merchants, bankers and craft guilds. These guilds, although they are being modified to meet modern conditions, still exist in large numbers and exercise great power over their members in the defence of their common professional interests. The training and attitude acquired in the course of this century-old guild life has been combined, in the present-day boycott movement, with the recent fervent nationalism of which the Kuomintang is the organised expression.

**Modern
anti-foreign
boycotts.**

The era of modern anti-foreign boycotts employed on a national basis as a political weapon against a foreign Power (as distinct from a professional instrument used by Chinese traders against each other) can be said to have started in 1905, with a boycott directed against the United States of America because of a stipulation in the Sino-American Commercial Treaty, as renewed and revised in that year, restricting more severely than before the entry of Chinese into America. From that moment onward

¹ According to another estimate, Japan's investments in China, including Manchuria, total approximately 1,800,000,000 Yen.

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until to-day there have been ten distinct boycotts which can be considered as national in scope (besides anti-foreign movements of a local character), nine of which were directed against Japan¹ and one against the United Kingdom.

If these boycotts are studied in detail, it will be found that each of them can be traced back to a definite fact, event or incident, generally of a political nature and interpreted by China as directed against her material interests or detriments to her national prestige. Thus, the boycott of 1931 was started as a direct sequel to the massacre of Koreans in July, following the Wanpaoshan incident in June of that year, and has been accentuated by the events at Mukden in September and at Shanghai in January 1932. Each boycott has its own immediately traceable cause, but none of the causes in themselves would have initiated economic retaliation on so extensive a scale had it not been for the mass psychology described in Chapter I. The factors contributing to the creation of this psychology are: a conviction of injustice (rightly or wrongly considered as such), an inherited faith in Chinese cultural superiority over foreigners, and a fervent nationalism of a Western type mainly defensive in aims but in which certain aggressive tendencies are not lacking.

Although a Society for the Regeneration of China (Hsing Chung Hui), which may be considered the pregenitor of the Kuomintang, was founded as far back as 1893, and although there can be no doubt that all the boycotts from 1905 to 1925 were launched with the war-cry of Nationalism, there is no concrete evidence that the original nationalist associations, and later the Kuomintang, had a direct hand in their organisation.

Inspired by Dr. Sun Yat-sen's new creed, Chambers of Commerce and Student Unions were fully capable of such a task, guided as they were by century-old secret societies, guild experience and guild mentality. The merchants furnished the technical knowledge, means of organisation and rules of procedure, while the students inspired the movements with the enthusiasm of their newly acquired convictions and their spirit of determination in the national cause, and helped to put them into operation. While the students were generally moved by nationalistic feelings alone, the Chambers of Commerce, though sharing those feelings, thought it wise to participate from a desire to control the operation of the boycott. The actual rules of the earlier boycotts were designed to prevent the purchase of the goods of the country against which the movement was directed. Gradually, however, the field of action was extended to a refusal to export Chinese goods to the country concerned or to sell or render services to its nationals in China. Finally, the avowed purpose of the more recent boycotts has become to sever completely all economic relations with the "enemy country".

It should be pointed out that the rules thus established were never carried out to the fullest extent, for reasons which have been fully dealt with in the special study annexed to this Report. Generally speaking, the boycotts have always had more impetus in the South, where nationalistic feelings found their first and most fervent adherents, than in the North, Shantung especially having withheld support.

¹ The date and immediate cause of each of these boycotts is:

- 1908 The *Tatsu Maru* incident.
- 1909 The Antung-Mukden Railway question.
- 1915 The "Twenty-one Demands".
- 1919 The Shantung question.
- 1923 Port Arthur and Dairen recovery question.
- 1925 May 30th incident.
- 1927 Despatch of troops to Shantung.
- 1928 Tsinan incident.
- 1931 The Manchurian affair (Wanpaoshan and Mukden events).

Causes of
these boycott
movements.

Boycott
movements
before 1925.

Boycott movement since 1925. Action of the Kuomintang Party.

From 1925 onward, a definite change took place in the boycott organisation. The Kuomintang, having from its creation supported the movement, increased its control with each successive boycott until to-day it is the real organising, driving, co-ordinating and supervising factor in these demonstrations.

In doing this, the Kuomintang, as indicated by evidence in the possession of the Commission, did not dismiss the associations which had hitherto been responsible for the direction of boycott movements. It rather co-ordinated their efforts, systematised and made uniform their methods, and put unreservedly behind the movement the moral and material weight of its powerful party organisation. Having branches all over the country, possessing vast propaganda and information services, and inspired by a strong nationalistic sentiment, it rapidly succeeded in organising and stimulating a movement which had, up to that time, been somewhat sporadic. As a consequence, the coercive authority of the organisers of the boycotts over the merchant and the general public became stronger than ever before, although at the same time a fair margin of autonomy and initiative was left to the individual boycott associations.

Methods employed.

The boycott rules continued to vary according to local conditions, but, parallel with the strengthening of the organisation, the methods employed by the Boycott Societies became more uniform, more strict and effective. At the same time, the Kuomintang Party issued instructions prohibiting the destruction of commercial houses belonging to Japanese or the infliction of physical harm. This does not mean that the lives of Japanese in China have never been threatened in the course of a boycott, but as a whole it may be stated that, during the more recent boycotts, acts of violence against Japanese subjects have been less numerous and serious than in earlier days.

An examination of the technique of the methods employed shows that the atmosphere of popular sentiment without which no boycott could succeed is created by a formidable propaganda uniformly carried out all over the country, using slogans well chosen to incite the popular mind against the "enemy" country.

Anti-Japanese propaganda.

In the present boycott directed against Japan, which the Commission has seen in operation, every available means was employed to impress upon the people the patriotic duty of not buying Japanese goods. The columns of the Chinese Press were filled with propaganda of this kind; the walls of buildings in the towns were covered with posters, often of an extremely violent character¹; anti-Japanese slogans were printed on currency notes, on letters and telegram-forms; chain letters went from hand to hand, etc. These examples are by no means exhaustive, but serve to show the nature of the methods employed. The fact that this propaganda does not differ essentially from that used in certain countries of Europe and America during the World War 1914-1918 only proves the degree of hostility towards Japan which the Chinese have come to feel as a result of the political tension between the two countries.

Boycott rules adopted by Anti-Japanese Associations.

Essential as the political atmosphere of a boycott may be to its ultimate success, nevertheless no such movement could be effective if the boycott associations had not secured a certain uniformity in their rules of procedure. The four general principles adopted at the first meeting of the Shanghai Anti-Japanese Association held on July 17th, 1931, may serve as an illustration of the main objects aimed at by these rules. They were:

¹ In most cities visited by the Commission, these posters had been removed beforehand, but declarations from reliable local witnesses, who often possessed samples of these posters, bore out the fact mentioned above. Moreover, samples are to be found in the archives of the Commission.

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Boycott movement since 1925. Action of the Kuomintang Party.

From 1925 onward, a definite change took place in the boycott organisation. The Kuomintang, having from its creation supported the movement, increased its control with each successive boycott until to-day it is the real organising, driving, co-ordinating and supervising factor in these demonstrations.

In doing this, the Kuomintang, as indicated by evidence in the possession of the Commission, did not dismiss the associations which had hitherto been responsible for the direction of boycott movements. It rather co-ordinated their efforts, systematised and made uniform their methods, and put unreservedly behind the movement the moral and material weight of its powerful party organisation. Having branches all over the country, possessing vast propaganda and information services, and inspired by a strong nationalistic sentiment, it rapidly succeeded in organising and stimulating a movement which had, up to that time, been somewhat sporadic. As a consequence, the coercive authority of the organisers of the boycotts over the merchant and the general public became stronger than ever before, although at the same time a fair margin of autonomy and initiative was left to the individual boycott associations.

Methods employed.

The boycott rules continued to vary according to local conditions, but, parallel with the strengthening of the organisation, the methods employed by the Boycott Societies became more uniform, more strict and effective. At the same time, the Kuomintang Party issued instructions prohibiting the destruction of commercial houses belonging to Japanese or the infliction of physical harm. This does not mean that the lives of Japanese in China have never been threatened in the course of a boycott, but as a whole it may be stated that, during the more recent boycotts, acts of violence against Japanese subjects have been less numerous and serious than in earlier days.

An examination of the technique of the methods employed shows that the atmosphere of popular sentiment without which no boycott could succeed is created by a formidable propaganda uniformly carried out all over the country, using slogans well chosen to incite the popular mind against the " enemy " country.

Anti-Japanese propaganda.

In the present boycott directed against Japan, which the Commission has seen in operation, every available means was employed to impress upon the people the patriotic duty of not buying Japanese goods. The columns of the Chinese Press were filled with propaganda of this kind ; the walls of buildings in the towns were covered with posters, often of an extremely violent character¹ ; anti-Japanese slogans were printed on currency notes, on letters and telegram-forms ; chain letters went from hand to hand, etc. These examples are by no means exhaustive, but serve to show the nature of the methods employed. The fact that this propaganda does not differ essentially from that used in certain countries of Europe and America during the World War 1914-1918 only proves the degree of hostility towards Japan which the Chinese have come to feel as a result of the political tension between the two countries.

Boycott rules adopted by Anti-Japanese Associations.

Essential as the political atmosphere of a boycott may be to its ultimate success, nevertheless no such movement could be effective if the boycott associations had not secured a certain uniformity in their rules of procedure. The four general principles adopted at the first meeting of the Shanghai Anti-Japanese Association held on July 17th, 1931, may serve as an illustration of the main objects aimed at by these rules. They were :

¹ In most cities visited by the Commission, these posters had been removed beforehand, but declarations from reliable local witnesses, who often possessed samples of these posters, bore out the fact mentioned above. Moreover, samples are to be found in the archives of the Commission.

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- (a) To withdraw the orders for Japanese goods already ordered ;
- (b) To stop shipment of Japanese goods already ordered but not yet consigned ;
- (c) To refuse to accept Japanese goods already in the godowns but not yet paid for ;
- (d) To register with the Anti-Japanese Association Japanese goods already purchased and to suspend temporarily the selling of these goods. The procedure of registration will be separately decided upon.

Subsequent resolutions adopted by the same Association are much more detailed and contain provisions for all possible cases and eventualities.

A powerful means of enforcing the boycott is the compulsory registration of Japanese goods held in stock by Chinese merchants. Inspectors of the anti-Japanese societies watch the movement of Japanese goods, examine those of doubtful origin in order to ascertain whether or not they are Japanese, undertake raids on stores and godowns where they suspect the presence of non-registered Japanese goods, and bring to the attention of their principals any case of the violation of the rules they may discover. Merchants who are found to be guilty of such a breach of the rules are fined by the Boycott Associations themselves, and publicly exposed to popular disapproval, while the goods in their possession are confiscated and sold at public auction, the proceeds going into the funds of the anti-Japanese organisation.

The boycott is not limited to trade alone. Chinese are warned not to travel on Japanese ships, to use Japanese banks or to serve Japanese in any capacity, either in business or in domestic service. Those who disregard these instructions are subjected to various forms of disapproval and intimidation.

Another feature of this boycott, as of previous ones, is the wish not only to injure Japanese industries, but to further Chinese industries by stimulating the production of certain articles which have hitherto been imported from Japan. The principal result has been an extension of the Chinese textile industry at the expense of Japanese-owned mills in the Shanghai area.

The boycott of 1931, organised on the lines just described, continued until about December of that year, when a certain relaxation became apparent. In January 1932, in the course of the negotiations then proceeding between the Mayor of Greater Shanghai and the Japanese Consul-General in that city, the Chinese even undertook to dissolve voluntarily the local anti-Japanese association.

During the hostilities in Shanghai, and the months immediately following the evacuation of the Japanese troops, the boycott, although never completely abandoned, was moderated, and during late spring and early summer it even looked as if Japanese trade in different parts of the country might resume. Then, quite suddenly, at the end of July and beginning of August, coinciding with the reported military activity on the borders of Jehol, there was a marked revival of the boycott movement. Articles urging the people not to buy Japanese goods appeared anew in the Chinese Press, the Shanghai Chamber of Commerce published a letter suggesting a resumption of the boycott, and the Coal Merchants' Guild in the same city decided to restrict to the minimum the importation of Japanese coal. At the same time, more violent methods were employed, such as the throwing of a bomb into the compound of a coal dealer suspected of having handled Japanese coal, and the sending of letters to store-keepers threatening to destroy their property unless they stopped selling Japanese commodities.

Fluctuations
of the boycott
movement in
1931-32.

Some of the letters reproduced in the newspapers were signed the "Blood-and-Iron Group" — or the "Blood-and-Soul Group for the Punishment of Traitors".

Such is the situation at the time of writing this Report. This recrudescence of the boycott activity caused the Japanese Consul-General in Shanghai to lodge a formal protest with the local authorities.

Material effects of boycott movement.

The various boycott movements, and the present one in particular, have seriously affected Sino-Japanese relations, both in a material and in a psychological sense.

As far as the material effects are concerned — that is, the loss of trade — the Chinese have a tendency to under-state them in their desire to present the boycott as rather a moral protest than as an act of economic injury, while the Japanese attach too absolute a value to certain trade statistics. The arguments used in this connection by the two parties are examined in the annexed study already referred to. In that study, also, will be found full particulars of the extent of the damage done to Japanese trade, which has certainly been considerable.

Another aspect of the subject should also be mentioned. The Chinese themselves suffer losses from goods already paid for, not registered with the Boycott Associations, and seized for public auction; from fines paid to the associations for violation of the boycott rules; from revenue not received by the Chinese Maritime Customs, and, generally speaking, from loss of trade. These losses are considerable.

Psychological effect on Sino-Japanese relations.

The psychological effect of the boycott on Sino-Japanese relations, although even more difficult to estimate than the material effect, is certainly not less serious, in that it has had a disastrous repercussion on the feelings of large sections of Japanese public opinion towards China. During the visit of the Commission to Japan, both the Tokyo and the Osaka Chambers of Commerce stressed this subject.

The knowledge that Japan is suffering injuries against which she cannot protect herself has exasperated Japanese public opinion. The merchants whom we interviewed at Osaka were inclined to exaggerate certain abuses of boycott methods as racketeering and blackmailing, and to under-estimate or even to deny completely the close relationship between Japan's recent policy towards China and the use of the boycott as a defensive weapon against that policy. On the contrary, instead of regarding the boycott as China's weapon of defence, these Japanese merchants insisted that it was an act of aggression against which the Japanese military measures were a retaliation. Anyway, there is no doubt that the boycott has been amongst the causes which have profoundly embittered the relations between China and Japan in recent years.

Controversial issues in connection with the boycott:

(1) Whether the movement is spontaneous or organised.

There are three controversial issues involved in the policy and methods of the boycott.

The first is the question whether the movement is purely spontaneous, as the Chinese themselves claim, or whether, as the Japanese allege, it is an organised movement imposed upon the people by the Kuomintang by methods which at times amount to terrorism. On this subject much may be said on both sides. On the one hand, it would appear to be impossible for a nation to exhibit the degree of co-operation and sacrifice involved in the maintenance of a boycott over a wide area and for a long period if there did not exist a foundation of strong popular feeling. On the other hand, it has been clearly shown to what extent the Kuomintang, using the mentality and the methods which the Chinese people have inherited from their old guilds and secret societies, has taken control of the recent boycotts, and particularly of the present one. The rules, the discipline, and the sanction used against the "traitors", which form such an essential part of the present boycott, show that, however spontaneous, the movement is certainly strongly organised.

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All popular movements require some measure of organisation to be effective. The loyalty of all adherents to a common cause is never uniformly strong and discipline is required to enforce unity of purpose and action. Our conclusion is, that the Chinese boycotts are both popular and organised ; that, though they originate in and are supported by strong national sentiment, they are controlled and directed by organisations which can start or call them off, and that they are enforced by methods which certainly amount to intimidation. While many separate bodies are involved in the organisation, the main controlling authority is the Kuomintang.

The second issue is whether or not, in the conduct of the boycott movement, the methods employed have always been legal. From the evidence collected by the Commission, it is difficult to draw any other conclusion than that illegal acts have been constantly committed, and that they have not been sufficiently suppressed by the authorities and the courts. The fact that these methods are mainly the same as those used in China in olden days may be an explanation, but not a justification. When in former days a guild elected to declare a boycott, searched the houses of suspected members, brought them before the Guild Court, punished them for a breach of rules, imposed fines and sold the goods seized, it acted in conformity with the customs of that time. Moreover, it was an internal affair of a Chinese community, and no foreigner was involved. The present situation is different. China has adopted a code of modern laws, and these are incompatible with the traditional methods of trade boycotts in China. The memorandum in which the Chinese Assessor has defended his country's point of view with regard to the boycott does not contest this statement, but argues that " the boycott . . . is pursued, generally speaking, in a legitimate manner ". The evidence at the disposal of the Commission does not bear out this contention.

In this connection, a distinction should be made between the illegal acts committed directly against foreign residents *in casu* Japanese, and those committed against Chinese with the avowed intention, however, of causing damage to Japanese interests. As far as the former are concerned, they are clearly not only illegal under the laws of China but also incompatible with treaty obligations to protect life and property and to maintain liberty of trade, residence, movement and action. This is not contested by the Chinese, and the boycott associations, as well as the Kuomintang authorities, have tried, although they may not always have been successful, to prevent offences of this kind. As already stated, they have occurred less frequently during the present boycott than on previous occasions. ¹

With regard to illegal acts committed against Chinese, the Chinese Assessor observed on page 17 of his memorandum on the boycott :

" We would like to observe, in the first place, that a foreign nation is not authorised to raise a question of internal law. In fact, we find ourselves confronted with acts denounced as unlawful but committed by Chinese nationals in prejudice to other Chinese nationals. Their suppression is a matter for the Chinese authorities, and it seems to us that no one has the right of calling into account the manner in which the Chinese penal law is applied in matters where both offenders and sufferers belong to our own nationality. No State has the right of intervention in the administration of exclusively domestic affairs of another State. This is what the principle of mutual respect for each other's sovereignty and independence means."

¹ According to recent Japanese information, there were thirty-five instances in which goods belonging to Japanese merchants were seized and kept in detention by members of the Anti-Japanese Associations in Shanghai during the period from July 1931 to the end of December 1931. The value of the goods involved was estimated approximately at \$287,000. Of these instances, in August 1932, five were reported as still remaining unsolved.

(2) Legality
or otherwise of
boycott
methods.

So stated, the argument is incontestable, but it overlooks the fact that the ground of the Japanese complaint is not that one Chinese national has been illegally injured by another, but that the injury has been done to Japanese interests by the employment of methods which are illegal under Chinese law, and that failure to enforce the law in such circumstances implies the responsibility of the Chinese Government for the injury done to Japan.

(3) Responsibility of the Chinese Government for the boycott.

This leads to a consideration of the last controversial point involved in the policy of the boycott — namely, the extent of the responsibility of the Chinese Government. The Chinese official attitude is that “ the liberty of choice in making purchases is a personal right which no Government can interfere with ; while the Governments are responsible for the protection of lives and property, they are not required by any commonly recognised regulations and principles to prohibit and punish the exercise of an elemental right of every citizen ”.

The Commission has been supplied with documentary evidence which is reproduced in the Study No. 8 annexed to this Report and which indicates that the part taken by the Chinese Government in the present boycott has been somewhat more direct than the quotation above would tend to indicate. We do not suggest that there is anything improper in the fact that Government departments should support the boycott movement ; we only wish to point out that official encouragement involves a measure of Government responsibility. In this connection, the question of relations between the Government and the Kuomintang must be considered. Of the responsibility of the latter there can be no question. It is the controlling and co-ordinating organ behind the whole boycott movement. The Kuomintang may be the maker and the master of the Government, but to determine at what point the responsibility of the party ends and that of the Government begins is a complicated problem of constitutional law on which the Commission does not feel it proper to pronounce.

Comments.

The claim of the Government that the boycott is a legitimate weapon of defence against military aggression by a stronger country, especially in cases where methods of arbitration have not previously been utilised, raises a question of a much wider character. No one can deny the right of the individual Chinese to refuse to buy Japanese goods, use Japanese banks or ships, or to work for Japanese employers, to sell commodities to Japanese, or to maintain social relations with Japanese. Nor is it possible to deny that the Chinese, acting individually or even in organised bodies, are entitled to make propaganda on behalf of these ideas, always subject to the condition, of course, that the methods do not infringe the laws of the land. Whether, however, the organised application of the boycott to the trade of one particular country is consistent with friendly relations or in conformity with treaty obligations is rather a problem of international law than a subject for our enquiry. We would express the hope, however, that, in the interest of all States, this problem should be considered at an early date and regulated by international agreement.

In the course of the present chapter, it has been shown first that Japan, in connection with her population problem, is seeking to increase her industrial output and to secure for this purpose reliable oversea markets ; secondly, that, apart from the export of raw silk to the United States of America, China constitutes the principal market for Japanese exports and at the same time supplies the Island Empire with an important amount of raw materials and foodstuffs. Further, China has attracted nearly the whole of Japan's foreign investments, and even in her present disturbed and undeveloped condition, offers a profitable field to Japanese economic and financial activities of various types. Finally, an analysis of the injury caused to Japanese interests in China by the various boycotts which have

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succeeded one another from 1908 until to-day has drawn attention to the vulnerable character of those interests.

The dependence of Japan on the Chinese market is fully recognised by the Japanese themselves. On the other hand, China is a country which stands in the most urgent need of development in all fields of economic life, and Japan, which in 1931, notwithstanding the boycott, occupied the first place in her total foreign trade, seems, more than any other foreign Power, indicated as an ally in economic matters.

The interdependence of the trade of those two neighbouring countries and the interests of both call for an economic *rapprochement*, but there can be no such *rapprochement* so long as the political relations between them are so unsatisfactory as to call forth the use of military force by one and the economic force of the boycott by the other.

Chapter VIII.

ECONOMIC INTERESTS IN MANCHURIA.¹

It has been shown in the preceding chapter that the economic requirements of Japan and China, unless disturbed by political considerations, would lead to mutual understanding and co-operation and not to conflict. The study of the inter-relation between Japanese and Chinese economic interests in Manchuria, taken in themselves and apart from the political events of recent years, leads to the same conclusion. The economic interests of both countries in Manchuria are not irreconcilable; indeed, their reconciliation is necessary if the existing resources and future economic possibilities of Manchuria are to be developed to the fullest extent.

In Chapter III, the claim of Japanese public opinion that the resources, both actual and potential, of Manchuria are essential to the economic life of their country has been fully examined. The object of this chapter is to consider how far this claim is in conformity with economic facts.

It is a fact, in South Manchuria, that Japan is the largest foreign investor, whereas in North Manchuria the same is true of the U.S.S.R. Taking the Three Provinces as a whole, the Japanese investments are more important than those of the U.S.S.R., although precisely to what extent it is difficult to say because of the impossibility of obtaining reliable comparative figures. As the subject of investments is examined in detail in an annex to this Report, a few essential figures will be sufficient to illustrate the relative importance of Japan, the U.S.S.R. and other countries as participating factors in the economic development of Manchuria.

According to a Japanese source of information, Japanese investments were estimated in 1928 at about 1,500,000,000 Yen, a figure which, if correct, must have grown to-day to approximately 1,700,000,000 Yen.² A Russian source puts Japanese investments at the present time at about 1,500,000,000 Yen or the whole of Manchuria inclusive of the Kwantung Leased Territory, and at about 1,300,000,000 Yen for the Three Provinces, the bulk of Japanese capital being invested in Liaoning Province.

Investments.

¹ See, for this chapter, special studies Nos. 2, 3, 6, 7, annexed to this Report.

² Another Japanese authority puts the total of Japanese investments in China, including Manchuria, in 1929 at a figure of approximately 1,500,000,000 Yen.

With regard to the nature of these investments, it will be found that the majority of the capital has been devoted to transportation enterprises (mainly railways), agriculture, mining and forestry coming next. As a matter of fact, the Japanese investments in South Manchuria centre mainly round the South Manchuria Railway, while the investments of the U.S.S.R. in the North are to a great extent, directly or indirectly, linked up with the Chinese Eastern Railway.

Foreign investments other than Japanese are more difficult to estimate and, in spite of the helpful assistance of those immediately interested, the information obtained by the Commission has been meagre. Most of the figures given by the Japanese are prior to 1917 and consequently out of date. For the U.S.S.R., as has been stated, no definite estimate is possible. With regard to other countries, a recent Russian estimate for North Manchuria only, which it has not been possible to verify, indicates the United Kingdom as the next largest investor with 11,185,000 gold dollars, followed by Japan with 9,229,400 gold dollars, the United States of America with 8,220,000 gold dollars, Poland with 5,025,000 gold dollars, France with 1,760,000 gold dollars, Germany with 1,235,000 gold dollars, and miscellaneous investments 1,129,600 gold dollars, making a total of 37,784,400 gold dollars. For South Manchuria, similar figures are not available.

Japan's
economic
relations with
Manchuria.

It is now necessary to analyse the part Manchuria plays in the economic life of Japan. A detailed study on this subject will be found in an Annex to this Report, from which it will be seen that, although this part is an important one, it is at the same time limited by circumstances which must not be overlooked.

It does not seem from past experience that Manchuria is a region suitable for Japanese emigration on a large scale. As already stated in Chapter II, the farmers and coolies from Shantung and Shihli (now Hopei) have in the last few decades taken possession of the soil. Japanese settlers are, and for many years will mostly be, business-men, officials, salaried employees, who have come to manage the investments of capital, the development of various enterprises, and the utilisation of natural resources.

Agriculture.

As regards her supplies of agricultural produce, Japan to-day depends on Manchuria mainly for the soya bean and its derivatives, the use of which as foodstuff and forage may even increase in the future. (As a fertiliser, which is to-day one of its chief uses, its importance is likely to decrease with the growth of chemical industries in Japan.) But the question of food supply is not at the moment acute for Japan, the acquisition of Korea and Formosa having helped to solve at least for the time her rice problem. If at some future date the need for this commodity becomes urgent for the Japanese Empire, Manchuria may be able to provide an additional source of supply. But in that case a large amount of capital would have to be spent in the development of a sufficient irrigation system.

Heavy
Industries.

Larger still, it seems, will be the amount of capital necessary for the creation of Japanese heavy industries, if these are destined to become independent of foreign countries, as a result of the utilisation of the resources of Manchuria. Japan seeks, above all, to develop in the Three Eastern Provinces the production of those raw materials which are indispensable to her national defence. Manchuria can supply her with coal, oil and iron. The economic advantages, however, of such supplies are uncertain. For coal, only a comparatively small part of the production is utilised in Japan; oil is extracted from shale only in very limited quantities, while it would appear that iron is definitely produced at a loss. But economic considerations are not the only ones which influence the Japanese Government. The resources of Manchuria are intended to assist the development of an independent metallurgic system. In any case, Japan must seek abroad a great part of her coke and certain non-siliceous ores. The Three Eastern Provinces may ensure greater security in the supplies of certain products which are

indispensable for her national defence, but heavy financial sacrifices may be involved in obtaining them. The strategic interests of Japan in Manchuria involved in this question have been mentioned elsewhere.

Further, Manchuria is not likely to supply Japan with those raw materials which she needs most for her textile industries.

The Three North-Eastern Provinces provide a regular market for Japanese manufactured goods ; and the importance of this market may even increase with their growth in prosperity. But Osaka, in the past, has always depended more on Shanghai than on Dairen. The Manchurian market may perhaps offer more security, but it is more restricted than the Chinese market.

The idea of economic " blocs " has penetrated to Japan from the West. The possibility of such a bloc comprising the Japanese Empire and Manchuria is often found in the writings of Japanese statesmen, professors and journalists. In an article written shortly before he took office, the present Minister of Commerce and Industry pointed to the formation in the world of such economic blocs, American, Soviet, European and British, and stated that Japan should also create with Manchuria such a bloc.

There is nothing at present to show that such a system is practicable. Some voices have recently been raised in Japan to warn their compatriots against dangerous illusions. Japan depends for the bulk of her commerce far less on Manchuria than she does on the United States of America, China proper and British India.

Manchuria may become, in the future, of great assistance to an over-populated Japan, but it is as dangerous not to discern the limitations of its possibilities as it is to under-estimate their value.

When studying the economic relations of the rest of China with her Three Eastern Provinces, it will be apparent that, contrary to what we have seen in the case of Japan, her chief earlier contribution to their development consisted in the sending of seasonal workers and permanent settlers, to whom the great agricultural development of the country is due. More recently, however, particularly in the last decade, her participation in railway construction, in industry, trade and banking, and in the development of mineral and forestry resources, has also shown a marked progress the extent of which cannot be adequately shown due to lack of data. On the whole, it may be said that the principal ties between Manchuria and the rest of China are racial and social rather than economic. It has been recalled in Chapter II that the present population of Manchuria is, in the main, drawn from recent immigrations. The spontaneous character of these immigrations show clearly how they have fulfilled a real need. They have been a consequence of famine, although they were encouraged to some extent by both the Japanese and Chinese.

The Japanese have for a number of years recruited Chinese labour for the Fushun mines, for the Dairen harbour works and for the construction of railway lines. But the number of Chinese thus recruited has always been very limited and this recruitment ceased in 1927, when it appeared that the local supplies of labour were sufficient.

The Provincial authorities in Manchuria have also on several occasions assisted the settlement of Chinese immigrants, although in practice these activities of the authorities of the Three Eastern Provinces have only had a limited influence on immigration. The authorities in North China, and the charitable societies, have also in certain periods endeavoured to encourage the settlement of families in Manchuria.

The principal assistance received by the immigrants has been the reduced rates offered by the South Manchuria Railway, the Chinese lines, and the Chinese Eastern Railway. These encouragements given to newcomers showed that, at least until the end of 1931, the South Manchuria Railway, the Manchurian provincial authorities and the Chinese Government regarded

Manchuria as a market for Japanese products.

China's economic relations with Manchuria.

this exodus with favour ; all of them profited by the peopling of the Three Eastern Provinces, although their interests in the movement were not always identical.

Emigrants, once settled in Manchuria, maintain their relations with their province of origin in China proper. This is best shown by a study of the remittances that the emigrants sent back to their families in the villages of their birth. It is impossible to estimate the total of these remittances, which are effected through banks, through the post and through money taken back by returning emigrants. It is believed that twenty million dollars are so taken annually into Shantung and Hopei, while the Post Office statistics showed in 1928 that the Provinces of Liaoning and Kirin remitted to the Province of Shantung by money orders a sum equal to the amount remitted to that province by all the other provinces in China. There is no doubt that these remittances form an important economic link between Manchuria and China proper. They are the index of the contact maintained between the emigrants and their families in the provinces of their origin. This contact is all the easier because conditions on either side of the Great Wall do not greatly differ. The produce of the soil is in the main the same and the agricultural methods identical. The most pronounced variation between agricultural conditions in Manchuria and in Shantung are caused by differences of climate, varying density of population and different states of economic development. These factors do not prevent the agriculture of the Three Eastern Provinces from tending to resemble more and more the agricultural conditions in Shantung. In Liaoning, a long-settled territory, rural conditions resemble more closely those in Shantung than do those in Heilungkiang, a territory more recently opened up.

The organisation of direct trade with the agriculturists in Manchuria resembles also the conditions in China proper. In the Three Provinces, such commerce is in the hands of Chinese, who alone buy directly from the farmers. Similarly, in the Three Provinces, as in China proper, credit performs an important function in such local trade. One can even say that the resemblance in commercial organisation in Manchuria and China proper is found not only in local countryside trade, but also in trade in the towns.

In fact, the social and economic Chinese organisation in Manchuria is a transplanted society which has kept the customs, dialect and activities of its home. The only changes necessary are those required to meet the conditions of a land more vast, less inhabited and more open to outside influences.

The question arises whether this mass migration has been merely an episode or whether it will continue in the future. When account is taken of the areas in South Manchuria and certain valleys in the south and east, such as the Sungari, Liao and Mutan Valleys, it is clear that, from the purely agricultural point of view, Manchuria can still absorb numerous colonists. According to one of the best experts on the staff of the Chinese Eastern Railway, the population of Manchuria could reach in forty years a figure of 75,000,000.

But economic conditions may in the future limit the rapid growth of the population of Manchuria. Economic conditions in fact alone render the future of soya-bean farming uncertain. On the other hand, crops recently introduced into Manchuria, especially rice-farming, may develop there. The hopes which some Japanese have placed in the development of cotton-growing seem to be subject to certain limitations. Consequently, economic and technical factors may to some extent limit the entry of newcomers into the Three Provinces.

The recent political events are not the only cause of the decline of Chinese migration into Manchuria. The economic crisis had already, in the first six months of the year 1931, diminished the importance of the seasonal migration. The world depression added to the effect of an unavoidable

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local crisis. Once this economic crisis is over and order has been re-established, Manchuria may once more serve as an outlet for the population of China proper. The Chinese are the people best adapted for the colonisation of Manchuria. An artificial restriction of this migration by arbitrary political measures would be prejudicial to the interests of Manchuria, as it would be to the interests of Shantung and Hopei.

The ties between Manchuria and the rest of China remain chiefly racial and social. At the same time, economic ties are continuously becoming stronger, which is shown by the growing commercial relations between Manchuria and the rest of China. Nevertheless, according to Customs returns, Japan remains the best customer and chief supplier of Manchuria, China proper occupying the second place.

The chief imports from Manchuria into the rest of China are the soya bean and its derivatives, coal and small amounts of groundnuts, raw silk, miscellaneous cereals and a very limited amount of iron, maize, wool, and timber. The chief exports to Manchuria from China proper are cotton piece-goods, tobacco preparations, silken and other textiles, tea, cereals and seeds, raw cotton, paper and wheat flour.

Consequently, China proper relies on Manchuria for certain foodstuffs, most important of which is the soya bean and its derivatives, but her imports of minerals, with the exception of coal and her imports of timber, animal products and raw materials for manufacturing purposes have in the past been slight. Furthermore, China proper is able to use only a portion of Manchuria's favourable balance to offset its own unfavourable balance. It is able to do this, not by virtue of its political affiliation as such, as is generally thought, but chiefly because the Manchurian Post Offices and Customs have been highly profitable institutions and because of the substantial remittances of Chinese settlers to their families in Shanghai and Hopei.

The resources of Manchuria are great and as yet not fully ascertained. For their development they require population, capital, technical skill, organisation and internal security. The population is almost entirely supplied by China. Large numbers of the existing population were born in provinces of North China, where their family ties are still very close. Capital, technical skill and organisation have hitherto chiefly been provided by Japan in South Manchuria and by Russia north of Changchun. Other foreign countries to a much smaller degree have interests throughout the Three Provinces, but principally in the large cities. Their representatives have exercised a conciliatory influence in the recent years of political tension, and will continue to do so, provided that Japan, as the dominating economic Power, does not attempt to monopolise the field. The all-important problem at the present time is the establishment of an administration acceptable to the population and capable of supplying the last need — namely, the maintenance of law and order.

No foreign Power could develop Manchuria or reap any benefit from an attempt to control it without the good-will and wholehearted co-operation of the Chinese masses which form the bulk of the population, tilling its soil, and supplying the labour for practically every enterprise in the country. Neither will China ever be free from anxiety and danger unless these Northern Provinces cease to afford a battleground for the conflicting ambitions of neighbouring Powers. It is as necessary, therefore, for China to satisfy the economic interests of Japan in this territory as for Japan to recognise the unalterably Chinese character of its population.

Parallel to an understanding of this kind and in order to allow all interested Powers to co-operate in the development of Manchuria, it seems essential that the principle of the Open Door should be maintained, not only from the legal point of view, but also in the actual practice of trade, industry and banking. Amongst foreign business-men in Manchuria other than Japanese, there is a fear that Japanese business concerns will try to

Comment.

Maintenance of
the Open Door.

local crisis. Once this economic crisis is over and order has been re-established, Manchuria may once more serve as an outlet for the population of China proper. The Chinese are the people best adapted for the colonisation of Manchuria. An artificial restriction of this migration by arbitrary political measures would be prejudicial to the interests of Manchuria, as it would be to the interests of Shantung and Hopei.

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Comment.

**Maintenance of
the Open Door.**

reap benefit from the present political position by other means than those of free competition. If this fear came to be justified, foreign interests would be discouraged and the population of Manchuria might be the first to suffer. The maintenance of a real Open Door, manifested by free competition in the field of trade, investment and finance, would be in the interests of both Japan and China.¹

Chapter IX.

PRINCIPLES AND CONDITIONS OF SETTLEMENT.

Review of
previous
chapters.

In the previous chapters of this Report, it has been shown that, though the issues between China and Japan were not in themselves incapable of solution by arbitral procedure, yet the handling of them by their respective Governments, especially those relating to Manchuria, had so embittered their relations as sooner or later to make a conflict inevitable. A sketch has been given of China as a nation in evolution with all the political upheavals, social disorders and disruptive tendencies inseparable from such a period of transition. It has been shown how seriously the rights and interests claimed by Japan have been affected by the weakness of the authority of the Central Government in China, and how anxious Japan has shown herself to keep Manchuria apart from the government of the rest of China. A brief survey of the respective policies of the Chinese, Russian and Japanese Governments in Manchuria has revealed the fact that the administration of these Provinces has more than once been declared by their rulers to be independent of the Central Government of China, yet no wish to be separated from the rest of China has ever been expressed by their population, which is overwhelmingly Chinese. Finally, we have examined carefully and thoroughly the actual events which took place on and subsequent to September 18th, 1931, and have expressed our opinion upon them.

Complexity of
the problem.

A point has now been reached when attention can be concentrated on the future, and we would dismiss the past with this final reflection. It must be apparent to every reader of the preceding chapters that the issues involved in this conflict are not as simple as they are often represented to be. They are, on the contrary, exceedingly complicated, and only an intimate knowledge of all the facts, as well as of their historical background, should entitle anyone to express a definite opinion upon them. This is not a case in which one country has declared war on another country without previously exhausting the opportunities for conciliation provided in the Covenant of the League of Nations. Neither is it a simple case of the violation of the frontier of one country by the armed forces of a neighbouring country, because in Manchuria there are many features without an exact parallel in other parts of the world.

¹ In this connection, it is necessary to mention the extraordinary extent to which goods are being smuggled into Manchuria, especially over the Korean border and through Dairen. Not only is this practice detrimental to the Customs revenue, but it disorganises trade, and rightly or wrongly gives rise to the belief that the Power which has virtual control over the Customs Administration might discriminate against the trade of other Powers.

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The dispute has arisen between two States, both Members of the League, concerning a territory the size of France and Germany combined, in which both claim to have rights and interests, only some of which are clearly defined by international law ; a territory which, although legally an integral part of China, had a sufficiently autonomous character to carry on direct negotiations with Japan on the matters which lay at the root of this conflict.

Japan controls a railway and a strip of territory running from the sea right up into the heart of Manchuria, and she maintains for the protection of that property a force of about 10,000 soldiers, which she claims the right by treaty to increase, if necessary, up to 15,000. She also exercises the rights of jurisdiction over all her subjects in Manchuria and maintains consular police throughout the country.

These facts must be considered by those who debate the issues. It is a fact that, without declaration of war, a large area of what was indisputably the Chinese territory has been forcibly seized and occupied by the armed forces of Japan and has, in consequence of this operation, been separated from and declared independent of the rest of China. The steps by which this was accomplished are claimed by Japan to have been consistent with the obligations of the Covenant of the League of Nations, the Kellogg Pact and the Nine-Power Treaty of Washington, all of which were designed to prevent action of this kind. Moreover, the operation which had only just begun when the matter was first brought to the notice of the League was completed during the following months and is held by the Japanese Government to be consistent with the assurances given by their representative at Geneva on September 30th and December 10th. The justification in this case has been that all the military operations have been legitimate acts of self-defence, the right of which is implicit in all the multilateral treaties mentioned above, and was not taken away by any of the resolutions of the Council of the League. Further, the administration which has been substituted for that of China in the Three Provinces is justified on the ground that its establishment was the act of the local population, who, by a spontaneous assertion of their independence, have severed all connection with China and established their own Government. Such a genuine independence movement, it is claimed, is not prohibited by any international treaty or by any of the resolutions of the Council of the League of Nations, and the fact of its having taken place has profoundly modified the application of the Nine-Power Treaty and entirely altered the whole character of the problem being investigated by the League.

It is this plea of justification which makes this particular conflict at once so complicated and so serious. It is not the function of our Commission to argue the issue, but we have tried to provide sufficient material to enable the League of Nations to settle the dispute consistently with the honour, dignity and national interest of both the contending parties. Criticism alone will not accomplish this : there must also be practical efforts at conciliation. We have been at pains to find out the truth regarding past events in Manchuria and to state it frankly ; we recognise that this is only part, and by no means the most important part, of our work. We have throughout our mission offered to the Governments of both countries the help of the League of Nations in composing their differences, and we conclude it by offering to the League our suggestions for securing, consistently with justice and with peace, the permanent interest of China and Japan in Manchuria.

It must be clear from everything that we have already said that a mere restoration of the *status quo ante* would be no solution. Since the present conflict arose out of the conditions prevailing before last September, to restore these conditions would merely be to invite a repetition of the trouble. It would be to treat the whole question theoretically and to leave out of account the realities of the situation.

Conditions in Manchuria unparalleled elsewhere.

Diversity of Interpretations.

Unsatisfactory suggestions of settlement :
(1) RESTORATION OF THE *status quo ante*.

(2) THE
MAINTENANCE
OF
"MANCHUKUO"

From what we have said in the two preceding chapters, the maintenance and recognition of the present regime in Manchuria would be equally unsatisfactory. Such a solution does not appeal to us compatible with the fundamental principle of existing international obligations, nor with the good understanding between the two countries upon which peace in the Far East depends. It is opposed to the interests of China. It disregards the wishes of the people of Manchuria, and it is at least questionable whether it would ultimately serve the permanent interests of Japan.

About the feelings of the people of Manchuria towards the present regime there can really be no doubt; and China would not voluntarily accept as a lasting solution the complete separation of her Three Eastern Provinces. The analogy of the distant province of Outer Mongolia is not an entirely pertinent one, as Outer Mongolia is bound to China by no strong economic or social ties, and is sparsely inhabited by a population which is mainly non-Chinese. The situation in Manchuria is radically different from that in Outer Mongolia. The millions of Chinese farmers now settled permanently on the land have made Manchuria in many respects a simple extension of China south of the Wall. The Three Eastern Provinces have become almost as Chinese in race, culture and national sentiment as the neighbouring Provinces of Hopei and Shantung, from which most of the immigrants came.

Apart from this, past experience has shown that those who control Manchuria have exercised a considerable influence on the affairs of the rest of China — at least of North China — and possess unquestionable strategic and political advantages. To cut off these provinces from the rest of China, either legally or actually, would be to create for the future a serious irredentist problem which would endanger peace by keeping alive the hostility of China and rendering probable the continued boycott of Japanese goods.

The Commission received from the Japanese Government a clear and valuable statement of the vital interests of their country in Manchuria. Without exaggerating the economic dependence of Japan on Manchuria beyond the limits ascribed to it in a previous chapter, and certainly without suggesting that economic relationship entitles Japan to control the economic, still less the political, development of those provinces, we recognise the great importance of Manchuria in the economic development of Japan. Nor do we consider unreasonable her demand for the establishment of a stable Government which would be capable of maintaining the order necessary for the economic development of the country. But such conditions can only be securely and effectively guaranteed by an administration which is in conformity with the wishes of the population and which takes full account of their feelings and aspirations. And equally is it only in an atmosphere of external confidence and internal peace, very different from that now existing in the Far East, that the capital which is necessary for the rapid economic development of Manchuria will be forthcoming.

In spite of the pressure of increasing over-population, the Japanese have not as yet fully utilised their existing facilities for emigration, and the Japanese Government has not hitherto contemplated a large emigration of their people to Manchuria. But the Japanese do look to further industrialisation as a means to cope with the agrarian crisis and with the population problem. Such industrialisation would require further economic outlets and the only large and relatively sure markets that Japan can find are in Asia and particularly in China. Japan requires, not only the Manchurian, but the whole Chinese market, and the rise in the standard of living which will certainly follow the consolidation and modernisation of China should stimulate trade and raise the purchasing power of the Chinese market.

This economic *rapprochement* between Japan and China, which is of vital interest to Japan, is of equal interest to China, for China would find that a closer economic and technical collaboration with Japan would

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assist her in her primary task of national reconstruction. China could assist this *rapprochement* by restraining the more intolerant tendencies of her nationalism and by giving effective guarantees that, as soon as cordial relations were re-established, the practice of organised boycotts would not be revived. Japan, on her side, could facilitate this *rapprochement* by renouncing any attempt to solve the Manchurian problem by isolating it from the problem of her relations with China as a whole, in such a way as to make impossible the friendship and collaboration of China.

It may, however, be less economic considerations than anxiety for her own security which has determined the actions and policy of Japan in Manchuria. It is especially in this connection that her statesmen and military authorities are accustomed to speak of Manchuria as "the life-line of Japan". One can sympathise with such anxieties and try to appreciate the actions and motives of those who have to bear the heavy responsibility of securing the defence of their country against all eventualities. While acknowledging the interest of Japan in preventing Manchuria from serving as a base of operations directed against her own territory, and even her wish to be able to take all appropriate military measures if in certain circumstances the frontiers of Manchuria should be crossed by the forces of a foreign Power, it may still be questioned whether the military occupation of Manchuria for an indefinite period, involving, as it must, a heavy financial burden, is really the most effective way of insuring against this external danger; and whether, in the event of aggression having to be resisted in this way, the Japanese troops in Manchuria would not be seriously embarrassed if they were surrounded by a restive or rebellious population backed by a hostile China. It is surely in the interest of Japan to consider also other possible solutions of the problem of security, which would be more in keeping with the principles on which rests the present peace organisation of the world, and analogous to arrangements concluded by other great Powers in various parts of the world. She might even find it possible, with the sympathy and good-will of the rest of the world, and at no cost to herself, to obtain better security than she will obtain by the costly method she is at present adopting.

Apart from China and Japan, other Powers of the world have also important interests to defend in this Sino-Japanese conflict. We have already referred to existing multilateral treaties, and any real and lasting solution by agreement must be compatible with the stipulations of these fundamental agreements, on which is based the peace organisation of the world. The considerations which actuated the representatives of the Powers at the Washington Conference are still valid. It is quite as much in the interests of the Powers now as it was in 1922 to assist the reconstruction of China and to maintain her sovereignty and her territorial and administrative integrity as indispensable to the maintenance of peace. Any disintegration of China might lead, perhaps rapidly, to serious international rivalries, which would become all the more bitter if they should happen to coincide with rivalries between divergent social systems. Finally, the interests of peace are the same the world over. Any loss of confidence in the application of the principles of the Covenant and of the Pact of Paris in any part of the world diminishes the value and efficacy of those principles everywhere.

The Commission has not been able to obtain direct information as to the extent of the interests of the U.S.S.R. in Manchuria, nor to ascertain the views of the Government of the U.S.S.R. on the Manchurian question. But, even without sources of direct information, it cannot overlook the part played by Russia in Manchuria nor the important interests which the U.S.S.R. have in that region as owners of the Chinese Eastern Railway and of the territory beyond its north and north-east frontiers. It is clear that any solution of the problem of Manchuria which ignored the important

**International
Interests.**

**Interests of
U.S.S.R.**

interests of the U.S.S.R. would risk a future breach of the peace and would not be permanent.

Conclusions.

These considerations are sufficient to indicate the lines on which a solution might be reached if the Governments of China and Japan could recognise the identity of their chief interests and were willing to make them include the maintenance of peace and the establishment of cordial relations with each other. As already stated, there is no question of returning to the conditions before September 1931. A satisfactory regime for the future might be evolved out of the present one without any violent change. In the next chapter, we offer certain suggestions for doing this, but we would first define the general principles to which any satisfactory solution should conform. They are the following :

Conditions of a satisfactory solution.

1. Compatibility with the interests of both China and Japan.

Both countries are Members of the League and each is entitled to claim the same consideration from the League. A solution from which both did not derive benefit would not be a gain to the cause of peace.

2. Consideration for the interests of the U.S.S.R.

To make peace between two of the neighbouring countries without regard for the interests of the third would be neither just nor wise, nor in the interests of peace.

3. Conformity with existing multilateral treaties.

Any solution should conform to the provisions of the Covenant of the League of Nations, the Pact of Paris, and the Nine-Power Treaty of Washington.

4. Recognition of Japan's interests in Manchuria.

The rights and interests of Japan in Manchuria are facts which cannot be ignored, and any solution which failed to recognise them and to take into account also the historical associations of Japan with that country would not be satisfactory.

5. The establishment of new treaty relations between China and Japan.

A re-statement of the respective rights, interests and responsibilities of both countries in Manchuria in new treaties, which shall be part of the settlement by agreement, is desirable if future friction is to be avoided and mutual confidence and co-operation are to be restored.

6. Effective provision for the settlement of future disputes.

As a corollary to the above, it is necessary that provision should be made for facilitating the prompt settlement of minor disputes as they arise.

7. Manchurian autonomy.

The government in Manchuria should be modified in such a way as to secure, consistently with the sovereignty and administrative integrity of China, a large measure of autonomy designed to meet the local conditions and special characteristics of the Three Provinces. The new civil regime must be so constituted and conducted as to satisfy the essential requirements of good government.

8. Internal order and security against external aggression.

The internal order of the country should be secured by an effective local gendarmerie force, and security against external aggression should be provided by the withdrawal of all armed forces other than gendarmerie, and by the conclusion of a treaty of non-aggression between the countries interested.

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9. *Encouragement of an economic rapprochement between China and Japan.*

For this purpose, a new commercial treaty between the two countries is desirable. Such a treaty should aim at placing on an equitable basis the commercial relations between the two countries and bringing them into conformity with their improved political relations.

10. *International co-operation in Chinese reconstruction.*

Since the present political instability in China is an obstacle to friendship with Japan and an anxiety to the rest of the world (as the maintenance of peace in the Far East is a matter of international concern), and since the conditions enumerated above cannot be fulfilled without a strong Central Government in China, the final requisite for a satisfactory solution is temporary international co-operation in the internal reconstruction of China, as suggested by the late Dr. Sun Yat-sen.

If the present situation could be modified in such a way as to satisfy these conditions and embody these ideas, China and Japan would have achieved a solution of their difficulties which might be made the starting-point of a new era of close understanding and political co-operation between them. If such a *rapprochement* is not secured, no solution, whatever its terms, can really be fruitful. Is it really impossible to contemplate a new relationship even in this hour of crisis? Young Japan is clamorous for strong measures in China and a policy of thoroughness in Manchuria. Those who make these demands are tired of the delays and pin-pricks of the pre-September period; they are impetuous and impatient to gain their end. But, even in Japan, appropriate means must be found for the attainment of every end. After making the acquaintance of some of the more ardent exponents of this "positive" policy, and those especially who, with undoubted idealism and great personal devotion, have constituted themselves the pioneers of a delicate undertaking in the "Manchukuo" regime, it is impossible not to realise that, at the heart of the problem for Japan, lies her anxiety concerning the political development of modern China, and the future to which it is tending. This anxiety has led to action with the object of controlling that development and steering its course in directions which will secure the economic interests of Japan and satisfy strategic requirements for the defence of her Empire.

Japanese opinion is nevertheless vaguely conscious that it is no longer practicable to have two separate policies, one for Manchuria and one for the rest of China. Even with her Manchurian interests as a goal, therefore, Japan might recognise and welcome sympathetically the renaissance of Chinese national sentiment, might make friends with it, guide it in her direction and offer it support, if only to ensure that it does not seek support elsewhere.

In China, too, as thoughtful men have come to recognise that the vital problem, the real national problem, for their country is the reconstruction and modernisation of the State, they cannot fail to realise that this policy of reconstruction and modernisation, already initiated with so much promise of success, necessitates for its fulfilment the cultivation of friendly relations with all countries, and above all with that great nation which is their nearest neighbour. China needs, in political and economic matters, the co-operation of all the leading Powers, but especially valuable to her would be the friendly attitude of the Japanese Government and the economic co-operation of Japan in Manchuria. All the other claims of her newly awakened nationalism — legitimate and urgent though they may be — should be subordinated to this one dominating need for the effective internal reconstruction of the State.

Results which
would follow
from the
fulfilment of
these
conditions.

Chapter X.

CONSIDERATIONS AND SUGGESTIONS TO THE COUNCIL.

**Suggestions to
facilitate a
final solution.**

It is not the function of the Commission to submit directly to the Governments of China and Japan recommendations for the solution of the present dispute. But, in order "to facilitate the final solution of existing causes of dispute between the two countries", to quote the words used by M. Briand when explaining to the Council the text of the resolution which originated the Commission, we now offer to the League of Nations, as the result of our studies, suggestions designed to help the appropriate organ of the League to draw up definite proposals for submission to the parties to the dispute. It should be understood that these suggestions are intended as an illustration of one way in which the conditions we have laid down in the preceding chapter might be met. They are mainly concerned with broad principles; they leave many details to be filled in and are susceptible of considerable modification by the parties to the dispute if they are willing to accept some solution on these lines.

Even if the formal recognition of "Manchukuo" by Japan should take place before our Report is considered in Geneva — an eventuality which we cannot ignore — we do not think that our work will have been rendered valueless. We believe that, in any case, the Council would find that our Report contains suggestions which would be helpful for its decisions or for its recommendations to the two great Powers concerned, with the object of satisfying their vital interests in Manchuria.

It is with this object that, whilst bearing in mind the principles of the League of Nations, the spirit and letter of the Treaties concerning China and the general interests of peace, we have not overlooked existing realities, and have taken account of the administrative machinery existing and in process of evolution in the Three Eastern Provinces. It would be the function of the Council, in the paramount interest of world peace, whatever may be the eventuality, to decide how the suggestions made in our Report may be extended and applied to events which are still developing from day to day, always with the object of securing a durable understanding between China and Japan by utilising all the sound forces, whether in ideals or persons, whether in thought or action, which are at present fermenting in Manchuria.

**Invitation to
the parties
to discuss
settlement.**

**An Advisory
Conference.**

We suggest, in the first place, that the Council of the League should invite the Governments of China and Japan to discuss a solution of their dispute on the lines indicated in the last chapter.

If the invitation is accepted, the next step would be the summoning as soon as possible of an Advisory Conference, to discuss and to recommend detailed proposals for the constitution of a special regime for the administration of the Three Eastern Provinces.

Such conference, it is suggested, might be composed of representatives of the Chinese and Japanese Governments and of two delegations representing the local population, one selected in a manner to be prescribed by the Chinese Government and one selected in a manner to be prescribed by the Japanese Government. If agreed by the parties, the assistance of neutral observers might be secured.

If the conference were unable to reach agreement on any particular point, it would submit to the Council the point of difference, and the Council would then attempt to secure an agreed settlement on these points.

Simultaneously with the sitting of the Advisory Conference, the matters at issue between Japan and China relating to respective rights and interests

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should be discussed separately, in this case also, if so agreed, with the help of neutral observers.

Finally, we suggest that the results of these discussions and negotiations should be embodied in four separate instruments :

1. A Declaration by the Government of China constituting a special administration for the Three Eastern Provinces, in the terms recommended by the Advisory Conference ;
2. A Sino-Japanese Treaty dealing with Japanese interests ;
3. A Sino-Japanese Treaty of Conciliation and Arbitration, Non-Aggression and Mutual Assistance.
4. A Sino-Japanese Commercial Treaty.

It is suggested that, before the meeting of the Advisory Conference, the broad outlines of the form of administration to be considered by that body should be agreed upon between the parties, with the assistance of the Council. Among the matters to be considered at that stage are the following :

The place of meeting of the Advisory Conference, the nature of the representation, and whether or not neutral observers are desired ;

The principle of the maintenance of the territorial and administrative integrity of China and the grant of a large measure of autonomy to Manchuria ;

The policy of creating a special gendarmerie as the sole method of maintaining internal order ;

The principle of settling the various matters in dispute by means of the separate treaties suggested ;

The grant of an amnesty to all those who have taken part in the recent political developments in Manchuria.

When once these broad principles have been agreed upon beforehand the fullest possible discretion as regards the details would be left to the representatives of the parties at the Advisory Conference or when negotiating the treaties. Further reference to the Council of the League of Nations would only take place in the event of failure to agree.

Among the advantages of this procedure, it is claimed that, while it is consistent with the sovereignty of China, it will enable effective and practical measures to be taken to meet the situation in Manchuria as it exists to-day and, at the same time, allow for such modifications hereafter as the changes in the internal situation in China may warrant. Notice, for instance, has been taken in this Report of certain administrative and fiscal changes which have either been proposed or actually carried out in Manchuria recently, such as the re-organisation of provincial governments, the creation of a central bank, the employment of foreign advisers. These features might be retained with advantage by the Advisory Conference. The presence at the conference of representatives of the inhabitants of Manchuria, selected in some such way as we have suggested, should also facilitate the passage from the present to the new regime.

The autonomous regime contemplated for Manchuria is intended to apply to the three provinces of Liaoning (Fengtien), Kirin and Heilungkiang only. The rights at present enjoyed by Japan in the province of Jehol (Eastern Inner Mongolia) would be dealt with in the treaty on the subject of Japanese interests.

The four Instruments can now be considered *serialim* :

1. THE DECLARATION.

The final proposals of the Advisory Conference would be submitted to the Chinese Government, and the Chinese Government would embody them in a Declaration, which would be transmitted to the League of Nations and

**Advantages
claimed for
the procedure.**

should be discussed separately, in this case also, if so agreed, with the help of neutral observers.

Finally, we suggest that the results of these discussions and negotiations should be embodied in four separate instruments :

1. A Declaration by the Government of China constituting a special administration for the Three Eastern Provinces, in the terms recommended by the Advisory Conference ;
2. A Sino-Japanese Treaty dealing with Japanese interests ;
3. A Sino-Japanese Treaty of Conciliation and Arbitration, Non-Aggression and Mutual Assistance.
4. A Sino-Japanese Commercial Treaty.

It is suggested that, before the meeting of the Advisory Conference, the broad outlines of the form of administration to be considered by that body should be agreed upon between the parties, with the assistance of the Council. Among the matters to be considered at that stage are the following :

The place of meeting of the Advisory Conference, the nature of the representation, and whether or not neutral observers are desired ;

The principle of the maintenance of the territorial and administrative integrity of China and the grant of a large measure of autonomy to Manchuria ;

The policy of creating a special gendarmerie as the sole method of maintaining internal order ;

The principle of settling the various matters in dispute by means of the separate treaties suggested ;

The grant of an amnesty to all those who have taken part in the recent political developments in Manchuria.

When once these broad principles have been agreed upon beforehand the fullest possible discretion as regards the details would be left to the representatives of the parties at the Advisory Conference or when negotiating the treaties. Further reference to the Council of the League of Nations would only take place in the event of failure to agree.

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to the signatory Powers of the Nine-Power Treaty. The Members of the League and the signatory Powers of the Nine-Power Treaty would take note of this Declaration, which would be stated to have for the Chinese Government the binding character of an international engagement.

The conditions under which subsequent revision of the Declaration, if required, might take place would be laid down in the Declaration itself, as agreed to in accordance with the procedure suggested hereabove.

The Declaration would distinguish between the powers of the Central Government of China in the Three Eastern Provinces and those of the autonomous local Government.

It is suggested that the powers to be reserved to the Central Government should be the following :

Powers to be reserved to the Central Government.

1. The control of general treaty and foreign relations not otherwise provided for ; it being understood that the Central Government would not enter into any international engagements inconsistent with the terms of the Declaration.

2. The control of the Customs, the Post Office, and the Salt Gabelle, and possibly of the administration of the stamp duty and the tobacco and wine taxes. The equitable division, between the Central Government and the Three Eastern Provinces, of the net income from these revenues would be determined by the Advisory Conference.

3. The power of appointment, at least in the first instance, of the Chief Executive of the Government of the Three Eastern Provinces in accordance with the procedure to be laid down in the Declaration. Vacancies would be filled in the same way, or by some system of selection in the Three Eastern Provinces, to be agreed upon by the Advisory Conference and inserted in the Declaration.

4. The power of issuing to the Chief Executive the carrying out of the international engagements entered into by the Central Government of China in matters under the administration of the autonomous Government of the Three Eastern Provinces.

5. Any additional powers agreed upon by the Conference.

All other powers would be vested in the autonomous Government of the Three Eastern Provinces.

Powers of the local government.

Expression of local opinion.

Some practical system might be devised to secure an expression of the opinion of the people on the policy of the Government, possibly through the traditional agency of the Chambers of Commerce, Guilds and other civil organisations.

Minorities.

Some provision should also be made to safeguard the interests of White Russians and other minorities.

Gendarmerie.

It is suggested that a special gendarmerie should be organised, with the collaboration of foreign instructors, which would be the only armed force within the Three Eastern Provinces. The organisation of the gendarmerie should either be completed within a period to be specified in advance, or the time of its completion should be determined in accordance with a procedure to be laid down in the Declaration. As this special corps would be the only armed force in the territory of the Three Eastern Provinces, its organisation, when completed, should be followed by the retirement from this territory of all other armed forces, including any special bodies of police or railway guards, whether Chinese or Japanese.

Foreign advisers.

An adequate number of foreign advisers would be appointed by the Chief Executive of the autonomous Government, of whom a substantial proportion should be Japanese. The details would be worked out by the procedure described above and would be stated in the Declaration. Nationals of small States, as well as of the Great Powers, would be eligible.

The appointment of two foreigners of different nationalities to have supervision of (1) the constabulary and (2) the fiscal administration would

be made by the Chief Executive from a panel submitted by the Council of the League. These two officials would have extensive powers during the period of organisation and trial of the new regime. The powers of the advisers would be defined in the Declaration.

The appointment of one foreigner as a general adviser to the Central Bank of the Three Eastern Provinces would be made by the Chief Executive from a panel submitted by the Board of Directors of the Bank for International Settlements.

The employment of foreign advisers and officials is in conformity with the policy of the founder of the Chinese Nationalist Party and with that of the present National Government. It will not, we hope, be difficult for Chinese opinion to recognise that the actual situation and the complexity of the foreign interests, rights and influences in those provinces require special measures in the interests of peace and good government. But it cannot be too strongly emphasised that the presence of the foreign advisers and officials here suggested, including those who, during the period of the organisation of the new regime, must exercise exceptionally wide powers, merely represents a form of international co-operation. They must be selected in a manner acceptable to the Chinese Government and one which is consistent with the sovereignty of China. When appointed, they must regard themselves as the servants of the Government employing them, as has always been the case in the past with the foreigners employed in the Customs and Postal administration or with the technical organisations of the League that have collaborated with China. In this connection, the following passage in the speech of Count Uchida in the Japanese Diet on August 25th, 1932, is of interest :

“ Our own Government, since the Meiji Restoration, has employed many foreigners as advisers or as regular officials ; their number, for instance, in the year 1875 or thereabout exceeded 500. ”

The point must also be stressed that the appointment of a relatively large number of Japanese advisers, in an atmosphere of Sino-Japanese co-operation, would enable such officials to contribute the training and knowledge specially suited to local conditions. The goal to be kept in view throughout the period of transition is the creation of a civil service composed of Chinese, who will ultimately make the employment of foreigners unnecessary.

2. THE SINO-JAPANESE TREATY DEALING WITH JAPANESE INTERESTS.

Full discretion would of course be left to those who will negotiate the three suggested treaties between China and Japan, but it may be useful to indicate the matters with which it is suggested they should deal.

The treaty dealing with Japanese interests in the Three Eastern Provinces and with some Japanese interests in the Province of Jehol would have to deal principally with certain economic rights of Japanese nationals and with railway questions. The aims of this treaty should be :

Aims of the
Treaty.

- (1) The free participation of Japan in the economic development of Manchuria, which would not carry with it a right to control the country either economically or politically ;
- (2) The continuance in the Province of Jehol of such rights as Japan now enjoys there ;
- (3) An extension to the whole of Manchuria of the right to settle and lease land, coupled with some modification of the principle of extra-territoriality ;
- (4) An agreement regarding the operation of the railways.

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Aims of the
Treaty.

**Japanese
rights of
settlement.**

Hitherto, the rights of settlement of Japanese nationals have been confined to South Manchuria, though no definite boundary line between North and South Manchuria has ever been fixed, and to Jehol. These rights have been exercised under conditions which China found unacceptable and this caused continued friction and conflicts. Extra-territorial status as regards taxation and justice was claimed both for the Japanese and the Koreans, and in the case of the latter there were special stipulations which were ill-defined and the subject of disputes. From evidence given before the Commission, we have reason to believe that China would be willing to extend to the whole of Manchuria the present limited right of settlement, provided it was not accompanied by extra-territorial status, the effect of which, it was claimed, would be to create a Japanese State in the heart of a Chinese territory.

It is obvious that the right of settlement and extra-territoriality are closely associated. It is, however, equally clear that the Japanese would not consent to abandon their extra-territorial status until the administration of justice and finance had reached a very much higher standard than has hitherto prevailed in Manchuria.

Two methods of compromise have suggested themselves. One is that the existing rights of settlement, accompanied by extra-territorial status, should be maintained, and that such rights should be extended both to Japanese and Koreans in North Manchuria and Jehol without extra-territorial status. The other is that the Japanese should be granted the right to settle anywhere in Manchuria and Jehol with extra-territorial status, and that the Koreans should have the same rights without extra-territorial status. Both proposals have some advantages to recommend them and both have rather serious objections. It is obvious that the most satisfactory solution of the problem is to make the administration of these Provinces so efficient that extra-territorial status will no longer be desired. It is with this object that we recommend that at least two foreign advisers, one of whom should be of Japanese nationality, should be attached to the Supreme Court, and other advisers might with advantage be attached to other Courts. The opinions of these advisers might be made public in all cases in which the Courts were called upon to adjudicate on matters in which foreign nationals were involved. We also think that, in the period of re-organisation, some foreign supervision of the administration of finance is desirable and, in dealing with the Declaration, we have presented some suggestions to that effect.

A further safeguard would be provided by the establishment, under the treaty of conciliation, of an arbitration tribunal to deal with any complaints which the Chinese or Japanese Governments might bring in their own names or in those of their nationals.

The decision of this complicated and difficult question must rest with the parties negotiating the treaty, but the present system of foreign protection, when applied to a minority group as numerous as the Koreans, who are, moreover, increasing in number and who live in such close touch with the Chinese population, is bound to produce many occasions of irritation, leading to local incidents and foreign intervention. In the interests of peace, it is desirable that this fruitful source of friction should be removed.

Any extension of the rights of settlement in the case of Japanese would apply on the same conditions to the nationals of all other Powers which enjoy the benefits of a "most-favoured-nation" clause, provided that those Powers whose nationals enjoy extra-territorial rights enter into a similar treaty with China.

Railways.

As regards railways, it has been pointed out in Chapter III that there has been little or no co-operation in the past between the Chinese and Japanese railway builders and authorities directed to achieving a

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As regards railways, it has been pointed out in Chapter III that there has been little or no co-operation in the past between the Chinese and Japanese railway builders and authorities directed to achieving a

comprehensive and mutually beneficial railway plan. It is obvious that, if future friction is to be avoided, provisions must be made in the treaty at present under discussion for bringing to an end the competitive system of the past, and substituting a common understanding as regards freights and tariffs on the various systems. The subject is discussed in the special study No. 1 annexed to this Report. In the opinion of the Commission, there are two possible solutions, which could be considered either as alternatives or as stages to one final solution. The first, which is the more limited in scope, is a working agreement between the Chinese and Japanese railway administrations, which would facilitate their co-operation. China and Japan might agree to manage their respective railway systems in Manchuria on the principle of co-operation, and a joint Sino-Japanese Railway Commission, with at least one foreign adviser, might exercise functions analogous to those of boards which exist in some other countries. A more thorough remedy would be provided by an amalgamation of the Chinese and Japanese railway interests. Such an amalgamation, if it could be agreed upon, would be the true mark of that Sino-Japanese economic collaboration to secure which is one of the objects of this Report. While safeguarding the interests of China, it would place at the disposal of all the railways in Manchuria the benefit of the great technical experience of the South Manchuria Railway and could be evolved without difficulty from the system which has been applied to the railways of Manchuria in the last few months. It might even pave the way in the future to some wider international agreement which might include the Chinese Eastern Railway. Though a fairly detailed description of such an amalgamation is to be found in the annex as an example of the sort of thing that might be done, only direct negotiations between the parties could evolve a detailed scheme. Such a solution of the railway question would make the South Manchuria Railway a purely commercial enterprise, and the security provided by the special corps of gendarmerie, when once this body was fully organised, would enable the Railway Guards to be withdrawn, thus saving a considerable item of expense. If this is done, it would be well that special land regulations and a special municipal administration should previously be instituted in the railway area in order to safeguard the vested interests of the South Manchuria Railway and of Japanese nationals.

If a treaty on these lines could be agreed upon, a legal basis for Japanese rights in the Three Eastern Provinces and in Jehol would have been found which would be at least as beneficial to Japan as the present treaties and agreements, and one which would be more acceptable to China. China might then find no difficulty in recognising all the definite grants made to Japan by such treaties and agreements as those of 1915, unless abrogated or modified by the new treaty. All minor rights claimed by Japan, the validity of which may be open to dispute, should be the subject of agreement. In case of disagreement, resort should be made to the procedure outlined in the treaty of conciliation.

3. THE SINO-JAPANESE TREATY OF CONCILIATION AND ARBITRATION, NON-AGGRESSION AND MUTUAL ASSISTANCE.

It is not necessary to describe in any detail the subject-matter of this treaty, of which there are many precedents and existing examples.

Such a treaty would provide for a board of conciliation, whose functions would be to assist in the solution of any difficulties as they arise between the Governments of China and Japan. It would also establish an arbitration tribunal composed of persons with judicial experience and the necessary knowledge of the Far East. This tribunal would deal with any disputes

between the Chinese and Japanese Governments regarding the interpretation of the declaration or of the new treaties, and with such other categories of disputes as might be specified in the treaty of conciliation.

Finally, in conformity with the provisions for non-aggression and mutual assistance inserted in the treaty, the contracting parties should agree that Manchuria should gradually become a demilitarised area. With this object, it would be provided that, after the organisation of the gendarmerie had been effected, any violation of the demilitarised territory by either of the parties or by a third party would constitute an act of aggression entitling the other party, or both parties in the case of a third-party attack, to take whatever measures might be deemed advisable to defend the demilitarised territory, without prejudice to the right of the Council of the League to take action under the Covenant.

If the Government of the U.S.S.R. desired to participate in the non-aggression and mutual assistance section of such a treaty, the appropriate clauses could be embodied in a separate tripartite agreement.

4. THE SINO-JAPANESE COMMERCIAL TREATY.

The commercial treaty would naturally have as its object the establishment of conditions which would encourage as much as possible the exchange of goods between China and Japan, while safeguarding the existing treaty rights of other countries. This treaty should also contain an undertaking by the Chinese Government to take all measures within its power to forbid and repress organised boycott movements against Japanese trade, without prejudice to the individual rights of Chinese consumers.

* * *

The above suggestions and considerations regarding the objects of the proposed Declaration and treaties are submitted for the consideration of the Council of the League. Whatever may be the details of future agreements, the essential point is that negotiations should be begun as soon as possible and should be conducted in a spirit of mutual confidence.

Our work is finished.

Manchuria for a year past has been given over to strife and turmoil.

The population of a large, fertile and rich country has been subjected to conditions of distress such as it has probably never experienced before.

The relations between China and Japan are those of war in disguise, and the future is full of anxiety.

We have reported the circumstances which have created these conditions.

Everyone is fully aware of the gravity of the problem which confronts the League of Nations and of the difficulties of the solution.

At the moment of concluding our Report, we read in the Press two statements by the Foreign Ministers of China and Japan, from each of which we would extract one point of the utmost importance.

On August 28th, Mr. Lo Wen Kan declared at Nanking :

“ China is confident that any reasonable proposal for the settlement of the present situation will necessarily be compatible with the letter and spirit of the Covenant of the League of Nations and the anti-war Pact, and the Nine-Power Treaty, as well as with China's sovereign power, and will also effectively secure a durable peace in the Far East. ”

On August 30th, Count Uchida is reported to have declared at Tokyo :

“ The Government considers the question of Sino-Japanese relations as more important than the question of Manchuria and Mongolia. ”

We cannot close our Report more appropriately than by reproducing here the thought underlying these two statements: as exactly does it correspond with the evidence we have collected, with our own study of the problem, and consequently with our own convictions, so confident are we that the policy indicated by these declarations, if promptly and effectively applied, could not fail to lead to a satisfactory solution of the Manchurian question in the best interests of the two great countries of the Far East and of humanity in general.

Signed at Peiping, September 4th, 1932.

LYTTON.
ALDROVANDI.
H. CLAUDEL.
Frank McCOY.
SCHNEE.

APPENDIX.

**ITINERARY IN THE FAR EAST OF THE
LEAGUE OF NATIONS COMMISSION OF ENQUIRY.**

(Council Resolution of December 10th, 1931.)

(See also Maps Nos. 13 and 14.)

