上奏	一滿洲ニ於ケル日滿合辦通信會社設立委員ニ對スル示達ノ件ヲ決定ス	五月十六日	七
上奏	一倫敦國際經濟會議帝國全權委員ニ對スル訓令ニ關スル件ヲ決定ス	五月二十三日	八
上奏	一米國大統領親電ニ對スル帝國政府回答ニ關スル件ヲ決定ス	六月六日	九
上奏	一貨幣及經濟會議ノ爲ノ組織委員會ニ代表者ヲ出セル諸政府ニ依リ千九百三十三年五月十二日採擇セラレタル決議承認方	六月二十八日	十
請議	一日印通商々議帝國代表委員ニ對スル訓令ニ關スル件ヲ定ム	八月二十二日	十一

（富井）

外甲一七

昭和八年三月十三日 内閣書記官長 内閣書記官

昭和八年三月十六日決定

内閣總理大臣

法制局長官

外務大臣	陸軍大臣	文部大臣	遞信大臣
内務大臣	海軍大臣	農林大臣	鐵道大臣
大藏大臣	司法大臣	商工大臣	拓務大臣

別紙外務大臣請議帝國ノ國際聯盟脫退後ノ南洋委任統治ノ歸趨ニ關スル帝國政府ノ方針決定方請議ノ件ヲ審査スルニ右ハ相當ノ儀ト思考ス依テ請議ノ

通閣議決定セラレ可然ト認ム

指令案

帝國ノ國際聯盟脱退後ノ南洋委任統治ノ歸趨ニ關スル帝國政府ノ方針決定ノ件請議ノ通

昭和八年三月十六日指令

法制局外第六号　三月十日

法制局

條三機密第一一一號

昭和八年三月十一日

外務大臣伯爵内田康哉

内閣總理大臣子爵齋藤實殿

帝國ノ國際聯盟脱退後ノ南洋委任統治ノ歸趨ニ關スル帝國政府ノ方針決定方請議ノ件

帝國ノ國際聯盟脱退後南洋委任統治ノ歸趨ニ關シ帝國政府ハ大要別紙ノ論據ニ則リ帝國ノ受任國タル地位ハ帝國ノ聯盟脱退ニ依リ何等ノ影響ヲ受クルモノニ非ストノ主張ヲ堅持シ反對論ニ對シテハ極力之ヲ排除シ飽迄受任國タルノ地位ノ確保ヲ期スルコトト致度

右及請議

外務省

外甲一七

7.11

「帝國カ國際聯盟ヲ脫退シタル場合ニ於テ國際聯盟カ我委任統治ヲ撤廢シ又ハ之ヲ回收シ得サルコトハ舊獨逸植民地ノ處分權ハ帝國ヲ含ム主タル同盟及聯合國ニ屬シ國際聯盟ニ屬スルモノニ非サルコト及帝國ノ太平洋中赤道以北ニ在ル舊獨領諸島ニ對シ委任統治ヲ行フノ權利ハ一九一九年五月七日巴里最高會議ノ決議ニ基キ帝國ヲ含ム主タル同盟及聯合國ヨリ附與セラレタルモノニシテ國際聯盟ヨリ附與セラレタルモノニ非サルコト（「ヴエルサイユ」條約第一一八條第一一九條、太平洋中赤道以北ニ位スル獨逸國屬地ニ對スル委任統治條項前文、「ヤップ」島及他ノ赤道以北ノ太平洋委任統治諸島ニ關スル日米條約前文等參照）ニ徵シ一點ノ疑ナキ所ナリ

二、帝國カ國際聯盟ヲ脱退スル場合依然受任國タルヲ得ヘキコトニ付テハ國際聯盟規約及前記委任統治條項中ニ非聯盟國ハ受任國タルヲ得ストノ規定ナキノミナラス受任國タルノ資格及條件ニ關スル原則ヲ規定セル國際聯盟規約第二二條第二項ニ依ルモ受任國ハ聯盟國タルヲ要スル趣旨ニハ非サルヲ以テ帝國カ國際聯盟ヲ脱退シタル場合ニ於テモ受任國タルノ資格ヲ缺クニ至ルコトナキ次第ニシテ右ハ曾テ國際聯盟カ「アルメニア」ノ委任統治ヲ聯盟國又ハ非聯盟國ニ於テ引受ケラレタシトノ希望ヲ表明セルノミナラス一九二〇年四月ノ「サンレモ」最高會議ヨリ非聯盟國タル米國ニ對シ該地域ノ委任統治引受方ヲ求メタルコトアルニ徴スルモ明ナリ

昭和八年二月

帝國委任統治關係文書

外務省條約局

前言

帝國ノ委任統治地域タル太平洋中赤道以北ニ位スル舊獨逸領諸島ニ對スル委任統治條項及關係條約等ハ其ノ都度條約集ニ載錄シタルモ今回更ニ執務上ノ便宜ノ爲右關係文書ヲ一括蒐錄スルコトトセリ

條約局第一課

帝國委任統治關係文書

目次

帝國委任統治關係文書

一、巴里講和會議決議（大正八年五月七日「ヴェルサイユ」ニ於テ）

左ノ通決議ス

一、「トーゴーランド」及「カメルーン」

此等ノ地域ノ將來ニ關シテハ佛蘭西國及大不列顛國ヨリ國際聯盟ニ對シ共同建議ヲ爲スヘシ

獨逸領東阿弗利加

大不列顛國ノ委任統治トス

獨逸領西南阿弗利加

南阿弗利加聯邦ノ委任統治トス

獨逸領「サモア」諸島

新西蘭ノ委任統治トス

太平洋中赤道以南ノ獨逸領諸島但シ「サモア」諸島及「ナウル」ヲ除ク
濠太利聯邦ノ委任統治トス
「ナウル」
英帝國ノ委任統治トス
赤道以北ノ獨逸領諸島
日本國ノ委任統治トス

二、千九百十五年四月二十六日ノ倫敦條約第十三條ノ適用ヲ審議スル爲英帝國佛蘭西國及伊太利國ノ各一名ノ代表者ヨリ成ル聯合國委員會ヲ組織スルコト

三、上記決議ハ之ヲ公表スルコト

二、國際聯盟規約第二十二條條文

第二十二條

一、今次ノ戰爭ノ結果從前支配シタル國ノ統治ヲ離レタル殖民地及領土ニシテ近代世界ノ激甚ナル生存競爭狀態ノ下ニ未タ自立シ得サル人民ノ居住スルモノニ對シテハ該人民ノ福祉及發達ヲ計ルハ文明ノ神聖ナル使命ナルコト及其ノ使命遂行ノ保障ハ本規約中ニ之ヲ包容スルコトノ主義ヲ適用ス

