

支那ニ關スル九國條約御批准ノ件
 右謹テ上奏シ恭シク
 聖裁ヲ仰キ併セテ樞密院ノ議ニ付セ
 ラレムコトヲ請フ

大正十一年四月二十三日

内閣總理大臣子爵高橋是清



内
閣

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御批准案

天佑ヲ保有シ萬世一系ノ帝祚ヲ踐メル

日本國皇帝（御名）此ノ書ヲ見ル有衆ニ宣示ス

朕帝國、亞米利加合衆國、白耳義國、英帝國、支那國、佛蘭西國、
伊太利國、和蘭國及葡萄牙國ノ各全權委員カ亞米利加合衆國華盛
頓ニ於テ大正十一年二月六日署名調印シタル支那ニ關スル九國條
約ヲ閱覽點檢シ之ヲ嘉納批准ス

神武天皇即位紀元二千五百八十年大正 年 月 日

ニ於テ親ヲ名ヲ署シ璽ヲ鈐セシム

御名 國 璽

攝政 名

外務大臣

支那ニ關スル九國條約

亞米利加合衆國、白耳義國、英帝國、支那國、佛蘭西國、伊太利國、日本國、和蘭國及葡荷
牙國ハ
極東ニ於ケル事態ノ安定ヲ期シ支那ノ權利利益ヲ擁護シ且機會均等ノ基礎ノ
上ニ支那ト他ノ列國トノ交通ヲ増進セムトスルノ政策ヲ採用スルコトヲ希望
シ
右ノ目的ヲ以テ條約ヲ締結スルニ決シ之カ爲左ノ如ク其ノ全權委員ヲ任命セ
リ

亞米利加合衆國大統領

合衆國人民、チアールス、エヴァンス、ヒューズ

同 「ヘンリー、カボット、ロッシ」

同 「オスカー、ダブリュー、アングラウツ」

同 「エリヒュー、ルート」

白耳義國皇帝陛下

亞米利加合衆國駐劄特命全權大使男爵「カルナエ、ド、マルシエヌ」

大不列顛愛蘭聯合王國及大不列顛海外領土皇帝印度皇帝陛下

樞密院議長國會議員「アーサー、ジエームス、バルフォア」

海軍大臣男爵「リー、オヴ、フェアラム」

亞米利加合衆國駐劄特命全權大使「サー、オークランド、キャンブル、ゲデス」

加奈陀

「サー、ロバート、レアド、ボーデン」

濠太利聯邦

內務大臣上院議員「ジョージ、フォスター、ピアス」

新西蘭

新西蘭最高法院判事「サー、ジョン、ウィリアム、サルモンド」

南阿弗利加聯邦

國會議員「アーサー、ジエームス、バルフォア」

印度

印度參議院議員「ヴァリニングマン、サンカラナラヤナ、スリニヴァサ、サストリ」

支那共和國大總統

亞米利加合衆國駐劄特命全權公使施肇基

英國駐劄特命全權公使顧維鈞

前司法大臣王寵惠

佛蘭西共和國大統領

殖民大臣下院議員「アルベール、サロー」

亞米利加合衆國駐劄特命全權大使「ジュール、シー、ジユスラン」

伊太利國皇帝陛下

參議院議員「カルロ、シアンツェル」

亞米利加合衆國駐劄特命全權大使參議院議員「ヴィットリオ、ロランデイ、リッ
ナ」

參議院議員、ルイジ、アルベルティニ

四

日本國皇帝陛下

海軍大臣男爵加藤友三郎

亞米利加合衆國駐劄特命全權大使男爵幣原喜重郎

外務次官埴原正直

和蘭國皇帝陛下

特命全權公使、ヨシクヘール、フランス、ペーラールツ、ヴァン、ブロックランド

亞米利加合衆國駐劄代理公使、ヨシクヘール、ウィルレム、ヘンドリック、ド、ボー
フカール

葡萄牙共和國大統領

亞米利加合衆國駐劄特命全權公使、アルテ子爵、ジョゼ、フランシスコ、デ、オ

ルタ、マシヤド、ダ、フランカ

海軍大佐殖民省技術部長、エルネスト、ジユリオ、デ、カルヴァリオ、イ、ヴァスコ
ンセロス

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

第一條

支那國以外ノ締約國ハ左ノ通約定ス

- (一) 支那ノ主權獨立竝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滅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

第二條

締約國ハ第一條ニ記載スル原則ニ違背シ又ハ之ヲ害スヘキ如何ナル條約、協定、取極又ハ了解ヲモ相互ノ間ニ又ハ各別ニ若ハ協同シテ他ノ一國又ハ數國トノ

五

間ニ締結セサルヘキコトヲ約定ス

第三條

一切ノ國民ノ商業及工業ニ對シ支那ニ於ケル門戶開放又ハ機會均等ノ主義ヲ一層有效ニ適用スルノ目的ヲ以テ支那國以外ノ締約國ハ左ヲ要求セサルヘク又各自國民ノ左ヲ要求スルコトヲ支持セサルヘキコトヲ約定ス

(イ) 支那ノ何レカノ特定地域ニ於テ商業上又ハ經濟上ノ發展ニ關シ自己ノ利益ノ爲一般の優越權利ヲ設定スルニ至ルコトアルヘキ取極

(ロ) 支那ニ於テ適法ナル商業若ハ工業ヲ營ムノ權利又ハ公共企業ヲ其ノ種類ノ如何ヲ問ハス支那國政府若ハ地方官憲ト共同經營スルノ權利ヲ他國ノ國民ヨリ奪フカ如キ獨占權又ハ優先權或ハ其ノ範圍期間又ハ地理的限界ノ關係上機會均等主義ノ實際的適用ヲ無効ニ歸セシムルモノト認メラルルカ如キ獨占權又ハ優先權

本條ノ前記規定ハ特定ノ商業上工業上若ハ金融業上ノ企業ノ經營又ハ發明及研究ノ獎勵ニ必要ナルヘキ財産又ハ權利ノ取得ヲ禁スルモノト解釋スヘカラサルモノトス

支那國ハ本條約ノ當事國タルト否トヲ問ハス一切ノ外國ノ政府及國民ヨリノ經濟上ノ權利及特權ニ關スル出願ヲ處理スルニ付本條ノ前記規定ニ記載スル

主義ニ遵由スヘキコトヲ約ス

第四條

締約國ハ各自國民相互間ノ協定ニシテ支那領土ノ特定地方ニ於テ勢力範圍ヲ創設セムトシ又ハ相互間ニ獨占的機會ヲ享有スルコトヲ定ムトスルモノヲ支持セサルコトヲ約定ス

第五條

支那國ハ支那ニ於ケル全鐵道ヲ通シ如何ナル種類ノ不公平ナル差別ヲモ行ヒ又ハ之ヲ許容セサルヘキコトヲ約定ス殊ニ旅客ノ國籍其ノ出發國若ハ到達國貨物ノ原產地若ハ所有者其ノ積出國若ハ仕向國又ハ前記ノ旅客若ハ貨物カ支那鐵道ニ依リ輸送セラルル前若ハ後ニ於テ之ヲ運搬スル船舶其ノ他ノ輸送機關ノ國籍若ハ所有者ノ如何ニ依リ料金又ハ便宜ニ付直接間接ニ何等ノ差別ヲ設ケサルヘシ

支那國以外ノ締約國ハ前記鐵道中自國又ハ自國民カ特許條件特殊協定其ノ他ニ基キ管理ヲ爲シ得ル地位ニ在ルモノニ關シ前項ト同趣旨ノ義務ヲ負擔スヘシ

第六條

支那國以外ノ締約國ハ支那國ノ參加セサル戰爭ニ於テ支那國ノ中立國トシテ

ノ權利ヲ完全ニ尊重スルコトヲ約定シ支那國ハ中立國タル場合ニ中立ノ義務ヲ遵守スルコトヲ聲明ス

第七條

締約國ハ其ノ何レカノ一國カ本條約規定ノ適用問題ヲ包含シ且右適用問題ノ討議ヲ爲スヲ望マシト認ムル事態發生シタルトキハ何時ニテモ關係締約國間ニ充分ニシテ且隔意ナキ交渉ヲ爲スヘキコトヲ約定ス

第八條

本條約ニ署名セサル諸國ニシテ署名國ノ承認シタル政府ヲ有シ且支那國ト條約關係ヲ有スルモノハ本條約ニ加入スヘキコトヲ招請セラルヘシ右目的ノ爲合衆國政府ハ非署名國ニ必要ナル通牒ヲ爲シ且其ノ受領シタル回答ハ之ヲ締約國ニ通告スヘシ別國ノ加入ハ合衆國政府カ右ノ通告ヲ受領シタル時ヨリ効力ヲ生スヘシ