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|----------------------------|--|-------------------------------------|---------------------|--------------------------------|------------|--|
| February 29th | Arr. | Yokohama | Water | S.S. <i>President Coolidge</i> | 1 | Commissioners, Pelt, von Kotze, Pastuhov, Astor, Jouvelet, Biddle. Joined by Haas (arrived February 25th, from Shanghai). |
| | Left Arr. | Yokohama Tokyo | Rail | | | |
| February 29th to March 8th | | Tokyo | | | 1 | Joined by Aoki (February 29th). Dropped Haas (March 8th, followed party to Osaka, March 9th). |
| March 8th 9th 10th | Left Arr. Left Arr. Left Arr. | Tokyo Kyoto " Nara " Osaka | Rail | | 1 | Rejoined by Haas (from Tokyo). |
| 11th | Left | Osaka | Motor and cable car | Via Mt. Rokko | | |
| | Arr. Left | Kobe " | Water | S.S. <i>President Adams</i> | | |
| 14th | Arr. | Shanghai | | | | |
| 14th to 26th | | Shanghai | | | 1 | Joined by Charrère, Wou (March 14th) and Young (March 18th, from Peiping). Dropped Aoki (March 25th, returned to Tokyo) and Haas (March 26th ; followed party to Nanking, March 28th). |

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| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|-------------------------|--------------------------------------|---|-----------------|-------------------------------|------------|---|
| March 26th | Left | Shanghai | Rail | | 1 | Claudel, McCoy, Schnee, Young, Blakeslee, von Kotze, Jouvelet, Biddle. |
| 27th | Arr. Left Arr. Left Arr. | Hangehow " Ihsing " Nanking | Motor | | | |
| 26th | Left | Shanghai | Water | S.S. <i>Toongwo</i> | 1 | Lytton, Aldrovandi, Pelt, Pastuhov, Astor, Charrère, Wou. |
| 27th | Arr. | Nanking | | | | |
| March 27th to April 1st | | Nanking | | | 1 | Rejoined by Haas (March 29th, from Shanghai). Dropped Young and Astor (April 1st ; see A, below). |
| April 1st | Left | Nanking | Air | | A | Young, Astor. |
| 2nd | Arr. Left | Hankow " | | | | |
| 3rd | Arr. Left | Chungking " | | | | |
| 4th | Arr. Left Arr. | Ichang " Hankow | | | | Rejoined main party. |
| 1st | Left | Nanking | Water | S.S. <i>Loongwo</i> | 1 | Commissioners, Haas, Blakeslee, Pelt, von Kotze, Pastuhov, Jouvelet, Charrère, Wou, Biddle. |
| 3rd | Arr. Left | Kiukiang " | | | | |
| 4th | Arr. | Hankow | | | | Rejoined by Young and Astor (See A, above). |
| 5th | Left | Hankow | | | | |
| 6th | Arr. Left | Kiukiang " | | | | |
| 7th | Arr. Left | Pukow " | Rail | | | |
| 8th | Arr. Left | Tsinan " | | | | |
| 9th | Arr. Left Arr. | Tientsin " Peiping | | | | |
| 9th to 19th | | Peiping | | | 1 | Joined by Angelino (April 14th, from Java). |
| 19th | Left | Peiping | | | | |
| 20th | Arr. | Chinwangtao | | | | |
| 20th | Left | Chinwangtao | Water | Chinese and Japanese warships | 2 | Lytton, Claudel, Schnee, Pelt, Pastuhov, Astor, Jouvelet, Wou. |
| 21st | Arr. Left Arr. | Dairen " Mukden | Rail | | | |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|-----------------------|--|--|-----------------|---------|------------|---|
| April 20th | Left | Chinwangtao | Rail | | 2 | Aldrovandi, McCoy, Haas, Angelino, Young, Blakeslee, von Kotze, Charrère, Biddle. |
| 21st | Arr. Left Arr. Left Arr. Left Arr. | Shanhalkwan " Chinwangtao " Shanhalkwan " Mukden | | | | |
| April 21st to May 2nd | | Mukden | | | 2 | Joined by Hiam (April 21st ; arrived April 16th, from Canada), Moss (May 1st, from Weihaiwei) and de Peyre (May 1st, from Kobe). |
| May 2nd | Left | Mukden | Rail | | 2 | Commissioners, Haas, Angelino, Hiam, Young, Blakeslee, Pelt, von Kotze, Pastuhov, Astor, Jouvet, Moss, de Peyre, Charrère, Wou, Biddle |
| | Arr. Left Arr. | Kunghuling Kunghuling Changehun | | | | |
| 2nd to 7th | | Changehun | | | | |
| 7th | Left Arr. Left Arr. | Changehun Kirin " Changehun | | | | |
| 7th to 9th | | Changehun | | | | |
| 9th | Left Arr. | Changehun Harbin | | | | |
| 9th to 21st | | Harbin | | | 2 | Joined by Dennery (May 9th ; arrived May 6th, from Paris), Dorfman (May 10th ; arrived May 9th, from Tokyo). Dropped : von Kotze, Hiam, Astor, Moss, Biddle (May 21st ; see B, below) ; Young (May 21st ; followed to Mukden, May 23rd) ; Pelt, Dennery, Dorfman (May 21st ; followed to Changchun and Mukden (May 23rd). |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|-----------------------|--|--|-----------------|---------|------------|---|
| April 20th | Left | Chinwangtao | Rail | | 2 | Aldrovandi, McCoy, Haas, Angelino, Young, Blakeslee, von Kotze, Charrère, Biddle. |
| 21st | Arr. Left Arr. Left Arr. Left Arr. | Shanhalkwan " Chinwangtao " Shanhalkwan " Mukden | | | | |
| April 21st to May 2nd | | Mukden | | | 2 | Joined by Hiam (April 21st ; arrived April 16th, from Canada), Moss (May 1st, from Weihaiwei) and de Peyre (May 1st, from Kobe). |
| May 2nd | Left | Mukden | Rail | | 2 | Commissioners, Haas, Angelino, Hiam, Young, Blakeslee, Pelt, von Kotze, Pastuhov, Astor, Jouvellet, Moss, de Peyre, Charrère, Wou, Biddle |
| | Arr. Left Arr. | Kungehuling Kungehuling Changehun | | | | |
| 2nd to 7th | | Changehun | | | | |
| 7th | Left Arr. Left Arr. | Changehun Kirin " Changehun | | | | |
| 7th to 9th | | Changehun | | | | |
| 9th | Left Arr. | Changehun Harbin | | | | |
| 9th to 21st | | Harbin | | | 2 | Joined by Dennery (May 9th ; arrived May 6th, from Paris), Dorfman (May 10th ; arrived May 9th, from Tokyo). Dropped : von Kotze, Hiam, Astor, Moss, Biddle (May 21st ; see B, below) ; Young (May 21st ; followed to Mukden, May 23rd) ; Pelt, Dennery, Dorfman (May 21st ; followed to Changchun and Mukden (May 23rd). |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|--------------|---------------------|-------------|-----------------|---------|------------|--|
| May 21st, | Left | Harbin | Rail | | 2 | Commissioners, Haas, Angelino, Blakeslee, Pastuhov, Jouvelet, Charrère, Wou, de Peyre. |
| | Arr. | Changehun | | | | |
| | Left | " | | | | |
| | Arr. | Mukden | | | | |
| 22nd | Left | Harbin | Air | | B | Von Kotze, Hiam, Astor, Moss, Biddle. |
| | Arr. | Tsitsihar | | | | |
| 22nd to 24th | | Tsitsihar | | | | |
| 24th | Left | Tsitsihar | Rail | | | |
| | Arr. | Taonan | | | | |
| | Left | " | | | | |
| 25th | Arr. | Mukden | | | | |
| 21st to 25th | | Mukden | | | 2 | Departed : de Peyre (May 21st, for Kobe). Rejoined by : Young (May 24th, from Harbin) ; Pelt, Dennery, Dorfman (May 25th, from Harbin and Changchun) ; von Kotze, Hiam, Astor, Moss, Biddle (May 25th ; see B, above). |
| 25th | Left | Mukden | Rail | | 2 | Commissioners, Haas, Angelino, Hiam, Young, Blakeslee, Pelt, Dennery, Dorfman, von Kotze, Pastuhov, Astor, Jouvelet, Moss, Charrère, Wou, Biddle. |
| 26th | Arr. | Dalren | Motor | | | |
| 27th | Left | " | | | | |
| | Arr. | Port Arthur | | | | |
| | Left | " | | | | |
| | Arr. | Dalren | | | | |
| 26th to 30th | | Dalren | | | | Dropped : Angelino, Young, Pastuhov (May 30th ; preceded party to Peiping, via Tangku). |
| 30th | Left | Dalren | Rail | | 2 | Commissioners, Haas, Hiam, Blakeslee, Pelt, Dennery, Dorfman, von Kotze, Astor, Jouvelet, Moss, Charrère, Wou, Biddle Dropped Dennery (followed to Mukden, May 31st). |
| 30th | Arr. | Anshan | | | | |
| | Left | " | | | | |
| | Arr. | Mukden | | | | |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|--------------|---------------------|-------------|-----------------|---------|------------|--|
| May 21st, | Left | Harbin | Rail | | 2 | Commissioners, Haas, Angelino, Blakeslee, Pastuhov, Jouvelet, Charrère, Wou, de Peyre. |
| | Arr. | Changehun | | | | |
| | Left | " | | | | |
| | Arr. | Mukden | | | | |
| 22nd | Left | Harbin | Air | | B | Von Kotze, Hiam, Astor, Moss, Biddle. |
| | Arr. | Tsitsihar | | | | |
| 22nd to 24th | | Tsitsihar | | | | |
| 24th | Left | Tsitsihar | Rail | | | |
| | Arr. | Taonan | | | | |
| | Left | " | | | | |
| 25th | Arr. | Mukden | | | | |
| 21st to 25th | | Mukden | | | 2 | Departed : de Peyre (May 21st, for Kobe). Rejoined by : Young (May 24th, from Harbin) ; Pelt, Dennery, Dorfman (May 25th, from Harbin and Changchun) ; von Kotze, Hiam, Astor, Moss, Biddle (May 25th ; see B, above). |
| 25th | Left | Mukden | Rail | | 2 | Commissioners, Haas, Angelino, Hiam, Young, Blakeslee, Pelt, Dennery, Dorfman, von Kotze, Pastuhov, Astor, Jouvelet, Moss, Charrère, Wou, Biddle. |
| 26th | Arr. | Dairen | Motor | | | |
| 27th | Left | " | | | | |
| | Arr. | Port Arthur | | | | |
| | Left | " | | | | |
| | Arr. | Dairen | | | | |
| 26th to 30th | | Dairen | | | | Dropped : Angelino, Young, Pastuhov (May 30th ; preceded party to Peiping, via Tangku). |
| 30th | Left | Dairen | Rail | | 2 | Commissioners, Haas, Hiam, Blakeslee, Pelt, Dennery, Dorfman, von Kotze, Astor, Jouvelet, Moss, Charrère, Wou, Biddle Dropped Dennery (followed to Mukden, May 31st). |
| 30th | Arr. | Anshan | | | | |
| | Left | " | | | | |
| | Arr. | Mukden | | | | |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|----------------------|---------------------|------------------------|-----------------|-------------------------|------------|---|
| May 30th to June 4th | | Mukden | | | 2 | Rejoined by Dennery (May 31st, from Anshan). Dropped : Dennery (June 1st, preceded party to Fushun); Haas, Hiam (June 1st ; preceded party to Peiping, via Shanhaikwan); Pelt, Dorfman (June 2nd ; see C, below). |
| June 1st | Left | Mukden | Rail | | 2 | Commissioners, von Kotze, Blakeslee, Pelt, Dennery, Dorfman, Astor, Jouvelet, Moss, Charrère, Wou, Biddle. |
| | Arr. | Fushun | | | | Rejoined by Dennery (preceded party from Mukden). |
| | Left | " | | | | Dropped Dennery (proceeded to Dairen). |
| | Arr. | Mukden | | | | |
| 2nd 3rd | Left Arr. | Mukden Dairen | Rail | | C | Pelt, Dorfman. Rejoined by Dennery (arrived June 2nd, from Fushun). |
| 3rd to 6th | | Dairen | | | | |
| 6th | Left | Dairen | Water | S.S. <i>Saitsu Maru</i> | | |
| 7th | Arr. Left Arr. | Tangku " Pelping | Rail | | | |
| 4th | Left | Mukden | Rail | | 2 | Commissioners, von Kotze, Blakeslee, Astor, Jouvelet, Moss, Charrère, Wou, Biddle. |
| | Arr. Left Arr. | Chinchow " Shanhaikwan | | | | |
| | Left Arr. | " Peltaiho Beach | | | | |
| 5th | Left Arr. | " Pelping | | | | |
| 5th to 28th | | Pelping | | | 3 | Departed : Moss (June 26th, for Weihaiwei). Dropped : Dennery (June 25th, preceded party to Tientsin); Dorfman (June 27th ; see D, below). |

Da
June
1
1
1
2
2
3
June 3
to
July 1
July 1
1
June

July

June

July

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|------------------------|---------------------|-------------|-----------------|-------------------------|------------|---|
| June 8th | Left | Peiping | Rail | | 3 | Lytton, Aldrovandi, Schnee, Charrère, Biddle. |
| 9th | Arr. | Tsingtao | | | | |
| 10th | Left | " | | | | |
| 11th | Arr. | Taian | | | | |
| 12th | Left | " | | | | |
| | Arr. | Peiping | | | | |
| 27th | Left | Peiping | Rail | | D | Dorfman. |
| 29th | Arr. | Nanking | | | | |
| 30th | Left | " | | | | |
| | Arr. | Shanghai | | | | |
| June 30th to July 15th | | Shanghai | | | | |
| July 15th | Left | Shanghai | | | | |
| 17th | Arr. | Peiping | | | | |
| June 28th | Left | Peiping | Rail | | 4 | Commissioners, Haas, Young, Blakeslee, Pelt, Astor, Jouvelet, Charrère, Biddle. Rejoined by Dennery (arrived June 25th, from Peiping). |
| | Arr. | Tientsin | | | | |
| 29th | Left | " | | | | |
| | Arr. | Shanhaikwan | | | | |
| 30th | Left | " | | | | Dropped Pelt (see G, below). |
| | Arr. | Antung | | | | |
| July 1st | Left | " | | | | |
| 2nd | Arr. | Keijo | | | | |
| | Left | " | | | | |
| | Arr. | Fusan | Water | S.S. <i>Shokei Maru</i> | | |
| | Left | " | | | | |
| 3rd | Arr. | Shimonoseki | | | | |
| 4th | Left | " | Rail | | | |
| | Arr. | Tokyo | | | | |
| June 28th to July 20th | | Peiping | | | E | Angelino, Hiam, Dorfman, von Kotze, Pastuhov, Wou. Dropped Hiam (June 29th; see F, below), von Kotze (July 2nd, see H, below), Pastuhov (July 4th, followed main party to Tokyo). Rejoined by Pelt (July 10th; see G, below). Dropped Pelt (July 19th, proceeded to Tsinan by air). |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|-------------|----------------------|---------------------------|-----------------|------------------------------|------------|--|
| June 29th | Left | Peiping | Rail | | F | Hiam. |
| July 1st | Arr. | Shanghai | | S.S. <i>Empress of Japan</i> | | |
| 4th | Left | " | Water | | | |
| 6th | Arr. Left Arr. | Kobe " Tokyo | Rail | | | |
| June 30th | Left | Mukden | Rail | | G | Pelt. |
| July 1st | Arr. | Changehun | | | | |
| 2nd | Left Arr. | " Harbin | | | | |
| 2nd to 7th | | Harbin | | | | |
| 7th | Left | Harbin | | | | |
| 8th | Arr. | Mukden | | | | |
| 9th | Left | " | | | | |
| 10th | Arr. | Peiping | | | | |
| 2nd | Left Arr. | Peiping Shanghai | Air | | H | von Kotze. |
| 2nd to 6th | | Shanghai | | | | |
| 6th | Left Arr. | Shanghai Peiping | | | | |
| 4th to 16th | | Tokyo | | | 4 | Rejoined by Aoki (July 4th; arrived March 30th, from Shanghai), Hiam (July 6th; see F, above), Pastuhov (July 8th, from Peiping). Departed: Hiam (July 8th, for Canada). Dropped Lytton (July 15th; preceded party to Kobe, by water from Yokohama), Haas (July 15th, preceded party to Kyoto), Young (July 15th; see I, below). |
| 9th | Left Arr. | Tokyo Miyano-shita | Rail and motor | | | Aldrovandi, Claudel, McCoy, Schnee, Young, Blakeslee, Pastuhov, Jouvelet, Biddle. |
| 9th to 11th | | Miyano-shita | | | | |
| 11th | Left Arr. | Miyano-shita Tokyo | | | | |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel | | | |
|--------------|------------------------|---|--------------------|-------------------------|------------|--|---------------------------|---|--|
| July 14th | Left Arr. | Tokyo | Rail and motor | | | Aldrovandi, McCoy, Schnee, Biddle. | | | |
| 15th | Left Arr. | Nikko Tokyo | | | | | | | |
| 15th 16th | Left Arr. | Tokyo Shimono- seki | Rail | S.S. | I | Young. | | | |
| 17th | Left Arr. | " Fusan | Water | | | | | | |
| | Left Arr. | " Keljo | Rail | | | | | | |
| 17th to 20th | | Keljo | | | | | | | |
| 20th 21st | Left Arr. Left Arr. | Keljo Kwainei " Lungehing- tsun | Rail | | | | | | |
| 21st to 23rd | | Lungehing- tsun | | | | | | | |
| 23rd | Left Arr. | Lungehing- tsun | Air | S.S. <i>Chohei Maru</i> | | Rejoined party. | | | |
| 24th 25th | Left Arr. | Kirin " Changehun | Rail | | | | | | |
| | Left Arr. | " Dalren | Water | | | | | | |
| 26th | Left Arr. | " Tangku | Rail | | | | | | |
| 16th | Left Arr. | Tokyo | Rail | | | | S.S. <i>Chichibu Maru</i> | 4 | Aldrovandi, Claudel, McCoy, Schnee, Dennery, Pastuhov, Astor, Jouvelet, Charrère, Aoki, Biddle. Rejoined by Haas (arrived July 16th, from Tokyo). Rejoined by Lytton (arrived July 16th, from Tokyo). Rejoined by Pelt (arrived July 19th; by air, from Peiping). |
| | 17th | Left Arr. | Kyoto " Kobe | | | | | | |
| 19th 20th | Left Arr. | " Tsingtao | Water | | | | | | |
| | Left Arr. | " Tsinan | Rail | | | | | | |
| 20th | Left Arr. | Tsinan | Rail | | | Aldrovandi, McCoy, Schnee, Haas, Pelt, Pastuhov, Charrère, Biddle. | | | |
| | Arr. | Peiping | | | | | | | |

| Date | Arrived or departed | Place | Means of travel | Remarks | Map symbol | Personnel |
|----------------------------|---------------------|-------------------|-----------------|---------|------------|---|
| July 20th | Left Arr. | Tsinan Pelping | Air | | 4 | Lytton, Claudel, Dennery, Astor, Jouvelet. |
| July 20th to September 4th | | Pelping | | | 4 | Rejoined by : Angelino, Dorfman, von Kotze, Wou (July 20th ; see E, above) ; - Young (July 26th ; see I, above). Departed : Dennery (August 26th, for Paris via U.S.A.) ; Blakeslee (August 31st, for U.S.A.) ; Lytton, Aldrovandi, McCoy, von Kotze, Astor, Biddle (September 4th for Geneva, via Shanghai and Suez) ; Claudel, Schnee, Jouvelet (September 5th, for Geneva, via Siberia). |

EX. 58

DOC. 219

PAGE 1

(COVER PAGE)

PAPERS RELATING TO THE
FOREIGN RELATIONS OF
THE UNITED STATES
JAPAN: 1931-1941

(In Two Volumes)
VOLUME I

Dep't of State
Seal
U. S. of A.

United States
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Washington : 1943

(BACK OF COVER PAGE)

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PREFACE

The documents published in these volumes were selected with a view to presenting a comprehensive record of the diplomatic relations between the United States and Japan in regard to matters related to the causes of conflict between the two countries from the beginning of the Japanese occupation of Manchuria on September 18, 1931, to the Japanese surprise attack on Pearl Harbor on December 7, 1941, and the declaration of war by the United States on December 8, 1941.

The amount of background material here printed has been limited by the necessity of keeping the publication within a reasonable compass. It was obviously impossible to include an absolutely complete selection of even the more important of the pertinent reports coming to the Department from American diplomatic representatives and other observers during the ten years covered. Therefore only reports of special significance have been selected.

While the American Government consulted with other interested powers and at times took parallel action in dealing with crises arising in the Far East during this period, it was not its practice to take joint action. It has therefore been thought advisable to limit the selection to those documents relating ^{directly} to American-Japanese relations without entering into the ramifications of discussions with third powers.

The correspondence with the Japanese Government with respect to losses by American nationals due to bombings and other acts of the Japanese armed forces in China is so voluminous that documents in record of representations in many individual cases have been omitted. This printed record therefore includes only the record of representations of a general character and the number of notes on particular incidents which were thought to be typical.

It is contemplated that additional documents relative to some of the developments treated in the present publication and to other phases of the policy of the United States toward the Far East during the years 1931-1941 will be published in the regular annual volumes of FOREIGN RELATIONS OF THE UNITED STATES.

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DENUNCIATION BY JAPAN OF THE WASHINGTON NAVAL TREATY OF 1922 ¹

(Article 23 of the London Naval Treaty of 1930 (Department of State Treaty Series No. 830) provided that the signatory powers should meet in conference in 1935 "to frame a new treaty to replace and carry out the purposes of the existing treaty.")

In May 1934, the British Cabinet Council considered the question of preparing for the 1935 Conference and at the conclusion of its deliberations asked the American and the Japanese Governments to send representatives to London to carry on preliminary and exploratory conversations which should be bilateral rather than trilateral. The invited Governments accepted, the United States indicating that it would be glad to discuss both procedural and technical naval questions, and Japan declaring the readiness of that Government to deal only with questions of procedure as its preparations on the substance of the naval problem were not yet completed. The Japanese Government sent no delegation to London during the summer. The Anglo-American conversations lasted from June 18 to July 19, 1934.

The second stage of the conversations began shortly after the long-delayed arrival of the Japanese delegation on October 16 and continued until December 19, 1934. In accordance with the original British invitation in June, the procedure followed was that of separate Anglo-American, Anglo-Japanese, and American-Japanese discussions; except on the last day (December 19) no trilateral meetings took place. For text of letter of guidance which President Roosevelt addressed to Mr. Norman H. Davis, October 5, 1934, upon his departure for London to continue the conversations, see telegram no. 373, November 30, 1935, to the Ambassador in Great Britain, page 281.)

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THE AMBASSADOR IN JAPAN (CREW) TO THE SECRETARY OF STATE

no. 520

TOKYO, September 15, 1933
(Received September 30.)

Sir: Japanese naval leaders find themselves at present in a serious quandary. They have, since the ratification of the London Treaty ²

¹For text of the treaty signed at Washington, February 6, 1922, see FOREIGN RELATIONS, 1922, Vol. 1, p. 247.

²London Naval Treaty, signed at London, April 22, 1930, Department of State Treaty Series No. 830.

and especially in the past year or more, insisted that Japan must demand parity, or at least a great increase in relative tonnage, at the next Naval Conference in 1935. They have built up a feeling among the people of resentment and contempt for anything connected with the London Treaty. Premier Hamaguchi and Premier Inukai were assassinated, and other statesmen live in fear of their lives, in consequence of the bitter feeling stirred up against protagonists of the London Treaty. Admirals Takarabe, Yamanashi and Taniguchi have been retired in consequence it is generally believed, of their support of this Treaty. According to the press, Admiral Taniguchi's recent retirement put an end to the high naval influence standing for the maintenance of the present treaty status. His retirement took place during the conduct of the "May 15th trials", which have taken on the character of the Soviet propaganda trials and have stirred up great patriotic ardor against the London Treaty.

The result of these efforts by military leaders has been the creation of an intense antipathy for the arms limitation treaties and a universal demand for revision of the present naval ratios in favor of Japan. This feeling was useful to the Navy leaders until lately, when American naval construction has definitely commenced. The Navy now has the unenviable task of deciding whether to abrogate the treaties next year and start a hopeless competition with far wealthier nations for naval supremacy, or else to accept a continuance of the present ratios and to face an outraged public. Until recently, as the Japanese Navy approached the American Navy in effective tonnage, many leaders had high hopes of achieving parity or near parity with America. A short time ago Vice Admiral Takahashi, Vice Chief of the Naval General Staff, frankly said to the Assistant Naval Attache of this Embassy: "We are going to the Conference in 1935 with a demand for parity. If our demand is rejected, we shall return home."

This hope is now vanishing, as America begins to build toward the Treaty limits. By 1936 they realize that the situation will be comparable to that in 1927.

It is obvious from the flood of comment* which has followed announcement of the American building plans that the Japanese navy leaders are bitterly disappointed. They expected to have everything their own way at the conference in 1935 with their own navy built to the limit and the American navy hardly 75% effective. Their calculations have been completely upset by this new and unexpected development in the United States.

* Embassy's despatch no. 480 of July 26, 1933. (Footnote in the original; despatch under reference not printed.)

At present the Army and Navy are concentrating their efforts on obtaining funds for completion of their armament programs. The Navy program was discussed in brief in the Embassy's previous despatch on reaction to the American building program. The American program is being used as justification for increased demands, and the impression is given out that the second naval replenishment program has been launched only because of the need of keeping pace with America. The fact is, of course, that the second replenishment program was announced in almost the present form as early as January of this year, several months before the American program was conceived. Moreover, the Japanese press invariably remarks that the the American program will bring American naval strength up to Treaty limits, whereas actually it is understood to fall short of the objective by about 175,000 tons. But anything is used these days as an excuse for increased armaments for the Japanese Army and Navy.

There is hereto appended a translation appearing in the Japan Times of an interesting statement by the Minister of War General Araki, in regard to national defence and the necessity of preparation for the approaching crisis in 1935 and 1936³. There is also appended hereto an account of an interview given by the Navy Minister to the Tokyo correspondent of the United Press, which may be of interest in connection with Naval affairs.

Respectfully yours,

Joseph C. Grew

(ENCLOSURE)

Interview Given by the Japanese Minister of Marine (Osumi) to the Correspondent of the United Press in Tokyo

(Undated)

1. Q. Is Japan satisfied with the existing naval agreements? Will she request a larger ratio when the agreements come on for revision in 1936?

A. In the treatment of armament limitation problem the security and the limitation of fighting power are invariably bound together. From this fact it would be apparent that the position of naval armament is always closely dependent on international surroundings. If that is the case, there is no reason why a nation should remain forever content with a treaty which it had once signed. Only out of regard for the welfare of humanity, we signed the London Naval Treaty, but we did not do it unconditionally. As regards the Washington Agreement, it was signed twelve years ago and in our opinion is no longer adequate to guarantee the security of this empire as the

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Japan Times, September 14, 1933; not reprinted

international situation has thoroughly altered in that period of time. Furthermore from the standpoint of true armament limitation it is doubtful if the present ruling is really most rational and economical. At any rate we are not satisfied with the present arrangement, and we will demand the change of ratios at the next conference.

2. Q. Have the existing naval agreements served a useful purpose from the viewpoint of Japan? Does the Japanese Navy favor making new agreements cover additional categories of ships including submarines?

A. From the standpoints of all nations participatory to it, I will not deny that the existing treaties have served some useful purpose. For example:

(a) They have to some extent effectually checked the competition in armament building, as far as the capital ships were concerned.

(b) They have ushered in a building holiday as regards the capital ships and to that extent lightened the burden on the tax-payers.

(c) Through the limitation of the types and guns they have precluded the chance of new ships becoming suddenly incapacitated as the result of a new invention in fighting machineries, and thus prolonged the life of fighting vessels consequently enabling the participants to economize expenditures.

I think these are the benefits common to all nations.

3. Q. Does the Minister apprehend a so-called "naval construction race" between Japan and the United States?

A. As far as the present situation is concerned, Japan and the United States are building only within treaty limits. Hence in my idea the term "naval race" is a sheer misnomer to describe the building position between these two countries.

4. Q. Why do Japanese naval publicists refer to the Mandate Islands in the South Seas as Japan's naval lifeline? Of what value are these islands from a viewpoint of defence?

A. The South Sea Islands are separated from the southernmost islands of Japan by a narrow strip of water. Parts of Japan are situated within the cruising radius of a heavy bombing plane from the South Sea Islands, which possess therefore a great strategical value for the defence of the empire. If they should fall in the hands of a hostile power in war time, it will constitute a direct menace to the safety of our defence. This is why we call it the life-line of our sea defence. Some preach the idea that Japan is going to utilize these islands for an attack on the Pacific coast of the United States and the Hawaiian Islands. But just a look at the map will convince the public of the fallacy of such a doctrine. Can these islands be used as a base of attack on Hawaii which are lying as much as 2,000 miles away beyond the ocean, and this with a navy of lesser strength?

The sheer impossibility of such idea will be apparent to anybody who knows something about naval warfare.

5. Q. Does the Minister believe the purchase of a 45 percent interest in the China Aviation Corporation by American interests is a matter of interest to the Japanese Navy? Does Japan consider American participation in Chinese aviation development as connected with China's defence plans?

A. I am in no position to answer the question 5 except that we have as yet no reliable information in this respect, and that between the civil and the military aviation there is no hard and fast line of distinction, and this circumstance gave rise to embarrassing complication at Geneva whenever the problem was brought up for discussion.

6. Q. What does the Minister consider to be the mission or objectives of the United States and Japanese navies in contrast? Should there be, or is there, any clash in these objectives?

A. Secretary of the Navy, Swanson recently stated that the United States means to hold a navy strong enough to defend the country and its oversea dominions, and to this end will build, maintain and operate the first-in-the-world navy following the provision of existing treaties. If such is the case it can by no means clash with the mission of the Japanese navy which consists in the maintenance of the peace in the Far East and the defence of the empire's position in the Far East. To the Japanese Navy the idea of crossing the Pacific Ocean in order to attack our neighbors is quite alien. Its mission is strictly defensive and legitimate.

7. Q. Does the Minister see any possibility of Japanese-American War?

A. I am positive in the belief that unless Japan's national existence is menaced to the extent that the use of force is the only way to defend it, the world will never find Japan involved in a war with other countries.

500.A4B/559:Telegram

The Ambassador in Japan (Grew) to the Secretary of State
(Paraphrase)

Tokyo, September 18, 1934
noon.

(Received September 18
2:47 a.m.)

204. I was informed by the Minister of Foreign Affairs yesterday that Japan had definitely decided to give notice before December 31, 1934, to terminate the Washington Naval Treaty. Although many elements in the Navy wished to abrogate immediately, the Minister said that he had insisted on delaying until after the London conversations in October, as he intended to discuss the subject with the other

signatories before abrogation so as not to give offense and also for the purpose of avoiding the unfavorable atmosphere before the next naval conference which, if abrogation should take place without a preliminary mutual understanding, might arise. The Minister stated that the abrogation discussions would be conducted separately with the various signatories and that the matter would be taken up with the American delegation at the preliminary conversations in London by Matsudaira, the Japanese Ambassador in Great Britain.

Grew

500.A15A5/211 : Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

London, October 24, 1934-7 p.m.

(Received October 24-5:17 p.m.)

6. In the meeting with the Japanese delegation this morning Matsudaira read a brief general statement of the Japanese position following which Admiral Yamamoto read a more detailed statement. The substance of their position is contained in the following synopsis handed us at the end of the meeting.

"To possess the measure of armaments necessary for national safety is a right to which all nations are equally entitled. In considering the question of disarmament, therefore, due regard must be given to that right in order that the sense of national security of the various powers might not be impaired; and any agreement for the limitation and reduction of armaments must be based on the fundamental principle of "nonaggression and nonmenace."

To that end we believe that the most appropriate method in the field of naval armament is for us, the leading naval powers, to fix a common upper limit which may in no case be exceeded, but within which limit each power would be left free to equip itself in the manner and to the extent which it deems necessary for its defensive needs. It is desirable that this common upper limit should be fixed in the agreement as low as possible and that offensive arms should be reduced to the minimum or abolished altogether in favor of essentially defensive arms so as to facilitate defense and to render attack difficult."

(Paraphrase.) They had made the same declarations to the British yesterday, Matsudaira said.

We limited ourselves to putting questions for the purpose of clarifying the Japanese position particularly with regard to what they meant by "offensive arms" and by a "common upper limit." It was explained by Admiral Yamamoto that the "upper limit" should be the same for each power and should be fixed as low as possible of course; that while Japan would not build up to this maximum necessarily, the treaty

would leave each country, during the treaty period, at liberty to build to any point within that limit which it considered necessary for its security. It was emphasized by Matsudaira that any treaty agreement not to build beyond a certain level within the maximum would constitute, in essence, a disguised continuance of the ratio system and would be interpreted as a perpetuation of naval inferiority by the Japanese people.

Concerning offensive weapons Admiral Yamamoto agreed that, under certain circumstances, all naval weapons partook of an offensive character, but that it was a question of determining which vessels, in comparison with others, were more peculiarly useful for offense; that the Japanese Navy regarded aircraft carriers, capital ships, and 8-inch-gun cruisers as peculiarly offensive naval weapons in the order given. Yamamoto added that, owing to their relative unseaworthiness and short range, submarines were regarded by the Japanese Navy as useful primarily for defense, and that the offensive character of submarines vis-a-vis merchant vessels would be ended if the existing agreement in the London Treaty against the use of submarines for attacking merchant vessels were made effective and universal.

At the request of Matsudaira, I summarized briefly our position as we had stated it to the British last summer in favor of continuing to adhere to the bases and principles on which our Navy had been reduced and limited, combined with a relative reduction in total treaty tonnages. Matsudaira pointed out that his delegation was under definite instructions to propose a new basis for continuing naval limitation, and that a continuance of the present system could^{not} be accepted by them.

I then asked the Japanese to indicate exactly what if anything had occurred during the past 13 years to alter the relative equality in security admittedly established by the ratios set in 1922 for each power. Yamamoto explained that the Washington Treaty had established equality of defense in the waters close to Japan but not in the middle of the Pacific. Developments, since that time, in naval construction and technique, particularly in aviation, had overturned the equilibrium and had cast the balance greatly in favor of a potential attacking fleet, so that today the old figures could not possibly satisfy the feeling of security of the Japanese people. The inferior ratio had, in addition the defect of causing "a certain country"⁵ to regard Japan with a certain amount of contempt which had produced, in turn, serious complications in the Orient and led to the Japanese people's insistent demand for a revision of the system in effect at present. Ambassador Matsudaira referred also to the troubled political situation in the Far East as well as throughout the rest of the world, stating that Euro-

⁵China

pean events had a disturbing psychological effect on Japan and increased the Japanese public's unwillingness that the present treaty principles should continue.

I stated to Matsudaira that they had employed general phrases about equality of rights, etc, which were capable of meaning quite different things to different nations, and that, before determining whether or not the Japanese proposals could be taken into consideration as furnishing a basis for discussion in the future, it would be necessary to determine exactly what they meant; that, in the event there should be no objection to discussing a different basis for continuing naval limitations and reductions, it would appear that the Japanese suggestions might involve such fundamental alterations in principle, policy, and theory as to necessitate a reopening and re-examination of all the questions which had gone into the formulation of the present naval treaties. I expressed doubt of the practicability and advisability of this, particularly at this time. It had been our hope that it would not be necessary to bring up political questions, in the preliminary conversations at least, which might be involved by some of their proposals. Matsudaira recognized that this was one difficulty which we faced, but indicated that the Japanese proposals did not envisage a change in the status of any of the present political agreements or of the nonfortification provisions in the Pacific area. It was then agreed that it would not be advisable to continue further today our discussions, inasmuch as each of us would desire time carefully to consider what had been said, including the further elucidation of the Japanese position which Matsudaira had announced he wanted to make.

The understanding was the conversation would be treated as confidential and that nothing would be said to the press except that a general exchange of views had taken place and that no documents had been exchanged between us. (End paraphrase.)

Davis

500.11545/211:Telegram

The Acting Secretary of State to the Chairman of the American Delegation (Davis)

(Paraphrase)

Washington, October 25, 1934

6 p.m.

6. With reference to your telegram no. 6 of October 24, 7 p.m. the Japanese statement and the recent public utterances of responsible exponents of Japanese unofficial and official views indicate an uncompromising and rigid Japanese attitude. That the Japanese are preparing the ground for a probable walkout is suggested by the rigidity and scope of the position which they take. An evident un-

willingness on their part to discuss anything except what suits their own national aspirations, regardless of world conditions, implies a throwing off of all restrictions and an abandoning of all effort looking toward real cooperation in the realm of international relations and peace machinery. No justification is offered by them except arguments of prestige and manifest destiny for their claim of paramount responsibilities and rights in the Far Eastern peace. No sufficient reason exists why all the nations of the world cannot proceed on the basis of security and peace laid down in the Washington treaties, to the principles and provisions of which treaties this Government still adheres. The plea on the part of the Japanese of need of self-defense is similar to the one which they made at the time of beginning their military occupation of Manchuria and their attack, in 1932, at Shanghai upon the Chinese. No reason exists why the other countries of the world should accept the Japanese view of Japan's requirements and rights or allow themselves to be represented as obstructing the Japanese people's legitimate aspirations. The publicity which the Japanese are according to their line of exposition suggests that, on the expectancy of walking out, they desire to create an impression with the public, to be developed further at the moment when they wish, that they are driven to that conclusive action by indifference to Japanese necessities in the field of self-defense on the part of other countries.

It will be necessary for us to combat whatever efforts they may make to shift the responsibility for a break, if and when it occurs, from themselves to the United States and/or Great Britain.

We believe that we should be guided, in contacts with the British conferees and with the press, by the above line of reasoning. However, it should not be made the basis of any official statement but might, in the course of discussions or conferences where comment is required, be borne in mind.

From the American point of view, the publicity here at present is satisfactory.

Philips

500.11515/211 : Telegram

THE ACTING SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREY)
(Paraphrase)

Washington, October 31, 1934-9 p.m.

186. The developments in London since October 25 are as follows: On October 25 Davis and the Prime Minister ^{J^c} exchanged views regarding the Japanese proposals. The idea of a common maximum

5a
J. Ramsay MacDonald.

limit will not be accepted by the British. It was their hope that when the Japanese perceived that the British and the Americans would not agree to fundamental changes, the Japanese would become more reasonable and would be content with a statement in the preamble to the treaty voicing equality of sovereign rights, the treaty itself fixing respective relative limits approximately according to the present ratios. Before coming to grips, the British wished to have further explanation from the Japanese. In order not to unsettle unity of British-American views regarding the Japanese position, Davis avoided raising technical questions.

The London press on October 26, under information from the Foreign Office, deprecated the views relative to the Anglo-Japanese alliance which were expressed in Tokyo by spokesman for the federation of British industries mission in the Far East; the press emphasized the close approximation of British-American naval policies.

At the American-Japanese meeting on the morning of October 29, Matsudaira stated that his Government would denounce the Washington Naval Treaty before the end of the year. Matsudaira also said that the same common upper limit proposed by Japan would apply to France and Italy. In regard to a possible meeting of the technical experts of the two delegations, Davis told the Japanese that we were willing to listen to their technical views only if it were understood that neither side would make any commitments in principle. Admiral Yamamoto saw little value in technical meeting unless we were prepared to state the technical details of our program. Davis replied that we had no technical details, as the American program was a percentage reduction within the existing system, although as to carrying it into effect in individual categories we were open-minded. The two delegations agreed that the matter be taken up at a subsequent meeting.

In the afternoon on October 29 the British and the American delegations met and the Prime Minister raised question of increased cruiser tonnage. Davis stated that technical discussions would lack reality in view of the fundamental changes proposed by the Japanese and their intention to denounce the Washington Naval Treaty. The Prime Minister said that the Japanese position was more serious for Britain than for the United States and that the British were determined to meet the situation with a fleet that would be adequate for defense in the Pacific as well as at home; they would do this either by building a fleet of sufficient size or by seeking a political agreement that would cover the Pacific for the requisite security there.

MacDonald reiterated that the British did not agree to the Japanese idea of a common upper limit, which would apply also to France,

Italy and probably to Germany and to Russia as well. The Prime Minister felt that for the present a patient attitude toward Japan should be continued, but that if a tripartite agreement became impossible he did not question British parity with America based on the British conceptions of their own risks. Davis stated that we had no desire to impose on the British a treaty incompatible with their national safety, but that we must consider joint adoption of a course by which a naval race with Japan would not be invited. The suggestion was made by the British that when the Americans next met with the Japanese they should urge the latter to contemplate the situation which would result from no treaty. The British had set before the Japanese a face-saving device, but they had adopted an unreceptive attitude toward it. When the Japanese situation should have definitely cleared up, the British agreed on the desirability of tripartite meetings; and they also agreed that for the time being British-American technical discussions would be inadvisable. It is Davis's belief that the British view policy of the Japanese with deep concern, and that in their own minds the British have reached no solution.

Phillips

500.11545/254a:Telegram
 THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
 (DAVIS)
 (EXTRACT-PARAPHRASE)

Washington, November 13, 1934-
 3 p.m.

17. We are convinced by the conversations which have taken place over the past three weeks⁶ that practically no chance exists of bridging the definite disagreement between the Japanese delegation on the one hand and the British and ourselves on the other with regard to the fundamentals of future naval limitation. Every opportunity has been afforded the Japanese to explain and to justify Japan's demands; we have not forced the pace and we have not refused them a chance to "save face". We should continue to emphasize our thesis that maintaining the treaties as a basis for future naval limitation rests on the equality of self-defense, equality of security, and on a united purpose to avoid competition in armaments. The only construction we can place on the Japanese thesis is that it represents a desire to obtain overwhelming supremacy in the Orient opening the way

⁶ See Department's telegrams no. 186 (supra) and no. 191 (infra) to the Ambassador in Japan.

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⁶ See Department's telegrams no. 186 (supra) and no. 191 (infra) to the Ambassador in Japan.

to preferential rights and privileges and destroying the delicate balance in Asia, both economic and political, which is represented by the other basic principles and policies that are embodied in the Washington and other treaties.

Hull

500.11515/284:Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREW)
(Paraphrase)

Washington, November 22, 1934
5 p.m.

191. Summary of developments at London since my telegram no. 186, October 31, 9 p.m. follows:

On October 31, at a meeting of the American and the Japanese delegations, the discussion centered mainly around (1) whether or not technical naval improvements had altered relative security as it was fixed by the naval treaties; and (2) whether or not the Japanese Government would continue to pursue policy of cooperation to adjust problems of international concern or whether it would revert to a course of independent action. Davis put forward the point that it was difficult for us to appreciate Japan's contention that national prestige was affected by a smaller navy; by analogy, he compared our Army with the Japanese Army.

On November 1, Sir John Simon^{6a} and Davis met to review the recent British-Japanese meeting. Sir John said that he had taken a more positive attitude vis-a-vis Matsudaira than he had heretofore in order that he might learn the true motives for Japan's demands for parity. He had indicated that if Japan would be content with a face-saving formula, it might be possible to find a way out; but that if the question were one of changing the present status of the naval treaties, the British would have to refuse. Davis was assured by Simon that the British would not essay the role of mediator; that it was the British policy to make no agreement with Japan or with any other power that would adversely affect Anglo-American relations.

On November 6, there was another meeting between Davis and Simon, at which time Simon said that he was going to ask the Japanese if they would be satisfied with a treaty which acknowledged in its preamble the inherent equality of sovereign rights but which would establish respective maximum programs worked out at the existing levels.

^{6a} British Secretary of State for Foreign Affairs.

On November 8, Davis was informed by Craigie⁷ that the formula referred to by Simon had been proposed to the Japanese.

On November 13, Simon told Davis that in addition to the face-saving device which the British had proposed, they had made inquiry of the Japanese with regard to a nonaggression pact about which Hirota^{7a} has thrown out suggestions from time to time. Sir John had told the Japanese that Japan could not expect Great Britain to enter into an Anglo-Japanese nonaggression pact without the United States, nor could the British enter into such a pact without knowing whether the policies of the participants in it were such as not to provoke aggression. Great Britain was interested in Chinese independence and in the open door, and the British wished to know whether Japan contemplated complete assurance with regard to these points in a proposed pact.

On November 14, the Department advised Davis that he should assume a receptive attitude only in any further discussion on a nonaggression pact and give evidence of no particular interest; that any proposal for a pact of this type should include at least the five powers, among them China, who were most concerned and also a definition of aggression and prescriptions of limitation upon the use of force by any power against another or in the territory of another.

On November 15, there was a further meeting between the British and the Americans. The former pointed out that in the face of Japan's impending denunciation of the Washington Naval Treaty, there were three courses that might be taken: (a) Discussion of a new treaty containing a face-saving device and embodying all the principles of the Washington Treaty; (b) recognition of the situation presented and inaction as to any commitments at present; (c) attempt to come to an agreement which would salvage as much as possible of the Washington and London naval treaties.

On November 17, the Department informed Davis that it was our feeling that the scope of the present conversations did not include the negotiation of a new agreement, based on new principles. It was suggested (our no. 22, November 15⁸) that, if the discussions should turn in the direction of termination of the conversations now taking place, the Department felt that while on the one hand it was important to preserve at least the form of a mere suspension of conversations, on the other it was equally important not to bind ourselves to resume them at a definite date irrespective of developments in the future.

⁷ Robert Leslie Craigie, Assistant Under Secretary of State, British Foreign Office.

^{7a} Koki Hirota, Japanese Minister for Foreign Affairs.

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Davis reports that although reports are carried in the press that the Japanese have rejected the British "middle course" feelers, he has not yet been officially informed of their rejection.

Hull

500.A15A5/28Ca : Telegram
THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
(DAVIS)

(Paraphrase)

Washington, November 22, 1934-8 p.m.

34. Referring to our today's teletype conversation, it is still our opinion that the course, potentially most advantageous, would be that the Japanese, in view of their intention to denounce the Washington Treaty, be given no encouragement to expect any concessions or to expect the conclusion of a new treaty in substitution for the Washington Treaty; and that the Japanese, as a result of the British and ourselves showing no further solicitude in that connection, be forced to make the denunciation solely on their own responsibility and at a moment, between now and the end of December, of their own choosing.

Insofar as concerns the situation in Japan and in the Far East in general, as distinguished from considerations of internal British politics, we believe that the tactics of exploring possibilities regarding substitutes, et cetera, has already been and would continue to be, if pursued, of less advantage than disadvantage. The same is also true of the situation in the United States.

The end of the first phase would properly be brought about by a clean break through denunciation by the Japanese. To proceed at once with what would be in fact new conversations looking toward a new objective would mean that we had conceded the fundamental Japanese demand in the present conversations, that is, that the existing ratios be given up. Moreover, an immediate beginning of new conversations or negotiations would establish a bad precedent and have a very bad psychological effect. It would mean that the Japanese had been granted a substantial gain and there would be no opportunity for the development which is envisaged by us as likely within a reasonably short time, that is, an approach by the Japanese on their own initiative requesting further naval limitations discussion, resulting in the creation of a setting for such discussions favorable to the viewpoint that naval limitation is desirable. Should our expectation of such a development be disappointed, as time goes on, there is nevertheless, before the termination of existing treaty obligations, a period of two years during which it will be possible to revise plans and estimates.

Therefore, it is not our belief that further British exploration of the "middle course" would be of any practical value unless it is envisaged that it is to be carried out solely for the purpose of filling in the time until such moment as the Japanese, through denunciation of the Washington Treaty, assume the responsibility of breaking off the first phase. Even under those conditions we consider the policy hazardous in that it encourages Japan to believe that the British and perhaps the Americans are unduly perturbed in the face of her apparent determination and her strength. In addition, it would continue to offer opportunity and possible material for suspicion and propaganda.

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It is not possible for us to see how the present conversations could either be turned into or immediately followed by negotiations, without the British and American Governments, ipso facto, making concessions, both in principle and in fact, to the Japanese, resulting in the Japanese making definite gains both in appearance and in fact without having made any concessions.

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Hull

500.11545/281:Telegram
 THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
 OF STATE

London, November 23, 1934
 9 p.m.
 (Received November 23
 7:34 p.m.)

52. My conversation this morning with the Prime Minister and Simon was satisfactory.

Simon gave an outline of the recent Anglo-Japanese conversations, in the course of which Matsudaira, in substance, had stated that: (1) Japan would be unable to accept a contractual limitation of her building program below the common upper limit, although she did not intend to build entirely up to that limit; (2) Japan would find difficulty in agreeing to qualitative limitation without quantitative limitation; (3) Japan would probably be prepared to "negotiate" a continuance of the nonfortification provision, although Matsudaira admitted that he had no definite decision of his Government on this point; and (4) Japan was prepared to agree not to denounce the Four-Power Treaty⁹ for the period of a new naval agreement.

Simon added that Matsudaira had very confidentially referred to Japan's isolated position with reference to denunciation of the Washington Treaty, and had inquired whether it was really necessary that

⁹ Signed at Washington, December 13, 1921 Foreign Relations, 1922 vol. 1, p. 33 263

Japan should denounce it single-handed, from which Simon inferred that he had been instructed to find out whether Britain would join in denunciation. Simon replied that Japan had voluntarily announced her ~~arbitrary~~ decision to denounce the treaty before the end of 1934 and that Great Britain could not consider joining in it.

I then summarized to the British the pertinent portions of my recent cables to you setting forth my understanding of the British position and my conviction that they would not enter into any agreement with Japan without the United States, in order that there should be no doubt as to whether I had correctly understood and reported their views. Both MacDonald and Simon declared that my summary and analysis of the British views was accurate in every respect. I presented in substance your views, particularly as set forth in your no. 34 of November 22, and emphasized the inadvisability of negotiating a substitute treaty with the hammer of denunciation of the Washington Treaty hanging over our heads, and that the best hope of an ultimate agreement lay not so much in the search for some formula to satisfy Japan as in Anglo-American cooperation.

The Prime Minister and Simon categorically and, I am convinced, sincerely agreed that it was vital to continue and strengthen Anglo-American cooperation, but without giving grounds for extremists in Japan or sympathizers in England to raise the cry of a common front hostile to Japan. They felt they must avoid the charge that the possibilities of an agreement had been destroyed, not so much through Japanese intransigence, as through lack of patience on the part of the United States and Great Britain. They said they were now satisfied there was no essential difference between the two Governments as to the fundamental issues and that it was simply a question of immediate method. In substance they favored stalling along "to give Japan enough rope". They did not feel it would be wise to break off negotiations immediately, for apart from the English political and public opinion they had to satisfy, there were the further questions, already posed to Japan, for instance, as to the nonfortifications provision, and as to Japan's policy toward China, and they would obviously have to await an answer. MacDonald said that he did not agree with my estimate as to the effect in Japan of sending them home empty handed, that there were some who felt that the Japanese militarists would like to tear up the treaty and not be bound in any respect whatever, and that it would be helpful to the moderate element as opposed to the military element for us to try to find some form of agreement. Simon suggested that this point might be discussed confidentially with Matsudaira. MacDonald continued that the Cabinet were completely preoccupied at the moment with the debate on the India report, which would reach its most critical stage next week, and which was of vital im-

portance to the national Government. In addition, preparations for the royal wedding were also taking a great deal of their time. Finally, they argued that even if the present conversations were to end now, the United States delegation must remain here to consider with them our respective naval policies and attitude in the future, with particular reference to any new conference arising under the Washington Treaty. MacDonald said definitely he hoped that if the Washington Treaty system were scrapped, and the two nations were faced with a dangerous situation in the Far East, we would be more generous to England in the matter of tonnage.

I stated that we had no wish to break off the negotiations hastily, but that instead of trying to reach an agreement now it would be advisable to impress the Japanese with the seriousness of the situation they were creating, and to point out to them that it was not merely a question of naval limitation, but that by denouncing the Washington Treaty they were placing in jeopardy the entire collective system which had been set up by the Washington Conference for the promotion of peace and stability in the Far East. MacDonald said that he had taken this position for some time, and Simon pointed to his statement in the House yesterday, particularly where he had said that Great Britain "would regard the breakdown of the system of naval limitation as a great disaster for everybody." I suggested that we might even consider bringing about a termination of the conversations with a statement of such a friendly and pacific nature that it would appeal to the moral sense of the entire world and at the same time could not possibly be taken amiss by the military party in Japan, while greatly assisting the moderate element.

(Paraphrase.) The British have not stressed so strongly at any time in the earlier conversations their seemingly most genuine reasons for pursuing the talks with the Japanese, but they were willing to give more weight and consideration to our arguments and were much less insistent upon endeavoring to arrive at an agreement with the Japanese now. They said in fact that we should be able to reach a complete meeting of minds on this matter within a few days.

They have not expressed so forcibly at any other meeting the regret which they would feel regarding a withdrawal on our part during the life of the conversations, beyond the limited holiday period at Christmas time which might be agreed upon. (End paraphrase.)

At the conclusion of our conversation, Simon mentioned the possibility of my making a statement to the press, expressing my appreciation and support of his remarks on the naval conversations in the House yesterday, and it was agreed that I should make an appreciative reference along these lines in the course of my press conference this evening.

Davis

500.A15A5/281:Telegram

THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
(DAVIS)

(Paraphrase)

Washington, November 26, 1934

7. p.m.

37. With reference to your telegram of November 23, 9 p.m., no. 52. The conversation which you had with Simon and MacDonald definitely shows that the American and the British positions more nearly approach each other than for some time and I am encouraged correspondingly. The tone of press comment regarding Anglo-American cooperation is favorable also. As is shown by the attitude of Matsuoka, the Japanese are showing signs, at the thought of their isolated position, of being worried and nervous. The more they are uneasy, the sooner they may become willing to approach in the spirit of cooperation the problems involved. For the last three years, with conspicuous lack of success, the idea has been tried that the moderate Japanese element, now silent and in eclipse, would, through concessions made to Japan, be encouraged to oppose the Japanese military elements. According to our belief and information, furthermore, military psychology and military elements are stronger today in Japan than has been the case for a long time.

It is possible to say that lack of patience has been shown by us. Every opportunity to present the Japanese case has been given them.

The British point of view that conversations should not be broken off right away has been accepted by us, even though public opinion has been somewhat confused as a result, and the fact that it is Japan which desires to do away with the treaties and the principles of limitation on which they are based has been obscured. Until the Japanese denounce the Washington Treaty we are prepared to continue the London conversations. The "life of the conversations" to which MacDonald has referred will thus have been terminated, and thereby the conversations will have been broken off by Japan's own act. Immediately after or at the time of Japanese denunciation, which should place clearly upon the Japanese the blame for a breakdown of the present negotiations, a statement of the type which you suggest in the sixth paragraph of your telegram no. 52 might well be made. You might find some occasion, at the same time or even earlier perhaps, publicly to emphasize the fundamental difference between equality of security and equality of armament, indicating that during these conversations our efforts have in a most friendly way been directed toward the maintenance of the standard of equality of security. Should you have any concrete suggestions regarding the way to block out such a statement so as best to convey the impressions you had in mind I should be glad to receive them. It would seem that a joint statement by the Ameri-

can and British delegations would be called for, if a tripartite statement cannot be agreed to.

In all events, it is our feeling that you should refrain from doing anything which would diminish the embarrassment of the Japanese, as the time of denunciation approaches, or which would associate the British and ourselves with the act of and responsibility for denunciation.

Hull

500.A15A5/293:Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

(Paraphrase)

London, November 30, 1934-9 p.m.

(Received November 30-4:45 p.m.)

55. This afternoon Matsudaira called to bring me abreast of his recent conversations with the British. The Japanese Government, he said, had not yet come to a final conclusion on the "middle course" proposals of the British, but had instructed him to inform the latter that Japan was prepared to continue to explore the possibilities of agreement along the lines of what the British had suggested. He had brought up in discussion the possibility of a long-term treaty which would embody the principle of equality that was a part of the British formula. The naval construction programs to be annexed to the treaty would be fixed, however, for a five-year period only, as Japan, while recognizing that her proposal for a common upper limit would not be found acceptable, and while she was not expecting to reach that limit for years to come, if ever, did not wish to commit herself indefinitely to principle of an inferior ratio.

Simon, who was absent from London yesterday, has asked that I see him tomorrow.

Davis

500.A15A5/295:Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

(Paraphrase)

London, December 1, 1934-9 p.m.

Received 10:49 p.m.

58. I was informed by Sir John Simon today of the last conversations which he had had with the Japanese delegation, which conversations substantially confirmed what had been told me by Matsudaira (reference is made to my telegram no. 55 of November 30), with the following additions to my conversation.

Yamamoto, replying to a question put by Simon as to whether the building programs of the Three Powers would be kept on parallel lines, stated that Japan felt that the American and British programs might be lowered by degrees and the Japanese program increased by degrees so that ultimately they might reach the same level in the course of years. Since he could not accept such a contention, Simon did not pursue the subject further.

With regard to the inquiry he had made concerning the integrity of China, Simon told me that he had received no satisfaction from the Japanese. Simon was informed by Matsudaira that of course there was no intention whatever on the part of Japan of interfering in China with British interests. The reply made by Simon was that he was not asking Matsudaira about British rights but that he would like to know, since Great Britain was a party to the Nine-Power Treaty^{9a} which gave her certain responsibilities and rights, what the Japanese policy was to be with regard to the integrity of China, entirely apart from the question of Manchukuo. No satisfactory not clear-cut reply was received by Simon.

The impression made upon me by Simon was that he felt less hopeful concerning the possibility of agreement with Japan than heretofore and he stated specifically that it was going to be difficult and embarrassing for the Japanese to give satisfaction concerning China, to which considerable importance was attached by Great Britain. Our information, I told him, was that Japan was increasingly embarrassed as concerned denunciation and that we considered it essential that neither the British nor ourselves should do anything to relieve the Japanese of this embarrassment by reaching any agreement with them beforehand which would only serve as a cushion to break the fall of the Japanese. Agreement as to this was indicated by Simon.

Regarding another meeting between our two delegations, Simon stated that he would speak to MacDonald concerning this and would probably inform me on December 3 as to the Prime Minister's decision.

Davis

500.1545/310 Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

(Paraphrase)

London, December 5, 1934-7 p.m.
(Received 3.45 p.m.)

66. This morning I made a visit to Matsudaira and informed him that whenever Japan gives notification of denunciation, on or before

^{9a} Signed at Washington, February 6, 1922, Foreign Relations, 1922
vol. I, p. 276

Yamamoto, replying to a question put by Simon as to whether the building programs of the Three Powers would be kept on parallel lines, stated that Japan felt that the American and British programs might be lowered by degrees and the Japanese program increased by degrees so that ultimately they might reach the same level in the course of years. Since he could not accept such a contention, Simon did not pursue the subject further.

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Regarding another meeting between our two delegations, Simon stated that he would speak to MacDonald concerning this and would probably inform me on December 3 as to the Prime Minister's decision.

Davis

500.1545/310 Telegram
 THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
 OF STATE

(Paraphrase)

London, December 5, 1934-7 p.m.
 (Received 3:45 p.m.)

66. This morning I made a visit to Matsudaira and informed him that whenever Japan gives notification of denunciation, on or before

December 31, the United States will construe this as tantamount to a termination of the negotiations and will expect adjournment to take place immediately thereafter.

In replying, Matsudaira stated that it had been his assumption that as it was compulsory under the Washington Treaty to call a conference within a year after denunciation, the United States would continue the conversations as preparatory to this meeting. My reply was, would Japan wish, under the terms of the Washington Treaty, to request a conference. Matsudaira said he doubted this, because the inference would be that the Japanese had receded from the position taken by them. The other powers for like reasons might possibly feel the same way. I stated, The hope was expressed by Matsudaira that we might succeed in laying the basis of an understanding which would enable us to reconvene within the next few months and thus avoid embarrassment to the Governments interested in the matter. I informed Matsudaira, in conclusion, that while I had no desire to say anything which might influence in one way or the other the Japanese Government, I was of the opinion that I should let him know that until his Government wished to terminate the conversations they should not denounce the treaty. Matsudaira stated that he was glad to learn of this and that, although the Japanese Government could not delay denunciation beyond December 31, he did not believe that denunciation would be made in less than two weeks.

Davis

500.A15A5/321½

SPEECH DELIVERED BY MR. NORMAN H. DAVIS AT LONDON ON DECEMBER 6, 1934¹⁰

There seems to be some confusion of thought with regard to the matters at issue in the naval conversations, arising primarily from lack of clear understanding of the fundamental difference between "equality of security" and "equality of armaments".

The difficulties in the present conversations cannot be understood without appreciating what took place at the Conference held in Washington in 1922, which was the first successful effort ever made to reduce and limit navies.

The object of that Conference was to put an end to a ruinous naval race that was impeding recovery from the World War, and to establish a sound basis for peace in the Pacific and the Far East.

It was at that time recognized and admitted by the representatives of Great Britain, Japan, and the United States,--the three naval powers most directly concerned,--that it was not possible to reach

¹⁰

at a luncheon given by the Association of American Correspondents in London to the members of the American delegation in the preliminary naval conversations.

agreement through an academic discussion of what each country considered its needs to be or what it required to satisfy national pride.

Experience having indicated that a satisfactory solution of the problems of political stability and of relative naval strength could not be expected through a continuance of the naval race, there were sought agreements with regard to political questions together with naval questions, on a basis of which not only could political stability be attained and the naval race be brought to an end but naval strength be reduced. The principle adopted was that of equality of security.

In order that each nation might be warranted in subscribing to qualifications of its sovereign right to maintain such a Navy as it saw fit and at the same time feel reasonably ensured against aggression, there was concluded a group of agreements, the purpose of which was to remove the causes and the incentive for aggression by establishing a collective system for cooperation among the nations concerned in promoting and maintaining conditions of peace in the Pacific and the Far East. These agreements established an equilibrium of political and economic rights and made possible naval limitation on the basis of essential equality of security. The Washington Conference was a success because the nations represented there approached in a broad and practical way the problems that confronted them. No nation attempted to impose its will on the others, but each was willing to contribute something substantial to the achievement of the ends desired. At that time the United States had actually under construction tonnage which would have given her naval primacy but which in the interests of international limitation of armaments and a generally agreed upon policy of cooperative effort was voluntarily relinquished.

The United States does not believe and does not contend that any Power should against its will enter into or renew a treaty the provisions of which it does not consider advantageous to itself or beneficial to the world in general. It would, however, greatly regret and regard as most unfortunate the destruction of this system of naval limitation which has proved generally beneficial and which has not jeopardized the security of any nation. We do not question, in fact we affirm the inherent right of any and every Power to equality of security. This, I am sure, we have made abundantly plain. The essence of the Washington treaty system was equality of security under conditions of cooperation. The provisions of the treaties negotiated and agreed upon in 1922 were worked out by leading statesmen of nine Powers assisted by a large number of political and technical experts, working over a period of several months. They were agreed upon and ratified by nine governments and were later adhered to by five others. The naval treaty was the work of five principal naval Powers, Japan, Great Britain, France, Italy, and the United States. None of these could have

accepted and agreed to the provisions of that treaty had it felt that its national security was thereby menaced or impaired. Any basic alteration in this system must of necessity alter the security thus established.

The fundamental issue in the naval conversations now in progress is essentially as follows: Is the equilibrium that was established by the system worked out in the Washington treaties to be continued or is it to be upset. The American Government stands for continuance. The only alternative that has so far been suggested is that of a new naval agreement based on the principle of equality in naval armaments, a principle which if adopted and applied would not give equality of security.

The United States favors a progressive reduction in naval armaments in accordance with the principles established in both the Washington and London Treaties, and, under instructions from the President, I have proposed a substantial all-around reduction in naval armaments to be effected in such a way as not to alter the relative strengths or to jeopardize the security of the participating nations as established by these treaties. Failing agreement upon any reduction, I have made known that we would nevertheless be prepared to abide by the Washington Treaty and to renew the London Treaty with only such modifications in detail as circumstances require and as meet the whole-hearted support of the other parties thereto.

We believe that only the maintenance of the system of equality of security, with proportionate reductions downward of naval strength if possible, can there be maintained the substantial foundation for security and peace which has thus far been laid. We believe that the course taken in 1922 was in the right direction; that the supplementary agreements made in 1930 were an improvement; that the system thus established has been of advantage to all concerned; and that abandonment now of the principles involved would lead to conditions of insecurity, of international suspicion, and of costly competition, with no real advantage to any nation.

500.1545/333 Telegram
THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
(DAVES)

(Extract-Paraphrase)

Washington, December 15, 1934-6 p.m.

55. Reference is made to your telegram of December 15 8 a.m., no. 71¹¹. We are prepared, subject to an advance agreement regarding

¹¹Not printed.

accepted and agreed to the provisions of that treaty had it felt that its national security was thereby menaced or impaired. Any basic alteration in this system must of necessity alter the security thus established.

The fundamental issue in the naval conversations now in progress is essentially as follows: Is the equilibrium that was established by the system worked out in the Washington treaties to be continued or is it to be upset. The American Government stands for continuance. The only alternative that has so far been suggested is that of a new naval agreement based on the principle of equality in naval armaments, a principle which if adopted and applied would not give equality of security.

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500.11545/333 Telegram
THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
(DAVES)

(Extract-Paraphrase)

Washington, December 15, 1934-6 p.m.

55. Reference is made to your telegram of December 15 8 a.m., no. 711. We are prepared, subject to an advance agreement regarding

11 Not printed.

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(Extract-Paraphrase)

Washington, December 15, 1934-6 p.m.

55. Reference is made to your telegram of December 15 8 a.m., no. 711¹¹. We are prepared, subject to an advance agreement regarding

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500.115A5/333 Telegram
THE SECRETARY OF STATE TO THE CHAIRMAN OF THE AMERICAN DELEGATION
(DAVIS)

(Extract-Paraphrase)

Washington, December 15, 1934-6 p.m.

55. Reference is made to your telegram of December 15 8 a.m., no. 7¹¹. We are prepared, subject to an advance agreement regarding

¹¹Not printed.

a satisfactory communique, to accede to the British idea of bringing the present conversations to an end through a tripartite meeting on December 19 or 20. That time will be close enough to the Japanese denunciation to render the connection between the two events clear in the mind of the public without the necessity of its being stressed openly. Our meeting, the British on this basis should render it easier for them to meet us in our preoccupations concerning the communique's content.

Hull

500.415.45
 APPENDIX TO MEMORANDUM OF MEETING OF THE AMERICAN, BRITISH,
 AND JAPANESE DELEGATIONS

COMMUNIQUE

A meeting took place at the House of Commons this afternoon, under the Chairmanship of the Prime Minister, to discuss matters connected with the adjournment of the Preliminary Naval Conversations. The following were present at the meeting.~

| | |
|-----------------|--|
| United States: | Mr. Norman Davis, Admiral Stanáley, Mr. Ray Atherton, Mr. Dooman, Commander Schuirmann, Lt.-Commander Duncan, Mr. Field, Mr. Reber. |
| Japan: | Mr. Matsudaira, Vice-Admiral Yamamoto, Mr. S. Kato Captain Iwashita, Mr. Mizota. |
| United Kingdom: | The Prime Minister, The Secretary of State for Foreign Affairs, The First Lord of the Admiralty, Admiral Sir Ernle Chatfield, Sir Warren Fisher, Vice-Admiral Little, Mr. Craigie. |

At the end of the meeting the following communique was issued.

The naval conversations, which were started last June, and, after a recess, have been proceeding since October 23rd, are agreed by the representatives of all three Governments to have served a useful purpose. These conversations, which were initiated under the London

Naval Treaty of 1930, became broadened in scope in the light of proposals and suggestions subsequently made. Every aspect of the naval problem has been discussed between the parties frankly, fully and amicably. It was never the purpose of these preliminary conversations to reach any hard and fast conclusion: the sole purpose was to prepare the ground for future negotiation and agreement. The French and Italian Governments, who were also signatories of the present naval treaties and were associated with the discussions in the summer, have been kept informed of all developments.

Although the three Governments represented in these conversations are in favour of a continuation of naval limitation with such reduction as can be agreed upon by all the Powers concerned, the principle and methods for achieving this in the future remain to be determined. Now that the respective views have been made known and fully discussed, the conversations have reached a stage when it is felt that there should be an adjournment in order that the delegates may resume personal contact with their Governments and the resulting situation can be fully analysed and further considered. It has therefore been agreed to adjourn the conversations at this point.

The Governments concerned in the London conversations will keep in close touch with each other and with the other Governments which are parties to the London and Washington Naval Treaties. The adjournment will also give His Majesty's Government in the United Kingdom an opportunity for further consultation with the Governments of the Dominions. It is hoped that, in view of the preparatory work accomplished during the conversations which have already taken place, the situation will so develop as to justify a subsequent meeting as soon as the opportune moment arrives. In that event the Government of the United Kingdom which initiated the present conversations, will take the appropriate steps.

19 December, 1934

500.A4B/588 : Telegram
THE AMBASSADOR IN JAPAN (GREW) TO THE SECRETARY OF STATE
(Paraphrase)

Tokyo, December 19, 1934-7 p.m.
(Received December 19-7:18 a.m.)

280. This morning the Privy Council in Plenary Session gave unanimous approval to the Government's decision to abrogate the Washington Naval Treaty and so advised the Emperor. The draft instructions to Saito,¹² I understand, will be submitted to the Cabinet

¹² Hiroshi Saito, Japanese Ambassador to the United States

either December 21 or 22, but when the formal notice will be conveyed to the Department is not yet decided.

It is my impression that Hirota desires to delay, if possible, the formal notice of abrogation until after the adjournment of the present conversations in London in order to avoid the charge that they were disrupted by Japan's action.
Grew

500.A4B/603

THE JAPANESE AMBASSADOR (SAITO) TO THE SECRETARY OF STATE

no. 250

Washington, December 29, 1934.

Sir: I have the honor, under instructions from my Government, to communicate to you the following:-

In accordance with Article XXIII of the Treaty concerning the Limitation of Naval Armament, signed at Washington on the 6th February, 1922, the Government of Japan hereby give notice to the Government of the United States of America of their intention to terminate the said Treaty, which will accordingly cease to be in force after the 31st December, 1936.

Accept (etc.)

Saito

500.A4B/604

THE JAPANESE AMBASSADOR (SAITO) TO THE SECRETARY OF STATE

NOTE VERBALE

Washington, December 29, 1934.

I have been telegraphically instructed by Mr. Hirota to say to you, on the occasion of handing you the written notice of the intention of the Japanese Government to terminate the Washington Naval Treaty of 1922, in the following sense with suitable amplifications:-

As has already been made known to the American Delegation in London, the basic policy of the Japanese Government in the present disarmament negotiations consists in the discontinuance of the ratio system and the total abolition or the utmost limitation of aggressive war vessels. From that point of view, the Japanese Government considers it inadmissible to have the Treaty continue in force.

The Japanese Government entertains the desire that the preliminary negotiations shall be conducted in the friendliest spirit possible and, to that end, wished that all Powers concerned would conjointly make the notification of treaty termination. The proposal has not been accepted by any of the Powers, and the Japanese Government has been constrained to act singly in giving notice in accordance with the provisions of Article 23 of the Treaty itself.

It is, however, a matter of course that the Japanese Government has no intention whatever to proceed to naval aggrandisement or to disturb international peace. It will continue in its sincere endeavors to strengthen the relationships of peace and amity among all Powers, by participating as heretofore in the friendly negotiations with the other Powers concerned in which it will strive for the conclusion with them of a new agreement, just, fair and adequate in conception and consonant with the spirit of disarmament, to replace the Washington Treaty.

500.AMB/603

THE SECRETARY OF STATE TO THE JAPANESE AMBASSADOR (SAITO)

Washington, December 29, 1934.

Excellency: I have the honor to acknowledge the receipt of Your Excellency's note of December 29, informing me that the Government of Japan gives notice to the Government of the United States of America of its intention to terminate the Treaty limiting naval armament signed at Washington on February 6, 1922, which will accordingly cease to be in force after the thirty-first of December, 1935.

In accordance with the pertinent provision of Article 23 of the Treaty, I am today transmitting to the other Powers a certified copy of this notification and am informing them of the date on which it has been received.¹⁴

Accept (etc.)

Cordell Hull

500.Amb/603:Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GHEV)

Washington, December 29, 1934

5 p.m.

218. The following was released to the Press this afternoon:

"Statement of the Secretary of State relative to the Japanese Government's notice of intention to terminate the Washington Naval Treaty:

The American Government has today received the Japanese Government's notice of intention to terminate the Washington Naval Treaty. We of course realize that any nation has the right not to renew a treaty; also that any movement toward disarmament to be successful must rest on agreements voluntarily entered into. This notification is none the less a source of genuine regret to us, believing as we do that the existing treaties have safeguarded the rights and promoted the collective interests of all of the signatories.

¹⁴Notes to the British, French, and Italian Ambassadors, and the Canadian and South African Ministers, not printed.

The recent conversations at London which have been carried on in a spirit of friendship and goodwill have revolved around the question whether a movement of international cooperation and disarmament can rest on the principle of equality of armament rather than on the principle of equality of security. Each nation naturally desires and we stand unalterably for that view, to be on a basis of absolute equality with other nations in the matter of national security. Experience teaches that conditions of peace or measures of disarmament cannot be promoted by the doctrine that all nations, regardless of their varying and different defensive needs, shall have equality of armaments. What has been achieved up to the present time toward insuring conditions of peace has been based on a community of objective, a community of conception of the general interest, and a community of effort. The treaties thus far concluded have involved no invasion of the sovereign rights of the participating governments and they have provided, with all proper respect for such sovereign rights, that the armaments of the participating nations be established by voluntary undertaking on a proportionate basis.

Notice of intention to terminate the Washington Naval Treaty does not mean that the Treaty ceases to be in effect as of the date of notification: the provisions of that Treaty remain in force until the end of 1936. There consequently remains a period of two years within which the interested nations may consider the situation that would be created by the abandonment of the naval treaties; and the American Government is ready to enter upon negotiations whenever it appears that there is prospect of arrival at a mutually satisfactory conclusion which would give further effect to the desire of the American Government and the American people and, it is believed, that of the other Governments and peoples concerned—that the nations of the world shall not be burdened by avoidable or extravagant expenditures on armament.

The question presented, when the Washington Treaties were negotiated and which prompted each delegation to the signing and each country to the ratifying of those treaties, was that of promoting peace through disarmament and cooperative effort along certain defined lines. The objectives then and there envisaged are still fundamental among the objectives of the foreign policy of the United States. To this high purpose the people of this country, in a spirit of sincere friendship toward all other peoples, will continue unwaveringly to devote their own efforts, and earnestly invoke like efforts on the part of others."

Hull

500.A15A5/502 : Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN GREAT BRITAIN (BINGHAM)

Washington, October 3, 1935-7 p.m.

284. Yesterday the Japanese Ambassador called and stated that his Government had received word from the British Government that they were discussing with us the pros and cons of a conference. The Ambassador asked to be informed with regard to (1) our attitude toward a conference and (2) our attitude toward qualitative limitation. I told the Ambassador that as far as our position was concerned we had made no change from the attitude we had taken generally in the bilateral conversations in London and there were no new developments since then with respect to a conference which the other interested Governments did not know. On further reflections, however, it appeared to me to be wise to give the Japanese Government perhaps a slightly more definite reply to their queries and I have this morning asked the Japanese Ambassador to come to the Department and have given him the following information with regard to his two questions:

"We have learned from our Embassy at London that it is the desire of the British to hold a naval conference before the end of the year. We are inclined to concur in the desirability of such a conference, particularly in view of the fact that both naval treaties provide for a conference before the end of this year. We recognize that it would be very difficult, if not impossible, to reach at the present time a comprehensive naval agreement along the lines heretofore followed. It is, however, very important for all naval powers concerned not to permit the naval treaties to terminate completely with the result that the whole naval situation would be thrown open again. It would therefore be the part of wisdom to seek agreements on those elements of the naval question for which a solution can now be found for the purpose of avoiding and unrestricted naval race. We should at least be able to tide the situation over for a brief period in the hope that by the time circumstances will be more favorable for a more comprehensive agreement.

¹⁵

See also Department of State Conference Series No. 24, The London Naval Conference 1935, Report of the Delegates of the United States of America, Text of the London Naval Treaty of 1936 and Other Documents (Washington, Government Printing Office, 1936).

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"As to qualitative limitation, it is still our view that both quantitative and qualitative limitation should be continued. In view of the fact that the questions that have arisen between the naval powers relate more to quantitative limitation than to qualitative limitation, it should not prove particularly difficult to work out for a limited period a mutually satisfactory understanding for continuing existing types with such reductions or modifications as might be found desirable and mutually agreeable."

You may convey to the British Government my reply as given above to the Japanese Ambassador, as I told the Ambassador that I was today informing the British Government of my response to his inquiry.

Hull

500.1515/536

THE AMBASSADOR IN GREAT BRITAIN (BUNGHEM) TO THE SECRETARY OF STATE

no. 1776

London, October, 24, 1935.

(Received November 6.)

Sir: I have the honor to refer to my telegram no. 535, October 24, 4 p.m. 16 and to forward herewith the text of the invitation to a naval conference referred to therein.

Respectfully yours,

For the Ambassador:
Ray Atherton
Counselor of Embassy

(Enclosure)

THE BRITISH SECRETARY OF STATE FOR FOREIGN AFFAIRS (HCARE) TO THE AMERICAN AMBASSADOR (BUNGHEM)

A 8984/22/45

London, 24 October, 1935.

Your Excellency: His Majesty's Government in the United Kingdom have been giving careful consideration to the results of the preliminary bilateral conversations which have been proceeding between representatives of the signatory Powers of the Washington and London Naval Treaties¹⁷ to prepare the way for a Naval Conference. In view of the express provisions of Article XXIII of the Washington Naval Treaty and of the corresponding article in the London Naval Treaty, the effect of which is, in the circumstances which have occurred, that the signatory Powers must meet in conference during the present year, and in view of the fact that this country has so far taken the initiative in arranging for these bilateral discussions, His Majesty's Government are prepared to summon a Conference to meet

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Not printed

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Department of State Treaty Series Nos. 671 and 830, respectively.

in London on the 2nd December next.¹⁸ The purpose of this Conference would be to secure agreement on as many aspects as possible of naval limitation with a view to the conclusion of an international treaty which would take the place of the two Naval Treaties expiring at the end of 1936. It is hoped that, once agreement is in sight between the representatives of the signatory Powers, an extension of the scope of the Conference may be possible so as to include representatives of the other Naval Powers.

2. I should be grateful if Your Excellency would be so good as to inform me as soon as possible whether the United States Government are prepared to be represented at the proposed Conference.

3. I have the honour at the same time to suggest that it may prove convenient to all concerned and may serve to keep the size of each Delegation as small as possible if Your Excellency's government and the Governments of France, Italy and Japan were to be represented by their Ambassadors in London. It would furthermore be very desirable that there should be present at the Conference from the outset naval representatives or advisers of sufficient rank to speak authoritatively on behalf of their respective Governments.

I have (etc)

(For the Secretary of State)
R. L. Craigie

500.11515/549

THE CHARGE IN JAPAN (NEVILLE) TO THE SECRETARY OF STATE

no. 1539

Tokyo, November 2, 1935.

(Received November 18.)

Sir: I have the honor to observe that with Japan's acceptance on October 29 of the British Government's invitation to participate in the formal naval disarmament conference required by the Treaties, and which is to be held on December 2, next, the attitude of the Japanese Government is one of quiet assurance and satisfaction that everything possible has been done to protect Japan's interests in the field of naval affairs. The Government can point to a course of action since the question became active in June, 1934, of consistency and of singleness of purpose surely impressive enough to satisfy the most ardent chauvinist in the navy. When Japan was first approached on the question of her naval policy she established the principle that the basis of all future discussion and the prime requisite for any agreement with the Powers was to be the abolition of the ratio principle and the establishment of a common upper limit of global tonnage; and now, on the eve of the Conference, and after some eighteen months of discussion during which British efforts were directed toward finding some formula for effecting a compromise between the fundamentally

¹⁸ The opening date of the Conference was later postponed to December 7, 1935.

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divergent views held by the three major powers, the situation remains unchanged so far as Japanese policy is concerned.

In reviewing the most recent events leading up to the final acceptance by Japan of the invitation to participate in the Conference next month it is interesting to observe the recurring differences which cropped out between the views of the Navy Ministry and those of the Foreign Office, differences which, it will be recalled, occurred last year in the question of when Japan should give notice of abrogation of the Washington Treaty.¹⁹ Once more, while it was more a question of differences of method rather than of objective, it seems clear that the influence of Mr. Hirota was successful in restraining the more unyielding attitude apparently adopted by the naval authorities regarding the question of participation in the Conference. While it has been felt that Japan would participate, and in fact was anxious to have the Conference held in accordance with the terms of the Treaties, there remained the question of the terms upon which she would consent to negotiate.

On September 26, last, when Great Britain first approached the Japanese Government inquiring as to its willingness to participate, it was reported that the Government's attitude at that time was to the effect that "Japan sees no value in a conference not committed beforehand to negotiations of a naval limitation agreement based upon proposals offered by the Japanese delegates at the preliminary conversations of last year. The British plan for unilateral declaration of building plans up to 1942 is not acceptable to the Japanese Government. No other formula has been devised to solve the conflict between Japan's desire for a common upper limit and the United States' desire for the virtual retention of the existing ratios". The British note was believed to have represented Great Britain's last attempt to induce the Japanese Government to alter its stand prior to the issuance of the invitations and to have included a proposal that Japan withdraw from her position that the Powers concerned accept her demand for a common upper limit as a prerequisite to Japan's participation in the Conference. The attitude outlined above undoubtedly represented the attitude of the naval authorities and at the time there were hints in the press that the Foreign Office did not entirely share the views of the Navy Department.

On October 10 the Navy Department was reported in the press as stating categorically that "the Ministry must insist upon a previous understanding to abolish the ratio system and to substitute the common upper limit principle" before accepting and invitation to participate in the Conference. However, a few days after this the Foreign Office spokesman stated that while the Japanese Government continued to insist upon the "realization of the proposal broached at the preliminary conversations at London last year" nevertheless the Government was

¹⁹ See pp. 249 ff.