二、此ノ主義ヲ實現スル最善ノ方法ハ該人民ニ對スル後見ノ任務ヲ先進國ニシテ資源、經驗又ハ地理的位置ニ因リ最此ノ責任ヲ引受クルニ適シ且之ヲ受諾スルモノニ委任シ之ヲシテ聯盟ニ代リ受任國トシテ右後見ノ任務ヲ行ハシムルニ在リ

三、委任ノ性質ニ付テハ人民發達ノ程度、領土ノ地理的地位、經濟狀態其ノ他類似ノ事情ニ從ヒ差異ヲ設クルコトヲ要ス

四、從前土耳其帝國ニ屬シタル或部族ハ獨立國トシテ假承認ヲ受ケ得ル發達ノ程度ニ達シタリ尤モ其ノ自立シ得ル時期ニ至ル迄施政上受任國ノ助言及援助ヲ受クヘキモノトス前記受任國ノ選

定ニ付テハ主トシテ當該部族ノ希望ヲ考慮スルコトヲ要ス

五、他ノ人民殊ニ中央阿弗利加ノ人民ハ受任國ニ於テ其ノ地域ノ施政ノ責ニ任スヘキ程度ニ在リ

尤モ受任國ハ公ノ秩序及善良ノ風俗ニ反セサル限リ良心及信教ノ自由ヲ許與シ、奴隷ノ賣買又ハ武器若ハ火酒類ノ取引ノ如キ弊習ヲ禁止シ竝築城又ハ陸海軍根據地ノ建設及警察又ハ地域防衛以外ノ爲ニスル土民ノ軍事教育ヲ禁遏スヘキコトヲ保障シ且他ノ聯盟國ノ通商貿易ニ對シ均等ノ機會ヲ確保スルコトヲ要ス

六、西南阿弗利加及或南太平洋諸島ノ如キ地域ハ人口ノ稀薄、面積ノ狹小、文明ノ中心ヨリ遠キコト又ハ受任國領土ト隣接セルコト其ノ他ノ事情ニ因リ受任國領土ノ構成部分トシテ其ノ國法ノ下ニ施政ヲ行フコトヲ要ス但シ受任國ハ土著人民ノ利益ノ爲前記ノ保障ヲ與フルコトヲ要ス

七、各委任ノ場合ニ於テ受任國ハ其ノ委託地域ニ關スル年報ヲ聯盟理事會ニ提出スヘシ

八、受任國ノ行フ權限、監理又ハ施政ノ程度ニ關シ豫メ聯盟國間ニ合意ナキトキハ聯盟理事會ハ各場合ニ付之ヲ明定スヘシ

九、受任國ノ年報ヲ受理審査セシメ且委任ノ實行ニ關スル一切ノ事實ニ付聯盟理事會ニ意見ヲ具申セシムル爲常設委員會ヲ設置スヘシ

三、同盟及聯合國ト獨逸國トノ平和條約

第百十八條

獨逸國ハ本條約ニ定メタル其ノ歐羅巴ニ於ケル國境外ノ地域ニ於テ自國又ハ其ノ同盟國ノ領土内ニ又ハ該領土ニ關シテ有スル一切ノ權利、權原及特權竝發生事由ノ如何ヲ問ハス同盟及聯合國ニ對シテ有スル一切ノ權利、權原及特權ヲ抛棄ス

獨逸國ハ前項ノ規定實行ノ爲主タル同盟及聯合國カ必要ナル場合ニハ第三國ト協議シテ現在又ハ將來ニ於テ執ルコトアルヘキ措置ヲ承認シ且之ニ遵由スルコトヲ玆ニ約ス

獨逸國ハ殊ニ特定事項ニ關スル左ノ各條ヲ受諾スルコトヲ聲明ス

第百十九條

獨逸國ハ其ノ海外屬地ニ關スル一切ノ權利及權原ヲ主タル同盟及聯合國ノ爲ニ抛棄ス

四、太平洋中赤道以北ニ位スル舊獨逸國屬地ニ對スル委任統治條項

國際聯盟理事會ハ

千九百十九年六月二十八日「ヴェルサイユ」ニ於テ署名シタル獨逸國トノ平和條約第百十九條ニ依リ獨逸國ハ太平洋中赤道以北ニ位スル諸群島ヲ包含スル其ノ海外屬地ニ關スル一切ノ權利ヲ主タル同盟及聯合國ノ爲ニ抛棄シタルニ因リ

主タル同盟及聯合國ハ同平和條約第一編(國際聯盟規約)第二十二條ニ準據シ前記諸島ノ施政ヲ行フノ委任ヲ日本國皇帝陛下ニ付與スルコトニ一致シ且右委任統治條項ヲ左ノ通定ムヘキコトヲ提議シタルニ因リ

日本國皇帝陛下ハ前記諸島ニ關スル委任ヲ受諾スルニ決シ且左記ノ規定ニ準據シ國際聯盟ニ代リ該委任ヲ實行スルコトヲ約シタルニ因リ

前記第二十二條第八項ハ受任國ノ行フ權限、監理又ハ施政ノ程度ニ關シ豫メ聯盟國間ニ合意ナキトキハ聯盟理事會ハ之ヲ明定スヘキコトヲ規定スルニ因リ

前記委任ヲ確認シ其ノ條項ヲ左ノ如ク定ム

第一條

日本國皇帝陛下(以下受任國ト稱ス)ニ委任ヲ付與シタル諸島ハ太平洋中赤道以北ニ位スル舊獨逸領諸島ノ全部ヲ含ム

第二條

受任國ハ本委任統治條項ニ依ル地域ニ對シ日本帝國ノ構成部分トシテ施政及立法ノ全權ヲ有スヘク且情況ニ應シ必要ナル地方的變更ヲ加ヘテ本地域ニ日本帝國ノ法規ヲ適用スルコトヲ得

受任國ハ本委任統治條項ニ依ル地域ノ住民ノ物質的及精神的幸福竝社會的進歩ヲ極力增進スヘシ

第三條

受任國ハ奴隷賣買ヲ禁止スルコト竝須要ナル公共的工事及役務ノ爲ニスル場合ヲ除クノ外强制勞働ヲ許容セサルコトヲ督視スヘシ右例外ノ場合ニ於テモ相當ノ報償ヲ支拂フコトヲ要ス