第九條

本條約ハ締約國ニ依リ各自ノ憲法上ノ手續ニ從ヒ批准セラルヘク且批准書全部ノ寄託ノ日ヨリ實施セラルヘシ右ノ寄託ハ成ルヘク速ニ華盛頓ニ於テ之行フヘシ合衆國政府ハ批准書寄託ノ調書ノ認證謄本ヲ他ノ締約國ニ送付スヘシ

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合衆國政府ノ記錄ニ寄託保存セラルヘク其ノ認證謄本ハ同政府ヨリ他ノ各締約國ニ之ヲ送付スヘシ

右證據トシテ前記各全權委員ハ本條約ニ署名ス

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、ロッシ

(印)

オズカー、ダブリュー、アングラウツド

(印)

エリヒュー、ルード

(印)

男爵カルチエ、ド、マルシエヌ

(印)

アーサー、ジュームス、バルフォア

(印)

リー、オヴ、フエラム

(印)

エー、シー、ゲデス

(印)

アール、エル、ボーデン

ジー、エフ、ピアス

ジョン、ダブリュー、サルモンド

アーサー、ジェームス、バルフォア

ヴィー、エス、スリニヴァサ、サストリ

施 肇 基

顧 維 鈞

王 寵 惠

アー、サロー

ジュスラン

カルロ、シアンツェル

ヴィー、ロランテイ、リッチ

ルイジ、アルベルテイニ

加藤友三郎

幣原喜重郎

埴原正直

ペーラー、ルツ、ヴァン、ブロックランド

ダブリュー、ド、ボーフォール

アルテ

エルネスト、デ、ヴァスコンセロス

(印)

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TRAITÉ
ENTRE
NEUF PUISSANCES
CONCERNANT
LA CHINE

SIGNÉ À WASHINGTON, LE 6 FÉVRIER 1922

TREATY
BETWEEN THE
NINE POWERS
CONCERNING
CHINA

SIGNED AT WASHINGTON, FEBRUARY 6, 1922

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 plénipotentiaires 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 Plénipotentiaire à 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.

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;

Le Très-Honorable Sir Auckland Campbell Geddes, K C B. Son Ambassadeur Extraordinaire et Plénipotentiaire aux États-Unis d'Amérique

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:

M. Sao-Ke Alfred Sze, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. V. K. Wellington Koo, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres,

M. Chung-Hui Wang, Ancien Ministre de la Justice,

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,

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice.

Le Président de la République Française:

M. Albert Sarraut, Député, Ministre des Colonies;

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des États-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 Rolandi Ricci, Sénateur du Royaume, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

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 Première Classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Étrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

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 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;

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 Plénipo-
tentiaire, Chargé d'Affaires à
Washington;

Le Président de la République Por-
tugaise:

M. José Francisco de Horta
Machado da Franca, Vicomte
d'Alte, Envoyé Extraordi-
naire et Ministre Plénipoten-
tiaire à Washington;

M. Ernesto Julio de Carvalho e
Vasconcelos, Capitaine de
Vaisseau, Directeur Techni-
que du Ministère des Colonies

lesquels, après avoir échangé leurs
pleins pouvoirs reconnus en bonne et
due forme, ont convenu des disposi-
tions 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 Gou-
vernement stable et efficace,

3) d'user de leur influence en vue
d'établir effectivement et de maintenir

Her Majesty the Queen of The
Netherlands:

Jonkheer Frans Beelaerts van
Blokland, Her Envoy Extra-
ordinary and Minister Plenipo-
tentiaary,

Jonkheer Willem Hendrik de
Beaufort, Minister Plenipo-
tentiaary, 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

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 re-
chercher des droits ou privilèges spé-
ciaux susceptibles 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 con-
viennent 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 por-
terait atteinte ou contreviendrait aux
principes déclarés dans l'Article I.

ARTICLE III.

En vue d'appliquer avec plus d'effi-
cacité 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 ressortis-
sants à rechercher:

a) la conclusion d'accords qui ten-
draient à établir en faveur de leurs
intérêts des droits généraux supé-
rieurs à ceux des autres touchant le
développement commercial ou écono-
mique dans une région déterminée
de la Chine;

maintaining the principle of equal op-
portunity for the commerce and in-
dustry of all nations throughout the
territory of China;

(4) To refrain from taking advan-
tage 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, ar-
rangement, 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 effec-
tually the principles of the Open Door
or equality of opportunity in China
for the trade and industry of all na-
tions, the Contracting Powers, other
than China, agree that they will not
seek, nor support their respective na-
tionals 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 desig-
nated region of China;

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 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.

(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 of 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.

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,
- 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 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

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 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.

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 Etats-Unis remettra aux autres Puissances Contractantes une copie authentique du procès-verbal de dépôt des ratifications.

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 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.

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.

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.

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.

En foi de quoi, les Plénipotentiaires
sus-nommés ont signé le présent Traité.

Fait à Washington le six février
mil neuf cent vingt-deux.

In faith whereof the above-named
Plenipotentiaries have signed the pres-
ent Treaty.

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.]
	ELIHU ROOT	[L. S.]
	BARON DE CARTIER DE MARCHIENNE	[L. S.]
	ARTHUR JAMES BALFOUR	[L. S.]
	LEE OF FAREHAM.	[L. S.]
	A. C. GEDDES	[L. L.]
	R. L. BORDEN.	[L. S.]
	G. F. PEARCE	[L. S.]
	JOHN W SALMOND	[L. L.]
	ARTHUR JAMES BALFOUR	[L. S.]
	V S SRINIVASA SASTRI	[L. S.]
[L. S.]	SAO-KE ALFRED SZE.	
[L. L.]	V. K. WELLINGTON KOO	
[L. S.]	CHUNG-HUI WANG	
[L. S.]	A SARRAUT	
[L. S.]	JUSSERAND	
[L. S.]	CARLO SCHANZER	
[L. S.]	V. ROLANDI RICCI	
[L. S.]	LUIGI ALBERTINI	
	T. KATO	[L. S.]
	K. SHIDEHARA	[L. S.]
	M. HANIHARA	[L. S.]
	BEEAERTS VAN BLOKLAND	[L. S.]
	W. DE BEAUFORT	[L. S.]
	ALTE	[L. S.]
	ERNESTO DE VASCONCELLOS	[L. S.]

千九百二十一年—二十二年華盛頓ニ於ケル
軍備制限會議ニ於テ採用セラレタル諸決議

千九百二十一年—二十二年華盛頓ニ於ケル
軍備制限會議ニ於テ採用セラレタル諸決議

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支那國ニ於ケル無線電信局ニ關スル十二月七日ノ決議

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決議 第一

戰時法規ノ改正ヲ審議スル法律家委員會ニ

關スル決議

亞米利加合衆國、英帝國、佛蘭西國、伊太利國及日本國ハ左ノ如ク協定セリ

一 前記諸國ヲ代表スル各國二名以内ノ委員ヨリ成ル委員會ヲ設置シ左ノ
問題ヲ審議スヘシ

(イ) 國際法ノ現存規則ハ千九百七年ノ海牙會議以來新ナル戰爭手段ノ採
用又ハ發達ニ依リ生シタル攻撃又ハ防禦ノ新方法ニ適用スルニ充分ナ

リヤ
(ロ) 若シ然ラストセハ其ノ結果現存規則ニ對シ如何ナル變更ヲ國際法ノ
一部トシテ採用スヘキヤ

二 右委員會ノ委員任命ノ通告ハ本會議終了後三月内ニ亞米利加合衆國政
府ニ送付セラルヘク同政府ハ關係諸國ト協議ノ上委員會ノ會合ノ日及場

所ヲ定ムヘシ

三 委員會ハ國際法並陸戰、海戰及空中戰ニ關スル專門家ノ助力及意見ヲ求

ムルコト自由タルヘシ

二

四 委員會ハ其ノ結論ヲ同委員會ニ代表セララルル各國ニ報告スヘシ
前記諸國ハ右報告ノ受諾ニ關シ及其ノ勸告ニ付他ノ文明諸國ノ考量ヲ得ル爲
ニ執ルヘキ方法ニ關シ商議スヘシ