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prepared to participate in a formal naval conference "if it is understood that it reserves the right to insist upon the proposals mentioned above. It is prepared to participate because the Conference is called for by the Treaties". It is at this point that what foreign observers have described as a "shift of emphasis" first became apparent. That is to say that the hope might be entertained that Japan would accept an invitation to participate without insisting upon previous acceptance of certain conditions laid down by her. This was borne out in the reported reply sent on October 16 when the Japanese Government indicated that "Japan is ready to respond to a proposal for the convocation of a formal naval parley in the belief that Japan's equitable claim regarding the naval question will be fully understood and recognized by the Powers during the course of negotiations". This is obviously the formula devised by the Foreign Office authorities to the effect a compromise with the Navy Department.

Prior to the official announcement from London that formal invitations for the Conference to be held on December 2 were issued, the Japanese press carried practically no editorial comment on naval affairs. But with the acceptance by Japan on October 29 of this formal invitation the press has indicated its approval of the Government's action although it is unanimous in doubting that any concrete results will be obtained. It seems to be generally agreed that Japan's point of view is about as equally irreconcilable with that of Great Britain as with that of the United States; there is, however, an occasional note of pique directed at the United States for insisting upon the maintenance of the ratio system and a slightly greater understanding of the needs of Great Britain for a larger navy.

While it would be as unwise as it is impossible to predict Japan's course of action at the forthcoming Conference, the Embassy is satisfied that there will be no appreciable alteration of her present stand and that no substantial concessions will be made in an effort either to reach a new agreement or to avoid the entrance upon a non-treaty status at the expiration of the Treaties at the end of 1936.

Respectfully yours,

Edwin L. Neville

500.41545/566a : Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN GREAT BRITAIN (BINGHAM)

Washington, November 30, 1935-4 p.m.

373. Following is the text of the opening speech of the American Delegation to the Naval Conference:²⁰

²⁰ Speech delivered by Mr. Norman H. Davis, Chairman of the American delegation, at the first plenary session, December 9, 1935.

Mr. Chairman:

In searching for appropriate words in which to express most clearly the attitude and aspirations of the American Government and people in respect to naval disarmament, I find that I cannot improve upon the letter of guidance which the President addressed to me fourteen months ago when I sailed for London to participate in preliminary conversations between the Governments of the United Kingdom, Japan and the United States. That letter, written on October 5th, 1934, was as follows:

"In asking you to return to London to continue and expand the conversations begun last June preparatory to the Naval Conference in 1935, I am fully aware of the gravity of the problems before you and your British and Japanese colleagues. The object of next year's Conference is "to frame a new Treaty to replace and carry out the purposes of the present Treaty". The purposes themselves are "to prevent the dangers and to reduce the burdens inherent in competitive armament" and "to carry forward the work begun by the Washington Naval Conference and to facilitate progressive realization of general limitation and reduction of armament."

"The Washington Naval Conference of 1922 brought to the world the first important voluntary agreement for limitation and reduction of armament. It stands out as a milestone in civilization.

"It was supplemented by the London Naval Treaty of 1930, which recognized the underlying thought that the good work begun should be progressive—in other words, that further limitation and reduction should be sought.

"Today the United States adheres to that goal. That must be our first consideration.

"The Washington and London Treaties were not mere mathematical formulae. The limitations fixed on the relative Naval Forces were based on the comparative defensive needs of the Powers concerned; they did not involve the sacrifice of any vital interests on the part of their participants; they left the relative security of the great Naval Powers unimpaired.

"The abandonment of these Treaties would throw the principle of relative security wholly out of balance; it would result in competitive Naval building, the consequence of which no one can foretell.

"I ask you, therefore, at the first opportunity to propose to the British and Japanese a substantial proportional reduction in the present Naval levels. I suggest a total tonnage reduction of twenty percent below existing Treaty tonnage. If it is not possible to agree on this percentage, please seek from the British and Japanese a lesser reduction—fifteen percent or ten percent or five percent. The United States must adhere to the high purpose of progressive reduction. It will be a heartening thing to the people of the world if you and your colleagues can attain this end.

"Only if all else fails should you seek to secure agreement providing for the maintenance and extension of existing Treaties over as long a period as possible.

"I am compelled to make one other point clear. I cannot approve, nor would I be willing to submit to the Senate of the United States any new Treaty calling for larger Navies. Governments impelled by common sense and the good of humanity ought to seek Treaties reducing armaments; they have no right to seek Treaties increasing armaments.

"Excessive armaments are in themselves conducive to those fears and suspicions which breed war. Competition in armament is a still greater menace. The world would rightly reproach Great Britain, Japan and the United States if we moved against the current of progressive thought. We three Nations, the principal Naval Powers, have nothing to fear from one another. We cannot escape our responsibilities, joint and several, for world peace and recovery.

"I am convinced that if the basic principle of continued naval limitation with progressive reduction can be adhered to this year and the next, the technicalities of ship tonnage, of ship classes, of gun calibers and of other weapons, can be solved by friendly conference. I earnestly hope that France and Italy, which are full parties to the Washington Treaty, will see their way to participate fully in our efforts to achieve further naval limitation and reduction.

"The important matter to keep constantly before your eyes is the principle of reduction--the maintenance of one of the greatest achievements of friendly relations between nations.

"Sincerely yours,

(signed)

Franklin D. Roosevelt "

The views set forth in this letter are still expressive of what the United States would like to see accomplished. Therein, there has been no change. But it would be unrealistic not to recognize that the situation existing at the time the letter was written has undergone considerable modification. The conversations last year were based on the London Naval Treaty, due to expire by automatic limitation at the end of 1936. Since then the Washington Treaty has been denounced and will expire at the close of next year; certain fundamental principles on which both treaties rest have been questioned; in the wake of the political instability in various parts of the world, there is a tendency to increase rather than to reduce naval armaments; and the divergences which have developed are such as to increase the difficulties which confront us in seeking to reach agreement for a comprehensive naval limitation.

The first step towards overcoming these difficulties is to face them frankly. The next step is to concentrate on those fundamental elements of mutual interest and accord which brought us together here and which unite us, despite the real differences that have developed.

Our nations are apparently at one in desiring the continuance of naval limitation and reduction by international treaty-- a principle adopted for the first time in history in 1922 and successful for a dozen years beyond any means of measurement. At the time of the Washington Conference we were still in the shadow of the World War. War weary peoples who had experienced the consequences of strife and discord were longing for peace and recovery and praying for an era of stability and good will. The Washington Treaties and the later London Treaty were in harmony with this profound wish. Through them, mankind was freed from the threatening nightmare of a race in naval armaments. Why should we now abandon the invaluable mutual benefits conferred on the participating peoples by the Naval Treaties, when the world is just beginning to emerge from the economic depression which has held it in its grip for the past six years and when it is all the more necessary not further to disturb international relationships and retard or disrupt economic recovery through a naval race? No nation desires to enter such a race--no Government can afford the responsibility for inaugurating it. Our task during the coming weeks is to make it unnecessary.

One means of accomplishing this would be to agree upon a renewal of existing treaties with such modifications as circumstances may require. Failing this we should at any rate make every endeavor, through a frank and friendly exchange of views, to discover other paths to mutual understanding, which would at least prevent a naval race and avoid a disturbance of the equilibrium, and thus pave the way for a later more permanent and comprehensive treaty. Whatever our approach, our objective must be to insure that in the difficult and trying years ahead of us the essential balance between our fleets, which during the past years has proved such a guarantee of peace and stability, should be maintained by means of mutual agreement rather than by expensive and dangerous competition which can profit no one but must harm all.

On behalf of my Government I declare emphatically that the United States will not take the initiative in naval competition. We want no naval increase.

We want limitation and reduction. Our present building program, which is essentially one of replacement, is consistent

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with this desire. For ten years we ceased naval construction. Under our present plans the strengths allotted to us by the London Treaty as of the end of 1936 will not be attained until 1942. We have no wish to exceed those Treaty limits. I may say also that the United States, which is now definitely on the way to recovery from the severe depression through which it has been going, and from which no nation has escaped, is most anxious to devote its energies and material resources to the upbuilding of the country.

However great the difficulties that confront us in this Conference, we are here to help remove them. With good will and patience on the part of all we can find a mutually beneficial solution. I pledge the American Delegation's full cooperation toward this end.

Hull

500.1545/574 : Telegram

THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY OF STATE

London, December 7, 1935--8 p.m.

(Received, December 7--3:30 p.m.)

4. Following is text of Japanese opening speech, exchanged for ours this afternoon:

"On this felicitous occasion of the opening of the Five Power Naval Conference, I wish to express our deep appreciation of the efforts since last year of the British Government, through whose good offices the Conference has now met in accordance with the stipulations contained in the two naval treaties of Washington and London.

It has ever been the consistent policy of the Japanese Government to maintain and promote international peace. This has been fully evidenced by the fact of our willing participation in the past disarmament conferences, and our sincere cooperation with other powers in those conferences.

Pursuing the same policy, we desire to achieve, in the present Conference, a just and fair agreement on disarmament which will secure for each country adequate national defence and reduce the burden which weighs upon the people, contributing, at the same time, towards the advancement of peace and good will among the nations of the world.

The object of this Conference, we understand, is to conclude a new comprehensive treaty of naval disarmament with a view to regulating the naval strengths of the powers concerned from the year 1937.

Such a new treaty, in the view of the Japanese Government, should be based upon the fundamental idea of setting up, among the great naval powers of the world, a common limit of naval armaments to be fixed as low as possible, which they shall not be allowed to exceed; simultaneously, offensive forces must be drastically reduced and ample defensive forces provided, so as to bring about a substantial measure of disarmament, thus securing a state of nonmenace and nonaggression among the powers.

The Japanese Government firmly believe that this is indeed the best way of reaching a just and fair agreement on disarmament, whereby

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The Japanese Government firmly believe that this is indeed the best way of reaching a just and fair agreement on disarmament, whereby

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the burden of nations may be greatly lightened and a real contribution made towards the durable peace of the world.

The Japanese delegation wish to declare that on such principles as I have outlined, we are prepared to carry on frank exchanges of views with other members of the Conference in a spirit of peaceful collaboration, and to cooperate earnestly throughout with a view to achieving a new comprehensive agreement on disarmament which is at once most fair and rational."

Davis

500.1545/598

MEMORANDUM OF CONVERSATION BETWEEN THE AMERICAN AND THE JAPANESE DELEGATIONS

(London,) December 17, 1935.

| | |
|-------------------------|----------------------|
| Present: Admiral Nagano | Mr. Davis |
| Mr. Nagai | Mr. Phillips |
| Admiral Iwashita | Admiral Standley |
| Mr. Terasaki | Mr. Doonan |
| Mr. Mizota | Captain Ingersoll |
| | Commander Schuirmann |
| | Mr. Field |

In response to a request from Admiral Nagano in regard to the American proposal referred to by Mr. Davis at the opening session of the Conference, Mr. Davis stated that the American proposal might be summarized as a twenty percent all-around reduction in the various categories, such reduction to be applicable also to Italy and France insofar as the limitations imposed by the Washington Treaty upon those countries are concerned, with the proviso, however, that adjustments between categories shall be agreed upon after discussion.

At Mr. Davis' request, Admiral Standley went into the American proposal at great length. In regard to the question of the replacement of capital ships, Admiral Standley referred to the absence of any construction in this type during the past fifteen years and to the necessity of approaching with extreme caution any suggestion looking toward any change in the size of capital ships. He said that the first few vessels to be built under the replacement program would be of a maximum tonnage of 35,000, and that after the experience thus gained by this new construction the United States would be disposed to examine proposals in regard to reducing the size. Mr. Davis added that we were, however, prepared at this time to enter into a discussion in regard to fixing the maximum caliber of guns.

Admiral Standley referred to the statement made yesterday during the meeting of the heads of the delegations by Mr. Davis, to the effect that prior to the Washington Conference there had existed a common upper limit, with the sky as the limit. Prior to that

Conference, Japan did not have parity but had built a navy conforming to its needs. Failing any agreement, Japan would have the right to build up to parity with the United States if it could, but Admiral Standley did not doubt but that if Japan were to strive to reach parity with the United States, the United States would also build with a view to maintaining its lead. Such a state of affairs, he pointed out, was obviously not desired by either country, and he wondered whether it would not be possible to form an agreement which, while recognizing Japan's sovereign rights to build as large a navy as it desired, would stabilize strengths at the present comparative levels until such time as a more favorable opportunity might be expected for the discussion of a new naval arrangement.

Mr. Davis remarked that we should not overlook the fact that naval limitation is not a question which lies entirely between the United States and Japan. The naval position of the United States is in a considerable measure dependent upon the naval positions of England and of other European powers, as the United States could not ignore the historical fact that it had unwillingly been drawn into two major European Wars.

With respect to the question of security or non-menace and non-aggression, to which Admiral Nagano had made various references, Mr. Davis said that not only had the non-fortification provisions of the Washington Treaty removed the threat of aggression, but the Nine Power Treaty had also been concluded to remove the causes for aggression.²² This had established the foundation on which naval limitation rests. We consider that the Japanese were thus secured against attack from either the United States or Great Britain, and could not understand what there is that has happened to make Japan feel that she is menaced.

Admiral Standley here quoted excerpts of statements made by Kato and Shidehara at the Washington Conference (pages 106 and 380 (3787) of records of Washington Conference²³). Admiral Standley continued that at the London Conference we had made further concessions in the ratio to meet Japanese desires for additional security. As regards the present proposal for a twenty percent cut, it might be pointed out that a reduction in aircraft carrier and destroyer tonnage is contingent on reduction in submarines.

Admiral Nagano reiterated that opinion in his country no longer supported the Washington Treaty. He reminded us that our idea of disarmament also had undergone modification; for instance, Mr. Hughes had at the Washington Conference opposed the abolition of

²² Treaty signed at Washington, February 6, 1922, Foreign Relations 1922, vol. 1, p. 276.

²³ Conference on the Limitation of Armament. Washington, November 12, 1921-February 6, 1922 (Washington, Government Printing Office, 1922).

submarines, whereas we had favored abolition at London. Admiral Nagano assured us that the common upper limit did not envisage giving Japan any opportunity for aggression; on the contrary Japan wanted to make aggression by any power impossible. With respect to the London Treaty, Admiral Nagano declared that former Secretary of Navy Adams had said in the Senate that the American Delegation had succeeded in persuading Japan to accept a proposition almost impossible to accept.²⁴ Both Mr. Davis and Admiral Standley said that if any such statement had been made inferring that Japan was not equally secured it was certainly in error.

Admiral Standley said it had been understood at Washington that every nation was given security in the area in which it had to operate. Japanese waters were made as secure as California waters. However, the United States possessed territories close to Japan with an area as large as Japan's. There are no fortifications there and no submarines. We also had a large territory in Alaska. If we gave Japan parity, she would have absolute superiority in Philippine and Alaskan waters. That would not be giving the United States equality of security. Some people in the United States have said Japan wants to take the Philippines. Japan has never shown any intention to do this any more than we have threatened her. The Government at Washington has done what it could to allay such a misapprehension at home, and we must not allow anything to happen which would bring about a recrudescence of this feeling. The Japanese claims give people who think she wants to take the Philippines or Alaska exactly the ammunition they are looking for.

Admiral Nagano stated that while under the ratio Japan could not possibly menace the United States, the American Navy concentrated in Oriental waters could threaten Japanese security. With respect to the Philippines, it might also be said that the United States had no possessions near Europe, while Europe had possessions near America, and if such geographical aspects were to be taken into account, the situation would become very complex. Japan nevertheless had numerous independent islands off her coast for which she has to find means of defense. She could, therefore, not accept a plan which would permit one power to approach the other, while the reverse was not true. From Japan's point of view the Philippines lay in line of very important waters and hence represented a constant threat. Japan did not want the Philippines but they constituted one reason why she found it difficult to recognize American naval superiority.

Mr. Davis said he did not think the Japanese proposals very fair. At the Washington Conference we had made the greatest sacrifice,

²⁴ See Department of State Conference Series no. 6, Proceedings of the London Naval Conference of 1930 and Supplementary Documents (Washington, Government Printing Office, 1931), p. 82

since we had abandoned an actual program of construction which would have given us in two or three years a navy more powerful than Great Britain's and much more powerful in relation to Japan than under the Treaty. It was not the British who accepted parity, but the United States which granted parity. We did this in the interests of promoting peace, understanding and security. Parity with Japan would not give us equal security since it would deprive us of the power to defend Alaska and the Philippines.

Admiral Nagano did not deny that the Washington Treaty checked a naval race and promoted peace, and he hoped that the friendly situation created thereby by the United States and Japan would continue. But Japan did not want to be placed in the position where the continuance of peace and good will was dependent on another country. Japan was worried, not about the safety of distant possessions, but about the safety of Japan herself.

Admiral Standley said that it seemed apparent that we could not see eye to eye on the question of security and non-menace. The only solution, therefore, would be to continue the Washington agreements temporarily until sometime when we could sit down and go over the various problems without suspicion.

Mr. Davis added that we must find a *modus vivendi* which would avoid both the common upper limit and the ratio. There had been an improvement in Japanese-American relations in the past three years. Japan had nothing material which the United States wanted. The two countries were good mutual customers, and there was more reason for our two countries to cooperate than in the case of any other two nations. The present, Mr. Davis added, was no time to change the naval structure. Italy was making war in Abyssinia; Japanese armies were marching in China, and the American people did not know what this would lead to. Japan was in process of evolution and did not herself know what the outcome would be. The American people were watching to see what would take place. They had shown clearly they did not want trouble with Japan or anyone else. In any case, there was more justification for an increase in the American ratio than in that of Japan, for the United States had certainly done nothing to warrant suspicion. On the other hand, what Japan was doing was a little disturbing to the American people and their great qualities and to their urge for progress which the United States admired but which it desired to see exercised in a peaceful manner.

Mr. Phillips said we did not want to do anything to harm the rapidly growing friendship between our peoples. Parity would certainly set us back and breed suspicion. It would arouse fear and there is nothing more detrimental to friendship.

Admiral Nagano said that Japan no less than the United States

wished to continue to improve friendly relations, but the fact was that Japan felt the pressure of the American Navy which was capable of menacing Japan's very existence. That situation must be altered if Japan is to feel contented in the Pacific.

Admiral Standley, after explaining that he was speaking purely personally and without having discussed it with his Delegation, suggested that the only way to come to a temporary agreement was to take the present structure, with certain modifications as to qualitative limitation, and perhaps to include in a preamble a statement that an adequate navy was the sovereign right of everybody. Such a treaty would include building programs over a period of years in place of the ratio system.

Mr. Nagai at first expressed the fear that any such compromise would again mean the ratio system in disguise. After further explanations by Admiral Standley, he expressed interest in the suggestion on the understanding that it would mean a provisional arrangement for a few years only. The Japanese Delegation indicated that they would think over Admiral Standley's suggestion and give us their views another time.

500.A15A5/589 : Telegram

THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY OF STATE

(Paraphrase)

London, December 17, 1935-10 p.m.

(Received December 17-7:45 p.m.)

22. We had a discussion with the British delegation at the Admiralty this morning, following our meeting with the Japanese, at which we discussed future procedure after exchanging information on our conferences with the Japanese.

Although the Japanese had evidently been sent to London under strict and limited instructions, it would be unwise to press for speed or to attempt to come to any conclusions before the Christmas adjournment was the opinion of both delegations. The Japanese might refuse to enter into qualitative discussions after the holidays, if an attempt were made at this time to end quantitative discussions. The best procedure would be to permit a general discussion of the British proposal for limitation of programs, followed by a discussion of the French proposal for a pre avis;²⁵ it was agreed. It is probable that these discussions would not be completed by December 20, and it would seem that the wisest course would be for the chairman to suggest, at an appropriate time in January, that inasmuch as the discussion of quantitative proposals appeared to have been exhausted for the time

²⁵System of advance notification; The London Naval Conference 1935: p. 98.

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²⁵System of advance notification; The London Naval Conference 1935, p. 98.

being, we should now consider other matters such as qualitative limitation without implying that the quantitative question had been disposed of by the Conference.

Since any discussion of programs is bound to lead back again to the ratio question, the British did not appear to have much hope as to the acceptance of their proposal by the Japanese. Notwithstanding, if the Japanese had come to a realization of the material difficulty of trying to achieve equality in fact with Great Britain and the United States and were seeking a way out which would save their faces, a solution might be found along the lines of limitation of programs which without specific ratios would enable the Japanese voluntarily to declare a building program in harmony with the relative strengths formulated.

Some kind of quantitative limitation might serve to make it easier for the Japanese to accept qualitative limitation was also brought out by the discussion. The British suggested, in this connection, that it would be unwise to let the Japanese think that Great Britain and the United States would not take the initiative in building larger and newer types of ships in any case. It might make the Japanese more tractable if we could let the idea get around that we would consider building new types, if there is no qualitative limitation.

The British were informed by Admiral Standley that the Panama Canal would not be an obstacle to building larger capital ships, and Lord Nonsell^{25a} stated that he thought it would be desirable to dispel any illusions on this score which might have been shared with the British by the Japanese.

The opinion was expressed by us that at a later date it would be well for the British and ourselves to inform the Japanese definitely that any change in the relative strengths through the action of one country would certainly be most disturbing to the other countries and that the United States and Great Britain would most certainly match any building done by the Japanese in such a way as to maintain the treaty proportions in force at this time.

Devis

500 11545/611 - Telegram
THE AMBASSADOR IN JAPAN (OFFICE OF THE SECRETARY OF STATE)
(Favrepage)

Tokyo, January 12, 1936-7 p.m.
(Received January 12-1936 a.m.)

9. The following is for transmission to London for Devis.
(1) After a six-hour conference between the Foreign Office and Navy officials last night the Cabinet approved this afternoon final message.

25a
First Lord of the British Admiralty and presiding officer of the Conference.

tions to Nagano.²⁶ In order to avoid blame for the complete rupture of the Conference, I understand, the Foreign Office was able to secure Japanese continuance therein, although Navy officials were prepared to break it up by withdrawal. Nagano's instructions are to make clear Japan's proposal to provide real reduction, it is repeated, but that she will not discuss qualitative apart from quantitative reduction, nor will Japan enter into temporary agreements which would continue inequalities. The Japanese delegates may remain an effect as observers, however, and in the later phase of the Conference when the subjects are discussed may participate. There has been no definite confirmation of the foregoing reports.

(2) While wishing to avoid forcing a formal vote on quantitative limitation which would oblige Japan to withdraw from the Conference and thus accept the onus for a complete break, it is my belief that the Foreign Office will nevertheless welcome a final and definite clarification of the parity issue so that some new program involving political agreements may be set in motion and this chapter closed.

(3) Owing to the discrepancy in views between the Navy and the Foreign Office and the consequent lack of unanimity in the Government regarding methods and tactics, though not in point of general objective, the situation here is enshrouded in the usual fog. It is obvious that the Japanese Navy in demanding parity had the American Navy principally in view but neglected to foresee the European complications which their attitude would create. A reconsideration of the parity issue is far then out of the question and, having burned their bridges, they may now expect to see the possibility of finding some alternative of a political nature being explored by the Foreign Office

Grew

500.11545/615 : Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

(Paraphrase)

London, January 10, 1936-1 a.m.

(Received January 13, -10:45 p.m.)

46. Before dinner tonight, at a two-hour meeting with the British, the Japanese told them, in substance, that as regards the common upper limit they were desirous of having a further discussion and a decision. A postponement of the First Committee's meeting until Wednesday afternoon was requested by the Japanese, at which time they stated

26

Admiral Nagano, chairman of the Japanese delegation.

27 The First Committee consisted of the entire membership of the Conference in committee of the whole; The London Naval Conference 1935, p. 66.

they would give a fuller explanation of their thesis and that Japan would withdraw from the Conference should this be rejected by the other powers.

Both Monsell and Eden²⁸ told me briefly that "the jig was up," when I saw them later at a meeting. We have arranged to have a further talk with them in the morning, in compliance with their request.

An immediate adjournment of the Conference until later this year was requested by the Japanese who urged the British to agree to this, Eden told me. The British would not agree, Eden definitely told the Japanese; instead, they would propose that the other powers participating in the Conference remain to discuss further a naval agreement to which Japan, if she so desired, might later adhere, Eden said.

I was approached later on by Nagai²⁹ who said he was desirous of telling me personally how deeply he regretted their inability to reach an agreement and that this would necessitate withdrawal from the Conference by the Japanese. "Would it be helpful to them to carry the delegates on for another month or so or was there any hope of their reaching an ultimate agreement, I asked him. Their situation at home was such, Nagai said, that they could not come to any kind of agreement now and their only hope was that there would be a change in public opinion in Japan by bringing matters to a head now which might make it possible later on perhaps this year to have a resumption of negotiations. Nothing must be done to disturb Japanese-American relations, Nagai concluded, and that what Japan wanted above all else was to leave the Conference in a most friendly spirit.

Davis

500.115A5/617 : Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

(Paraphrase)

London, January 14, 1936-7 p.m.

(Received January 14-3-47 p.m.)

47. This morning a meeting was held at the Foreign Office between the British and the American delegates at which the British informed us of their conversation with the Japanese, the substance of which was transmitted to you in my telegram no. 46, today, 1 a.m. While they could not reach any naval agreement after the rejection of the common upper limit, the Japanese had also said they would like before.

²⁸ Anthony Eden, British Secretary of State for Foreign Affairs.

²⁹ Masumune Nagai, Japanese Ambassador to France and member of the delegation.

hand, with a view to perpetuating the terms of Part 4 of the London Naval Treaty,³⁰ to discuss rules of submarine warfare. After disposing of the common upper limit the British said they would be very glad to do so. Under the circumstances, the Japanese repeated, they would be unable to remain for any negotiations and they again suggested that the Conference take up first Part 4 of the London Naval Treaty. Everything possible had been done to meet the Japanese wishes, the British replied, but they were not willing to depart to that extent from the procedure.

The Japanese had questioned the legality of continuing the Conference once Japan withdraws, the British then told us, since the Washington Treaty envisages only a conference of the five powers and not a four-power meeting and since the Conference was called under this treaty. In disagreeing with this the British told the Japanese that they could see no reason why the other participating powers should not continue to negotiate a naval agreement since without some sort of new agreement there would be chaos and such an agreement could not become effective until after the expiration of the Washington and London Treaties. The British told the Japanese, furthermore, that the other powers would have in mind the possibility and hope that Japan might ultimately become a party to any agreement they might negotiate. The British definitely expressed the view that the obligation of article 23 of the Washington Treaty was fulfilled by the convocation of the present Conference.

They would have no objection to two or three Japanese observers, the British told the Japanese. (This morning, after some discussion, it was agreed that the Japanese should be allowed to have observers but they would have no right to sit with the expert committees for technical discussions. However, they could be kept informed of the results of these discussions.) We then asked the British for their views with reference to later invitations to Russia and Germany. They were keeping both of these nations informed of what is taking place, they replied, but that Italy and France wished to include Greece, Yugoslavia, and Turkey, in which case it would be necessary to invite also Spain, Holland, and Sweden, and perhaps the South American countries. If once you go beyond the major powers, the British said, they were of the opinion that it would be better to include all naval states and that this might be after all of considerable advantage from a practical and psychological viewpoint. Were an agreement to be entered into by all the other naval powers, with the exception of Japan, the would be so overwhelming that they believed Japan would desire to join within a short time. With the Japanese out of the Conference the British

³⁰ Department of State Treaty Series no. 830, p. 27.
469136-43-vol. 1-25

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recognize that many difficulties would arise; but, on the theory that Japan will ultimately want to come in, they believe we should proceed. As a counterpoise to Japan's freedom, an adequate escape clause should be provided in the meantime.

Except perhaps insofar as it might result from the operation of agreed building programs, the British who desire above all qualitative limitation now state that without Japan the last hope of achieving quantitative limitation has gone. This desire on the part of the British for qualitative limitation without quantitative is no doubt partly determined by their wish to bring into agreement France and Italy and their realization that it is now impossible to have a quantitative agreement between France and Italy and also by the fact that the way would be left open for later adherence by other powers by qualitative limitation.

- Davis

507.11545/618 : Telegram
THE CHAIRMAN OF THE AMERICAN DELEGATION (DAVIS) TO THE SECRETARY
OF STATE

London, January 15, 1936-2 p.m.
(Received January 15-11:27 a.m.³¹)

49. At this afternoon's meeting following the Japanese exposition, it is planned that all of the delegations will make final statements in reply.³²

As the Japanese are planning to release their statement immediately after the meeting, we shall do the same with ours. Text follows and you will be notified of the hour of release probably through flash.³³

"The United States has been most desirous of reaching a new agreement for a reduction and limitation of naval armaments to supersede the existing treaties that are to expire at the end of this year. We have, therefore, been willing to discuss any proposals and to explore every possibility of agreement. We have been willing to consider any evidence that might have been presented to the effect that the present relative strengths are not fair and equitable and do not provide for equal security.

We have accordingly listened with the most careful attention to all the explanations given by the Japanese delegation of their proposal for a common upper level with a view to determining whether any new facts or considerations might be developed which would justify the United States in modifying its belief that the principles

³¹Telegram in three sections

³²Tenth meeting of the First Committee, January 15, 1936, The London Naval Conference, 1935, p. 212.

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of the common upper limit would not be a practicable basis for the limitation and reduction of naval armament. While we greatly appreciate the clear exposition of the Japanese point of view presented by Admiral Nagano, the discussion has if anything served to strengthen our conviction that the principle of a common upper limit would not serve as a basis for negotiation and agreement.

The Japanese have proposed that this Conference establish a level for naval armaments which no contracting power might exceed. They expressed the hope that the agreed limit should be set so low as to require substantial reductions by Japan. This would require contracting powers having navies larger than the limit to scrap or sink many ships to reach this common upper limit and would permit contracting powers having the smaller navies to build up to the common level.

The Japanese recognize that there are differences in vulnerability, responsibility, and needs as between the powers. They state these are of "great consequences to every power." To provide for these differences they propose to make a small quantitative adjustment within the common upper limit. While Japan has objected to a continuance of the so-called ratio system, their proposal for a common upper limit is in fact not an abandonment but an continuance of the ratio system on the basis of parity without taking into account the varying needs of the countries concerned.

The principle of the common upper limit rests in fact on the assumption which it has not been possible to substantiate that equality of security--which we are all unanimously agreed must be the foundation of limitation and reduction--could be achieved by equality of naval armament. We believe it has been sufficiently shown in the course of our discussions that equality of naval armament not only is not the same as equality of security but that the two are incompatible and contradictory. Equal armaments do not insure equal security.

Equality of security as was recognized and established at the Washington Conference can mean only superiority of defense in each country's own waters. This defense depends only in part on actual naval strength. Other factors of equal if not greater importance in determining a nation's capacity for defense are strength of land and air forces and of fortifications, distances from other powers, length of communications, configuration of coast lines, importance and relative status of outlying possessions, extent and complexity of responsibilities. These necessarily dictate unequal navies if equality of security is to be assured.

The Japanese delegation has stated that one of the objects of their proposal is "to create a state of nonaggression and nonmenace". We are convinced this state now exists among the signatories to the naval treaties.

Certain nations are so situated as to be endowed by nature with a superior power of defense. If, without regard to all the other factors I have cited, a nation so situated should possess naval armaments equal to those of powers not so favored, then that nation would have a very marked naval superiority far more than sufficient for its defensive needs. The sense of security which we feel was created by existing naval treaties would thereby disappear. It is possible to change some factors; it is not possible to change geography.

The existing relative strengths have in effect provided an equilibrium of defense and an equality of security as nearly as is humanly possible. It would be extremely difficult even in more normal times and under conditions of greater mutual confidence, to agree upon such a radical readjustment of these relative strengths as would be involved in acceptance of the common upper limit. In the face of the present world instability such a readjustment, quite aside from the question of principle, is impossible. Bearing in mind the situation in the Far East, in Europe and in Africa, the United States is unwilling to consent to any change which would lessen its relative security particularly in the absence of greater assurance than we now have that to do so would not promote peace and establish a regime of nonwar and nonaggression. It is, however, in favor of and has proposed at this Conference an all-around proportional reduction in fleet strengths.

With reference to the question of reducing so-called offensive naval arms which has been alluded to, I am persuaded that it is not possible to make out any case whatever as to a distinction to be drawn between offensive and defensive naval vessels. Whether any particular type of naval armament is offensive or defensive depends entirely upon the use that is made of it. If the time ever comes when the conditions of the world are such as to permit of virtual elimination of the necessity of maintaining large navies the first step would naturally be to cease to construct the more expensive types of naval vessels. Certainly the situation in the world today is not such as to justify this.

For all the foregoing reasons the United States is unable to accept the principle of the "common upper limit" as the basis for an agreement. While we would deeply regret the inability to arrive at an agreement acceptable to all the powers here represented our decision and purpose would be to foster the continuance of our friendly relations with all the naval powers."

Davis

500.11545 Documents/14
PRESS COMMUNIQUE, LONDON NAVAL CONFERENCE, JULY 15, 1936³⁴

At the request of the Japanese Delegation the Committee, at the invitation of the Chairman, agreed to resume this afternoon the discussion of the Japanese proposal for a common upper limit of naval tonnage. After the Japanese Delegation had made a statement with a view to elucidating further the Japanese proposal, the Chairman asked each Delegation to express their full and definitive views on this proposal. The Chairman, in summing up the discussion, stated that most of the time of the Delegations had been devoted, both inside and outside of the Conference, to a very careful consideration of this Japanese proposal, but he noted that it had received no support. Furthermore, he observed that the Japanese proposal dealt in the main only

³⁴

Issued at the close of the tenth meeting of the First Committee.

with quantitative limitation, and quantitative limitation itself was only a limited part of the many problems before the Conference. In the circumstances he thought that the best plan would be to adjourn the meeting and to proceed at the next meeting with the other important work before the Committee.

500.115/5 Documents/10

THE CHAIRMAN OF THE JAPANESE DELEGATION (NAGANO) TO THE CHAIRMAN OF THE CONFERENCE (MONSELL)

(London) January 15, 1936.

My Lord, I have the honour hereby to notify Your Lordship that as it has become sufficiently clear at to-day's session of the First Committee that the basic principles embodied in our proposal for a comprehensive limitation and reduction of naval armaments cannot secure general support, our Delegation have now come to the conclusion that we can no longer usefully continue our participation in the deliberations of the present Conference.

We remain, nevertheless, firmly convinced that our proposal is one best calculated to attain an effective disarmament, and we regret to state that we cannot subscribe, for the reasons we have repeatedly set forth, to the plans of quantitative limitation submitted by the other Delegations.

I desire to assure you, on this occasion, that we most sincerely appreciate the cordial manner in which you have been good enough to conduct the Conference; at the same time, I should like to tender our deepest thanks on behalf of our Delegation, for the hearty co-operation of all the Delegations to this Conference.

I have (etc.)

Isami Nagano

REFUSAL BY JAPAN TO AGREE TO LIMITATION OF
GUN CALIBER FOR BATTLESHIPS

500.41545/809

THE ACTING SECRETARY OF THE NAVY (STANDLEY) TO THE SECRETARY OF STATE

414-7(3)/EM-

London (368725)

Washington, 25 July, 1936.

Sir: Informal advices received from your Department have indicated that the Japanese government will not adhere to the Naval Treaty signed in London on March 25, 1936, by the representatives of the United States, the French Republic and the British Commonwealth of Nations.³⁵

In this connection it would be of great advantage to the Navy Department to know definitely whether the Japanese government has signified its intention in regard to entering into an agreement to conform to the provision of Part II, Article IV (2) of the Treaty, which would limit to 14 inches in caliber the guns of any capital ship to be constructed or acquired by any high contracting party.

It is requested that the information referred to in the preceding paragraph be furnished to the Navy Department as early as it may conveniently be obtained.

Respectfully,

W. H. Standley

500.41545/841a : Telegram

THE ACTING SECRETARY OF STATE TO THE AMBASSADOR IN GREAT BRITAIN

(BIRGHAM)

(Paraphrase)

Washington, December 3, 1936-8 p.m.

434. (1) It has become most urgent for the Navy Department to have the latter clarified of Japan's position with regard to article 4, paragraph 2, of the London Naval Treaty of 1936, relating to the caliber of guns on capital ships, in view of the publicity in this country concerning the new capital ships and the short time which remains for the completion of the final plans for these ships. (2) Last August the British Ambassador to Japan informed the British Foreign Office, you will recall, that only a direct approach on this subject might elicit a definite statement regarding the intentions of the Japanese Government and that after the return of

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Mr. Grow³⁶ from leave of absence November such an approach might appropriately be made. The matter should be taken up more promptly in their view, the Foreign Office replied. In response to this the British Ambassador, we understand, recommended that the subject be broached in London and not in Tokyo.

(3) Then on October 15, the British Foreign Office requested their Embassy at Washington to obtain an expression of our views in the premises. We were agreeable in principle to their putting the question to the Japanese Government, we replied, but it should be put in the name of the British Government alone, and the man on the spot would be in the best position to decide, in view of the internal domestic situation in Japan, since we were desirous of avoiding any action which might have an adverse effect on the development of major policies in that country.

(4) You reported in your despatch no. 2613 of October 27, 1936,³⁷ that Craigie stated he had discussed this matter with Yoshida,³⁸ who had indicated that the Japanese might be prepared to give an official assurance in writing, with a face-saving clause, that they would bind themselves to 14-inch guns. Craigie had a second conversation with Yoshida on November 11, and Grow now telegraphs that Clive³⁹ has been informed that Yoshida said it would be unwise for him to take the subject up himself with Tokyo, and he recommended that the question be taken up as a technical matter directly with his naval attache by the admiralty. However, whether the Admiralty actually did make the approach to the naval attache, no information indicating such action has been received by Clive.

(5) We are desirous of ascertaining precisely where the question lies between the British and the Japanese, whether Craigie actually agreed with Yoshida that the Japanese Naval Attache should be approached by the Admiralty and whether such a course was pursued, before considering taking any action ourselves. You are requested to investigate the matter and to telegraph your report.

Moore

500.11515/871 : Telegram
THE AMBASSADOR IN GREAT BRITAIN (BIRMINGHAM) TO THE SECRETARY OF STATE

London, March 30, 1937-1 p.m.

(Received March 30-8:50 a.m.)

178. Foreign Office has informed me that Foreign Secretary (Minister) has handed to British Ambassador in Tokyo formal Japa-

³⁶ American Ambassador to Japan

³⁷ Not printed.

³⁸ Assistant Under Secretary of State, British Foreign Office, and Japanese Ambassador to Great Britain, respectively.

³⁹ British Ambassador to Japan.

nese reply refusing to accept 14-inch gun limitation since it would mean "qualitative without quantitative limitation".

An editorial entitled "Japan's responsibility" published in today's Times concludes as follows:

"The first step towards a new naval race will be the adoption of 16-inch guns as the largest that may be mounted instead of the 14-inch provided by the treaty; despite her withdrawal from the Conference, it was within the power of Japan to prevent that step by a mere undertaking before April 1 not to take it herself. Her definite refusal to give any such undertaking has just been reported from Tokyo. If the world now finds itself once more committed to the folly of unrestricted naval competition there can be no possible doubt where the responsibility lies."

Bingham

500.11515/883 a : Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREN)⁴⁰
(Paraphrase)

Washington, June 4, 1937-8 p.m.

75. The London Naval Treaty of 1936, as you are aware, made provision for a reduction from 16 inches to 14 inches in the future caliber of guns on battleships conditional upon acceptance of this provision of the treaty by April 1, 1937, by all the powers signatories to the Naval Treaty signed at Washington on February 6, 1922.⁴¹ The American Government has ratified the Naval Treaty of 1936, but because the condition of a general agreement to the 14-inch gun caliber limitation for battleships before April 1, 1937, was not effected, that limitation has not become effective.

This Government is now under the necessity of deciding the caliber of the guns to be mounted on the two new battleships for which appropriations have been made and the construction of which has begun. The Government has also to determine what shall be the caliber on additional battleships for the construction of which appropriation of the necessary funds may soon be asked of Congress by the President.

The Government of the United States, which is sincerely committed to the principle of reduction of armament has been and remains entirely willing to accept a gun caliber limitation of 14 inches, provided that the other principal naval powers will agree to adopt and to adhere to a like limitation.

The President must soon make a decision, and while he would deplore the necessity of having to increase the caliber of the guns to be mounted on our new capital ships to 16 inches, he may find that he

⁴⁰ Sent, mutatis mutandis, on the same date to the Ambassadors in Great Britain, France, and Italy

⁴¹ Foreign Relations, 1922, vol. 1, p. 247

shall have to take this action if the other principal naval powers are unwilling to maintain a limitation of 14 inches.

The adoption of the 14-inch gun caliber as a maximum, subject to the adoption of that limitation by the other principal naval powers, was one of the important points of agreement reached by the powers who negotiated the Naval Treaty of 1936; this fact gives rise to a sincere hope on the part of the American Government that there may at least be the possibility of achieving this one aspect of limitation, thereby removing an element of suspicion and uncertainty detrimental to the best interest of all the powers who are concerned.

For the foregoing reasons you are requested to approach the Japanese Government with a view to ascertaining whether that Government would be willing to maintain this one aspect of naval limitation.

You may also state that the Government of the United States is presenting this inquiry and proposal simultaneously to all the powers signatories to the Washington Naval Treaty of 1922; you should add that the Government of the United States would appreciate receiving a reply before June 21, 1937.

Hull

500.41515/891:Telegram

THE AMBASSADOR IN JAPAN (GREEN) TO THE SECRETARY OF STATE

Tokyo, June 18, 1937-4 p.m.

(Received June 18-9:05 a.m.)

161. Department's 75, June 4, 8 p.m.; Embassy's 152, June 7, 3 p.m.⁴² Following is the official English translation of the Japanese text of the aide-memoire marked "confidential", dated today, handed to me this afternoon by the Minister for Foreign Affairs.

"Aide-memoire. The Japanese Government have taken note of the proposal of the Government of the United States regarding the limitation of the calibre of guns for capital ships which was contained in the aide-memoire handed on June 7 this year to the Foreign Minister by the United States Ambassador in Tokyo.

The fundamental policy that guides Japan in providing for her armament is, as has been made clear on many previous occasions, based on a consistent regard for the principle of nonmenace and nonaggression. It follows, therefore, that so long as the other powers also adhere to the same principle and are content with maintaining the minimum force required for their strictly defensive needs, Japan entertains no intention at all of embarking, on her own initiative, upon the building up of a naval force which could be a menace to other countries.

While the limitation of the gun calibre for capital ships constitutes one important aspect of qualitative limitation, the Japanese Government, in elucidating at the last London Naval Conference their basic attitude concerning the means calculated to bring about just and fair

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Letter not printed

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For the foregoing reasons you are requested to approach the Japanese Government with a view to ascertaining whether that Government would be willing to maintain this one aspect of naval limitation.

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While the limitation of the gun calibre for capital ships constitutes one important aspect of qualitative limitation, the Japanese Government, in elucidating at the last London Naval Conference their basic attitude concerning the means calculated to bring about just and fair

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Latter not printed

state of naval disarmament, made it clear that they could not subscribe to qualitative limitation alone, if not accompanied by a simultaneous restriction in quantity. The Japanese Government still hold the same conviction as regards the matter of qualitative limitation. Stated briefly, it is their belief that a mere limitation in quality alone will only induce a tendency to make up for the deficiency caused through such limitation, by resorting to quantitative augmentation, thus ultimately leading to a competition in naval armament in quantity. The Japanese Government, therefore, are not, at this juncture, in a position to adopt, apart from quantitative restrictions, a mere limitation of the gun calibre for capital ships, a matter which properly belongs to the most important phase of qualitative limitation and hope that the United States Government will understand the above-mentioned position of the Japanese Government.

It may be added for the information of the United States Government that this position of the Japanese Government as regards qualitative limitation was communicated towards the end of March to the British Government, when the Japanese Government responded to the British proposal of January this year regarding the limitation to fourteen inches of the maximum calibre of guns for capital ships. June 18, 1937."

Grew

500.41545/903

PRESS RELEASE ISSUED BY THE DEPARTMENT OF STATE ON JULY 10, 1937

On April 1, 1937, in view of the fact that all the Parties to the Treaty for the Limitation of Naval Armament of February 6, 1922, had not accepted 14 in. as the limit of the caliber of guns on capital ships, under the London Naval Treaty, 1936, 16 in. automatically became the limit of the caliber of guns to be mounted on capital ships.

However, this Government, not wishing to leave a stone unturned in its effort to maintain the limit of the caliber of guns on capital ships at the lower level, about June 1, on its own initiative sounded out the Governments Parties to the Washington Naval Treaty to ascertain whether they would be willing to maintain the limit of the caliber of guns on capital ships at 14 in. At the same time, this Government in line with its policy consistently followed of favoring the principle of a reduction of armaments, expressed its entire willingness faithfully to maintain the lower level.

The Governments thus approached have now replied. Unfortunately, it is established that there is not a universal acceptance by the Washington Naval Powers of the limit of gun caliber at 14 in.

With the greatest reluctance, therefore, this Government has been obliged to conclude that all other Governments have given no assurance of the maintenance of the 14 in. gun level. As a consequence, therefore, guns of a caliber of 16 in. will be mounted on the two new battleships for which appropriation has been made and on which construction has begun.

REJECTION BY JAPAN OF AMERICAN, BRITISH, AND FRENCH PROPOSALS FOR
THE RECIPROCAL EXCHANGE OF NAVAL CONSTRUCTION INFORMATION

500.41545 Construction/91a : Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREY)

Washington, February 3, 1938-8 p.m.

36. As you know persistent reports have reached us that the Japanese are building, or contemplate building, ships exceeding the limits of the London Naval Treaty, 1936.⁴⁾ We have discussed the matter with the British, who called in the French, and it has been agreed that an identic note, mutatis mutandis, should be delivered to the Japanese Government by you and your British and French colleagues on Saturday at times to be agreed upon by you.

The following is the text of the note which you should address to the Japanese Government:

(Here follows the text of the body of the American note dated February 5, printed infra.)

Hull

500.41543 Construction/131

THE AMERICAN AMBASSADOR IN JAPAN (GREY) TO THE JAPANESE MINISTER
FOR FOREIGN AFFAIRS (HIROTA)

no. 875

Tokyo, February 5, 1938.

Excellency: The Japanese Government will be aware that under the London Naval Treaty 1936 the American Government is precluded from constructing capital ships (i. e., vessels of more than 10,000 tons standard displacement or with a gun of more than 8 inches) which exceed 35,000 tons or carry a gun of more than 16 inches, or which are of less than 17,500 tons or carry a gun of less than 10 inches. As regards cruisers (i. e., vessels of not more than 10,000 tons with a gun of not more than 8 inches) the American Government is limited to a maximum of 8,000 tons with six inch guns.

The Japanese Government has unfortunately not seen its way to subscribe to the London Naval Treaty, nor has it hitherto felt able to give any assurances that Treaty limits would in practice be adhered to by it.

As the Japanese Government will be aware, the Naval Treaty gives

REJECTION BY JAPAN OF AMERICAN, BRITISH, AND FRENCH PROPOSALS FOR
THE RECIPROCAL EXCHANGE OF NAVAL CONSTRUCTION INFORMATION

500.41515 Construction/91a : Telegram

THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREY)

Washington, February 3, 1938-8 p.m.

36. As you know persistent reports have reached us that the Japanese are building, or contemplate building, ships exceeding the limits of the London Naval Treaty, 1936. We have discussed the matter with the British, who called in the French, and it has been agreed that an identic note, mutatis mutandis, should be delivered to the Japanese Government by you and your British and French colleagues on Saturday at times to be agreed upon by you.

The following is the text of the note which you should address to the Japanese Government:

(Here follows the text of the body of the American note dated February 5, printed infra.)

Hull

500.41513 Construction/131

THE AMERICAN AMBASSADOR IN JAPAN (GREY) TO THE JAPANESE MINISTER
FOR FOREIGN AFFAIRS (HIROTA)

no. 875

Tokyo, February 5, 1938.

Excellency: The Japanese Government will be aware that under the London Naval Treaty 1936 the American Government is precluded from constructing capital ships (i. e., vessels of more than 10,000 tons standard displacement or with a gun of more than 8 inches) which exceed 35,000 tons or carry a gun of more than 16 inches, or which are of less than 17,500 tons or carry a gun of less than 10 inches. As regards cruisers (i. e., vessels of not more than 10,000 tons with a gun of not more than 8 inches) the American Government is limited to a maximum of 8,000 tons with six inch guns.

The Japanese Government has unfortunately not seen its way to subscribe to the London Naval Treaty, nor has it hitherto felt able to give any assurances that Treaty limits would in practice be adhered to by it.

As the Japanese Government will be aware, the Naval Treaty gives

the American Government a right of escalation in the event of building not in conformity with treaty limits by a Power not a party thereto. There have for some time been persistent and cumulative reports, which, in the absence of explicit assurances from the Japanese Government that they are ill-founded, must be deemed to be authentic, that Japan has undertaken or intends to undertake construction of capital ships and cruisers not in conformity with the above-mentioned limits. The American Government has therefore decided that it will be necessary for it to exercise its right of escalation unless the Japanese Government can furnish the aforesaid assurances and can satisfy the American Government that it will not, prior to January 1, 1943, lay down, complete, or acquire any vessel which does not conform to the limits in question, without previously informing the American Government of its intention to do so and of tonnage and calibre of the largest gun of the vessel or vessels concerned.

In view of the forthcoming publication of naval estimates and necessity for giving other Treaty Powers information as to intended American construction, the American Government will be glad to receive a reply not later than February 20 next. Should no reply be received by that date, or should the reply be lacking in the desired information and assurances, it will be compelled to assume that the Japanese Government either is constructing or acquiring or has authorized the construction or acquisition of vessels not in conformity with the limits referred to. The American Government would thereupon be obliged in consultation with the other Naval Powers with which it is in treaty relations to resume full liberty of action. If, however, the Japanese Government, though engaged in, or intending to engage in, construction not in conformity with treaty limits, were willing to indicate forthwith the tonnages and callibres of guns of the vessels which it was constructing, or was intending to construct, the American Government for its part would be ready to discuss with the Japanese Government the question of the tonnages and gun calibres to be adhered to in future if Japan were now prepared to agree to some limitation. It would, however, be necessary that such consultation should be completed by May 1.⁴⁴

I avail myself (etc)

Joseph C. Grew

500.115.5/131

THE JAPANESE MINISTER FOR FOREIGN AFFAIRS (HIROTA) TO THE AMERICAN
AMBASSADOR IN JAPAN (GREW)

no. 18, American I

Tokyo, February 12, 1938

Your Excellency: I have the honour to acknowledge the receipt of Your Excellency's letter no. 875 dated 5th February, 1938, in which

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The date was advanced to April 1 by the Department's telegraphic instruction no. 49, Feb 9, 1938; not printed

you set forth your Government's desire regarding the communication of information on the matter of naval construction.

It may be recalled that at the last London Naval Conference the Japanese Government proposed, in the earnest desire to bring about a drastic reduction of naval armament, the total abolition of capital ships and aircraft-carriers, which are aggressive in their nature, and at the same time contended that qualitative limitation, if not accompanied by quantitative limitation, would not be calculated to achieve any fair and equitable measure of disarmament. Unfortunately the views of the Japanese Government were not shared by your Government and the other Governments concerned. This fundamental principle entertained by the Japanese Government was, as your Government will be aware, made clear again last year in their reply to the proposal of your Government regarding the limitation of gun calibres. The Japanese Government, always prompted by the spirit of non-menace and non-aggression, have no intention whatever of possessing an armament which would menace other countries. At this juncture, when, as a result of the non-acceptance by other countries of the reasonable desires of Japan in the matter of disarmament, there is as yet in existence no fair disarmament treaty to which Japan is a party, the Japanese Government are of opinion that the mere communication of information concerning the construction of vessels will, in the absence of quantitative limitation, not contribute to any fair and equitable measure of disarmament and regret that they are unable to comply with the desire of your Government on this point.

The Japanese Government fail to see any logical reasoning in an assumption on the part of your Government that this Government must be deemed to entertain a scheme of constructing vessels which are not in conformity with the limits provided in the London Naval Treaty of 1936, from the mere fact that they do not despatch a reply giving the desired information; and they are of opinion that it is not a matter which should concern this Government if your Government, on the basis of whatever reason or rumour, should exercise the right of escalation provided in any treaty to which Japan is not a party.

Your Government are good enough to intimate that, should the Japanese Government hereafter be prepared to agree to some limitation in respect of the tonnage of vessels and the calibre of guns, they would also be prepared to discuss the matter. The Japanese Government still holding the firm conviction that qualitative limitation, if not accompanied by quantitative limitation, would by no means contribute to the attainment of any fair and equitable measure of disarmament, cannot but consider that the discussion suggested by your Government would not conduce in any measure to the realisation of their desires concerning disarmament. It is to be added, however, that as the Japanese Government do not fall behind other Govern-

nents in their ardent desire for disarmament, they will be ready at any moment to enter into any discussions on the matter of disarmament which give primary importance to a fair quantitative limitation.

I avail myself (etc)

Koki Hircza

500.A1545 Construction/141
THE SECRETARY OF STATE TO THE BRITISH AMBASSADOR (LINDLEY)⁴⁵

Washington, March 31, 1938.

Excellency: With reference to Article 25 of the Naval Treaty signed in London on March 25, 1936, I have the honor to notify Your Excellency, in accordance with paragraph (2) of that Article, that the Government of the United States of America finds it necessary to exercise the right of escalation reserved in paragraph (1) and of effecting a departure from the limitations and restrictions of the Treaty.

The proposed departure relates to the upper limits of capital ships of sub-category (a) and to the calibre of guns which may be mounted on capital ships of sub-category (a).

The above action is motivated by the fact that upon the receipt of reports to the effect that Japan is constructing or has authorized the construction of capital ships of a tonnage and armament not in conformity with the limitations and restrictions of the Treaty, the Government of the United States addressed an inquiry to the Japanese Government and the Japanese Government did not choose to furnish information with regard to its present naval construction or its plans for future construction.

Since there is no separate diplomatic representation of Australia, New Zealand, or India at Washington, there are enclosed copies of this note which you are respectfully requested to transmit to those governments.

Accept (etc.)

Cordell Hull

⁴⁵ Identical notes, except for the final paragraph, were sent on the same date to the French Ambassador and the Canadian Minister; the same text was telegraphed to the American Ambassadors in Italy and Japan to be communicated as a matter of courtesy to the Governments to which they were accredited.

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45

Identical notes, except for the final paragraph, were sent on the same date to the French Ambassador and the Canadian Minister; the same text was telegraphed to the American Ambassadors in Italy and Japan to be communicated as a matter of courtesy to the Governments to which they were accredited.

REFUSAL BY JAPAN TO GRANT THE PRIVILEGE OF NAVAL VISITS OF COURTESY TO UNITED STATES SHIPS ON A RECIPROCAL BASIS INTO CERTAIN TERRITORIAL WATERS

811.3362i/9a ; Telegram
THE SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREEN)
(Paraphrase)

Washington, June 13, 1936-2 p.m.

75. For several years now the Government of Japan has requested, each year, that the American Government extend facilities in its territorial waters off the Alaskan coasts to two Japanese Government ships and permit their entry into harbors in Alaska and in the Aleutian Islands that are not open, ordinarily, to foreign commerce. In the case of one of the vessels in question it was stated that its purpose in visiting these waters and harbors was the making of studies in connection with protection of fur-bearing seals; in the case of the second vessel, however, it was not suggested that the visits would be made on basis of any treaty or formal arrangement between the American Government and the Government of Japan. The Government of the United States has acceded, nevertheless, to the requests of the Government of Japan in this regard.

A strong undercurrent of suspicion and conjecture has existed for some time past over harbor developments or fortifications in possessions which both Japan and the United States have in the Pacific. No objection to the visits of Japanese Government vessels to the territorial waters and closed harbors of Alaska has been made by this Government, as it was believed that the opportunities which were open in this way for observation by Japanese vessels would serve to remove any suspicion which the Government of Japan might hold that any improvements have been made of such a nature as would violate either the letter or the spirit of the naval treaty signed on February 6, 1922.⁴⁶

In our view it is unfortunate that the Government of Japan so far has not adopted an attitude similarly liberal in the face of allegations that in the Japanese mandated islands of the Pacific improve-

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Foreign Relations 1922, vol. 1, p. 247.

ments are being carried out which are irreconcilable with Japan's treaty obligations not to fortify those islands. We can understand that the Government of Japan should be reluctant to give any countenance to irresponsible allegations, but nevertheless that Government undoubtedly shares with the Government of the United States the view that persistent suspicion, with regard to this matter is provocative of mutual distrust, and that such suspicion, therefore, should be dispelled.

The American destroyer Alden will be sent shortly to the Asiatic station according to the Navy Department plans. The Japanese Government will thus have presented to it an opportunity to extend to a vessel of this Government courtesies at the larger unopened ports of the Pacific mandated islands, as well as at the open ports. An invitation by the Government of Japan for the Alden to visit these ports would have, in our opinion, highly beneficial results from the point of view of relations between the two nations.

Please consider carefully and attentively our views as we have sketched them. If no objection is perceived, please present these views informally and orally to the Minister for Foreign Affairs, putting forward the suggestion outlined in the foregoing paragraph as on your own initiative.

Inform the Department currently by telegraph

Hull

811.33621/14 : Telegram
THE AMBASSADOR IN JAPAN (GREW) TO THE SECRETARY OF STATE
(Paraphrase)

Tokyo, July 8, 1936-10 a.m.

(Received July 8-1:11 a.m.)

150. Today I made suggestion, as on my own initiative, to the Minister for Foreign Affairs with regard to an invitation to the Alden to visit open and unopened ports in the Pacific islands under Japanese mandate.

Marked interest was shown by the Minister in the situation as I described it, but he professed not to know anything at all about the subject. He told me that he would see what there was that could be done and that he would try to give me, before July 20, the results of his inquiries.

Grew

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THE AMBASSADOR IN JAPAN (GROW) TO THE SECRETARY OF STATE
(Paraphrase)

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Grow

811.33621/16 : Telegram
 THE AMBASSADOR IN JAPAN (GREW) TO THE SECRETARY OF STATE
 (Paraphrase)

Tokyo, July 28, 1936-1 p.m.
 (Received July 28-7:27 a.m.)

163. At the request of the Vice Minister for Foreign Affairs, the Counselor of the Embassy called on the Vice Minister to discuss certain questions that had been broached by the Ambassador to the Minister for Foreign Affairs. One of these questions related to the possibility of the visit by the Alden to ports in the Japanese mandated islands. This call was the only opportunity that presented itself for discussion of the matter since the visit of the Ambassador on July 8.

The Vice Minister stated that the suggestion of the Ambassador had been referred to the Ministry of Overseas Affairs but that no reply had been received. He further stated that there would probably be consultation with other government departments. In response to a query by the Counselor, he expressed the fear that the Foreign Office had no way of expediting the reply.

The manner of the Vice Minister was friendly, but it indicated that the Foreign Office could do nothing further.

Grew

811.33621/16 : Telegram
 THE ACTING SECRETARY OF STATE TO THE AMBASSADOR IN JAPAN (GREW)
 (Paraphrase)

Washington, August 7, 1936-7 p.m.

102. Embassy's telegram no. 163, July 28, 1 p.m. With regard to the suggestion made relative to the Alden, the Department assumes that there is no prospect that the Japanese authorities will take favorable action. In reply to a communication from the Japanese Embassy here,⁴⁷ the Department is today returning an adverse answer⁴⁷ to that Embassy's request that the Japanese Government training ship Shintoku Maru be permitted to enter a Hawaiian harbor which is not listed as a port of entry.

Phillips

⁴⁷Not printed
 469186-43-vol, 1-26

811.3362i/16 : Telegram
THE AMBASSADOR IN JAPAN (GREN) TO THE SECRETARY OF STATE
(Paraphrase)

Tokyo, July 28, 1936--1 p.m.
(Received July 28-7:27 a.m.)

163. At the request of the Vice Minister for Foreign Affairs, the Counselor of the Embassy called on the Vice Minister to discuss certain questions that had been broached by the Ambassador to the Minister for Foreign Affairs. One of these questions related to the possibility of the visit by the Alden to ports in the Japanese mandated islands. This call was the only opportunity that presented itself for discussion of the matter since the visit of the Ambassador on July 8.

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469186-43-vol, 1-26

SINO-JAPANESE DISPUTE

**REPORT ADOPTED ON FEBRUARY 24, 1933, BY
THE ASSEMBLY OF THE LEAGUE OF NATIONS**

THE DEPARTMENT OF STATE

SINO-JAPANESE DISPUTE

REPORT ADOPTED ON FEBRUARY 24, 1933, BY
THE ASSEMBLY OF THE LEAGUE OF NATIONS



UNITED STATES
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PUBLICATION No. 449

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ASSEMBLY REPORT

on the

SINO-JAPANESE DISPUTE

The following report was adopted by the Assembly on February 24th, 1933.

REPORT.

The Assembly, in view of the failure of the efforts which, under Article 15, paragraph 3, of the Covenant, it was its duty to make with a view to effecting a settlement of the dispute submitted for its consideration under paragraph 9 of the said article, adopts, in virtue of paragraph 4 of that article, the following report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

PART I.

EVENTS IN THE FAR EAST. ADOPTION OF THE FIRST EIGHT CHAPTERS OF THE REPORT OF THE COMMISSION OF ENQUIRY. PLAN OF THE REPORT.

The underlying causes of the dispute between China and Japan are of considerable complexity. The Commission of Enquiry sent by the Council to study the situation on the spot expresses the view that the "issues involved in this conflict are not as simple as they are often represented to be. They are, on the contrary, exceedingly complicated, and only an intimate knowledge of all the facts, as well as of their historical background, should entitle anyone to express a definite opinion upon them."

The first eight chapters of the report of the Commission of Enquiry present a balanced, impartial and detailed statement of the historical background of the dispute and of the main facts in so far as they relate to events in Manchuria. It would be both impracticable and superfluous either to summarise or to recapitulate the report of the Commission of Enquiry, which has been published separately; after examining the observations communicated by the

Chinese and Japanese Governments, the Assembly adopts as part of its own report the first eight chapters of the report of the Commission of Enquiry.

It is necessary, however, to complete the statement of the Commission of Enquiry by describing the measures taken by the Council and the Assembly in connection with the various phases of the dispute, as well as certain events which do not appear in the report of the Commission, more particularly those relating to the origin of the hostilities which occurred at Shanghai at the beginning of 1932. In regard to these events, the Assembly adopts as part of its own report the reports addressed to it by the Consular Commission of Enquiry. These reports have been published separately. The story of what happened in Manchuria since the beginning of September 1932 must also be related, since the report of the Commission of Enquiry does not go beyond that date.

This brief historical summary of the development of the dispute will be found in Part II of the present report. It should be read in connection with the narrative of events given in the report of the Commission of Enquiry.

Part III describes the chief characteristics of the dispute and the conclusions drawn by the Assembly from the essential facts.

Part IV contains the recommendations which the Assembly deems to be just and proper in regard to the dispute.

PART II.

DEVELOPMENT OF THE DISPUTE BEFORE THE LEAGUE OF NATIONS.

I. Summary of the Development of the Dispute.

The decisions of the Council and of the Assembly in the long period which has elapsed since the dispute was first brought

before the League of Nations were determined by the evolution of the conflict in the Far East.

At the outset, the incidents with which the Council was called upon to deal when the dispute was submitted to it by China under Article 11 occurred at Mukden and in some other places in Manchuria; the Council received repeated assurances from Japan that she had no territorial designs in Manchuria and that she would withdraw her troops within the South Manchurian Railway zone, subject to the sole condition that the safety of the lives and property of Japanese nationals were assured. Such was the purport of the resolution of September 30th and of the draft resolution of October 24th, 1931. The latter, which was agreed to by all the Members of the Council except Japan, enabled the Council once again to secure pledges from the Japanese delegation.

After the rejection of this draft resolution, Japan's insistence on the need of a settlement of the fundamental questions which divided the two countries led the Council, without prejudice to the execution of the undertakings embodied in the resolution of September 30th, to put forward measures with a view to a final and fundamental solution by the two parties of the questions at issue between them. On December 10th, 1931, the Council, acting on a proposal made by Japan, decided to appoint a Commission of five members with instructions to make an enquiry on the spot and to report to the Council on "any circumstance which, affecting international relations, threatens to disturb peace between China and Japan, or the good understanding between them upon which peace depends."

Between December and March, however, there was a considerable change for the worse in the situation in the Far East. Japanese troops completed the occupation of South Manchuria and began to occupy North Manchuria. Outside Manchuria a severe conflict, involving Chinese and Japanese regular forces, was begun and carried on at Shanghai. At the same time, the reorganisation of the civil administration in those parts of Manchuria occupied by the Japanese troops resulted in the formation of an "independent State" styled "Manchukuo," which did not recognise Chinese sovereignty. The Council was henceforth asked by China to deal with the dispute, not only under Article 11, but also under Articles 10 and 15 of the Covenant. On February 19th, 1932, as the result of a request by China submitted under the terms

of Article 15, paragraph 9, the Council referred the dispute to the Assembly.

From January onwards, pending the receipt of the report of the Commission of Enquiry, without which the substance of the dispute could not be thoroughly examined, the chief concern of the Council, and subsequently of the Assembly, was to do everything in its power to stop hostilities and prevent an aggravation of the situation, while preserving the rights of the parties and the principles of the Covenant from suffering prejudice by reason of any *fait accompli*. The Assembly by its resolution of March 11th, defined the attitude of the League of Nations towards the dispute. It declared that, pending a settlement in conformity with the Covenant, it was incumbent upon the Members of the League not to recognise any situation, treaty, or agreement which might be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

The hostilities at Shanghai were brought to an end, but fighting continued in Manchuria between Japanese forces or forces of the "Manchukuo" Government and irregular Chinese forces. In September 1932, some days after the signing at Peiping of the report of the Commission of Enquiry, there was a further fundamental change in the situation: the Japanese Government recognised the "Manchukuo" Government.

The report of the Commission of Enquiry could not reach Geneva before the end of September—namely, after the expiry of the time-limit of six months laid down in the Covenant for the report of the Assembly under Article 15. The Assembly, therefore, with the assent of the parties, decided on July 1st to extend the time-limit for as long as might be strictly necessary, on the understanding that such extension should not constitute a precedent. The Commission of Enquiry was thus able to complete its report on the spot, the parties to submit their observations on the report, and the Council and Assembly to examine all the material thus collected.

The examination of this material and the exchanges of views with the parties continued from the middle of November 1932 to the beginning of February 1933. After the discussions by the Council, the Assembly endeavoured, but without success, to bring about a settlement of the dispute by negotiation between the parties under paragraph 3 of Article 15, on the basis of the information and conclusions contained in the report of

the Commission of Enquiry. It has therefore adopted the present report in conformity with paragraph 4 of that article.

2. *Origin of the Dispute before the League of Nations.—Events of September 18th–19th, 1931, in South Manchuria.—First Discussions of the Council.*

China's request to the Council arose out of the action taken by the Japanese troops in Manchuria on the night of September 18th–19th, 1931.

In consequence of an incident near Mukden,* in the South Manchuria Railway zone, which is guarded by Japanese troops, the Japanese command, on the ground that military precautions were necessary, sent troops outside the railway zone, more especially to the Chinese towns in the neighbourhood of the zone and to the Chinese railway lines terminating at Mukden. The Chinese towns of Mukden, Changchun, Antung, Yingkow and others were occupied and the Chinese troops dispersed or disarmed.

On September 21st, China appealed under Article II of the Covenant and asked the Council to take immediate steps to prevent the further development of a situation endangering the peace of nations, to re-establish the *status quo ante* and to determine the amount and character of such reparations as might be found due to the Republic of China.

* According to the appeal addressed by the Chinese Government to the Council on September 21st, 1931, "beginning from ten o'clock on the night of September 18th, regular troops of Japanese soldiers, without provocation of any kind, opened rifle and artillery fire upon Chinese soldiers at or near the city of Mukden, bombarded the arsenal and barracks, . . . set fire to the ammunition depot" and "disarmed the Chinese troops in Changchun, Kwanchengtze, and other places" (*Official Journal*, December 1931, page 2453).

According to the version given by the Japanese army, communicated to the Council on September 26th, a patrol of seven men under a lieutenant were making reconnaissances in the railway zone north of Mukden when they heard behind them, about 10.30 p.m., a violent explosion. They turned about and some 500 metres northwards, near the place at which the explosion had occurred, they perceived Chinese soldiers in flight. The patrol at first pursued them, but found themselves under fire from soldiers under cover and then from a force of some 400 or 500 Chinese troops. The Japanese company commander promptly came up with 120 men, pursued the Chinese troops and occupied part of the Mukden North Barracks (*Official Journal*, December 1931, page 2478).

Chapter IV of the report of the Commission of Enquiry sets out in detail the events that occurred during the night of September 18th–19th, 1931, and gives the Commission's opinion on these events, accompanied by a statement of the reasons on which it is based (page 70).

On September 22nd, the Council authorised its President (the representative of Spain, M. Lerroix): (1) to address an urgent appeal to the two Governments to refrain from any act which might aggravate the situation or prejudice the peaceful settlement of the problem; (2) to seek, in consultation with the Chinese and Japanese representatives adequate means whereby the two countries might proceed immediately to the withdrawal of their respective troops, without compromising the safety of the lives and property of their nationals.

On September 29th, the President-in-Office of the Council, explaining the situation to the Assembly then in ordinary session, on the basis of information supplied by the two parties, stated that "the withdrawal of the Japanese forces to within the South Manchuria Railway zone was being carried out" and that on September 28th "the Japanese representative had announced to the Council that the withdrawal was proceeding. . . . Outside the railway zone, there only remained, apart from Kirin and Mukden, small detachments at Hsinmin and Chengchiatun for the protection of Japanese nationals against the attacks of bands of Chinese soldiers and brigands which at the same time were ravaging those districts."

Such was the position when, on September 30th, the Council adopted the following resolution:

"The Council,

"(1) Notes the replies of the Chinese and Japanese Governments to the urgent appeal addressed to them by its President, and the steps that have already been taken in response to that appeal;

"(2) Recognises the importance of the Japanese Government's statement that it has no territorial designs in Manchuria;

"(3) Notes the Japanese representative's statement that his Government will continue, as rapidly as possible, the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be;

"(4) Notes the Chinese representative's statement that his 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 forces are re-established;

"(5) Being convinced that both Governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective Governments will

take all necessary steps to prevent any extension of the scope of the incident or any aggravation of the situation ;

" (6) Requests both parties to do all in their power to hasten the restoration of normal relations between them and, for that purpose, to continue and speedily complete the execution of the above-mentioned undertakings ;

" (7) Requests both parties to furnish the Council at frequent intervals with full information as to the development of the situation ;

" (8) Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, October 14th, 1931, to consider the situation as it then stands ;

" (9) Authorises its President to cancel the meeting of the Council fixed for October 14th should he decide, after consulting his colleagues, and more particularly the representatives of the two parties, that, in view of such information as he may have received from the parties or from other members of the Council as to the development of the situation, the meeting is no longer necessary."

The hopes of the Council were not fulfilled. On October 9th, the Chinese delegation asked for an urgent meeting of the Council on the ground that Japanese troops had begun further "aggressive military operations." The reference was primarily to the aerial bombardment of Chinchow, where, after the capture of Mukden, the provincial Government had temporarily established itself.

The Council, at its meeting in September, had decided to forward to the Government of the United States of America the Minutes of its meeting and the documents relating to the Sino-Japanese dispute, and the Government of the United States had affirmed its whole-hearted sympathy with the attitude of the League of Nations.

On October 16th, it was determined to continue to co-operate with the Government of the United States of America, which was invited to send a representative to sit at the Council table. The representative of the United States was authorised by his Government "to consider with the Council the relationship between the provisions of the Pact of Paris and the present unfortunate situation in Manchuria and, at the same time, to follow the deliberations of the Council with regard to other aspects of the problem with which it is now confronted."

On October 17th, a certain number of the Governments represented on the Council (the United Kingdom, France, Germany, the Irish Free State, Italy, Norway and Spain) decided, as signatories of the Pact of Paris,

to address an identical note to the Governments of China and Japan, calling their attention to the provisions of that Pact and more especially to the terms of Article 2, whereby "the Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

The United States Government sent a similar note to the two Governments.

On October 22nd, the President of the Council (the representative of France, M. Briand) submitted a draft resolution upon which the members of the Council, other than the parties, had unanimously agreed.

The draft resolution, after referring to the undertakings entered into by the Governments of China and Japan in the resolution of September 30th and to the declaration of the Japanese representative that this country had no territorial designs in Manchuria, called upon the Japanese Government immediately to begin the withdrawal of its troops into the railway zone and proceed therewith so that the whole of the troops might be withdrawn before the next meeting of the Council. It called upon the Chinese Government to make such arrangements for taking over the territory thus evacuated as would ensure there the safety of the lives and property of Japanese subjects, and indicated certain measures of detail to be adopted for this purpose.

Recommendations were also made to the two Governments that, as soon as the evacuation was completed, they should open direct negotiations on all the questions outstanding between them, in particular in respect of those arising out of the recent incidents and of those relating to the difficulties caused by the railway situation in Manchuria. For this purpose, the Council suggested that the two parties should set up a conciliation committee or some such permanent machinery. Finally, it was proposed that the Council should meet again on November 16th.

On October 23rd, the representative of China accepted the draft resolution as a "bare minimum." The representative of Japan submitted a counter-draft and explained that his Government, in view of the tension in Manchuria and the state of disorder prevailing there, did not deem it possible to fix a definite date by which the evacuation could be completed. His Government regarded it as absolutely

indispensable that a calmer frame of mind should be restored and, with this object in view, had determined a number of fundamental points which should be the basis for normal relations between China and Japan. He was not authorised to set out these fundamental points in a resolution or to discuss their details at the Council table; they could better be made the subject of direct negotiations between the parties.

The Council considered that it was impossible to refer to "fundamental points" in a draft resolution without knowing what they were.

The draft resolution was not adopted, the Japanese representative voting against it (October 24th, 1931). The Council, after taking the vote, adjourned until November 16th.

The Chinese representative, after the meeting of October 24th, made the following declaration to the President of the Council on behalf of his Government:

"China, like every Member of the League of Nations, is bound by the Covenant to 'a scrupulous respect for all treaty obligations.' The Chinese Government for its part is determined loyally to fulfil *all* its obligations under the Covenant. It is prepared to give proofs of this intention by undertaking to settle all disputes with Japan as to treaty interpretation by arbitration or judicial settlement, as provided in Article 13 of the Covenant.

"In pursuance of this purpose, the Chinese Government is willing to conclude with Japan a treaty of arbitration similar to that recently concluded between China and the United States of America, or to those concluded of recent years in increasing numbers between Members of the League."

3. *Development of Japanese Military Operations in North Manchuria.*

After the Council meeting in October, further Japanese military operations took place in Manchuria in the neighbourhood of the bridges carrying the Taonan-Angangchi railway over the River Nonni. These bridges had been destroyed in October by the Chinese troops of the President of the Heilungkiang provincial government, General Ma Chan-shan, in order to stop the advance of General Chang Hai-peng who, according to the Chinese, had taken the offensive at the instigation of the Japanese. To justify Japanese intervention for the repair of these bridges, the Tokio Government had represented to the Chinese Government that the Taonan-Angangchi Railway had been built by the South Manchuria Company under a

contract; that the Chinese authorities had not yet paid their debt; that they had refused to convert that debt into a loan, and that the railway might therefore be regarded as belonging to the South Manchuria Company, which had a great interest in preserving the property and in maintaining traffic on the line.

On November 2nd, the Japanese Government stated that, at the request of the South Manchuria and the Taonan-Angangchi Railway Administration, a company of sappers had been sent on that day to repair the railway bridge under the protection of troops (infantry, artillery, and air forces).

The Japanese troops came into contact with the Chinese forces, which refused to retire and were driven back. In November, the Japanese troops reached and even crossed the Chinese Eastern Railway, and took Angangchi and subsequently Tsitsihar (November 19th).

4. *Measures for the Reorganisation of the Civil Administration in Manchuria.*

While military operations were thus spreading towards the North of Manchuria, progress was made with the reorganisation of the civil administration. At Mukden, in particular, after the disorganisation caused by the incident of September 18th, the administration of the municipality was first entrusted to the Japanese Colonel Doihara and later, on October 20th, to a Chinese Mayor, Dr. Chao Hsin-po, Doctor of Law of the University of Tokio. Efforts were also made to organise a Liaoning provincial administration in opposition to the former administration which had taken refuge at Chinchow. The "Committee for the Maintenance of Peace and Order," constituted on September 24th, became in October the office of the autonomous Government of the Province of Liaoning. The latter in turn was converted, on November 7th, into an acting Provincial Government of Liaoning, which announced that it was breaking off relations with the former North-Eastern Government and with the Nationalist Government at Nanking. At the same time, a Supreme Advisory Council was established, whose duties included those of directing and supervising the Provincial Government and encouraging the development of local autonomy. All the new authorities, as also the banks of issue, had received Japanese advisers, who were, in many cases, influential officials of the South Manchurian Railway.

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The representative of China insisted that the Japanese army was responsible for setting up and maintaining, at Mukden, Kirin and other points in its occupation, these new authorities, who were the "puppets and creatures of the Japanese Army Command."

The representative of Japan replied that the "Japanese authorities had no alternative but to encourage the formation by the Chinese themselves of bodies responsible for the maintenance of order. . . . The efficient performance of their duties by those bodies would make much easier the rapid withdrawal of troops, which was desired by the Japanese Government, as had been formally stated on several occasions."