受任國ハ又千九百十九年九月十日署名ノ武器取引ノ取締ニ關スル條約又ハ之ヲ修正スル條約ニ規定スル所ト同樣ナル原則ニ準據シ武器彈藥ノ取引ヲ取締ルコトヲ督視スヘシ

土着民ニ火酒及酒精飲料ヲ供給スルコトヲ禁止スヘシ

第四條

土着民ノ軍事教育ハ地域内警察及本地域ノ地方的防衛ノ爲ニスル場合ヲ除クノ外之ヲ禁止スヘシ

又本地域内ニ陸海軍根據地又ハ築城ヲ建設スルコトヲ得ス

第五條

公ノ秩序又ハ善良ノ風俗ノ維持ニ關スル地方的法規ニ反セサル限リ受任國ハ本地域内ニ於テ良心ノ自由竝各種禮拜ノ自由執行ヲ確保シ又聯盟國ノ國民タル一切ノ宣教師カ其ノ職務ヲ行フ爲本地域内ニ到リ、旅行シ又ハ居住スルコトヲ許スヘシ

第六條

受任國ハ國際聯盟理事會ヲ滿足セシムヘキ年報ヲ同理事會ニ提出スヘシ該年報中ニハ本地域ニ關スル詳細ナル情報ヲ記載シ且第二條乃至第五條ニ依リ負擔シタル義務ヲ實行スル爲ニ執リタル諸般ノ措置ヲ表示スヘシ

第七條

本委任統治條項ノ規定ヲ變更スルニハ國際聯盟理事會ノ同意ヲ要ス

受任國ハ本委任統治條項ノ規定ノ解釋又ハ適用ニ關シ受任國ト他ノ聯盟國トノ間ニ紛爭ヲ生シタル場合ニ於テ其ノ紛爭カ交渉ニ依リ解決スルコト能ハサルトキハ之ヲ國際聯盟規約第十四條ニ規定スル常設國際司法裁判所ニ付託スヘキコトニ同意ス

本宣言ハ國際聯盟ノ記錄ニ之ヲ寄託スヘク國際聯盟事務總長ハ本書ノ認證謄本ヲ獨逸國トノ平和條約ノ署名國ニ送付スヘシ

千九百二十年十二月十七日「ジェネヴァ」ニ於テ作成ス

五、C式委任統治條項ニ關スル帝國政府ノ宣言（大正九年十二月七日）

帝國政府ハ國際聯盟ノ根本精神上將又聯盟規約ノ解釋上通商及貿易上ノ機會均等ノ保障ニ關スル一項ヲC式委任統治條項中ニ挿入スヘシトノ帝國政府從來ノ主張カ正當ナルコトノ確信ヲ有ス然レトモ和衷共同ノ精神ヨリ且本問題ヲ未解決ノ儘ニ存置セシムルヲ欲セサルニ依リ帝國政府ハ現在ノ形式ニ於テ委任統治條項ヲ制定スルニ同意スルコトニ決シタリ

尤モ右ノ決定ハ委任統治地域ニ於テ帝國臣民カ差別的且不利益ナル待遇ヲ受クルコトヲ帝國政府ニ於テ容認シタルモノト看做スヲ得ス又帝國政府ハ帝國臣民カ從來是等ノ地域ニ於テ享有シタル權利及利益ノ充分ニ尊重セラルヘシトノ主張ヲ右決定ニ依リテ抛棄シタルモノニ非ス

六、C式委任統治條項ニ關スル聯盟國宛國際聯盟事務總長通牒

以書翰啓上致候陳者予ハ國際聯盟理事會ガ「イーマンス」閣下ヲ議長トセル十二月十七日ノ「ジュネーヴ」ニ於ケル理事會ノ會合ニ於テ規約第二十二條第六項ニ從ヒ左ノ委任統治條項ヲ決定シタル旨ヲ貴聯盟國ニ通知スルノ光榮ヲ有シ候

右委任統治トハ左ノ地域ニ關スル「グレート、ブリテン」國ノ委任統治卽チ

(一) 英國皇帝陛下ニ付與セラレ且南「アフリカ」聯邦政府ガ皇帝陛下ニ代リテ行フベキ獨逸國領南西「アフリカ」ニ對スル委任統治

(二) 英國皇帝陛下ニ付與セラレ且「ニュー、ジーランド」政府ガ皇帝陛下ニ代リテ行フベキ獨逸國領「サモア」ニ對スル委任統治

(三) 英國皇帝陛下ニ付與セラレタル「ナウル」島ニ對スル委任統治

(四) 英國皇帝陛下ニ付與セラレ且「オーストラリア」聯邦政府ガ皇帝陛下ニ代リテ行フ獨逸國領「サモア」及「ナウル」ヲ除ク太平洋中赤道以南ニ位スル獨逸國屬地ニ對スル委任統治

及日本國皇帝陛下ニ付與セラレタル太平洋中赤道以北ニ位スル獨逸國屬地ニ關スル委任統治ニ有之候

予ハ添附ノ右委任統治本文ヲ日本國政府ニ依ル宣言ト共ニ送付スルノ光榮ヲ有シ候　敬具

千九百二十一年一月十五日

「ジュネーヴ」ニ於テ

國際聯盟事務總長

エリック、ドラモンド

七、「ヤップ」島及他ノ赤道以北ノ太平洋委任統治諸島ニ關スル日米條約

大正十一年二月十一日華盛頓ニ於テ署名（英文）
同　十一年六月二十三日　批　准
同　十一年七月十三日華盛頓ニ於テ批准書交換
同　十一年七月十三日　公　布
同　十一年七月十三日　實　施

日本國及亞米利加合衆國ハ

千九百十九年六月二十八日署名セラレタル「ヴェルサイユ」條約第百十九條ニ依リ獨逸國カ同條約ニ謂フ主タル同盟及聯合國タル諸國卽チ亞米利加合衆國、英帝國、佛蘭西國、伊太利國及日本國ノ爲ニ其ノ海外屬地ニ關スル一切ノ權利及權原ヲ拋棄シタルコトヲ思ヒ

前記「ヴェルサイユ」條約第百十九條ニ依リ合衆國ニ歸屬スル利益ハ合衆國及獨逸國間ノ友好關係ヲ恢復セムカ爲千九百二十一年八月二十五日署名セラレタル兩國間ノ條約ニ依リ確認セラレタルコトヲ思ヒ

前記四國卽チ英帝國、佛蘭西國、伊太利國及日本國ハ「ヴェルサイユ」條約ニ依リ太平洋中赤道以北ニ位スル舊獨逸領諸島群ニ付左記ノ條項ニ準據シテ其ノ施政ヲ行フノ委任ヲ日本國皇帝陛下ニ付與スルコトニ一致シタルコトヲ思ヒ

第一條　日本國皇帝陛下（以下受任國ト稱ス）ニ委任ヲ付與シタル諸島ハ太平洋中赤道以北ニ位スル舊獨逸領諸島ノ全部ヲ含ム

第二條　受任國ハ本委任統治條項ニ依ル地域ニ對シ日本帝國ノ構成部分トシテ施政及立法ノ全權ヲ有スヘク且情況ニ應シ必要ナル地方的變更ヲ加ヘテ本地域ニ日本帝國ノ法規ヲ適用スルコトヲ得