千九百二十二年二月四日軍備制限會議第六回總會ニ於テ之ヲ採用ス

決議 第二

決議第一ニ規定スル法律家委員會ノ權限ヲ
制限スルコトニ關スル決議

新ナル戰爭手段ニ關スル國際法ノ規則ニ付審議報告ヲ爲スヘキ委員會カ既ニ
本會議ニ於テ諸國ノ採用シタル潜水艦又ハ有害ナル瓦斯及化學製品使用ニ關
スル規則又ハ聲明ニ付再議又ハ報告ヲ爲スコトハ該委員會ヲ任命スルコトニ
同意シタル諸國ノ意思ニ非サルコトヲ決議ス

千九百二十二年二月四日軍備制限會議第六回總會ニ於テ之ヲ採用ス

決議 第三

極東問題諮議院ニ關スル決議

華盛頓ニ於ケル本會議ニ參加シタル諸國即チ

亞米利加合衆國、白耳義國、英帝國、支那國、佛蘭西國、伊太利國、日本國、和蘭國及葡萄牙國ノ各代表者ハ

極東ニ於ケル事態ノ安定ヲ期シ支那ノ權利利益ヲ擁護シ且機會均等ノ基礎ノ上ニ支那ト他ノ列國トノ間ノ交通ヲ増進セムトスル其ノ一般政策ニ關スル千九百二十二年二月六日華盛頓ニ於テ署名セラルヘキ條約第三條及第五條ノ規定ノ實施ニ關聯シ生スルコトアルヘキ問題ヲ處理スルノ手續ヲ定メムコトヲ希望シ

前記諸條項ノ實施ニ關シ生スル問題ヲ調査報告ノ爲付議スルコトヲ得ヘキ諮議院ヲ支那ニ設置スヘキコトヲ決議ス

同院ノ構成ニ關スル細目案ハ千九百二十二年二月六日華盛頓ニ於テ署名セラ
ルヘキ支那關稅率ニ關スル條約第二條ニ規定スル特別會議之ヲ起草シ關係諸
國ノ承認ヲ求ムヘシ

千九百二十二年二月四日軍備制限會議第六回總會ニ於テ之ヲ採用ス

決議 第四

支那國ニ於ケル治外法權ニ關スル決議

軍備制限會議ニ於ケル太平洋及極東問題ノ審議ニ參加シタル諸國即チ亞米利加合衆國、白耳義國、英帝國、佛蘭西國、伊太利國、日本國、和蘭國及葡萄牙國ノ各代表者ハ

大不列顛國及支那國間ノ千九百二年九月五日ノ條約、亞米利加合衆國及支那國間ノ千九百三年十月八日ノ條約竝日本國及支那國間ノ千九百三年十月八日ノ條約ニ於テ此等ノ諸國ハ支那國政府カ其ノ司法制度ヲ改正シテ之ヲ西洋諸國ノ同制度ニ適合セシムルコトニ付表示シタル希望ヲ同國政府ニ於テ達成スルコトニ關シ一切ノ援助ヲ與フヘキコトヲ約定シ且支那國法律ノ狀態其ノ施行ノ設備及其ノ他ノ要件ニシテ當該國カ満足ヲ表スルトキハ其ノ治外法權ヲ撤去スルニ躊躇セサルヘキコトヲ聲明シタルノ事實ヲ了承シタルニ因リ

右ニ關シテ千九百二十一年十一月十六日支那國委員ノ表示シタル支那國ノ政治、司法上及行政上ノ行動ノ自由ニ對スル現存ノ制限ハ即時ニ又ハ事情ノ許ス限り速ニ撤廢セラルヘキモノナリトノ趣旨ノ願望ヲ達成セシムルニ付同情ヲ有スルニ因リ

右目的ニ適應スヘキ措置ニ關シ如何ナル決定ヲ爲スニ付テモ支那國ノ法律、司法制度及司法運用手續ニ關スル複雜ナル實狀ノ確認及理解ヲ前提トスヘク右ハ本會議力之ヲ決定スルノ地位ニ在ラサルコトヲ考慮シ

前記諸國政府ハ委員會前記諸國政府ハ之ニ對シ各一名ノ委員ヲ任命スルヲ組織シ支那國ニ於ケル治外法權制度ノ實施ノ現狀竝支那國ノ法律、司法制度及司法運用手續ヲ調査セシメ依テ以テ右事項ニ關スル右委員會ノ事實調査竝支那國ニ於ケル司法運用ノ現狀ヲ改善スル爲及治外法權ニ關スル各國ノ權利ヲ漸次ニ又ハ其ノ他ノ方法ニ依リ撤去スルコトニ付各國ヲ首肯セシムヘキ立法及司法上ノ改正ヲ實行セムトスル支那國政府ノ努力ヲ援助シ且促進スル爲其ノ適當ト思惟スル手段ニ關スル勸告ヲ前記諸國政府ニ報告セシムヘシ

前記委員會ハ今後前記諸國政府ノ協定スヘキ細目取極ニ從ヒ會議終了後三月内ニ組織セラルヘク且該委員會ハ第一回會議後一年內ニ其ノ報告及勸告ヲ提出スヘキコトヲ命セラルヘシ

前記各國ハ前記委員會ノ勸告ノ全部又ハ一部ヲ受諾シ又ハ拒絕スルノ自由ヲ有スヘシ但シ如何ナル場合ニ於テモ右各國ハ右勸告ノ全部又ハ一部ノ受諾ニ付支那國ヨリ政治上タルト經濟上タルトヲ問ハス何等カノ特殊利權、恩典、利益

又ハ免除ヲ直接ニ又ハ間接ニ許與セシムルコトヲ條件ト爲スヲ得ス

追加決議

非署名國ニシテ條約ニ依リ支那國ニ於テ治外法權ヲ有スルモノハ本會議終了後三月内ニ書面ニ依ル加入ノ通告ヲ合衆國政府ニ寄託シテ支那國ニ於ケル治外法權及司法運用ニ關スル決議ニ加入スルコトヲ得右通告ハ合衆國政府ヨリ各署名國ニ通知セラルヘシ

追加決議

支那國ハ同國ニ於ケル治外法權及司法運用ノ調査及報告ニ當ル委員會ノ設置ニ關スル決議ヲ了承シタルニ因リ支那國ニ於ケル治外法權ノ廢止ヲ期セムトスル同國政府ノ願望ニ關スル前記諸國ノ同情アル意嚮ニ満足ノ意ヲ表シ且前記委員會ノ委員トシテ出席スルノ權利ヲ有スル一名ノ代表者ヲ任命スルノ意アルコトヲ聲明ス尤モ支那國ハ該委員會ノ勸告ノ全部又ハ一部ヲ受諾シ又ハ拒絕スルノ自由ヲ有スルモノトス支那國ハ又該委員會ノ事業ニ協力シ且其ノ任務ヲ満足ニ完了セシムル爲アラユル便宜ヲ之ニ供與セムトス

千九百二十一年十二月十日軍備制限會議第四回總會ニ於テ之ヲ採用ス

決議 第五

支那國ニ於ケル外國郵便局ニ關スル決議

甲 支那國ニ於ケル外國郵便局(租借地内ニ在ルモノ)又ハ條約ニ依リ特ニ規定

セラレタルモノヲ除クノ廢止ヲ期スル爲支那國政府ノ表示シタル希望ノ正

當ナルコトヲ認ムルニ因リ左ノ如ク決議ス

(一) 前記郵便局ヲ有スル四國ハ左記條件ノ下ニ之ヲ廢止スルコトニ同意ス

(イ) 有效ナル支那郵便業務ノ維持セラルルコト

(ロ) 支那國政府ハ外國人總辦ノ地位ニ關スル限り現在ノ郵政ニ變更ヲ加

フルノ意ヲシトノ保障ヲ與フルコト

(二) 支那國及關係諸國ヲシテ必要ノ處置ヲ爲スコトヲ得シムル爲本取極ハ

千九百二十三年一月一日迄ニ之ヲ實施スヘシ

乙

外國郵便局ノ撤廢完了ニ至ル迄ハ關係四國ハ右郵便局ヲ經由スル一切ノ

郵便物(外部ヨリノ検査ニ依リ明ニ書狀ノミヲ包有スルモノト認メラルヘキ

普通信書ハ書留タルト否トヲ問ハス之ヲ除ク)中有稅品禁制品又ハ其ノ他支

那國關稅法規ニ抵觸スル物品ヲ包有スルモノヲキヤ否ヲ確ムル爲支那國稅

關官憲カ當該郵便局内ニ於テ検査ヲ爲スニ對シ充分ノ便宜ヲ與フヘキコト

ヲ各別ニ約ス

一三

千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

決議 第六

支那國ニ於ケル軍隊ニ關スル決議

諸國ハ適法ニ支那國ニ在ル外國人ノ生命財産ヲ保護スル爲隨時支那國內ニ軍隊警察官及鐵道守備隊ヲ含ムヲ駐屯セシメタルニ因リ

右軍隊ノ若干ハ條約又ハ協定ニ準據セシテ支那國內ニ駐屯スルモノノ如クナルニ因リ

諸國ハ支那國カ同國ニ在ル外國人ノ生命財産ノ保護ヲ保障スルニ於テハ何時タリトモ條約又ハ協定ニ準據セシテ現ニ支那國內ニ於テ任務ニ服スル自國軍隊ヲ撤退スルノ意思アルコトヲ聲明シタルニ因リ