Moreover, several reports from Dr. Frederick A. Cleveland, Associate Chief Inspector of the Salt Revenue, were communicated to the Council in November 1931 by the Chinese delegation. These reports stated that the Japanese military authorities were forcibly seizing the salt revenues in the Manchurian towns. It was urged in a Japanese communication that the "action of the military authorities in intervening to transfer the surplus revenues of the Chinese Salt Tax Office to another Chinese body (the local Committee for the Maintenance of Order) could not be regarded as unjustifiable."

5. *Session of the Council in November-December 1931.—Constitution of a Commission of Enquiry.*

Meanwhile, the Council met in Paris on November 16th, 1931, and, on November 21st, a Japanese proposal for a Commission of Enquiry to be sent to the Far East was put forward, "the creation and despatch of this Commission in no way modifying the Japanese Government's sincere desire to withdraw its troops as quickly as possible within the South Manchuria Railway zone in pursuance of the resolution of September 30th."

This proposal was considered, and, on December 10th, the Council adopted the following resolution:

"The Council,

"(1) Reaffirms the resolution passed unanimously by it on September 30th, 1931, by which the two parties declare that they are solemnly bound; it therefore calls upon the Chinese and Japanese Governments to take all steps necessary to assure its execution, so that the withdrawal of the Japanese troops within the railway zone

may be effected as speedily as possible under the conditions set forth in the said resolution;

"(2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24th:

"Notes that the two parties undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life;

"(3) Invites the two parties to continue to keep the Council informed as to the development of the situation;

"(4) Invites the other Members of the Council to furnish the Council with any information received from their representatives on the spot;

"(5) Without prejudice to the carrying out of the above-mentioned measures,

"Desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two Governments of the questions at issue between them:

"Decides to appoint a Commission of five members to study on the spot and to report to the Council on any circumstance which, affecting international relations, threatens to disturb peace between China and Japan, or the good understanding between them, upon which peace depends.

"The Governments of China and of Japan will each have the right to nominate one assessor to assist the Commission.

"The two Governments will afford the Commission all facilities to obtain on the spot whatever information it may require.

"It is understood that, should the two parties initiate any negotiations, these would not fall within the scope of the terms of reference of the Commission, nor would it be within the competence of the Commission to interfere with the military arrangements of either party.

"The appointment and deliberations of the Commission shall not prejudice in any way the undertaking given by the Japanese Government in the resolution of September 30th as regards the withdrawal of the Japanese troops within the railway zone.

"(6) Between now and its next ordinary session, which will be held on January 25th, 1932, the Council, which remains seized of the matter, invites its President to follow the question and to summon it afresh if necessary."

The President (the French representative, M. Briand) emphasised, when he submitted the resolution, the great importance which the Council attached to its resolution of September 30th, 1931, and its conviction that the two Governments would carry out to the full the engagements which they had assumed under it. He further stated that it was indispensable and urgent that the two parties should abstain from any initiative which might lead to further fighting and from any other action likely to aggravate the situation.

The Government of the United States, on the adoption of the resolution of December

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The Government of the United States, on the adoption of the resolution of December

10th, expressed its gratification that definite progress had been made.

6. *Japanese Operations against Chinchow.—Disappearance of the Last Remains of Chinese Authority in South Manchuria.*

While the Council was drawing up the text of this resolution, the two parties repeatedly called its attention to the danger of military operations spreading to South-West Manchuria, and efforts were made to establish a neutral zone between the Japanese troops and those of Marshal Chang Hsueh-liang at Chinchow. These efforts were unsuccessful. The representative of Japan, referring at the time of its adoption to paragraph 2 of the resolution of December 10th, stated that he accepted it "on the understanding that it was not intended to preclude the Japanese forces from taking such action as might be rendered necessary to provide directly for the protection of the lives and property of Japanese subjects against the activities of bandits and lawless elements rampant in various parts of Manchuria. Such action was admittedly an exceptional measure called for by the special situation prevailing in Manchuria, and its necessity would naturally be obviated when normal conditions should have been restored in that region."

On December 23rd, a Japanese offensive was launched in the direction of Chinchow, which was occupied on January 3rd, 1932. The Japanese forces then advanced as far as the Great Wall and established contact with Japanese troops stationed at Shan-haikwan to the south of the Wall. As the result of these operations, Chinese constituted authority disappeared entirely from South Manchuria.

7. *The Shanghai Hostilities.—Origin of the Hostilities.*

Outside Manchuria from January 1932 onwards, the situation became worse also at Shanghai.

In connection with Shanghai, the League received four reports on events from their beginning up to March 5th from the Consular Commission* which was set up on the spot early in February 1932. Later events are described in the report of the Commission of Enquiry, which was constituted as already

* The Commission consisted of the Consuls of Italy (Chairman), the United Kingdom, France, Norway, Germany and Spain. The Consul of the United States collaborated in the work of the Commission.

explained in January 1932 and arrived at Shanghai on March 14th.

In this port, as in other parts of China, the serious anti-Chinese riots which had occurred in Korea, as described in the reports of the Commission of Enquiry,† led, from July 1931 onwards, to a boycott of Japanese goods. The occupation of Manchuria by Japanese troops intensified the boycott with, in certain cases, the active support of official organisations and of the Chinese Government. Japanese trade suffered heavy losses. The tension between the nationals of the two countries became acute and serious incidents occurred, as a result of which the Japanese residents in Shanghai requested the despatch of troops and warships to put down the anti-Japanese movement. The Japanese Consul-General then presented five demands to the Chinese Mayor of Greater Shanghai.

The Mayor stated on January 21st that he had difficulty in complying with two of these demands (adequate control of the anti-Japanese movement; immediate dissolution of all anti-Japanese organisations engaged in fostering hostile feelings and anti-Japanese riots and agitation).

On the same day, the Admiral in command of the Japanese naval forces publicly announced that, if the reply of the Chinese Mayor were unsatisfactory, he was determined to take such measures as might be necessary to protect Japanese rights and interests. On January 24th, Japanese naval reinforcements arrived off Shanghai. Rumours were current that the Chinese troops in the Chinese quarter of Chapei were also being reinforced. On January 27th, the Japanese Consul-General asked for a satisfactory reply to his demands by 6 o'clock on the following morning. The Mayor, who had informed the representatives of the Powers of his intention to make all possible concessions to avoid a clash, succeeded in securing the closing down of the Anti-Japanese Boycott Association, and the Chinese police sealed various offices on the night of January 27th-28th. On the morning of January 28th, the Japanese Admiral notified the other foreign commanders of his intention to act on the following morning if the Chinese had not sent a satisfactory reply. The Municipal

† The report of the Commission of Enquiry describes on page 62 *et seq.* the incidents which arose between Chinese and Korean farmers at Wanpaoshan (Manchuria) and how sensational and inaccurate accounts of these incidents provoked a massacre of Chinese in Korea.

Council of the International Settlement met and decided that a state of emergency should be declared as from 4 p.m. on the same day. At 4 p.m. the Japanese Consul-General informed the consular body that a Chinese reply accepting all the Japanese demands had been received, that this reply was entirely satisfactory and that, for the moment, no action would be taken.

Meanwhile, the Defence Committee of the International Settlement carrying out the plans called for by a state of emergency assigned to the different foreign forces the sectors they would have to defend. The Japanese sector, as fixed by the Defence Committee, included not only a part of the Settlement but a salient extending beyond it, bounded on the west by the Shanghai-Woosung Railway. The Japanese naval headquarters are situated near the northern extremity of this salient and in normal times there are posts of Japanese marines on two roads—North Szechuen Road and Dixwell Road—which belong to the Shanghai Municipal Council. At 11 p.m., the Japanese Admiral, referring to the state of emergency, announced that the Imperial Navy, anxious as to the situation in Chapei, where numerous Japanese nationals resided, had decided to send troops to this sector and hoped that the Chinese forces stationed at Chapei would be speedily withdrawn to the west of the railway.

One hour later Japanese marines and armed civilians proceeded towards the railway; the last detachment attempted to reach the station by the Honan Road gate leading out of the Settlement and the defence sectors. It was stopped by the Shanghai Volunteer Corps, who were guarding this sector and who had received strict orders based on the principle that the duty of defence forces was to defend and not to attack.

The Japanese troops sent to the Chapei sector in conformity with the plan of defence came into contact with the Chinese troops which, as the first report of the Consular Commission notes, would not have had time to withdraw even had they wished to do so.

8. The Shanghai Hostilities.—Discussions of the Council:—Reference to Article 10 of the Covenant.—First Discussions of the Assembly under Article 15.—Termination of the Shanghai Hostilities.

This was the beginning of the battle of Shanghai, which the Council, then in session at Geneva, and the Powers having special interests in Shanghai repeatedly endeavoured

to stop. It was immediately after the serious incidents described above that China, on January 29th, asked that the dispute should be dealt with under Articles 10 and 15.

On February 16th, the Members of the Council other than China and Japan addressed to the Japanese Government an urgent appeal calling attention to Article 10 of the Covenant from which it appeared to them to follow that "no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of that article ought to be recognised as valid and effectual by Members of the League."

On February 19th, the Council, at the request of China, referred the dispute to the Assembly. The Assembly was convened to meet on March 3rd.

The Council, before the Assembly met, made a last effort to stop the fighting by proposing on February 29th that a round-table conference should be set up in Shanghai, subject to the making of local arrangements for a cessation of hostilities.

The proposal of the Council was not carried into effect. As fighting continued, the Assembly, after hearing the representatives of the two parties on March 3rd, adopted the following resolution on March 4th:

"The Assembly,

"Recalling the suggestions made by the Council on February 29th and without prejudice to the other measures therein envisaged:

"(1) Calls upon the Governments of China and Japan to take immediately the necessary measures to ensure that the orders which, as it has been informed, have been issued by the military commanders on both sides for the cessation of hostilities, shall be made effective;

"(2) Requests the other Powers which have special interests in the Shanghai Settlements to inform the Assembly of the manner in which the invitation set out in the previous paragraph is executed;

"(3) Recommends that negotiations be entered into by the Chinese and Japanese representatives, with the assistance of the military, naval and civilian authorities of the Powers mentioned above, for the conclusion of arrangements which shall render definite the cessation of hostilities and regulate the withdrawal of the Japanese forces. The Assembly will be glad to be kept informed by the Powers mentioned above of the development of these negotiations."

On March 5th, the Government of the United States of America intimated that the American military authorities at Shanghai had been instructed to co-operate.

The proposed negotiations began at Shanghai on March 14th. On two occasions, the Committee of Nineteen set up by the

Assembly intervened, at China's request, to smooth away difficulties. An armistice was finally signed at Shanghai on May 5th and the withdrawal of the Japanese troops began on the 6th. By May 31st, the divisions sent from Japan to Shanghai had been re-embarked, one of those divisions—the 14th—being sent to Manchuria. On July 1st, the Assembly was informed that Japanese naval landing troops, with very reduced effectives, were still temporarily stationed, in accordance with the agreement of May 5th, at a small number of posts adjacent to the Settlement and to the extra-Settlement roads. These detachments were afterwards withdrawn.

The Chinese consider that the Japanese intervention at Shanghai cost them 24,000 soldiers and civilians killed, wounded or missing, and they estimate their material losses at about 1,500 million Mexican dollars.

9. *Development of the Japanese Occupation in Manchuria.—Progress of Administrative Reorganisation.—The Constitution of "Manchukuo."*

While the Shanghai affair was progressing, the situation was also developing in Manchuria.

Harbin was occupied on February 5th by the Japanese army which, during the succeeding months, continued its operations against the remnants of the former Chinese army, the "volunteers," the "brigands" and other "irregulars." Guerilla warfare continued over a very large part of Manchuria.

Progress was also made with the administrative reorganisation, the first stages of which have already been mentioned above.

On February 17th, 1932, a supreme administrative council was constituted for the whole of Manchuria, and, on February 18th, this Council published a declaration of independence. On February 19th, the Japanese representative explained at a meeting of the Council in Geneva that in Manchuria "independence" was synonymous with "autonomy" and that "Japan had favourably regarded the establishment of this independence." On March 9th, the local administrations were amalgamated as an independent "State" under the name of "Manchukuo." M. Henry Pu-yi (the former Emperor Hsuan Tung) accepted the regency of this State.

The Chinese Government, which had already stated, on November 17th, 1931, that "the ex-Emperor was kidnapped and escorted by the Japanese from the Japanese

concession in Tientsin to Mukden for the purpose of establishing a bogus Government with himself proclaimed as Emperor," repeatedly denounced the establishment of the so-called State "which from the very beginning, and at every subsequent stage of its development, had been created and maintained at the instigation and with the assistance of the Japanese military forces in Manchuria."

10. *Discussions of the Assembly.—Resolution of March 11th.—Decisions regarding the Time-limit for the Preparation of the Report under Article 15.*

Meanwhile the Assembly, continuing its examination of the dispute at Geneva, adopted, on March 11th, 1932, after a full discussion, the following resolution :

" I.

" The Assembly,

" Considering that the provisions of the Covenant are entirely applicable to the present dispute, more particularly as regards :

" (1) The principle of a scrupulous respect for treaties ;

" (2) The undertaking entered into by Members of the League of Nations to respect and preserve as against external aggression the territorial integrity and existing political independence of all the Members of the League ;

" (3) Their obligation to submit any dispute which may arise between them to procedures for peaceful settlement ;

" Adopting the principles laid down by the acting President of the Council, M. Briand, in his declaration of December 10th, 1931 ;

" Recalling the fact that twelve Members of the Council again invoked those principles in their appeal to the Japanese Government on February 16th, 1932, when they declared ' that no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of Article 10 of the Covenant ought to be recognised as valid and effectual by Members of the League of Nations ' ;

" Considering that the principles governing international relations and the peaceful settlement of disputes between Members of the League above referred to are in full harmony with the Pact of Paris, which is one of the corner-stones of the peace organisation of the world and under Article 2 of which ' the High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature and whatever origin they may be, which may arise among them shall never be sought except by pacific means ' ;

" Pending the steps which it may ultimately take for the settlement of the dispute which has been referred to it :

" Proclaims the binding nature of the principles and provisions referred to above and declares that it is incumbent upon the Members of the

League of Nations not to recognise any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

" II.

" The Assembly,

" Affirming that it is contrary to the spirit of the Covenant that the settlement of the Sino-Japanese dispute should be sought under the stress of military pressure on the part of either party :

" Recalls the resolutions adopted by the Council on September 30th, and on December 10th, 1931, in agreement with the parties ;

" Recalls also its own resolution of March 4th, 1932, adopted in agreement with the parties, with a view to the definitive cessation of hostilities and the withdrawal of the Japanese forces ; notes that the Powers Members of the League of Nations having special interests in the Shanghai Settlements are prepared to give every assistance to this end, and requests those Powers, if necessary, to co-operate in maintaining order in the evacuated zone.

" III.

" The Assembly,

" In view of the request formulated on January 29th by the Chinese Government, invoking the application to the dispute of the procedure provided for in Article 15 of the Covenant of the League of Nations ;

" In view of the request formulated on February 12th by the Chinese Government that the dispute should be referred to the Assembly in conformity with Article 15, paragraph 9, of the Covenant and in view of the Council's decision of February 19th ;

" Considering that the whole of the dispute which forms the subject of the Chinese Government's request is referred to it and that it is under an obligation to apply the procedure of conciliation provided for in paragraph 3 of Article 15 of the Covenant and, if necessary, the procedure in regard to recommendations provided for in paragraph 4 of the same article :

" Decides to set up a Committee of nineteen members—namely, the President of the Assembly, who will act as Chairman of the Committee, the Members of the Council other than the parties to the dispute and six other Members to be elected by secret ballot.

" This Committee, exercising its functions on behalf of and under the supervision of the Assembly, shall be instructed :

" (1) To report as soon as possible on the cessation of hostilities and the conclusion of arrangements which shall render definitive the said cessation and shall regulate the withdrawal of the Japanese forces in conformity with the Assembly resolution of March 4th, 1932 ;

" (2) To follow the execution of the resolutions adopted by the Council on September 30th and December 10th, 1931 ;

" (3) To endeavour to prepare the settlement of the dispute in agreement with the parties, in accordance with Article 15, paragraph 3, of the Covenant, and to submit a statement to the Assembly ;

" (4) To propose, if necessary, that the Assembly submit to the Permanent Court of International Justice a request for an advisory opinion ;

" (5) To prepare if need be, the draft of the report provided for in Article 15, paragraph 4, of the Covenant ;

" (6) To propose any urgent measure which may appear necessary ;

" (7) To submit a first progress report to the Assembly as soon as possible and at latest on May 1st, 1932.

" The Assembly requests the Council to communicate to the Committee, together with any observations it may have to make, any documentation that it may think fit to transmit to the Assembly.

" The Assembly shall remain in session and its President may convene it as soon as he may deem this necessary."

On March 12th, the Government of the United States of America declared that the action of the Assembly would go far towards developing into terms of international law the principles of order and justice which underlay the Paris Pact and the League Covenant. The United States Government was especially gratified that the nations of the world were united on a policy not to recognise the validity of results attained in violation of the treaties in question, and this was a distinct contribution to international law and offered a constructive basis for peace.

On July 1st, 1932, having been informed that the report of the Commission of Enquiry could not be completed before September, the Assembly, after obtaining the consent of the two parties, decided to prolong, to the extent that might be strictly necessary, the time-limit of six months laid down in the Covenant for the preparation of its report.

In the letter addressed on June 24th to the representatives of China and Japan, proposing an extension of the time-limit laid down in the Covenant, the President of the Assembly said :

" . . . It is my duty to add that I have every confidence that the undertaking not to aggravate the situation entered into by the two parties before the Council and recorded by the latter on September 30th and December 10th (1931) in resolutions which retain their full executory force will be scrupulously observed. I am sure that you will agree with me that these resolutions will continue to be fully valid during the period for which the time-limit of six months may be extended. I would also refer you to the resolution which the Assembly adopted on March 11th, and in which it recalled the two resolutions of the Council."

After the adoption of the extension of the time-limit, the President referred to this passage of his letter and added :

"Such being the case, the decision just taken by the Assembly authorises me to declare that the parties must abstain from any action that might compromise the success of the work of the Commission of Enquiry or of any efforts the League may make with a view to a settlement.

"I would remind you also that, on March 11th, the Assembly proclaimed that it is incumbent upon the Members of the League of Nations not to recognise any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris."

II. *The Organisation of "Manchukuo."-- Recognition of "Manchukuo" by Japan.*

Meanwhile the process of organising the Government of "Manchukuo" continued. The Government created a central bank and undertook the administration of the salt revenue (declaring its willingness to continue to pay an equitable proportion of the sums required for the service of the foreign loans secured on the receipts of the salt revenue), of the Customs (making a similar declaration as regards the loans and indemnities secured on the Customs revenue), of the postal services, etc.

A "Manchukuo" army was created with the assistance of Japanese officers engaged as advisers. In a communication dated April 8th, 1932, the Japanese Government announced that "the Japanese forces are at present providing the forces of the new Government in a friendly spirit with such assistance as they may need to restore and maintain order and tranquility."

According to the observations of the Japanese Government, dated November 18th, 1932, the presence of the Japanese troops in the country would "enable the principal bandit units to be wiped out within from two to three years."

The relations between Japan and the new State were defined after the dispatch to Changchun, capital of "Manchukuo," of General Muto, who, on August 8th, had been appointed Commander-in-Chief of the Kwantung Army and, at the same time, Ambassador Extraordinary and Plenipotentiary on Special Mission and Governor-General of Kwantung, in order to control the Consular service, the Government of the Leased Territory and all the Japanese forces in Manchuria. The new ambassador carried no credentials and the appointment was made unilaterally by Japan.

On September 15th, General Muto signed with the Prime Minister of "Manchukuo" a protocol containing the following provisions :

"Whereas Japan has recognised the fact that Manchukuo, in accordance with the free will of its inhabitants, has organised and established itself as an independent State, and,

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

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

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

"(2) Japan and Manchukuo, recognising that any threat to the territory or to the peace and order 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 Manchukuo. "The present protocol shall come into effect from the date of its signature. . . ."

"Manchukuo" was thus formally recognised by Japan. The Chinese Government protested against this recognition. It represented that, "following the precedent of her policy in Korea, Japan has established a virtual protectorate over Manchuria as a step towards annexation."

12. *Consideration by the Council of the Report of the Commission of Enquiry.*

The report of the Commission of Enquiry was signed at Peiping on September 4th, 1932, and was communicated to the two Governments and to the Members of the League on October 1st. The Japanese Government asked for a minimum period of six weeks in which to communicate its observations upon it to the Council, and the Council decided on September 24th to begin its consideration of the report at latest on November 21st.

On this occasion, the President of the Council (the representative of the Irish Free State, Mr. de Valera) expressed regret—with which the Special Committee of the Assembly at its public meeting on October 1st associated itself—that, before even the publication of the Commission's report, Japan, not

only by recognising but also by signing a treaty with what was known as the "Manchukuo" Government, had taken steps which could not but be regarded as calculated to prejudice the settlement of the dispute. "For almost a year," Mr. de Valera said, "the Council in its collective capacity and the individual Governments which composed it had scrupulously refrained from uttering any word of judgment on the merits of this grave dispute on the grounds that a Commission had been set up to investigate the dispute in all its bearings and that, until that Commission had reported, and its report had been considered by the organs of the League, the whole question was still to be regarded as *sub judice*."

The Council, at meetings held from November 21st to 28th, 1932, considered the report of the Commission and the observations of the parties. In reply to a question by the President, Lord Lytton stated, on behalf of the Commission of Enquiry, that the latter did not wish to add anything to its report.

As regards the recommendations contained in the report, the Council noted that it was not able to find in the declarations of the Chinese and Japanese representatives any measure of agreement between the parties which would enable it usefully to engage in a discussion and to submit observations or suggestions to the Assembly.

In these circumstances, the Council merely transmitted to the Assembly the report of the Commission of Enquiry, the observations of the parties and the Minutes of its meetings.

13. Discussion of the Report of the Commission of Enquiry by the Assembly.—Attempt to Negotiate a Settlement.

The Assembly met on December 6th, 1932. After a general discussion it adopted, on December 9th, the following resolution:

"The Assembly,

"Having received the report of the Commission of Enquiry set up under the resolution adopted on December 10th, 1931, by the Council, together with the observations of the parties and the Minutes of the Council meetings held from November 21st to 28th, 1932;

"In view of the discussions which took place at its meetings from December 6th to 9th, 1932:

"Requests the Special Committee appointed under its resolution of March 11th, 1932:

"(1) To study the report of the Commission of Enquiry, the observations of the parties and the opinions and suggestions expressed in the Assembly, in whatever form they were submitted;

"(2) To draw up proposals with a view to the settlement of the dispute brought before it under the Council resolution dated February 19th, 1932;

"(3) To submit these proposals to the Assembly at the earliest possible moment."

The Special Committee of Nineteen drew up two draft resolutions and a statement of reasons indicating generally the basis on which it thought it possible to continue its endeavours to effect a settlement of the dispute.

These texts were as follows:

Draft Resolution No. 1.

"The Assembly,

"Recognising that, according to the terms of Article 15 of the Covenant, its first duty is to endeavour to effect a settlement of the dispute, and that consequently it is not at present called upon to draw up a report stating the facts of the dispute and its recommendations in regard thereto;

"Considering that, by its resolution of March 11th, 1932, it laid down the principles determining the attitude of the League of Nations in regard to the settlement of the dispute;

"Affirms that in such a settlement the provisions of the Covenant of the League of Nations, the Pact of Paris and the Nine-Power Treaty must be respected;

"Decides to set up a Committee whose duty will be to conduct, in conjunction with the parties, the negotiations with a view to a settlement, on the basis of the principles set out in Chapter IX of the report of the Commission of Enquiry, and having regard to the suggestions made in Chapter X of that report;

"Appoints, to form a Committee, the Members of the League represented on the Special Committee of Nineteen;

"Considering it desirable that the United States of America and the Union of Soviet Socialist Republics should consent to take part in the negotiations, entrusts to the above-mentioned Committee the duty of inviting the Governments of the United States of America and the Union of Soviet Socialist Republics to take part in these negotiations;

"Authorises it to take such measures as it may deem necessary for the successful execution of its mission;

"Requests the Committee to report on its work before March 1st, 1933.

"The Committee will have power to fix, in agreement with the two parties, the time-limit referred to in the Assembly resolution of July 1st, 1932; should the two parties fail to agree on the duration of such a time-limit, the Committee will, simultaneously with the presentation of its report, submit proposals to the Assembly on the subject.

"The Assembly shall remain in session, and its President may convene it as soon as he may deem this necessary."

Draft Resolution No. 2.

"The Assembly thanks the Commission of Enquiry appointed in virtue of the Council's

resolution of December 10th, 1931, for the valuable assistance it has afforded to the League of Nations and declares that its report will stand as an example of conscientious and impartial work."

Statement of Reasons.

"The Assembly, in its resolution of December 9th, 1932, requested its Special Committee:

"(1) To study the report of the Commission of Enquiry, the observations of the parties, and the opinions and suggestions expressed in the Assembly, in whatever form they were submitted;

"(2) To draw up proposals with a view to the settlement of the dispute brought before it under the Council resolution dated February 19th, 1932;

"(3) To submit these proposals to the Assembly at the earliest possible moment."

"If the Committee had had to lay before the Assembly a picture of events and an appreciation of the general situation, it would have found all the elements necessary for such a statement in the first eight chapters of the report of the Commission of Enquiry, which, in its opinion, constitute a balanced, impartial and complete statement of the principal facts.

"But the time has not come for such a statement. In accordance with Article 15, paragraph 3, of the Covenant, the Assembly must first of all endeavour to effect a settlement of the dispute by conciliation, and, if such efforts are successful, it shall publish a statement giving such facts as it may deem appropriate. If it fails, it is its duty, in virtue of paragraph 4 of the same article, to make a statement of the facts of the dispute and recommendations in regard thereto.

"So long as the efforts on the basis of Article 15, paragraph 3, are continued, a sense of the responsibilities placed on the Assembly in the various contingencies provided for in the Covenant obliges it to maintain a particular reserve. Hence, the Committee has confined itself, in the draft resolution which it is to-day submitting to the Assembly, to making proposals with a view to conciliation.

"By the Assembly's resolution of March 11th, the Special Committee was instructed to endeavour to prepare the settlement of the dispute in agreement with the parties. Since, on the other hand, it is desirable that the United States of America and the Union of Soviet Socialist Republics should join in the efforts made in collaboration with the representatives of the parties, it is proposed that the Governments of these two countries should be invited to take part in the negotiations.

"In order to avoid misunderstandings, and to make it plain that what is contemplated at the present stage with the co-operation of two countries not Members of the League is solely the negotiation of a settlement by conciliation, the Special Committee suggests that it should be regarded for this purpose as a new Committee responsible for conducting negotiations and should be authorised in this capacity to invite the Governments of the United States of America and the Union of Soviet Socialist Republics to take part in its meetings.

"The Negotiations Committee will have all the powers necessary for the execution of its mission. In particular, it may consult experts. It may, if it thinks fit, delegate part of its powers to one or more sub-committees, or to one or more particularly qualified persons.

"The members of the Negotiations Committee will be guided as regards matters of law by Parts I and II of the Assembly resolution of March 11th, 1932, and, as regards matters of fact, by the findings set out in the first eight chapters of the report of the Commission of Enquiry. As regards the solutions to be considered, they will seek them on the basis of the principles set out in Chapter IX of the report of the Commission of Enquiry and having regard to the suggestions made in Chapter X of the said report.

"In this connection, the Committee of Nineteen considers that, in the special circumstances which characterise the dispute, a mere return to the conditions previous to September 1931, would not suffice to ensure a durable settlement, and that the maintenance and recognition of the present régime in Manchuria could not be regarded as a solution."

On December 15th, the two draft resolutions and the statement of reasons were submitted to the parties. The Chinese and Japanese delegations proposed amendments and the President of the Committee and the Secretary-General were authorised to enter into conversations with them. On December 20th, the Committee decided to adjourn until January 16th, 1933, at latest, in order to enable the conversations to continue.

14. Japanese Military Operations at Shanhaikwan within the Great Wall.

Early in January 1933 occurred the serious incidents at Shanhaikwan. Situated at the extremity of the Great Wall, halfway between Peiping and Mukden, this city has always been regarded as of great strategic importance. It is on the route followed by invaders who, coming from Manchuria, wish to penetrate into what is now the province of Hopei. Moreover, from Hopei is the easiest route into Jehol, a province which Japan regards as forming part of "Manchukuo." It was from the north of Hopei that, according to Japanese communications, Marshal Chang Hsueh-liang was sending considerable forces into Jehol and that, according to Chinese communications, the Japanese army intended to begin large-scale operations in Jehol.

A Japanese communication of December 29th, 1932, reported that during the last few days the mobilisation of Chinese troops directed against Jehol was especially marked. The Japanese delegation further stated on January 4th, 1933, that the

Japanese authorities at Peiping had vainly endeavoured to persuade General Chang to stop this movement of forces, and that in these circumstances of "tension and anxiety" an incident had occurred at Shanhaikwan on the night of January 1st-2nd.

Units of the Japanese army of Kwantung passed the Great Wall and the town was attacked. It was occupied on January 3rd.

The Chinese Government asserts that, during this operation, thousands of peaceful citizens were slaughtered. It addressed a protest on January 11th to the Powers signatories of the Protocol of 1901 against the unlawful advantage taken by Japan of a special privilege claimed under the Protocol. It declared that it could not assume any responsibility for a situation resulting from the exercise by Chinese defensive forces of their legitimate right to resist the aggressive acts of the Japanese troops.

15. Failure of the Procedure for Negotiating a Settlement.

The Committee of Nineteen met again on January 16th, 1933. It noted that, though the conversations with the representatives of the parties concerning the draft resolutions and the statement of reasons framed by it had continued, no new proposal had been received apart from the amendments submitted in December by the Chinese and Japanese delegations. The Japanese delegation, however, had stated that it was in communication with its Government regarding new proposals which would be submitted within forty-eight hours.

The Committee received these proposals on January 18th. It noted that they differed in several fundamental points from those which it had communicated to the parties on December 15th. As, however, the Japanese delegation, when submitting the new proposals of its Government, had specially emphasised that the latter attached great importance to the stipulation that the body to be appointed for the settlement of the dispute should include only Members of the League, the Committee of Nineteen felt that, if this were the only objection raised by Japan to the texts which had been communicated, it should not be impossible to settle the question in consultation with the parties. It therefore asked for supplementary information, particularly on the point whether, if this difficulty were overcome, Japan would be prepared to accept the draft resolution No. 1 of December 15th. The Committee thought it should await the

Japanese reply on this point before continuing its conversations with the Chinese delegation, whose proposals did not differ so fundamentally as those of Japan from the texts communicated to the two parties.

On January 21st, the Committee noted that the effects of the statements made by the Japanese delegate to its Chairman and to the Secretary-General was that the Japanese Government was not prepared to accept draft resolution No. 1, even if the provision that non-Member States be invited to participate in the negotiations for a settlement were eliminated from the draft.

The Japanese delegation, in making these statements, had submitted new proposals on behalf of its Government.

The Committee, after examining these proposals, together with the amendments submitted by the Chinese delegation to the Committee's texts of December 15th, could do no more than note that it was impossible to frame a draft resolution acceptable to the two parties. The importance attached by the Chinese delegation and by the Committee itself to the participation of the United States of America and of the Union of Soviet Socialist Republics in the negotiation of a settlement made it impossible to eliminate at the sole request of Japan the provision concerning the invitation to those States, if the Committee must at the same time modify in the sense of the Japanese proposals the other provisions of draft resolution No. 1.

The Committee further noted that, even if it agreed to transform the statement of reasons into a declaration made by the Chairman on behalf of the Committee, to which the parties would be free to submit reservations, the Japanese Government did not accept the text established by the Committee on December 15th, but asked, in its new proposals, that important amendments to the text should be made which the Committee could not accept.

In view of this situation, the Committee of Nineteen noted that, after endeavouring to prepare, in accordance with the mission entrusted to it, the settlement of the dispute in agreement with the parties, it appeared to it to be impossible to submit proposals to that effect to the Assembly.

The Committee, therefore, in execution of the task entrusted to it under Part III (paragraph 5) of the resolution of March 11th, 1932, has prepared the present draft report as contemplated in Article 15, paragraph 4, of the Covenant.

In deciding to begin the preparation of this draft report, the Committee did not fail to point out that the Assembly was alone competent to apply, after the failure of the negotiations, the provisions of Article 15, paragraph 4. The Committee therefore remained at the disposal of the parties for any further proposals they might desire to communicate to it.

On February 8th, the Japanese representative submitted to the Committee further amendments to the text prepared on December 15th. On February 9th, the Committee, after considering these amendments, deemed it desirable to ask for further information in regard thereto, in particular whether the Japanese Government accepted as one of the bases for the contemplated conciliation Principle 7 in Chapter IX of the report of the Commission of Enquiry regarding the establishment in Manchuria of a large measure of autonomy consistent with the sovereignty and administrative integrity of China. This question was sub-

mitted to the Japanese delegation in a letter of the same date.

The Japanese Government replied on February 14th that it was convinced that the maintenance and recognition of the independence of "Manchukuo" were the only guarantee of peace in the Far East, and that the whole question would eventually be solved between Japan and China on that basis. In reply to this communication the Committee, to its deep regret, felt bound to hold that the Japanese proposals put forward on February 8th did not afford an acceptable basis for conciliation. It added that it was, of course, willing to examine up to the date of the final meeting of the Assembly any further proposals which the Japanese Government might wish to make, but that it was sure that the Japanese delegation would realise that any aggravation of the existing situation must render more difficult, if not indeed frustrate, further efforts at conciliation.

On the same date the Committee adopted the draft of the present report.

PART III.

CHIEF CHARACTERISTICS OF THE DISPUTE.

It will be seen from this review that for more than sixteen months the Council or Assembly has continuously tried to find a solution for the Sino-Japanese dispute. Numerous resolutions have been adopted based on various articles of the Covenant and other international agreements. The complexity, to which reference has already been made, of the historical background of the events; the special legal situation of Manchuria, where Japan, as will be noted later, exercised within Chinese territory extensive rights; finally, the involved and delicate relations existing in fact between the Chinese and Japanese authorities in certain parts of Manchuria justified and rendered necessary the prolonged efforts of negotiation and enquiry made by the League. However, the hopes entertained by the Council and the Assembly of an improvement in the situation, arising from the declarations of the parties and the resolutions adopted with their participation, were disappointed. The situation, on the contrary, tended to grow constantly worse. In Manchuria, or other parts of the territory of a Member of the League, military operations, which the report of the Commission of Enquiry has described as "war in disguise," continued and still continue.

Having considered the principal features of the dispute, the Assembly has reached, in particular, the following conclusions and noted the following facts:

1. The dispute between China and Japan which is submitted to the Assembly originated in Manchuria, which China and foreign Powers have always regarded as an integral part of China under Chinese sovereignty. In its observations on the report of the Commission of Enquiry, the Japanese Government contests the argument that the rights conferred on Russia and subsequently acquired by Japan "in the extremely limited area known as the Southern Manchuria Railway zone" conflict with Chinese sovereignty. "They were, on the contrary, derived from the sovereignty of China."

The rights conferred by China on Russia and subsequently on Japan derive from the sovereignty of China. Under the Treaty of Peking in 1905, "the Imperial Chinese Government consented to all the transfers and assignments made by Russia to Japan" under the Treaty of Portsmouth. In 1915, it was to China that Japan addressed demands

for the extension of her rights in Manchuria and it was with the Government of the Chinese Republic that, following on these demands, the Treaty of May 25th, 1915, was concluded concerning South Manchuria and Eastern Inner Mongolia. At the Washington Conference, the Japanese delegation stated, on February 2nd, 1922, that Japan renounced certain preferential rights in South Manchuria and Eastern Inner Mongolia and explained that, "in coming to this decision, Japan had been guided by a spirit of fairness and moderation, having always in view China's sovereign rights and the principle of equal opportunity." The Nine-Power Treaty, concluded at the Washington Conference, applies to Manchuria as to every other part of China. Finally, during the first phase of the present conflict, Japan never argued that Manchuria was not an integral part of China.

2. Past experience shows that those who control Manchuria exercise a considerable influence on the affairs of the rest of China—at least of North China—and possess unquestionable strategic and political advantages. To cut off these provinces from the rest of China cannot but create a serious irredentist problem likely to endanger peace.

3. The Assembly, in noting these facts, is not unmindful of the tradition of autonomy existing in Manchuria. That tradition, in one extreme case, and in a period of particular weakness on the part of the Central Government of China, made it possible, for instance, for the plenipotentiaries of Marshal Chang Tso-lin to conclude, in the name of the "Government of the autonomous three Eastern Provinces of the Republic of China," the agreement of September 20th, 1924, with the Union of Soviet Socialist Republics concerning the Chinese Eastern Railway, navigation, the delimitation of frontiers, etc. It is obvious from the provisions of that agreement, however, that the Government of the autonomous three Eastern Provinces did not regard itself as the Government of a State independent of China, but believed that it might itself negotiate with the Union of Soviet Socialist Republics on questions affecting the interests of China in the three provinces, though the Central Government had, a few months previously, concluded an agreement on these questions with the self-same Power.

This autonomy of Manchuria was also shown by the fact that, first, Marshal Chang Tso-lin and later Marshal Chang

Hsueh-liang were the heads both of the civil and military administration and exercised the effective power in the three provinces through their armies and their officials. The independence proclaimed by Marshal Chang Tso-lin at different times never meant that either he or the people of Manchuria wished to be separated from China. His armies did not invade China as if it were a foreign country but merely as participants in the civil war. Through all its wars and periods of "independence," Manchuria remained an integral part of China. Further, since 1928, Marshal Chang Hsueh-liang has recognised the authority of the Chinese National Government.

4. During the quarter of a century ending in September 1931, the political and economic ties uniting Manchuria with the rest of China grew stronger, while, at the same time, the interests of Japan in Manchuria did not cease to develop. Under the Chinese Republic, the "three Eastern Provinces" constituting Manchuria were thrown wide to the immigration of Chinese from the other provinces who, by taking possession of the land, have made Manchuria in many respects a simple extension of China north of the Great Wall. In a population of about 30 millions, it is estimated that the Chinese or assimilated Manchus number 28 millions. Moreover, under the administration of Marshals Chang Tso-lin and Chang Hsueh-liang, the Chinese population and Chinese interests have played a much more important part than formerly in the development and organisation of the economic resources of Manchuria.

On the other hand, Japan had acquired or claimed in Manchuria rights the effect of which was to restrict the exercise of sovereignty by China in a manner and to a degree quite exceptional. Japan governed the leased territory of Kwantung, exercising therein what amounted in practice to full sovereignty. Through the medium of the South Manchuria Railway, she administered the railway zones, including several towns and important parts of populous cities, such as Mukden and Changchun. In these areas, she had control of the police, taxes, education, and public utilities. She maintained armed forces in certain parts of the country: the army of Kwantung in the leased territory; railway guards in the railway zones; consular police in the various districts. Such a state of affairs might perhaps have continued without leading to complications and incessant

disputes if it had been freely desired or accepted by both parties and if it had been the expression and manifestation of a well-understood policy of close economic and political co-operation. But, in the absence of such conditions, it was bound to lead to mutual misunderstandings and conflicts. The interconnection of respective rights, the uncertainty at times of the legal situation, the increasing opposition between the conception held by the Japanese of their "special position" in Manchuria, and the claims of Chinese nationalism were a further source of numerous incidents and disputes.

5. Before September 18th, 1931, each of the two parties had legitimate grievances against the other in Manchuria, Japan taking advantage of rights open to question and the Chinese authorities putting obstacles in the way of the exercise of rights which could not be contested. During the period immediately preceding the events of September 18th, various efforts were made to settle the questions outstanding between the two parties by the normal method of diplomatic negotiations and pacific means, and these means had not been exhausted. Nevertheless, the tension between Chinese and Japanese in Manchuria increased, and a movement of opinion in Japan advocated the settlement of all outstanding questions—if necessary, by force.

6. The present period of transition and national reconstruction in China, despite the efforts of the Central Government and the considerable progress already achieved, necessarily involves political disturbances, social disorder, and disruptive tendencies inseparable from a state of transition. It calls for the employment of a policy of international co-operation. One of the methods of that policy would be that the League of Nations would continue to afford China the technical assistance in modernising her institutions which her Government might request with a view to enabling the Chinese people to reorganise and consolidate the Chinese State.

The full application of the policy of international co-operation initiated at the Washington Conference, the principles of which are still valid, has been delayed, chiefly by the violence of the anti-foreign propaganda carried on in China from time to time. In two respects—the use of the economic boycott and anti-foreign teaching in schools—this propaganda has been pushed to such lengths that it has contributed to

creating the atmosphere in which the present dispute broke out.

7. The use of the boycott by the Chinese previous to the events of September 18th, 1931, to express their indignation at certain incidents or to support certain claims could not fail to make a situation which was already tense still more tense.

The use of the boycott by China, subsequent to the events of September 18th, 1931, falls under the category of reprisals.

8. The object of the provisions of the Covenant of the League of Nations regarding the settlement of disputes is to prevent the tension between nations becoming such that a rupture appears to be inevitable. The Commission of Enquiry found that each of the issues between China and Japan was in itself capable of settlement by arbitral procedure. It is precisely because the accumulation of these issues increased the tension between the two nations that it was incumbent on the nation which regarded itself as injured to draw the attention of the League of Nations to the situation when diplomatic negotiations were unduly protracted.

Article 12 of the Covenant contains formal obligations as regards the pacific settlement of disputes.

9. Without excluding the possibility that, on the night of September 18th-19th, 1931, the Japanese officers on the spot may have believed that they were acting in self-defence, the Assembly cannot regard as measures of self-defence the military operations carried out on that night by the Japanese troops at Mukden and other places in Manchuria. Nor can the military measures of Japan as a whole, developed in the course of the dispute, be regarded as measures of self-defence. Moreover, the adoption of measures of self-defence does not exempt a State from complying with the provisions of Article 12 of the Covenant.

10. Since September 18th, 1931, the activities of the Japanese military authorities, in civil as well as in military matters, have been marked by essentially political considerations. The progressive military occupation of the Three Eastern Provinces removed in succession all the important towns in Manchuria from the control of the Chinese authorities, and, following each occupation, the civil administration was reorganised. A group of Japanese civil and military officials conceived, organised, and carried

through the Manchurian independence movement as a solution to the situation in Manchuria as it existed after the events of September 18th, and, with this object, made use of the names and actions of certain Chinese individuals and took advantage of certain minorities and native communities that had grievances against the Chinese administration. This movement, which rapidly received assistance and direction from the Japanese General Staff, could only be carried through owing to the presence of the Japanese troops. It cannot be considered as a spontaneous and genuine independence movement.

11. The main political and administrative power in the "Government" of "Manchukuo," the result of the movement described in the previous paragraph, rests in the hands of Japanese officials and advisers, who are in a position actually to direct and control the administration; in general, the Chinese in Manchuria, who, as already mentioned form the vast majority of the population, do not support this "Government" and regard it as an instrument of the Japanese. It should also be noted that, after the Commission of Enquiry completed its report and before the report was considered by the Council and the Assembly, "Manchukuo" was recognised by Japan. It has not been recognised by any other State, the Members of the League in particular being of opinion that such recognition was incompatible with the spirit of the resolution of March 11th, 1932.

* * *

The situation which led up to the events of September 18th, 1931, presents certain special features. It was subsequently aggravated by the development of the Japanese military operations, the creation of the "Manchukuo Government" and the recognition of that "Government" by Japan. Undoubtedly the present case is not that of a country which has declared war on another country without previously exhausting the opportunities for conciliation provided in the Covenant of the League of Nations; neither is it a simple case of the violation of the frontier of one country by the armed forces of a neighbouring country, because in Manchuria, as shown by the circumstances noted above, there are many features without an exact parallel in other parts of the world. It is, however, indisputable that, without any declaration of war, a large part of Chinese territory has been forcibly seized

creating the atmosphere in which the present dispute broke out.

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through the Manchurian independence movement as a solution to the situation in Manchuria as it existed after the events of September 18th, and, with this object, made use of the names and actions of certain Chinese individuals and took advantage of certain minorities and native communities that had grievances against the Chinese administration. This movement, which rapidly received assistance and direction from the Japanese General Staff, could only be carried through owing to the presence of the Japanese troops. It cannot be considered as a spontaneous and genuine independence movement.

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and occupied by Japanese troops and that, in consequence of this operation, it has been separated from and declared independent of the rest of China.

The Council, in its resolution of September 30th, 1931, noted the declaration of the Japanese representative that his Government would continue, as rapidly as possible, the withdrawal of its troops, which had already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals was effectively ensured, and that it hoped to carry out this intention in full as speedily as might be. Further, in its resolution of December 10th, 1931, the Council, re-affirming its resolution of September 30th, noted the undertaking of the two parties to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which might lead to further fighting and loss of life.

It should be pointed out in connection with these events that, under Article 10 of the Covenant, the Members of the League undertake to respect the territorial integrity and existing political independence of all Members of the League.

Lastly, under Article 12 of the Covenant, the Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council.

While at the origin of the state of tension that existed before September 18th, 1931, certain responsibilities would appear to lie on one side and the other, no question of Chinese responsibility can arise for the development of events since September 18th, 1931.

PART IV

STATEMENT OF THE RECOMMENDATIONS.

This part sets forth the recommendations which the Assembly deems just and proper in regard to the dispute.

SECTION I.

The recommendations of the Assembly take into account the very special circumstances of this case and are based on the following principles, conditions and considerations:

(a) The settlement of the dispute should observe the provisions of the Covenant of the League, the Pact of Paris, and the Nine-Power Treaty of Washington.

Article 10 of the Covenant of the League provides that "the Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League."

According to Article II of the Pact of Paris, "the High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature, or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means."

According to Article 1 of the Nine-Power Treaty of Washington, "the Contracting Powers, other than China, agree to respect the sovereignty, the independence, and the territorial and administrative integrity of China."

(b) The settlement of the dispute should observe the provisions of Parts I and II of the Assembly resolution of March 11th, 1932.

In that resolution, which has already been quoted in this report, the Assembly considered that the provisions of the Covenant were entirely applicable to the present dispute, more particularly as regards:

(1) The principle of a scrupulous respect for treaties;

(2) The undertaking entered into by Members of the League of Nations to respect and preserve as against external aggression the territorial integrity and existing political independence of all the Members of the League;

(3) Their obligation to submit any dispute which may arise between them to procedures for peaceful settlement.

The Assembly has adopted the principles laid down by the President-in-Office of the Council in his declaration of December 10th, 1931, and has recalled the fact that twelve Members of the Council had again invoked those principles in their appeal to the Japanese Government on February 16th, 1932, when they declared that no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of Article 10 of the Covenant ought to be recognised as valid and effectual by Members of the League.

The Assembly has stated its opinion that the principles governing international relations and the peaceful settlement of disputes between Members of the League above referred to are in full harmony with the

Pact of Paris. Pending the steps which it might ultimately take for the settlement of the dispute which had been referred to it, it has proclaimed the binding nature of the principles and provisions referred to above and declared that it was incumbent upon the Members of the League not to recognise any situation, treaty or agreement which might be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

Lastly, the Assembly has affirmed that it is contrary to the spirit of the Covenant that the settlement of the Sino-Japanese dispute should be sought under the stress of military pressure on the part of either party, and has recalled the resolutions adopted by the Council on September 30th and December 10th, 1931, in agreement with the parties.

(c) In order that a lasting understanding may be established between China and Japan on the basis of respect for the international undertakings mentioned above, the settlement of the dispute must conform to the principles and conditions laid down by the Commission of Enquiry in the following terms:

" 1. Compatibility with the interests of both China and Japan.

" Both countries are Members of the League and each is entitled to claim the same consideration from the League. A solution from which both did not derive benefit would not be a gain to the cause of peace.

" 2. Consideration for the interests of the Union of Soviet Socialist Republics.

" To make peace between two of the neighbouring countries without regard for the interests of the third would be neither just nor wise, nor in the interests of peace.

" 3. Conformity with existing multilateral treaties.

" Any solution should conform to the provisions of the Covenant of the League of Nations, the Pact of Paris, and the Nine-Power Treaty of Washington.

" 4. Recognition of Japan's interests in Manchuria.

" The rights and interests of Japan in Manchuria are facts which cannot be ignored, and any solution which failed to recognise them and to take into account also the historical associations of Japan

with that country would not be satisfactory.

" 5. The establishment of new treaty relations between China and Japan.

" A restatement of the respective rights, interests and responsibilities of both countries in Manchuria in new treaties, which shall be part of the settlement by agreement, is desirable if future friction is to be avoided and mutual confidence and co-operation are to be restored.

" 6. Effective provision for the settlement of future disputes.

" As a corollary to the above, it is necessary that provision should be made for facilitating the prompt settlement of minor disputes as they arise.

" 7. Manchurian autonomy.

" The Government in Manchuria should be modified in such a way as to secure, consistently with the sovereignty and administrative integrity of China, a large measure of autonomy designed to meet the local conditions and special characteristics of the Three Provinces. The new civil regime must be so constituted and conducted as to satisfy the essential requirements of good government.

" 8. Internal order and security against external aggression.

" The internal order of the country should be secured by an effective local gendarmerie force, and security against external aggression should be provided by the withdrawal of all armed forces other than gendarmerie, and by the conclusion of a treaty of non-aggression between the countries interested.

" 9. Encouragement of an economic rapprochement between China and Japan.

" For this purpose a new commercial treaty between the two countries is desirable. Such a treaty should aim at placing on an equitable basis the commercial relations between the two countries and bringing them into conformity with their improved political relations.

" 10. International co-operation in Chinese reconstruction.

" Since the present political instability in China is an obstacle to friendship with Japan and an anxiety to the rest of the world (as the maintenance of peace in the Far East is a matter of international

concern), and since the conditions enumerated above cannot be fulfilled without a strong Central Government in China, the final requisite for a satisfactory solution is temporary international co-operation in the internal reconstruction of China, as suggested by the late Dr. Sun Yat-sen."

SECTION II.

The provisions of this section constitute the recommendations of the Assembly under Article 15, paragraph 4, of the Covenant.

Having defined the principles, conditions and considerations applicable to the settlement of the dispute,

THE ASSEMBLY RECOMMENDS AS FOLLOWS :

1. Whereas the sovereignty over Manchuria belongs to China,

A. Considering that the presence of Japanese troops outside the zone of the South Manchuria Railway and their operations outside this zone are incompatible with the legal principles which should govern the settlement of the dispute, and that it is necessary to establish as soon as possible a situation consistent with these principles,

The Assembly recommends the evacuation of these troops. In view of the special circumstances of the case, the first object of the negotiations recommended hereinafter should be to organise this evacuation and to determine the methods, stages and time-limits thereof.

B. Having regard to the local conditions special to Manchuria, the particular rights and interests possessed by Japan therein, and the rights and interests of third States,

The Assembly recommends the establishment in Manchuria, within a reasonable period, of an organisation under the sovereignty of, and compatible with the administrative integrity of, China. This organisation should provide a wide measure of autonomy, should be in harmony with local conditions and should take account of the multilateral treaties in force, the particular rights and interests of Japan, the rights and interests of third States, and, in general, the principles and conditions reproduced in Section I (c) above ; the determination of the respective powers of and relations between the Chinese Central Government and the local authorities should be made the subject of a Declaration by the Chinese Government having the force of an international undertaking.

2. Whereas, in addition to the questions dealt with in the two recommendations 1A

and 1B, the report of the Commission of Enquiry mentions in the principles and conditions for a settlement of the dispute set out in Section I (c) above certain other questions affecting the good understanding between China and Japan, on which peace in the Far East depends,

The Assembly recommends the parties to settle these questions on the basis of the said principles and conditions.

3. Whereas the negotiations necessary for giving effect to the foregoing recommendations should be carried on by means of a suitable organ,

The Assembly recommends the opening of negotiations between the two parties in accordance with the method specified hereinafter.

Each of the parties is invited to inform the Secretary-General whether it accepts, so far as it is concerned, the recommendations of the Assembly, subject to the sole condition that the other party also accepts them.

The negotiations between the parties should take place with the assistance of a Committee set up by the Assembly as follows : The Assembly hereby invites the Governments of Belgium, Great Britain, Canada, Czechoslovakia, France, Germany, the Irish Free State, Italy, The Netherlands, Portugal, Spain and Turkey each to appoint a member of the Committee as soon as the Secretary-General shall have informed them that the two parties accept the Assembly's recommendations. The Secretary-General shall also notify the Governments of the United States of America and of the Union of Soviet Socialist Republics of this acceptance and invite each of them to appoint a member of the Committee should it so desire. Within one month after having been informed of the acceptance of the two parties, the Secretary-General shall take all suitable steps for the opening of negotiations.

In order to enable the Members of the League, after the opening of negotiations, to judge whether each of the parties is acting in conformity with the Assembly's recommendations :

(a) The Committee will, whenever it thinks fit, report on the state of the negotiations, and particularly on the negotiations with regard to the carrying out of recommendations 1A and B above ; as regards recommendation 1A, the Committee will in any case report within three months of the opening of negotiations. These reports shall be communicated by the Secretary-General to the

Members of the League and to the non-member States represented on the Committee ;

(b) The Committee may submit to the Assembly all questions relating to the interpretation of Section II of Part IV of the present report. The Assembly shall give this interpretation in the same conditions as those in which the present report is adopted, in conformity with Article 15, paragraph 10, of the Covenant.

SECTION III.

In view of the special circumstances of the case, the recommendations made do not provide for a mere return to the *status quo* existing before September, 1931. They likewise exclude the maintenance and recognition of the existing regime in Manchuria, such maintenance and recognition being incompatible with the fundamental principles of existing international obligations and with the good understanding between the two countries on which peace in the Far East depends.

It follows that, in adopting the present report, the Members of the League intend to abstain, particularly as regards the existing regime in Manchuria, from any act which might prejudice or delay the carrying out of the recommendations of the said report.

They will continue not to recognise this regime either *de jure* or *de facto*. They intend to abstain from taking any isolated action with regard to the situation in Manchuria and to continue to concert their action among themselves as well as with the interested States not members of the League. As regards the Members of the League who are signatories of the Nine-Power Treaty, it may be recalled that, in accordance with the provisions of that Treaty: "Whenever a situation arises which, in the opinion of any one of them, involves the application of the stipulations of the present Treaty and renders desirable discussion of such application, there shall be full and frank communication between the contracting Powers concerned."

In order to facilitate as far as possible the establishment in the Far East of a situation in conformity with the recommendations of the present report, the Secretary-General is instructed to communicate a copy of this report to the States non-members of the League who are signatories of the Pact of Paris or of the Nine-Power Treaty, informing them of the Assembly's hope that they will associate themselves with the views expressed in the report, and that they will, if necessary, concert their action and their attitude with the Members of the League.

[*After the word of should be inserted the words or have acceded to.]

CY # 6

Doc. No. 234

(China asks League of Nations to Apply Article
XVII-II September 1938)

COMMUNICATION FROM THE CHINESE DELEGATION

Geneva, September 11, 1938

On September 12th, 1937, precisely a year ago, I had the honour in the name of the Chinese Government to inform you of the fact of Japan's armed invasion of China and to invoke Articles 10, 11 and 17 of the Covenant in order that the Council might forthwith take effective action to deal with the grave situation thus created by the Japanese aggression. The League of Nations through its different organs, namely, the Assembly, the Council and the Advisory Committee on the Far Eastern situation has since adopted a number of resolutions, all of which in their principal provisions, however, remain unexecuted or ineffective.

But the hostilities which Japan started against China fourteen months ago have not only seen no abatement but, on the contrary, are being pursued on an ever extending scale and with increased intensity and ruthlessness. It is the firm conviction of the Chinese Government that in the interest of the League itself and the general cause of peace, as well as in justice to China, the provisions of Article 17 of the Covenant should be applied to the present situation in the Far East without further delay.

By instructions of my Government I have the honour, therefore, to request the Council to give immediate effect to Article 17 of the Covenant, which the Council has hitherto failed to apply but which, in the opinion of the Chinese Government, provides the most relevant procedure for effective action by the League in the present case.

I have the honour to be, etc.

(Signed) V. K. WELLINGTON KOO

First Delegate of China

DOC 235

52

規約第十七條第一項ニ項々理事會ノ九月

十九日附帶領政府宛招請狀

聯盟國ト非聯盟國トノ間ノ紛争ニ關スル規約第十七
條ノ規定ヲ日本帝國政府ニ對シテノ文部政府ノ正
式要請ニ基キ理事會ハ日本帝國政府ニ對シ右第十七
條第一項ニ規定セラルル招請ヲ發スルノ光榮ヲ有ス
尤モ招請カ受諾セラルル場合日本國ハ第十七條ニ依
ル紛争ノ處理ニ關シ聯盟國ト同一ノ權利ヲ有スルモ
ノトス

理事會ハ感ルヘク速ニ帝國政府ノ回答ニ接センコト
ヲ希望ス

一九三八年九月十九日

國際聯盟事務總長 アヴァノール

日本帝國外務大臣 宇垣一成殿

RETURN TO ROOM 361
COPY

Q. 461

Doc. No. 235

(Japan invited to sit with League of Nations -
19 September 1938)

Geneva, September 19th, 1938.

The Council having before it formal request from the Chinese Government for the application to the Sino-Japanese dispute of the provisions of Article 17 of the Covenant relating to disputes between member of the League of Nations and non-member state, has the honour to address to the Imperial Government the invitation provided for by the first sentence of the said Article 17 on the understanding that if the invitation is accepted Japan will have as regards the dealing with the dispute under Article 17 the same rights as member of the League of Nations.

The Council would be glad to be informed of the reply of the Imperial Government as soon as possible.

AVENOL

Secretary-General

5462

Doc. No. 236

(Japan Refuses Invitation to Sit with League
of Nations - 22 September 1938)

(Translation)

Tokyo, September 22d, 1938.

I hasten to acknowledge receipt of your telegram of September 19th, 1938, transmitting the invitation, provided for by the first sentence of Article 17 of the Covenant, which has been addressed to the Imperial Government by the Council of the League of Nations. The Imperial Government is firmly convinced that means such as those laid down in the Covenant cannot provide a just and adequate solution of the present conflict between Japan and China, and its attitude in this connection has been clearly stated on many occasions. I have therefore the honour to inform you that, for this reason, the Imperial Government regrets its inability to accept the Council's invitation.

K. UGAKI

Japanese Minister for Foreign Affairs.

(一) 東京ノ飛行機ノ使用

(二) 東京ノ先頭部隊ノ入國

(三) 東京合戦ニ於テ日本軍ノ勝利

(四) 日本軍ヲ干渉スル日本軍ノ力

(五) 東京州ニ於テ日本軍ノ飛行機ノ使用

本誌ノ定入ノ左ノ各圖ニ於テ

印度支那ノ那軍司令部ニ於テ
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附圖第十一號

Doc 187

(一) 東京州ノ飛行機ノ使用

1

(口) 右記飛行場ノ使用ノ飛行場ノ日本飛行隊ニ配スル飛行人

(イ) 第一項記ノ飛行場ノ飛行場ノ日本飛行隊ニ配スル飛行人

ト

周ニ於ケル共同合意ノ終ニ決セラハキモ
左ノ任務ヲ有スル日本部隊ノ兵力ハ日傍軍等

(二) 日本軍若干兵力ノ陸地

上必要ナル少限ニ限セラハキモト
合意ニ依リ決テ任務ヲ行ハスル飛行場ノ日本部隊ノ

右記飛行場ノ日本部隊ニ任務ヲ行ハスル飛行場ノ日本部隊

條件ニ從テ右記飛行場ノ日本部隊ニ任務ヲ行ハスル飛行場ノ日本部隊

日本軍ハ九月四日ノ日本部隊ニ任務ヲ行ハスル飛行場ノ日本部隊

日本軍ハ九月四日ノ日本部隊ニ任務ヲ行ハスル飛行場ノ日本部隊

「トサ」

「トサ」

「トサ」

日本軍ハ左ノ飛行場ヲ使用スルコトヲ得

Doc 189

22

員及整備人員)

- (一) 左ノモノニ對スル補給品ノ輸送及護衛
第一項記載ノ諸飛行基地及支那印支國境附近ノ
支那領土内ニ於テ目下作戰中ノ日本部隊
- (二) 海防港ノ通過輸送及ヒ同地方ニ施設セラルル病
院ノ運営
- 右ノ兵力ハ前記諸任務達成上必要限度ニ制限セラ
ルルモノニシテ如何ナル場合ニ於テモ六千人ヲ超
ヘザルモノトス
- 右ノ兵力ノ駐屯區域ハ日佛軍事當局者間ノ共同合
意ニヨリ決定セラルルモノトス
- 日佛兩參謀部間ノ合意ニ依リ定メラレタル最少限
度ニ限定セラレタル前記兵力中ノ一部ハ諸飛行場
ニ直接隣接スル部落ヲ利用スルコトヲ得
- 但シ「ハノイ」市ハ此ノ限リニ非ズ
- 日本軍ノ司令部又ハ部隊ハ「ハノイ」ニ定着シ又
ハ同市ヲ通過セザルモノトス但シ兩參謀部間ノ通
絡ヲ計ル爲ニ必要ナル將校ハ此ノ限リニ非ズ
- 諸飛行場内ニ於ケル日本飛行部隊及其ノ整備部隊
ノ施設ハ日本軍當局ニ於テ負擔スルモノトス
- 海防市ハ日佛兩參謀部間ノ合意ニ依リ定メラルル
條件ニ依リ上陸地點トシテ利用セラルルモノトス
- 如何ナル場合ニ於テモ軍艦ハ「ドウソン」一「ア
ボラ」ヲ遶ヌル線ヨリ六海里以内ニ近接セザル

モノトス

水雷艇級ヲ超エザル軍艦一隻ハ海防港内ニ碇泊ス
ルコトヲ得

(三) 日本軍ノ東京州通過

日本軍司令官ガ東京州北方國境ヨリ發足シテ地上
兵力ニヨリ攻撃作戰ヲ行ハントスル場合(該司令
官ハ目下之ヲ考慮シアラス)若クハ海防港ヨリノ
乗船ヲ必要トスベキ部隊ノ交代行動ヲ爲サントス
ル場合ニハ俄軍司令官ノ決定セル數條ノ交通路ハ
作戰ノ必要ニ從ヒ日本軍ニヨリ利用セラレ得ルモ
ノトス

右ノ輸送ノ實施方法ハ千九百四十年九月四日署名
ノ協定基礎事項中ニ定メアル條件ニヨリ規定セラ
ルモノトス

日本通過部隊ノ兵力ハ必要度ニ應ジ進テ決定セラ
ルベキモノトス

然レドモ通過部隊及ビ第二項記述ノ部隊ノ全兵力
ハ千九百四十年九月四日調印ノ協定基礎事項ニ依
リ定メラレタル數ヲ超ユルヲ得ザルモノトス

(四) 日本先頭部隊ノ入國

九月二十二日二十二時ハ日本當局ニ依リ嚴守セラ
ルベキモノナルニ艦ミ部隊搭載ノ第一船ハ右期日
ニ海防ニ入港スルコトヲ得

然レドモ上陸部隊ノ上陸條件及ビ陸地地點ヘノ移動條件ニ關スル特別協定ガ成立セザル限り部隊ハ其ノ船類ヨリ下船セズ又其他ノ輸送船ハ港内ニ入ラザルモノトス

(五) 日本軍ノ東京州通過輸送

目下文部印支國境附近ニ在ル日本部隊ハ日本當局ノ要求ニ基キ海防港乗船ノ爲印度支那領土ヲ通過シテ輸送セラレ得ルモノトス
此部隊ノ輸送ニハ詳細ナル研究ヲ必要トスルヲ以テ内務省部内ニ於ケル特別協定ヲ要ス
此協定ガ成立セザル限り何レノ日本軍隊モ印度支那國境ヲ超スザルモノトス

(六) 一般事項

本協定ニ基ケアル諸規定事項ヲ除キ千九百四十年九月四日署名ノ協定陸海軍項ハ全邦效力ヲ有スルコト勿論ナリ
内務省部ハ本協定ノ實施方法ヲ定ムル爲ニ内務省時相進給スルモノトス

千九百四十年九月二十二日

在「ハノイ」西原少尉

「マルタン」將官

62

規約第七條一項ニ基ク理事會ノ招請狀ニ對スル
九月二十二日附帝國政府回答

千九百三十八年九月十九日附貴電ヲ以テ通達アリ
タル國際聯盟理事會ノ帝國政府ニ對スル規約第七
七條第一項ニ基ク招請ヲ接受セリ
帝國政府ハ國際聯盟規約ノ意見スルカ如キ方法ニ
依リ今次日支紛争ノ公正妥當ナル解決ヲ見出シ得
サルヘキヲ固ク信スルモノニシテ右帝國政府ノ方
針ハ已ニ屢々之ヲ明ニシタルカ今回理事會ノ招請
モ亦右ノ理由ニ依リ遺憾乍ラ之ヲ受理スルヲ得サ
ル旨回答スルノ光榮ヲ有ス

昭和十三年九月二十二日

日本帝國外務大臣 宇垣一成

國際聯盟事務總長 アザノール 長

Doc 35-P12

+

昭和十二年十一月十二日

I, undersigned hereby
certify that this is true copy
of the original in Japanese of the
Statement of the Japanese Government
^{under date of November 12th, 1937,}
in reply to the renewed invitation
to the Brussels Conference

Y. Izono.
Chief of Archives Section,
Foreign Office

外
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省

受諾し得ざる所なり

抑々今次の事變は東亞の特殊事態に基くものなるか故に直接切實なる利害關係を有する兩當事國間に於て處理することに依り最公正妥當なる解決に達することを得べく今次會議の如く集團的機構内に於て之を處理せんとするときは徒に兩國民心を刺戟し却つて事變の圓滿解決を阻害すへきは帝國の渝らざる所信なり若し夫れ列國に於ても敘上の見解を篤と了解せられ現實の事態に即して東亞の安定に寄與せらるる所あらは帝國政府の欣幸とする所なり

會議參加國は東亞に權益を有する總ての國は目下の敵對行爲に依り累を蒙り且全世界は該敵對行爲の平和及國際團體の各員の安全に對する影響を憂慮し居る旨開陳せられたる處此の點に關しては帝國累次の聲明に明なる通帝國は外國の在支權益を尊重する爲凡ゆる努力を爲し居ること竝に今次事變の圓滿なる終熄に依る東亞の和平確立に最大の關心を有するものなることを指摘せんと欲

武府會議再招請に對する帝國政府回答

帝國政府はブリュッセル會議に關する十一月七日附口上書を受領したり

帝國政府は右口上書に開陳せられたる會議參加諸國の見解は慎重なる考慮に出づるものなるを諒とするも不幸にして帝國政府が十月二十七日附回答及聲明中に明示したる其の見解及方針を變更せしむるに足らざるを遺憾とす會議參加諸國は今次事變の平和的解決に關し帝國代表と九國條約の範圍内に於て且同條約の規定に準據して意見交換を行ふ爲少數の國の代表を指定する用意ある旨を表明せられたり然る處帝國政府は今次帝國の行動は支那側の挑戦に餘儀なくせられたる自衛行動にして九國條約の範圍外なるを以て同條約の適用問題を討議するの餘地なしとの見解を堅持するものにして帝國を以て同條約違反者なりとし乍ら同條約の規定に基く會合に招請せらるるも之に參加するか如きは帝國政府の到底

右意見交換の目標とする所は前記の點を明にし紛争の解決を求
 むるに在るへし敵對行為の繼續を遺憾とし、平和的處理のみが
 本件紛争の永続的且建設的解決を招來し得べきことを確信し且
 調停方法の有効なるへきに~~は~~頼しブリュッセルに會合せる諸國
 代表は前記の如き處理の實現せんことを切望するものなり
 七。會議參加國は其の提案に對する日本帝國政府の態度を出來得
 る限り速に承知せんことを重視するものなり

千九百三十七年十一月七日東京

於て

I, undersigned,
 hereby certify
 that this is true
 copy of the official
 translation into
 Japanese from
 French text of
 the renewed invi-
 tation, under date
 of November 7, 1937,
 to participate in
 the Brussels Conference
 of the Signatory Powers
 of the Nine Powers Treaty.

Y. Isono,
 Chief of Archive Section
 Foreign Office.

外務省

外務省

Doc 35-P8

と利害關係を有せざる國をも含む多數國の會議に依り之が解決を圖るは却て事態を紛糾せしめ之が正常なる收拾に大なる支障を及ぼすべしとの確信」を表明せられたり

茲に注意の要あるは同條約の規定に依れば同條約締結國たる總ての國は該條約か之に賦與する權利を行使する資格を有し、東亞に權益を有する總ての國は目下の齟齬行爲に依り影響せられ居り且全世界は該齟齬行爲の平和及國際團體の各員の安全に對する反響を憂慮し居れることなり

然れどもブリュッセルに會合せる諸國代表は此の點に關し日本の有する疑念を解消し得べしと思考す即ち特に指定せらるべき少數國代表と意見交換を爲す爲日本帝國政府が一名若は數名の代表を派遣せらるる意思ありや否やを承知致度し右意見の交換は九國條約の範圍内に於て且同條約の規定に準據して行はるべきものとす

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の聲明を了承せり

四、加之日本帝國政府は日本に依る九國條約違反の問題を發生する餘地なきことを言明せられ且支那政府に對し幾多の苦情を陳述せられたり支那政府亦同條約の違反ありたりと爲し日本政府の苦情を述べ居れり

五、九國條約は正に斯の如き事態を目的とする規定を包含すブリュッセルに於て行はれつつある意見の交換は本質的に此等の規定に基礎を置き第七條に規定せらるる充分にして且隔意なき交渉を構成するものなることを茲に指擡するを要す本會議は締約國間の紛争の平和的解決を援助する目的を以て招集せられたり該紛争の當事國の一方即ち支那は會議に代表を派遣し會議の事業に完全に協力する用意あることを表明せり會議は其の協力特に望ましき他の當事國即ち日本國の不參加を遺憾とす

六、日本帝國政府は一東亞に於ける利害の程度相異り甚しきは殆

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一九三七年十一月七日在京白國大使より外務大臣
に手交せられたる通告全文（會議再招請）

口 上 書

一、十一月三日ブリュッセル會議參加國代表は十月二十七日白國政府の招請狀に對する日本帝國政府の回答並に右回答に附隨せる聲明を了知せり

二、日本帝國政府は右文書中に於て就中支那の領土を侵略するが如き意圖なきのみならず却て支那國民の物質的精神的向上を祈念するものにして又外國の在支權益は飽く迄之を尊重しつつ列國と共に文化的及經濟的協調を期し居らるる次第を表明せられたり

三、右聲明に於て述べられたる諸點は千九百二十二年二月六日華盛頓に於て署名せられたる條約（九國條約）の根本原則の或ものを表はせるものなり該條約締約國は右に關する日本帝國政府

外務省

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の列國に期待する所は列國か此の要諦を充分に認識することにし
て此の認識に基く協力のみに東亞安定に寄與することを得へし

昭和十二年十月二十七日

I, undersigned, hereby
certify that this is true copy
of the original in Japanese
of the Reply of the Japanese Govern-
ment to the invitation to the
Brussels Conference sent by
the Belgian Government, dated
October 27th, 1937.

M. Sono.
Chief of Archives
Section
Foreign Office.

外
務
省

外
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Doc 35-P 5

の列國に期待する所は列國か此の要諦を充分に認識することにし
て此の認識に基く協力のみ東亞安定に寄與することを得へし

昭和十二年十月二十七日

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Chief of Archives
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Foreign Office.

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ては到底關係國間の充分にして且隔意なき交渉を行ひ日支間の事變を現實に即せる公正妥當なる解決に導くことを期待し難しと認めざるを得ず

加之今次の日支事變は東亞の特殊事態に基因し且日支兩國の生存に重大關係を有するものなるを以て東亞に於ける利害の程度相異り甚しきは殆ど利害關係を有せざる國をも含む多數國の會議に依り之か解決を圖るは却て事態を紛糾せしめ之か正常なる收拾に大なる支障を及ぼすへきは帝國政府の確信する所なり

以上の觀點よりして帝國政府は自國政府の招請を受諾し得ざるを遺憾とす抑も今次の事變は支那政府か多年國策として國民に抗日意識を扶植し其の排日運動を奨勵するのみならず赤化勢力と勾結し排日抗日の風潮を激化して東亞の平和を脅威したる結果に外ならず從て之か解決の要諦は支那政府に於て東亞の安定に對する日支共同の責任を自覺し自肅自省以て日支提携の政策に轉向するに在り帝國

明し且聯盟國に對し支那の抵抗力を弱め現在の紛争に於ける支那の困難を増大せしむる効果を有するか如き行動を差控へ且各個に支那を援助し得る程度を考慮すべきことを勸奨したり右は明に日支兩國の眞摯なる協調に依り東亞の平和を具現し依て世界の平和に寄與する所あらんとする帝國の公明なる意圖を無視し紛争當事國の一方に加擔し其の敵對意識を鼓吹するものにして決して本件紛争の解決を促進する所以に非ず白國政府の招請には今次會議と聯盟との關係に付何等言及する所なきも聯盟か前記決議中に於て九國條約當事國たる聯盟國の會議を示唆し居り又英國政府の今次會議招集の要請に同意せる米國政府は十月六日聯盟の決議を支持する旨を聲明し居る事實に鑑み帝國政府は今次會議か聯盟の決議に關聯して招集せられたるものと斷せざるを得ず而して聯盟は前項所述の如く帝國の名譽に關する斷定を下し又帝國に對する非友誼的決議を採擇せる事實あるに顧み今次開催せらるべき會議に於

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一九三七年十月二十七日帝國政府回答

帝國政府は米國政府の同意を以て爲されたる英領政府の要請に従ひ千九百二十二年二月六日の九國條約署名國に對し同條約第七條に基き東亞に於ける事態を検討し且該地域に行はるる遺憾なる紛争の終結を促進すへき和協手段を攻究する爲本月三十日ブリュッセルに會合せんことを提議せられたる本月二十日附白國政府の招請を正に受領せり

國際聯盟總會は本月六日日支事變に關し採擇せられたる報告書に於て當事國一方の陳述に依據し現に帝國か支那に於て執りつつある行動を以て九國條約に違反するものと斷定したり今次帝國の支那に於ける行動は支那側の極端なる排日抗日政策の強行特に實力を以てする挑發行動に依り餘儀なくせられたる自衛措置にして九國條約の範圍外たることは已に帝國政府の聲明せる所なり
聯盟總會は更に進て其の決議に於て支那に對し精神的支持を表

外務省

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九國條約會議參加方に關する白國政府の帝國政府宛
招請狀

口 上 書

米國政府の同意を以て爲されたる英國政府の要請に従ひ白耳義
王國政府は千九百二十二年二月六日の九國條約署名國に對し同條
約第七條に基き東亞に於ける事態を検討し且該地域に行はるる遺
憾なる紛争の終結を促進すへき和協手段を攻究する爲本月三十日
ブリュッセルに會合せんことを提議す

一九三七年十月二十日 東京に於

I, undersigned,
truly certify that
this is true copy
of the official trans-
lation into Japanese
of the invitation to
the Brussels Con-
ference sent by
the Belgian Govern-
ment to the signatory
Powers of the Nine
Power Treaty.