受任國ハ本委任統治條項ニ依ル地域ノ住民ノ物質的及精神的幸福竝社會的進歩ヲ極力增進スヘシ

第三條　受任國ニ奴隷賣買ヲ禁止スルコト竝須要ナル公共的工業及役務ノ爲ニスル場合ヲ除クノ外强制勞働ヲ許容セサルコトヲ督視スヘシ右例外ノ場合ニ於テモ相當ノ報償ヲ支拂フコトヲ要ス

受任國ハ又千九百十九年九月十日署名ノ武器取引ノ取締ニ關スル條約又ハ之ヲ修正スル條約ニ規定スル所ト同樣ナル原則ニ準據シ武器彈藥ノ取引ヲ取締ルコトヲ督視スヘシ

第四條　土著民ノ軍事敎育ハ地域內警察及本地域ノ地方的防衞ノ爲ニスル場合ヲ除クノ外之ヲ禁止スヘシ又本地域內ニ陸海軍根據地又ハ築城ヲ建設スルコトヲ得ス

第五條　公ノ秩序又ハ善良ノ風俗ノ維持ニ關スル地方的法規ニ反セサル限リ受任國ハ本地域內ニ於テ良心ノ自由竝各種禮拜ノ自由執行ヲ確保シ又聯盟國ノ國民タル一切ノ宣敎師カ其ノ職務ヲ行フ爲本地域內ニ到リ、旅行シ又ハ居住スルコトヲ許スヘシ

第六條　受任國ハ國際聯盟理事會ヲ滿足セシムヘキ年報ヲ同理事會ニ提出スヘシ該年報中ニハ本地域ニ關スル詳細ナル情報ヲ記載シ且第二條乃至第五條ニ依リ負擔シタル義務ヲ實行スル爲ニ執リタル諸般ノ措置ヲ表示スヘシ

第七條　本委任統治條項ノ規定ヲ變更スルニハ國際聯盟理事會ノ同意ヲ要ス

受任國ハ本委任統治條項ノ規定ノ解釋又ハ適用ニ關シ受任國ト他ノ聯盟國ノ間ニ紛爭ヲ生シタル場合ニ於テ其ノ紛爭カ交涉ニ依リ解決スルコト能ハサルトキハ之ヲ國際聯盟規約第十四條ニ規定スル常設國際司法裁判所ニ付託スヘキコトニ同意ス

合衆國ハ「ヴェルサイユ」條約ヲ批准セス且前記委任ニ關スル協定ニ參加セサリシコトヲ思ヒ
前記諸島殊ニ「ヤップ」島ニ於ケル兩國政府及其ノ各自ノ國民ノ權利ニ關シ確定的了解ニ到達セム
コトヲ希望シ此ノ目的ノ爲條約ヲ締結スルコトニ決シ之カ爲左ノ如ク其ノ全權委員ヲ任命セリ
日本國皇帝陛下
亞米利加合衆國駐劄特命全權大使男爵幣原喜重郎
亞米利加合衆國大統領
合衆國國務卿「チャールス、エヴァンス、ヒューズ」
前記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

本條約ノ規定ヲ留保シテ合衆國ハ日本國カ前記委任ニ依リ太平洋中赤道以北ニ位スル一切ノ舊獨逸領諸島ノ施政ヲ行フコトニ同意ス

第二條

合衆國ハ國際聯盟ノ聯盟國ニ非サルモ同國及其ノ國民ハ前記委任統治條項第三條、第四條及第五條ニ規定スル日本國ノ約束ノ一切ノ利益ヲ享クヘシ

締約國ハ尙左ノ如ク約定ス

(一) 日本國ハ公ノ秩序及善良ノ風俗ニ反セサル限リ良心ノ完全ナル自由及各種禮拜ノ自由執行ヲ右諸島ニ於テ確保スヘシ斯ル一切ノ宗敎ノ米國人宣敎師ハ右諸島ニ入リ且右諸島內ニ旅行シ及居住シ竝右諸島內ニ於テ財產ヲ取得シ及占有シ、宗敎的建物ヲ建設シ及學校ヲ開設スルノ自由ヲ有スヘシ尤モ日本國ハ公ノ秩序及善政ヲ維持スルニ必要ナルヘキ監理ヲ行ヒ且右監理上必要ナル一切ノ措置ヲ執ルノ權利ヲ有スルモノトス

(二) 委任統治諸島ニ於ケル米國人ノ既得財產權ハ尊重セラルヘク且如何ナル手段ニ依ルモ侵害セラレサルヘシ

(三) 日本國及合衆國間ノ現存諸條約ハ委任統治諸島ニ之ヲ適用スヘシ

(四) 日本國ハ其ノ國際聯盟理事會ニ提出スヘキ委任ノ統治ニ關スル年報ノ複本ヲ合衆國ニ送付スヘシ

(五) 本條約ニ記載シタル事項ハ本條約ニ引用シタル委任統治條項ニ加ヘラルルコトアルヘキ變更ニ依リ影響ヲ受クルコトナカルヘシ但シ右變更ニ對シ合衆國カ明ニ同意シタル場合ハ此ノ限ニ在ラス

第三條

合衆國及其ノ國民ハ現存「ヤップ」「グァム」海底電信線又ハ將來合衆國若ハ其ノ國民ノ敷設シ若ハ運用スルコトアルヘキ「ヤップ」島ニ接續スル海底電信線ノ陸揚及運用ニ關スル一切ノ事項ニ付日本國又ハ他ノ各國及其ノ各自ノ國民ト全然均等ノ地歩ニ於テ「ヤップ」島ニ自由ニ出入スルコトヲ得ヘシ

前項ニ定ムル權利及特權ハ又無線電信ニ依ル通信ニ關シ合衆國政府及其ノ國民ニ許與セラルヘシ

但シ日本國政府カ「ヤップ」島ニ適當ナル無線電信局ヲ設立維持シ差別的料金ヲ課スルコトナク又順位ヲ附スルコトナク海底電信線及船舶又ハ海岸ニ在ル他ノ無線電信局トノ間ニ有效ニ通信ヲ接續スル限リハ合衆國又ハ其ノ國民カ同島ニ於テ無線電信局ヲ設置スルノ權利ノ行使ハ之ヲ停止スヘシ