支那國ハ同國ニ在ル外國人ノ生命財産ノ保護ヲ保障スルノ意思及能力アルコトヲ聲明シタルニ因リ

前記ノ意思ヲ各場合ニ付實現スルノ前提タルヘキ條件ニ關シ明瞭ナル了解ヲ遂クル爲

左ノ加ク決議セリ

現ニ華盛頓會議ニ參加スル諸國即チ亞米利加合衆國、白耳義國、英帝國、佛蘭西國、伊太利國、日本國、和蘭國及葡萄牙國ノ北京駐劄外交代表者ハ支那國ノ要求アル

トキハ何時タリトモ支那國政府ノ代表者三名ト協調シテ諸國ノ及支那國ノ爲シタル前記ノ意思ノ聲明ニ依リ惹起セララル諸問題ニ付充分且公平ナル調査ヲ共同ニ行フコトヲ其ノ各自ノ政府ニ依リ訓令セララルヘク且右調査ニ付セラレタル事項ニ關シ其ノ事實調査及意見ヲ腹藏ナク記述スル充分且包括的ナル報告書ヲ作成シ其ノ謄本ヲ關係九國政府ニ夫々提出スヘク關係國政府ハ各適當ト思惟スル所見ヲ附シテ報告書ヲ各自公表スヘシ右各國ノ代表者ハ其ノ意見ニシテ多數意見報告書ト異ルモノアルトキハ其ノ相違ノ點ヲ記述スル少數意見報告書ヲ作成シ又ハ之ニ加入スルコトヲ得

前記各國ハ右報告書ニ表示セラレタル事實調査又ハ意見ノ全部又ハ一部ヲ受諾シ又ハ拒絕スルノ自由ヲ有スヘシ但シ如何ナル場合ニ於テモ前記各國ハ右事實調査又ハ意見ノ全部又ハ一部ノ受諾ニ付支那國ヨリ政治上タルト經濟上タルトヲ問ハス何等カノ特殊利權恩典利益又ハ免除ヲ直接ニ又ハ間接ニ許與セシムルコトヲ條件ト爲スコトヲ得サルヘシ

千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

決議 第七

支那國ニ於ケル無線電信局ニ關スル決議及附屬聲明

軍備制限會議ニ於ケル太平洋及極東問題ノ審議ニ參加シタル諸國即チ亞米利加合衆國、白耳義國、英帝國、支那國、佛蘭西國、伊太利國、日本國、和蘭國及葡萄牙國ノ各代表者ハ

左ノ如ク決議セリ

- 一 支那國ニ於ケル一切ノ無線電信局ハ千九百一一年九月七日ノ國際議定書ノ規定ニ依リ設立維持セララルモノト事實上支那國ニ於ケル何レカノ外國公使館ノ構内ニ設立維持セララルモノトヲ問ハス其ノ用途ヲ官用電報ノ發受ニ限定スヘク商用、私用又ハ非官用ノ電報新聞電報ヲ含ムヲ發受スルコトヲ得サルヘシ但シ他ノ一切ノ電信ニ依ル通信ニ故障アル場合ニ於テハ支那國交通部ニ右故障ノ證據ヲ添ヘテ公文通告ヲ發シタル上前記無線電信局ハ支那國政府カ故障終了ノ通告ヲ爲ス迄商用、私用又ハ非官用ノ電報新聞電報ヲ含ムニ對シ臨時便宜ヲ許與スルコトヲ得

- 二 條約又ハ支那國政府ノ特許條件ニ依リ外國政府又ハ其ノ人民若ハ臣民カ支那國ノ領土内ニ於テ運用スル一切ノ無線電信局ハ其ノ設立維持ヲ認

ムル條約又ハ特許條件ノ規定スル電報ニ限り之ヲ發受スルコトヲ得

三 支那國政府ノ認許ヲクシテ外國政府又ハ其ノ人民若ハ臣民ニ依リ支那國領土内ニ設立維持セララル無線電信局アル場合ニ於テハ該無線電信局並其ノ一切ノ設備、裝置及材料ハ支那國交通部カ一般公衆ノ利益ノ爲之ヲ有效ニ運用スルノ準備整フト共ニ其ノ施設ノ價格ニ付公正且充分ナル補償ヲ前記所有者ニ與フルヲ條件トシ同交通部ノ指揮ノ下ニ運用セシムル爲之ヲ支那國政府ニ移轉スヘク同國政府ハ之ヲ引取ルヘシ

四 租借地、南滿洲鐵道附屬地又ハ上海佛國租界内ニ在ル無線電信局ニ付問題起ルトキハ該問題ハ支那國政府及關係國政府間ノ審議事項ト認メラルヘシ

五 外國政府又ハ其ノ人民若ハ臣民カ支那國領土内ニ設立維持スル一切ノ無線電信局ノ所有者又ハ經營者ハ支那國ニ於ケル無線電信局ノ電波長使用ニ對スル妨害ヲ避クル爲共同取極ヲ爲ス目的ヲ以テ支那國交通部ト商議スヘシ但シ千九百二十二年七月五日倫敦ニ於テ署名セラレタル國際無線電信條約ノ定ムル規則ノ改訂ノ爲ニ招集セララル國際會議ニ於テ作成セララルコトアルヘキ一般取極ニ從フヘキモノトス

千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

支那國ニ於ケル無線電信局ニ關スル千九百

二十一年十二月七日ノ決議ニ關スル聲明

支那國以外ノ諸國ハ千九百二十一年十二月七日ノ決議第三項又ハ第四項ヲ以テ前記無線電信局カ支那國ノ認許ヲ得タルモノナリヤ否ニ關シ本會議ノ意見ヲ表示シタルモノト認ムヘキニ非サルコトヲ聲明ス

右諸國ハ第四項ニ關シ生スル審議ノ結果ハ諸國ノ異議ノ目的ト爲ラサラムカ爲ニハ本會議ノ承認シタル門戸開放又ハ機會均等ノ主義ニ適合スヘキモノナルコトヲ併セテ宣明ス

支那國ニ於ケル無線電信局ニ關スル十

二月七日ノ決議ニ關スル支那國ノ聲明

支那國委員ハ支那國政府ハ何レカノ外國又ハ其ノ國民カ公使館構内、居留地、租界、租借地、鐵道附屬地又ハ他ノ同種ノ地域ニ於テ同政府ノ明示的同意ヲクシテ無線電信局ヲ設置シ又ハ運用スルノ權利ヲ承認シ又ハ許與スルコトナキコト

ヲ此ノ機會ニ於テ正式ニ聲明ス

決議 第八

支那國ニ於ケル鐵道統一ニ關スル決議及

支那國ノ附屬聲明

本會議ニ參加シタル諸國ハ支那國ニ於ケル諸鐵道ノ將來ノ擴張ハ適法ナル既存ノ權利ト兩立スル最大限度ニ於テ支那國政府ヲシテ鐵道系統ノ利益上必要ト認メラルヘキ外國ノ財政上及技術上ノ助力ヲ以テ同國ノ管理ノ下ニ諸鐵道ヲ一鐵道系統ニ統一スルコトヲ得シムル様處理セララルヘキモノナリトノ希望ヲ記錄ニ留ム

千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

支那鐵道ニ關シ千九百二十二年一月

十九日支那國委員ノ爲シタル陳述

支那國委員ハ支那國ノ現存及將來ノ鐵道カ必要ナルヘキ外國ノ財政上及技術上ノ助力ヲ以テ支那國政府ノ管理及運用ノ下ニ統一セララルヘキコトニ關シ諸國ノ表示シタル希望ヲ同情アル理解ヲ以テ了承ス吾人ノ意思ハ成ルヘク速ニ