Y. Izono
Chief of Archives Section
Foreign Office

外務省

351 Ex. 63

昭和十二年十二月

「ブリュッセル」ニ於ケル支那ニ關スル
九國條約締約國會議經緯

千九百二十七年十一月三日至二十四日

條約局 第三

三課



第四章 武府會議休會及十一月二十四日會議聲明ノ採擇

銀上(並ニ第二章第三節參照)ノ解釋ヲ以テ會議ハ十一月二十二日ヨリ採尾ノ會合ヲ爲セルカ既ニ會議ノ意義ニ付
少カラナル疑ヲ懷クニ至レル爲如何ニシテ結末ヲ看クヘキカニ關心シタルモノノ如クニスピーク議長ハ會議ノ右間ニ倫敦
訪問ノ際會議ノ將來ニ關シテモ協議シタルモノト認マラルル際英國側ハ米國ト協議シテ其ノ態度ヲ決メン：スルモノト觀
測セラレタル趣ナルカ結局英米ヨリ「ノート」ヲ提出之ヲ審議スル手筈ト爲シ右「ノート」ハ二十二日午後一時各國代表
ニ配布セラレ午後三時會合ノ豫定ナリシ趣ノ故原案ハ(イ)會議ハ遺憾年ヲ不成功ニ終レリ(ロ)會議ヲ一時休會ス(ハ)其ノ
間利害關係最深キモノハ日支兩國ニ對シ紛争ノ解決方努力スベシ(ニ)事態カ要求スル場合ハ更メテ會合ストノ趣旨ニテ多
少色ヲ添ケタル延期ナリシカ英米カ之ヲ事前ニ支那側ニ示セル爲支那側ヨリ強硬ナル抗議出テ新ナル「ノート」ヲ起草
スルコトト爲リタル趣ニシテ會合時間モ延期セラレタルカ午後三時ニ致リ各國代表都ニ配布セラレタル文書ハ議長ノ要求
ニ依リ英米側代表都作成提出シタル聲明案ト會議參加國ニ對スル報告案トヨリ爲ル處二十二日會議ニ於テ聲明案ノ審議ニ
際シ順維鈞ハ態度ニ憤懣ノ色ヲ爲シ其ノ内容空虛ニシテ支那ハ全ク不満ナリトテ先般ノ會議聲明中ノ共同態度ニ言及セテ
ムコト及紛争ノ解決ニ關スル有效ナル措置ヲ講スル所ナキヲ指摘シ支那ハ自國防衛ノ爲ノミナラス條約ノ神聖維護ノ爲戰
ヒツアルニ對シ嚴重ニ要求シタル支那援助ニ關シテハ何等シテモ所ナシ特達ニ宜シク侵略者ト被侵略者トヲ區別スルヲ要
スト本國政府ニ請願ノ爲四十八時間ノ期限ヲ要求セリ

墨西哥代表モ支那ノ主張ニ贊シ聯盟ノ措置ニ同意シタルモ他ニ發言者ナキ爲支那ノ回訓ヲ待ツ間報告案ノ審議ニ移レル
趣ナリ

報告案ハ會議參加國ニ對スル報告ノ趣旨ナリシテ會議力ヲ經過テ彼スル形式ト改メ又會議ノ書類トシテ日本側回答及摩

明等ヲ採録スルコトセリ(右採録ハ在日米極大使ヨリ某方面ニ對スル注意ニ基キテ爲サレタル趣ナリ)

二十四日ノ會議ニ於テ聲明及報告書採録セラル此ノ際支那代表ハ報告書中ニ支那ノ聲明ヲ採入方要來セル爲伊太利代表亦其ノ聲明ノ採録方ヲ求メ斯ク支那ハ其ノ協調的精神ヨリ本案ニ賛成ストノ旨ヲ聲明シ伊太利代表ハ報告中ノ諸點ニ悉ク反對ナル旨ヲ述ベ米國「デグリス」代表ハ本件報告書ヲ世界ノ總テノ國ニ送付方ヲ提議シ右提案採録セラレタリ

新ニ成リタル報告書ハ其ノ第十二項ニ會議ノ聲明ヲ包含シテ會議ノ事業ヲ記録シタルモノニシテ右ヲ採録シテ會議ハ休會ニ入レリ會議ノ今後ニ於ケル態度ニ關シテハ其ノ聲明ニ明ナル如ク會議參加國トシテ今後ノ事態ニ依然關心ヲ有スル次第ヲ欲スルト共ニ會議機會ノ途ヲ開キ又新ニ九國條約ノ效果ヲ確認シ且本件紛争ノ解決ニ德二國ノ介入ヲ必要ナリトスル所以ヲ強調シタルモノナリ

當日ニ於ケル支那代表演說ハ十一月二十四日會議報告書附屬書七卷照

全文左ノ通(原文附錄第十號ノ通)

十一月二十四日「ブライセル」會議報告書

- 一、「ブライセル」會議ハ米國政府ノ同意ヲ得タル英國政府ノ要請ニ從ヒ白耳義政府ニ依リ招來セラレタリ右會議ハ千九百二十七年十一月三日開會セラレタル處其ノ事業ハ今ヤ之ヲ本質の面ヲ想起スルコトヲ望ムルトスル段階ニ到達セリ
 - 二、千九百二十一年ヨリ千九百二十二年ニ亘ル冬「ワシントン」ニ於テ相互ニ關聯セル一國ノ條約及協定圖印セラレタル處就中最重要ナルモノハ一ハ支那ニ關スル諸原則及政策ニ關スル九國條約ナリキ
- 右條約及協定ハ總テナル檢討ノ上自由ニ協定セラレタルモノナル處其ノ本質的目的ハ太平洋地域ニ於ケル安定及安全ノ諸條件ヲ確立スルニ在リタリ

九國條約ハ第一條ニ於テ左ノ如ク規定シ居レリ

- (一) 支那ノ主權、獨立及其ノ領土の及行政の保全ヲ尊重スルコト
 - (二) 支那カ自ラ有力且安固ナル政府ヲ確立維持スル爲最完全ニシテ且最障礙ナキ機會ヲ之ニ供與スルコト
 - (三) 支那ノ領土ヲ通シテ一切ノ國民ノ商業及工業ニ對スル機會均等主義ヲ有教ニ樹立維持スル爲各盡力スルコト
 - (四) 友好國ノ臣民又ハ人民ノ權利ヲ減殺スヘキ特別ノ權利又ハ特權ヲ求ムル爲支那ニ於ケル情勢ヲ利用スルコトヲ及右友好國ノ安寧ニ害アル行動ヲ是認スルコトヲ差控フルコト
- 以上ノ諸約定及ニ其ノ他ノ諸條約ニ定メラレタル諸規定ニ基キ且之ニ照ラシ太平洋地域ノ情勢ハ十年ノ間眞平ノ安定ト從テ右諸條約ニ豫見ヒラレタル方向ヘノ顯著ナル進歩ヲ以テ其ノ特徴トシ來レリ然ルニ最近數年間ニ於テ日支兩國間ニ聯繫セル紛争續出シ右ハ見ニ今次ノ戰國行動ヲ誘發シタリ

三、會議招請狀ノ文言ニ從テモ「ブライセル」會議ノ目的トスル所ハ「九國條約第七條ニ基キ東亞ニ於ケル亦應テ檢討シ且該地域ニ行ハルレ遺憾ナル紛争ノ終結ヲ促進スヘキ和協手段ヲ攻究スル」コトヲ示サレタルヘカラス、日本ヲ除ク外千九百二十二年二月六日ノ九國條約ニ署名シタル又ハ之ニ加入シタル一切ノ國ハ右招請ヲ受諾シ招請狀ニ表明セラレタル目的ノ爲「ブライセル」ニ其ノ代表ヲ派遣セリ

四、右會議ニ代表ヲ派遣シ且有效のニ其ノ議事ニ參加シタル支那政府ハ九國條約ノ他ノ締約國ト同條約第七條ノ規定ニ從ヒ商議ニ入リタリ支那政府ハ其ノ現在ノ軍事行動ハ支那ニ於ケル日本ノ武力侵入ニ抵抗スル意思ニ基クニ外ナラザル旨ヲ宣言シ支那政府ハ九國條約ノ原則ヲ基礎トシテ和平ヲ受諾シ且條約ノ神意ノ原則ヲ維持スル爲他ノ諸國ト其ノ全誠意ヲ以テ協力スル用意アルコトヲ聲明シタリ

五、日本政府ハ會議ノ招請ヲ受諾シ能ハサルコトニ遺憾ヲ表明スル共ニ「今次帝國ノ支那ニ於ケル行動ハ支那側ノ遺憾ナル排日政策ノ履行特ニ實力ヲ以テスル挑発行動ニ依リ餘儀ナクセラレタル自衛措置ニシテ帝國政府累次

九國條約ハ第一條ニ於テ左ノ如ク規定シ居レリ

(一) 支那ノ主權、獨立竝ニ其ノ領土的及行政的保全ヲ尊重スルコト

(二) 支那カ自ラ有力且安固ナル政府ヲ確立維持スル爲最完全ニシテ且最障礙ナキ機會ヲ之ニ供與スルコト

(三) 支那ノ領土ヲ通シテ一切ノ國民ノ商業及工業ニ對スル機會均等主義ヲ有效ニ樹立維持スル爲各盡力スルコト

(四) 友好國ノ臣民又ハ人民ノ權利ヲ減殺スヘキ特別ノ權利又ハ特權ヲ求ムル爲支那ニ於ケル情勢ヲ利用スルコトヲ及

右友好國ノ安寧ニ害アル行動ヲ是認スルコトヲ差控フルコト

以上ノ諸約定竝ニ其ノ他ノ諸條約ニ定メラレタル諸規定ニ基キ且之ニ照ラシ太平洋地域ノ情勢ハ十年ノ間異乎ノ安定

ト從テ右諸條約ニ豫見セラレタル方向ヘノ顯著ナル進歩トヲ以テ其ノ特徵トシ來レリ然ルニ最近數年間ニ於テ日支兩

國間ニ聯繫セル紛争續出シ右ハ竟ニ今次ノ戰鬪行爲ヲ誘發シタリ

三、會議招請狀ノ文言ニ從テ「ブリアセル」會議ノ目的トスル所ハ「九國條約第七條ニ基キ東亞ニ於ケル事態ヲ檢討

シ且該地域ニ行ハルル遺憾ナル紛争ノ終結ヲ促進スヘキ和協手段ヲ攻究スル」コトヲラサレハカラス、日本ヲ除ク外

千九百二十二年二月六日ノ九國條約ニ署名シタル又ハ之ニ加入シタル一切ノ國ハ右招請ヲ受諾シ招請狀ニ表明セラレ

タル目的ノ爲「ブリアセル」ニ其ノ代表ヲ派遣セリ

四、右會議ニ代表ヲ派遣シ且有效的ニ其ノ議事ニ參加シタル支那政府ハ九國條約ノ他ノ締約國ト同條約第七條ノ規定ニ

從ヒ商議ニ入りタリ支那政府ハ其ノ現在ノ軍事行動ハ支那ニ於ケル日本ノ武力侵入ニ抵抗スル意思ニ基クニ外ナラテ

ル旨ヲ宣言シ支那政府ハ九國條約ノ原則ヲ基礎トシケル平和ヲ受諾シ且條約ノ神聖ノ原則ヲ維持スル爲他ノ諸國ト其

ノ全誠意ヲ以テ協力スル用意アルコトヲ宣明シタリ

五、日本政府ハ會議ノ招請ヲ受諾シ能ハサルコトニ遺憾ヲ表明スルト共ニ「今次帝國ノ支那ニ於ケル行動ハ支那側

ノ極端ナル排日抗日政策ノ強行特ニ實力ヲ以テスル流弊行爲ニ依リ餘儀ナクセラレタル自衛措置ニシテ帝國政府累次

明等ヲモ採録スルコトセリ(右採録ハ在白來柄大使ヨリ某方面ニ對スル注意ニ基キテ爲サレタル趣ナリ)

二十四日ノ會議ニ於テ聲明及報告書採擇セラル此ノ際支那代表ハ報告書中ニ支那ノ聲明ヲ挿入方要求セル爲伊太利代表亦其ノ聲明ノ採録方ヲ求メ斯テ支那ハ其ノ協調的精神ヨリ本案ニ賛成ストノ旨ヲ聲明シ伊太利代表ハ報告中ノ諸點ニ悉ク反對ナル旨ヲ述ヘ米國「デヴィス」代表ハ本件報告書ヲ世界ノ總テノ國ニ送付方ヲ提議シ右提案採擇セラレタリ

斯テ成リタル報告書ハ其ノ第十二項ニ會議ノ聲明ヲ包含シテ會議ノ事業ヲ記錄シタルモノニシテ右ヲ採擇シテ會議ハ休會ニ入レリ會議ノ今後ニ於ケル態度ニ關シテハ其ノ聲明ニ明ナル如ク會議參加國トシテ今後ノ事態ニ依然關心ヲ有スル次第ヲ敘スルト共ニ會議再會ノ途ヲ開キ又新ニ九國條約ノ效果ヲ確認シ且本件紛争ノ解決ニ第三國ノ介入ヲ必要ナリトスル所以ヲ強調シタルモノナリ

當日ニ於ケル支那代表演說ハ十一月二十四日會議報告書附屬書七參照全文左ノ通(原文附錄第十號ノ通)

十一月二十四日「ブリッセル」會議報告書

- 一、ブリッセル會議ハ米國政府ノ同意ヲ得タル英國政府ノ要請ニ從ヒ白耳義政府ニ依リ招集セラレタリ右會議ハ千九百三十七年十一月三日開會セラレタル處其ノ事業ハ今ヤ之カ本質の部面ヲ想起スルコトヲ望マントスル段階ニ到達セリ
- 二、千九百二十一年ヨリ千九百二十二年ニ亘ル冬「フレントン」ニ於テ相互ニ關聯セル一團ノ條約及協定調印セラレタル處就中最重要ナルモノノ一ハ支那ニ關スル諸原則及政策ニ關スル九國條約ナリキ

右條約及協定ハ綿密ナル検討ノ上自由ニ協定セラレタルモノナル處其ノ本質的目的ハ太平洋地域ニ於ケル安定及安全ノ諸條件ヲ確立スルニ在リタリ

- ノ聲明ノ如ク九國條約ノ範圍外ナルコトヲ確言シタリ日本政府ハ更ニ多數國ノ會議ニ依リテ解決ヲ圖ルハ却テ事態ヲ紛糾セシメ公正妥當ナル解決ニ大ナル支障ヲ及ボスヘキ旨ヲ強調シタリ
- 六、千九百三十七年十一月七日會議ハ白耳義政府ノ仲介ニ依リ日本政府ニ對シ通牒ヲ送リ右通牒ニ依リ日本政府ニ對シ特ニ指定セラレタル少數國ノ代表ト意見ノ交換ヲ爲ス爲一名若ハ數名ノ代表ヲ任命スル意思アリテアリ然レドモ右意見交換ハ無爭點ヲ更ニ明白ニ決定シ且日支紛争ノ解決ヲ容易ナラシムル爲九國條約ノ範圍内ニ於テ且同條約ノ諸規定ニ基キテ行ハルヘキモノナリナリ右通牒ニ於テ「ブリッセル」ニ會合セル諸國代表ハ平和的解決ノ斷テントトヲ希望スル旨ヲ表明シタリ
- 七、日本政府ハ千九百三十七年十一月十二日其ノ先ニ表明シタル見解ヲ堅持セタルヲ得タル旨回答シタリ右見解ハ支那ニ對スル今次日本ノ行動ハ自衛措置ヲ構成スルモノニシテ九國條約ノ範圍外ナルコト故ニ兩當事國ノ共同ノ努力ノミカ最公正妥當ナル解決ニ到達スルコトヲ得シムヘク日本會議ノ如キ集團的機構ニ依リ干渉ハ徒ニ兩國民心ヲ刺戟シ事態ノ圓滿解決ヲ阻礙スルニ過キタルヘシト言フニアリタリ
- 八、十一月十五日會議ハ一ノ聲明ヲ採擇シ右聲明ニ於テ南阿聯那「アメリカ」合衆國、澳洲、白耳義、「ベルギー」、加拿大、支那、佛蘭西、英國、印度、「メキシコ」、「ニールーランド」、和蘭、葡萄牙及「ソヴェト」社會主義聯邦共和國ノ代表ハ今次ノ紛争ハ千九百二十二年ノ「ワシントン」九國條約締約國タル一切ノ國及千九百二十八年ノ巴黎規約締約國タル一切ノ國ニ法律上關係アリ且事實上國際團體ノ成員タル一切ノ國ニ關係アルモノト認ムル旨ヲ確言セリ
- 九、前記ノ會議及日本政府間ノ意見ノ相違ニ鑑ミ會議ハ目下ノ所其ノ任務カ和協的ニ平和ヲ回復スル爲日本ト連綿ヲ開始スルニ存スル限リ右任務ヲ果スルヲ得ルモノト認マラレス。仍テ會議ハ其ノ事業ノ右段階ヲ終結シ且體會スルニ當リ新ナル聲明ヲ採擇ス

- 十、千九百三十七年十一月七日日本政府ニ送付セラレタル通牒ノ文ハ左ノ如シ
- (一) 十一月三日「ブリッセル」會議參加國代表ハ十月二十七日日國政府ノ招請狀ニ對スル日本帝國政府ノ回答ニ右回答ニ附隨セル聲明ヲ了知セリ
- (二) 日本帝國政府ハ右回答中ニ於テ就中支那ノ領土ヲ侵略スルカ如キ意圖ナキノミナラス却テ支那國民ノ物質的精神的向上ヲ所念スルモノニシテ又外國ノ在支權益ハ保護シテ之ヲ尊重シテ兩國ト共ニ文化的及經濟的協調ヲ期シ居ラレタル次第ヲ表面セラレタリ
- (三) 右聲明ニ於テ述ヘラレタル諸點ハ千九百二十二年二月六日華盛頓ニ於テ署名セラレタル條約(九國條約)ノ根本原則ノ或モノヲ表ヘセルモノナリ該條約締約國ハ右ニ關スル日本帝國政府ノ聲明ヲ了知セリ
- (四) 加之日本帝國政府ハ日本ニ依ル九國條約違反ノ問題ヲ發生スル餘地ナキコトヲ聲明セラレ且支那政府ニ對シ幾多ノ苦情ヲ陳述セラレタリ支那政府亦同條約ノ違反アリタリト爲シ日本政府ノ苦情ヲ拒否シ進テ支那ヨリノ苦情ヲ述ヘ居レリ
- (五) 九國條約ハ正新クノ如キ事態ヲ目的トスル規定ヲ包含ス「ブリッセル」ニ於テ行ハレワフアル意見ノ交換ハ本質的ニ此等ノ規定ニ基礎ヲ置キ第七條ニ規定セララル充分ニシテ且隨意ナキ交渉ヲ構成スルモノナルコトヲ茲ニ指摘スルヲ取ス本會議ハ締約國間ノ紛争ノ平和的解決ヲ協助スル目的ヲ以テ招集セラレタリ該紛争ノ當事國ノ一方即チ支那ハ會議ニ代表ヲ派遣シ會議ノ事業ニ完全ニ協力スル用意アルコトヲ表明セリ會議ハ其ノ協力ヲ認メシキ他ノ當事國即チ日本國ノ不参加ヲ遺憾トス
- (六) 日本帝國政府ハ「東亞ニ於ケル利害ノ程度相異ナリ其キハ殆ト利害關係ヲ有セタル國ヲモ含ム多數國ノ會議ニ依リテ解決ヲ圖ルハ却テ事態ヲ紛糾セシメ之カ公正妥當ナル解決ニ大ナル支障ヲ及ボスヘシト」確信シテ表明セラレタリ

茲ニ注意ノ要アルハ同條約ノ規定ニ依レバ同條約締結國タル總テノ國ハ該條約カ之ニ賦與スル權利ヲ行使スル資格ヲ有シ、東亞ニ權益ヲ有スル總テノ國ハ目下ノ敵對行為ニ依リ影響セラレ居リ且全世界ハ該敵對行為ノ不平和國際問題ノ各員ノ安全ニ對スル反響ヲ受シ居レムコトナリ

然レトモ「フアラセル」ニ會合セル諸國代表ハ此ノ點ニ關シ日本ノ有スル疑念ヲ解消シ得ヘント思フス即チ特ニ指
定セラルヘキ少數國代表ト意見交換ヲ爲ス爲日本帝國政府カ一名若ク數名ノ代表ヲ派遣セラルル意思アリト云フ
未知致度ノ右意見ノ交換ハ九國條約ノ範圍内ニ於テ且同條約ノ規定ニ準據シテ行ハルヘキモノトス

右意見交換ノ目標トスル所ハ前記ノ點ヲ明ニシ紛争ノ解決ヲ求ムルニ在ルヘシ敵對行為ノ繼續ヲ道徳トシ、平和的
處理ノミカ本件紛争ノ本質的且建設的解決ヲ招來シ得ヘキコトヲ確信シ且調停方法ノ有效ナルヘキニ信賴シ「フ
アラセル」ニ會合セル諸國代表ハ前記ノ如キ處理ノ實現センコトヲ切望スルモノナリ

(七) 會議參加國ハ其ノ提案ニ對スル日本帝國政府ノ態度ヲ出來得ル限リ速ニ承認センコトヲ重視スルモノナリ

十一、千九百三十七年十一月十五日ノ聲明ノ文言ハ左ノ如シ

南「アフリカ」聯邦、「アメリカ」合衆國、澳洲、白其義、「ボラグア」、加那陀、支那、英國、印度、墨西哥、和蘭、
新西蘭、葡萄牙及「ソグニト」聯邦代表ハ次ノ聲明ヲ作成セリ

(一) 「フアラセル」ニ於テ會合シタル上記諸國ノ代表ハ千九百三十七年十一月七日日本政府ニ宛テタル通牒ニ對スル十
一月十二日附日本政府ノ回答ヲ「本シタルカ日本政府カ依然トシテ日支間ノ紛争ハ九國條約ノ範圍外ニアリト爲シ
該紛争ノ平和的解決ヲ達成セントノ努力ヲ目的トスル意見ノ交換ヲ行フコトヲ再ヒ拒絕セルコトヲ認ムルヲ遺憾トス

(二) 本紛争ニ包含セラルル問題及利害關係ニ對スル日本ノ觀念ハ世界ノ他ノ大多數ノ國民及政府ノ觀念ト著シク相違
セルモノナルコト明白ナレバ日本ハ紛争カ日支間ノモノナルヲ以テ右兩國ノミニ關スル所ナリト主張スル處之ニ反
シ今夫「フアラセル」ニ於テ會合セル上記諸國代表ハ本紛争ヲ以テ法理上千九百二十二年ノ華府九國條約ノ一切ノ締

約千九百二十八年ノ巴黎條約ノ一切ノ締約國及事實上國際團體ノ成員タル一切ノ諸國ニ關係アリト爲スモノナリ

(三) 九國條約ニ於テ同條約締結國ハ標準ニ於ケル事柄ニ對テ自ラ特定ノ政策ヲ採用スルコトノ希望ヲ確認シ
且支那ノ關係ニ於テ又支那ニ於テ相互ニ或時定ノ原則ヲ適用スルコトニ同意シタルコト且又巴黎條約ニ於テ締約
國ハ相互間ニ起ルコトアルヘキ一切ノ紛争又ハ紛争ノ其ノ性質又ハ起因ノ如何ヲ問ハズ平和的手段ニ依ルノ外之
カ處理又ハ解決ヲ求メタルコト「フアラセル」ノ否定スルコトヲ得ス

(四) 日支間ニ於ケル現在ノ敵對行為ハ一切ノ諸國ノ權益ノミナラス且一切ノ國ノ有形の利益ニモ不利ニ影響シタル
コトハ之ヲ否定スルヲ得ズ右敵對行為ノ結果ハ既ニ第三國國民ノ若干ヲ死ニ到ラシメ第三國ノ幾多ノ國民ヲ大ナル
危險ニ曝シ第三國國民ノ財產ヲ擧クニ互フク毀滅シ國際交通ヲ杜絶セシメ國際通商ニ對シテ混亂ト損害トヲ與ヘ一
切ノ國ノ國民ニ對シテ恐怖ト憤憤トノ念ヲ抱カシメ全世界ヲ騷フク不確定ト不安トニ陥ラシメタリ

(五) 「フアラセル」ニ會合シタル上記諸國代表ハ從ツテ斯クノ如キ敵對行為及之ニ基ク事柄ノ各自ノ代表スル國ニ又
之ヲ大ニシテハ全世界ニ不可避的ニ關係アル問題ナリト看做スモノナリ前記代表トシテハ問題ハ單ニ極東ニ於ケル
ニ關シモノナルニ止マラスシテ法理、秩序アル手續ニ世界ノ安全及世界平和ノ問題ナリト認マラル

(六) 日本政府ハ其ノ十一月十二日附通牒ニ引用シタル十月二十七日附通牒ニ於テ支那ニ對スル兵力ノ使用ハ支那ヲシ
テ其ノ現在ノ政策ヲ機軸セシメント希望スルモノナルコトヲ確言シタリ「フアラセル」ニ會合シタル上記諸國代表
ハ他國ノ内政ニ干渉スル目的ヲ以テ兵力ヲ使用スルコトニ對シテハ如何ナル國ニ依テ爲テアルト雖法律上何等ノ根據
亦セザルコトニ斯クノ如キ權利ヲ一般的ニ承認スルコトハ紛争ノ不斷ノ原因タルヘキコトヲ指摘セント欲ス

(七) 日本政府ハ本紛争ノ解決ハ日支兩國間ニ於テ且兩國限リニ依リテラシメ爲タルヘキモノナルコトヲ主張ス然レトモ
右ノ如キ方法ニ依ラテ公正且恒久的ナル解決ヲ達成セラレ得ヘシト信スルコトハ不可能ナリ現在多數ノ日本軍隊ハ
支那領土ニ在リテ其ノ廣大且重要ナル地域ヲ占據シ居レバ日本官憲ノ宣言ハ其ノ趣旨ニ於テ日本ノ目的ヲ以テ日本

ノ意思及要求ニ抵抗セントスル支那ノ意思及能力ヲ辨カントスルニアリト爲シ又日本政府ハ支那ノ行動及態度ニ
 九國條約ニ違反スルモノナルコトヲ確言セリ然ルニ支那ハ本件ニ關シ九國條約ノ他ノ條約國ト充分ニシテ且隔意ナ
 キ交渉ヲ行ヒ居ルニ反シ日本ハ條約國ノ何レトモ之ヲ討議スルコトヲ拒絕セリ支那官憲ハ其ノ累次ノ宣明ニ於テ協
 定ニ依リ解決ノ爲メ日本ノミト交渉スル意思ナク又事實上右ノ不可能ナルコトヲ明白ニシタリ新ルニ於テ日支
 兩國ノミニ委スルニ於テハ近キ將來ニ於テ兩國間ノ平和、他國ノ權利及利益ノ保障設ニ極東ニ於ケル政治上及經濟
 上ノ安定ヲ約束スルカ如キ何等ノ解決ニ到達スヘキコトヲ信スヘキ何等ノ根據ナシ若シ事件ヲ全然日支兩國ノ決定
 ニ委スルニ於テハ生命及財產ノ破壊、無秩序、不確定、不安定、困苦、激憤心、騷擾及全世界ニ對スル混亂ヲ伴フ
 武力紛争ハ永遠ニ繼續スヘキコトヲ信スヘキ凡ユル理由存在ス

- (八) 日本政府ハ今回ノ通牒ニ於テ「ブライセル」ニ代表セラレ居ル列國ニ對シ現實ノ事態ニ即シテ東亞ノ安定ニ寄與
 スヘキコトヲ要請セリ
- (九) 「ブライセル」ニ會合シタル上記諸國代表ノ意見ハ以上注意ヲ喚起セル諸點ヨリ正ニ事像ノ本質的現實ヲレト爲
 スモノナリ
- (十) 「ブライセル」ニ會合シタル上記諸國ノ代表ハ如上ノ理由ニ依リ公正且永續的ナル解決ハ兩當事國間ノ直接交渉ヨ
 リ期待スルコトヲ得タルヘキコトニ付確信ヲ有ス日本政府ニ宛テタル通牒ニ於テ日本政府カ「ブライセル」ニ會合
 シタル諸國ノ代表又ハ右目的ノ爲選ルヘキ少數ノ國ノ代表ト會商センコトヲ要請シタルハ斯カル意見交換ノ結果
 ハ其ノ發展ヲ要請シ居テ満足ナル解決ノ交渉ニ到ルニ至スヘキ希望ノ下ニ正ニ以上ノ理由ニ基ケルモノナリ
- (十一) 「ブライセル」ニ會合シタル上記諸國ノ代表ハ紛争當事國カ斯クノ如キ手續ヲ試ム機會ヲ與フル爲敵對行為ノ中止
 ニ同意スルニ於テハ今尙成功ヲ得ル尙アルコトヲ信スルモノナリ支那代表部ハ右手續ニ同意スル用意アルコト
 ヲ示シタリ「ブライセル」ニ會合シタル諸國ノ代表ハ日本カ斯クノ如キ方法ヲ討議スルコトヲ執拗ニ拒絕スルコト

ヲ理解スルニ苦シムモノナリ

(十二) 日本カ右ノ如キ拒絶的態度ヲ固執セテラシコトヲ希望シテ「ブライセル」ニ代表セラレタル上記諸國ハ國際條
 約ノ一締約國カ他ノ一切ノ締約國ノ意見ニ反對シ自國カ執リタル行動ヲ以テ該條約ノ範圍外ニアリト爲シ且他ノ締
 約國カ右事像ニ於テ適用アラト信スル條約上ノ條項ヲ通過スル事像ニ於テ其ノ共同ノ態度ノ何カニ付考慮
 スルヲ要ス

瑞英代表「ド・タルゲル」氏ハ次ノ聲明ヲ爲シタリ

調停ヲ爲サントスル會議ノ努力カ今日迄成果ヲ得テラシ事實ニ對シテ深キ遺憾ヲ感スルコト瑞英政府ニ勝ルモ
 ノアラタルヘシ右ノ事實ニ直面シタル瑞英政府ハ聲明ノ原則ニハ敬意ヲ表スルモノナルモ極東ニ他ノ列強ノ場合ニ
 於ケル如キ政治的利害關係ヲ有セタルヲ以テ本聲明ニ投票スルコトヲ棄權スルヲ以テ其ノ任務ナリト認ス

諾威代表「オーベル」氏ハ次ノ聲明ヲ爲シタリ

諾威政府ハ本會議ノ招請ヲ出來得ヘランハ之ニ依テ極東ニ於ケル紛争ノ平和的調停ニ依リ解決ニ寄與セントノ希望
 ニ基イテ受諾セリ新ルニ調停ニ對スル會議ノ努力カ今日迄何等ノ成果ヲ得テラシコトヲ遺憾トスルコト諾威政府ニ如
 クモノアラタルヘシ余ハ本聲明中ニ述ルル原則ニ至多同意ニシテ右諸原則ヲ基礎トシテ調停ニ依リ解決ノ際ナルヘ
 キコトノ尙可能ナルヘキコトヲ敢テ希望スルモノナリ然レトモ本月十三日余ノ爲シタル宣言ニ鑑ミ余ハ投票ヲ棄權
 スルヲ以テ正當ナリト認ム

丁孫代表「ヘンリク」氏ハ次ノ聲明ヲ爲シタリ

余ハ今瑞英及諾威國條ノ爲シタル聲明ニ贊同セント欲ス丁孫國モ調停ニ對スル努力カ今日迄成功ニ到ラテラシ遺
 憾トスルモノニシテ余モ亦受ニ調停手段ニ依リ何等カノ結果ヲ得スルコトノ尙可能ナルヘキヲ希望スルモノナリ聲明
 中ニ含マルル諸原則ニハ極端的ニ敬意ヲ有スルモノナルカ「スカンゲナウア」同意ノ下ニシタルト同様ノ理由ニ基キ

余モ本聲明ノ正文ニ投票スルコトヲ棄權スルヲ以テ正當ナリト認ム

伊太利代表「アルド・ロヴェンチ」氏ハ次ノ聲明ヲ爲シタリ

伊太利ハ本聲明ヲ以テ紛争ノ解決ノ爲ニスルニアラスシテ寧ロ其ノ最深利ナル紛糾ニ對シテ途ヲ開クモノナリト思
考ス

伊太利ハ之ニ基イテ發生スルコトアルヘキ責任ヲ取ル意圖ヲ有セズ從ツテ之レカ解決ニ決定的ニ反對ノ意ヲ表ス但
シ爾後ニ於ケル紛争ノ局面ニ關スル一切ニ就テハ其ノ態度ヲ留保スルモノナリ

十二、千九百三十七年十一月二十四日ノ聲明ノ文言左ノ如シ

- (一) 九國條約ハ世界ノ各國カ或種ノ原則ヲ明ニシ相互ノ關係ニ於テ約束ニ依ル或種ノ制限ヲ課シ且他國ノ主權ヲ尊重
シ他國ニ對スル政治的若シ經濟的ノ一切ノ新權ヲ放棄シ他國ノ内政ニ對スル一切ノ干渉ヲ相互ニ否認シヘキコトヲ
國際ニ約束セル多數ノ國際的の文書ノ顯著ナル一例ナリ
- (二) 此等ノ國際的の文書ハ武力ニ訴フルコトナシテ國際的安全及平和ヲ保持スルヲ目的トシ且依テ以テ諸國民間ノ關
係ヲ相互ノ信頼、善意及和睦ヲノ國ニ有益ナル商業的及金融的關係ヲ基礎トシテ成立シ得ヘキ機構ヲ構成スルモノ
ナリ
- (三) 此等ノ原則ヲ無視シテ武力ニ訴フルコトハ條約ニ依リ與ヘラレル保障ヲ基礎トスル國際關係ノ全組織ヲ動搖セシ
ムルモノナルコトハ否定スルヲ得ズ新ル場合ニハ總テノ國ハ軍備ヲ不斷ニ増大シテ安全ヲ追求セザラザ得ズ其ノ結
果トシテ一般のナル不安定ト不安全ノ感情ヲ生ズ此等ノ原則ノ有效性ハ武力ヲ以テ破壞スルヲ得ズ此等ノ原則カ普
通のニ適用セラレ得ルコトヲ否定スルヲ得ズ後ニ此等ノ原則カ文明ト進歩トノ不可缺ノ條件タルコトヲ爭フヲ得
ズ
- (四) 本會議カ日耳曼政府ノ送付セル招請狀ニ對ヘル如ク、九國條約第七條ニ基キ東亞ニ於ケル事應ヲ檢討シ且該地埃

ニ行ハルモ進歩ナル紛争ノ終結ヲ促進スヘキ和協手段ヲ考究スル爲「ブリラセル」ニ招集セラレタルハ此等ノ原
則ニ合致スルモノナリ

- (五) 十一月三日開會以來會議ハ和解ヲ促進シ且敵對行爲ヲ終止シ協定ノ締結ニ資セン爲日本政府ノ協力ヲ得シ爲終始
一切ノ努力ヲ傾倒セリ
- (六) 國際紛争ノ公正且永續的ナル解決ハ一切強力ノ使用ニ依ラザテ爾等アルヘキモノニアラストハ會議ノ權信スル所ナリ
會議ハ本紛争ノ兩當事國ニ於テ一般の且永續的解決ノ先決條件タル敵對行爲ノ終止ヲ第一要件カ爲他ノ諸國
カ供與シタル支援ヲ利用スルコトカ其ノ直接且眞實ノ利益タルヘキコトヲ今尙信スルモノナリ同様ニ會議ハ満足ナ
ル解決ハ紛争ノ當事國ノミノ間ニ於ケル直接ノ交渉ニ依ラザテ到達シ得ズ又内容ノ公正ニシテ一切ノ國ニ依リ受諾
セラレ得ヘキ且永續スヘキ協定ヲ有スル協定ハ他ノ主要ナル利害關係國トノ協議ノ方途ヲ選フニアラスンベ到達シ得
タルヘキコトヲ信スルモノナリ
- (七) 本會議ハ九國條約ノ原則ハ世界平和ノ維持ノ爲又國家生活及國際生活ノ秩序アリ且進歩的ナル發展ノ爲對取セザ
ルコトヲ得タル根本原則ノ一ナルコトヲ重申テ權言セント欲スルモノナリ
- (八) 會議ハ東亞ニ於ケル敵對行爲ノ終止ハ單ニ日支諸國ノミナラス一切ノ諸國ノ真正ナル利益ニ資スヘキコト
ヲ權信ス一日遲ルニ於テハ人命ノ損失及財產ノ破壞ヲ増大シ紛争ノ解決ヲ一時困難ナラシムヘシ
- (九) 從テ會議ハ敵對行爲ノ終止セラレ平和的手續ニ移ラシコトヲ勸告シテ想アルモノナリ
- (十) 會議ハ紛争ヲ平和的且公正ニ解決スヘキ手段ハ一切之ヲ等閑視スヘキ省略スヘキカカレモノト認ム
- (十一) 會議ハ九國條約ノ諸原則ヲ遵奉シ國際條約ノ目的ニ忠實ナルト共ニ參加國ヲシテ意見ヲ交換シ紛争ノ解決ヲ期スヘ
キ一切ノ平和的且妥當ナル方法ヲ探究シ繼續セシムル爲茲ニ會合ヲ一時中止スルヲ以テ適切ナリト認ムルモノナリ
右ト同時ニ「ブリラセル」ニ會合シタル一切ノ諸國ハ九國條約ノ當事國タル事實又ハ東亞ニ特殊ノ利益ヲ有スル事

實ニ極ニ東亞ニ於テ紛争カ依然其ノ全體ノ關心ヲ為スニ於テ何等カ所ナシ右ニ殊ニ東亞ニ於ケル事題及事
 變ノ推移ニ依テ一層迅速且直接ナル影響ヲ蒙レル參加國中ノ一部ノ諸國ニ於テ特ニ然リトス參加國中九國條約ノ昔
 事國ハ明白ニ東亞ニ於ケル事題ヲ安定セシムルコトヲ目的トスル政策ヲ採用シタルモノニシテ右諸國ハ右目的ノ爲
 同條約ノ規定ニ根據スルコトヲ要シ右規定中最重要ナルヲ第一條及第七條ナリトス

(六) 會議ハ其ノ議長又ハ參加國中何レカノ二國ニ於テ議事ノ再開ヲ有益ナリト認ムル旨ヲ宣言シタル場合ニ於テ度々
 ヲ招集セラルヘシ

附屬書

- (一) 白蘭政府ヨリ日本政府ニ宛テタル會議參加招請狀ニ對スル日本政府ノ回答
- (二) 日本外務省聲明
- (三) 九國會議參加招請狀ニ對スル日本ノ回答及千九百三十七年十月二十七日日本政府聲明ニ關シ千九百三十七年十一月
 四日支那外交部情報司長ノ發表シタル註釋
- (四) 千九百三十七年十一月七日會議ヨリ日本政府ニ宛テタル電書ニ對スル日本政府ノ回答
- (五) 千九百三十七年十一月三日支那代表顧維鈞博士ノ會議ニ於テ爲シタル演說
- (六) 千九百三十七年十一月十三日支那代表顧維鈞博士ノ會議ニ於テ爲シタル演說
- (七) 千九百三十七年十一月二十四日支那代表顧維鈞博士ノ會議ニ於テ爲シタル演說
- (八) 千九百三十七年十一月二十四日伊木利代表「アルドロクアンタイ・マレスコタイ」伯ノ會議ニ於テ爲シタル演說(譯
 文)

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 レタル休會ニ對シテ表スルニ者ナラス

然レトモ同時ニ予ハ本文書ニ載ラレタル會議ニ反對ノ意ヲ表シ從テ其ノ採擇ニ贊成スルコトヲ得ス
 (是等附屬書ノ編譯ハ前記(八)ヲ除クノ外省略セルニ付原文ヲ參照スルコトヲ要ス)

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THE CONFERENCE OF BRUSSELS

November 3-24, 1937

CONVENED IN VIRTUE OF ARTICLE 7
OF THE
NINE-POWER TREATY OF WASHINGTON OF 1922

THE CONFERENCE OF BRUSSELS

November 3-24, 1937

CONVENED IN VIRTUE OF ARTICLE 7
OF THE
NINE-POWER TREATY OF WASHINGTON OF 1922



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1938

DEPARTMENT OF STATE

PUBLICATION 1232
CONFERENCE SERIES 37

For sale by the
Superintendent of Documents, Washington, D. C.
Price 15 cents

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THE NINE-POWER TREATY OF WASHINGTON
OF FEBRUARY 6, 1922 *

PRINCIPLES AND POLICIES TO BE FOLLOWED IN MATTERS
CONCERNING CHINA

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal:

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose and to that end have appointed as their respective Plenipotentiaries;

The President of the United States of America:

- Charles Evans Hughes,
- Henry Cabot Lodge,
- Oscar W. Underwood,
- Elihu Root,

citizens of the United States;

His Majesty the King of the Belgians:

- Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the Order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

- The Right Honourable Arthur James Balfour, O.M., M.P., Lord President of His Privy Council;
- The Right Honourable Baron Lee of Fareham, G.B.E., K.C.B., First Lord of His Admiralty;
- The Right Honourable Sir Auckland Campbell Geddes, K.C.B.,

* The ratifications of all the signatory powers of the treaty were duly deposited with the Government of the United States of America on Aug. 5, 1925. The following countries have adhered to the treaty: Norway, Nov. 18, 1925; Bolivia, Nov. 21, 1925; Sweden, Dec. 8, 1925; Denmark, Dec. 30, 1925; Mexico, Sept. 29, 1927. (Treaty Series, No. 723.)

His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G.C.M.G., K.C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K.C., Judge of the Supreme Court of New Zealand;

for the Union of South Africa:

The Right Honourable Arthur James Balfour, O.M., M.P.;

for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China:

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice.

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington, Joshii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office.

Who, having communicated to each other their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

The Contracting Powers, other than China, agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

ARTICLE II.

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or, individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

ARTICLE III.

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking—

(a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

His Ambassador Extraordinary and Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G.C.M.G., K.C.;

for the Commonwealth of Australia:

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;

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Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Joshii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Minister Plenipotentiary;

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office.

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(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

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and

for the Dominion of Canada:

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Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington;

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alte, Envoy Extraordinary and Minister Plenipotentiary at Washington;

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(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

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ARTICLE III.

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations, the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking—

(a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;

(b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category or public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries, whether parties to the present Treaty or not.

ARTICLE IV.

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

ARTICLE V.

China agrees that, throughout the whole of the railways in China, she will not exercise or permit unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

The Contracting Powers, other than China, assume a corresponding obligation in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

ARTICLE VI.

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

ARTICLE VII.

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

ARTICLE VIII.

Powers not signatory to the present Treaty, which have Governments recognized by the Signatory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to nonsignatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE IX.

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the procès-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the Sixth day of February One Thousand Nine Hundred and Twenty-Two.

[Here follow signatures.]

INVITATION OF THE BELGIAN GOVERNMENT TO THE CONFERENCE AT BRUSSELS

HANDED TO THE SECRETARY OF STATE BY THE BELGIAN
AMBASSADOR, OCTOBER 16, 1937

Invitation adressée par le Gouvernement Belge aux Gouvernements signataires du Traité des IX Puissances, Signé à Washington le 6 février 1922

Donnant suite à une demande du Gouvernement de Grande-Bretagne, faite avec l'approbation du Gouvernement des Etats-Unis d'Amérique, le Gouvernement du Roi propose aux Etats signataires du Traité du 6 février 1922, de se réunir à Bruxelles le 30 de ce mois, à l'effet d'examiner, conformément à l'article 7 de ce Traité, la situation en Extrême-Orient et d'étudier les moyens amiables de hâter la fin du conflit regrettable qui y sévit.

(Translation)

Invitation addressed by the Belgian Government to the Governments Signatory to the Nine-Power Treaty Signed at Washington, February 6, 1922

In compliance with the request by the Government of the United Kingdom made with the approval of the Government of the United States of America, His Majesty's Government proposes to the states signatory to the treaty of February 6th, 1922 that they should meet at Brussels on the 30th of the month, in order to examine the situation in the Far East, in conformity with article 7 of this treaty, and to consider friendly methods for expediting the end of the present regrettable conflict in that part of the world.

ACCEPTANCE BY THE AMERICAN GOVERNMENT
OF THE INVITATION OF THE BELGIAN
GOVERNMENT

NOTE OF THE SECRETARY OF STATE TO THE BELGIAN
AMBASSADOR, OCTOBER 16, 1937

The Secretary of State presents his compliments to the Royal Belgian Ambassador and has the honor to acknowledge receipt of his note of October 16, 1937, stating that the Royal Belgian Government, at the request of the British Government and with the approval of the Government of the United States, proposes to the states signatory to the treaty of February 6, 1922, that they meet in Brussels on October 30 for the purpose of examining, in conformity with article VII of that treaty, the situation in the Far East, and of studying peaceable means of hastening an end of the regrettable conflict which prevails there.

The Government of the United States is glad to accept this invitation and the President has designated the Honorable Norman H. Davis as the delegate of the United States. The American Delegation will sail from New York on the steamship *Washington* on October 20th next.

DEPARTMENT OF STATE,
WASHINGTON, *October 16, 1937.*

POSTPONEMENT OF THE CONFERENCE

NOTE OF THE BELGIAN AMBASSADOR TO THE SECRETARY OF
STATE, OCTOBER 27, 1937

(Translation)

WASHINGTON, *October 27, 1937.*

MR. SECRETARY OF STATE:

By order of my Government, I have the honor to advise Your Excellency that the date of the opening of the Nine-power Conference which was to take place at Brussels October 30, next, has been postponed to November 3.

I avail myself of this opportunity, Mr. Secretary of State, to renew to Your Excellency the assurances of my highest consideration.

R. v. STRATEN

REPLY OF THE JAPANESE GOVERNMENT, OCTOBER 27, 1937, TO THE INVITATION OF THE BELGIAN GOVERNMENT

The Japanese Government have the honor to acknowledge the receipt of the *note verbale* under the date of the 20th instant, by which the Royal Government, in accordance with the request of the Government of Great Britain, and with the approbation of the Government of the United States of America, propose to the powers signatory to the treaty of February 6, 1922, to meet at Brussels on the 30th of this month in order to examine, in conformity with the article VII of the said treaty, the situation in the Far East and to study amicable means of hastening the end of the regrettable conflict which is taking place there.

The League of Nations, in a report adopted on October 6th, has declared, on the basis of the declarations of only one of the two parties, that the military operations carried out by Japan in China are in violation of the Nine-power Treaty. The action of Japan in China is a measure of self-defense which she has been compelled to take in the face of China's fierce anti-Japanese policy and practice, and especially by her provocative action in resorting to force of arms; and consequently it lies as has been declared already by the Imperial Government, outside the purview of the Nine-power Treaty.

The Assembly of the League of Nations has even gone to the length of assuring China of its moral support, and of recommending its members to abstain from any action that might weaken that country's power of resistance and add to its difficulties in the present conflict, and also to study how they might actively give aid to China. This seems to take no account of the just intention of the Imperial Government, who propose to bring about a sincere cooperation between Japan and China, to assure enduring peace in East Asia, and to contribute thereby to the peace of the world. This is to take sides with one of the parties and to encourage its hostile disposition, but in no way to contribute to an early settlement.

The Royal Government make in their invitation no mention of this connection between the proposed Conference and the League of Nations. However, in view of the fact that in its resolution the League of Nations suggested a meeting of those of its members who were party to the Nine-power Treaty, and that the Government of the United States, who have acquiesced in the request of the Government of Great Britain for the convocation of the Conference, have declared,

on October 6, their approval of the resolution, the Imperial Government cannot but conclude that the convocation of the Conference is linked to the resolution of the League of Nations.

Now the League of Nations, as mentioned above, has expressed its view casting reflection upon the honor of Japan, and it has adopted a resolution which is incontestably unfriendly towards her. In these circumstances the Imperial Government are constrained to believe that frank and full discussion to bring about a just, equitable and realistic solution of the conflict between Japan and China cannot be expected between the powers concerned at the proposed Conference.

Moreover the present Sino-Japanese conflict, arising from the special situation of East Asia, has a full bearing upon the very existence of the two countries. The Imperial Government are firmly convinced that an attempt to seek a solution at a gathering of so many powers whose interests in East Asia are of varying degree, or who have practically no interests there at all, will only serve to complicate the situation still further, and to put serious obstacles in the path of a just and proper solution.

For the reasons explained above the Imperial Government regret their inability to accept the invitation of the Royal Government.

The present conflict has been caused by none other than the Chinese Government, who for these many years have been engaged as a matter of national policy in disseminating anti-Japanese sentiments and encouraging anti-Japanese movements in China, and who, in collusion with Communist elements, have menaced the peace of East Asia by their virulent agitation against Japan.

Consequently, what is most urgently needed for a solution of the conflict is a realization on the part of the Chinese Government of the common responsibility of Japan and China respecting the stability of East Asia, a revision of their attitude, and a change of their policy to that of cooperation between the two countries. What Japan asks of the powers is that they comprehend fully this need. Such cooperation, based upon such comprehension, can alone, she believes, contribute effectively towards the stabilization of East Asia.

STATEMENT OF THE JAPANESE FOREIGN OFFICE OCTOBER 28, 1937

The Japanese Government, having replied to the invitation of the Belgian Government to the Conference signatories of the Nine-power Treaty, 1922, take this opportunity of making public at home and abroad a statement of their views.

1. China has witnessed the rise and fall of countless regimes since the revolution of 1912, but her foreign policy has been consistently one of anti-foreignism. Especially since 1924, when the Kuomintang set up the Nationalist Government in Canton and entered into an alliance with the Communists as a means of winning control of the central administration, the anti-foreign policy then began to be pursued with unprecedented vigor and ruthlessness, and anti-foreign sentiments were kindled ablaze among the populace. The memory is still fresh of the way in which foreign powers, one after another, were victimized and deprived of their vested rights and interests. It happens that Japan has been made for the past 10 years the principal target of this anti-foreign policy of China.

Japan has always striven to promote friendship and cooperation among the nations of East Asia, in the firm conviction that therein lies the key to the stability of that region. Japan welcomed the deepening of Chinese national consciousness which followed upon the revolution, believing that it would conduce to intimate Sino-Japanese collaboration, and she adopted the policy of meeting the legitimate national aspirations of China to the utmost possible extent.

For instance, in 1926 Japan took the lead in assisting China to recover her customs autonomy, and took a firm stand in favor of China on the question of the abolition of extraterritoriality. Japan, so cultivating Chinese good-will, looked patiently and eagerly forward to a favorable response that would consort with her ideal of friendship and cooperation. However, China showed no signs of appreciation of this sympathetic attitude on the part of Japan. On the contrary, she hoisted still higher the banner of anti-Japanism, and seemed resolved to annihilate all Japanese rights and interests in China.

The Nanking Government employed anti-Japanism as a convenient tool in domestic politics for the mobilization of public opinion in support of their regime, and resorted to the unheard-of tactics of making it the foundation of moral education in the army and in the schools, so that even innocent children and youths were taught to

look upon their friendly neighbor country as an enemy. As a result, not only were the peaceful trade and economic activities of Japan interrupted, but even the very lives of Japanese nationals were jeopardized.

This anti-Japanese campaign finally took the form of organized terrorism as in the case of the killing of a Japanese bluejacket at Shanghai in November 1935 and of the subsequent murderous attacks upon Japanese subjects at Swatow, Chengde, Peking, Hankow and Shanghai, and the bombing of Japanese residents at Changsha and Swatow.

In the face of the alarming situation, Japanese Government remained calm and forbearing. Urgent demands were repeatedly made upon the Nanking Government for the reversal of their disastrous policy, but to no avail. Then, towards the end of last year, there occurred the Sian incident, in which General Chiang Kai-shek was held captive for some days. Though the exact circumstances surrounding that sensational incident remain a mystery, it is an indisputable fact that shortly afterwards Communist elements, gaining the ascendancy in the Nanking Government, began to conduct campaigns of disturbance in North China and Manchukuo under the banner of the "Anti-Japanese People's Front", which finally led to the Lukouchiao incident of July 7 of this year, in which Japanese soldiers were unlawfully fired upon by Chinese troops in the outskirts of Peking.

2. Upon the occurrence of the Lukouchiao incident the Japanese Government, desirous of averting possible Sino-Japanese crisis, immediately formulated a policy of non-aggravation and local settlement, and devoted their best efforts towards bringing about an amicable solution, in spite of the intolerable situations that were created, one after another, by the Chinese on the spot.

On the other hand the Nanking Government, in violation of the Umezu-Ho agreement, moved north the vast forces under their direct command, to threaten the Japanese garrisons, and also instigated local Chinese armies against Japan. The situation was thus aggravated until a general clash between the two countries became inevitable.

It should be recalled that the Nanking Government, which employ anti-Japanism as an instrument of internal unification, had been conducting for some years a militaristic propaganda aimed at Japan, and that at the same time, by importing vast quantities of munitions, constructing fortifications, and giving intensive training to the troops, she had succeeded in building up strong armaments, so that their military men grew overconfident of their own strength and the people themselves were deluded into putting an exaggerated estimate upon their country's fighting-power.

A belligerent spirit towards Japan came to prevail throughout the land. Long before the present outbreak, Chinese newspapers and magazines were accustomed to call Japan the "enemy country" and the Japanese their enemies. At the time of the Lukouchiao incident—the Nanking Government being driven to action against Japan by the internal situation they themselves had created—Japan's cautious attitude and her policy of local settlement were both doomed to utter failure.

With aggravation of the situation all Japanese residents, not only in North China but also in Central and South China, became exposed to imminent danger, and were compelled to evacuate *en masse*, abandoning the enterprises that they had toilsomely built up during long years in the past. At the same time, the Chinese in Shanghai, in contravention of the 1932 truce agreement, secretly set out to construct military works in the demilitarized zone and to perfect their war preparations. Accordingly in June last the Japanese Government made a request for a special conference of the powers concerned, and called the attention of the Chinese Government to the matter.

The Chinese refused to alter their attitude, and upon the outbreak of the armed conflict in North China, they moved troops into the prohibited zone in flagrant violation of the truce agreement, and finally following upon the murder of an officer and a man belonging to the Japanese landing party, on August 9, they launched an attack upon the International Settlement. While the Japanese authorities were still engaged in negotiation with the representatives of the powers concerned, in a desperate attempt to prevent hostilities with extreme patience and forbearance and bearing serious strategical disadvantages, the Chinese began to shell and bomb the Japanese quarter of the Settlement as well as the Japanese garrison defending it, with a view to annihilating the 30,000 Japanese residents as well as the Japanese forces, who were hopelessly outnumbered by the Chinese Army. Thereupon Japan was compelled to take counter measures in self-defense.

As is clear from the foregoing accounts, the fundamental cause of the aggravation of the present affair is to be found in the policy of the Nanking Government, who moved large, threatening forces into North China in contravention of the Umezu-Ho agreement, and also tore up the truce agreement by marching troops on the International Settlement. Japan was compelled to take up arms in self-defense, and she has chosen this opportunity to make the Nanking Government revise their attitude for the sake of the permanent peace of East Asia. Therefore, the present affair can never be settled until the Nanking Government mend their ways, abandon once for all their anti-Japanese policy, and accept Japan's policy of cooperation and collaboration between the two countries.

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It should be remembered that one of the important factors underlying Nanking's feverish agitations of more recent years against Japan is the action taken by the League of Nations at the time of the Manchurian incident. That body then adopted a resolution framed in utter disregard of the realities of the situation in East Asia, which strongly stimulated China in her anti-Japanese policy.

Now the League has once more taken up the appeal of the Nanking Government. Without going fully into the real causes of the present affair, it has concluded, on the basis of false report, that the bombing of the military works in the strongly fortified Nanking and Canton was an attack upon defenseless cities, and adopted the resolution of September 27 condemning Japan.

Again on October 6 the General Assembly of the League not only concluded that Japan's action constituted a violation of the Anti-war Pact and the Nine-power Treaty but also adopted a resolution which openly calls for assistance to China. Such proceedings on the part of the League only fall in with the cunning scheme of the Nanking Government to exert pressure upon Japan by inviting the intervention of third powers, and serves no useful end but to encourage China in her resolve to oppose Japan to the last and to render a settlement of the affair more difficult than ever.

It must be said that the League of Nations is repeating the error that it committed only a few years ago. Japan's action is a measure of self-defense taken in the face of China's challenge, and obviously there can be no question of violation of the Nine-power Treaty. Moreover, as compared with the time when the treaty was concluded, the situation in East Asia today has been rendered totally different, owing to the infiltration of Communist influence and the changes of internal conditions prevailing in China.

In any case, as regards the Conference that has been convened by the signatories of the Nine-power Treaty, it is a foregone conclusion that a majority of the participants will hold themselves bound by the above-mentioned resolutions of the League of Nations, and even if Japan took part in its deliberations, no fair and just result could ever be expected therefrom as in the case of the League of Nations meeting at the time of the Manchurian incident. Especially as this conference is to be attended by powers which are not directly interested in East Asia, it is calculated to arouse popular feeling both in Japan and China, thereby complicating the situation still further but contributing nothing towards a solution. The Japanese Government have therefore decided to decline the invitation.

The Japanese nation, rising as one man, is united in the determination to surmount all obstacles for the purpose of effecting a speedy settlement. Japan is by no means indifferent towards international cooperation. But the Sino-Japanese difficulties can be

solved only through direct negotiations between the two powers on whom falls the common burden of responsibility for the stability of East Asia. What is needed is the elimination of Nanking's anti-Japanese policy and the Communist elements which are identified with it, so that there may be established an enduring peace based upon Sino-Japanese unity and cooperation.

Japan never looks upon the Chinese people as an enemy, nor does she harbor any territorial designs. It is rather her sincere wish to witness the material and spiritual advancement of the Chinese nation. And it is her desire to promote cultural and economic cooperation with foreign powers regarding China, while at the same time she will respect fully their rights and interests there.

Accordingly, as soon as the powers understand the true intention of Japan, and take suitable steps to make the Nanking Government reconsider their attitude and policy, then, and only then, a way will have been paved for their cooperation with Japan respecting the settlement of the present conflict.

DELEGATIONS ATTENDING THE CONFERENCE
NOVEMBER 3, 1937

UNION OF SOUTH AFRICA

- His Excellency Dr. S. F. N. GIE, Envoy Extraordinary and Minister Plenipotentiary of the Union of South Africa at Berlin and Stockholm;
- His Excellency Dr. H. D. VAN BROEKHUIZEN, Envoy Extraordinary and Minister Plenipotentiary of the Union of South Africa at Brussels and The Hague;
- Dr. H. M. STOKER, Secretary of the Union of South Africa Legation at Berlin;
- Mr. G. P. JOOSTE, Secretary of the Union of South Africa Legation at Brussels;
- Mr. B. J. JARVIE, Attaché to the Union of South Africa Legation at Brussels.

UNITED STATES OF AMERICA

- The Honorable NORMAN H. DAVIS, Delegate;
- Mr. STANLEY K. HORNBECK, Adviser on Political Relations, Department of State: Adviser;
- Mr. PIERREPONT MOFFAT, Chief of the Division of European Affairs, Department of State: Adviser;
- Mr. ROBERT T. PELL, Divisional Assistant, Department of State: Press Officer;
- Mr. CHARLES E. BOHLEN, Second Secretary of the American Embassy at Moscow: Secretary.

AUSTRALIA

- The Right Honorable S. M. BRUCE, C.H., M.C., High Commissioner for Australia;
- Mr. ALFRED STIRLING, Counselor;
- Major O. C. W. FUHRMAN, O.B.E., Secretary.

BELGIUM

- Mr. PAUL-HENRI SPAAK, Member of Chamber of Representatives; Minister for Foreign Affairs;
- Mr. VAN LANGENHOVE, Ambassador for Belgium; Secretary General of the Ministry for Foreign Affairs;
- Baron VAN ZUYLEN, Ambassador for Belgium; Director General of the Political Department at the Ministry for Foreign Affairs;
- Mr. DELVAUX DE FENFFE, First Secretary of Embassy;
- Mr. IWEINS D'EECKHOUTTE, First Secretary of Legation;
- Mr. P. POSWICK, Secretary of Legation;

Count FRÉDÉRIC DE BORCHGRAVE D'ALTENA, Attaché to the Ministry for Foreign Affairs.

BOLIVIA

His Excellency M. COSTA DU RELS, Envoy Extraordinary and Minister Plenipotentiary.

CANADA

The Honorable RAOUL DANDURAND, Minister of State and Government Representative in the Senate;

Mr. HUME WRONG, Canadian Counselor accredited to the League of Nations;

Mr. P. DUPUY, Secretary to the Canadian Legation at Paris.

CHINA

His Excellency Dr. V. K. WELLINGTON KOO, Ambassador at Paris;

His Excellency Mr. QUO TAI-CHI, Ambassador at London;

His Excellency Dr. TSIEN TAI, Ambassador at Brussels;

His Excellency Mr. WUNSZ KING, Envoy Extraordinary and Minister Plenipotentiary at The Hague;

His Excellency Mr. HOO CHI-TSAI, Envoy Extraordinary and Minister Plenipotentiary at Berne; Director of the Secretariat of the Chinese Delegation;

Dr. KUANGSON YOUNG, Envoy Extraordinary in Europe of the Ministry for Foreign Affairs; Director of the Press Office of the Chinese Delegation;

Dr. YOUNG YIN-PU, Technical Counselor to the Permanent Bureau of the Chinese Delegation at the League of Nations;

Mr. C. K. SZE, Counselor to the Embassy at Paris;

Mr. LIU CHIEH, First Secretary to the Embassy at London;

Mr. WANG LEI-GHI, First Secretary to the Embassy at Brussels;

Mr. YU KIEN-WEN, Third Secretary to the Embassy at London.

DENMARK

His Excellency Mr. HENRIK DE KAUFFMANN, Envoy Extraordinary and Minister Plenipotentiary;

Mr. HANS BERTELSEN, Secretary to the Legation of Denmark.

FRANCE

His Excellency Mr. YVON DELBOS, Deputy; Minister for Foreign Affairs;

Mr. FRANÇOIS DE TESSAN, Deputy; Under Secretary of State for Foreign Affairs;

Mr. GASTON MONNERVILLE, Deputy; Under Secretary of State for the Colonies;

His Excellency Mr. ERNEST LAGARDE, Minister Plenipotentiary;

- Mr. HOPPENOT, Counselor of Embassy; Assistant Director of the Asiatic Department;
- Mr. GASTON JOSEPH, Director of Political Affairs at the Ministry for the Colonies;
- Mr. ROCHAT, Minister Plenipotentiary; Director of Cabinet of the Minister for Foreign Affairs;
- Mr. DE BOISANGER, Secretary of Embassy; Chief of Cabinet of the Under Secretary for Foreign Affairs;
- Mr. HOFFHER, Chief of Cabinet of the Under Secretary of State for Colonies;
- Mr. BENECH, Chief of Cabinet;
- Mr. CLAUZEL, Secretary of Embassy;
- Mr. CHAMBON, Secretary Interpreter in the Far East;
- Mr. GILBERT, Secretary Interpreter in the Far East;
- Mr. GUÉRIN, Attaché at the Ministry for Foreign Affairs.

UNITED KINGDOM

- The Right Honorable ANTHONY EDEN, M.C., M.P., Secretary of State for Foreign Affairs;
- The Right Honorable MALCOLM MACDONALD, M.P., Secretary of State for Dominion Affairs;
- Viscount CRANBORNE, M.P., Parliamentary Under Secretary of State, Foreign Affairs;
- The Honorable Sir ALEXANDER CADOGAN, K.C.M.G., C.B., Deputy; Under Secretary of State, Foreign Affairs;
- Sir J. T. PRATT, K.B.E., C.M.G.;
- Mr. C. B. PEAKE, M.C.;
- Mr. R. P. HEPPEL;
- Mr. R. C. SKRINE STEVENSON;
- Mr. B. COCKRAM, Representative of Dominions Office;
- Mr. O. C. HARVEY, C.M.G., Private Secretary to Mr. Eden;
- Mr. J. P. L. THOMAS, M.P., Parliamentary Secretary to Mr. Eden;
- Mr. W. C. HANKINSON, O.B.E., M.C., Private Secretary to Mr. MacDonald;
- Sir EDMUND BROCKLEBANK, M.P., Parliamentary Secretary to Mr. MacDonald;
- Mr. P. N. LOXLEY, Private Secretary to Viscount Cranborne;
- Mr. MARK PATRICK, M.P., Parliamentary Secretary to Viscount Cranborne.

INDIA

- Sir RAMASWAMI MUDALIAR;
- Mr. A. F. MORLEY.

ITALY

His Excellency Count LUIGI ALDROVANDI-MARESCOTTI, Ambassador of Italy;
Commander Dr. LEOPOLDO PICCARDI, Counselor of State;
Count VITTORIO BONARELLI DI CASTELBOMPIANO, Counselor of Legation;
Commander GIUSEPPE COSMELLI, Counselor of Legation;
Dr. DE MICHELIS, Attaché of Embassy.

MEXICO

His Excellency Mr. PRIMO VILLA MICHEL, Envoy Extraordinary and Minister Plenipotentiary at London;
Mr. MARTINEZ-BACA, Attaché, Brussels Legation.

NORWAY

His Excellency Mr. L. AUBERT, Secretary General of the Ministry for Foreign Affairs; Envoy Extraordinary and Minister Plenipotentiary;
Mr. R. B. SKYLSTAD, Director at the Ministry for Foreign Affairs;
Mr. NYGAARD, Attaché to the Legation of Norway at Brussels.

NEW ZEALAND

Mr. W. J. JORDAN, High Commissioner for New Zealand;
Mr. R. M. CAMPBELL, Counselor for Economic Affairs;
Mr. G. W. CLINKARD, Trade Commissioner for New Zealand;
Mr. C. A. KNOWLES, Secretary.

NETHERLANDS

His Excellency Jonkheer Dr. A. C. D. DE GRAEFF, former Minister for Foreign Affairs; former Governor General of the Netherlands Indies;
Prof. Dr. B. J. O. SCHRIEKE, former Director of Education and Public Worship in the Netherlands Indies; Professor at the University of Amsterdam;
Mr. A. J. LIEVEGOED, Press Officer;
Baron Dr. A. W. C. BENTINCK VAN SCHOONHEETEN, Deputy; Chief of the Political Department, Ministry for Foreign Affairs.

PORTUGAL

His Excellency Mr. AUGUSTO DE CASTRO, Envoy Extraordinary and Minister Plenipotentiary at Brussels;
His Excellency Mr. JOAO ANTONIO DE BIANCHI, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. MANUEL NUNES DA SILVA, Secretary of the Legation of Portugal at Paris.

SWEDEN

His Excellency Mr. G. DE DARDEL, Envoy Extraordinary and Minister Plenipotentiary at Brussels;

Count F. WACHTMEISTER, Secretary to the Legation of Sweden.

UNION OF SOCIALIST SOVIET REPUBLICS

His Excellency Mr. LITVINOV, Minister for Foreign Affairs;

Mr. POTESKINE, Deputy; Commissioner for Foreign Affairs;

His Excellency Mr. ROUBININE, Envoy Extraordinary and Minister Plenipotentiary at Brussels;

Mr. HOERSCHELMAN, Secretary General of the Commissariat for Foreign Affairs.

ADDRESSES MADE AT THE OPENING MEETING OF THE CONFERENCE, NOVEMBER 3, 1937, IN GEN- ERAL DISCUSSION

WELCOME EXTENDED TO THE DELEGATIONS BY HIS EXCELLENCY
PAUL-HENRI SPAAK, BELGIAN MINISTER FOR FOREIGN
AFFAIRS

(Translation)

YOUR EXCELLENCIES:

On behalf of His Majesty's Government I have the honor to extend to you a cordial welcome to Brussels.

I wish to express to each of you [its] country's esteem, its satisfaction at being able to receive you here and its hope that our work will produce many happy results.

In agreeing to convene the present Conference, the Belgian Government's sole aim has been to cooperate in a work of peace.

The world, already so troubled by the tragedy which has been drenching Spain in blood for the last eighteen months, sees its anxiety greatly increased by the terrible war now raging in the Far East. Everyone is wondering whether these sporadic outbreaks are the preliminary signs of a universal cataclysm compared with which the horrors of 1914 will appear to be mere child's play.

At such times, everyone must do his duty and shoulder his responsibility. Peace throughout the world depends on the great powers, on their agreement, on the trend they give to international policy and on the outlook they adopt. The smaller countries can only offer their moral support in the service of humanity, hoping for conciliation and mutual understanding.

Belgium has never shirked her duty in this respect. My Government therefore has agreed that Brussels shall be the seat of this Conference.

I think it may be well, at the outset, to remind you of the Conference's origin, and to endeavor to define its inner meaning.

On October 10th last, the United Kingdom Government, acting on an agreement reached with the Government of the United States, requested the Belgian Government to convene in Brussels those countries which had signed the treaty known as the Nine-power Treaty, adding at the same time, that it might be desirable to request Germany and the U.S.S.R., two countries which have considerable

interests in the Far East, to join the other countries convened, if they so desire.

On October 15th, the Royal Government sent to the countries which had signed the Nine-power Treaty the following note:

In compliance with the request by the Government of the United Kingdom made with the approval of the Government of the United States of America, His Majesty's Government proposes to the states signatory to the treaty of February 6th, 1922 that they should meet at Brussels on the 30th of the month, in order to examine the situation in the Far East, in conformity with article 7 of this treaty, and to consider friendly methods for expediting the end of the present regrettable conflict in that part of the world.

By common agreement the meeting was adjourned from October 30th, the date originally fixed, until November 3d.

The text of the invitation defines the limits within which our discussions must be confined and the aim of these discussions.

The United Kingdom, Canada, France, United States of America, China, Australia, New Zealand, Portugal, the Netherlands, Mexico, Norway, Sweden, Bolivia, Italy, the Union of South Africa, Denmark and India, one after another accepted the invitation addressed to them.

On October 27th, Japan declined the invitation.

All the accepting states agreed that the invitation should be sent to Germany and to the U.S.S.R., and accordingly the Belgian Government sent an invitation to these two countries. The invitation was accepted by the U.S.S.R. and refused by Germany.

This refusal on the part of Germany and Japan is of importance, and, alas, regrettable from the point of view of the progress of our work. On October 28th, the German Government sent to the Royal Belgian Legation in Berlin the following *note verbale*:

The German Government has the honor to acknowledge receipt of the *note verbale* sent by the Royal Belgian Legation on October 28th, inviting the German Government to take part in the meeting of the signatories of the Nine-power Treaty which has been convened for November 3rd.

The German Government fully appreciates the effort expressed in the note to bring to an end as soon as possible, by friendly methods, the regrettable conflict in East Asia.

It understands from the invitation, however, that the discussions are to take place at Brussels on the basis of article 7 of the Nine-power Treaty and that their object must therefore be the application of this treaty. As Germany is not a party to the treaty, the German Government feels that it cannot take part in discussions regarding its application.

The German Government desires, however, to point out that it is prepared at any moment to take action for the pacific settlement of the dispute, as soon as it has been proved that conditions indispensable for achieving this object exist.

May I venture, in interpreting this text, to express the hope that Germany's refusal is not absolute, but is based on certain

particular circumstances and that these circumstances may undergo modification?

The reply of the Japanese Government is a long and extremely important document which will be distributed to all the members of the Conference and will doubtless call for attentive examination.

I do not think that this is the moment for me to make any comments on this text.

I must say, however, that Japan's abstention places the Conference in a distinctly difficult position. This fact cannot be dissembled. Certain misunderstandings seem to exist. A frank explanation might probably dispel them. It would in any case be very useful.

I think—and I believe all those present share my view—that the present Conference should not regard itself as a sort of international tribunal, before which Japan would, so to speak, be summoned to appear and explain her action in conditions incompatible with her dignity and honor.

What we wish is to accomplish a work of conciliation and peace without prejudice or passion, taking into account all the various legitimate but conflicting interests.

Our aim is to stop the war if possible because we are thinking of the soldiers who are being killed, of the women, children and old persons who are suffering and dying, of the ruins which are accumulating and of a whole people passing through a terrible period of trial. Our desire is to reestablish peace and law.

We believe that there are no difficulties and no conflicts between nations which cannot be settled by conciliation, mediation or arbitration. A nation which states its case before the other nations of the world, which foregoes the use of its strength and has confidence in its cause, does not humiliate itself; on the contrary, it sets a splendid example.

In all the nations of the world the most noble minds have helped to develop these ideas in which mankind places so much hope and faith. Met together today in grave and impressive circumstances, we must make every effort to insure that this hope shall not be in vain.

Let us set to work, therefore, forgetting all that separates us and rising above our personal feelings, thinking only of the happiness and gratitude of the nations of the world if we can achieve our common aim—the restoration of peace.

ADDRESS BY THE HONORABLE NORMAN H. DAVIS, OF THE
UNITED STATES OF AMERICA

In rising to address this Conference, I wish first of all to express appreciation of the hospitality of the Royal Belgian Government in inviting us to meet for our deliberations in Brussels. We are beholden to them for many courtesies; we have been impressed by the timely and efficient preparations they have made; and we have the consciousness that no effort will be spared by our hosts toward making our meeting a success.

It is a felicitous moment at which we meet, this day being the birthday of His Majesty King Leopold. I feel certain that all my colleagues will wish me, as the first speaker, to pay His Majesty a sincere tribute, and to extend to him our warmest congratulations.

We have come to this Conference to collaborate in efforts toward an objective for which all peoples and all governments should strive. That objective is peace.

Sixteen years ago there assembled at Washington the delegates to a conference which had been called for the limitation of armaments and to find a solution of Pacific and Far Eastern problems of international concern, and thereby to safeguard peace in the Far East. After a few months of careful consideration of the problems involved, those delegates signed a number of interrelated agreements and resolutions which, it was believed, would assure the legitimate rights and interests of all the countries represented, which provided various common and reciprocal concessions, and which committed the signatories to pursue policies of peace.

In that group of agreements was a treaty relating to principles and policies to be followed in matters concerning China. That treaty dealt with questions which are fundamental; it reaffirmed principles to which most of the signatories had already—some repeatedly—committed themselves; it specified not only what should be the obligations of the powers, but what should be the obligations of China; it was ratified by all of the nine powers present at the conference, and it has since been adhered to by five other powers. In that treaty there was a provision that, whenever a situation should arise which, in the opinion of any of the parties, involved the application of the stipulations of the treaty and rendered desirable the discussion of such application, there should be full and frank communication between the contracting parties concerned.

It is in accordance with that express provision that we meet here today. Our present interest, however, would be real even if there were no such treaty and no such provision. The hostilities now being waged in the Far East are of serious concern not only to Japan and China, but to the entire world.

For several decades, the nations of the world have been seeking to evolve methods to achieve the twofold objective of preventing resort to armed force and, if unhappily it has been resorted to, finding means to bring the conflict to an end. Various methods have been proposed. Various instruments have been signed. In all of these there has appeared one common feature, namely, that where controversy develops, solution must be sought by pacific means. To this process sixty-three nations committed themselves by the Pact of Paris of 1928.

Peace once envisaged only by idealists has become a practical matter of vital self-interest to every nation.

The day has long since gone by when the effects of an armed conflict are confined to the participants. It is all too apparent that, under modern conditions, the human and material sacrifices and the moral and spiritual costs exacted by the use of armed force not only fall as a heavy and oftentimes crushing burden upon the nations directly involved in the conflict, but have grave repercussions upon all the nations of the world.

Armed conflict, wherever it may occur, impairs everywhere the immeasurable value of freely negotiated treaties and agreements as effective and reliable safeguards of national security and international peace. The resulting loss of confidence in such instruments leads nations to seek safety in competitive armaments and to devote a disproportionate share of their resources thereto, thus impoverishing some nations and inexorably lowering the standards of life of all.

Not only does resort to armed force result in needless loss of human life and shock every humane instinct of mankind, but its disorganizing effects fall upon all phases of constructive human activity, national as well as international.

Owing to the amazing developments in science and industry, there has come about such an interdependence among nations that the effects of any major disturbance are felt everywhere. As our modern civilization has evolved, as it has developed new methods and processes, as it has raised the standard of living of hundreds of millions of human beings all over the world, it has become increasingly sensitive to shock. A dislocation in any part of its interrelated mechanism throws other parts out of gear. It creates need for prompt and skilful attention at the point of dislocation in order to prevent further disturbance and possible break-down of the whole machinery.

International trade and financial relations, which are indispensable to human welfare, immediately suffer from the disorganizing effects of resort to armed force. It is through these channels that some of the most direct and most painful repercussions of any major armed conflict spread to the uttermost corners of the earth. Once mutually beneficial international economic relations are impaired or break down, nations are forced into varying degrees of reliance upon their own

resources and, consequently, into a further lowering of their living standards.

Unfortunately, the break-down of the processes of international trade and financial reserves may occur as a result of other causes than armed conflict. For reasons which I need not enumerate here, nations may elect to embark upon policies directed toward economic self-sufficiency or toward reaping immediate though narrow advantages, thus foregoing the broad and cumulative benefits which trade released from excessive restraint will yield. Such policies in the world create conditions conducive to a threat to peace. The world has witnessed during the past few years the emergence of such conditions and the unfolding of the vicious spiral of economic warfare, political tension, competitive armaments, and actual armed conflict.

In the particular circumstances with which we are confronted at the present Conference, our objective is the restoration of peace and stability in an extraordinarily important region of the world; but as we seek earnestly the means of attaining these objectives, let us keep in our minds also the pressing need for constructive effort directed toward the creation of conditions which will make unthinkable the use of armed force. There should be no place for resort to arms in an orderly and prosperous world.

In the Far East, probably to a greater extent than in any other part of the world, there are taking place great changes in the thought and the activities of vast groups of human beings. Within a few generations, Japan has undergone a great transformation and both occident and orient have witnessed and been impressed by admirable achievements effected by the Japanese people. During the past generation China has been struggling with momentous problems of transition from an old to a new regime and the world has observed her efforts with sympathetic interest. At the Washington Conference the governments there represented, after careful consideration of the situation in the Far East, adopted the view that the Chinese people possessed the capacity to establish a new order. The Nine-power Treaty was based on that concept. In agreeing to its provisions, the governments which became parties to that treaty affirmed their belief in the capacity of the Chinese to evolve and carry out a program of political and economic reconstruction. The signatories to the treaty undertook to regulate their relations with China and with one another in a manner which would not interfere with this hoped-for development, but would indeed encourage and support it. During the years which have since elapsed, especially the more recent years, the Chinese have made rapid progress along a course which tends to confirm the faith on which the Nine-power Treaty was founded.

Unfortunately, Japan and China have come into conflict and have resorted to hostilities. These hostilities have steadily increased in

scope and intensity. Not only have they destroyed many Chinese and Japanese lives and much Chinese and Japanese property, but they have at some places taken and at many places endangered lives of nationals of other countries; they have destroyed property of nationals of other countries; they have disrupted communications; they have disturbed and interfered with the commerce of practically all nations that are engaged in international trade; and they have shocked and aroused the peoples of all nations. Such hostilities are of concern not only to countries engaged in them; they have affected and they are detrimentally affecting the whole world.

We are here with a common concern and a common purpose and our effort to deal with the situation must be constructive.

We come to this Conference to study with our colleagues the problems which concern us. We have come not with the expectation of working miracles, but with the intention of appealing to reason. We expect to join with other nations in urging upon Japan and China that they resort to peaceful processes. We believe that cooperation between Japan and China is essential to the best interests of those two countries and to peace throughout the world. We believe that such cooperation must be developed by friendship, fair play and reciprocal confidence. If Japan and China are to cooperate, it must be as friends and as equals and not as enemies. The problems underlying Sino-Japanese relations must be solved on a basis that is fair to each and acceptable to both. It is not only in the interests of China and Japan that hostilities be promptly terminated and that the differences between them be peacefully composed, but it is in the interest of the community of nations as a whole. The longer the present hostilities continue, the more difficult will a constructive solution become, the more harmful will be their effects upon Sino-Japanese relations and upon the world and the more will general peace and stability be endangered. It is important that equitable adjustment be found.