第四條

第三條ニ定ムル權利ニ關聯シテ左記諸項ノ特殊權利、特權及免除ハ電氣通信ニ關スル限リ合衆國及其ノ國民ハ「ヤップ」島ニ於テ之ヲ享有スヘシ

(一) 合衆國國民ハ同島ニ於テ無制限ノ居住權ヲ有スヘク且合衆國及其ノ國民ハ日本國若ハ他ノ

各國又ハ其ノ各自ノ國民ト全然均等ノ地歩ニ於テ一切ノ動産不動産及之ニ關スル利益(土地、建物、住居、事務所、工場及附屬物ヲ含ム)ヲ取得シ及保持スルノ權利ヲ有スヘシ

(二) 合衆國國民ハ第三條ノ規定ニ從ヒ同島ニ於テ海底電信線ヲ陸揚及運用シ若ハ無線電信局ヲ設置スルカ爲又ハ本條及第三條ニ定ムル權利及特權ヲ享有スルカ爲許可又ハ免許ヲ受クルノ義務ヲ有セス

(三) 海底電信線又ハ無線電信ニ依ル通信又ハ運用ニ關シ檢閲又ハ監督ヲ行フヘカラス

(四) 合衆國國民ハ其ノ身體及財産ニ付同島出入ノ完全ナル自由ヲ有スヘシ

(五) 海底電信線若ハ無線電信局ノ運用ニ關シ又ハ財産、人若ハ船舶ニ關シ租税、港灣若ハ陸揚ニ關スル課金又ハ如何ナル性質ノ取立金モ一切之ヲ徴收スヘカラス

(六) 差別的警察規則ハ之ヲ實施スヘカラス

(七) 日本國政府ハ合衆國又ハ其ノ國民カ他ノ方法ヲ以テシテハ同島ニ於テ電氣通信ノ目的ノ爲必要ナル財産又ハ便宜ヲ得ルコト能ハサル場合ニハ之ヲ同國又ハ其ノ國民ニ確保スル爲公用徴收權ヲ行使スヘシ

右徴收セラルヘキ土地ノ位置及面積ハ各場合ノ需要ニ從ヒ兩國政府間ニ協定スヘキモノトス

同島ニ於テ電氣通信ノ目的ニ供セラルル合衆國又ハ其ノ國民ノ財産及便宜ハ公用徴收ヲ受クルコトナカルヘシ

第五條

本條約ハ締約國ニ於テ其ノ各自ノ憲法ニ從ヒ批准セラルヘシ本條約ノ批准書ハ出來得ル限リ速ニ華盛頓ニ於テ交換スヘク且本條約ハ其ノ批准書交換ノ日ヨリ實施セラルヘシ

右證據トシテ各全權委員ハ本條約ニ署名調印ス

千九百二十二年二月十一日華盛頓市ニ於テ本書二通ヲ作成ス

幣原喜重郎（印）

チャールス、エヴァンス、ヒューズ（印）

同上附屬交換公文

大正十一年二月十一日華盛頓ニ於テ

同　年七月十三日官報掲載

幣原大使往翰

以書翰致啓上候陳者本日日本國ノ委任統治ニ屬スル太平洋中赤道以北ニ位スル諸島ニ關スル日米條約ニ署名セムトスルニ當リ本官ハ本國政府ノ委任ヲ受ケ茲ニ右諸島ノ港及水面ニ到來スル合衆國ノ國民及船舶ヲ遇スルニ常例ノ國際禮讓ヲ以テスルコトヲ閣下ニ保證スルノ光榮ヲ有シ候

本官ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候　敬具

千九百二十二年二月十一日

華盛頓日本帝國大使館ニ於テ

幣原喜重郎

國務卿チャールス、イー、ヒューズ閣下

國務卿復翰

以書翰致啓上候陳者日本國政府ニ於テ日本國ノ委任統治諸島ノ港及水面ニ到來スル米國ノ國民及船舶ヲ遇スルニ常例ノ國際禮讓ヲ以テスルノ意思ヲ有スル趣千九百二十二年二月十一日附貴翰ヲ以テ御申越相成致敬承候

本官ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候　敬具

千九百二十二年二月十一日

華盛頓國務省ニ於テ

チャールス、イー、ヒューズ

日本國大使男爵幣原喜重郎閣下

國務卿來翰

以書翰致啓上候陳者本日日本國ノ委任統治ノ下ニ在ル舊獨逸國屬地ニ關スル日米條約ニ署名セムトスルニ當リ本官ハ若シ將來合衆國政府カ濠洲及新西蘭ニ適用セラルヘキ通商條約ヲ締結スルノ機會アル場合ニハ目下右屬領ノ施設ノ下ニ在ル赤道以南ノ委任統治諸島ニ右條約ヲ及ホサシムルコトニ努ムヘキ旨ヲ陳述スルノ光榮ヲ有シ候尤モ合衆國ハ未タ此等諸島ニ關スル委任統治ニ同意ヲ與フルノ條約ヲ締結スルニ至ラサルコトヲ附言致候

尚本官ハ委任統治ノ下ニ在ル舊獨逸國領土ニ關スル條約ヲ締結スルニ當リ合衆國政府ハ委任統治權ヲ有スル政府ニ於テ其ノ委任統治ノ施政ニ關スル年報ノ複本ヲ主タル同盟及聯合國ノ一國トシテノ合衆國ニ送付スヘキコトヲ要求スルノ意思ヲ有スル旨ヲ陳述スルノ光榮ヲ有シ候

本官ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候　敬具

千九百二十二年二月十一日

華盛頓國務省ニ於テ

チャールス、イー、ヒューズ

日本國大使男爵幣原喜重郎閣下

幣原大使復翰

以書翰致啓上候陳者若シ將來合衆國政府カ濠洲及新西蘭ニ適用セラルヘキ通商條約ヲ締結スルノ機會アル場合ニハ濠洲及新西蘭ノ委任統治ノ下ニ在ル赤道以南ノ諸島ニ右條約ヲ及ホサシムルコトニ努ムヘキ趣竝今後委任統治ノ下ニ在ル舊獨逸國領土ニ關スル條約ヲ締結スルニ當リ合衆國政府ハ委任統治國ニ於テ右委任統治地域ノ施政ニ關スル年報ノ複本ヲ主タル同盟及聯合國ノ一國トシテノ合衆國ニ送付スヘキコトヲ要求スルノ意思ヲ有スル趣本日附貴翰ヲ以テ御申越相成致敬承候

右貴下ノ御通報ヲ承旁本使ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候　敬具

千九百二十二年二月十一日

華盛頓日本帝國大使館ニ於テ

國務卿チャールス、イー、ヒューズ閣下

幣原喜重郎

八、本件關係外務省告示

外務省告示第十六號

同盟及聯合國ト獨逸國トノ平和條約第二十二條及第百十九條ニ關シ大正八年五月七日巴里講和會議ハ左記第一ノ決議ヲ爲シ大正九年十二月十七日國際聯盟理事會ハ「ジュネーヴ」ニ於テ該講和會議決議及前記條約第二十二條第八項ニ基キ左記第二ノ決定ヲ爲シ帝國政府ハ今般右國際聯盟理事會決定ノ認證謄本ヲ接受シタリ右國際聯盟理事會ノ決定ヲ爲スニ當リ帝國代表者ハ左記第三ノ宣言ヲ爲シ之ヲ記錄ニ留メタリ

大正十年四月二十九日

外務大臣伯爵　内田康哉

第一　巴里講和會議決議（本稿一參照）

第二　赤道以北太平洋舊獨逸領諸島委任統治條項（本稿四參照）

第三　帝國政府ノ宣言（本稿五參照）

MINISTÈRE DES AFFAIRES ÉTRANGÈRES.