此ノ結果ヲ齎スニ在リ吾人ノ目的ハ支那ノ經濟上工業上及商業上ノ必要ニ應
スヘキ一般計畫ニ從ヒ現存及將來ノ鐵道ヲ發展セシムルニ在リ吾人ノ政策ハ
門戶開放又ハ機會均等ノ主義ニ從ヒ必要ナルヘキ外國ノ財政上及技術上ノ助
力ヲ諸外國ヨリ得ルニ在リ而シテ支那國政府カ現ニ存在シ又ハ將來建設セラ
ルヘキ支那ノ一切ノ鐵道ヲ同國ノ有效ニシテ且統一セル管理及運用ノ下ニ置
カムコトヲ努ムルニ當リテハ前記諸國ノ友好的支持ヲ求ムト欲ス

決議 第九

支那國軍隊ノ削減ニ關スル決議

本會議ニ參加シタル諸國ハ各省督軍カ協調ナク支配シ且數ニ於テ過大ナル軍
隊ヲ支那國各地ニ於テ維持スルニ依リ支那國ノ公收入ヲ甚シク枯竭セシムル
コトヲ深ク感シタルニ因リ

右軍隊ヲ繼續維持スルコトハ支那國ノ不安定ナル現政情ノ主タル原因ト認メ
ラルルニ因リ

右軍隊ニ速ニ大削減ヲ加フルコトハ管ニ支那國ノ政治的統一及經濟的發達ヲ
促進スルノミナラス又其ノ財政復舊ヲ速ナラシムル所以ナリト思量セララル
ニ因リ

仍テ支那國ノ内政問題ニ干涉セムトスル何等ノ意思ニ出テタルニ非スシテ偏
ニ支那國ヲシテ其ノ利益ノ爲及通商上ノ一般利益ノ爲有效且安固ナル政府ヲ
自ラ確立維持セシムトスルノ衷心ノ希望ニ促サレ

又企業及國民的繁榮ニ對シ主タル障礙タルコト明ナル莫大ノ支出ヲ軍備制限
ニ依リ削減スルコトヲ目的トスル本會議ノ精神ニ動カサレ

本會議ハ支那國政府カ前記ノ軍隊及支出ヲ削減スルニ付直ニ有效ナル措置ヲ

執ルコトヲ熱望スル旨支那國ニ對シ表明スルコトヲ決議ス
千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

二三

決議 第十

支那國ノ又ハ支那國ニ關スル現存容諾ニ關スル決議

本會議ニ參加シタル諸國ハ支那國ノ及支那國ニ關スル諸國ノ政治上及其ノ他ノ國際上ノ義務並各國ノ支那ニ關スル右義務ニ影響アル一切ノ事項ニ付テハ今後全然公開スルノ望マシキコトヲ思ヒ左ノ如ク協定セリ

- 一 支那國以外ノ諸國ハ支那國トノ間ニ又ハ支那國ニ關シ他ノ一國若ハ數國トノ間ニ締結シタル一切ノ條約、協約、交換公文又ハ他ノ國際協定ニシテ現ニ仍有效ナリト認メ且之ニ依據セムト欲スルモノノ一覽表ヲ參加諸國ニ移牒スルノ目的ヲ以テ事情ノ許ス限リ速ニ本會議總事務局ニ提出スヘシ右各場合ニ於テハ當該文書ノ正文ノ掲載セラルル官ノ又ハ他ノ刊行物アルトキハ之ヲ指示スヘシ當該文書カ公表セラレザリシ場合ニ於テハ其ノ本文ノ(其ノ原文タル國語ニ依ル)謄本ヲ本會議總事務局ニ提出スヘシ今後締結セラルルコトアルヘキ前記性質ノ條約又ハ他ノ國際協定ハ其ノ締結後六十(六〇)日內ニ關係國政府ヨリ總テ之ヲ本協定ノ署名國又ハ加入國ニ通告スヘシ

- 二 支那國以外ノ諸國ハ自國民ヲ一方ノ當事者トシ支那國政府其ノ行政各

二三

部局又ハ地方官憲ヲ他方ノ當事者トスル一切ノ契約ニシテ鐵道建設、鑛山業、林業、航運、河川改修、築港工事、埋立、電氣通信又ハ他ノ公共事業若ハ公共的役務ニ關シ又ハ武器彈藥ノ賣買ニ關シ何等カノ利權、特許、選擇權又ハ優先權ヲ含ムモノ或ハ支那國政府又ハ其ノ行政各部局ノ公收入又ハ公財產ノ或モノニ對シ擔保關係ヲ生スルモノニ付成ルヘク完全ニ近キ一覽表ヲ參加諸國ニ移牒スルノ目的ヲ以テ事情ノ許ス限リ速ニ本會議總事務局ニ提出スヘシ前記一覽表所掲ノ各文書ニ付テハ其ノ公表セラレタル本文ヲ指示シ又ハ其ノ謄本ヲ提出スヘシ

今後締結セララルコトアルヘキ前記公ノ性質ヲ有スル契約ハ關係國政府カ其ノ締結ノ報告ヲ受ケタル時ヨリ六十(六〇)日內ニ同政府ヨリ總テ之ヲ本協定ノ署名國又ハ加入國ニ通告スヘシ

三 支那國政府ハ同政府又ハ支那國地方官憲カ外國(本協定ノ當事國タルト否トナ間ハス)又ハ其ノ國民ト既ニ締結シ又ハ今後締結スルコトアルヘキ前記性質ノ條約、協定又ハ契約ヲ其ノ承知スル限リ本協定ニ定メタル條件ニ依リ總テ通告スルコトヲ約ス

四 支那國ト條約關係ヲ有スル諸國ノ政府ニシテ本會議ニ參加セサルモノハ本協定ニ加入スルコトヲ招請セララルヘシ

本會議ノ主催者タル合衆國政府ハ前記諸國ヲシテ成ルヘク速ニ本協定ニ加入セシムル爲本協定ヲ右諸國政府ニ通告スルコトヲ約ス

千九百二十二年二月一日軍備制限會議第五回總會ニ於テ之ヲ採用ス

決議 第十一

一切ノ諸國(支那國ヲ含ム)ニ依リ承認

セラレタル東支鐵道ニ關スル決議

左ノ如ク決議ス

東支鐵道ヲ其ノ利害關係者ノ爲ニ保全スルニ付テハ鐵道ニ對シ竝其ノ運用及
使用ニ從事スル者ニ對シ一層ノ保護ヲ與フルコト、業務ノ能率ヲ舉クル爲職員
ノ選任ニ一層留意スルコト且財産ノ消耗ヲ防ク爲資金ノ使用ヲ一層經濟的ナ
ラシムルコトヲ必要トス

本問題ハ適當ナル外交機關ヲ通シ速ニ處理セララルヘシ

千九百二十二年二月四日軍備制限會議第六回總會ニ於テ之ヲ採用ス

決議 第十二

支那國以外ノ一切ノ諸國ニ依リ承認

セラレタル東支鐵道ニ關スル決議

支那國以外ノ諸國ハ東支鐵道ニ關スル決議ヲ協定スルニ當リ前記諸國カ該鐵道建設ノ基礎タル契約及之ニ基ク支那國ノ行爲ヨリ生スルモノト認ムル東支鐵道會社ノ株主社債權者及債權者タル外國人ニ對スル義務竝該鐵道ノ占有及管理ニ對スル支那國政府ノ權力行使ヨリ生スル義務(前記諸國ハ此ノ義務ヲ以テ信託ノ性質ヲ有スルモノト認ム)ノ履行又ハ不履行ニ關スル支那國ノ責任ニ付今後主張スルノ權利ヲ留保ス

RESOLUTIONS
ADOPTED BY THE
CONFERENCE
ON THE
LIMITATION OF ARMAMENT
AT
WASHINGTON, 1921—1922

RESOLUTIONS.

NO. 1. RESOLUTION FOR A COMMISSION OF JURISTS TO CONSIDER AMENDMENT OF LAWS OF WAR.

The United States of America, the British Empire, France, Italy and Japan have agreed:—

- I. That a Commission composed of not more than two members representing each of the above-mentioned Powers shall be constituted to consider the following questions:—
 - (a) Do existing rules of International Law adequately cover new methods of attack or defense resulting from the introduction or development, since the Hague Conference of 1907, of new agencies of warfare?
 - (b) If not so, what changes in the existing rules ought to be adopted in consequence thereof as a part of the law of nations?
- II. That notices of appointment of the members of the Commission shall be transmitted to the Government of the United States of America within three months after the adjournment of the present Conference, which after consultation with the Powers concerned will fix the day and place for the meeting of the Commission.
- III. That the Commission shall be at liberty to request assistance and advice from experts in International Law and in land, naval and aerial warfare.
- IV. That the Commission shall report its conclusions to each of the Powers represented in its membership.