We come to this Conference with no commitments except those to treaty provisions and to principles which the Government of the United States has repeatedly and emphatically affirmed. The Government of the United States is prepared to share in the common efforts to devise, within the scope of these treaty provisions and principles, a means of finding a pacific solution which will provide for terminating hostilities in the Far East and for restoring peace in that area.

ADDRESS BY THE RIGHT HONORABLE ANTHONY EDEN, OF THE
UNITED KINGDOM

My first sentiments must be to join in the thanks already expressed to the Royal Belgian Government for their hospitality to us—a hos-

pitality so characteristic of the Belgian people. We are all truly grateful to them for the admirable arrangements which they have made at such short notice. It is a happy augury that we meet on the birthday of your sovereign, King Leopold. As a representative of His Majesty's Government and the people of the United Kingdom, I associate myself with the respectful wishes already expressed by Mr. Norman Davis. Most sincerely, we wish to His Majesty long life and happiness.

I have listened with close attention to the speech made by the representative of the United States, and the Government I represent is in full agreement with every word that he has said. He has so well defined our task and the conditions in which our work is to be carried out that I have little to add, especially since I feel sure that the Conference will agree that the very difficulty of our task makes it desirable that we should embark upon it at the earliest moment. No one will consider that this is an appropriate occasion for long speeches.

We are met to discharge an urgent duty which requires no explanation. Indeed the whole world will understand that the reason and the justification for our meeting here are not far to seek. The maintenance of peace is of vital interest to every country. War is a contagion that may spread, but, even if its direct effects are confined to the peoples actually at war, the profound distress and loss of national prosperity, which must inevitably ensue, adversely affects all countries. We in this Conference have come together by virtue of the fact that we represent those powers which are more directly interested in the Far East. It is natural that we should wish to consult together, even if there were no treaty basis for consultation, to see whether there be any way in which we can assist towards an early cessation of hostilities and the restoration of stable conditions. Actually, however, not only the moral, but also the treaty obligation is there. We are met under the provisions of the Nine-power Treaty to which at Washington, fifteen years ago, our nations have all set their names. It is well that we should recall that fact. We are none of us disinterested spectators; we are bound signatories of an instrument which we signed together.

We much regret the absence of one of the parties to the dispute; we feel that this absence must hamper our efforts for peace, but we cannot on that account lessen our endeavors. We are confident that we shall demonstrate by our attitude the sincerity of our intention to promote peace in the Far East. In this attempt we feel justified in asking for the collaboration of all, whether present or absent.

If our right to meet or the wisdom of our meeting is questioned in any quarter, we need have no hesitation about our reply. If we are told that our prospects of achieving our object are slender, that is no reason why we should shirk our duty, both to ourselves and to the

world. If we were afraid to face possible failure, we should certainly not be deserving of success.

This assurance at least I can give the Conference at its first session. His Majesty's Government in the United Kingdom are prepared to offer their fullest collaboration to promote the success of the work of the Conference. For our part, we believe that the very difficulty of our enterprise should stimulate our energies. We hope that, with the least possible delay, the Conference will resolve itself into a working committee and so get to grips with its task.

ADDRESS BY HIS EXCELLENCY YVON DELBOS, OF FRANCE

(Translation)

I desire whole-heartedly to associate myself with the expression of thanks offered to Belgium, to her Sovereign and her Government. I warmly appreciate everything which was said in the speech of her distinguished Foreign Minister, Mr. Spaak. After him, the delegates of the United States of America and of the United Kingdom have so well defined the object of this Conference, and the spirit and methods which should ensure its success, that I should be taking up your attention unnecessarily were I to re-echo their words. I am the less inclined to do so since, as Mr. Eden has observed, our aim is not to indulge in rhetoric but to make a positive and rapid effort to achieve the result we all desire.

We are concerned with the possibilities of putting an end to a conflict which imposes upon us imperative duties—in the first place, a duty to humanity, because we cannot remain impassive before the atrocities now accumulating in the Far East. We should become accomplices if we did not, by every means, seek to put an end to merciless massacres which revolt both heart and mind. Ours is a duty, also, of conservation, because we have to defend not merely legitimate interests but, above all, peace in general, which is threatened by any war wherever it may break out. No one is secure from the possible extensions of a conflict and, if, in a spirit of inexcusable selfishness, we were to turn our eyes away from the fields of carnage we should increase the risk of becoming involved in those very complications we desire to avoid. Ours is also a duty of justice, because we are all interested in the protection of the rules on which the existence of civilization depends.

Undoubtedly, the most essential of those rules is that obligations which have been assumed and contracts which have been signed must be honored. That is the reason for our meeting, based as it is upon the Nine-power Treaty. I firmly hope that, taking our stand on that treaty, we may find the peaceful issue we are seeking. That treaty was devised by its signatories at a time when no menace threatened

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the Far East, when nothing stood in the way of an impartial consideration of the problems with which it dealt. The parties, therefore, were free from any spirit of prejudice when, in Washington, they applied themselves to defining the fundamental principles of their common policy in China. That policy had no other object, and could have had no other object, than respect for the integrity and independence of that nation, towards which all the participants professed a legitimate friendship and which they were all glad to see progressing towards unity, order and prosperity. The principles then laid down were intended to be permanent. Any settlement, if it is to be a lasting one, must be such as does not derogate from those principles. No new situation should prevail over them. It is certainly not the desire of any of us here not to regard the undertakings subscribed to in 1922 as still valid.

France, for her part, is anxious to remain faithful to those principles. She feels that we should strain every effort, in the present circumstances, to discover the basis of a settlement, inspired by those principles, which will enable China and Japan to lay down their arms and by friendly negotiation, resume their partnership in the common effort to maintain peace.

The treaty of February 6, 1922, by its wisdom, clearness, and comprehensiveness, and by the simplicity of its machinery, makes it possible to direct the interests involved toward equitable adjustments. We are all making our appeal to that reason to which Mr. Davis referred just now, speaking for his great country and for the great American democracy. Similar reference was made by Mr. Eden, who is, with his country, one of the most stalwart champions of peace.

This appeal should be heard by both the nations to whom it is addressed—nations which in all the domains of speculative and creative activities have contributed so largely to human civilization.

There is no dispute which cannot be settled by good-will. In providing the two parties with an opportunity to reach an understanding under honorable and just conditions, we shall be fulfilling the hope reposed in us by world opinion—our most solid support. We shall fulfil it all the more satisfactorily if we can achieve unanimity in our methods as well as in our aim. This aim is so lofty and essential that we must move heaven and earth to achieve it, putting aside all mental reservations and prejudices, bearing in mind both the ideal and the means by which it may be realized. Therefore I firmly hope that our joint effort will develop and will be strengthened through the cooperation of all peaceful peoples, whilst at the same time it will be facilitated by the comprehension of those to whom we address ourselves with the determination to service their interests as well as the interests of all mankind.

If, as I hope, we succeed in putting an end to the war in the Far East, we shall have saved countless human lives, and have prevented the heaping up of ruin and disaster here and now; but beyond this we shall have set an example that will bear fruit elsewhere. In the series of trials through which the world is passing, this may be the signal for the much-needed effort to effect a recovery. Though war may be contagious, the victories of peace may also have incalculable repercussions. May we therefore, through the success of our work, give to the suffering peoples of the world an opportunity, which they have so often awaited in vain, for regaining confidence and hope.

ADDRESS BY COUNT LUIGI ALDROVANDI-MARESCOTTI,
OF ITALY

(Translation)

Italy, as a signatory to the Washington treaty of February 6, 1922, accepted the Belgian Government's invitation to this Conference.

I desire to express to His Majesty's Government our most lively gratitude for its kind hospitality. I entirely associate myself with Mr. Norman Davis' observation concerning the happy coincidence of our meeting today, and, like the representatives of Great Britain and France who have preceded me, I present, on behalf of the Italian Government and people, my respectful congratulations and homage to His Majesty King Leopold.

Article 7 of the Washington treaty provides that, in certain circumstances, the contracting parties "shall, with regards to the provisions of the treaty, exchange full and frank communication".

Moreover, the Belgian Government's invitation states that the meeting will be held "to examine the situation in the Far East and to consider friendly methods for expediting the end of the present regrettable conflict in that part of the world".

The invitation of Italy to this Conference is therefore occasioned by, and limited by, these two texts.

Thus it is clear that there can be no question of any direct or indirect coercive measures such as have been called for in certain irresponsible quarters nor even of a more or less moral "quarantining" of one or other of the parties in conflict.

No country can deplore the present state of affairs in the Far East more than Italy. She deeply regrets this bitter struggle between two peoples, both of whom she regards as her friends and both of whom have deserved well of the civilization of the world.

The Fascist Government would be glad to see this cruel struggle come to an end as soon as possible, but in circumstances such as will preclude its recrudescence.

In this particular case, we are not called upon to ascertain when and how these happenings began. Experience proves that it would be impossible to do so with any certainty or finality.

The occurrences in Manchuria provide an example. After months of study a Commission expressly sent to the spot, notwithstanding the good-will, good faith and erudition of its members, was only able to reach a compromise verdict that lent itself to divergent interpretation and had only one definite result—the withdrawal of one of the parties from the League!

The Chaco case is another example. Another Commission sent to the spot by the League of Nations not only failed to stop the conflict but did not even begin to inquire where the responsibility lay for fear that yet another withdrawal might still further reduce the membership of the League.

Absolute proof of where the first shot came from, is almost impossible to obtain. Even were it obtainable, we could not base on any such trivial incident an equitable judgment as to the deeper causes of terrible conflicts.

Only the parties directly concerned are in a position to eliminate the real and underlying causes.

Therefore what should be the practical role of our Conference, if, as in the present case, one of the parties is not represented?

Our "full and frank communication" can have no meaning except for ourselves and between ourselves, and it will not stop the conflict unless we succeed in our main object, namely, to lead the two parties towards a peace—and a lasting peace—by bringing them together and by persuading them to look straight ahead and eliminate the hidden and deep-rooted causes of their dissensions.

These deep and hidden causes may be both internal and external. The internal causes include some that are not indigenous and have nothing to do with the ancient traditions of a country like China, which has always taken as the solid basis of its life two institutions—"family and property"—certain forces which are seeking, for hidden purposes, to disturb the international relations of peoples who ought, on the contrary, to understand one another and agree.

Having said this with the greatest frankness, the Fascist Government must reserve its opinion as to the results of a Conference which, however amicable the means employed, can lead to little more than "platonic resolutions", and a further revelation of impotence unless it takes into account the realities I have mentioned.

Now that we have met, the only useful thing we can do is to invite the two parties to establish direct contact and leave the matter there.

I do not expect to hear the outward signs of approval which greeted the speeches of previous speakers, but I think I am not far wrong in believing that many of you know that my remarks do represent the naked truth.

ADDRESS BY HIS EXCELLENCY MR. LITVINOV, OF THE UNION OF
SOVIET SOCIALIST REPUBLICS

The Soviet Delegation being present at this Conference on the invitation of the signatories to the Washington treaty, in virtue of a decision of the League of Nations, I wish to express my agreement with the appreciation of events in the Far East which has been given this morning by the inviting powers, and in particular by the honorable representative of the United States. I need make no special declaration here, the more because the problem before the Conference has already been the subject of discussion in Geneva, where the calling of this Conference was suggested, and where everything which the situation requires was said.

The Soviet Government has more than once had to make its position clear, both on the general question of combating aggression as an international phenomenon and on the subject of particular cases when that aggression became active. All these statements were invariably inspired by the Soviet Government's devotion to the cause of peace. With very few exceptions, the governments of all other states are undoubtedly inspired by the same idea, which creates a platform and a point of departure common to them all. Divergences among them begin only when the question arises of going on from the general idea to the most effective methods of maintaining peace, or restoring it where it has been broken.

At all events, the first and inevitable step toward the adoption of any methods whatsoever is the discussion of the problem at international conferences and in international organizations. In some cases, the very fact of the summoning of a conference for joint discussion represents a definite action with a certain moral value. That is why I welcome this Conference on behalf of the Soviet Government, and express its gratitude to the Belgian Government and to Mr. Spaak, the Belgian Minister for Foreign Affairs, for their efforts in organizing this Conference, as well as for the cordiality with which they have received the delegations.

Recent years have added extremely valuable experience to international life, and that experience obliges me to draw attention to those dangerous ruts and pitfalls which lie in the path of international conferences. The experience I have in mind teaches us that international conferences, committees and other organizations, which are called upon to serve a particular end, sometimes are inclined, particularly in the event of a protracted existence, to forget their direct purpose and the technical part they have to play, and begin to live their own life, with their own peculiar interests. They begin to concern themselves principally with the maintenance of their own existence, with the procuring of moral satisfaction for those who have initiated such

conferences, and with their own superficial successes, which do not always coincide with successes for the cause on account of which the conferences were brought into existence. Moreover, there sometimes even arises a divergence between those various interests; there even comes a moment when a conference or committee which should be striving to eliminate and overcome the phenomena of aggression, itself becomes imperceptibly a tool of the aggressor, who utilizes it as a screen and an auxiliary for his aggressive activities.

This happens when international organizations come into contact with the aggressors themselves in an attempt to persuade them to alter their attitude. In the course of negotiations, leading to systematic concessions to the aggressor, it is possible to cross the boundary beyond which people who are undoubtedly inspired with the best intentions slip, without noticing it, over to the point of view of the aggressor and begin to talk his language, substantially justifying and encouraging his activities.

When it is a question of an aggressive attack by one state against another, and if that attack has been in some measure successful, there is nothing easier than for an international organization, in order to gain a momentary success, to say to the aggressor: "Take your plunder, take what you have seized by force, and peace be with you", and to say to the victim of aggression: "Love your aggressor; resist not evil." But while that may constitute a superficial success for the Conference, it does not represent the victory of peace or the victory of the peace-loving countries. That kind of success can only provoke new cases of aggression, giving rise to new conferences and so on without end. The encouragement and multiplication of acts of aggression is moreover facilitated by the circumstance that when international organizations leave their direct path in the manner I have indicated, there quite inevitably arises friction between the peace-loving countries, leading to divisions among them which are skilfully utilized in their turn by the aggressors. Yet the unity of all peace-loving countries is particularly necessary at the moment when aggressive countries are more and more uniting and consolidating their forces, thereby creating a menace to an ever-increasing number of states.

Having uttered this warning, which seems to me essential, against the perils which may confront any international conference in present conditions, I desire to express my sincerest good wishes for the success of the Brussels Conference and of those proposals which we shall probably hear from the inviting powers. I am certain that the new Conference will manage to avoid the perils I have mentioned, and that the proposals we all anticipate will pursue the aim not only of restoring peace in the Far East, but of establishing a just peace, a peace which will not untie but, on the contrary, will bind the hands of aggressors, also for the future and in other parts of the world.

ADDRESS BY HIS EXCELLENCY DR. V. K. WELLINGTON KOO,
OF CHINA

I wish first of all to express the appreciation and gratitude of the Chinese Government to the Belgian Government for its consent to the use of Brussels as the seat of the Conference. I wish also to thank our distinguished President, M. Spaak, who, as the Belgian Minister for Foreign Affairs, has rendered a valuable service to us all in connection with the arrangements for the convocation of our Conference.

The Chinese Delegation deems it a privilege to be able to associate itself with the words of felicitation which were so eloquently expressed by the speakers this morning to the illustrious sovereign of Belgium on the occasion of the anniversary of his birthday. China, proud of an unbroken record of friendship and confidence in her relations with Belgium, is glad to join in this testimony of good wishes for the happiness and prosperity of His Majesty King Leopold III.

Mr. President, we are assembled here in conference for the purpose of a full and frank communication between us as provided under article VII of the treaty of Washington of February 6th, 1922, relating to principles and policies to be followed in matters concerning China, because a situation has arisen which involves the application of the stipulations of the said treaty and renders desirable the discussion of such application.

What is the situation? It is that which has been created by the armed aggression of Japan, a signatory power of the same instrument, against my country in violation of article I of the said treaty which provides that the contracting powers, other than China, agree:

- (1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;
- (2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;
- (3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; and
- (4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

The facts relating to this Japanese armed aggression have been examined by the representatives of twenty-three nations and their unanimous report has been approved by fifty-one nations of the world. Since these facts are now public knowledge, it is, therefore, not necessary for me to dwell upon them here.

Suffice it to recall to you the findings in the report that it cannot be challenged that powerful Japanese armies have invaded Chinese territory and are in military control of large areas including Peiping itself;

that the Japanese Government has taken naval measures to close the coast of China to Chinese shipping; and that Japanese aircraft are carrying out bombardments over widely separated regions of the country.

For nearly four months the weight of Japan's mighty war-machine has been brought to bear upon innocent, peace-loving China by land, sea and air. During the past four weeks this ruthless aggression has further accentuated its intensity for the domination and conquest of my country. Japanese military occupation of North China covers practically three whole provinces, Hopeh, Chahar, and Suiyuan, with a population of 30 million, a railway mileage of 3,163 kilometers, and a total area of over 700,000 square kilometers, which is about the combined size of Great Britain and Germany. They have also occupied parts of the two provinces of Shantung and Shansi, with a total population of 45 million, a railway mileage of 1,728 kilometers, and a combined area of 314,000 square kilometers—the size of Italy. They have entered Chapei and Kiangwan in Shanghai, which the Chinese forces evacuated after gallantly holding out for 77 days against the most formidable attacks of Japan's modern mechanized forces. Five formidable Japanese armies totaling more than half a million men continue to attack the Chinese defense lines on five fronts with a view to forcing a rapid victory in order to impress and perhaps to overawe this very Conference.

For the same purpose the Japanese Navy, besides tightening its strangle-hold on the main channels of access to the Chinese coast, of several thousand kilometers in length, has been attacking the principal ports in Central and South China and attempted the landing of Japanese marines.

The Japanese Air Force has redoubled its death-dealing power. Not only did it concentrate over 100 planes to attack the Chinese forces at Shanghai in a single battle, but turning a deaf ear to the chorus of universal condemnation it has increased its ruthlessness in slaughtering unarmed civilians in disregard of the rules of international law and the time-honored principles of humanity. According to the Japanese Admiralty's own announcement of October 14th last, 62 cities and towns in eight provinces were bombed by Japanese naval aircraft alone. Widely scattered cities like Nanking, Canton, Swatow and Taiyuan have been subjected to almost daily attacks ranging sometimes from 3 to 15 raids a day. In a single raid on an open, defenseless city of Sungkiang in Kiangsu Province a week ago, Japanese bombs from the air massacred nearly 1,000 civilians, of whom a great part were helpless women and children. The civilized world has never seen such utterly ruthless methods of warfare and such stark indifference to considerations of decency.

In the light of the history of the past few years in the Far East, it is evident that the present outbreak of Japanese armed aggression is merely a continuation of Japan's policy of territorial expansion on the Asiatic mainland, already betrayed in all its flagrancy at the time of her attack on Mukden in 1931 with her subsequent military occupation of Manchuria and Jehol.

The setting up of a puppet regime in Manchuria propped up by the Kwantung army and packed with Japanese advisers in all key posts, has been only a camouflage for territorial conquest. The invasion of Chinese provinces inside the Great Wall; the occupation of eastern Chahar in 1933; Japan's peremptory demand in 1935 for the removal of the governor and other high provincial officials of Hopeh, for the evacuation of the Central Government troops therefrom, and for the expulsion of the Kuomintang Party workers from the same area; her creation in December of the same year of the so-called East Hopeh autonomous and anti-communist regime with the aid and protection of the Japanese military guards; her military occupation of north Chahar, and the open attempts of the Japanese military agents in the past two years to establish an autonomous government for the five provinces of North China—all these acts and activities in contravention of the rules of international law and Japan's own treaty obligations show only too clearly her sinister design on China, with whom she claims to have been at peace.

The gigantic campaign of smuggling, fostered and promoted by the Japanese military authorities in North China with the double purpose of raising funds to carry on their political intrigues in North China and dealing a financial blow to the Chinese Government at Nanking, was another method of disrupting the Chinese administrative integrity in North China and strengthening their hold on that region. The Japanese military authorities seized every occasion on which the Chinese customs authorities attempted to enforce the Chinese customs regulations upon the smugglers as a pretext for forcing them first to disarm and then to cease patrolling to prevent violation of the Chinese fiscal laws.

The encouragement by the Japanese military authorities in China of the illicit traffic in drugs and narcotics conducted by Japanese *ronins* and Koreans in Chinese territory is yet another proof of Japan's real intentions towards China. In North China, Manchuria and Jehol this is an open secret and well known to the Advisory Committee of the League of Nations on opium and drugs. It is a deliberate policy to deprave the Chinese people in the hopes of bringing about their moral degradation to a point where they would be powerless to resist the invaders.

The instigation of a Mongolian rebellion and attack on Suiyuan Province in the winter of 1936 under Japanese officers was frankly

admitted by General Kita, the Japanese military attaché in Shanghai, in an interview published in the *New York Times* of November 23d, 1936. The setting up by the Japanese Army a week ago of the so-called Mongol State, its new puppet, at Kweihua in Suiyuan Province puts a finishing touch to their intrigues in Inner Mongolia.

In the last two years the Kwantung army has against the protests of Chinese authorities stationed the so-called special service agents at ten strategical points of North China. The Japanese garrison has since adopted the same practice and maintains agents in eight important centers in the five northern provinces of China. During the past four years Japanese military planes have been flying over the Chinese territory in spite of the repeated protests of the Chinese Government.

Japan has been carrying on these unlawful activities in disregard of international morals and in violation of her treaty obligations. Every one of these activities constitutes an attack upon the sovereignty, the independence and the territorial and administrative integrity of China, which she has solemnly undertaken to respect in the Nine-power Treaty of Washington. Instead of providing the fullest and most unembarrassed opportunity for China to develop and maintain for herself an effective and stable government, Japan has sought by the activities I have just enumerated either to frustrate such opportunity or to deprive China of it. Wherever her invading armies have remained they have sought to disestablish and undermine the principle of equal opportunity for the commerce and industry of all nations, as has been clearly demonstrated in Manchuria and Jehol. Time and again she has sought to create embarrassing conditions in China in order to seek special rights and privileges for her nationals to the detriment of the rights of the subjects or citizens of other friendly states.

That Japan by her acts and activities in China during the past few years has contravened her obligations under the Nine-power Treaty of February 6th, 1922, has been established by an impartial tribunal of fifty-one nations. I do not, therefore, propose to ask you to confirm it here. It is unnecessary to do so.

The Chinese Delegation regrets that Japan has refused to join this Conference. If she had a case and a clear conscience, she need have no apprehension that she might not obtain a just hearing. Her refusal, in our view, is only another proof of her disregard of her treaty obligations, for under article VII of the Nine-power Treaty participation in the consultation is as much a duty as a right.

I am aware, however, that Japan, though not present here, has made known her views in an attempt to justify her policy of aggression in China both in her reply to the invitation to participate in the Conference and in her recent official statement to the world press on the

same occasion. She has advanced certain reasons and explanations which are intended to influence the uninformed opinion of the world.

One of the reasons most frequently advanced in her attempt to justify her policy of force and aggression in China is that there has been anti-Japanese feeling in my country. I admit there has existed in the past six years, and exists today, a sentiment of opposition in China, not to Japan as a nation but only to her overt acts of aggression against China or to her open preparation for such aggression. As the Chinese Government has emphasized on more than one occasion, the so-called anti-Japanese feeling is a natural consequence of the Japanese policy towards China. The Chinese people harbor no ill-will against the Japanese people as such but strongly object to the Japanese policy of force of the mailed fist in contravention also of the Kellogg-Briand Pact of Paris. The Chinese feeling of resentment is a fact the cause of which lies in Japan's own hands and springs from her own doing. For what self-respecting people in the world, if placed in the position of the Chinese, would not feel in the same way as the Chinese do towards Japan? Can Japan expect to win China's good-will and confidence by deliberately and repeatedly seeking by intrigue or by force to infringe her sovereignty, to disrupt her political unity, to dismember her territory, to deprave her people and to destroy her independence? The real wonder in the relations between the two countries is not the fact that there has been anti-Japanese feeling in China but the great moderation, restraint and conciliation on the part of the Chinese Government and people towards Japan.

Official protestations of good intentions from Tokyo are powerless to convince the people of the world if they are not based upon the truth. For in international relations just as in individual relations action speaks louder than words.

Japan has again insinuated and alleged that the Chinese Government has been under the influence of the Chinese Communist elements. No one familiar with the recent developments in China can take this accusation seriously. For nearly ten years the Chinese Government has combated with determination and with all the resources at its disposal the unlawful activities of the Chinese Communist Party. The objection has been not so much to the philosophy of Communism itself since the attachment of the average Chinese citizen to the family and to landed property, as has also been attested by the honorable Delegate of Italy, is traditional and profound, but rather to the setting up of a rival government with an independent army, thereby constituting an obstacle to the work of political unification under the National Government.

But the Chinese Communists, like the great bulk of their fellow citizens, are after all patriotic and love their country. Their recent acceptance of the principles upon which the Chinese National Gov-

ernment is founded, their pledge of allegiance to Nanking, the voluntary dissolution of their so-called Soviet organization, and the disbandment of their small army to be completely reorganized by the Central Government in order to enable China more effectively to resist the Japanese aggression prove beyond doubt that the so-called menace of Chinese Communist elements is only a pretext on the part of the Japanese war party to hoodwink the world as to the real aggressive character of its own policy. Its true intention has been betrayed recently when it proclaimed its desire to bring about the fall of the present National Government which has effectively done away with the erstwhile menace of Communism in China and successfully achieved political unification of the whole nation.

In this connection it may well be recalled that at the time of the Japanese invasion of Manchuria in 1931-32 the Japanese Government, in an attempt to justify its policy of aggression, argued that there was no stable and effective government in China, thereby making it necessary for Japan to undertake the task of maintaining order and tranquillity in East Asia. Today when China has established a most stable government whose authority is accepted throughout the nation, responsible Japanese leaders have openly declared their insistence upon its fall and disappearance, again on the professed ground of assuring tranquillity and order in East Asia. In the face of such obvious contradictions, what confidence could the Chinese Government place in Japan's protestations of innocent intentions towards China?

I wish to say here also that China does not look upon the world as a divided camp of rival political ideologies. She believes in the liberty and right of each nation to choose and adopt for itself any political system which it believes to be best suited to the genius of its people. Each country has a right, in our view, to work out its own destiny. The question of political ideology is primarily a right for self-determination of each people. Just as China recognizes this right of other countries, so she claims the same right for herself. It is an inherent right of every independent state and gives no privilege to Japan to interfere in the domestic affairs of China.

It has also been claimed by Japan that the Chinese Government has been conducting for some years a militaristic propaganda aimed at Japan, and that at the same time, by importing vast quantities of munitions, constructing fortifications, and giving intensive training to the troops, it has succeeded in building large, strong armaments. She claims that her aggression in China is "a measure of self-defense in face of China's challenge".

Mr. President, in view of her possession of one of the most powerful war machines in the world equipped with an up-to-date and mighty army, navy and air force, and ranking as one of the strongest mili-

tary powers in the whole world, Japan's complaint against China's armaments, which are far inferior to her own and which are unjustifiably small in the presence of constant Japanese aggression, might be considered as comical if it were not for the tragic consequences which she has already inflicted, and is still inflicting, with her tremendous fighting-machine, upon scores of open, peaceful cities in China and upon thousands of innocent Chinese people.

China's regret today is that her rearmament in recent years has not been more rapid and more extensive so that she might be able to offer a yet more effective resistance to Japanese aggression, and thereby lessen the toll of suffering ruthlessly imposed upon the Chinese people by Japanese arms.

China had never given any challenge to Japan before the deliberate opening of hostilities on China by Japan. The Chinese armed forces had never invaded a single foot of Japanese territory, nor had the Chinese air force bombed a single Japanese town. China had not wished to make war on Japan and is fighting today determinedly and bravely only to resist the unceasing onslaught of the invading Japanese forces. Those Japanese who claim that Japan has been acting in self-defense either betray, to use their own pet expression, regrettable lack of sincerity or take all other people for fools. No man of common sense would consider a burglar who had forcibly broken into a house to be acting in self-defense when he is trying to murder the landlord desperately engaged in resisting the criminal intruder.

The Japanese Government claims that the situation in the Far East is difficult for the occident to understand, and complains that there is a lack of comprehension on the part of the powers of her intentions. Let me point out, Mr. President, that the only difficult point to understand in the Far East is the persistent, incessant aggression of Japan against China, not only in violation of her pledged word but also in opposition to her real self-interest.

I know there are in Japan far-sighted statesmen who condemn this policy of force against a peaceful neighbor from whom she has borrowed so much in civilization and in culture. But these enlightened elements are helpless against the grip of the military hierarchy on the government of the country.

It does no credit to Japan, who used to complain of the alleged lack of stable and effective Government in China, to have the civil branch of her own Government give an assurance of her peaceful intentions one day, to be belied the next day, if not at once, by the action of its military authorities. China has had bitter experience of this perpetual "dual diplomacy" which the Japanese statesmen themselves have openly denounced but which the Japanese Government as such has been powerless to overcome.

In the light of the extraordinary acts and activities of the Kwantung army and the Japanese garrison in North China, to which I made reference a little while ago, is there any wonder that the powers of the occident cannot fully understand the intentions of Japan? Indeed, no people who love law and order and who respect the peace and security of other nations could understand this organized lawlessness and aggression on the part of Japan against China.

It is also claimed that Japan's intention is to seek cooperation with China. If that be her object, she has certainly adopted a most extraordinary method to attain it. A reasonable man does not begin to try to make a friend of his neighbor by smacking his face, by "beating him to his knees", and by trying to murder him.

China realizes that Japan is a highly industrialized nation. She has different problems to face and her economic well-being depends upon a reasonable assurance of markets and raw materials from abroad. But economic cooperation, to be successful, must be sought by peaceful means and friendly negotiation. It must be, as has been justly said by the honorable Delegate of the United States of America, a cooperation between free and equal partners on the basis of reciprocity. There have been occasions in the past when China, in the midst of her devotion to the task of economic reconstruction and development, sought such cooperation from Japan as from other countries but the Japanese policy of domination and force always prevented its realization. Is it not natural that China, with her own experience of the unceasing bullying and aggression of the Japanese military warlords in North China and in the light of Korea's fate in accepting the so-called cooperation of Japan, should be wary of her professed intentions?

As Prince Konoe said prior to assuming his present post of Premier, "Japan's proposal must be of obvious benefit to China in order to be acceptable. There must be a unity of public opinion in Japan on China policy and effective aid be given to the Chinese nation in its struggle for rejuvenation." So long as Japan hopes by the magic word "cooperation" to enslave China and so long as she continues, through the medium of her armed forces, to attack, kill and destroy China, there can be no real prospect of achieving cooperation between the two countries. Cooperation in the Japanese vocabulary evidently means only conformation to Japan's will by means of coercion.

In our view, the example of the other powers in China might well be followed by Japan. China's relations with them in the past had not always been smooth. Their former method of economic cooperation smacked in our view of the character of exploitation and was therefore not always welcome. But since their adoption of the new policy of free, frank and friendly collaboration for reciprocal benefit, all difficulties have disappeared. Good-will and confidence now prevail in their relations with China and the continued development in the scope and

extent of their economic cooperation with ever-increasing advantage to both sides has fully justified their new policy. It is only Japan who still clings to the archaic idea of making economic exploitation a mask for political domination. Unless and until she abandons this ruthless outworn policy, and substitutes for it one based upon equality and reciprocity, there can be no real economic cooperation between the two countries. And to be fully acceptable to China such cooperation, in conformity with the spirit of the open-door policy, must be inclusive of other powers and not exclusive for Japan.

The interpretation which the Japanese Government has put forward in regard to certain local agreements which were previously made to liquidate incidents provoked by the Japanese troops themselves is obviously designed to distort the true facts and confuse public opinion.

It is also claimed by Japan that the present dispute between her and China can only be settled by direct negotiation between the two countries. Such a claim, in our view, ignores the important fact that the lives of the nationals of many powers, as well as their material interests, are already affected. Besides, there is a general interest which all states have in the upholding of law and order in international relations and in the maintenance of peace and security between nations. I need not try to develop this point here, because the conclusion that the present situation is a matter of concern not only to the two states in conflict but, to a lesser or greater degree, to all states has been solemnly acknowledged by fifty-one nations. The fact that this Conference has been convoked and is sitting testifies to the concensus of opinion of the other signatory powers of the treaty.

China, indeed, fully shares this view and, therefore, welcomes the presence at this Conference not only of the powers which have important interests in the Far East but also of all those which may be only indirectly interested in that region.

The principal fact of the present situation in the Far East is that Japan has flagrantly violated the terms of the Nine-power Treaty of February 6th, 1922, to which she has solemnly attached her signature and thereby pledged her respect for it. It is not only a violation against China, whose sovereignty, independence and territorial and administrative integrity have been and are being threatened by Japan's repeated aggression against her, and whose fullest and most unembarrassed opportunity to develop and maintain for herself a stable and effective government has been denied her by the Japanese policy of interference and invasion; it also constitutes a violation against all the other signatory powers that she will discharge her obligations in accordance with the stipulations of the treaty.

China, faithful to her signature, has been doing her best to make the treaty respected by Japan. In the last four months she has been defending, at tremendous sacrifice of the life and blood of her people,

her sovereignty, independence, and territorial and administrative integrity against the overwhelming superiority of the Japanese forces of aggression. In doing this she, in fact, defends not only the material interests of the powers in China but also the general cause of the sanctity of treaties.

China's resistance has been and remains under severe handicaps of all kinds. It is, however, animated by an undaunted spirit and a determined will. The bravery of the Chinese soldier in the face of the most formidable onslaught of Japanese aggression has given, I hope, no cause for criticism even when judged by the most exacting standard of military gallantry in the world. I cannot believe that the mighty powers which are represented here at the Conference and which are also parties to the treaty which China has been trying to defend with her limited resources of power and strength, will refuse to do their part in upholding the principle of the sanctity of treaty obligations, a principle which forms an essential basis of peace in the world. On the contrary, let me say that China has the utmost confidence in your loyalty and devotion to the stipulations of the treaty which gives the mandate for our Conference and in your willingness also to do your utmost in order to make the principle of faith in the pledged word prevail in international relations. Such an effort will as much serve the general interest of civilization itself as render full justice to China.

The delegates of several powers represented at this Conference have expressed a sincere desire to bring about a cessation of the hostilities now raging between my country and Japan and to work for the restoration of peace by agreement. China, whose love of peace is traditional, appreciates this gesture of good-will. The Chinese Government which steadily pursued a policy of peace in the past years in the face of the most flagrant armed aggression from Japan, and which clung to that policy even in the trying days just preceding the opening of hostilities by Japan on her, has been fighting only to resist the Japanese invasion. We desire peace but we know that we cannot obtain it in the presence of Japanese aggression. So long as that aggression persists, so long we are determined to continue our resistance. It is not a peace at any price that will either render justice to China or do credit to civilization. It is only by accepting a peace based upon the principles of article I of the Nine-power Treaty of Washington, under which we are sitting, that China, by her tremendous sacrifices during the past few months, will be contributing to the cause of law and order in the relations between nations.

Gentlemen, knowing your devotion to the principle of the sanctity of treaties, which has been so ably affirmed by the honorable Delegates of France, Great Britain and the United States this morning, I wish to assure you of the whole-hearted collaboration of our Government.

We give you this assurance the more willingly because we believe that if the rampant forces of Japanese aggression in the Far East are not effectively checked and faith in the pledged word is not restored, there is every danger that these forces will overrun the boundaries of China and throw the world into a general war from which no important power will in the long run be able to keep aloof. As President Roosevelt has so truly said in a majestic speech recently, "The peace-loving nations must make a concerted effort in opposition to those violations of treaties and that ignoring of human instincts which today are creating a state of international anarchy and instability from which there is no escape through mere isolation or neutrality." Mr. President, it is in the interests of the general cause of peace and security between nations, as well as in the hope of obtaining justice for China, that we wish you success in your efforts and are ready to contribute our fullest share for its attainment.

ADDRESS BY HIS EXCELLENCY MR. AUGUSTO DE CASTRO, OF
PORTUGAL

(Translation)

I should like first of all to associate myself on behalf of my Government with the homage paid on this day of his birthday to His Majesty King Leopold, and I desire also most cordially to welcome the presence of our distinguished President, Mr. Spaak, the eminent Belgian Minister for Foreign Affairs.

The Portuguese Government, as a signatory to the Washington treaty of 1922, received the Belgian Government's invitation to be represented at this Conference. Its considerable interests, not merely historical and geographical—the part played by Portugal in the civilization of Asia is so well known that there is no need to remind you of it—but also its political and territorial interests at the present time, and its position in the Far East, made its presence at this assembly essential. I think it is quite unnecessary to assure you that, in this spirit, and with a view to collaborating in any moral effort in the world for securing real peace, the Portuguese Government, which, from the beginning of the Sino-Japanese conflict has declared its neutrality, will give most friendly consideration, and, within the limits and spirit of its neutrality, will lend its support to all useful work for conciliation to which this Conference may lead in connection with the aims defined in the invitation that has brought us together here.

COMMENTS OF THE CHINESE MINISTRY OF FOREIGN AFFAIRS, NOVEMBER 4, 1937, ON THE JAPANESE REPLY TO THE INVITATION TO THE CONFERENCE AND THE STATEMENT OF THE JAPANESE GOVERNMENT OF OCTOBER 28, 1937

The note sent by the Japanese Government to the Belgian Embassy at Tokio on October 27th and the lengthy statement issued on the following day, purporting to clarify Japan's stand in respect to her refusal to participate in the forthcoming Nine-power Conference at Brussels not only contain many unwarranted statements concerning China but also show a definite antipathy towards the efforts of the League of Nations and the United States for the reestablishment of peace.

The Japanese statement contended:

1° That the fundamental cause of the Sino-Japanese conflict was the anti-foreign policy of the Chinese Government since the revolution of 1911, especially the anti-Japanese aspects;

2° That, being sympathetic towards China's national aspirations, Japan had rendered assistance towards their realization;

3° That instead of showing grateful appreciation of Japan's good-will, China had amassed weapons of war against her, thereby causing the present conflict; and

4° That the key to the solution of the Sino-Japanese dispute lies in the abandonment of China's anti-Japanese policy for one of cooperation with Japan.

Anyone who is familiar with the recent events of the Far East will readily perceive the fallacy of the above contentions. China's foreign policy since the revolution has been based on the legitimate aspiration of attaining independence and equality. It has been generally understood and sympathetically supported by all friendly nations. The Chinese Government has always respected legitimate foreign interests in China and welcomes foreign capital as well as technical assistance. The ever-increasing volume of Sino-foreign trade and the very friendly relations existing between the Chinese people and the peoples of other countries today are concrete proofs of China's good-neighbor policy, which defy distortion by the Japanese.

China and Japan are close neighbors who are, moreover, tied by racial kinship and linguistic affinity. It cannot but be the fervent desire of the Chinese Government and people to befriend their neighboring country. Unfortunately, ever since the days of the revolution in 1911, Japan has been pursuing her continental ambitions

at the expense of China. The episode of the Twenty-one Demands is still fresh in our memory. During the nationalist revolution, Japan deliberately obstructed the northward advance of the nationalist army and prevented the unification of China under the new regime by precipitating the Tsinan incident in 1928. One can hardly imagine any nation which professes to welcome the awakening of China's national spirit would behave in such a manner.

As regards the claim that Japan took the lead in restoring to China her customs autonomy and proclaimed her sympathy towards China's aspirations for the abolition of extraterritoriality, all recorded facts prove that the contrary was the case. In 1928, China had concluded with other powers treaties providing unconditional restoration of her customs autonomy, but it was not until 1930 when Japan consented to conclude a similar tariff agreement, subject to certain conditions favorable to herself. In the last two years, Japan has inspired and given protection to large-scale smuggling in China and actively interfered with her customs' preventive service, causing enormous losses to China's revenues and dislocation of her customs administration.

Regarding extraterritoriality, Japan has lately taken every advantage of this special privilege to carry on numerous illegal activities in China such as unauthorized airplane flights over Chinese territory, the establishment of espionage organizations, supplying ammunition to bandits and the protection of drug traffic. Such being the case, it is inconceivable how these facts could be reconciled with the claim that Japan pursued a policy designed to satisfy legitimate wishes of the Chinese people. Since September 18th, 1931, Japan's acts of aggression in China have taken on an ever-increasing degree of audacity, and vast tracts of territory have been seized from China. Following the organization of the puppet "Manchukuo" and the so-called "East Hopeh Autonomous Council", she is now busily engaged in the creation of the so-called "Manchukuo" or "Mongol State" in the provinces of Chahar and Siuyuan. No nation can be expected to endure so much humiliation, yet China, hoping Japan would finally awaken to her mistakes, time and again admonished the Chinese people to exercise forbearance. In every unfortunate incident between Chinese and Japanese nationals, the Chinese Government, in keeping with her good-neighbor policy, has always patiently sought an amicable settlement, even though the fault usually did not lie with the Chinese involved. During the past three years, Japan's trade with China increased annually while the customs statistics of the past six months of the current year show that she has almost attained the first place in Sino-foreign trade. That such steady development of Japanese trade with China should be possible should itself be ample proof that there has been no anti-Japanese policy on the part of the Chinese Government.

The evacuation of Japanese nationals from various parts of China after the Lukouchiao incident was in fact intended to spare them from such mass slaughters as were later perpetrated by Japanese airmen at Canton, Hankow and elsewhere. The Chinese Government provided the Japanese with every facility in their evacuation and undertook to protect Japanese property left in its custody, although Chinese evacuation from Japan was impeded in all manners by the Japanese authorities. Telling contrast in this case is sufficient indication of the underlying sentiment entertained by each of the parties concerned.

There is, however, a definite limit in human endurance. Relentless pressure of Japan's aggressive activities in China has at last compelled the Chinese people to rise in self-defense. But even in this armed resistance, the Chinese people clearly perceived that China's enemy is not the Japanese people but the Japanese militarists who are bent on aggression. What the Chinese people want to do is not to eliminate legitimate Japanese interests in China, but to halt the acts of aggression on the part of the Japanese militarists. In short, there is no such thing as anti-foreignism in China, nor in reality anything which may be regarded as anti-Japanese. The present unfortunate situation has arisen entirely from the intolerable and ceaseless pressure of Japanese aggression in China. The Japanese statement further alleged that the immediate cause of the Sino-Japanese conflict in North China was China's violation of the so-called Ho-Umezu agreement by sending troops northward and that hostilities at Shanghai were caused by China's disregard of the 1932 agreement. Therefore, it contended that Japan's action in Hopeh and Shanghai has been taken purely in self-defense and does not violate the Nine-power Treaty; such specious argument totally ignores the facts. The outbreak of the Lukouchiao and Hungjao aerodrome incidents as a result of provocative actions of the Japanese Army; earnest and repeated endeavors made by the Chinese Government to seek a peaceful solution for these incidents; the lack of sincerity on the part of the Japanese to keep peace, as manifested by their concentration of huge military and naval air forces for offensive purposes; consequent attacks on the Chinese troops who were forced to resist in self-defense; the indiscriminate killing of Chinese non-combatants by Japanese forces and the destruction of Chinese cultural and educational establishments—all these are facts which the Chinese Government has repeatedly made public and which have been attested by impartial reports.

These same facts have been dealt with justly and thoroughly in the reports and the resolutions of the League Assembly adopted on October 6th, leaving little doubt who is the aggressor and who the victim.

Moreover in moving its armed forces within its own territory, whether Shanghai or North China, the Chinese Government exercised but sovereign rights which cannot be subjected to any restriction. It is preposterous to assume that Japan is entitled to despatch an enormous army to China, while China is denied the right to move troops for self-defense. The Shanghai agreement of 1932 has been repeatedly violated by free and unlawful movements of Japanese armed forces around Shanghai. Upon the outbreak of the present hostilities, the Japanese openly made use of the International Settlement as bases of operations. It is, therefore, incomprehensible that Japan should have accused any party but herself of tearing up the Shanghai agreement.

As signatory to the Nine-power Treaty, Japan is bound to respect China's sovereignty, territorial and administrative integrity. But instead of living up to her pledged word, Japan, without the least ground, embarked upon large-scale military operations against China, occupying Chinese cities, massacring the Chinese people, destroying Chinese property. It is inconceivable that such aggressive actions could have been taken in the name of self-defense and reconciled with the terms of the Nine-power Treaty.

Many references were made by the Japanese to the Chinese Communist Party and the question of Communism. It was contended that Communism and anti-Japanese policy of the Chinese Government were the two main obstacles to peaceful relations between China and Japan. Such groundless propaganda however can hardly deceive the world.

China's policy rests firmly on the foundation of the Three People's Principles enunciated by the late Dr. Sun Yat-sen. During the last decade, supreme efforts have been made by the Kuomintang and the National Government to prevent the spread of Communist doctrines and to suppress violence of the Chinese Communists. The long-drawn-out campaign against the Communists and the great cost it involved are facts too well known to require lengthy narration. More recently, the Communist Party, awakening to the acute danger of foreign aggression, realized that national salvation could be achieved only through whole-hearted enforcement of the Three People's Principles. Consequently on September 22, the Communist Party formally declared: 1° the renunciation of the theory and practice of violence; 2° the cessation of all activities aimed at Bolshevizing China; 3° the abolition of the Chinese soviets; 4° the disbandment of the Chinese Red army. In view of these developments, it may be said that the whole Chinese nation is devoted to the Three People's Principles today, striving, under the guidance of Generalissimo Chiang Kai-shek, to resist foreign aggression and to realize Dr. Sun Yat-sen's lofty ideals.

The facts recapitulated above cannot be obscured by propaganda, however cleverly contrived. In conclusion, it cannot be overemphasized that the present unhappy state of relations between the Chinese and the Japanese is entirely due to Japan's ceaseless aggressions against China. Peace and normality will be restored to East Asia the instant Japan abandons her traditional policy of force, ceases her acts of aggression and recalls her invading forces from Chinese soil.

COMMUNICATION FROM THE CONFERENCE TO
THE JAPANESE GOVERNMENT, NOVEMBER 7,
1937

1° The representatives of the states met in Brussels on November 3d last have taken cognizance of the reply which the Japanese Government sent in on October 27th to the invitation of the Belgian Government, and the statement which accompanied this reply.

2° In these documents the Imperial Government states that it cherishes no territorial ambitions in respect of China and that on the contrary it sincerely desires "to assist in the material and moral development of the Chinese nation", that it also desires "to promote cultural and economic cooperation" with the foreign powers in China and that it intends furthermore scrupulously "to respect foreign rights and interests in that country".

3° The points referred to in this declaration are among the fundamental principles of the treaty of Washington of February 6th, 1922 (the Nine-power Treaty). The representatives of the states parties to this treaty have taken note of the declarations of the Imperial Government in this respect.

4° The Imperial Government moreover denies that there can be any question of a violation of the Nine-power Treaty by Japan and it formulates a number of complaints against the Chinese Government. The Chinese Government for its part contends that there has been violation, denies the charges of the Japanese Government and, in turn, makes complaint against Japan.

5° The treaty has made provision for just such a situation. It should be borne in mind that the exchange of views taking place in Brussels is based essentially on these provisions and constitutes "full and frank communication" as envisaged in article VII. This Conference is being held with a view to assisting in the resolving by peaceful means of a conflict between parties to the treaty.

One of the parties to the present conflict, China, is represented at the Conference and has affirmed its willingness fully to cooperate in its work.

The Conference regrets the absence of the other party, Japan, whose cooperation is most desirable.

6° The Imperial Government states that it is "firmly convinced that an attempt to seek a solution at a gathering of so many powers whose interests in East Asia are of varying degree, or who have practically no interests there at all, will only serve to complicate the

situation still further and to put serious obstacles in the path of a just and proper solution".

It should be pointed out that all of these powers which are parties to the treaty are, under the terms of this instrument, entitled to exercise the rights which the treaty confers upon them; that all powers which have interests in the Far East are concerned regarding the present hostilities; and that the whole world is solicitous with regard to the effect of the hostilities on the peace and security of the members of the family of nations.

However, the representatives of the states met at Brussels believe that it may be possible to allay Japan's misgivings referred to above; they would be glad to know whether the Imperial Government would be disposed to depute a representative or representatives to exchange views with representatives of a small number of powers to be chosen for that purpose. Such an exchange of views would take place within the framework of the Nine-power Treaty and in conformity with the provisions of that treaty. Its aims would be to throw further light on the various points referred to above and to facilitate a settlement of the conflict. Regretting the continuation of hostilities, being firmly convinced that a peaceful settlement is alone capable of ensuring a lasting and constructive solution of the present conflict, and having confidence in the efficacy of methods of conciliation, the representatives of the states met at Brussels earnestly desire that such a settlement may be achieved.

7° The states represented at the Conference would be very glad to know as soon as possible the attitude of the Imperial Government towards this proposal.

REPLY OF THE JAPANESE GOVERNMENT, NOVEMBER 12, 1937, TO THE COMMUNICATION OF NOVEMBER 7 FROM THE CONFERENCE

The Imperial Government has the honor to acknowledge the receipt of the *note verbale* of November 7th concerning the Brussels Conference.

The Imperial Government is glad to observe that the opinion expressed in this document by the powers participating in the Conference is the result of careful consideration. It regrets, however, that this opinion is not such as would enable it to modify the views which it set out clearly in its reply and statement of October 27th. The participating powers have been good enough to state that they are prepared to designate representatives of a small number of powers for the purpose of exchanging views with one or more representatives of Japan within the framework of the Nine-power Treaty and in conformity with the terms of that treaty. The Imperial Government, however, cannot do otherwise than maintain its points of view, that since it has been obliged to resort to its present action as a measure of defense against Chinese acts of provocation, this action does not come within the scope of the Nine-power Treaty and that there is no justification for discussing the applicability of the latter; moreover, it could not agree to take part in a meeting based on the provisions of the treaty while it is accused of having violated the terms of that treaty.

As the present occurrences have their origin in conditions peculiar to the Far East, an endeavor to reach a solution by the only two parties having direct and immediate interests constitutes the means of securing the most just and the most equitable settlement. The Imperial Government is firmly convinced that the intervention of a collective organ such as the present Conference would merely excite national feeling in the two countries and would make it more difficult to reach a solution satisfactory to all. Nevertheless, the Imperial Government would be very glad if the powers, after taking full cognizance of the views expressed above, could make a contribution in conformity with the real situation to the stabilization of East Asia.

The participating powers have pointed out that all powers which have interests in the Far East are affected by the present hostilities and that the whole world is anxious regarding the effects of these hostilities on the peace and security of the members of the family of

nations. In this connection the Imperial Government wishes to emphasize, as it has clearly repeated in its former declarations, that it is endeavoring by every means to ensure respect for the rights and interests of foreign powers in China and that it attaches the highest importance to the establishment of a lasting peace in the Far East following on a satisfactory settlement of the present affair.

DECLARATION AND ADDRESSES MADE AT THE
SEVENTH MEETING OF THE CONFERENCE, NO-
VEMBER 13, 1937, IN CONSIDERING THE REPLY
OF THE JAPANESE GOVERNMENT

DECLARATION BY HIS EXCELLENCY DR. V. K. WELLINGTON
KOO, OF CHINA

After ten days of effort the Conference finds itself back in the position where it started. The latest reply of the Japanese Government to the appeal of the Conference sent a week ago is another flat refusal to collaborate in the interest of peace. It throws, in our opinion, no new light on any of the points brought to its attention, but simply gives a more determined "No" than ever.

It will be recalled that the last communication of the Conference, like the original invitation of the Belgian Government addressed to Japan, was couched in most conciliatory terms. All reference to the League of Nations, which first suggested the idea of holding a conference, was carefully omitted. The unanimous opinion of 51 nations of the world on her invasion of China and the nature of her military operations in Chinese territory was not even alluded to. The studied reticence in regard to her flagrant violation of the Nine-power Treaty, under which the Conference has been sitting, was a clear assurance that she was not summoned to appear before a tribunal to defend her unlawful actions in China. She was invited to participate in the Conference as an equal partner and implored to extend her cooperation. Particular attention was paid to the language of the communication, and every care was taken to avoid any expression that might ruffle the tender susceptibilities of the Japanese Government. The Conference went so far as to take note of her objection to dealing with a large body of powers represented at the Conference, and offered to choose a small number of powers in order to induce her to consent to an exchange of views with them.

We, of the Chinese Delegation, assured the Conference from the outset of the determination of the Chinese Government to contribute its full cooperation for the restoration of peace consonant with justice, and for a settlement of the conflict on the basis of the principles of the treaty. In our desire to contribute to the success of your effort, we offered even to retire temporarily from the meetings of the Conference in private if our absence would facilitate progress in its discussions.

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But neither the spirit of conciliation nor the soft words were of any avail. The refusal of the Japanese Government is more resolute and absolute than ever, and both the language and the tone of its reply seem to indicate clearly that all the painstaking efforts of the Conference to secure her collaboration for the cause of peace and the respect of treaties have been taken as a sign of weakness and served apparently only to inspire her insolence.

The latest reply of the Japanese Government, as I have said, adds nothing new to its previous communications. It repeats the flimsy pretexts and excuses with which I dealt at length in my statement before the Conference on the opening day. The reiterated claim that Japan's present action in China is resorted to as a measure of defense is not only a deliberate distortion of the meaning of the time-honored term, but makes a mockery of the universal sentiment of justice and truth. Even if the Japanese Government really believed—which the Chinese Delegation seriously doubts—that Japan's aggression in China was dictated by considerations of self-defense, it could in no way justify her claim that the matter lay outside the scope of the Nine-power Treaty. The "full and frank communication" envisaged in article VII of the treaty is intended, in our view, for just such a situation.

The reply again insists upon a direct settlement of the present conflict by China and Japan. Let me inform you here that for four years the Chinese Government patiently tried to reach a peaceful settlement with Japan of the questions outstanding between them, and the present conflict is the result. For every act of concession, every gesture of conciliation on the part of China was taken by Japan as a sign of fear and led to more bullying and brow-beating. The acceptance of one demand by China was always followed by the presentation of other demands. Failing compliance by China, the Japanese Army resorted to intimidation and coercion in the form of nefarious activities of smuggling, night maneuvers, war exercises, and heavy reinforcements to the Japanese garrison in North China in violation of the protocol of 1901 and out of all proportion either to the purpose of keeping open communication from Peiping to the sea or in comparison with those of the other powers. The perpetual "dual diplomacy" practiced by Japan through the Japanese Foreign Office and the Japanese Army in her dealings with China has convinced China of the danger and futility of direct negotiation.

It is said that "the present occurrences have their origin in conditions peculiar to the Far East". For our part we do not see that there is anything peculiar in the Far Eastern situation, unless it be the Japanese method of preserving peace in Eastern Asia by armed invasion of peaceful China. Moreover, conditions in the Far East are no more peculiar today than they were in the time the Nine-power Treaty was signed freely by Japan and the other signatory powers.

Whatever the conditions are—and they are of her own creation or encouragement—they are not beyond the purview of the treaty, but are proper subject-matter for discussion by the interested powers.

The Chinese Government is convinced that the cooperation of the Conference, far from exciting national feeling in the two countries and making it more difficult to reach a solution, will facilitate a settlement and inspire confidence in its justice and conformity with the principles of the treaty. It will allay mutual suspicion and distrust, and will also serve the cause of peace.

As Generalissimo Chiang Kai-shek has declared in a statement of last week: "Direct negotiation between China and Japan will merely be another opportunity for Japan to press such demands as are not only unacceptable to China but also unacceptable to the other signatories of the Nine-power Treaty." For, besides our recent experience, the story of the notorious Twenty-one Demands pressed on China by Japan is still fresh in the memory of those who are familiar with the history of the Far East in recent times.

The powers at the Conference are asked by the Japanese Government to "make a contribution in conformity with the real situation to the stabilization of East Asia". Does this mean, Mr. President, that the Conference should accept the temporary changes brought about by the force of arms, and condone Japan's open violation of her treaty obligations as embodied not only in the Nine-power Treaty of Washington but also in the Kellogg-Briand Pact of Paris? This is the language of the treaty-breaker who wishes to impose upon the Conference a *fait accompli*. China is confident that the participating powers who are all faithful to their signatures to the treaty and respect the principles of law and justice will choose to make their contribution to stability in the Far East by upholding treaty obligations and thereby serving the real interests of peace.

The issues of the present conflict between China and Japan are not confined to the territorial and political integrity of China. In fact important rights and interests of the foreign powers in China and their obligations under the Nine-power Treaty are involved; and, more than that, the principle of respect for treaty obligations and the cause of peace, in which all nations rightly feel a deep concern and interest, are at stake.

China asks only to be left in peace and free from external aggression in order to pursue her stupendous task of political and economic reconstruction. The Nine-power Treaty has assured her of this opportunity and the Japanese aggression has deprived her of it. We ask that the Japanese aggression be stopped and the Nine-power Treaty be respected. It is a treaty which all powers parties to it have a common obligation to uphold.

China, on her part, has been fighting with life and blood of her people to stop Japanese invasion and uphold the treaty. She has

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been, and still is, exerting her utmost to defend her political and territorial integrity and to maintain the principle of the sanctity of treaties. She has been fighting against the violation of the treaty, a violation which is against all other signatory powers as well as against China. So long as Japanese aggression persists, so long will China continue to resist. The Government and the people of China are determined to fight the aggressor to the end.

Now that the door to conciliation and mediation has been slammed in your face by the latest reply of the Japanese Government, will you not decide to withhold supplies of war materials and credit to Japan and extend aid to China? It would be, in our opinion, a most modest way in which you can fulfil your obligation of helping to check Japanese aggression and uphold the treaty in question.

In our struggle against the forces of Japanese aggression with a whole nation behind us, resolute in purpose and undaunted in spirit, we do not ask the other signatory powers to fight for us, but we need material help to enable us to continue our effective resistance. In order to shorten the duration of hostilities and hasten the restoration of peace, it is also necessary to refrain from contributing to the financial and economic resources of the aggressor and feeding him with an uninterrupted flow of arms and raw materials for his war industries.

International peace, Mr. President, like national peace, if it is to be made durable, must be defended. The restoration and defense of peace in the Far East at present calls for concerted action of a moral, material, financial and economic character on the part of the other participating powers in the Conference. Such action must also be timely. For if it is delayed too long because of hesitation and doubt, then the violence and disorder now raging in the Far East will soon reach such proportions as will be impossible to restrain and control without undergoing the trials and tribulations of another world war.

ADDRESS BY HIS EXCELLENCY YVON DELBOS, OF FRANCE

(Translation)

Before we resume our work, I should like to make a few observations of a general character.

In addition to the interests which we have to defend in the Far East, and to our rights and the duties incumbent upon us under the treaty of Washington, there are other considerations that are even more important.

We are ardently devoted to peace, there as everywhere, because we cannot remain indifferent to so much accumulated devastation and so many ruined human lives, and because we realize that no one can be sure to escape the possible consequences and extension of a conflict. We are, moreover, mindful of the fact that the first condi-

tion of peace is the observance of the principles on which civilization itself is founded; respect for treaties signed and fidelity to the pledged word. It is not merely an obligation binding on persons; it is a duty common to all states and all individuals—a permanent universal law, every infraction of which is prejudicial to general confidence and security.

Doubtless, no undertaking can be regarded as eternal; and the immutability of texts is no effective argument against altered circumstances; but any work of readjustment must be the result of free and peaceful collaboration between the nations concerned, and not of violence based on the concept that certain needs—of which the interested party is the sole judge—are a justification for resort thereto.

A further condition of peace is respect for the independence of each state. France is a democratic nation, passionately devoted to the maintenance, within her own borders and within the framework of parliamentary institutions, of a just balance between order and liberty, between the rights of the individual conscience and the duties of each citizen towards his country; but she is herself so firmly resolved to resist all foreign interference that she could never dream of forcing her own principles on other states.

Each nation is entitled to choose its own institutions freely. No ideological groupings—or any coalitions of interests for which these may serve as a pretext—can protect the legitimate rights of nations nor provide a stable foundation for their welfare and security. Any attempt either to impose or prohibit any particular political theory outside one's own frontiers is bound to embitter disputes, introduce a new element of distrust and increase discord and confusion throughout the world. It is the duty of all peace-loving nations to unite to prevent the ardor of passions resulting in outbreaks of violence.

Respect for international obligations, respect for the right of peoples to govern themselves freely—these are the necessary rules of life between nations, the rules by which the policy of France is inspired. The sincere and active collaboration of France will always be available to those who are endeavoring, in this spirit, to establish confidence and consolidate peace.

It is in the hope of assisting in the restoration of these bases of normal and pacific relations between China and Japan that we have come to the Brussels Conference and that we have associated ourselves with the invitation extended to Japan to exchange with the powers parties to the treaty of Washington the "full and frank communication" for which the treaty makes provision.

In addressing this appeal to Japan—an appeal to which China has already replied favorably—we had no other desire than to assist the two powers to settle, by amicable and effective arrangement, the conflict which now divides them. The Japanese reply raises a prob-

been, and still is, exerting her utmost to defend her political and territorial integrity and to maintain the principle of the sanctity of treaties. She has been fighting against the violation of the treaty, a violation which is against all other signatory powers as well as against China. So long as Japanese aggression persists, so long will China continue to resist. The Government and the people of China are determined to fight the aggressor to the end.

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In addressing this appeal to Japan—an appeal to which China has already replied favorably—we had no other desire than to assist the two powers to settle, by amicable and effective arrangement, the conflict which now divides them. The Japanese reply raises a prob-

lem that the Conference must consider. In any case, no solution by force could, either in law or in fact, provide a lasting adjustment of the relations between the two countries. Peace in the Far East, as elsewhere, is inseparable from respect for international law.

ADDRESS BY THE RIGHT HONORABLE ANTHONY EDEN, OF THE UNITED KINGDOM

We are meeting here in conference because the nations we represent are signatories of the Nine-power Treaty or because we have special interests in the Far East. We are all of us directly concerned with the preservation of peace in that quarter of the world, peace which is at present being violated. It would, therefore, be quite impossible for us to assent to the doctrine that the conflict which is at present raging in the Far East is a matter for China and Japan alone. A mere recollection of recent events will show how unacceptable such an attitude must be to us. Losses in lives and property have not been confined to two nations only.

Nor is this all. There is another reason for which the Government I represent were willing and indeed anxious to cooperate in this Conference at Brussels. We are signatories of the Nine-power Treaty. We believe that there is only one enduring foundation for the preservation of world peace, and that is not national ambitions with alliances or ideologies, but a respect for international law and the observance of treaties. By this means, and by this means alone, can the world escape from a further ordeal such as it passed through twenty years ago. This does not imply that we will consider no change at any time in any sphere; such an attitude would be impossible to uphold, for the world is not static. But it does imply that we must be opposed to changes brought about by force and that, if such changes continue to be attempted on whatever pretext, then civilization will proceed by stages of ever-increasing suffering to destruction.

Many of us have been conscious in recent times of the risks inherent in any attempt to base international relationships on anything else than respect for international law and for each other's institutions. I, therefore, take this occasion, when we are met together to discuss the observance of a treaty which we have signed, to repeat that it is on the basis of a respect for international law that His Majesty's Government in the United Kingdom will conduct their international policy. No other basis is acceptable to us, and no other, we are convinced, will in the end achieve the purpose we must all have at heart, preservation of world peace. We cannot accept that dislike however deep-seated, abhorrence however sincerely felt, for the form of government or the political institutions of one nation, justifies another nation in interfering by force in its internal affairs. To admit such

a principle would be to deny the right of each nation to live its own life in peace and freedom which is the prerogative of all peoples.

And now let me make some preliminary observations on the problem which confronts us in the light of the Japanese Government's reply to the communication addressed to them by this Conference. I would state emphatically that His Majesty's Government would sincerely have welcomed Japanese cooperation at this Conference. We would have been glad to hear from that country a statement of her view of the present conflict. We would readily have entered into an unprejudiced examination of the problem with Japan and with China. Japan, however, was unable to accept either the original invitation to attend the Conference or the later invitation which we addressed to her last week to appoint a representative to exchange views with a small number of powers whom the Conference would have been willing to choose for that purpose. Such an exchange of views would have been both proper, because the Nine-power Treaty provides for it, and helpful, as a means of reaching an agreed settlement in the Far East.

It remains the view of His Majesty's Government that it is in the interest of both of the powers at present waging an undeclared war that such a settlement should be found. His Majesty's Government are profoundly convinced that fruitful international relations will only result from a general acceptance of international law. A system of law has been slowly built up as a result of the efforts of almost every nation in the world. Of recent years, however, there has been a growing tendency to override that system and to attempt to achieve settlements by force. Yet it is a matter of the greatest importance to the nations who believe it to be the duty of all peoples to seek to settle disputes by peaceful means, that such a system should be upheld. Indeed this is the fundamental issue which the world has to consider today. While, therefore, the Conference will no doubt wish to state with the least possible delay its views on certain points of the Japanese Government's reply, careful consideration of the international situation created by that reply will be necessary for us all.

ADDRESS BY THE HONORABLE NORMAN H. DAVIS, OF THE
UNITED STATES OF AMERICA

Like M. Delbos and Mr. Eden, I also feel that this occasion calls for some general observations. If we do not from time to time pause in our consideration of the particular, and reiterate the principles that guide us in their relation to the general, then the impression may gain ground that our policies have less depth or purpose than is in fact the case. We are in this Conference very much concerned with

peace in one important area of the world, the Far East. It is of vital importance that peace be restored there, not merely for the two participants in the present conflict, but for the world at large. The cost in human misery is vast, and the material losses are heavy. But even greater is the loss to world confidence and the undermining of stability and security if the integrity of certain principles which we hold sacred is not preserved. Through a period of centuries, the world has developed a system of international law, which is the basis of international morality and conduct and which provides for fair dealing among nations, just as private relationships are based on codes of fair dealing among individuals. When observed, this gives a sense of security to nations, enables them to develop their own civilization in their own way, to choose the form of government they desire, and to know that they are free to solve their internal problems without the interference of outside powers. This is essential for orderly progress in the world.

International law has been written into, and is based upon, a series of international agreements and the cornerstone of progress is the observance of undertakings solemnly given and solemnly received between nations. Change is possible—more than that, it is often desirable—but is legitimate only if carried out by peaceful methods and by mutual agreement. The question we are considering, in its final analysis, is whether international relations shall be determined by arbitrary force or by law and respect for international treaties. In fact, that seems to be the greatest issue that faces the world today, and is one of the most momentous problems that mankind has been called upon to solve. As President Roosevelt expressed it the other day, "Those who cherish their freedom and recognize and respect the equal rights of their neighbors to be free and live in peace must work together for the triumph of law and moral principles in order that peace, justice, and confidence may prevail in the world." If the conception of change by violence should prevail, we would be faced by international anarchy; only the concept of respect for law and treaty will give us a world that is secure and wherein good-will and confidence can exist and in which peace can be successfully preserved. Respect for treaties, and observance of the pledged word, is the immutable foundation on which the structure of world peace can be built. If, today, I have reiterated this in simple language, it is to emphasize the conviction which is ours, that on no other basis can an equitable and lasting solution of the Sino-Japanese conflict be found and in no other way can a just peace be reestablished and be maintained in the Far East.

To come to the specific problem with which we are here immediately concerned: Japan was invited to attend the Conference, where we would have welcomed from her a full explanation of her side of the

case as to the incidents which led to the outbreak of hostilities, as well as the underlying causes of the conflict. She declined. Going one stage further, and in a desire to be considerate of every possible susceptibility, we asked Japan whether she would be disposed to depute a representative to exchange views with the representatives of a small number of powers to be chosen for that purpose by the Conference. Such an exchange of views would have taken place within the framework of the Nine-power Treaty and in conformity with its provisions; its aims would have been to throw further light on the various points under discussion and to facilitate a settlement of the conflict. Again Japan's reply is negative. Had Japan accepted, I am confident that we could have been most helpful to her as well as to China, which it was and is our most sincere desire to be.

I am convinced that the only just and durable solution would be a settlement by voluntary, peaceful agreement, which would result in good-will and confidence and in mutually beneficial commercial relations. It would, of course, have been desirable had China and Japan been able to compose their difficulties by peaceful negotiation without resort to armed conflict. Unfortunately, however, they did not do so, and their failure created a situation in which the rights and interests of other powers became involved and which has made still more difficult a peaceful and mutually acceptable settlement by direct negotiation.

From the standpoint of observance of the letter and spirit of treaties to which she voluntarily put her name, from the standpoint of her material self-interest, from the standpoint of world peace and progress and international good-will, it would seem that there are compelling reasons why Japan should cooperate in our work. We hope that Japan may still see her way clear to doing so.

ADDRESS BY MR. POTESKINE, OF THE UNION OF SOVIET SOCIALIST REPUBLICS

(Translation)

Faithful to her policy of peace, the Union of Soviet Socialist Republics is always ready to give her support to any initiative inspired by a desire to maintain peace and to prevent resort to war becoming a method for the settlement of international disputes. That is why the Soviet Government, which is particularly concerned in the maintenance of peace in the Far East, has taken part in the Brussels Conference. We are compelled to note with regret that all the efforts made by the Conference to terminate hostilities in the Far East by methods of mediation and conciliation have failed.

There is, however, no reason for abandoning the hope that peace may be restored. The Soviet Delegation is firmly convinced of the

possibility of settling the conflict on the basis of equity, respect for treaties signed and the principle of national sovereignty.

This object, however, cannot be achieved unless the joint and effective efforts of the powers concerned in the maintenance of peace in the Pacific are directed to that end. Any agreed initiative taken on this basis will have the support of the Union of Soviet Socialist Republics.

ADDRESS BY COUNT LUIGI ALDROVANDI-MARESCOTTI, OF ITALY

(Translation)

I have listened closely and with great interest to all the speeches that have been made at this meeting. I think I could agree with much that has been said concerning sincerity in the respect of treaties. It must, however, be remembered that, in connection with these treaties, there are conditions which change.

I think also that certain remarks have been made which, to me at least, seem to fall entirely outside the scope of our Conference: mention has been made of measures that might be adopted in regard to one or other of the parties to the conflict. I do not think that we are called upon to take such action. We have a very limited aim regarding which I expressed my views at the first meeting.

Adhering to the few observations I offered on that occasion I think that the question which arises is: What is there now that remains for this Conference to do?

DECLARATION OF THE CONFERENCE NOVEMBER 15, 1937

The representatives of the Union of South Africa, the United States of America, Australia, Belgium, Bolivia, Canada, China, France, the United Kingdom, India, Mexico, Netherlands, New Zealand, Portugal and the Union of Socialist Soviet Republics have drawn up the following declaration:

1° The representatives of the above-mentioned states met at Brussels, having taken cognizance of the Japanese Government's reply of November 12, 1937, to the communication addressed to the latter on November 7, 1937, observe with regret that the Japanese Government still contends that the conflict between Japan and China lies outside the scope of the Nine-power Treaty and again declines to enter into an exchange of views for the purpose of endeavoring to achieve a peaceful settlement of that conflict;

2° It is clear that the Japanese concept of the issues and interests involved in the conflict under reference is utterly different from the concept of most of the other nations and governments of the world. The Japanese Government insist that, as the conflict is between Japan and China, it concerns those two countries only. Against this, the representatives of the above-mentioned states now met at Brussels consider this conflict of concern in law to all countries party to the Nine-power Treaty of Washington of 1922 and to all countries party to the Pact of Paris of 1928, and of concern in fact to all countries members of the family of nations;

3° It cannot be denied that in the Nine-power Treaty the parties thereto affirmed it to be their desire to adopt a specified policy designed to stabilize conditions in the Far East and agreed to apply certain specified principles in their relations with China and, in China, with one another; and that in the Pact of Paris the parties agreed "that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means";

4° It cannot be denied that the present hostilities between Japan and China adversely affect not only the rights of all nations but also the material interests of nearly all nations. These hostilities have brought to some nationals of third countries death, to many nationals of third countries great peril, to property of nationals of third coun-

tries wide-spread destruction, to international communications disruption, to international trade disturbance and loss, to the peoples of all nations a sense of horror and indignation, to all the world feelings of uncertainty and apprehension;

5° The representatives of the above-mentioned states met at Brussels therefore regard these hostilities and the situation which they have brought about as matters inevitably of concern to the countries which they represent and—more—to the whole world. To them the problem appears not in terms simply of relations between two countries in the Far East but in terms of law, orderly processes, world security and world peace;

6° The Japanese Government has affirmed in its note of October 27th, to which it refers in its note of November 12th, that in employing armed force against China it was anxious to make "China renounce her present policy". The representatives of the above-mentioned states met at Brussels are moved to point out that there exists no warrant in law for the use of armed force by any country for the purpose of intervening in the internal regime of another country and that general recognition of such a right would be a permanent cause of conflict;

7° The Japanese Government contends that it should be left to Japan and China to proceed to a settlement by and between themselves alone. But, that a just and lasting settlement could be achieved by such a method cannot be believed. Japanese armed forces are present in enormous numbers on Chinese soil and have occupied large and important areas thereof. Japanese authorities have declared in substance that it is Japan's objective to destroy the will and the ability of China to resist the will and the demands of Japan. The Japanese Government affirms that it is China whose actions and attitude are in contravention of the Nine-power Treaty; yet, whereas China is engaged in full and frank discussion of the matter with the other parties to that treaty, Japan refuses to discuss it with any of them. Chinese authorities have repeatedly declared that they will not, in fact that they cannot, negotiate with Japan alone for a settlement by agreement. In these circumstances, there is no ground for any belief that, if left to themselves, Japan and China would arrive in the appreciably near future at any solution which would give promise of peace between those two countries, security for the rights and interests of other countries, and political and economic stability in the Far East. On the contrary, there is every reason to believe that if this matter were left entirely to Japan and China the armed conflict—with attendant destruction of life and property, disorder, uncertainty, instability, suffering, enmity, hatreds and disturbance, to the whole world—would continue indefinitely;

8° The Japanese Government, in their latest communication, invite the powers represented at Brussels to make a contribution to the stability of Eastern Asia in accordance with the realities of the situation;

9° In the view of the representatives of the above-mentioned states met at Brussels, the essential realities of the situation are those to which they draw attention above;

10° The representatives of the above-mentioned states met at Brussels are firmly of the belief that, for the reasons given above, a just and durable settlement is not to be expected of direct negotiations between the parties. That is why, in the communications addressed to the Japanese Government, they invited that Government to confer with them or with representatives of a small number of powers to be chosen for that purpose, in the hope that such exchange of views might lead to acceptance of their good offices and thus help towards the negotiation of a satisfactory settlement;

11° They still believe that if the parties to the conflict would agree to a cessation of hostilities in order to give an opportunity for such a procedure to be tried, success might be achieved. The Chinese Delegation has intimated its readiness to fall in with this procedure. The representatives of the states met at Brussels find it difficult to understand Japan's persistent refusal to discuss such a method;

12° Though hoping that Japan will not adhere to her refusal the above-mentioned states represented at Brussels must consider what is to be their common attitude in a situation where one party to an international treaty maintains against the views of all the other parties that the action which it has taken does not come within the scope of that treaty and sets aside provisions of the treaty which the other parties hold to be operative in the circumstances.

The representative of Sweden made the following statement:

No one can regret more deeply than does the Swedish Government the fact that the Conference's efforts at mediation have so far remained without result. Having to take note of this fact, my Government, which adheres to the principles of the declaration but which does not possess the same political interests in the Far East as certain other powers, feels that it is its duty to abstain from voting for this text.

The representative of Norway made the following statement:

The Norwegian Government accepted the invitation to this Conference in the desire thereby to contribute if possible to a settlement of the conflict in the Far East by peaceful mediation.

Nobody deplotes more than my Government that the efforts of the Conference towards such mediation have hitherto been fruitless.

I am quite in accord with the principles underlying the declaration before us and venture to express the hope that it may still prove possible to obtain through mediation a settlement on the basis of those principles.

Referring, however, to my previous declaration made on the 13th instant, I find it proper to abstain from voting.

tries wide-spread destruction, to international communications disruption, to international trade disturbance and loss, to the peoples of all nations a sense of horror and indignation, to all the world feelings of uncertainty and apprehension;

5° The representatives of the above-mentioned states met at Brussels therefore regard these hostilities and the situation which they have brought about as matters inevitably of concern to the countries which they represent and—more—to the whole world. To them the problem appears not in terms simply of relations between two countries in the Far East but in terms of law, orderly processes, world security and world peace;

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7° The Japanese Government contends that it should be left to Japan and China to proceed to a settlement by and between themselves alone. But, that a just and lasting settlement could be achieved by such a method cannot be believed. Japanese armed forces are present in enormous numbers on Chinese soil and have occupied large and important areas thereof. Japanese authorities have declared in substance that it is Japan's objective to destroy the will and the ability of China to resist the will and the demands of Japan. The Japanese Government affirms that it is China whose actions and attitude are in contravention of the Nine-power Treaty; yet, whereas China is engaged in full and frank discussion of the matter with the other parties to that treaty, Japan refuses to discuss it with any of them. Chinese authorities have repeatedly declared that they will not, in fact that they cannot, negotiate with Japan alone for a settlement by agreement. In these circumstances, there is no ground for any belief that, if left to themselves, Japan and China would arrive in the appreciably near future at any solution which would give promise of peace between those two countries, security for the rights and interests of other countries, and political and economic stability in the Far East. On the contrary, there is every reason to believe that if this matter were left entirely to Japan and China the armed conflict—with attendant destruction of life and property, disorder, uncertainty, instability, suffering, enmity, hatreds and disturbance, to the whole world—would continue indefinitely;

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9° In the view of the representatives of the above-mentioned states met at Brussels, the essential realities of the situation are those to which they draw attention above;

10° The representatives of the above-mentioned states met at Brussels are firmly of the belief that, for the reasons given above, a just and durable settlement is not to be expected of direct negotiations between the parties. That is why, in the communications addressed to the Japanese Government, they invited that Government to confer with them or with representatives of a small number of powers to be chosen for that purpose, in the hope that such exchange of views might lead to acceptance of their good offices and thus help towards the negotiation of a satisfactory settlement;

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12° Though hoping that Japan will not adhere to her refusal the above-mentioned states represented at Brussels must consider what is to be their common attitude in a situation where one party to an international treaty maintains against the views of all the other parties that the action which it has taken does not come within the scope of that treaty and sets aside provisions of the treaty which the other parties hold to be operative in the circumstances.