FÉVRIER 1933.

DOCUMENTS RELATING TO THE JAPANESE MANDATE FOR THE GERMAN POSSESSIONS IN THE PACIFIC OCEAN LYING NORTH OF THE EQUATOR.

DOCUMENTS RELATIFS AU MANDAT JAPONAIS POUR LES ANCIENNES COLONIES ALLEMANDES SITUÉES AU NORD DE L'ÉQUATEUR, DANS L'OCÉAN PACIFIQUE.

帝國委任統治關係文書正誤表

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1) ASSIGNATION DES MANDATS.

(Voir le texte anglais.)

1) ALLOCATION OF MANDATES

EXTRACTS FROM THE NOTES OF A MEETING HELD IN THE CONFERENCE ROOM OF THE SUPREME WAR COUNCIL

at the Grand Hôtel Trianon, Versailles, on Wednesday, May 7, 1919, at 4.15 p.m.

The following decisions were reached:

1. *Togoland and Cameroons:* France and Great Britain shall make a joint recommendation to the League of Nations as to their future.

German East Africa: The Mandate shall be held by Great Britain.

German South-West Africa: The Mandate shall be held by the Union of South Africa.

The German Samoan Islands: The Mandate shall be held by New Zealand.

The other German Pacific Possessions south of the Equator (excluding the German Samoan Islands and Nauru): The Mandate shall be held by Australia.

Nauru: The Mandate shall be given to the British Empire.

German Islands north of the Equator: The Mandate shall be held by Japan.

2. That an Inter-Allied Committee consisting of one Representative each of the British Empire, France and Italy, should be formed to consider the application of Article 13 of the Treaty of London, dated 26th April, 1915.

3. That the above decisions should be published.

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2) L'ARTICLE 22 DU PACTE.

1. Les principes suivants s'appliquent aux colonies et territoires qui, à la suite de la guerre, ont cessé d'être sous la souveraineté des États qui les gouvernaient précédemment et qui sont habités par des peuples non encore capables de se diriger eux-mêmes dans les conditions particulièrement difficiles du monde moderne. Le bien-être et le développement de ces peuples forment une mission sacrée de civilisation, et il convient d'incorporer dans le présent Pacte des garanties pour l'accomplissement de cette mission.

2. La meilleure méthode de réaliser pratiquement ce principe est de confier la tutelle de ces peuples aux nations développées qui, en raison de leurs ressources, de leur expérience ou de leur position géographique, sont le mieux à même d'assumer cette responsabilité et qui consentent à l'accepter: elles exerceraient cette tutelle en qualité de Mandataires et au nom de la Société.

3. Le caractère du mandat doit différer suivant le degré de développement du peuple, la situation géographique du territoire, ses conditions économiques et toutes autres circonstances analogues.

4. Certaines communautés, qui appartenaient autrefois à l'Empire ottoman, ont atteint un degré de développement tel que leur existence comme nations indépendantes peut être reconnue provisoirement, à la condition que les conseils et l'aide d'un Mandataire guident leur administration jusqu'au moment où elles seront capable de se conduire seules. Les vœux de ces communautés doivent être pris d'abord en considération pour le choix du Mandataire.

2) ARTICLE 22 OF THE COVENANT.

1. 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 wellbeing and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

2. 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 af the League.

3. 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.

4. 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 communites must be a principal consideration in the selection of the Mandatory.

5. Le degré de développement où se trouvent d'autres peuples, spécialement ceux de l'Afrique centrale, exige que le Mandataire y assume l'administration du territoire à des conditions qui, avec la prohibition d'abus, tels que la traite des esclaves, le trafic des armes et celui de l'alcool, garantiront la liberté de conscience et de religion, sans autres limitations que celles que peut imposer le maintien de l'ordre public et des bonnes mœurs, et l'interdiction d'établir des fortifications ou des bases militaires ou navales et de donner aux indigènes une instruction militaire, si ce n'est pour la police ou la défense du territoire et qui assureront également aux autres Membres de la Société des conditions d'égalité pour les échanges et le commerce.

6. Enfin il y a des territoires, tels que le Sud-Ouest African et certaines îles du Pacifique austral, qui, par suite de la faible densité de leur population, de leur superficie restreinte, de leur éloignement des centres de civilisation, de leur contiguïté géographique au territoire du Mandataire, ou d'autres circonstances, ne sauraient être mieux administrés que sous les lois du Mandataire, comme une partie intégrante de son territoire, sous réserve des garanties prévues plus haut dans l'intérêt de la population indigène.

7. Dans tous les cas, le Mandataire doit envoyer au conseil un rapport annuel concernant les territoires dont il a la charge.

8. Si le degré d'autorité, de contrôle ou d'administration à exercer par le Mandataire n'a pas fait l'objet d'une convention antérieure entre les Membres de la Société, il sera expressément statué sur ces points par le Conseil.

5. 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 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 territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

6. 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 law of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

7. In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

8. 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.

9. Une Commission permanente sera chargée de recevoir et d'examiner les rapports annuels des Mandataires et de donner au Conseil son avis sur toutes questions relatives à l'exécution des mandats.

9. 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.

3) TRAITÉ DE PAIX ENTRE LES PUISSANCES ALLIÉES ET ASSOCIÉES ET L'ALLEMAGNE.

Article 118.

Hors de ses limites en Europe, telles qu'elles sont fixées par le présent Traité, l'Allemagne renonce à tous droits, titres ou privilèges quelconques sur ou concernant tous territoires lui appartenant, à elle ou à ses alliés, ainsi qu'à tous droits, titres ou privilèges ayant pu, à quelque titre que ce soit, lui appartenir vis-à-vis des Puissances alliées et associées.

L'Allamagne s'engage dès à présent à reconnaître et à agréer les mesures qui sont ou seront prises par les Principales Puissances alliées et associées, d'accord, s'il y a lieu, avec les tierces Puissances, en vue de régler les conséquences de la disposition qui précède.

Spécialement, l'Allemagne déclare agréer les stipulations des articles ci-après, relatifs à certaines matières particulières.

Article 119.

L'Allemagne renonce, en faveur des Principales Puissances alliées et associées, à tous ses droits et titres sur ses possessions d'outre-mer.

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3) TREATY OF PEACE BETWEEN THE ALLIED AND ASSOCIATED POWERS AND GERMANY.