Those Powers shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers.

Adopted by the Conference on the Limitation of Armament, at the Sixth Plenary Session, February 4th, 1922.

NO. 2. RESOLUTION LIMITING JURISDICTION OF
COMMISSION OF JURISTS PROVIDED
IN RESOLUTION NO. 1.

Resolved, That it is not the intention of the Powers agreeing to the appointment of a Commission to consider and report upon the rules of International Law respecting new agencies of warfare that the Commission shall review or report upon the rules or declarations relating to submarines or the use of noxious gases and chemicals already adopted by the Powers in this conference.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session, February 4th, 1922.

NO. 3. RESOLUTION REGARDING A BOARD
OF REFERENCE FOR FAR
EASTERN QUESTION.

The representatives of the Powers assembled at the present Conference at Washington, to wit;

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal;

Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles III and V of the Treaty to be signed at Washington on February 6th, 1922, with reference to their general 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;

Resolve that there shall be established in China a Board of Reference to which any questions arising in connection with the execution of the aforesaid Articles may be referred for investigation and report.

The Special Conference provided for in Article II of the Treaty to be signed at Washington on February 6th, 1922, with reference to the Chinese Customs Tariff, shall formulate for the approval of the Powers concerned a detailed plan for the constitution of the Board.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session February 4th, 1922.

NO. 4. RESOLUTION REGARDING EXTRATER- RITORIALITY IN CHINA.

The representatives of the Powers hereinafter named, participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, the Netherlands, and Portugal,—

Having taken note of the fact that in the Treaty between Great Britain and China dated September 5, 1902, in the Treaty between the United States of America and China dated October 8, 1903, and in the Treaty between Japan and China dated October 8, 1903, these several Powers have agreed to give every assistance towards the attainment by the Chinese Government of its expressed desire to reform its judicial system and to bring it into accord with that of Western nations, and have declared that they are also "prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant" them in so doing;

Being sympathetically disposed towards furthering in this regard the aspiration to which the Chinese delegation gave expression on November 16, 1921, to the effect that "immediately, or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional and administrative freedom of action are to be removed";

Considering that any determination in regard to such action as might be appropriate to this end must depend upon the ascertainment and appreciation of complicated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China, which this Conference is not in a position to determine;

Have resolved

That the Governments of the Powers above named shall establish a Commission (to which each of such Governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the Governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would

warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

That the Commission herein contemplated shall be constituted within three months after the adjournment of the Conference in accordance with detailed arrangements to be hereafter agreed upon by the Governments of the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the Commission;

That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the Commission herein contemplated, but that in no case shall any of the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

ADDITIONAL RESOLUTION.

That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the Conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

ADDITIONAL RESOLUTION.

That China, having taken note of the resolutions affecting the establishment of a Commission to investigate and report upon extraterritoriality and the administration of justice in China, expresses its satisfaction with the sympathetic disposition of the Powers hereinbefore named in regard to the aspiration of the Chinese Government to secure the abolition of extraterritoriality in China, and declares its intention to appoint a representative who shall have the right to sit as a member of the said Commission, it being understood that China shall be deemed free to accept or to reject any or all of the recommendations of the Commission. Furthermore, China is prepared to cooperate in the work of this Commission and to afford to it every possible facility for the successful accomplishment of its tasks.

Adopted by the Conference on the Limitation of Armament at the Fourth Plenary Session, December 10, 1921.

NO. 5. RESOLUTION REGARDING FOREIGN POSTAL AGENCIES IN CHINA.

A. Recognizing the justice of the desire expressed by the Chinese Government to secure the abolition of foreign postal agencies in China, save or except in leased territories or as otherwise specifically provided by treaty, it is resolved:

- (1) The four Powers having such postal agencies agree to their abandonment subject to the following conditions:
 - (a) That an efficient Chinese postal service is maintained;
 - (b) That an assurance is given by the Chinese Government that they contemplate no change in the present postal administration so far as the status of the foreign Co-Director General is concerned.
- (2) To enable China and the Powers concerned to make the necessary dispositions, this arrangement shall come into force and effect not later than January 1, 1923.

B. Pending the complete withdrawal of foreign postal agencies, the four Powers concerned severally undertake to afford full facilities to the Chinese customs authorities to examine in those agencies all postal matter (excepting ordinary letters, whether registered or not, which upon external examination appear plainly to contain only written matter) passing through them, with a view to ascertaining whether they contain articles which are dutiable or contraband or which otherwise contravene the customs regulations or laws of China.

Adopted by the Conference of the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

NO. 6. RESOLUTION REGARDING ARMED
FORCES IN CHINA.

Whereas

The Powers have from time to time stationed armed forces, including police and railway guards, in China to protect the lives and property of foreigners lawfully in China;

And whereas

It appears that certain of these armed forces are maintained in China without the authority of any treaty or agreement;

And whereas

The Powers have declared their intention to withdraw their armed forces now on duty in China without the authority of any treaty or agreement, whenever China shall assure the protection of the lives and property of foreigners in China;

And whereas

China has declared her intention and capacity to assure the protection of the lives and property of foreigners in China;

Now

To the end that there may be clear understanding of the conditions upon which in each case the practical execution of those intentions must depend;

It is resolved:

That the Diplomatic Representatives in Peking of the Powers now in Conference at Washington, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands and Portugal, will be instructed by their respective Governments, whenever China shall so request, to associate themselves with three representatives of the Chinese Government to conduct collectively a full and impartial inquiry into the issues raised by the foregoing declarations of intention made by the Powers and by China and shall thereafter prepare a full and comprehensive report setting out without reservation their findings of fact and their opinion with regard to the matter hereby referred for inquiry, and shall furnish a copy of their report to each of the nine Governments concerned which shall severally make public the report with such comment as each may deem appropriate. The representatives of any of the Powers may make or join in minority reports stating their differences, if any, from the majority report.

That each of the Powers above named shall be deemed free to accept or reject all or any of the findings of fact or opinions expressed in the report but that

in no case shall any of the said Powers make its acceptance of all or any of the findings of fact or opinions either directly or indirectly dependent on the granting by China of any special concession, favor, benefit or immunity, whether political or economic.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

NO. 7. RESOLUTION REGARDING RADIO STATIONS IN CHINA AND ACCOMPANYING DECLARATIONS.

The representatives of the Powers hereinafter named participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament—to wit: The United States of America, Belgium, The British Empire, China, France, Italy, Japan, The Netherlands and Portugal,

Have resolved

1. That all radio stations in China whether maintained under the provisions of the international protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving government messages and shall not receive or send commercial or personal or unofficial messages, including press matter: Provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese Ministry of Communications, such stations may afford temporary facilities for commercial, personal or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption;

2. All radio stations operated within the territory of China by a foreign government or the citizens or subjects thereof under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained;

3. In case there be any radio station maintained in the territory of China by a foreign government or citizens or subjects thereof without the authority of the Chinese Government, such station and all the plant, apparatus and material thereof shall be transferred to and taken over by the Government of China, to be operated under the direction of the Chinese Ministry of Communications upon fair and full compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit;

4. If any questions shall arise as to the radio stations in leased territories, in the South Manchurian Railway Zone or in the French Concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Governments concerned.

5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with

the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules established by the International Radio Telegraph Convention signed at London, July 5, 1912.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

DECLARATION CONCERNING THE RESOLUTION ON RADIO STATIONS IN CHINA OF DECEMBER 7, 1921.

The Powers other than China declare that nothing in paragraphs 3 or 4 of the Resolutions of 7th December, 1921, is to be deemed to be an expression of opinion by the Conference as to whether the stations referred to therein are or are not authorized by China.

They further give notice that the result of any discussion arising under paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the Open Door or equality of opportunity approved by the Conference.

CHINESE DECLARATION CONCERNING RESOLUTION OF DECEMBER 7TH REGARDING RADIO STATIONS IN CHINA.

The Chinese Delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign Power or of the nationals thereof to install or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas or other similar areas.

NO. 8. RESOLUTION REGARDING UNIFICATION OF RAILWAYS IN CHINA AND ACCOMPANYING DECLARATION BY CHINA.

The Powers represented in this Conference record their hope that to the utmost degree consistent with legitimate existing rights, the future development of railways in China shall be so conducted as to enable the Chinese Government to effect the unification of railways into a railway system under Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

STATEMENT REGARDING CHINESE RAILWAYS MADE ON JANUARY 19, 1922, BY THE CHINESE DELEGATION.