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The representative of Norway made the following statement:

The Norwegian Government accepted the invitation to this Conference in the desire thereby to contribute if possible to a settlement of the conflict in the Far East by peaceful mediation.

Nobody deplores more than my Government that the efforts of the Conference towards such mediation have hitherto been fruitless.

I am quite in accord with the principles underlying the declaration before us and venture to express the hope that it may still prove possible to obtain through mediation a settlement on the basis of those principles.

Referring, however, to my previous declaration made on the 13th instant, I find it proper to abstain from voting.

The representative of Denmark made the following statement:

I should like to associate myself with the statements just made by my colleagues from Sweden and Norway. Also my country deplores that the efforts for mediation have hitherto not met with success, and I fully share the hope that through means of mediation it may still be possible to obtain some results. For similar reasons as those given by my Scandinavian colleagues, also I think it proper to abstain from voting on the text of this declaration, while fully in accord with the principles laid down therein.

The representative of Italy made the following statement:

Italy considers the declaration before us as a door open not towards the settlement of the conflict, but rather towards the most serious complications.

Italy does not intend to assume the responsibilities that might devolve therefrom, and she therefore expresses her definitely contrary vote, whilst reserving her attitude as regards all that concerns the subsequent phases of the dispute.

STATEMENTS MADE AT THE CLOSING MEETING OF THE CONFERENCE, NOVEMBER 24, 1937

STATEMENT BY HIS EXCELLENCY DR. V. K. WELLINGTON KOO,
OF CHINA

The Chinese Delegation notes that the revised text of the draft declaration contains a number of modifications and clarifications of the original text. The new draft, like the old one, reaffirms certain general principles which China has always accepted. But in view of the continued raging of the hostilities in the Far East, the Chinese Delegation believes that a mere reaffirmation of these principles cannot be considered as a satisfactory result of the Conference, because it is not adequate to deal effectively with the grave situation.

The Chinese Delegation regrets that the suggestions which it made to the Conference, particularly at the meeting on November 22d, with a view to the adoption of certain positive and concrete measures, have not been considered by the Conference. For the reasons which it explained in its statements before the Conference on November 13th and 22d, the Chinese Delegation holds that such common action is indispensable in any effort to restrain the Japanese aggression and hasten the restoration of peace in the Far East.

The Chinese Delegation notes that the suspension of the sittings of the Conference is to be only temporary and deemed advisable in order to allow time for participating governments to exchange views and further explore all peaceful methods by which a just settlement of the dispute may be attained consistently with the principles of the Nine-power Treaty and in conformity with the objectives of that treaty. As regards such further exploration by participating governments, the Chinese Delegation cannot refrain from expressing its conviction that, in order to make this additional effort successful, it is not only essential that such effort should be made actively and promptly but that it is also indispensable to consider at the same time the necessity of common action in the form of positive aid to China and restrictive measures against the aggressor.

While prepared to accept the declaration in the spirit of solidarity, the Chinese Delegation requests the Conference to take note of this statement and attach it to the declaration of the Conference.

STATEMENT BY COUNT LUIGI ALDROVANDI-MARESCOTTI,
OF ITALY

(Translation)

At the very first meeting I expressed doubts as to the utility of the present Conference. My doubts have proved to be well founded. Therefore nobody can find more natural than I do the adjournment of the Conference. I should even find its dissolution natural. I therefore declare myself favorable to the adjournment as proposed. At the same time I declare that I do not accept the arguments put forward in the document in question, and therefore I cannot give my vote in favor of its adoption.

STATEMENT BY THE HONORABLE NORMAN H. DAVIS, OF THE
UNITED STATES OF AMERICA

Before recessing, Mr. President, I desire to express a word of appreciation not only for the hospitality shown by the Belgian Government during this Conference but for the many courtesies that we have all received at your hands. May I say, Sir, that I have rarely seen sessions presided over with so much clarity and tact as has been shown by yourself.

I also wish to refer to one point which appears in our declaration and which I feel should be particularly emphasized, namely, that this recess does not in any sense signify that the problem we have been considering is to be dropped, or that our interest in its solution is to be in any way lessened.

The fact that we have been unable, thus far, to bring about negotiations looking to a peaceful settlement by agreement of the Sino-Japanese conflict in no way diminishes our interest and our concern. On the contrary, it makes it all the more important to continue earnestly and actively to seek every possible peaceful means for hastening a cessation of hostilities and bringing about a constructive settlement.

For myself, I may say that with this end in view, I am returning home for consultation with my Government.

Those who may be discouraged and impatient over the delay in achieving the objectives sought, should realize that we are not now ending the Nine-power Conference. We are merely going into a recess. Nothing has been lost and much has been gained through the fact of our having assembled, of having engaged in an exchange of views and having exerted the efforts thus far made. We are dealing here not with a new problem, but with a new development in a situation which over many years has given rise to many perplexities—a situation which is of concern to many different powers, each of which has its own sum total of preoccupations—a situation in which a great variety of interests are involved. On the basis of our exchanges of

views, each of our respective Governments will have a more accurate understanding of the problem which confronts us in common and of those features of that problem which are of immediate and peculiar concern to it. Each and all of the Governments here represented will be able to proceed with the further shaping of policies in relation to the Far Eastern situation in the light of more complete knowledge of the difficulties and possibilities involved than were possessed by any of us before the Conference began. We have put on record and have made available to the world affirmations of a common view and declarations of a common attitude. We have enunciated fundamental principles which, in their relations with one another, should contribute substantially toward molding a sound and helpful world opinion and official thought.

STATEMENT BY VISCOUNT CRANBORNE, OF THE UNITED KINGDOM

I should like to associate His Majesty's Government in the United Kingdom with the thanks that have been tendered by the representative of the United States to the Belgian Government for their kind hospitality, and in particular to our President, Mr. Spaak. This is perhaps not the usual moment to do so, for the Conference is not coming to an end, but is merely temporarily suspending its sessions. At the same time, we are so deeply indebted to Mr. Spaak for his courtesy, his patience, his good judgment, and the firm yet kindly control which he has exercised over our labors, that I feel we could hardly separate without expressing our deep gratitude.

I should like to express the agreement of His Majesty's Government in the United Kingdom with what has been said by Mr. Norman Davis in summing up the results of our work to date. The Conference has heard today the words of the representative of China. He has explained how far the results have fallen short of his hopes. Let me assure him that we are fully conscious of this. We are not unmindful of the situation that he has so clearly and so temperately put before us. At the same time, I am sure that he too appreciates the conditions in which this Conference has met and in which its deliberations have been carried on. Given those conditions, I think that there will be few of the delegates assembled here who have taken part in deliberations of this Conference, who will not share the view expressed by Mr. Norman Davis that the conclusions incorporated in the declaration which has just been passed are those which alone could practically have been reached at this stage of our work.

The declaration itself emphasizes our necessarily continuing interest in the peace of the Far East and the governments assembled here will keep in the closest touch during our recess with a view to taking advantage of any opportunity that may occur of advancing the objects

for which we have met. So far as His Majesty's Government are concerned, this remains their constant aim and they will be glad to associate themselves with any of the other powers assembled here to bring it to fruition.

STATEMENT BY MR. FRANÇOIS DE TESSAN, OF FRANCE

(Translation)

Naturally my first words, like those of Mr. Norman Davis and Lord Cranborne, will be an expression of thanks to the Belgian Government for its most cordial hospitality, and to the President of this Conference who has given us one more proof of his distinguished statesmanship.

Every effort to secure peace, even if it does not achieve the desired results, is a highly commendable act in itself. An experiment giving apparently negative results may sometimes make it possible to gauge and circumscribe inherent difficulties and so encourage us to persevere in our endeavor.

As long as the problem remains unsolved, we must exert every effort to reestablish normal conditions around the Pacific. As Mr. Norman Davis has said, although the Brussels Conference may be suspending its meetings, the nations represented here are still bound to continue their efforts, to keep in touch with one another and thus discover the most effective approach to peace.

The feeling, which has developed during our meetings, that we have a common task proves that we are agreed on the principles of conciliation, the application of treaties, and our joint duty towards humanity. The document submitted to you for your approval not only expresses but unifies our determination.

Since our discussions will now be discontinued for a time, the French Delegation, fully aware of its responsibilities and admitting its regret that the Conference's action has not led to more immediate success, earnestly hopes that a fair and lasting settlement will be reached as soon as possible. It continues to hope that all the powers interested in peace will be able eventually to fulfil the mission assigned to them under the Nine-power Treaty.

We sympathize most deeply with China in her present trials which we trust will soon cease. France, for her part, faithful to the terms of this Conference's mandate, will associate herself with all efforts that may be made to shorten and settle, in conformity with justice, the conflict which is raging in the Far East.

STATEMENT BY THE HONORABLE RAOUL DANDURAND,
OF CANADA

Mr. President, at the end of this first phase of our work I feel it my duty as the oldest delegate present at this Conference to express to

His Majesty, on behalf of all the delegations here assembled, our feelings of gratitude for the gracious interest he has taken in our work.

I also wish to offer our sincerest thanks to the Belgian Government for having consented to undertake the organization of this Conference, for the cordiality of its welcome and for the many attentions that it has bestowed upon us.

Finally, addressing myself to our President, I desire to assure him of our great gratitude, and our admiration of the manner in which he has directed our efforts in the difficult task we have undertaken. His authority, his art of accurate understanding, and the rapidity of his decisions have been of inestimable value. I must also mention that magnificent vitality which has enabled him, when he was so fully occupied elsewhere, to make us feel that he was, with his unflinching good humor, devoting himself exclusively to us.

I would beg him to be good enough to convey to his collaborators, the members of the General Secretariat, our congratulations on the effective aid that we have constantly received from them.

STATEMENT BY MR. W. J. JORDAN, OF NEW ZEALAND

The New Zealand Delegation endorses all that has been said regarding your chairmanship, Sir, and the hospitality of your country. Your tact, patience and outstanding statesmanship have impressed us all. We thank you, Sir. We could express at some length our disappointment at the failure of this Conference to bring about a cessation of hostilities. Notwithstanding the Nine-power Treaty Conference, China is still the victim of aggression, her people, including non-combatants, are still suffering death at the hands of invading armies. We will leave it at that. May I also express to Dr. Wellington Koo our sympathy with his bereaved people and my personal admiration for the faithful and able manner in which he has stated the case for his country?

STATEMENT BY COUNT LUIGI ALDROVANDI-MARESCOTTI, OF ITALY

(Translation)

I desire whole-heartedly to associate myself with the sentiments that have been expressed with regard to the Belgian Government and with regard to our President, Mr. Spaak.

STATEMENT BY HIS EXCELLENCY DR. V. K. WELLINGTON KOO, OF CHINA

I think the Chinese Delegation would be untrue to its sentiments if it did not take this opportunity to associate itself with the words of

appreciation and gratitude for the hospitality of the Belgian Government and also for the distinguished manner in which you, Mr. President, have presided over the proceedings of the Conference with such marked skill and eminent impartiality. I wish at the same time to take this occasion to express the thanks of our Delegation to the New Zealand Delegation, particularly, for the kind words of its distinguished representative here, and to all the other delegations for the time and labor which they have devoted to this problem in the Far East, which is of vital importance to my country, as well as to world peace.

Although the results of the Conference, from our point of view, have not been satisfactory, we know that the world has centered its interest on the proceedings of the last three weeks. Therefore I wish, in this connection, to raise a question which is really of more or less a routine character for all international conferences—I mean the question of publicity. I know that the report which has been adopted will be published in the Press, but I ask, Mr. President, whether it would not be possible, in order to increase its authoritativeness, for a copy to be sent by the Secretary General of the Conference to all the governments of the world, not as a formal report of the Conference submitted to the governments for their consideration, but for the purpose of authentic information.

STATEMENT BY THE HONORABLE NORMAN H. DAVIS, OF THE UNITED STATES OF AMERICA

This Conference has accentuated the fact during our sessions that the specific problem with which we have been dealing is a matter which does concern the entire world, and as the issues involved are of particular interest to all the world, it seems to me that Mr. Koo's suggestion, that the result of our work here, this report, might well be communicated to all the governments of the world for their information, is a good one.

CLOSING REMARKS BY THE PRESIDENT OF THE CONFERENCE, HIS EXCELLENCY PAUL-HENRI SPAAK, OF BELGIUM

(Translation)

Before I declare this meeting closed I wish to tell you how deeply I have been moved by the eulogies of our venerable *doyen* and the heads of other delegations—eulogies too kind as regards Belgium and her Government, and certainly too generous as regards myself.

My work has been made easy by your unfailing courtesy, for which I thank you sincerely.

I do not think that I should be departing from our self-imposed rule of impartiality were I to thank the Chinese Delegation in particular for

the spirit of moderation and conciliation which it has invariably shown throughout this session, in spite of the tragedy in which its country has been plunged. I desire to pay a very special tribute to its distinguished head, Dr. Wellington Koo.

Dr. Wellington Koo has told us that he will leave the Conference with a feeling of some disappointment. This disappointment is doubtless shared by many of us who realize that we have not accomplished the mission assigned to us of restoring peace in the Far East by friendly methods.

We are somewhat disappointed, but we are not discouraged. The words spoken here by Mr. Norman Davis, by Lord Cranborne and M. de Tesson show that nobody intends to abandon effort. It is, in fact, encouraging to think that the representatives of countries with a total population of many million inhabitants have agreed to affirm certain great principles and that they are determined to remain faithful to these principles: love of peace and respect for treaties.

Let us not be discouraged therefore; let us continue our effort. Personally I still have confidence and faith; I am sure that the principles you have asserted will triumph in the end.

DECLARATION OF THE CONFERENCE NOVEMBER 24, 1937

1° The Nine-power Treaty is a conspicuous example of numerous international instruments by which the nations of the world enunciate certain principles and accept certain self-denying rules in their conduct with each other, solemnly undertaking to respect the sovereignty of other nations, to refrain from seeking political or economic domination of other nations, and to abstain from interference in their internal affairs.

2° These international instruments constitute a framework within which international security and international peace are intended to be safeguarded without resort to arms and within which international relationships should subsist on the basis of mutual trust, good-will, and beneficial trade and financial relations.

3° It must be recognized that whenever armed force is employed in disregard of these principles the whole structure of international relations based upon the safeguards provided by treaties is disturbed. Nations are then compelled to seek security in ever-increasing armaments. There is created everywhere a feeling of uncertainty and insecurity. The validity of these principles cannot be destroyed by force, their universal applicability cannot be denied, and their indispensability to civilization and progress cannot be gainsaid.

4° It was in accordance with these principles that this Conference was called in Brussels for the purpose, as set forth in the terms of the invitation issued by the Belgian Government, "of examining, in accordance with article VII of the Nine-power Treaty, the situation in the Far East and to consider friendly methods for hastening the end of the regrettable conflict now taking place there".

5° Since its opening session on November 3d the Conference has continuously striven to promote conciliation and has endeavored to secure the cooperation of the Japanese Government in the hope of arresting hostilities and bringing about a settlement.

6° The Conference is convinced that force by itself can provide no just and lasting solution for disputes between nations. It continues to believe that it would be to the immediate and the ultimate interest of both parties to the present dispute to avail themselves of the assistance of others in an effort to bring hostilities to an early end as a necessary preliminary to the achievement of a general and lasting settlement.

it further believes that a satisfactory settlement cannot be achieved by direct negotiation between the parties to the conflict alone, and that only by consultation with other powers principally concerned can there be achieved an agreement the terms of which will be just, generally acceptable and likely to endure.

7° This Conference strongly reaffirms the principles of the Nine-power Treaty as being among the basic principles which are essential to world peace and orderly progressive development of national and international life.

8° The Conference believes that a prompt suspension of hostilities in the Far East would be in the best interests not only of China and Japan but of all nations. With each day's continuance of the conflict the loss in lives and property increases and the ultimate solution of the conflict becomes more difficult.

9° The Conference therefore strongly urges that hostilities be suspended and resort be had to peaceful processes.

10° The Conference believes that no possible step to bring about by peaceful processes a just settlement of the conflict should be overlooked or omitted.

11° In order to allow time for participating governments to exchange views and further explore all peaceful methods by which a just settlement of the dispute may be attained consistently with the principles of the Nine-power Treaty and in conformity with the objectives of that treaty, the Conference deems it advisable temporarily to suspend its sittings. The conflict in the Far East remains, however, a matter of concern to all of the powers assembled at Brussels—by virtue of commitments in the Nine-power Treaty or of special interest in the Far East—and especially to those most immediately and directly affected by conditions and events in the Far East. Those of them that are parties to the Nine-power Treaty have expressly adopted a policy designed to stabilize conditions in the Far East and, to that end, are bound by the provisions of that treaty, outstanding among which are those of articles I and VII.

12° The Conference will be called together again whenever its Chairman or any two of its members shall have reported that they consider that its deliberations can be advantageously resumed.

REPORT OF THE CONFERENCE

DATED NOVEMBER 24, 1937

1. The Conference at Brussels was assembled pursuant to an invitation extended by the Belgian Government at the request of His Majesty's Government in the United Kingdom with the approval of the American Government. It held its opening session on November 3rd, 1937. The Conference has now reached a point at which it appears desirable to record the essential phases of its work.

2. In the winter of 1921-22 there were signed at Washington a group of interrelated treaties and agreements of which the Nine-power Treaty regarding principles and policies to be followed in matters concerning China constituted one of the most important units. These treaties and agreements were the result of careful deliberation and were entered upon freely. They were designed primarily to bring about conditions of stability and security in the Pacific area.

The Nine-power Treaty stipulates in article I that—

The Contracting Powers, other than China, agree:

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

Under and in the light of these undertakings and of the provisions contained in the other treaties, the situation in the Pacific area was for a decade characterized by a substantial measure of stability, with considerable progress toward the other objectives envisaged in the treaties. In recent years there have come a series of conflicts between Japan and China, and these conflicts have culminated in the hostilities now in progress.

3. The Conference at Brussels was called for the purpose, as set forth in the terms of the invitation, "of examining in accordance with article VII of the Nine-power Treaty, the situation in the Far East and to consider friendly, peaceable methods for hastening the end of

the regrettable conflict now taking place there". With the exception of Japan, all of the signatories and adherents to the Nine-power Treaty of February 6, 1922, accepted the invitation and sent representatives to Brussels, for the purpose stated in the invitation.

4. The Chinese Government, attending the Conference and participating in its deliberations, has communicated with the other parties to the Nine-power Treaty in conformity with article VII of that treaty. It has stated here that its present military operations are purely in resistance to armed invasion of China by Japan. It has declared its willingness to accept a peace based upon the principles of the Nine-power Treaty and to collaborate whole-heartedly with the other powers in support of the principle of the sanctity of treaties.

5. The Japanese Government, in replying with regret that it was not able to accept the invitation to the Conference, affirmed that "The action of Japan in China is a measure of self-defense which she has been compelled to take in the face of China's fierce anti-Japanese policy and practice, and especially by her provocative action in resorting to force of arms; and consequently it lies, as has been declared already by the Imperial Government, outside the purview of the Nine-power Treaty"; and advanced the view that an attempt to seek a solution at a gathering of so many powers "would only serve to complicate the situation still further and to put serious obstacles in the path of a just and proper solution".

6. On November 7, 1937, the Conference sent, through the Belgian Government, to the Japanese Government, a communication in the course of which the Conference inquired whether the Japanese Government would be willing to depute a representative or representatives to exchange views with representatives of a small number of powers to be chosen for that purpose, the exchange of views to take place within the framework of the Nine-power Treaty and in conformity with the provisions of that treaty, toward throwing further light on points of difference and facilitating a settlement of the Sino-Japanese conflict. In that communication the representatives of the states met at Brussels expressed their earnest desire that peaceful settlement be achieved.

7. To that communication the Japanese Government replied in a communication of November 12, 1937, stating that it could not do otherwise than maintain its previously expressed point of view that the present action of Japan in her relations with China was a measure of self-defense and did not come within the scope of the Nine-power Treaty; that only an effort between the two parties would constitute a means of securing the most just and the most equitable settlement, and that the intervention of a collective organ such as the Conference would merely excite public opinion in the two countries and make it more difficult to reach a solution satisfactory to all.

8. On November 15 the Conference adopted a declaration in the course of which it affirmed that the representatives of the Union of South Africa, the United States of America, Australia, Belgium, Bolivia, Canada, China, France, the United Kingdom, India, Mexico, Netherlands, New Zealand, Portugal and the Union of Socialist Soviet Republics “. . . consider this conflict of concern in law to all countries party to the Nine-power Treaty of Washington of 1922 and to all countries party to the Pact of Paris of 1928, and of concern in fact to all countries members of the family of nations”.

9. In the presence of this difference between the views of the Conference and of the Japanese Government there now appears to be no opportunity at this time for the Conference to carry out its terms of reference in so far as they relate to entering into discussions with Japan towards bringing about peace by agreement. The Conference therefore is concluding this phase of its work and at this moment of going into recess adopts a further declaration of its views.

10. The text of the communication sent to the Japanese Government on November 7th, 1937, reads as follows: [For text, see *ante*, p. 51.]

11. The text of the declaration adopted by the Conference on November 15, 1937, reads as follows: [For text, see *ante*, p. 65.]

12. The text of the declaration adopted by the Conference on November 24, 1937, reads as follows:

[The report ends with the declaration of the Conference of November 24, 1937; for text of the declaration, see *ante*, p. 76.]

STATEMENT TO THE PRESS, MADE BY THE HONORABLE NORMAN H. DAVIS, AMERICAN DELEGATE, UPON ARRIVAL IN NEW YORK, DECEMBER 11, 1937

The Conference which has been in session in Brussels, Belgium, under the Nine-power Treaty, is taking a recess. The American Delegation has come home to report.

The objective of this Conference has been to examine the situation in the Far East and seek a method of bringing to an end by peaceful means the Chino-Japanese conflict. The United States is participating because it is a signatory to the Nine-power Treaty and because it is deemed important that this country participate in any appropriate common effort to effect a peaceful settlement of that conflict.

Although the Conference has not thus far achieved its main objective, it has nevertheless accomplished a number of useful things. It has made clear the issues involved in the conflict which it has under consideration. In its formal declarations, sixteen nations have affirmed their views that war arising in any part of the world directly affects and is of concern to all nations and have reaffirmed their adherence to the principles of the Nine-power Treaty. It has emphatically reiterated fundamental principles which should govern international relations, which are essential for a just settlement in the Far East and which in the long run must prevail.

The fact that the Conference has not thus far found a method for bringing about peace in the Far East by no means disposes of that problem or brings to an end the effort of the Conference. On the contrary, nations whose interests, treaty rights and obligations are affected thereby will continue to concern themselves with that problem until it is solved constructively.

Accordingly, the governments participating in the Conference will, during the recess, exchange views and further explore all peaceful methods by which a just settlement of the conflict may be attained consistently with the principles of the Nine-power Treaty and in conformity with the objectives of that treaty.

THE ACHIEVEMENTS OF THE CONFERENCE

STATEMENT MADE TO THE SECRETARY OF STATE BY THE
HONORABLE NORMAN H. DAVIS, AMERICAN DELEGATE,
DECEMBER 16, 1937

The outstanding achievements of the Conference were as follows:

1. Exchanging of views, among nineteen governments, enabling the delegates of each—and through them their governments—to obtain knowledge of the attitude and position of the others;
2. Demonstration of the unwillingness of Japan to resort to methods of conciliation;
3. Clarification of the fact that the Japanese continue to insist that the issues between Japan and China are exclusive to those two countries whereas the Conference powers, with the exception of Italy, deny this and affirm that the situation is of concern to all of them and in fact to all members of the family of nations;
4. Express reaffirmation by the Conference powers, with the exception of Italy, of the principles of the Nine-power Treaty;
5. Express serving of notice that the settlement ultimately arrived at must be consistent with the principles of the Nine-power Treaty and satisfactory to the Conference powers;
6. Express serving of notice that the Conference powers will continue to concern themselves with the situation and that the Conference is not ended but is in recess and is subject to reconvoation.

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5. Express serving of notice that the settlement ultimately arrived at must be consistent with the principles of the Nine-power Treaty and satisfactory to the Conference powers;
6. Express serving of notice that the Conference powers will continue to concern themselves with the situation and that the Conference is not ended but is in recess and is subject to reconvoation.

EXHIBIT NO. 64

「一九四五（昭和二十年）八月九日ソヴェト政府ヨリ日本政府ニ對シ爲サレタル宣言。一九四五（昭和二十年）八月九日ブラウダ機捕獲」

日本政府ニ對スルソヴェト政府宣言

八月九日ソヴェト社管委員長和國聯邦外務人民委員 V. M. モロトフハソヴェト政府ヲ代表シテ日米大使佐藤氏ヲ招致シ次ノ真摯ヲ爲シ之ヲ日本政府ニ傳達方ヲ彼ニ依頼シタ。

「ヒットラードイツノ敗退、降伏ノ後、復讐ヲ繼續セントスル唯一ノ強國ハ日本ダケデアル。

「日本ハ今年七月二十六日三六國即チアメリカ合衆國、大英帝國及支那ヨリ提出シタル日本軍兵ノ無條件降伏要求ヲ拒絶シタ。斯クテ極東ニ於ケル戰爭ノ制導長官ヲ内務トスル日本政府ノソヴェト聯邦ニ對スル提議ハ一切ノ根據ヲ喪ツテ居ル。

「日本ガ降伏ヲ拒絶シタ事實ヲ考慮シ聯合國ハソヴェト政府ニ對シ日本ノ侵略ニ對スル戰爭ニ參加シ斯クテ戰爭ヲ終結セシムルニ必要ナ時期ヲ、遺憾ナク、機運者ノ數ヲ減少セシメ、而シテ世界平和ノ基ヲ築キル克復ニ提議セシコトヲ提議シタ。ソヴェト政府ハ其提議ノ趣旨ヲ正確ト認メ聯合國ニ依

Page 232 P2

リ篇サレタル提議ヲ賛成シ、今年七月二十六日ノ

聯合宣言ニ加入シタ。

一、ソヴィエト政府ハ新カル政策ハ平和ノ苛求ヲ

絶メ国民ヲ之以上ノ犠牲ト苦難トヨリ敬ヒ、且ツ

ドイツガ無條件降伏ヲ強要ソクル後ドイツ國ノ蒙

リタル種キ危險ト被テラ進ケムベキ機會ヲ日

本ニ具ヘル唯一ノ道ナリト信スル。上述ノ根據ニ

基キソヴィエト政府ハ協日議チ八月九日ヨリソヴィ

エト協約ガ日本ニ對シ何等快意ニ入ルコトヲ認

ムル旨ヲ宣言スル。一九四五年（昭和二十年）八

月八日、

V. M. ロトフハ又佐藤氏ニ對シ東京陸軍省ソヴィ

エト大使 Y. A. マリクハ同時ニソヴィエト政

府ノ本宣言ヲ日本政府ニ手交スルコトヲ告ゲタ。

日本大使佐藤氏ハソヴィエト政府ノ宣言ヲ日本

政府ニ傳達スル事ヲ認メタ。

上掲各報載事蹟詳述以テ

本載一V. タルコフ一ハ得表電國語ニ精通シ居

ルモノニソナリ類ハ原本ヨリ撰定シテソヴィエト

ノ正確且ツ確實ナル陳述ナルコトヲ著ニ證シタ。

V. タルコフ（姓名）

E 464

Doc. No. 232

(From the declaration made by the Soviet Government to the Government of Japan on August 8, 1945, the "Pravda" August 9, 1945.)

DECLARATION OF THE SOVIET GOVERNMENT TO THE GOVERNMENT OF
JAPAN

On August 8, V.M. Molotov, the People's Commissar for Foreign Affairs of the USSR, received Mr. SATO, the Japanese Ambassador, and on behalf of the Soviet Government made the following statement to him to be communicated to the Government of Japan:

"After the rout and capitulation of the Hitlerite Germany, Japan is the only great power which is still for the continuation of the war.

"The demand of the unconditional surrender of the Japanese Armed Forces made by the Three Powers - the United States of America, Great Britain and China - on July 26, this year was declined by Japan. Thus the proposal made by the Japanese Government to the Soviet Union containing the request of mediation in the war in the Far East loses all ground.

"Taking into consideration the fact that Japan refused to surrender, the Allied Powers made a proposal to the Soviet Government to join the war against the Japanese aggression and thus to shorten the period of time necessary to end the war, to reduce the number of victims, and to contribute to the speedy restoration of peace in the world. True to the allied cause, the Soviet Government accepted the proposal made by the Allied Powers and joined the declaration of the Allied Powers made on July 26, this year.

"The Soviet Government believes that such a policy of its is the only way to bring nearer the advent of peace, to free the nations from further sacrifices and sufferings, and to give a chance to the Japanese people to avoid those dangers and damages, which were suffered by Germany, after she had declined the unconditional capitulation. On the basis of the above said, the Soviet Government declares, that from tomorrow, i.e., August 9, the Soviet Union will consider herself to be in a state of war against Japan. August 8, 1945"

V.M. Molotov also told Mr. SATO that simultaneously the Soviet Ambassador in Tokyo, Y. A. Malik, would hand the present declaration of the Soviet Government to the Japanese Government.

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Page 2.

Mr. SATO, the Japanese Ambassador, promised to communicate the declaration of the Soviet Government to the Japanese Government.

CERTIFICATE OF TRANSLATION OF
EXCERPTS OF THE ABOVE DOCUMENT

I. V. TARKHOV, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated excerpts of the above Document.

(Sgd) V. Tarkhov

帝國政府ハ東洋ノ平和ヲ確保シ延イテ世界ノ平
 和ニ貢獻セントスル爲メ是ガ各國間ノ平和
 安寧ヲ企圖スルハ其ノ使命ト其ノ義務ヲ同
 シウスルコトヲ認メ過去十有三年ニ亘リ原野
 間トシテ又常任理事國トシテ此ノ崇高ナル目的
 ノ達成ニ協力シ來リタルヲ欣快トスルモノナリ
 而シテ其ノ同僚國ガ皆ニ他ノ如何ナル國ニモ劣
 ラザル熱誠ヲ以テ聯盟ノ事業ニ參與セルハ際ト
 シテ勇カスベカラザル事際ナルト同時ニ帝國政
 府ハ現下ニ際在會ノ情勢ニ俟ミ世界諸地方ニ於
 ケル平和ノ維持ヲ計ランガ爲ニハ此等各地方ノ
 現行ノ政策ニ對シテ其種別ノ適用ヲ行フヲ要
 シ且新ノ如キ公正ナル方針ニ取リ初テ豫見ガキ
 ノ使命ヲ全クシ其ノ利益ノ實現ヲ期シ望ムベキヲ
 確信セリ
 昭和六年九月日支事件ノ閉付託ヲ見ルヤ帝國
 政府ハ終始右確信ニ基キ聯盟ノ機會ヲ得ル
 機會ニ於テ聯盟ガ本事件ヲ處理スルニ公正妥當
 ナル方法ヲ以テシ眞ニ東洋平和ノ増進ニ寄與ス
 ルト共ニ其ノ設備ヲ準備セシガ爲ニハ同方面ニ
 於ケル現行ノ政策ヲ酌量ニ施シ其種別ニ適用
 シテ現行ノ適用ヲ爲スノ所要ナルヲ認メシ中

帝國政府ハ東洋ノ平和ヲ確保シ延イテ世界ノ平
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 ノ達成ニ力ヲ來リタルヲ欣快トスルモノナリ
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 政府ハ始終右確信ニ依リ聯盟ノ聯合體其ノ他ノ
 諸國ニ於テ聯盟ガ本事件ヲ處理スルニ公正妥當
 ナル方法ヲ以テシ得ニ東洋平和ノ増進ニ寄與ス
 ルト共ニ其ノ義務ヲ盡シ得ルニハ同方面ニ
 於ケル現守ノ義務ヲ負ヒ得ルニ對シ該義務ニ對シ
 シテ其義務ノ選用ヲ爲スノ所要ナルヲ聯盟ノ中

支那が完全ナル統一國家ニ非スシテ其ノ國內事情
 及實際關係ハ複雜ナルヲ認メ、例有ノ條暴徒
 ニ當メルコト、從テ一様關係ノ形跡タル國
 法ノ原則及償債ハ支那ニ付テハ之方責任ニ付シ
 若シキ候長ヲ加ヘラレテ其ノ結果ニ特殊且異例ナ
 ル關係履行成立シ居レルコトヲ考慮ニ入ルルノ例
 對ニ必妥ナル努力ヲ説調シ來レリ
 然ルニ過去十七個月間、歐戰ニ於ケル歐戰ノ影響ニ
 從スルニ多量ノ賠償ハ東洋ニ於ケル歐戰ノ影響ヲ
 抑止セザルカ又ハ之ニ直前シテ正當ナル賠償ヲ給
 ハザルノミナラス、賠償請求ノ他ノ賠償條及國際
 法ノ原則ノ違反殊ニ其ノ解釋ニ付テハ此等
 諸事トノ間ニ重大ナル意見ノ相違アルコト取
 ナレリ、其ノ結果本年二月二十四日歐戰停戦ノ採擧
 セル報告書ハ東洋ノ平和ヲ確保セントスル
 外何等獎勵ナキノ條ヲ認ミザルト同時に、東洋ノ
 穩定及之ニ對シテ之ヲ維持シテ其ノ結果ニ照リ當中
 九月十八日停戦時及之ノ後ニ於ケル日本軍ノ行
 動ヲ以テ其ノ責任ニ非スト償還シ又賠償前
 ノ賠償條及賠償ニ於ケル其ノ責任ノ履行が支那
 ノ責任ニ付スラ、賠償シテ其ノ賠償ノ結果ニ於ケル
 紛糾ノ理ヲ作レル一方、東洋ノ統一ノ關係ヲ無視シ
 且、其ノ承認セル結果ノ立場ヲ考慮シ、東洋ニ於ケ

ル平和安定ノ基礎ヲ破壊セントスルモノナリ
 ニ其ノ報告中ニ添ゲラレタル條件ガ東洋ノ實情
 確保ニ何等貢獻シ得ザルハ本年二月二十五日
 印政府陳述書ニ詳述セル所ナリ
 之ヲ要スルニ多量軍艦ハ日支事情ノ處理ニ當
 リ現狀ニ不平ヲ確保スルヨリハ三斥不能ナル方
 式ノ尊重ヲ以テ一層重要ナリトシ又將來ニ於ケル
 ル紛争ノ禍根ヲ芟除スルヨリハ架空的ナル軍艦
 ノ擁護ヲ以テ一層重要ナリトセルモノト見ルノ
 外ナク他百餘年以來印ト香港トノ間ニ親善草
 他ノ使節ノ待遇ニ付言ハル意見ノ根柢アルコト
 ト前記ノ如クナルヲ以テ茲ニ管內政府ハ平和條
 約ノ方針殊ニ東洋平和樹立ノ根本方針ニ付印
 ト全然其ノ財信ヲ委ニスルコトヲ承認セリ仍テ
 管內政府ハ此ノ上承認ト力スルノ餘地ナキヲ
 信シ印政府第一條第三項ニ據キ管內政府
 印ヨリ印退スルコトヲ通告スルモノナリ

ルニ於テ安定ノ基礎ヲ破壊セントスルモノナリ茲
ニ於テ通告中ニ述ゲラレタル條件ガ東洋ノ美譽
確保ニ何等貢獻シ得ザルハ本年二月二十五日拜
印政府陳述書ニ詳述セル所ナリ
之ヲ要スルニ多難際臨シテ日支事件ノ處理ニ當
リ現狀ニ不平ヲ確保スルヨリハ三屏不保ナル方
式ノ尊重ヲ以テ一層重要ナリトシ又將來ニ於ケル
ル紛争ノ禍根ヲ芟除スルヨリハ架空的ナル方針
ノ採行ヲ以テ一段奮發ナリトセルモノト見ルノ
外ナク他頁此等陳述書ト對照トノ間ニ若干點ノ
他ノ信託ノ條約ニ付於テ六ナル意見ノ相違アルコト
ト前記ノ如クナルヲ以テ茲ニ管見政府ハ平和條
約ノ方針殊ニ東洋平和自立ノ根本方針ニ付於テ
ト全然其ノ對價ヲ採ニスルコトヲ承認セリ仍テ
管見政府ハ此ノ上ニ限ト輕カスルノ餘地ナキヲ
信シ現狀條約第一條第三項ニ於テ管見政府ハ
國ヨリ陳述スルコトヲ通告スルモノナリ

ル等々安定ノ基礎ヲ破壊セントスルモノナリ
ニ其ノ報告中ニ述ゲラレタル條件ガ東洋ノ實態
確保ニ何等貢獻シ得ザルハ本年二月二十五日
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Ex # 63

DOC. 237

JAPAN'S NOTICE OF WITHDRAWAL FROM LEAGUE
27 March 1933.

The Japanese Government believe that the national policy of Japan, which has for its aim to insure the peace of the Orient and thereby to contribute to the cause of peace throughout the world, is identical in spirit with the mission of the League of Nations, which is to achieve international peace and security. It has always been with pleasure, therefore, that this country has for thirteen years past, as an original Member of the League, and a permanent Member of its Council, extended a full measure of cooperation with her fellow-Members towards the attainment of its high purpose. It is indeed a matter of historical fact that Japan has continuously participated in the various activities of the League with a zeal not inferior to that exhibited by any other nation. At the same time, it is and has always been the conviction of the Japanese Government that in order to render possible the maintenance of peace in various regions of the world, it is necessary in existing circumstances to allow the operation of the Covenant of the League to vary in accordance with the actual conditions prevailing in each of those regions. Only by acting on this just and equitable principle can the League fulfil its mission and increase its influence.

Acting on this conviction, the Japanese Government, ever since the Sino-Japanese dispute was, in September, 1931, submitted to the League, have, at meetings of the League and on other occasions continually set forward a consistent view. This was, that if the League was to settle the issue fairly and equitably, and to make a real contribution to the promotion of peace in the Orient, and thus enhance its prestige, it should acquire a complete grasp of the actual conditions in this quarter of the globe and apply the Covenant of the League in accordance with these conditions. They have repeatedly emphasized and insisted upon the absolute necessity of taking into consideration the fact that China is not an organized State--that its internal conditions and external relations are characterized by extreme confusion and complexity, and by many abnormal and exceptional features--and that, accordingly, the general principles and usages of International Law which govern the ordinary relations between nations are found to be considerably modified in their operation so far as China is concerned, resulting in the quite abnormal and unique international practices which actually prevail in that country.

However, the majority of the Members of the League evinced in the course of its deliberations during the past seventeen months a failure either to grasp these realities or else to face them and take them into proper account. Moreover, it has frequently been made manifest in these deliberations that there exist serious differences of opinion between Japan and these Powers concerning the application and even the interpretation of various international engagements and obligations including the Covenant of the League and the principles of International Law. As a result, the Report adopted by the Assembly at the special session of 24 February last, entirely misapprehending the spirit of Japan, pervaded as it is by no other desire than the maintenance of peace in the Orient, contains gross errors both in the ascertainment of facts and in the conclusions deduced. In asserting that the action of the Japanese Army at the time of the Incident of 18 September and subsequently did not fall within the just limits of self-defence, the Report assigned no reasons and came to an

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arbitrary conclusion, and in ignoring alike the state of tension which preceded, and the various aggravations which succeeded, the Incident--for all of which the full responsibility is incumbent upon China--the Report creates a source of fresh conflict in the political arena of the Orient. By refusing to acknowledge the actual circumstances that led to the foundation of Manchukuo, and by attempting to challenge the position taken up by Japan in recognizing the new State, it cuts away the ground for the stabilization of the Far Eastern situation. Nor can the terms laid down in its recommendations--as was fully explained in the Statement issued by this Government on 25 February last--ever be of any possible service in securing enduring peace in these regions.

The conclusion must be that in seeking a solution of the question the majority of the League have attached greater importance to upholding inapplicable formulas than to the real task of assuring peace, and higher value to the vindication of academic theses than to the eradication of the sources of future conflict. For these reasons, and because of the profound differences of opinion existing between Japan and the majority of the League in their interpretation of the Covenant and of other treaties, the Japanese Government have been led to realize the existence of an irreconcilable divergence of views, dividing Japan and the League on policies of peace, and especially as regards the fundamental principles to be followed in the establishment of a durable peace in the Far East. The Japanese Government, believing that in these circumstances there remains no room for further cooperation, hereby give notice, in accordance with the provisions of Article 1, Paragraph 3. of the Covenant, of the intention of Japan to withdraw from the League of Nations.

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通 告 文

本官ハ帝國政府ノ訓令ニ依リ、九月三十日國際聯盟
 理事會カ聯盟規約第十七條第三項ニ基キ第十六條ノ
 規定ハ帝國ニ適用セラレ得ヘシトスル報告ヲ探尋シ
 タル結果新ニ帝國ト國際聯盟トノ間ニ發生シタル事
 態ニ鑑ミ帝國政府ハ國際聯盟處置後賠償シテ來レル帝
 國ノ聯盟義務ニ對スル協力ヲ終止スルコトニ決定
 シタル旨茲ニ貴下ニ通告スルノ光榮ヲ有ス

FILE COPY
 RETURN TO ROOM 361

EV # 66

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Notification.

The present official, in conforming to the instructions of the Imperial Government, has the honor to notify you of its decision to cease its collaboration vis-a-vis the various organizations of the League of Nations which it has continued after its withdrawal from the League, in consideration of the state newly created between the League and the Empire, as the result of the adoption on 30th September by the Board of Directors of the League of Nations, of the Report advising that the regulation of Art. 16 is to be applied to the Empire following Art. 17--cl. 3 of the Covenant of the League of Nations.

(Japan's Withdrawal From The Social And Technical Organs of the League 2 Nov. 1938)

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在米日支資産ノ凍結

大統領ニ依リ聲明サレタル國家無限ノ窮狀ニ鑑ミ
在米日本資産凍結實行令ハ一九四一年六月十四日
ニ歐洲各國ノ財産ヲ凍結セルトノ同方法ヲ七月廿
五日ニ發シタ。

此ノ方法ハ結果ニ於テ日本ノ利益ノ包含サレル總
テノ財政的及輸出入貿易ノ取引ヲ政府ノ監督ノ下
ニモトラシメ且又ソノ實行令ノ違反ニ對シ刑罰ヲ
課スル。

此ノ實行令ハ一九四一年六月十四日ノ命令ト同様
ニ、主トシテ合衆國ノ財政的便宜ト日米間貿易ヲ
國防及ビ米日ノ利益ニ有害ナル方法ニ用フル事ヲ
防止シ、強詞、或ハ占領ニ依リ得タ在米資産ノ清
算ヲ防ギ米日ニ於ケル破壞的活動力ヲ制止スル爲
ニ作成セラレル。

蔣介石大元帥ノ特別ナル要求ト文部政府援助ノ目
的ノ爲ニ大統領ハ同時ニ凍結制限ヲ在米支那資産
ニマテ及ボシタ。

在米支那資産ニ對スル免許制度ノ管理。

支那資産ニ對スル免許制度ニ關シテハ支那政府ノ外國
貿易ト爲善地位ヲ造ル爲ニ行ハレル。

支那政府ノ意志ニ依ル實行令ニ支那ヲ含メシテハ
吾政府援支政策ノ延長デアル。

Ex #67

DOCUMENT #226

FREEZING OF JAPANESE AND CHINESE ASSETS
IN THE UNITED STATES

In view of the unlimited national emergency declared by the President, he issued, on July 25, an Executive order freezing Japanese assets in the United States in the same manner in which assets of various European countries were frozen on June 14, 1941.* This measure, in effect, brings all financial and import and export trade transactions in which Japanese interests are involved under the control of the Government and imposes criminal penalties for violation of the order.

This Executive order, just as the order of June 14, 1941, is designed among other things to prevent the use of the financial facilities of the United States and trade between Japan and the United States in ways harmful to national defense and American interests, to prevent the liquidation in the United States of assets obtained by duress or conquest, and to curb subversive activities in the United States.

At the specific request of Generalissimo Chiang Kai-shek, and for the purpose of helping the Chinese Government, the President has, at the same time, extended the freezing control to Chinese assets in the United States. The administration of the licensing system with respect to Chinese assets in the United States. The administration of the licensing system with respect to Chinese assets will be conducted with a view to strengthening the foreign trade and exchange position of the Chinese Government. The inclusion of China in the Executive order, in accordance with the wishes of the Chinese Government, is a continuation of this Government's policy of assisting China.

*6 F.R. 3715 (Ex. Or. 8832).

(Extract from page 73, Department of State Bulletin, 26 July 1941)

Doc 194 K1

THE CONSTITUTION OF THE EMPIRE OF JAPAN.

Chapter I

The Emperor

Article I. - The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal.

Article II. - The Imperial Throne shall be succeeded to by Imperial male descendants, according to the provisions of the Imperial House Law.

Article III. - The Emperor is sacred and inviolable.

Article IV. - The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and exercises them, according to the provisions of the present Constitution.

Article V. - The Emperor exercises the legislative power with the consent of the Imperial Diet.

Article VI. - The Emperor gives sanction to laws and orders them to be promulgated and executed.

Article VII. - The Emperor convokes the Imperial Diet, opens, closes and prorogues it, and dissolves the House of Representatives.

Article VIII. - The Emperor, on consequence of an urgent necessity to maintain public safety, or to avert public calamities, issues, when the Imperial Diet is not sitting, Imperial Ordinances in the place of law.

Such Imperial Ordinances are to be laid before the Imperial Diet at its next session, and when the Diet does not approve the said Ordinances, the Government shall declare them to be invalid for the future.

Article IX. - The Emperor issues or causes to be issued, the Ordinances necessary for the carrying out of the laws, or for the maintenance of the public peace and order, and for the promotion of the welfare of the subjects. But no Ordinance shall in any way alter any of the existing laws.

Article X. - The Emperor determines the organization of the different branches of the administration, and salaries of all civil and military officers, and appoints and dismisses the same. Exceptions

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especially provided for in the present Constitution or in other laws, shall be in accordance with the respective provisions (bearing thereon).

Article XI. - The Emperor has the supreme command of the Army and Navy.

Article XII. - The Emperor determines the organization and peace standing of the Army and Navy.

Article XIII. - The Emperor declares war, makes peace, and concludes treaties.

Article XIV. - The Emperor declares a state of seige.

The conditions and effects of a state of seige shall be determined by law.

Article XV. - The Emperor confers titles of nobility, rank, orders and other marks of honour.

Article XVI. - The Emperor orders amnesty, pardon, commutation of punishments and rehabilitation.

Article XVII. - A Regency shall be instituted in conformity with the provisions of the Imperial House Law.

The Regent shall exercise the powers appertaining to the Emperor in His name.

Chapter II

Rights and Duties of Subjects

Article XVIII. - The conditions necessary for being a Japanese subject shall be determined by law.

Article XIX. - Japanese subjects may, according to qualifications determined in laws or ordinances, be appointed to civil or military or any other public offices equally.

Article XX. - Japanese subjects are amenable to service in the Army or Navy, according to the provisions of law.

Article XXI. - Japanese subjects are amenable to the duty of paying taxes, according to the provisions of law.

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Article XXII. - Japanese subjects shall have the liberty of abode and of changing the same within the limits of law.

Article XXIII. - No Japanese subject shall be arrested, detained, tried or punished, unless according to law.

Article XXIV. - No Japanese subject shall be deprived of his right of being tried by the judges determined by law.

Article XXV. - Except in the cases provided for in the law, the house of no Japanese subject shall be entered or searched without his consent.

Article XXVI. - Except in the cases mentioned in the law, the secrecy of the letters of every Japanese subject shall remain inviolate.

Article XXVII. - The right of property of every Japanese subject shall remain inviolate.

Measures necessary to be taken for the public benefit shall be provided for by law.

Article XXVIII. - Japanese subjects shall, within limits not prejudicial to peace and order, and not antagonistic to their duties as subjects, enjoy freedom of religious belief.

Article XXIX. - Japanese subjects shall, within the limits of law, enjoy the liberty of speech, writing, publication, public meetings and associations.

Article XXX. - Japanese subjects may present petitions, by observing the proper forms of respect, and by complying with the rules specially provided for the same.

Article XXXI. - The provisions contained in the present Chapter shall not affect the exercise of the powers appertaining to the Emperor, in times of war or in cases of a national emergency.

Article XXXII. - Each and every one of the provisions contained in the preceding Articles of the present Chapter, that are not in conflict with the laws or the rules and discipline of the Army and Navy, shall apply to the officers and men of the Army and of the Navy.

Article XXXIII. - The Imperial Diet shall consist of two Houses, a House of Peers and a House of Representatives.

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Article XXXIV. - The House of Peers shall, in accordance with the Ordinance concerning the House of Peers, be composed of the members of the Imperial Family, of the orders of nobility, and of those persons who have been nominated thereto by the Emperor.

Article XXXV. - The House of Representatives shall be composed of Members elected by the people according to the provisions of the Law of Election.

Article XXXVI. - No one can at one and the same time be a Member of both Houses.

Article XXXVII. - Every law requires the consent of the Imperial Diet.

Article XXXVIII. - Both Houses shall vote upon projects of law submitted to it by the Government, and may respectively initiate projects of law.

Article XXXIX. - A bill, which has been rejected by either the one or the other of the two Houses, shall not be again brought in during the same session.

Article XL. - Both Houses can make representations to the Government, as to laws or upon any other subject. When, however, such representations are not accepted, they cannot be made a second time during the same session.

Article XLI. - The Imperial Diet shall be convoked every year.

Article XLII. - A session of the Imperial Diet shall last during three months. In case of necessity, the duration of a session may be prolonged by Imperial Order.

Article XLIII. - When urgent necessity arises, an extraordinary session may be convoked, in addition to the ordinary one.

The duration of an extraordinary session shall be determined by Imperial Order.

Article XLIV. - The opening, closing, prolongation of session and prorogation of the Imperial Diet, shall be effected simultaneously for both Houses.

In case the House of Representatives has been ordered to dissolve, the House of Peers shall at the same time be prorogued.

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Article XLV. - When the House of Representatives has been ordered to dissolve, Members shall be caused by Imperial Order to be newly elected, and the new House shall be convoked within five months from the day of dissolution.

Article XLVI. - No debate can be opened and no vote can be taken in either House of the Imperial Diet, unless not less than one third of the whole number of the Members thereof is present.

Article XLVII. - Votes shall be taken in both Houses by absolute majority. In the case of a tie vote, the President shall have the casting vote.

Article XLVIII. - The deliberations of both Houses shall be held in public. The deliberations may, however, upon demand of the Government or by resolution of the House, be held in secret sitting.

Article XLIX. - Both Houses of the Imperial Diet may respectively present addresses to the Emperor.

Article L. - Both Houses may receive petitions presented by subjects.

Article LI. - Both Houses may enact, besides what is provided for in the present Constitution and in the Law of the Houses, rules necessary for the management of their internal affairs.

Article LII. - No Member of either House shall be held responsible outside the respective Houses, for any opinion uttered or for any vote given in the House. When, however, a Member himself has given publicity to his opinions by public speech, by documents in print or in writing, or by any other similar means, he shall, in the matter, be amenable to the general law.

Article LIII. - The members of both Houses shall, during the session, be free from arrest, unless with the consent of the House, except in cases of flagrant delicts, or of offenses connected with a state of internal commotion or with a foreign trouble.

Article LIV. - The Ministers of State and the Delegates of the Government may, at any time, take seats and speak in either House.

Chapter IV

The Ministers of State and the Privy Council

Article IV. - The respective Ministers of State shall give

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their advice to the Emperor, and be responsible for it.

All Laws, Imperial Ordinances and Imperial Rescripts of whatever kind, that relate to the affairs of the State, require the counter-signature of a Minister of State.

Article LVII. - The Privy Councillors shall, in accordance with the provisions for the organization of the privy Council, deliberate upon important matters of State, when they have been consulted by the Emperor.

Chapter V

The Judicature

Article LVII. - The Judicature shall be exercised by the Courts of Law according to law in the name of the Emperor.

The organization of the Courts of Law shall be determined by law.

Article LVIII. - The Judges shall be appointed from among those who possess proper qualifications according to law.

No judge shall be deprived of his position, unless by way of criminal sentence or disciplinary punishment.

Rules for disciplinary punishment shall be determined by law.

Article LIX. - Trials and judgments of a Court shall be conducted publicly. When, however, there exists any fear that such publicity may be prejudicial to peace and order, or to the maintenance of public morality, the public trial may be suspended by provision of law or by the decision of the Court of Law.

Article LX. - All matters that fall within the competency of a special Court shall be specially provided for by law.

Article LXI. - No suit at law, which relates to rights alleged to have been infringed by the illegal measures of the administrative authorities, and which shall come within the competency of the Court of Administrative Litigation specially established by law, shall be taken cognizance of by a Court of Law.

Chapter VI.

Finance

Article LXII. - The imposition of a new tax or the modification

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of the rates (of an existing one) shall be determined by law.

However, all such administrative fees or other revenue having the nature of compensation shall not fall within the category of the above clause.

The raising of national loans and the contracting of other liabilities to the charge of the National Treasury, except those that are provided in the Budget, shall require the consent of the Imperial Diet.

Article LXIII. - The taxes levied at present shall, in so far as they are not remodelled by a new law, be collected according to the old system.

Article LXIV. - The expenditure and revenue of the State require the consent of the Imperial Diet by means of an annual Budget.

Any and all expenditures overpassing the appropriations set forth in the Titles and Paragraphs of the Budget, or that are not provided for in the Budget, shall subsequently require the approbation of the Imperial Diet.

Article LXV. - The Budget shall be first laid before the House of Representatives.

Article LXVI. - The expenditures of the Imperial House shall be defrayed every year out of the National Treasury, according to the present fixed amount for the same, and shall not require the consent thereto of the Imperial Diet, except in case an increase thereof is found necessary.

Article LXVII. - Those already fixed expenditures based by the Constitution upon the powers appertaining to the Emperor, and such expenditures as may have arisen by the effect of law, or that appertain to the legal obligations of the Government, shall be neither rejected nor reduced by the Imperial Diet, without the concurrence of the Government.

Article LXVIII. - In order to meet special requirements, the Government may ask the consent of the Imperial Diet to a certain amount as a Continuing Expenditure Fund, for a previously fixed number of years.

Article LXIX. - In order to supply deficiencies, which are unavoidable, in the Budget, and to meet requirements unprovided for in the same, a Reserve Fund shall be provided in the Budget.

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Article LXX. - When the Imperial Diet cannot be convoked, owing to the external or internal condition of the country, in case of urgent need for the maintenance of public safety, the Government may take all necessary financial measures; by means of an Imperial Ordinance.

In the case mentioned in the preceding clause, the matter shall be submitted to the Imperial Diet at its next session, and its approbation shall be obtained thereto.

Article LXXI. - When the Imperial Diet has not voted on the Budget, or when the Budget has not been brought into actual existence, the Government shall carry out the Budget of the preceding year.

Article LXXII. - The final account of the expenditures and revenue of the State shall be verified and confirmed by the Board of Audit, and it shall be submitted by the Government to the Imperial Diet, together with the report of verification of the said Board.

The organization and competency of the Board of Audit shall be determined by law separately.

Chapter VII

Supplementary Rules

Article LXXIII. - When it has become necessary in future to amend the provisions of the present Constitution, a project to the effect shall be submitted to the Imperial Diet by Imperial Order.

In the above case, neither House can open the debate, unless not less than two-thirds of the whole number of Members are present, and no amendment can be passed, unless a majority of not less than two-thirds of the Members present is obtained.

Article LXXIV. - No modification of the Imperial House Law shall be required to be submitted to the deliberation of the Imperial Diet.

No provision of the present Constitution can be modified by the Imperial House Law.

Article LXXV. - No modification can be introduced into the Constitution, or into the Imperial House Law, during the time of a Regency.

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Article LXXVI. - Existing legal enactments, such as laws, regulations, Ordinances, or by whatever names they may be called, shall, so far as they do not conflict with the present Constitution, continue in force.

All existing contracts or orders, that entail obligations upon the Government, and that are connected with expenditure, shall come within the scope of Art. LXVII.

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THE IMPERIAL HOUSE LAW

Chapter I

Succession to the Imperial Throne

Article I. - The Imperial Throne of Japan shall be succeeded to by male descendants in the male line of Imperial Ancestors.

Article II. - The Imperial Throne shall be succeeded to by the Imperial eldest son.

Article III. - When there is no Imperial eldest son, the Imperial Throne shall be succeeded to by the Imperial eldest grandson. When there is neither Imperial eldest son nor any male descendant of his, it shall be succeeded to by the Imperial son next in age, and so on in every successive case.

Article IV. - For succession to the Imperial Throne by an Imperial descendant, the one of full blood shall have precedence over descendants of half blood. The succession to the Imperial Throne by the latter shall be limited to those cases only in which there is no Imperial descendant of full blood.

Article V. - When there is no Imperial descendant, the Imperial Throne shall be succeeded to by an Imperial brother and by his descendants.

Article VI. - When there is no such Imperial brother or descendant of his, the Imperial Throne shall be succeeded to by an Imperial uncle and his descendants.

Article VII. - When there is neither such Imperial uncle nor descendant of his, the Imperial Throne shall be succeeded to by the next nearest member among the rest of the Imperial Family.

Article VIII. - Among the Imperial brothers and the remoter Imperial relations, precedence shall be given, in the same degree, to the descendants of full blood, and to the older over the younger.

Article IX. - When the Imperial heir is suffering from an incurable disease of mind or body, or when any other weighty cause exists, the order of succession may be changed in accordance with the foregoing provisions, with the advice of the Imperial Family Council and with that of the Privy Council.

Chapter II

Ascension and Coronation

Article X. - Upon the demise of the Emperor, the Imperial heir shall ascend the Throne and shall acquire the Divine Treasures of the Imperial Ancestors.

Article XI. - The ceremonies of Coronation shall be performed and a Grand Coronation Banquet (Doijosei) shall be held at Kyoto.

Article XII. - Upon an ascension to the Throne, a new era shall be inaugurated, and the name of it shall remain unchanged during the whole reign in agreement with the established rule of the 1st year of Meiji.

Chapter III.

Majority, Institution of Empress and of Heir-apparent

Article XIII. - The Emperor, the Kotoishi, and the Kotoison shall attain their majority at eighteen full years of age.

Article XIV. - Members of the Imperial Family, other than those mentioned in the preceding article, shall attain their majority at twenty full years of age.

Article XV. - The son of the Emperor who is Heir-apparent, shall be called "Kotoishi." In case there is no kotoishi, the Imperial grandson who is Heir-apparent shall be called "Kotoison."

Article XVI. - The Institution of Empress and that of Kotoishi or of Kotoison shall be proclaimed by an Imperial Rescript.

Chapter IV

Styles of Address

Article XVII. - The style of address for the Emperor, the Grand Empress Dowager, the Empress Dowager, and of the Empress shall be "His," or "Her," or "Your Majesty."

Article XVIII. - The Kotoishi and his consort, the Kotoison and his consort, the Imperial Princes and their consorts, and the princesses shall be styled "His," "Her," "Their," or "Your Highness" or "Highnesses,"

Chapter V

Regency

Article XIX. - When the Emperor is a minor a Regency shall be instituted. When he is prevented by some permanent cause from personally gov-

erning, a Regency shall be instituted, with the advice of the Imperial Family Council and with that of the Privy Council.

Article XX. - The Regency shall be assumed by the Kotoishi or the Kotoison, being of full age of majority.

Article XXI. - When there is neither Kotoishi nor Kotoison, or when the Kotoishi or Kotoison has not yet arrived at his majority, the Regency shall be assumed in the following order:

1. An Imperial Prince or a Prince.
2. The Emperor.
3. The Empress Dowager.
4. The Grand Empress Dowager.
5. An Imperial Princess or a Princess.

Article XXII. - In case the Regency shall be assumed from among the male members of the Imperial Family, it shall be done in accordance with the order of succession to the Imperial Throne. The same shall apply to the case of female members of the Imperial Family.

Article XXIII. - A female member of the Imperial Family chosen to assume the Regency shall be exclusively one who has no consort.

Article XXIV. - When, on account of the minority of the nearest related member of the Imperial Family, or for some other cause, another member has to assume the Regency, the latter shall not, upon the arrival at majority of the above mentioned nearest related member, or upon the disappearance of the aforesaid cause, resign his or her post in favour of any person other than of the Kotoishi or of the Kotoison.

Article XXV. - When a Regent or one who should become such, is suffering from an incurable disease of mind or body, or when any other weighty cause exists therefor, the order of the Regency may be changed, with the advice of the Imperial Family Council and with that of the Privy Council.

Chapter VI

The Imperial Governor

Article XXVI. - When the Emperor is a minor, an Imperial Governor shall be appointed to take charge of his bringing up and of his education.

Article XXVII. - In case no Imperial Governor has been nominated in the will of the preceding Emperor, the Regent shall appoint one, with the advice of the Imperial Family Council and with that of the Privy Council.

Article XXVIII. - Neither the Regent nor any of his descendants can be appointed Imperial Governor.

Article XXIX. - The Imperial Governor cannot be removed from his post by the Regent, unless upon the advice of the Imperial Family Council and upon that of the Privy Council.

Chapter VII

The Imperial Family

Article XXX. - The term "Imperial Family" shall include the Grand Empress Dowager, the Empress Dowager, the Empress, the Kotoishi and his consort, the Kotoison and his consort, the Imperial Princes and their consorts, the Imperial Princesses, the Princesses and their consorts, and the Princesses.

Article XXXI. - From Imperial sons to Imperial great-great-grandsons, Imperial male descendants shall be called Imperial Princes; and from Imperial daughters to Imperial great-great-grand-daughters Imperial female descendants shall be called Imperial Princesses. From the fifth generation downwards, male descendants shall be called Princes and females Princesses.

Article XXXII. - When the Imperial Throne is succeeded to by a member of a branch line, the title of Imperial Prince or Imperial Princess shall be specially granted to the Imperial brothers and sisters, being already Princes or Princesses.

Article XXXIII. - The births, namings, marriages, and deaths in the Imperial Family shall be announced by the Minister of the Imperial Household.

Article XXXIV. - Genealogical and other records relating to the matters mentioned in the preceding Article shall be kept in the Imperial archives.

Article XXXV. - The members of the Imperial Family shall be under the control of the Emperor.

Article XXXVI. - When a Regency is instituted, the Regent shall exercise the power of control referred to in the preceding Article.

Article XXXVII. - When a member, male or female, of the Imperial Family is a minor and has been bereft of his or her father, the officials of the Imperial Court shall be ordered to take charge of his or her bringing up and education. In certain circumstances, the Emperor may either approve the guardian chosen by his or her parent, or may nominate one.

Article XXXVIII. - The guardian of a member of the Imperial Family must be himself a member thereof and of age.

Article XXXIX. - Marriages of members of the Imperial Family shall be restricted to the circle of the Family, or to certain noble families specially approved by Imperial Order.

Article XL. - Marriages of the members of the Imperial Family shall be subject to the sanction of the Emperor.

Article XLI. - The Imperial writs sanctioning the marriages of the members of the Imperial Family shall bear the countersignature of the Minister of the Imperial Household.

Article XLII. - No member of the Imperial Family can adopt any one as his son.

Article XLIII. - When a member of the Imperial Family wishes to travel beyond the boundaries of the Empire, he shall first obtain the sanction of the Emperor.

Article XLIV. - A female member of the Imperial Family, who has married a subject, shall be excluded from membership of the Imperial Family. However, she may be allowed, by the special grace of the Emperor, to retain her title of Imperial Princess or Princess, as the case may be.

Chapter VIII Imperial Hereditary Estates

Article XLV. - No landed or other property, that has been fixed as the Imperial Hereditary Estates, shall be divided up and alienated.

Article XLVI. - The landed or other property to be included in the Imperial Hereditary Estates shall be settled by Imperial writ with the advice of the Privy Council, and shall be announced by the Minister of the Imperial Household.

Chapter IX Expenditures of the Imperial House

Article XLVII. - The expenditures of the Imperial House of all kinds shall be defrayed out of the National Treasury at a certain fixed amount.

Article XLVIII. - The estimates and audit of accounts of the expenditures of the Imperial House and all other rules of the kind, shall be regulated by the Finance Regulations of the Imperial House.

Chapter X

Litigations, Disciplinary Rules for the Members of the
Imperial Family

Article XLIX. - Litigation between members of the Imperial Family shall be decided by judicial functionaries specially designated by the Emperor to the Department of the Imperial Household, and execution issued after Imperial sanction thereto has been obtained.

Article L. - Civil actions brought by private individuals against members of the Imperial Family shall be decided in the Court of Appeal in Tokyo. Members of the Imperial Family shall, however, be represented by attorneys, and no personal attendance in the Court shall be required of them.

Article LI. - No members of the Imperial Family can be arrested, or summoned before a Court of Law, unless the sanction of the Emperor has been first obtained thereto.

Article LII. - When a member of the Imperial Family has committed an act derogatory to his (or her) dignity, or when he has exhibited disloyalty to the Imperial House, he shall, by way of disciplinary punishment and by order of the Emperor, be deprived of the whole or a part of the privileges belonging to him as a member of the Imperial Family, or shall be suspended therefrom.

Article LIII. - When a member of the Imperial Family acts in a way tending to the squandering of his (or her) property, he shall be pronounced incapable by the Emperor, prohibited from administering his property, and a manager shall be appointed therefor.

Article LIV. - The two foregoing Articles shall be enforced upon the advice of the Imperial Family Council.

Chapter XI

The Imperial Family Council

Article LV. - The Imperial Family Council shall be composed of the male members of the Imperial Family who have reached the age of majority. The Lord Keeper of the Privy Seal, the President of the Privy Council, the Minister of the Imperial Household, the Minister of State for Justice, and the President of the Court of Cassation shall be ordered to take part in the deliberations of the Council.

Article LVI. - The Emperor personally presides over the meetings of the Imperial Family Council, or directs one of the members of the Imperial Family to do so.

Chapter XII

Supplementary Rules

Article LVII. - Those of the present members of the Imperial Family of the fifth generation and downwards, who have already been invested with the title of Imperial Prince, shall retain the same as heretofore.

Article LVIII. - The order of succession to the Imperial Throne shall in every case relate to the descentance of direct lineage. There shall be no admission to this line of succession to any one, as a consequence of his now being an adopted Imperial son, Koyasni or heir to a princely house.

Article LIX. - The grades of rank among the Imperial Princes and Princesses shall be abolished.

Article LX. - The family rank of Imperial Princes and all usages conflicting with the present law shall be abolished.

Article LXI. - The property, annual expenses, and all other rules concerning the members of the Imperial Family shall be specially determined.

Article LXII. - When in the future it shall become necessary either to amend or make addition to the present law, the matter shall be decided by the Emperor, with the advice of the Imperial Family Council and with that of the Privy Council.

Additional Rules

(Promulgated February 11, 1907)

Article I. - The Princes may be created peers, either by order of the Emperor or at their own wishes, with family names to be granted by the Emperor.

Article II. - The Princes may, with the sanction of the Emperor, become heirs of peers or be adopted as their sons with a view to becoming the Emperor.

Article III. - The consorts, lineal descendants and their wives of the Princes who have been excluded from membership of the Imperial Family for the reason stated in the two foregoing articles are also excluded from membership in the Imperial Family as members of the families of the Princes who have become subjects. The rule does not, however, apply to those female members of the Imperial Family who have married other members of the Imperial Family or their lineal descendants.

Article IV. - A member of the Imperial Family who has been deprived of the privileges belonging to him as a member of the Imperial Family may be excluded from membership of the Imperial Family and placed in the rank of subjects by order of the Emperor. The consort of a member of the Imperial Family who has been excluded from membership of the Imperial Family and placed in the rank of subjects in accordance with the foregoing Article is also excluded from membership of the Imperial Family and placed in the rank of subjects.

Article V. - In the cases mentioned in Arts. I, II, and IV (of the present additional rules), the matter shall be decided with the advice of the Imperial Family Council and that of the Privy Council.

Article VI. - Those members of the Imperial Family who have been excluded from membership of the Imperial Family cannot be reinstated as members of the Imperial Family.

Article VII. - Regulations pertaining to the legal status of the members of the Imperial Family and the limits of their competence, other than those provided for elsewhere in the present law, shall be defined separately. Regarding the affairs in which are involved the interests of a member of the Imperial Family and a subject or subjects and in which different regulations apply to the respective parties, such regulations shall apply.

Article VIII. - Those provisions of laws and ordinances designated as applicable to the members of the Imperial Family shall apply to them only in cases where no particular regulations are specifically provided for in the present law or such regulations as are issued in accordance with the present law.

Additional Rule

(Promulgated November 28, 1908)

A female member of the Imperial Family can marry a male member of Ozoku or Kozoku (former Royal Family of Korea).

Article IV. - A member of the Imperial Family who has been deprived of the privileges belonging to him as a member of the Imperial Family may be excluded from membership of the Imperial Family and placed in the rank of subjects by order of the Emperor. The consort of a member of the Imperial Family who has been excluded from membership of the Imperial Family and placed in the rank of subjects in accordance with the foregoing Article is also excluded from membership of the Imperial Family and placed in the rank of subjects.

Article V. - In the cases mentioned in Arts. I, II, and IV (of the present additional rules), the matter shall be decided with the advice of the Imperial Family Council and that of the Privy Council.

Article VI. - Those members of the Imperial Family who have been excluded from membership of the Imperial Family cannot be reinstated as members of the Imperial Family.

Article VII. - Regulations pertaining to the legal status of the members of the Imperial Family and the limits of their competence, other than those provided for elsewhere in the present law, shall be defined separately. Regarding the affairs in which are involved the interests of a member of the Imperial Family and a subject or subjects and in which different regulations apply to the respective parties, such regulations shall apply.

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Additional Rule

(Promulgated November 28, 1908)

A female member of the Imperial Family can marry a male member of Ozoku or Kozoku (former Royal Family of Korea).

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Imperial Ordinance on the Organization of the
Cabinet

Article I. The Cabinet is composed of various Ministers of State.

Article II. The Prime Minister stands at the head of the Ministers of State, reports affairs of State to the Sovereign, and in compliance with Imperial instructions maintains the co-ordination of the various branches of the Administration.

Article III. The Prime Minister, should an occasion seem sufficiently important to demand such a course, has competence to suspend dispositions made or orders issued by the Administration, pending Imperial sanction.

Article IV. The Prime Minister can issue Cabinet Ordinances on the authority of his own or specially delegated upon him.

Article IV-2. The Prime Minister directs and supervises the Superintendent General of Metropolitan Police, Governor of Hokkaido and Prefectural Governors in respect of the affairs in his charge. When their orders or dispositions are contrary to provisions enacted, harmful to the public interest or regarded as violating their competence, he can suspend or repeal such orders or dispositions.

Article V. The following matters shall be submitted for deliberation by the Cabinet Council:-

1. Drafts of laws, financial estimates, and settled accounts.
2. Treaties with foreign countries and all international questions of importance.
3. Imperial Ordinances relating to the organization of Government offices and the enforcement of regulations and laws.
4. Disputes between Ministries on their respective competence.
5. Petitions from the people, handed down from the Emperor or submitted by the Imperial Diet.
6. Expenditure outside of the budget.
7. Appointment of cho'amin officials and of local Governors, as well as their promotions and removals.

In addition to the above, any important matters connected with

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the affairs in charge of various Ministries and having relation to the higher administration, shall also be submitted for deliberation by the Cabinet Council.

Article VI. The Minister in charge can demand, according to his own opinion, the consideration of the Cabinet Council upon any matter whatsoever through the Prime Minister.

Article VII. Such matters as concern military secrets and military orders and are reported to the Emperor, unless referred to the Cabinet by the Emperor, shall be reported to the Prime Minister by the Minister of War and the Minister of the Navy

Article VIII. Should the Prime Minister be prevented from discharging his functions, another Minister of State shall be temporarily ordered to take charge of his affairs in his behalf.

Article IX. Should any Minister of State be prevented from discharging his functions, another Minister of State shall concurrently hold his office temporarily or ordered to take charge of his affairs.

Article X. In addition to the Ministers of various Ministries, a person or persons may be caused by Imperial command to sit in the Cabinet as a Minister or Ministers of State.

Q. # 71

Organization of the Board of Planning

Article 1

The Board of Planning shall be under the jurisdiction of the Prime Minister and take charge of the following affairs:

1. Drafting of plans concerning the expansion and employment of the total national resources in times of peace and war and reporting of such plans, together with reasons therefor, to the Prime Minister.
2. Investigation of the gists of proposals which are submitted by the Ministers to the Cabinet Council and which have an important bearing upon the expansion and employment of the total national resources in times of peace and war and reporting, together with its opinion, to the Cabinet through the Prime Minister.
3. Reporting, together with its opinion, to the Cabinet through the Prime Minister with reference to the control of budget for important matters related to the expansion and employment of the total national resources in times of peace and war.

4. Adjustment and coordination of affairs of various Government offices with regard to the making and execution of a national mobilization plan.

5. Matters concerning the making of a plan for the utilization of the territory and matters concerning the control of affairs of various Government offices as needed by the plan for the utilization of the territory.

The Board of Planning may, if necessary for the execution of the affairs specified in the preceding Paragraph, request the other Government offices concerned to furnish it with reference material or explanations.

Article 2.

There shall be appointed the following personnel in the Board of Planning:

| | | |
|------------------------|---------------------------|---|
| President | | "Shinnin" |
| Vice President | one | "Chokunin" |
| Directors of Divisions | six | "Chokunin" |
| Private Secretary | full time: one | "Sonin" |
| Senior Secretaries | full time: nineteen | "Sonin" |
| Research Secretaries | full time: twenty-four | "Sonin"; one of them may be of "Chokunin" rank. |
| Junior Secretaries | full time: ten | "Sonin" |

| | | |
|--------------------------------|-----------------------------|---------|
| Associate Secretaries | full time: two | "Sonin" |
| Technical Experts | full time: five | "Sonin" |
| Clerks | full time: seventy-eight | "Hanin" |
| Assistant Technical Experts | full time: eleven | "Hanin" |

In addition to the personnel specified in the preceding Paragraph, the Cabinet may appoint Junior Secretaries from among higher officials of the Government offices concerned in accordance with the recommendation to the Throne by the Prime Minister.

Article 3.

There shall be instituted in the Board of Planning the Secretariat of the President and six Divisions.

The assignment of routine affairs to the Secretariat of the President and each Division shall be stipulated by the Prime Minister.

Article 4.

There shall be appointed Councillors in the Board of Planning to cause them to participate in the affairs of the Board.

Councillors shall be appointed by the Cabinet from among higher officials of the Government offices concerned in accordance with the recommendation to the Throne by the Prime Minister.

Article 5.

There may be instituted in the Board of Planning a Committee for the investigation of special matters.

Members of the Committee shall be appointed by the Cabinet from among learned and experienced persons in accordance with the recommendation to the Throne by the Prime Minister.

Members of the Committee shall be relieved of office upon the completion of the investigation of the special matter involved.

Article 6.

The President shall superintend the affairs of the Board, direct and supervise the personnel under him and decide independently upon the appointment, promotion, demotion and dismissal of officials of "Hannin" rank.

Article 7.

The Vice President shall assist the President and control the affairs of the Board.

Councillors shall be appointed by the Cabinet from among higher officials of the Government offices concerned in accordance with the recommendation to the Throne by the Prime Minister.

Article 5.

There may be instituted in the Board of Planning a Committee for the investigation of special matters.

Members of the Committee shall be appointed by the Cabinet from among learned and experienced persons in accordance with the recommendation to the Throne by the Prime Minister.

Members of the Committee shall be relieved of office upon the completion of the investigation of the special matter involved.

Article 6.

The President shall superintend the affairs of the Board, direct and supervise the personnel under him and decide independently upon the appointment, promotion, demotion and dismissal of officials of "Hannin" rank.

Article 7.

The Vice President shall assist the President and control the affairs of the Board.

Article 8.

The Director of each Division shall control the affairs of the Division by order of his superiors.

Article 9.

The Private Secretary shall take charge of confidential affairs by order of the President.

Article 10.

Senior Secretaries shall take charge of affairs by order of their superiors.

Article 11.

Research Secretaries shall take charge of researches, investigations and planning by order of their superiors.

Article 12.

Junior Secretaries shall take charge of affairs by order of their superiors.

Article 13.

Associate Secretaries shall take charge of miscellaneous affairs by order of their superiors.

Article 14.

Technical Experts shall take charge of technical matters by order of their superiors.

Article 15.

Clerks shall be engaged in miscellaneous affairs under the direction of their superiors.

Article 16.

Assistant Technical Experts shall be engaged in technical matters under the direction of their superiors.

Supplementary Provisions

The present Ordinance shall be enforced as from the date of promulgation.

The Imperial Ordinances on the Organization of the Office of Planning and the Organization of the Bureau of Natural Resources shall be abolished.

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Article 14.

Technical Experts shall take charge of technical matters by order of their superiors.

Article 15.

Clerks shall be engaged in miscellaneous affairs under the direction of their superiors.

Article 16.

Assistant Technical Experts shall be engaged in technical matters under the direction of their superiors.

Supplementary Provisions

The present Ordinance shall be enforced as from the date of promulgation.