Article 118.

In territory outside her European frontiers as fixed by the present Treaty, Germany renounces all rights, titles and privileges whatever in or over territory which belonged to her or to her allies, and all rights, titles and privileges whatever their origin which she held as against the Allied and Associated Powers.

Germany hereby undertakes to recognise and to conform to the measures which may be taken now or in the future by the Principal Allied and Associated Powers, in agreement where necessary with third Powers, in order to carry the above stipulation into effect.

In particular Germany declares her acceptance of the following Articles relating to certain special subjects.

Article 119.

Germany renounces in favour of the Principal Allied and Associated Powers all her rights and titles over her oversea possessions.

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4) MANDAT POUR LES ANCIENNES COLONIES ALLEMANDES SITUÉES AU NORD DE L'ÉQUATEUR, DANS L'OCÉAN PACIFIQUE.

LE CONSEIL DE LA SOCIÉTÉ DES NATIONS:

Considérant que, par l'article 119 du Traité de Paix avec l'Allemagne signé à Versailles le 28 juin 1919, l'Allemagne a renoncé, en faveur des Principales Puissances alliées et associées à tous ses droits sur ses possessions d'outre-mer, y compris le groupe d'îles situé au nord de l'Équateur dans l'Océan Pacifique;

Considérant que les Principales Puissances alliées et associées ont convenu qu'un mandat soit conféré à Sa Majesté l'Empereur du Japon pour administrer, conformément à l'article 22 du Pacte de la Société des Nations, les dites îles et ont proposé que le mandat soit formulé ainsi que suit:

Considérant que Sa Majesté l'Empereur du Japon s'est engagée à accepter le mandat sur les dites îles et a entrepris de l'exercer au nom de la Société des Nations, conformément aux dispositions suivantes;

Considérant que, aux termes de l'article 22 ci-dessus mentionné, paragraphe 8, il est prévu que si le degré d'autorité, de contrôle ou d'administration à excercer par le Mandataire n'a pas fait l'objet d'une Convention antérieure entre les Membres de la Société, il sera expressément statué sur ces points par le Conseil;

4) MANDATE FOR THE GERMAN POSSESSIONS IN THE PACIFIC OCEAN LYING NORTH OF THE EQUATOR.

THE COUNCIL OF THE LEAGUE OF NATIONS:

Whereas, by Article 119 of the Treaty of Peace with Germany signed at Versailles on June 28th, 1919, Germany renounced in favour of the Principal Allied and Associated Powers all her rights over her oversea possessions, including therein the groups of islands in the Pacific Ocean lying north of the Equator; and

Whereas the Principal Allied and Associated Powers agreed that in accordance with Article 22, Part I (Covenant of the League of Nations) of the said Treaty a Mandate should be conferred upon His Majesty the Emperor of Japan to administer the said islands and have proposed that the Mandate should be formulated in the following terms; and

Whereas His Majesty the Emperor of Japan has agreed to accept the Mandate in respect of the said islands and has undertaken to exercise it on behalf of the League of Nations in accordance with the following provisions; and

Whereas, by the afore-mentioned Article 22, Paragraph 8, it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations:

Par la présente, confirmant le mandat, a statué sur ses termes comme suit :

ARTICLE 1.

Les îles dont Sa Mejesté l'Empereur du Japon (ci-après désigné le Mandataire) assume l'administration, sous le régime du mandat, comprennent toutes les anciennes îles allemandes situées dans l'Océan Pacifique au nord de l'Équateur.

ARTICLE 2.

Le Mandataire aura pleins pouvoirs d'administration et de législation sur le territoire faisant l'objet du mandat : ce territoire sera administré selon la législation du Mandataire comme partie intégrante de l'Empire du Japon. Le Mandataire est en conséquence autorisé à appliquer aux régions soumises au mandat la législation de l'Empire du Japon sous réserve des modifications nécessitées par les conditions locales.

Le Mandataire accroîtra par tous les moyens en son pouvoir le bien-être matériel et moral, ainsi que le progrès social des habitants du territoire soumis au présent mandat.

ARTICLE 3.

Le Mandataire veillera à ce que la traite des esclaves soit interdite ; à ce que le travail obligatoire ne soit autorisé que dans le cas de travaux publics essentiels et dans les services publics et sous condition qu'une rémunération équitable soit allouée.

En outre, le Mandataire veillera à ce que le trafic de l'armement et des munitions soit contrôlé en conformité avec des principes

Confirming the said Mandate, defines its terms as follows :—

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-begin 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

analogues à ceux de la Conventian relative au contrôle du Trafic des armements, signée le 10 septembre 1919 et de toute autre Convention qui amende cette dernière.

Il sera interdit de fournir des spiritueux et des boissons alcooliques aux indigènes du territoire.

ARTICLE 4.

L'instruction militaire des indigènes sera interdite, sauf pour assurer la police locale et la défense locale du territoire. En outre, aucune base militaire ou navale ne sera établie dans le territoire, ni aucune fortification.

ARTICLE 5.

Sous réserve des dispositions de la législation locale concernant le maintien de l'ordre public et des bonnes mœurs, le Mandataire assurera dans toute l'étendue du territoire, la liberté de conscience et le libre exercice de tous les cultes et donnera à tous les missionnaires, sujets ou citoyens de tout Membre de la Société des Nations, la faculté de pénétrer, de circuler et de résider dans le territoire dans le but d'exercer leur ministère.

ARTICLE 6.

Le Mandataire devra envoyer au Conseil de la Sociéte des Nations un rapport annuel satisfaisant le Conseil et contenant toute information intéressant le territoire et indiquant les mesures prises pour assurer les engagements pris suivant les Articles 2, 3, 4, 5.

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.

L'autorisation du Conseil de la Société des Nations est nécessaire pour modifier les dispositions du présent mandat.

Le Mandataire accepte que tout différend, quel qu'il soit, qui viendrait à s'élever entre lui et un autre Membre de la Société des Nations relatif à l'interprétation ou à l'application des dispositions du mandat, et qui ne soit pas susceptible d'être réglé par des négociations, soit soumis à la Cour Permanente de Justice Internationale, prévue par l'Article 14 du Pacte de la Société des Nations.

Le présent exemplaire sera déposé dans les archives de la Société des Nations. Des copies certifiées conformes en seront remises par le Secrétaire Général de la Société des Nations à toutes les Puissances signataires du Traité de Paix avec l'Allemagne.

Fait à Genève le 17 décembre 1920.

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.

The present Declaration shall be deposited in the archives of the League of Nations. Certified copies shall be forwarded by the Secretary-General of the League of Nations to all Powers Signatories of the Treaty of Peace with Germany.

Made at Geneva the 17th day of December, 1920.