The Chinese Delegation notes with sympathetic appreciation the expression of the hope of the Powers that the existing and future railways of China may be unified under the control and operation of the Chinese Government with such foreign financial and technical assistance as may be needed. It is our intention as speedily as possible to bring about this result. It is our purpose to develop existing and future railways in accordance with a general programme that will meet the economic, industrial and commercial requirements of China. It will be our policy to obtain such foreign financial and technical assistance as may be needed from the Powers in accordance with the principles of the Open Door or equal opportunity; and the friendly support of these Powers will be asked for the effort of the Chinese Government to bring all the railways of China, now existing or to be built, under its effective and unified control and operation.

NO. 9. RESOLUTION REGARDING THE REDUCTION
OF CHINESE MILITARY FORCES.

Whereas the Powers attending this Conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country, of military forces, excessive in number and controlled by the military chiefs of the provinces without coordination,

And whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions,

And whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development but will hasten her financial rehabilitation;

Therefore, without any intention to interfere in the internal problems of China, but animated by the sincere desire to see China develop and maintain for herself an effective and stable government alike in her own interest and in the general interest of trade;

And being inspired by the spirit of this Conference whose aim is to reduce, through the limitation of armament, the enormous disbursements which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity;

It is resolved: That this Conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session, February 1st, 1922.

NO. 10. RESOLUTION REGARDING EXISTING COMMITMENTS
OF CHINA OR WITH RESPECT TO CHINA.

The Powers represented in this Conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China, are agreed as follows:

I. The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchange of notes, or other international agreements which they may have with China, or with any other Power or Powers in relation to China, which they deem to be still in force and upon which they may desire to rely. In each case, citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the Conference.

Every Treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days of its conclusion to the Powers who are signatories of or adherents to this agreement.

II. The several Powers other than China will file with the Secretariat General of the Conference at their earliest convenience for transmission to the participating Powers a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its administrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option or preference with respect to railway construction, mining, forestry, navigation, river conservancy, harbor works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the public revenues or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text, or a copy of the text itself.

Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days after the receipt of information of its conclusion to the Powers who are signatories of or adherents to this agreement.

III. The Chinese Government agrees to notify in the conditions laid down in this agreement every treaty agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign Power or the nationals of any foreign Power whether party to this agreement or not, so far as the information is in its possession.

IV. The Governments of Powers having treaty relations with China, which are not represented at the present Conference, shall be invited to adhere to this agreement.

The United States Government, as convener of the Conference, undertakes to communicate this agreement to the Governments of the said Powers, with a view to obtaining their adherence thereto as soon as possible.

Adopted by the Conference on the Limitation of Armament at the Fifth Plenary Session February 1st, 1922.

NO. 11. RESOLUTION REGARDING THE CHINESE
EASTERN RAILWAY, APPROVED BY ALL THE
POWERS INCLUDING CHINA.

Resolved, That the preservation of the Chinese Eastern Railway for those in interest requires that better protection be given to the railway and the persons engaged in its operation and use, a more careful selection of personnel to secure efficiency of service, and a more economical use of funds to prevent waste of the property.

That the subject should immediately be dealt with through the proper Diplomatic channels.

Adopted by the Conference on the Limitation of Armament at the Sixth Plenary Session February 4th, 1922.

NO. 12. RESOLUTION REGARDING THE CHINESE
EASTERN RAILWAY, APPROVED BY ALL THE
POWERS OTHER THAN CHINA.

The Powers other than China, in agreeing to the resolution regarding the Chinese Eastern Railway, reserve the right to insist hereafter upon the responsibility of China for performance or non-performance of the obligations towards the foreign stockholders, bondholders and creditors of the Chinese Eastern Railway Company which the Powers deem to result from the contracts under which the railroad was built and the action of China thereunder and the obligations which they deem to be in the nature of a trust resulting from the exercise of power by the Chinese Government over the possession and administration of the railroad.

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曩ニ樞密院ニ御諮詢相成候支那ニ
關スル九國條約ニ別紙陳述原文茲
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追テ便宜内閣ヨリ直接樞密院ニ
送付致度

六月七日

千九百十五年ノ日支交渉(所謂二十一箇條問題)
ニ關シ千九百二十二年二月二日極東總委員會
ニ於テ日本國委員幣原男爵ノ爲シタル陳述

(本陳述ハ同月四日ノ總會議ニ於テ記録ニ留ムルコトト爲レリ)

本委員會ノ前回會議ニ於テ支那國委員ハ陳述書ヲ提出シテ千九百十五年ノ日支諸條約及諸公文ヲ再議シ之ヲ廢棄スヘキコトヲ切望セリ日本國委員ハ支那國委員ノ困難ナル立場ヲ諒トスルモ支那カ自由ナル主權國トシテ締結シタル國際約定ヲ廢棄セムカ爲現ニ執ラムトスル手段ニ付テハ同意ヲ表スルヲ得サルモノナリ

惟フニ支那國委員ハ正當ニ全權ヲ委任セラレタル兩國代表者ノ正式ニ署名調印シ且國際通義タル慣例ニ依リ批准書交換ヲ了シタル千九百十五年ノ約定ニ付其ノ法律的効力ヲ問題トセムトスルノ意思ヲ有スルニ非サルヘシ蓋シ右文書ヲ廢棄セムトスル支那ノ主張ハ即チ支那モ亦右約定カ現ニ効力ヲ有シ其ノ廢棄セラレサル限り有效ニ存續スヘシトノ見解ヲ持スルコトヲ證スルモノナリ

何國ト雖領土權其ノ他重大ナル權利ノ讓與ヲ容易ニ承諾スルモノニ非サルコト

トハ言ヲ俟タス若シ條約ニ依リ儼然許與セラレタル權利カ許與者ノ自由意思ニ出テカリシトノ理由ヲ以テ何時ニテモ之ヲ廢棄シ得ヘキモノトスルノ原則一旦承認セラレムカ是亞細亞歐羅巴其ノ他到ル處ニ於ケル現存國際關係ノ安定ニ重大ナル影響ヲ及ホスヘキ極メテ危險ナル先例ヲ開クモノナリ

支那國委員ハ前記陳述書ニ於テ支那カ千九百十五年ノ日本國ノ要求ヲ承諾シタルハ後日之ヲ再議シ且廢棄スヘキ機會ノ來ルヘキコトヲ庶幾シタルニ因ル旨述ヘタルモ該論斷タルヤ其ノ眞意ヲ捕捉スルニ由ナシ勿論支那國委員ノ意思ハ支那カ條約ニ付テハ何時ニテモ之ヲ破棄スルノ豫想ヲ以テ締結スルヲ得ルコトヲ述ヘタルモノト解スヘキニ非サルヘシ

支那國委員ハ右諸條約及諸公文ハ支那ノ主權及獨立ニ關シ本會議ノ採用シタル原則ニ背馳スルモノナルコトヲ主張スルモ本會議ハ却テ支那カ其ノ主權ノ行使ニ依リ爲シタル契約上ノ讓與ハ支那ノ主權及獨立ト牴觸スルモノト認ムヘカラスト解シタルコト一再ニ止ラス

尙千九百十五年ノ諸條約及諸公文ヲ呼フニ所謂二十一箇條要求ナル辭句ヲ用キルハ不精確ナルノミナラス甚シク誤解ヲ惹起スルモノナルコトヲ指摘セサルヲ得ス右ハ日本國ノ原提案全部カ日本國ノ壓迫ニ依リ支那ノ承諾ヲ得タリトノ誤レル印象ヲ與フルノ虞アルヲ以テナリ然ルニ事實ニ於テハ所謂第五項

ノミナラス日本國最初ノ提案中他ノ數箇ノ事項ハ最終要求ヲ支那ニ提出スルニ當リテ支那國政府ノ希望ヲ尊重シ或ハ全然削除セラレ或ハ甚シク變更セラレタリ更ニ本件交渉ニ關シ兩國政府ヨリ公表シタル記録ニ依レハ署名濟ノ本件諸條約及諸公文中ノ最重要ナル諸條項ハ最後通牒交付前既ニ支那國委員ニ依リ實際上同意セラレタルモノナルコト判明スヘシ而シテ右最後通牒ハ當時遷延ヲ重ネタル交渉ヲ速ニ決了セシムル爲日本國政府ニ於テ唯一ノ方法ト思量セラレタルモノナリ