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情報局官制

第一條 情報局ハ内閣總理大臣、管理ニ屬シ左ノ事項ニ關スル事務ヲ掌

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一 國策遂行、基礎タル事項ニ關スル情報蒐集、報道及啓發宣傳

二 新聞紙其、他、出版物ニ關スル國家總動員法第二十條ニ規定スル

處分

三 電話ニ依ル放送事項ニ關スル指導取締

四 新聞、映畫、著音機レコード、演劇及演藝ノ國策遂行、基礎

タル事項ニ關スル啓發宣傳上必要ナル指導取締

前項ノ事務ヲ行フニ付必アルトキハ情報局ハ關係各廳ニ付シ情報蒐

集 報道及啓發宣傳ニ關シ共助ヲ求ムルコトヲ得

第二條 情報局ニ左ノ職員ヲ置ク

總裁

勅任

次長

一人

勅任

内閣

秘書官

一人

奏任

情報官

專任五十一人

奏任

内五人
下爲テ

集 報道及啓發宣傳ニ關シ共助ヲ求ムルコトヲ得

第二條 情報局ニ左ノ職員ヲ置ク

總裁 一人 勅任

次長 一人 勅任

内閣

秘書官 一人 奏任

情報官 專任五十一人

奏任 勅任五人
コトヲ得

屬 專任八十九人 判任

技士 專任一人 判任

第三條 前條ノ職員ノ外内閣總理大臣ノ奏請ニ依リ關係各廳高官ノ中

ヨリ内閣ニ於テ情報官ヲ命スルコトヲ得

第四條 情報局ニ總裁官房及五部ヲ置ク

部長ハ勅任情報官ヲ以テ之ニ充ツ

總裁官房及各部ノ事務ノ分掌ハ内閣總理大臣之ヲ定ム

第五條 情報局ニ參與十五人以内ヲ置キ局務ニ參與セシム

參與ハ内閣總理大臣ノ奏請ニ依リ學識經驗アル者ノ中ヨリ内閣ニ於テ之ヲ命ズ

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情報局官制

第一條 情報局ハ内閣總理大臣、管理ニ屬シ左ノ事項ニ關スル事務ヲ掌ル

- 一 國策遂行、基礎タル事項ニ關スル情報蒐集、報道及啓發宣傳
- 二 新聞紙其ノ他ノ出版物ニ關スル國家總動員法第二十條ニ規定スル處分
- 三 電話ニ依ル放送事項ニ關スル指導取締

新聞等類、映畫、蓄音機レコード、演劇及演藝ノ國策遂行、基礎タル事項ニ關スル啓發宣傳上必要ナル指導取締

前項ノ事務ヲ行フニ付必要アルトキハ情報局ハ關係各廳ニ付シテ情報蒐集報道及啓發宣傳ニ關シテ共助ヲ求ムルコトヲ得

第二條 情報局ニ左ノ職員ヲ置ク

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| 總裁 | | 奏任 |
| 次長 | 一人 | 勅任 |

内閣

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| 秘書官 | 奏任一人 | 奏任 |
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| 情報官 | 專任五十一人 | 奏任勅任ト爲ス |
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集 報道及啓發宣傳ニ關シ共助ヲ求ムルコトヲ得

第二條 情報局ニ左ノ職員ヲ置ク

總裁 勅任

次長 一人 勅任

内閣

秘書官 一人 奏任

情報官 專任五十一人 奏任
勅任五人ヲ爲ス
コトヲ得

屬 專任八十九人 判任

技手 專任一人 判任

第三條 前條ノ職員ノ外内閣總理大臣ノ奏請ニ依リ關係各廳高官ノ中ヨリ内閣ニ於テ情報官ヲ命スルコトヲ得

第四條 情報局ニ總裁官房及五部ヲ置ク

部長ハ勅任情報官ヲ以テ之ニ充ツ

總裁官房及各部ノ事務ノ分掌ハ内閣總理大臣之ヲ定ム

第五條 情報局ニ參與十五人以上以内ヲ置キ局務ニ參與セシム

參與ハ内閣總理大臣ノ奏請ニ依リ學識經驗アル者ノ中ヨリ内閣ニ於テ之ヲ命ズ

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第六條 總裁ハ局務ヲ統理シ所部ノ職員ヲ指權監督シ判任官ノ進退ヲ專行ス

第七條 次長ハ總裁ヲ佐ケ局務ヲ掌理ス

第八條 秘書官ハ總裁ノ命ヲ承ケ機密ニ關スル事務ヲ掌ル

第九條 情報官ハ上官ノ命ヲ承ケ事務ヲ掌ル

第十條 屬ハ上官ノ指權ヲ承ケ庶務ニ從事ス

第十一條 技手ハ上官ノ指權ヲ承ケ技藝ニ従事ス

附 則

本令ハ公布ノ日ヨリ之ヲ施行ス

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内 閣

右原本ト相違ナキコトヲ證明ス

昭和二十一年四月一日

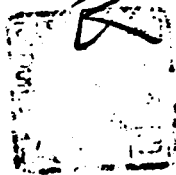
本令ハ公布ノ日ヨリ之ヲ施行ス
尚閣情報部官制ハ之ヲ廢止ス

内 閣

右原本ト相違^{ナキニシテ}證明ス

昭和二十一年四月一日

内閣官房總務課長



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Organization of the Board of Information

Article 1

The Board of Information shall be under the jurisdiction of the Prime Minister and take charge of affairs concerning the following matters:

1. Collection of information, reporting, enlightenment and publicity concerning matters which are the fundamentals of the prosecution of national policies.

2. Dispositions in respect of newspapers and other publications as provided for in Article 20 of the National Mobilization Law.

3. Guidance and control in respect of broadcasting by telephone.

4. Such guidance and control of motion-pictures, phonograph records, plays and shows as are necessary for the enlightenment and publicity concerning matters which are fundamentals of the prosecution of national policies.

The Board of Information may, if necessary for the execution of the affairs mentioned in the preceding Paragraph, request the Government offices concerned to extend their cooperation in connection with the collection of information, reporting, enlightenment and publicity.

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Article 2.

There shall be appointed the following personnel in the Board of Information:

| | | |
|--|---------------------------|---|
| President | | "Shinnin" |
| Vice President | one | "Chokunin" |
| Private Secretary | full-time: one | "Sonin" |
| Information Officers (<u>Johokan</u>) | full-time: fifty-one | "Sonin"; five of them may be of "Chokunin" rank. |
| Clerks (<u>Zoku</u>) | full-time: eighty-nine | "Hannin" |
| Assistant Technical Experts (<u>Gite</u>) | full-time: one | "Hannin" |

Article 3.

In addition to the personnel mentioned in the preceding Article, the Cabinet may appoint Information Officers (Johokan) from among higher officials (Kotokan) of the Government offices concerned in accordance with the recommendation to the Throne by the Prime Minister.

Article 4.

There shall be instituted in the Board of Information the Secretariat of the President and five Divisions.

The office of the Director of each Division shall be occupied by an Information Officer (Johokan) of "Chokunin" rank.

The assignment of routine affairs to the Secretarist of the President and each Division shall be stipulated by the Prime Minister.

Article 5.

There shall be instituted in the Board of Information not more than fifteen Councillors (Sanyo), who shall be caused to participate in the affairs of the Board.

Councillors (Sanyo) shall be appointed by the Cabinet from among learned and experienced persons in accordance with the recommendation to the Throne by the Prime Minister.

Councillors (Sanyo) shall be accorded the treatment of the official of "Chokunin" rank, provided, however, that those who hold a proper official post shall be accorded the treatment due to such post.

The term of office of Councillors (Sanyo) shall be two years. However, they may be relieved of office during the term of office if there is an especial reason.

Article 6.

The President shall superintend the affairs of the Board, direct and supervise the personnel under him and

decide independently upon the appointment, promotion, demotion and dismissal of Clerks (Zoku).

Article 7.

The Vice President shall assist the President and control the affairs of the Board.

Article 8.

The Private Secretary shall take charge of confidential matters by order of the President.

Article 9.

Information Officers (Johokan) shall take charge of routine affairs by order of their superiors.

Article 10.

Clerks (Zoku) shall be engaged in miscellaneous affairs under the direction of their superiors.

Article 11.

The Assistant Technical Expert (Gite) shall be engaged in technical matters under the direction of his superiors.

Supplementary Provision

The present Ordinance shall be enforced as from the date of promulgation.

The Imperial Ordinance on the Organization of the Cabinet Information Bureau shall be abolished.

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Imperial Ordinance Relating to
General Rules concerning the
Organization of the Ministries.

Article 1.

The present rules shall be applicable to the Ministries of Foreign Affairs, of Home Affairs, of Finance, of War, of the Navy, of Justice, of Education, of Agriculture and Forestry, of Commerce and Industry, of Communications, of the Railways, of Overseas Affairs, and of Welfare.

Article 2.

Each Minister shall be responsible for the affairs of which the principal competency belongs to him.

When there are affairs of which it is not clear where the principal competency belongs and which concern two Ministries or over, it shall be decided where the principal competency belongs by submitting the said affairs to the Cabinet Council.

Article 3.

Each Minister shall, when it is necessary to enact, repeal or amend a law or an Imperial Ordinance in regard to the affairs of which the principal competency belongs to him, submit the said affairs to the Cabinet Council, together with a draft for such enactment, repeal or amendment.

Article 4.

Each Minister may, by virtue of his official authority or by virtue of a special authorization, issue a Ministerial Ordinance in regard to the affairs of which the principal competency belongs to him.

Article 5.

Each Minister may, in regard to the affairs of which the principal competency belongs to him, issue directions of instructions to the Superintendent-General of Metropolitan Police, the Governor-General of Hokkaido and the Prefectural Governors.

Article 6.

Each Minister shall, in regard to the affairs of which the principal competency belongs to him, supervise the Superintendent-General of Metropolitan Police, the Governor-General of Hokkaido and Prefectural Governors. If he deems that any orders or dispositions of the

Superintendent-General of Metropolitan Police, the Governor-General of Hokkaido or the Prefectural Governors are contrary to the existing regulations, detrimental to the public good or ultra vires, he may suspend or cancel such orders or dispositions.

Article 7.

Each Minister shall control and supervise Government officials under his jurisdiction; shall submit to the Throne, through the Prime Minister, the promotion or dismissal of officials of "Sonin" rank; and shall, at his discretion, effect the promotion or dismissal of officials of "Hannin" rank and lower officials.

The promotion and dismissal of officials of "Sonin" rank belonging to local Government offices shall be submitted to the Throne by the Minister of Home Affairs, through the Prime Minister.

Article 8.

Each Minister shall submit to the Throne, through the Prime Minister, the conferment of Court Ranks and Orders of Merit upon Government officials under his jurisdiction.

The conferment of Court Ranks and Orders of Merit upon Government officials belonging to local Government offices shall be governed by the instance under the second paragraph of the preceding Article.

Article 9.

Deleted.

Article 10.

There shall be instituted in each Ministry the Secretariat of the Minister. The Secretariat of the Minister shall deal with the following affairs,

1. Matters concerning confidential affairs.
2. Matters concerning the promotion, dismissal and personal status of Government officials.
3. Matters concerning the custody of the Official Seal of the Minister and the Seal of the Ministry.
4. Matters concerning the receipt and dispatch of official documents and final-draft papers.
5. Matters concerning the preparation of statistics and reports.
6. Matters concerning the compilation and preservation of official documents.
7. Matters concerning the budgeting of the expenditure and revenue under the jurisdiction of the Ministry Proper, the settlement of accounts, and accounting.
8. Matters concerning the audit of accounts.
9. Matters concerning State-owned assets and articles under the jurisdiction of the Ministry proper.

Superintendent-General of Metropolitan Police, the Governor-General of Hokkaido or the Prefectural Governors are contrary to the existing regulations, detrimental to the public good or ultra vires, he may suspend or cancel such orders or dispositions.

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8. Matters concerning the audit of accounts.
9. Matters concerning State-owned assets and articles under the jurisdiction of the Ministry proper.

10. Such other matters as may be specially included within the competency of the Secretariat of the Minister under the Imperial Ordinance relating to the Organization of the Ministry concerned.

The affairs of the Secretariat of a Minister may, to suit the convenience of his Ministry, be dealt with by its Bureaus or by a Bureau specially created for the purpose.

Article 11.

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Article 12.

There shall be instituted Bureaus in each Ministry to take charge of the Ministry's affairs assigned to them respectively. The affairs to be so assigned shall be defined by the Imperial Ordinance relating to the Organization of the Ministry concerned.

Article 13.

The division into Sections of the Secretariat of each Minister and of the Bureaus of his Ministry shall be governed by his decisions. The division into Sections at the Ministry of War and at the Ministry of the Navy shall be provided for by the Imperial Ordinance relating to the Organization of the Ministry concerned.

Article 14.

There shall be instituted in each Ministry the following personnel:

Parliamentary Vice-Minister.
Vice-Minister.
Parliamentary Counselor.
Directors of Bureaus.
Private Secretary.
Secretaries.
Clerks.

Article 14 (Second)

There shall be one Parliamentary Vice-Minister in each Ministry, and he shall be of "Chokunin" rank.

Article 14 (Third)

The Parliamentary Vice-Minister shall assist the Minister, take part in political affairs, and take charge of matters concerning negotiations with the Imperial Diet.

10. Such other matters as may be specially included within the competency of the Secretariat of the Minister under the Imperial Ordinance relating to the Organization of the Ministry concerned.

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Article 16.

The Vice-Minister shall assist the Minister, co-ordinate the affairs of the Ministry, and supervise the affairs of the Bureaus and Divisions.

Article 17.

There shall be one Parliamentary Counselor in each Ministry, and he shall be of "Chokunin" rank. He shall, under the instructions of the Minister, take part in matters concerning negotiations with the Imperial Diet and in other political affairs.

Article 18.

There shall be one Director in each Bureau, and he shall be of "Chokunin" rank. He shall, under the instructions of the Minister, take charge of the affairs of which the principal competency belongs to him, and direct and supervise the affairs of the Sections of his Bureau.

Article 19.

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Article 20.

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Article 21.

A Private Secretary shall be of "Sonin" rank. He shall, under the instructions of the Minister, take charge of confidential affairs or, as instructed as occasion may require, assist the affairs of other Sections.

Article 22.

Secretaries shall be of "Sonin" rank. They shall, under the instructions of the Minister, take charge of the affairs of the Secretariat of the Minister or assist the affairs of the Bureaus.

Article 23.

There shall be one full-time Private Secretary in each Ministry.

Article 24.

There shall be one Sectional Chief in each Section of the Secretariat of the Minister and of the Bureaus, and he shall be appointed from among

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"Kotokan" (Members of the Higher Civil Service). He shall, under the instructions of his superiors, take charge of the affairs of his Section.

The Sectional Chiefs at the Ministry of War and the Ministry of the Navy shall be governed by the provisions of the Imperial Ordinance relating to the Organization of the respective Ministries.

Article 25.

Clerks shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in general affairs.

Article 26.

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Article 27.

In addition to the personnel mentioned in the present Rules, such other personnel as may be specially required by each Ministry shall be provided for by the Imperial Ordinance relating to the Organization of the Ministry concerned.

The prescribed numbers of Secretaries, Clerks and the personnel under the provisions of the preceding Paragraph shall be governed by the provisions of the Imperial Ordinance relating to the Organization of the Ministry concerned.

Supplementary Provisions.

Article 28.

The present Ordinance shall come into force on November 10th., 1893.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached hereto.

/s/ Kenichi Otabe

Kenichi Otabe
Chief of Translation Section
Central Liaison Office

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ORGANIZATION OF THE WAR MINISTRY

Article I. The War Minister supervises the military administration of the Army, leads and controls officers and civilians in the military service, and superintends various departments under his charge.

Article II. The Parliamentary Vice-Minister of War or the Parliamentary Councillor has no duties connected with such affairs as military secret and military order.

Article III. A ministerial Aide-de-Camp is posted in the War ministry.

The Ministerial Aide-de-Camp administers the affairs of the minister's Secretariate upon the order of the minister.

Article IV. (rescinded)

Article V. The following affairs are administered in the minister's Secretariate:

1. matters requiring secrecy.
2. matters connected with the taking charge of the official seals of the minister and of the ministry.
3. matters concerned with taking charge of the original books of military orders.
4. matters concerning the compilation and translation of records.
5. matters connected with the inspection, reception, despatch, compilation and keeping of the official documents and documents of concrete plan.
6. matters connected with keeping books in Charge.
7. matters concerning management of the military library.
8. matters connected with the colours and the Yasukuni' Shrine.
9. matters concerning reports and statistics.
10. matters concerning personnel affairs of the junior officials of the ministry.
11. matters concerning the reception of foreign military officers.
12. matters concerning discipline in the ministry.
13. matters concerning printing.
14. matters not to be managed according to the established regulations and not concerned with any bureau.

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Article VI. The War Ministry has the following seven Bureaus:

Personnel Affairs Bureau.

Military Affairs Bureau.

Military Service Bureau.

Equipment Bureau.

Intendance Bureau.

Medical Bureau.

Judicial Affairs Bureau.

Article VII. The Personnel Affairs Bureau has Appointment Section and Rewards Section.

Article VIII. The Appointments section transacts the following business:

1. The promotion and regradation, appointment and dismissal, limitation, appointment to a post, allotment of duties, increase of salary, increase in pay examination in diligence and indolence and others connected with personnel affairs.
2. Matters connected with the duties in war-time of the military officers and civilian officials in the service.
3. Matters concerning the army register, war-time register of names, civilian official register of names and army list.
4. Matters concerning the personnel affairs of the officers awaiting orders, temporarily retired from office, suspended from office, transferred to the first or second reserve, and of the retired generals and non-combatant generals.
5. Matters concerning appointment of sub-officers and non-commissioned officers to civil service.

Article IX. The following business is transacted in the Rewards Bureau:

1. Matters concerning pension, grant of money, allowance in aid.
2. Matters concerning conferment of rank and decoration, medals, medals for merit, commendation and reward.
3. Matters concerning leave of absence.
4. Matters concerning marriage.
5. Matters concerning relief of soldiers, leading in occupation and others connected with the promotion of welfare.

Article X. The following business is transacted in the Military Administration Section:

1. Matters concerning the fundamental principles of national

defense.

2. Matters concerning the armament of the Army and other general military administration of the Army.
3. Matters concerning the establishment, peacetime organization and equipment of the Army.
4. Matters concerning the principles of guarding against danger, defence, air defence, mobilization of the Army and of man-power.
5. Matters concerning the general control of the military estimates.
6. Matters concerning fundamental munition administration.
7. Matters concerning the control of the duties of the air service and others connected with aviation.
8. Matters concerning manœuvres and inspection.
9. Matters concerning allotment of units and corps.
10. 10. Matters concerning various regulations at wartime.
11. Matters concerning resident-officers in foreign countries, officers studying abroad, and students of the Whole-nation Combat Research Institute.
12. Matters concerning Army Munition Research Committee.

Article XII. The following business affairs are managed in Military Affairs Section:

1. Matters concerning general affairs of national defence policy.
2. Matters concerning international regulations.
3. Matters concerning foreign officers attached to Army units.
4. Matters concerning general affairs of national demobilization.
5. Matters concerning Army affairs of Manchuria and China and other concerned with them.
6. Matters concerning Army affairs of foreign countries except Manchuria and China.
7. Matters concerning connection affairs with Imperial Diet.
8. Matters concerning popularization of national defence spirit and counter-plan for nations' thoughts.
9. Matters concerning controlling of direction of parties researching for military affairs.

Article XIII. Military Service Bureau consists of Military Service Section, Complement Section, Defence Section, Horse Administration Section, and Veterinary Affairs Section.

Article XIV. The following business affairs are managed in Military Service Section:

1. Matters concerning the respective private's mission (except military police and aviation privates).
2. Matters concerning duty and instruction of Military Musical Division.
3. Matters concerning military discipline, morale and disciplinary laws.
4. Matters concerning manuals for training (except those regarding aviation privates).
5. Matters concerning interior duty.
6. Matters concerning ceremonies, formalities, and insignias.
7. Matters (except those concerning construction and management affairs) concerning parade grounds, ranges, bridging sites, practise grounds and other army facilities (except those under control of Defence Section and regarding aviation affairs).
8. Matters concerning military drilling in civil schools and that of young generation.

Article XV. The following business affairs are managed in Complement Section:

1. Matters concerning military service.
2. Matters concerning replacement of officers and men.
3. Matters concerning army demobilization.
4. Matters concerning levy.
5. Matters concerning personnel demobilization.
6. Matters concerning requisitions.
7. Matters concerning Reservist Association.

Article XVI. The following business affairs are managed in Defence Section:

1. Matters concerning M.P.'s mission.
2. Matters concerning military police (except that in charge of Judicial Bureau) and protection of military secret.
3. Matters concerning spy protection.
4. Matters concerning air defence.
5. Matters concerning guarding and safety precautions.
6. Matters concerning garrison duty.

7. Matters concerning construction and complement of fortifications and lands used for national defence.
8. Matters concerning laws applied to fortified zone, military management laws applied to army transport port areas, and etc.
9. Matters concerning domain-and-city planning.

Article XVII. The following business affairs are managed in Horse Administration Section:

1. Matters concerning basis of military horse administration.
2. Matters concerning supply, feeding, management and inspection of military horses.
3. Matters concerning investigation, examination, and requisition of local horses.
4. Matters concerning Horse Administration Bureau.
5. Matters concerning military dogs.
6. Matters concerning alien resources of military horses and other animals to be used for drawing carts etc.

Article XVII, No. 2. The following business affairs are managed in Veterinary Affairs Section:

1. Matters concerning duty and instruction of Veterinary Affairs Division and instruction of farriery.
2. Matters concerning sanitation of military animals and farriery.
3. Matters concerning various regulations of Veterinary Affairs Division at wartime.
4. Matters concerning maintenance, supply, and examination of veterinary materials.
5. Matters concerning investigation, research, and test of veterinary materials.
6. Matters concerning manufacturing and equipment of storage of veterinary materials (except construction and management affairs).
7. Matters concerning guidance, assistance, and superintendence of veterinary material industry. (except those in charge of Audit Section).

Article XX. The following business affairs are managed in War Preparation Section:

1. Matters concerning controlling of munition demobilization.

7. Matters concerning construction and complement of fortifications and lands used for national defence.
8. Matters concerning laws applied to fortified zone, military management laws applied to army transport port areas, and etc.
9. Matters concerning domain-and-city planning.

Article XVII. The following business affairs are managed in Horse Administration Section:

1. Matters concerning basis of military horse administration.
2. Matters concerning supply, feeding, management and inspection of military horses.
3. Matters concerning investigation, examination, and requisition of local horses.
4. Matters concerning Horse Administration Bureau.
5. Matters concerning military dogs.
6. Matters concerning alien resources of military horses and other animals to be used for drawing carts etc.

Article XVII, No. 2. The following business affairs are managed in Veterinary Affairs Section:

1. Matters concerning duty and instruction of Veterinary Affairs Division and instruction of farriery.
2. Matters concerning sanitation of military animals and farriery.
3. Matters concerning various regulations of Veterinary Affairs Division at wartime.
4. Matters concerning maintenance, supply, and examination of veterinary materials.
5. Matters concerning investigation, research, and test of veterinary materials.
6. Matters concerning manufacturing and equipment of storage of veterinary materials (except construction and management affairs).
7. Matters concerning guidance, assistance, and superintendence of veterinary material industry. (except those in charge of Audit Section).

Article LX. The following business affairs are managed in War Preparation Section:

1. Matters concerning controlling of munition demobilization.

2. Matters concerning general affairs of material demobilization
3. Matters concerning general affairs of expansion of productive power.
4. Matters concerning acquirement and utilization of alien munition materials, (except fuel) (except those concerning political affairs.)
5. Matters concerning controlling of guidance and assistance of munition industry (except fuel) and that of superintendence of manufacturing munitions.
6. Matters concerning general affairs of demand and supply, adjustment, and labour business of personnel to be demanded for munition demanded for munition demobilization.
7. Matters concerning plans of manufacturing and equipment of munitions (except fuel) and controlling of their enforcement.
8. Matters concerning controlling of investigation and research of materials for munitions (except fuel).
9. Matters concerning demand and supply and adjustment of munitions (except fuel).
10. Matters concerning general affairs of electric power and manufacturing machines.
11. Matters concerning general affairs of scientific technique in regard to munition industry. (except those in charge of Army Ordnance Head Office and of Army Air Service Head Office.)

Article XX. The following business affairs are managed in Fuel Section:

1. Matters concerning maintenance and requisition of fuel.
2. Matters concerning controlling of investigation and research of fuel and that of standard.
3. Matters concerning guidance, assistance, and superintendence of fuel industry. (except those in charge of Audit Section.)
4. Matters concerning the manufacturing equipment of fuel. (excluding and management)
5. Matters concerning the controlling of the storage of fuel.
6. Matters concerning the regulation of demand & supply of fuel.
7. Matters concerning the resources of fuel from abroad.

Article XX. No. 2. Transport Section transacts the following businesses.

1. Matters concerning the general affairs of communication and transportation from the standpoint of national defence.
2. Matters concerning the transportation.

4. Matters concerning the traffic way in land and sea.
5. Matters concerning the completion, supply and examination of seaborne materials (excluding the ones under the control of Army Ordnance Head Office).
6. Matters concerning the investigation, research and inspection of seaborne materials. (ditto.)
7. Matters concerning the guidance, assistance and inspection of manufacturing seaborne materials. (excluding the ones under the control of Army Ordnance Head Office and Audit Section.)
8. Matters concerning the shipping and rolling stock. (excluding the ones under the control of Army Ordnance Head Office)
9. Matters in relation to the controlling of wartime transportation and communication.
10. Matters concerning the surveying.

Article XXI. repealed.

Article XXII. repealed.

Article XXIII. repealed.

Article XXIV. Intendance Bureau consists of Accounting Section, Audit Section, Clothing and Provisions Section and Building Section.

Article XXV. Accounting Section transacts the following businesses.

1. Matters concerning duty and education in Intendance Division.
2. Matters concerning estimate and settlement.
3. Matters concerning research and consideration of the using military funds.
4. Matters concerning the estimate of demobilization.
5. Matters concerning the expenditure of reserve funds, the carrying forward of fixed amount, expenditure of passed fiscal years drawbacks of the fixed amount and the expenditure before the opening of the fiscal year.
6. Matters concerning the wartime regulations in Intendance Division.
7. Matters concerning salaries, wages and other minor pays and travelling expenses.
8. Matters concerning the pecuniary intendance and accounting officials.
9. Matters concerning various allowances and purchases in this department.

Article XXVI. Audit Section transacts the following businesses.

1. Matters concerning the inspection of accounts (including accounts of juridical persons and other organizations under the control of War Ministry)
2. Matters concerning the inspection of accounting businesses in Army units which are not under the control of Intendance Division of War Ministry, Intendance Department of Army Ordnance Head Office and Intendance Department of Air Service Head Office.
3. Matters concerning the inspection in accounting relations with regard to the management of Army manufacture accounts.
4. Matters concerning the inspection of accounting and investigations of cost-price for civil workshops.
5. Matters concerning various allowances and regulations pertaining to Intendance.
6. Matters concerning the report of revenue and expenditure.
7. Matters concerning the civil lawsuits except businesses under the control of the Intendance Division of Army Department.

Article XXVII. Clothing and Provisions Section transacts the following businesses:

1. Matters concerning the arrangement supply and inspection of clothing and provisions and their equipment.
2. Matters concerning supplies of clothing and provisions.
3. Matters concerning investigation, research and inspection of clothing and provisions and their equipment.
4. Matters concerning manufacture and storage establishment of clothing and provisions and their equipment.
5. Matters concerning work management and facilities of military clothing Factory.
6. Matters concerning guidance, assistance and inspection of the manufacturing clothing and provisions and their equipments. (excluding the ones under control of Audit Section)
7. Matters concerning trust Intendance and canteen.

Article XXVIII. Building Section transacts the following businesses.

1. Matters concerning military land and various buildings (excluding the ones under the control of Defence Section, Army Ordnance Head Office and Air Service Head Office)
2. Matters concerning military land and the controlling of standard of various building.

3. Matters concerning state-owned properties.
4. Matters concerning investigation, research and inspection of buildings.
5. Matters concerning completion, supply and inspection of munitions... field service goods, canteen goods, building materials and the other goods. (excluding cases under the control of other Sections)
6. Matters concerning investigation, research, and inspection of munitions. (excluding cases under the control of other Sections)
7. Matters concerning manufacturing and storing equipment of munitions.
8. Matters concerning guidance, assistance and inspection of the manufacturing of munitions.
9. Matters concerning stores accounts and stores accountants.

Article XXII. Medical Affairs Bureau consists of Sanitary Section and Medical Service Section.

Article XXIII. Sanitary Section transacts the following businesses.

1. Matters concerning duty and education of Sanitary Division.
2. Matters concerning sanitation, unit sanitation and labour sanitation.
3. Matters concerning the sanitation of clothing and provisions, buildings, water supply and drainage.
4. Matters concerning the prevention of epidemics.
5. Matters concerning investigation, research and statistics of military sanitation.
6. Matters concerning various war-time regulations of Sanitary Division.

Article XXIV. Medical Service Section transacts the following businesses.

1. Matters concerning medical treatment and medical care.
2. Matters concerning hospitals, dispensary and sanatorium.
3. Matters concerning completion, supply and inspection of medical stores.
4. Matters concerning investigation, research and inspection of medical stores.
5. Matters concerning production and storage equipment of medical stores. (excluding establishment and management)

6. Matters concerning guidance, assistance and inspection of medical stores industry. (excluding the ones under the control of Audit Section)

7. Matters concerning physical examination.

8. Matters concerning pension diagnosis and discharge from service by disease and wound.

9. Matters concerning Japanese Red Cross Society and relief service organizations of the sick and wounded.

Article XXXII. Judicial Affairs Bureau transacts the following businesses.

1. Matters concerning duty and education of Judicial Division.

2. Matters concerning the administration of justice of the military affairs.

3. Matters concerning a prison.

4. Matters concerning amnesty, provisional release, and the executions of criminals.

5. Matters concerning wartime various regulations of the Judicial Department.

Article XXXIII. The staff of the War Department are as shown in enclosure.

The Additional Rule. (The Imperial decree No. 300 promulgated in 1942.)

The present Ordinance shall come into force as from 1st of April in 1942. If to those who are, at the time when this ordinance is executed, in the office of a military commissioner were not issued the government order, they shall be appointed to a military procurator with the same official grade and salary.

Imperial Ordinance relating
to the Organization of the
Ministry of the Navy.

Article 1.

The Minister of the Navy shall control naval administration, shall superintend Naval Servicemen and Naval Civilians, and shall supervise the agencies under his jurisdiction.

Article 2.

The functions of the Parliamentary Vice-Minister and of the Parliamentary Counselor shall not include matters pertaining to naval secrets and naval orders.

Article 3.

There shall be instituted Adjutants in the Ministry of the Navy. They shall, under the instructions of the Minister of the Navy, take charge of the affairs of the Secretariat of the said Minister.

Article 4.

There shall be instituted Junior Secretaries in the Ministry of the Navy. They shall be of "Sonin" rank. They shall, under their superiors, take charge of routine affairs.

Article 5.

There shall be instituted a Naval Library in the Ministry of the Navy.

There shall be instituted an Officer in Charge at the Naval Library. He shall, under the instructions of his superiors, take charge of affairs concerning the receipt, delivery and custody of books.

Article 5 (Second)

There shall be instituted an Investigation Section in the Ministry of the Navy. It shall take charge of affairs concerning the investigation and arrangement of data necessary for naval administration.

Article 5 (Third)

There shall be instituted a Telegraph Section in the Ministry of the Navy. It shall take charge of affairs concerning telegraphs.

Article 6.

There shall be instituted in the Ministry of the Navy the following eight Bureaus:

Naval Affairs Bureau
Armaments Bureau
Personnel Bureau
Educational Bureau
Munitions Bureau
Medical Affairs Bureau
Accounting Bureau
Judicial Affairs Bureau.

Article 7.

There shall be instituted in the Ministry of the Navy the First Section, the Second Section, the Third Section and the Fourth Section.

Article 8.

The First Section of the Naval Affairs Bureau shall take charge of the following affairs:

1. Matters concerning naval armaments and other matters concerning naval administration in general.
2. Matters concerning the construction or organization of, and service aboard or at, warships, units, offices and schools.
3. Matters concerning the organization and service of warships and units.
4. Matters concerning naval discipline and morale.
5. Matters concerning naval maneuvers.
6. Matters concerning naval reviews.
7. Matters concerning ceremonies, etiquette, uniforms and flags.
8. Matters concerning warships and weapons of war and other munitions in general.
9. Matters concerning guarding and defense.

Article 9.

The Second Section of the Naval Affairs Bureau shall take charge of the following matters:

1. Matters concerning national defense policy.
2. Matters concerning international conventions and personnel dispatched abroad.

Article 9 (Second)

The Third Section of the Naval Affairs Bureau shall take charge of the following matters:

1. Matters concerning the use of engines.
2. Matters concerning constructions aboard warships.
3. Matters concerning the maintenance and preservation of warships.

Article 9 (Third)

The Fourth Section of the Naval Affairs Bureau shall take charge of the following matters:

1. Matters concerning the dissemination of consciousness relating to national defense.
2. Matters concerning the guidance of organizations connected with naval affairs.

Article 9 (Fourth)

There shall be instituted in the Armaments Bureau the First Section, the Second Section and the Third Section.

Article 9 (Fifth)

The First Section of the Armaments Bureau shall take charge of the following matters:

1. Matters concerning preparations for the mobilization of naval forces.
2. Matters concerning National General Mobilization in general.
3. Matters concerning the preservation of weapons of war and other munitions.
4. Matters concerning requisition.
5. Matters concerning equipments on land and sea.

Article 9 (Sixth)

The Second Section of the Armaments Bureau shall take charge of the following matters:

1. Matters concerning the control of the mobilization of munitions industries.
2. Matters concerning the control of the augmentation of productivity in regard to material resources.
3. Matters concerning the adjustment of supply and demand for material resources.
4. Matters concerning the control of guidance in the production of munitions.

5. Matters concerning the control of technique.
6. Matters concerning the investigation and utilization of national resources.
7. Matters concerning the adjustment of supply and demand for labor.
8. Matters concerning the levy of labor and skill under the National General Mobilization Law.
9. Matters concerning other labor services in general.

Article 9 (Seventh)

The Third Section of the Armaments Bureau shall take charge of the following matters:

1. Matters concerning port affairs.
2. Matters concerning transportation.
3. Matters concerning communications.
4. Matters concerning sea routes and security at sea.
5. Matters concerning the investigation and utilization of mercantile ships.
6. Matters concerning the protection of foreign commerce.

Article 10.

There shall be instituted in the Personnel Bureau the First Section and the Second Section.

Article 11.

The First Section of the Personnel Bureau shall take charge of the following matters, provided that those coming within the competency of the Second Section of the Personnel Bureau are excluded therefrom:

1. Matters concerning the replenishment, status, service, promotion and demotion, appointment, and dismissal, assignment, and increases in the salaries, of Officers, Special Service Officers, Officer Cadets, Warrant Officers, and Civil Officials.
2. Matters concerning the replenishment, service, appointment, recruitment and promotion of Petty Officers and men.
3. Matters concerning other personnel affairs in general.
4. Matters concerning the replenishment of staffs in war-time.

Article 12.

The Second Section of the Personnel Bureau shall take charge of the following matters:

1. Matters concerning the conferment of Court Ranks, Orders of Merit, Medals and Ribbons, the grant of bonuses, and other affairs relating to personal status.
2. Matters concerning pensions and monetary grants.
3. Matters concerning the assistance and protection of Servicemen.
4. Matters concerning musters and Simple-Review Roll-Calls.
5. Matters concerning Ex-Servicemen and Ex-Servicemen's Associations.
6. Matters concerning Naval Reservist Candidates.

Article 12 (Second)

There shall be instituted in the Educational Bureau the First Section, the Second Section and the Third Section.

Article 12 (Third)

The First Section of the Educational Bureau shall take charge of the following matters:

1. Matters concerning the unification of education (excepting those coming within the competency of the Second Section of the Educational Bureau).
2. Matters concerning education in general (excepting those coming within the competency of the Second Section and of the Third Section of the Educational Bureau).
3. Matters concerning educational books.

Article 12 (Fourth)

The Second Section of the Educational Bureau shall take charge of the following matters:

1. Matters concerning the unification of the education and technical training of warship units.
2. Matters concerning the education and training of warship units (excepting those coming within the competency of the Third Section of the Educational Bureau).

Article 12 (Fifth)

The Third Section of the Educational Bureau shall take charge of the following matters:

Matters concerning education and training in regard to engineering arts and constructional arts.

Article 13.

There shall be instituted in Munitions Bureau the First Section, the Second Section and the Third Section.

Article 14.

The First Section of the Munitions Bureau shall take charge of the following matters:

1. Matters concerning warship requirements (excluding those coming within the competency of the Second Section of the Munitions Bureau).
2. Matters concerning articles for use at ports.

Article 15.

The Second Section of the Munitions Bureau shall take charge of the following matters:

1. Matters concerning fuel.
2. Matters concerning lubricating oil (excluding those concerning the supply of lubricating oil as a consumption article for general use).
3. Matters concerning the supply of consumption articles for locomotive use.
4. Matters concerning coalmines and oilfields.
5. Matters concerning the functions proper of engineering-constructional officers and men engaged in technical duties relating to fuel.
6. Matters concerning education in regard to technique relating to fuel.
7. Matters concerning labor services at the Naval Fuel Factories.

Article 16.

The Third Section of the Munitions Bureau shall take charge of the following matters:

Matters concerning clothing and food.

Article 17.

Deleted.

Article 18.

Deleted.

Article 19.

Deleted.

Article 20.

The Medical Affairs Bureau shall take charge of the following matters:

1. Matters concerning medical affairs, sanitation, medical diagnosis in regard to eligibility for pensions, and the physique of Servicemen.
2. Matters concerning articles for use in medical treatment.
3. Matters concerning the functions proper of surgical and pharmaceutical officers and men.
4. Matters concerning education in regard to medical affairs and sanitation.

Article 21.

There shall be instituted in the Accounting Bureau the First Section, the Second Section, the Third Section, the Fourth Section, the Fifth Section and the Sixth Section.

Article 22.

The First Section of the Accounting Bureau shall take charge of the following matters:

1. Matters concerning budget estimates and the settlement of accounts.
2. Matters concerning the functions proper of paymaster officers and men.
3. Matters concerning education in regard to accounting.

Article 23.

The Second Section of the Accounting Bureau shall take charge of the following matters:

1. Matters concerning rules relating to salaries and allowances, to the management of articles, and to contracts.
2. Matters concerning the audit of accounts.
3. Matters concerning State-owned assets.
4. Matters concerning rules relating to the calculation of the cost of munitions and their raw and manufactured materials at factories and working places, and to the keeping of accounts at factories and working places.

Article 24.

The Third Section of the Accounting Bureau shall take charge of the following matters:

Matters concerning the accounting at the Main Office of the Ministry of the Navy and at other naval agencies located in Tokyo (excluding the Hydrographical Division and the Naval Technical Institute).

Article 24 (Second)

The Fourth Section of the Accounting Bureau shall take charge of the following matters:

1. Matters concerning the control of affairs relating to contracts.
2. Matters concerning the centralized purchase of articles required by the agencies of the Ministry.

Article 24 (Third)

The Fifth Section of the Accounting Bureau shall take charge of the following matters:

1. Matters concerning the execution of contracts.
2. Matters concerning the acquisition and distribution of material resources and such investigations as may be necessary in connection therewith.

Article 24 (Fourth)

The Sixth Section of the Accounting Bureau shall take charge of the following matters, provided that those coming within the competency of the Second Section of the Accounting Bureau are excluded therefrom:

1. Matters concerning the calculation of the cost of munitions and their raw and manufactured materials at factories and working places.
2. Matters concerning the keeping of accounts at factories and working places.

Article 25.

The Judicial Affairs Bureau shall take charge of the following matters:

1. Matters concerning military justice, discipline and punishment, and prisons.
2. Matters concerning amnesty, probationary release from prison, and the execution of sentences.
3. Matters concerning judicial affairs and the functions proper of Judicial Officials, Judicial Clerks, Prison Officials and lower officials.

Article 26.

There shall be instituted in each Bureau a Director, Sectional Chiefs and Bureau Staff members, provided that there shall not be instituted Sectional Chiefs in the Medical Affairs Bureau and in the Judicial Affairs Bureau.

There shall be instituted Sectional Chiefs and Sectional Staff members in the Section of Investigation and the Section of Telegraphs.

Article 27.

The Directors of the Bureau shall, under the instructions of the Minister of the Navy, take charge of and dispose of affairs coming within the competency of their respective Bureaus.

Article 28.

The Sectional Chiefs, the Bureau Staff Members and the Sectional Staff members shall, under the instructions of their respective superiors, engage in the performance of their respective duties.

Article 29.

Deleted.

Article 30.

Deleted.

Article 31.

There shall be instituted Assistant Technicians in the Ministry of the Navy. They shall, under the instructions of their superiors, engage in the performance of their technical duties.

Article 32.

Deleted.

Article 33.

The prescribed personnel of the Ministry of the Navy shall be governed by the Annex.

Supplementary Provisions.

The present Ordinance shall come into force on April 1st, 1916.

Remarks:

1. The Minister of the Navy and the Vice-Minister of the Navy shall be appointed from among Admirals in Active Service.
2. In addition to the prescribed personnel listed above, there may, as occasion may require, be instituted concurrent appointees, or officers as "Shusshi" (Attendants) to a number not exceeding five.
3. Of the prescribed personnel of the Personnel Bureau, the Surgeon-Commander of the Surgeon-Lieutenant-Commander and the Paymaster-Commander or the Paymaster-Lieutenant-Commander may, as occasion may require, be replaced by a Surgeon-Captain and a Paymaster-Captain, respectively.
4. The officers of the different branches belonging to the Bureau Staff members of the Munitions Bureau may be interchangeably increased or decreased, in so far as the prescribed number of personnel is not exceeded.

5. The post of Director of the Judicial Affairs Bureau shall be concurrently assumed by a Judicial Official of "Chokunin" rank of the Naval High Court-Martial; that of Private Secretary, by an Adjutant; those of concurrent appointees among the Bureau Staff members of the Naval Affairs Bureau, by staff members or "Shusshi" of the Naval Air Force Headquarters; those of concurrent appointees among the Bureau Staff members of the Armaments Bureau, by Sectional Staff members of the Section of Telegraphs and by staff members or "Shusshi" of the Naval Construction Headquarters; those of concurrent appointees among the Bureau Staff members of the Educational Bureau, by staff members of the Medical Affairs Bureau or of the Accounting Bureau and by staff members or "Shusshi" of the Naval Construction Headquarters or of the Naval Air Force Headquarters; and those of concurrent appointees among the Bureau Staff members of the Medical Affairs Bureau or of the Accounting Bureau, by staff members or "Shusshi" of the Naval Construction Headquarters.
6. During the absence of the Chief of a Section, the number of the staff members of the said Section may be increased by one.
7. For the time being, the post of Chief of the Fifth Section, and that of Chief of the Sixth Section, of the Accounting Bureau shall be concurrently assumed by persons who hold other posts.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached hereto.

/s/ Kenichi Otabe

Kenichi Otabe
Chief of Translation Section,
Central Liaison Office

Imperial Ordinance relating to the
Organization of the Ministry of Foreign Affairs.

Article 1.

The Minister of Foreign Affairs shall control affairs relating to the conduct of political affairs concerning foreign countries, to the protection of Japanese commercial affairs in foreign countries and to Japanese subjects residing in foreign countries, and direct and supervise Japanese Diplomatic and Consular Officers.

The Minister of Foreign Affairs shall direct and supervise the Japanese Ambassador Extraordinary and Plenipotentiary to Manchoukuo in regard to those affairs of the Kwantung Bureau which pertain to external matters.

Article 2.

The Secretariat of the Minister of Foreign Affairs shall, in addition to the affairs mentioned in the General Rules concerning the Organization of the Ministries, take charge of affairs concerning foreign Diplomatic and Consular Officers stationed in Japan, the conferment of Orders on foreign nationals, the custody of instruments of treaties and conventions, the translation of documents, and the examination in general of administrative matters under the jurisdiction of the Ministry of Foreign Affairs.

Article 3.

The regular number of the full-time Senior Secretaries of the Ministry of Foreign Affairs shall be 27.

Article 4.

There shall be instituted in the Ministry of Foreign Affairs the following six Bureaus:

East Asiatic Bureau
European and Asiatic Bureau
American Bureau
South Seas Bureau
Commercial Bureau
Bureau of Treaties and Conventions

Article 5.

The East Asiatic Bureau shall take charge of diplomatic affairs concerning Manchoukuo, China, Hongkong and Amoy.

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The East Asiatic Bureau shall take charge of diplomatic affairs concerning Manchoukuo, China, Hongkong and Amoy.

Article 6 (Third)

The South Seas Bureau shall take charge of diplomatic affairs concerning Thailand, the Philippine Islands, Indo-China, Burma, Malaya, North Borneo, the East Indies, Australia, New Zealand, the other Oceanic islands and the Antarctic region.

Article 7.

The Commercial Bureau shall take charge of affairs concerning commerce and navigation.

Article 8.

The Bureau of Treaties and Conventions shall take charge of affairs relating to treaties and conventions and to matters concerning external laws and regulations.

Article 9.
Deleted.

Article 10.
Deleted.

Article 11.

There shall be instituted in the Ministry of Foreign Affairs a Division of Investigation and Documentation to take charge of affairs concerning investigation, and the arrangement and preservation of data, relating to matters under the jurisdiction of the Ministry of Foreign Affairs; and also concerning information.

There shall be a Director of the Bureau of Investigation and Documentation. He shall be of "Chokunin" rank. He shall, under the instructions of the Minister of Foreign Affairs, take charge of the affairs of the Division.

Article 11 (Second).

There shall be instituted in the Ministry of Foreign Affairs 11 full-time Secretary-Investigators. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of investigation.

Article 12.

There shall be instituted in the Ministry of Foreign Affairs 57 full-time Foreign Affairs Junior Secretaries and 23 full-time Foreign Affairs Clerk-Secretaries. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of routine affairs.

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Article 13.

There shall be instituted in the Ministry of Foreign Affairs eight full-time Secretary-Translators. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of the translation of documents.

Article 14.

There shall be instituted in the Ministry of Foreign Affairs 15 full-time Code Secretaries. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of matters concerning telegraphic codes.

Article 14 (Second).

There shall be instituted in the Ministry of Foreign Affairs two full-time Secretary-Compilers. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of the compilation of data concerning facts of diplomatic history.

Article 15.

There shall be instituted in the Ministry of Foreign Affairs four full-time Secretary-Technicians. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of technical matters.

Article 16.

The regular member of full-time Foreign Affairs Clerks shall be 206.

Article 17.

There shall be instituted in the Ministry of Foreign Affairs three full-time Clerk-Translators. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in the translation of documents and in interpretation.

Article 17 (Second)

There shall be instituted in the Ministry of Foreign Affairs 26 full-time Code Clerks. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in affairs concerning telegraphic codes.

Article 18.

There shall be instituted in the Ministry of Foreign Affairs 19 full-time Clerk-Technicians. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in telegraphic, architectural and other technical affairs.

Supplementary Provisions.

The present Ordinance shall come into force on the date of its promulgation.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached hereto. /s/ K. Otabe

K. OTABE

Chief of Translation Section, Central Liaison Office.

- 11 -

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There shall be instituted in the Ministry of Foreign Affairs eight full-time Secretary-Translators. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of the translation of documents.

Article 14.

There shall be instituted in the Ministry of Foreign Affairs 15 full-time Code Secretaries. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of matters concerning telegraphic codes.

Article 14 (Second).

There shall be instituted in the Ministry of Foreign Affairs two full-time Secretary-Compilers. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of the compilation of data concerning facts of diplomatic history.

Article 15.

There shall be instituted in the Ministry of Foreign Affairs four full-time Secretary-Technicians. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of technical matters.

Article 16.

The regular number of full-time Foreign Affairs Clerks shall be 206.

Article 17.

There shall be instituted in the Ministry of Foreign Affairs three full-time Clerk-Translators. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in the translation of documents and in interpretation.

Article 17 (Second)

There shall be instituted in the Ministry of Foreign Affairs 26 full-time Code Clerks. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in affairs concerning telegraphic codes.

Article 18.

There shall be instituted in the Ministry of Foreign Affairs 19 full-time Clerk-Technicians. They shall be of "Hannin" rank. They shall, at the direction of their superiors, engage in telegraphic, architectural and other technical affairs.

Supplementary Provisions.

The present Ordinance shall come into force on the date of its promulgation.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached hereto. /s/ K. Otabe

K. OTABE

Chief of Translation Section, Central Liaison Office.

- 7 -

Article 13.

There shall be instituted in the Ministry of Foreign Affairs eight full-time Secretary-Translators. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of the translation of documents.

Article 14.

There shall be instituted in the Ministry of Foreign Affairs 15 full-time Code Secretaries. They shall be of "Sonin" rank. They shall, under the instructions of their superiors, take charge of matters concerning telegraphic codes.

Article 14 (Second).

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Supplementary Provisions.

The present Ordinance shall come into force on the date of its promulgation.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached hereto. /s/ K. Otabe

K. OTABE

Chief of Translation Section, Central Liaison Office.

Subject: Concerning Military Ordinances

(Sept. 11, 1907 Military Ordinance No. 1)

We /The Emperor/ enact Military Ordinances and order their enforcement.

1. Any Regulation concerning the Supreme Command of the Army and Navy, after having obtained Imperial Approval is a Military Ordinance.
2. If it is necessary to make a Military Ordinance public an Imperial Decree is attached and after it is signed by the Emperor and the Imperial Seal affixed, the Army Minister or Navy Minister, as the case may be, adds the date and countersigns it.
3. Publication of a Military Ordinance shall be through the Official Gazette.
4. An Ordinance shall become effective immediately unless a specific time for coming into effect is appointed.

I certify that the above is a true copy of the original document.

16 April 1946
No. 1 Demobilization Ministry,
General Affairs Section Chief
/Seal/ Nakayama
/official seal/

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DOCUMENT 181

SUBJECT: CONCERNING MILITARY ORDINANCE

(Sept. 11, 1907)
Milit.Ord.No.1

The Emperor has enacted the Ordinance and orders to execute.

1. The regulation concerning the command of Army, Navy which has gone through Imperial approval is said Military Ordinance.
2. The Ordinance which necessitate to put to publicity, is signed by the Emperor with His Instruction and Army or Navy Minister concerned countersigns and writes down the date.
3. The Ordinance is issued on the Official Gazette.
4. The Ordinance is effective on the date of its issue, unless otherwise determined.

Doc. No. 184*

Ex 78

GENERAL STAFF HEADQUARTERS REGULATIONS

December 18, 1908
(Milit. Ord. Army No. 19)

We /The Emperor/ have revised the General Staff Headquarters Regulations and hereby order them to be put into effect.

General Staff Headquarters Regulations

1. The General Staff Office shall be in charge of National Defence and Logistics.
2. A general or a lieutenant-general shall be appointed by the Emperor to the post of Chief of the General Staff, and is under the direct command of the Emperor. He attends the war council, takes charge of the formation of plans for national defence and logistics, exercises general control over the General Staff Office.
3. The Chief of the General Staff shall exercise general control over those military officers who occupy the posts on the General Staff, take charge of their education and superintend the Military Staff College and Land Survey Department.
4. The Deputy-Chief of the General Staff shall assist the Chief and take charge of the whole Headquarters.
5. The Director of each Department of the General Staff Headquarters is responsible to the Chief, superintends the heads and others of the various sections and controls their main duties.
6. The organization of the General Staff Office shall be established separately.
7. Standing Orders in the General Staff Office shall be prescribed by the Chief of the General Staff.

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陸軍

參謀本部條例 (明四一、一三、一八、軍令第一九)

朕參謀本部條例ヲ改定シ之カ施行ヲ命ス

參謀本部條例

第一條 參謀本部ハ國防及用兵ノ事ヲ掌ル所トス

第二條 參謀總長ハ陸軍大將若ハ陸軍中將ヲ以テ親補シ 天皇ニ直ニ
奏シ帷幄ノ軍務ニ參畫シ國防及用兵ニ關スル計畫ヲ掌リ參謀本部
ヲ統轄ス

第三條 參謀總長ハ參謀ノ職ニ在ル陸軍將校ヲ統轄シ其ノ教育ニ管
シ陸軍大學校陸地測量部ヲ管轄ス

第四條 參謀次長ハ參謀總長ヲ補佐シ本部一切ノ事務整理ニ任ス

第五條 參謀本部部長ハ參謀總長ノ命ヲ承ケ課長以下ヲ指揮シ其ノ

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陸軍

參謀本部條例 (明四一、二二、一八、軍令體一九)

朕參謀本部條例ヲ改定シ之カ施行ヲ命ス

參謀本部條例

- 第一條 參謀本部ハ國防及用兵ノ事ヲ掌ル所トス
- 第二條 參謀總長ハ陸軍大將若ハ陸軍中將ヲ以テ親補シ 天皇ニ直ニ
統シ帷幄ノ軍務ニ參畫シ國防及用兵ニ關スル計畫ヲ掌リ參謀本部
ヲ統轄ス
- 第三條 參謀總長ハ參謀ノ職ニ在ル陸軍將校ヲ統轄シ其ノ教育ニ盡
シ陸軍大學校陸地測量部ヲ管轄ス
- 第四條 參謀次長ハ參謀總長ヲ補佐シ本部一切ノ事務整理ニ任ス
- 第五條 參謀本部部長ハ參謀總長ノ命ヲ承ケ部長以下ヲ指揮シ其ノ
主務ヲ掌理ス
- 第六條 參謀本部ノ編制ハ別ニ定ムル所ニ據ル
- 第七條 參謀本部ニ於ケル職務規則ハ參謀總長之ヲ定ム

第三條 參謀總長ハ參謀ノ職ニ在ル陸軍將校ヲ統轄シ其ノ教育ニ係

シ陸軍大學校陸地測量部ヲ管轄ス

第四條 參謀次長ハ參謀總長ヲ補佐シ本部一切ノ事務整理ニ任ス

第五條 參謀本部部長ハ參謀總長ノ命ヲ承ケ課長以下ヲ指揮シ其ノ

主務ヲ掌理ス

第六條 參謀本部ノ編制ハ別ニ定ムル所ニ據ル

第七條 參謀本部ニ於ケル服務規則ハ參謀總長之ヲ定ム

右原本ト相違ナキコトヲ證明ス

昭和二十一年四月十六日

第一復員省總務課長



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F2

■司令部令（昭和十六年十二月七日現在）

第一條 司令部ハ國防用兵ノ事ヲ掌ル所トス

第二條 司令部ニ總長ヲ置ク觀補トス

總長ハ

天皇ニ直隸シ軍令ノ傳達ニ參事シ軍令部ヲ統轄ス

第三條 總長ハ國防用兵ノ計畫ヲ成リ用兵ノ事ヲ傳達ス

第四條 司令部ニ左ノ職員ヲ置ク

次長

副官

部長

課長

部員

附

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海軍

479 Doc 183
P2

■司令部令（昭和十六年十二月七日現在）

第一條 ■司令部へ函防用兵ノ事ヲ掌ル所トス

第二條 ■司令部ニ總長ヲ置ク哉補トス

總長へ

天皇ニ直隸シ總長ノ職務ニ參事シ軍令部ヲ統轄ス

第三條 總長へは防用兵ノ計畫ヲ立リ用兵ノ事ヲ傳達ス

第四條 軍令部ニ左ノ地位ヲ置ク

次長

副官

部長

課長

部員

附

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海軍

前項職員ノ外必要ニ應ジ出仕トシテ士官又ハ高等文官ヲ置ク

第五條 次長ハ總長ヲ輔佐シ各部ヲ監督シ部務ヲ整理ス

第六條 副官ハ總長ノ命ヲ承ケ庶務ヲ掌理ス

第七條 部長ハ總長ノ命ヲ承ケ課長以下ヲ指揮シ其ノ主務ヲ掌理ス

課長及部員ハ各上官ノ命ヲ承ケ服務ス

第八條 總長、次長、部長、課長及部員ハ參謀官トス

第九條 出仕ハ總長ノ命ヲ承ケ服務ス

第十條 在外帝國大使館及公使館ニ大使館附武官、公使館附武官及同

輔佐官トシテ兵科將校ヲ置キ總長之ヲ管ス

滿洲國及中華民國ニ在勤ノ帝國大使館附武官ニハ前項ノ外附トシテ

士官、特務士官、准士官、下士官、兵及判任文官ヲ附スルコトヲ得

第十一條 附ハ編修、特務士官、准士官、下士官、兵、書記、編修務

記又ハ技手ヲ以テ之ニ允ツ各上官ノ命ヲ承ケ服務ス

第十二條 軍令部ニ於ケル服務規程ハ總長之ヲ定ム

海軍

28
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Doc 183

證 書

本海軍省官制（昭和十六年十二月七日現在）

一 本令部分（昭和十六年十二月七日現在）

右原本と相違ナキコトヲ證明ス

昭和二十一年四月六日

第二復員省

海 軍

EV 79

DOCUMENT 183

Imperial Ordinance relating to the
Organization of the Naval General
Staff Office. (Iss of December 7th, 1941.)

Article 1.

The Naval General Staff Office shall take charge of matters concerning national defense and the use of armed strength.

Article 2.

There shall be the Chief of the Naval General Staff Office. He shall be personally appointed by the Emperor.

The Chief shall be directly subordinate to the Emperor, take part in the confidential affairs of the Emperor's headquarters and control the Naval General Staff Office.

Article 3.

The Chief shall take charge of plans for national defense and for the use of armed strength, and shall transmit matters concerning the use of armed strength.

Article 4.

There shall be instituted in the Naval General Staff Office the following personnel:

Vice-Chief.
Adjutants.
Divisional Directors.
Sectional Chiefs.
Staff Members.
"Tsuki" (Assistants)

There shall, as necessity may require, be instituted Officers, or High Civil Officials, as "Shusshi" (Attendants) in addition to the personnel mentioned in the preceding Paragraph.

Article 5.

The Vice-Chief shall assist the Chief, supervise the Divisions and co-ordinate the affairs of the Divisions.

Article 6.

The Adjutants shall, under the orders of the Chief, take charge of general affairs.

Article 7.

The Divisional Directors shall, under the orders of the Chief, direct the Sectional Chiefs and lower personnel, and take charge of the affairs of which the principal competency belongs to them, respectively.

The Sectional Chiefs and the Staff Members shall, under the orders of their respective superiors, engage in the discharge of their duties.

Article 8.

The Chief, the Vice-Chief, the Divisional Directors, the Sectional Chiefs and the Staff Members shall be Staff Officers.

Article 9.

The Attendants shall, under the orders of the Chief, engage in the discharge of their duties.

Article 10.

There shall be instituted, at the Japanese Embassies and Legations abroad, Combatant Officers as Embassy and Legation Naval Attaches and Assistant Naval Attaches, and the Chief shall control them.

In addition to the personnel mentioned in the preceding Paragraph, Officers, Special Service Officers, Warrant Officers, Non-Commissioned Officers, Men and "Hannin" Civil Officers, may be attached as "Tsuki" (Assistants) to the Japanese Embassy Naval Attaches serving in Manchoukuo and the Republic of China.

Article 11.

"Tsuki" (Assistants) shall be appointed from among Secretary-Compilers, Special Service Officers, Warrant Officers, Non-Commissioned Officers, Men, Clerks, Clerk-Compilers or Clerk-Technicians. They shall, under the orders of their respective superiors, engage in the discharge of their duties.

Article 12.

The Rules relating to the Service at the Naval General Staff Office shall be laid down by the Chief.

I hereby certify that this is the accurate and exact translation of the Japanese Original attached

/s/ Kenichi Otabe
K. Otabe
Chief of Translation Section,
Central Liaison Office

Ex # 80

185

ORDINANCE OF 'DAIHONEI'

November 11, 1939
(Milit.Crd.No.1)

The Emperor has enacted the Ordinance of 'Daihonei' and orders to execute.

1. The Supreme Command is established under the direct command of the Emperor, which is called 'Daihonei'.

'Daihonei' is organized in war-time or incident-time in case of necessity.

2. The Chiefs of General Staff and Naval Staff are the chief of each Staff, whose duty is to take part in the highest momentous affairs, to make plan of operation and considering last object, to arrange the co-operation and the united action of Army and Navy.

3. The Organization and duties of 'Daihonei' is settled apart.

IPS DOCUMENT NO. 185*

ORDINANCE OF 'DAIHONEI'

November 11, 1939
(Milit.Ord. No.1)

The Emperor has enacted the Ordinance of 'Daihonei' and orders its execution.

1. The Supreme Command is established under the direct command of the Emperor, which is called 'Daihonei'.

'Daihonei' is organized in war-time or incident-time in case of necessity.

2. The Chiefs of General Staff and Naval Staff are the chief of their respective staffs, whose duty is to take part in the highest headquarters affairs, to make plans of operation, make the final decision and arrange the cooperation and the united action of Army and Navy.
3. The Organization and duties of 'Daihonei' are laid down elsewhere.

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| UNITED NATIONS ARCHIVES | | CAMERA OPERATOR'S REPORT AND CERTIFICATE | REEL NO. 140 |
| PRODUCTION DATA | | INDEXING DATA | |
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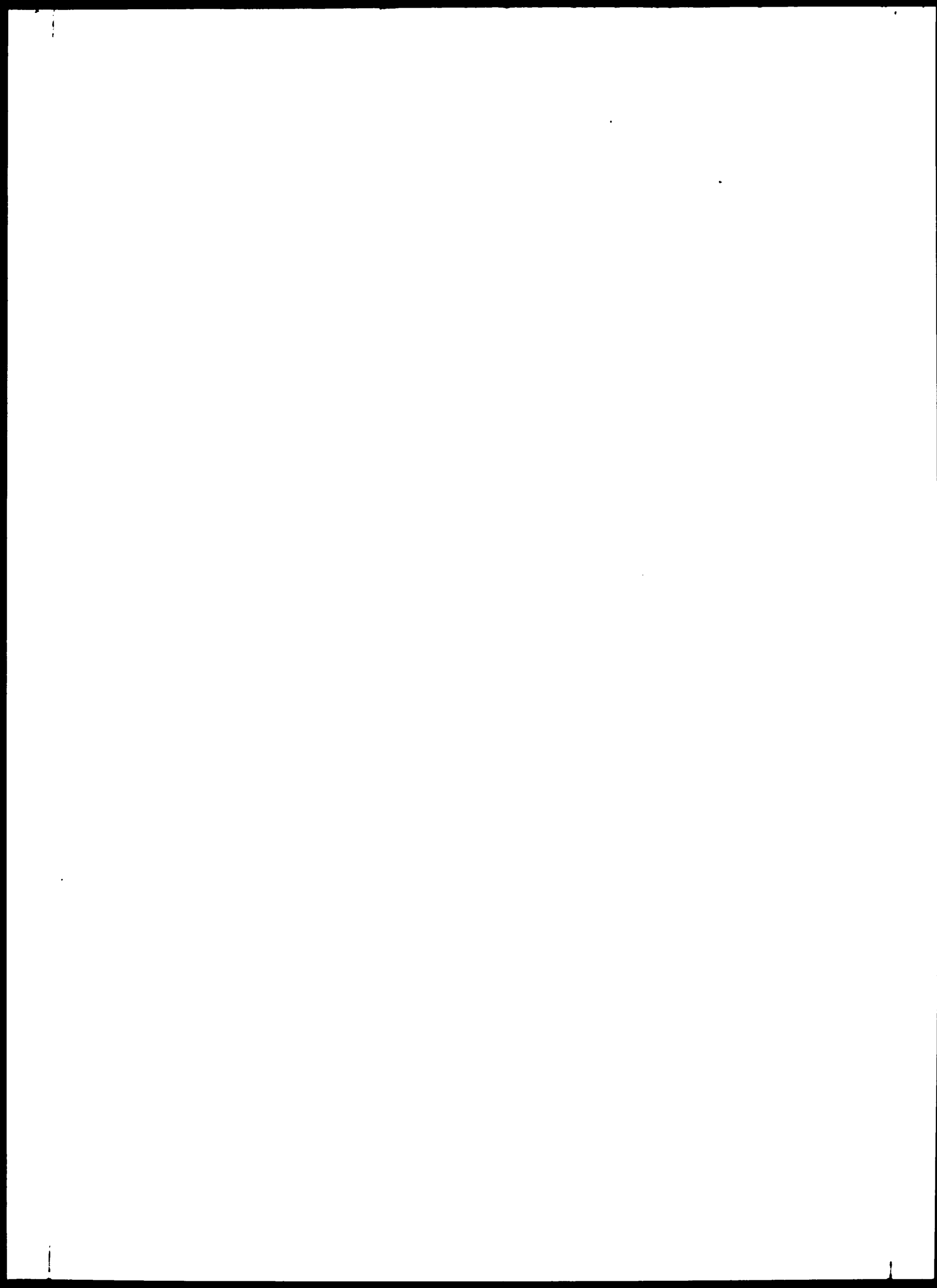
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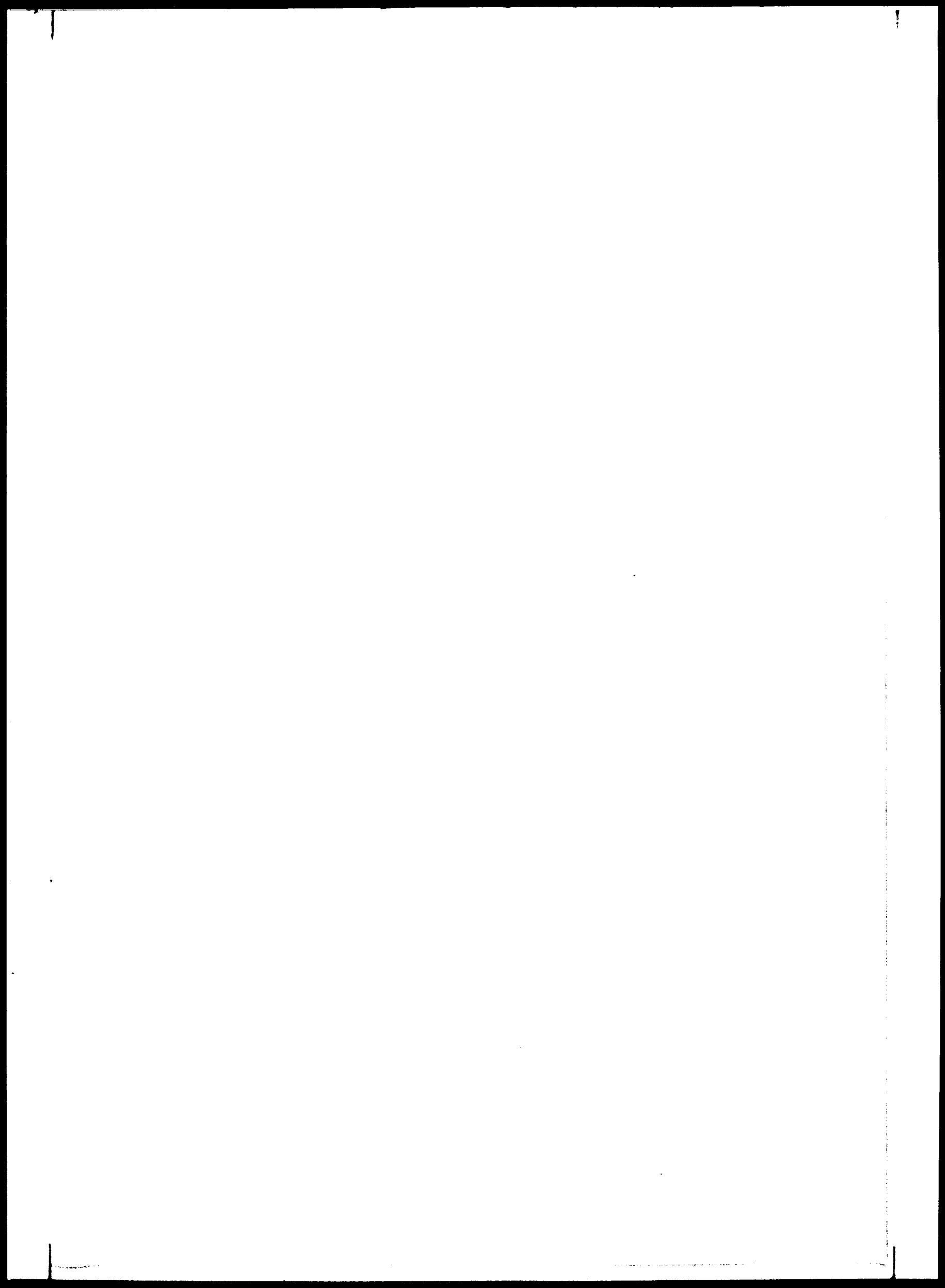
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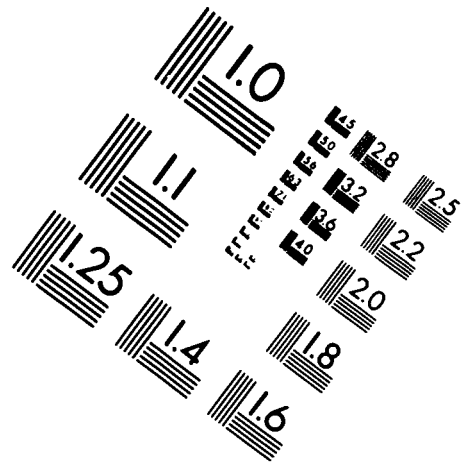
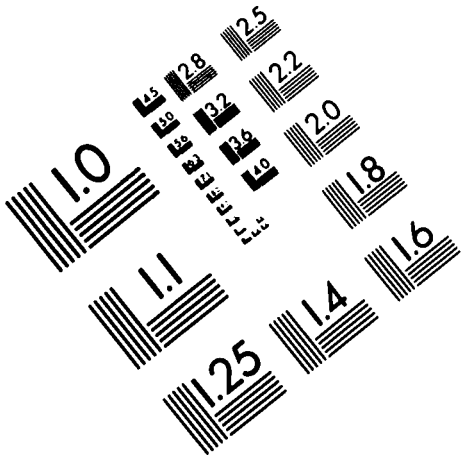
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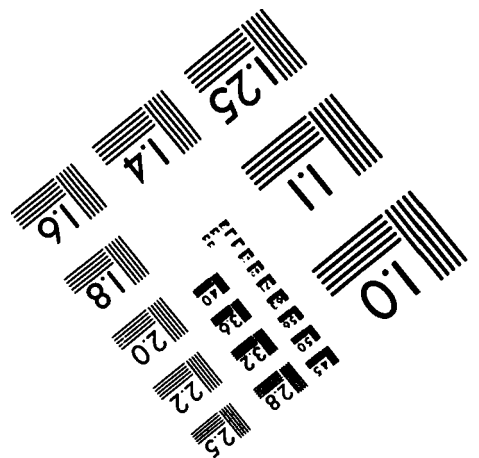
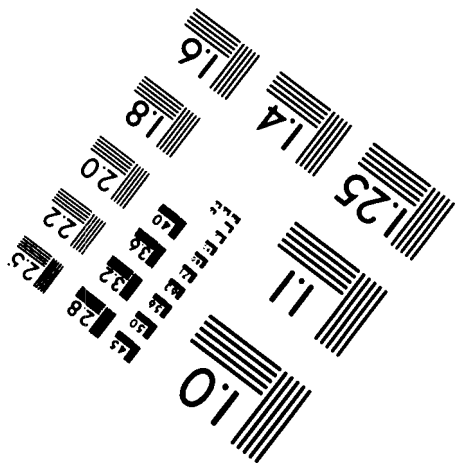
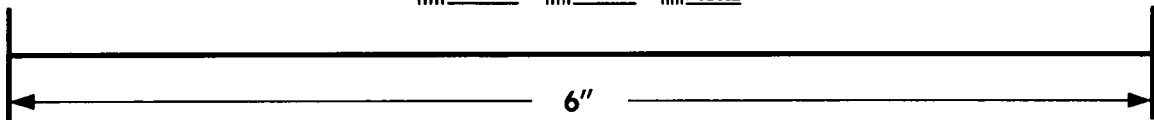
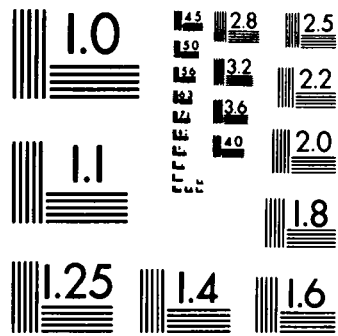
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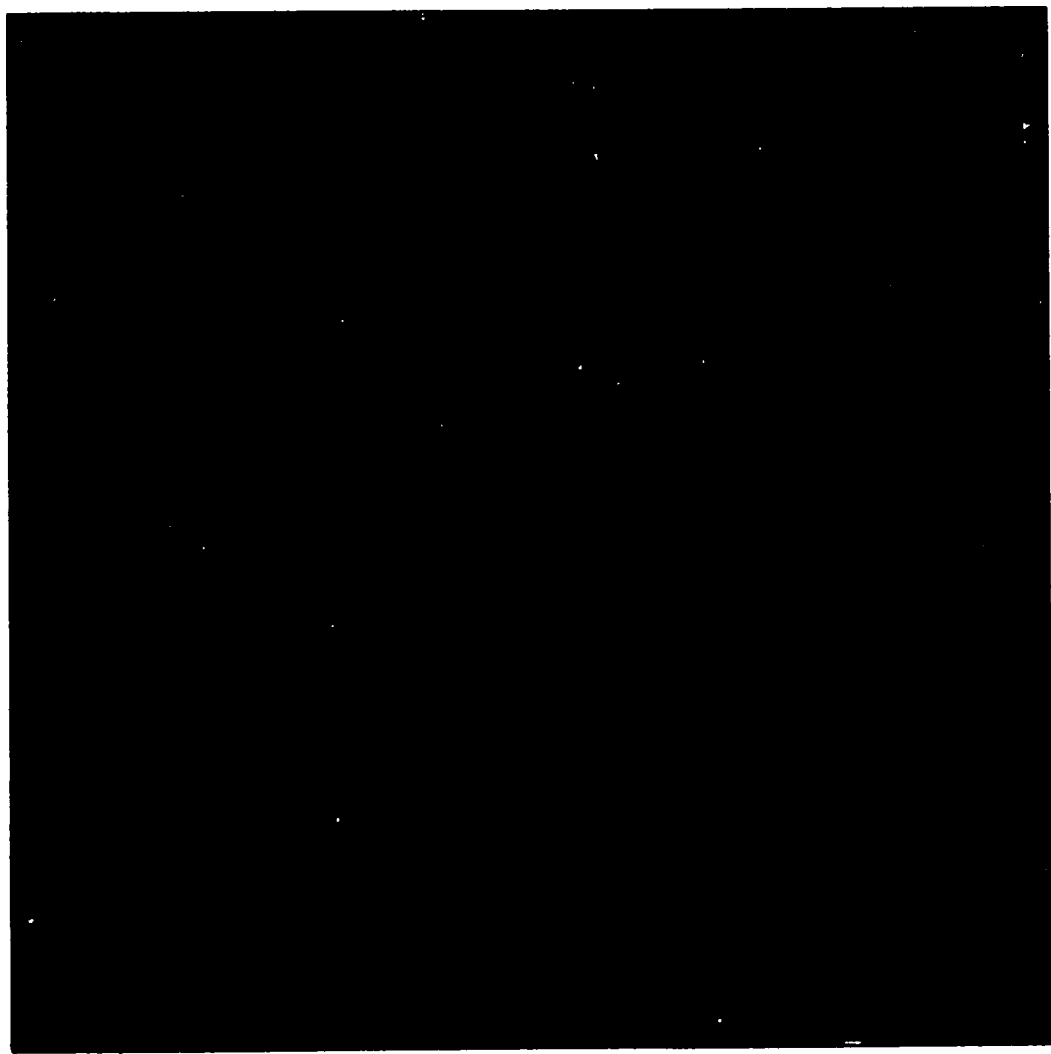




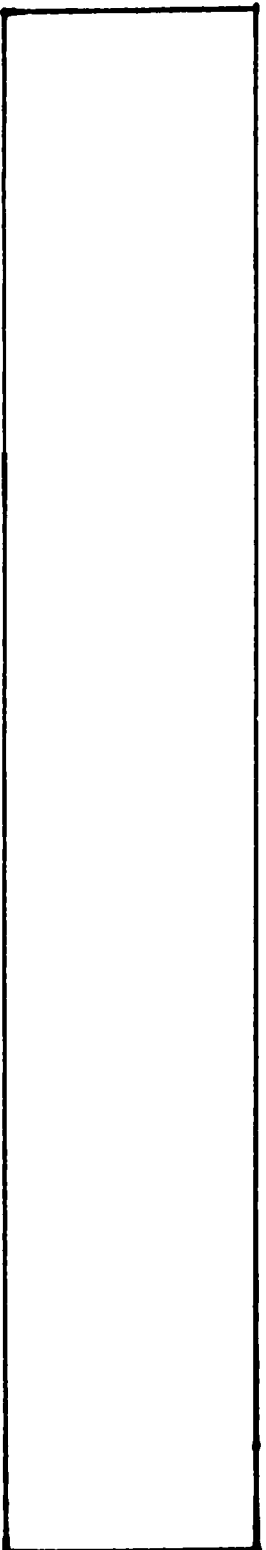
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PAG - 3

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