日本國委員ハ本會議ニ於テ參加國ノ一カ他ノ一國ニ對シ有スル舊來ノ不滿ヲ穿鑿シ再ヒ之カ審査ヲ行フモ何等益スル所ナカルヘク互ニ希望ト信賴トヲ以テ將來ニ處スルノ却テ本會議ノ崇高ナル目的ニ合スル所以ナルヲ信スルモノナリ

然リト雖千九百十五年ノ日支諸條約及諸公文締結以後ニ於ケル事態ノ變遷ニ鑑ミ日本國委員ハ此ノ機會ニ於テ茲ニ左ノ聲明ヲ爲スヲ欣幸トスルモノナリ

一 日本國ハ(一)南滿洲及東部內蒙古ニ於ケル鐵道敷設ノ爲ノ借款(二)右地域ニ於ケル各種稅課ヲ擔保トスル借款ニ關シ獨占的ニ日本側資本家ニ與ヘラレタル選擇權ヲ最近ノ組織ニ係ル國際財業團ノ共同事業ニ開放セムトス但シ此ノ聲明ノ如何ナル事項ト雖前記財業團ノ共同事業ノ範圍ニ關シ

同團ニ代表セラルル諸國政府ノ間及同團ヲ組織スル諸國資本家團體ノ間ニ互ニ交換セラレタル公表ノ文書又ハ覺書中ニ記録セラレタル了解ヲ變更シ又ハ無效ナラシムルモノト解スヘカラサルモノトス

二 日本國ハ南滿洲ニ於ケル政治、財政、軍事又ハ警察ノ事項ニ付日本人ノ顧問又ハ教官ヲ支那ニ於テ傭聘スルノ件ニ關スル日支取極ニ依リ日本國ノ有スル優先權ヲ主張スルノ意思ナシ

三 尙日本國ハ千九百十五年ノ日支諸條約及諸公文ノ署名ニ際シ日本國政府ノ原提案中ノ第五項ハ他日ノ商議ニ讓ルヘシトノ趣旨ヲ以テ記録中ニ留メタル留保ヲ撤回セムトス

右諸條約及諸公文中ニ含マルル山東省ニ關スル一切ノ事項カ今回確定的ニ調整解決セラレタルコトハ茲ニ之ヲ附言スルコトヲ要セサルヘシ

日本國カ予ノ茲ニ宣明スルノ光榮ヲ有スル前記ノ決定ヲ爲スニ至レルハ終始支那ノ主權及機會均等主義ヲ顧念シ公正及寛容ノ精神ニ遵由シタルニ因ルモノナリ

STATEMENT MADE BY BARON SHIDEHARA REGARDING THE
SINO-JAPANESE NEGOTIATIONS OF 1915.

"At a previous session of this Committee, the Chinese Delegation presented a statement urging that the Sino-Japanese Treaties and Notes of 1915 be reconsidered and cancelled. The Japanese Delegation, while appreciating the difficult position of the Chinese Delegation, does not feel at liberty to concur in the procedure now resorted to by China with a view to cancellation of international engagements which she entered into as a free sovereign nation.

"It is presumed that the Chinese Delegation has no intention of calling in question the legal validity of the compacts of 1915, which were formally signed and sealed by the duly authorized representatives of the two Governments, and for which the exchange of ratifications was effected in conformity with established international usages. The insistence by China on the cancellation of those instruments would in itself indicate that she shares the view that the compacts actually remain in force and will continue to be effective, unless and until they are cancelled.

"It is evident that no nation can have given ready consent to cessions of its territorial or other rights of importance. If it should once be recognized that rights solemnly granted by treaty may be revoked at any time on the ground that they were conceded against the spontaneous will of the grantor, an exceedingly dangerous precedent will be established, with far-reaching consequences upon the stability of the existing international relations in Asia, in Europe, and everywhere.

"The statement of the Chinese Delegation under review declares that China accepted the Japanese demands in 1915, hoping that a day would come when she should have the opportunity of bringing them up for reconsideration and cancellation. It is, however, difficult to understand the meaning of this assertion. It can not be the intention of the Chinese Delegation to intimate that China may conclude a treaty with any thought in mind of breaking it at the first opportunity.

"The Chinese Delegation maintains that the Treaties and Notes in question are derogatory to the principles adopted by the Conference with regard to China's sovereignty and independence. It has, however, been held by the Conference on more than one occasion that concessions made by China *ex contractu*, in the ex-

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ercise of her own sovereign rights, can not be regarded as inconsistent with her sovereignty and independence.

"It should also be pointed out that the term 'Twenty-one Demands,' often used to denote the Treaties and Notes of 1915, is inaccurate and grossly misleading. It may give rise to an erroneous impression that the whole original proposals of Japan had been pressed by Japan and accepted *in toto* by China. As a matter of fact, not only 'Group V' but also several other matters contained in Japan's first proposals were eliminated entirely or modified considerably, in deference to the wishes of the Chinese Government, when the final formula was presented to China for acceptance. Official records published by the two Governments relating to those negotiations will further show that the most important terms of the Treaties and Notes, as signed, had already been virtually agreed to by the Chinese negotiators before the delivery of the ultimatum, which then seemed to the Japanese Government the only way of bringing the protracted negotiations to a speedy close.

"The Japanese Delegation can not bring itself to the conclusion that any useful purpose will be served by research and re-examination at this Conference of old grievances which one of the nations represented here may have against another. It will be more in line with the high aim of the Conference to look forward to the future with hope and confidence.

"Having in view, however, the changes which have taken place in the situation since the conclusion of the Sino-Japanese Treaties and Notes of 1915, the Japanese Delegation is happy to avail itself of the present occasion to make the following declaration:

"1. Japan is ready to throw open to the joint activity of the International Financial Consortium recently organized the right of option granted exclusively in favor of Japanese capital, with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia, and, second, to loans to be secured on taxes in that region; it being understood that nothing in the present declaration shall be held to imply any modification or annulment of the understanding recorded in the officially announced notes and memoranda which were exchanged among the Governments of the countries represented in the Consortium and also among the national financial groups composing the Consortium, in relation to the scope of the joint activity of that organization.

"2. Japan has no intention of insisting on her preferential right under the Sino-Japanese arrangements in question concerning the engagement by China of Japanese advisers or instructors on political, financial, military or police matters in South Manchuria.

"3. Japan is further ready to withdraw the reservation which she made, in proceeding to the signature of the Sino-Japanese Treaties and Notes of 1915, to the effect that Group V of the original proposals of the Japanese Government would be postponed for future negotiations.

"It would be needless to add that all matters relating to Shantung contained in those Treaties and Notes have now been definitely adjusted and disposed of.

"In coming to this decision, which I have had the honor to announce, Japan has been guided by a spirit of fairness and moderation, having always in view China's sovereign rights and the principle of equal opportunity."

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曩ニ樞密院ニ御諮詢相成候支那ニ關ス
ル九國條約中誤謬ノ廉發見ニ付別紙
通正誤致度

五月三十日

内
閣

(已 號 用 紙)

正 誤 表

支那ニ關スル九國條約譯文第八條

頁 行	誤	正
八 一 一	、、、別國ノ加入ハ合衆國 政府カ右ノ通告ヲ、、、	、、、別國ノ加入ハ合衆國 政府カ其ノ通告ヲ、、、

(即「右ノ」ヲ「其ノ」ニ訂正ス)

同濟

六月十七日

曩ニ樞密院ニ御諮詢相成候支那ニ
 關スル九國條約ニ添附ノ千九百二
 十一年一十二年華盛頓ニ於ケル
 軍備制限會議ニ於テ採用セラレタ
 ル諸決議譯文中誤謬ノ廉發見ニ付
 別紙ノ通正誤致度

(已覽用紙)

正 誤 表

千九百二十一年―二十二年華盛頓ニ於ケル軍備制限會議ニ於テ
採用セラレタル諸決議譯文決議第四及第六

頁	行	誤	正
八 一 七		、 、 、 何等カノ特殊利權、 恩典、利益、 、 、 、 、	、 、 、 何等カノ特殊ノ利權 恩典、利益、 、 、 、 、
一 四 一 二		、 、 、 何等カノ特殊利權、 恩典、利益、 、 、 、 、	、 、 、 何等カノ特殊ノ利權 恩典、利益、 、 、 、 、

潜水艦及毒瓦斯ニ關スル五國條約

御批准ノ件

右謹テ上奏シ恭シク

聖裁ヲ仰キ併セテ樞密院ノ議ニ付セラ
レムコトヲ請フ

大正十一年四月二十三日

内閣總理大臣子爵高橋是清