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5) DÉCLARATION DU GOUVERNEMENT JAPONAIS TOUCHANT LES MANDATS "C".

En se fondant sur l'esprit et sur les principes fondamentaux de la Société des Nations et sur l'interprétation du Pacte, le Gouvernement de Sa Majesté Impériale Japonaise est fermement convaincu de la justice de la revendication qu'il a faite jusqu'ici en vue d'obtenir l'insertion dans les mandats "C" d'une clause assurant l'égalité de traitement en matière d'échanges et de commerce. Toutefois, dans un esprit de conciliation et de coopération, et pour éviter de laisser plus longtemps la question en suspens, ce Gouvernement a décidé d'agréer que le mandat soit publié sous sa forme actuelle. Cette décision, cependant, ne doit pas être considérée comme impliquant que le Gouvernement de Sa Majesté Impériale Japonaise accepte que les sujets japonais soient soumis, dans les territoires placés sous mandat, à un traitement comportant une discrimination désavantageuse à leur égard. Ce Gouvernement n'entend pas davantage renoncer à la réclamation qu'il a faite en déclarant que les droits et les intérêts des sujets japonais, dans ces territoires, tels qu'ils existaient dans le passé, doivent être complètement respectés.

5) DECLARATION BY THE JAPANESE GOVERNMENT RELATING TO "C" MANDATES.

From the fundamental spirit of the League of Nations and as the question of interpretation of the Covenant, His Imperial Japanese Majesty's Government have a firm conviction in the justice of the claim they have hitherto made for the inclusion of a clause concerning the assurance of equal opportunities for trade and commerce in "C" Mandates. But from the spirit of conciliation and cooperation and their reluctance to see the question unsettled any longer, they have decided to agree to the issue of the Mandate in its present form. That decision, however, should not be considered as an acquiescence on the part of His Imperial Japanese Majesty's Government in the submission of Japanese subjects to a discriminatory and disadvantageous treatment in the Mandated territories; nor have they thereby discarded their claim that the rights and interests enjoyed by Japanese subjects in these territories in the past should be fully respected.

6) LETTRE DU SECRÉTAIRE GÉNÉRAL AUX MEMBRES DE LA SOCIÉTÉ CONCERNANT LES TERMES DES MANDATS "C".

Genève, le 15 janvier 1921.

Excellence,

J'ai l'honneur de vous informer que, dans sa séance du 17 décembre, tenue à Genève sous la présidence de Son Excellence Monsieur Hymans, le Conseil de la Société des Nations a arrêté les termes des mandats suivants, conformément au paragraphe 6 de l'article 22 du Pacte :

Ce sont les mandats britanniques sur les territoires suivants :

1. Mandat du Sud-Ouest Africain Allemand, attribué à Sa Majesté Britannique, pour être exercé en son nom par le Gouvernement de l'Union de l'Afrique du Sud ;
2. Mandat du Samoa Allemand, attribué à Sa Majesté Britannique, pour être exercé en son nom par le Gouvernement du Dominion de la Nouvelle-Zélande ;
3. Mandat pour l'île de Nauru, attribué à Sa Majesté Britannique ;
4. Mandat pour les possessions allemandes de l'Océan Pacifique situées au Sud de l'Equateur, autres que le Samoa allemand et Nauru, attribué à Sa Majesté Britannique, pour être

6) LETTER FROM THE SECRETARY-GENERAL TO THE MEMBERS OF THE LEAGUE CONCERNING THE TERMS OF "C" MANDATES.

Geneva, January 15th, 1921.

Sir,

I have the honour to inform you that the Council of the League of Nations, at its meeting at Geneva on December 17th, under the presidency of His Excellency M. Hymans, settled the terms of the following Mandates in conformity with Article 22, paragraph 6, of the Covenant :—

The Mandates in question are the British Mandates in respect of the following territories :—

(1) The Mandate for German South-West Africa, which is conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Union of South Africa ;

(2) The Mandate for German Samoa, which is conferred upon His Britannic Majesty, to be exercised on his behalf by the Government of the Dominion of New Zealand ;

(3) The Mandate for the Island of Nauru, which is conferred upon His Britannic Majesty ;

(4) The Mandate for the German Possessions, other than German Samoa and Nauru, situated in the Pacific Ocean to the South of the Equator, which is conferred upon

exercé en son nom par le Gouvernement du Commonwealth d'Australie ;

et le mandat japonais sur les possessions allemandes au nord de l'Equateur attribué à Sa Majesté l'Empereur du Japon.

J'ai l'honneur de vous faire tenir ci-joint le texte de ces mandats, ainsi qu'une déclaration du Gouvernement Japonais.

Je me permets de présenter à Votre Excellence, les assurances de ma haute considération.

Le Secrétaire Général : ERIC DRUMMOND.

His Britannic Majesty, to be exercised on his behalf by the Government of the Commonwealth of Australia ;

and the Japanese Mandate in respect of the German Possessions to the north of the Equator, which is conferred upon His Majesty the Emperor of Japan.

I have the honour to transmit the attached text of these Mandates, together with a declaration by the Japanese Government.

I am, Sir, your most obedient servant,

Secretary-General : ERIC DRUMMOND.

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7. TRAITÉ ENTRE LE JAPON ET LES ÉTATS-UNIS D'AMÉRIQUE CONCERNANT L'ÎLE DE YAP ET LES AUTRES ÎLES PLACÉS SOUS LE MANDAT JAPONAIS, SITUÉES AU NORD DE L'ÉQUATEUR, DANS L'OCÉAN PACIFIQUE.

(Voir le texte anglais.)

7) TREATY BETWEEN JAPAN AND THE UNITED STATES OF AMERICA CONCERNING THE ISLAND OF YAP AND OTHER MANDATED ISLANDS SITUATED IN THE PACIFIC OCEAN AND LYING NORTH OF THE EQUATOR.

Signed at Washington, in English, February 11, 1922 (11th year of Taisho).
Ratified June 23, 1922.
Ratifications exchanged at Washington, July 13, 1922.
Promulgated July 13, 1922.
Put in operation July 13, 1922.

Japan and the United States of America;

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:

His Majesty the Emperor of Japan: Baron Kijuro Shidehara, His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington and

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

ARTICLE 1.

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, laying north of the Equator.

ARTICLE 2.

The United States and its nationals shall receive all the benefist 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 3.

The United States and its nationals shall have free access to the Island of Yap on a footing of entire equalty 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 4.

In connection with the rights embraced by Article 3, 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 3, or to enjoy any of the rights and privileges embraced by this Article and by Article 3.

(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 5.

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 Plenipotentiaris 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.

K. SHIDEHARA. (L.S.)
CHARLES EVANS HUGHES. (L.S.)

EXCHANGE OF NOTES RELATING TO THE ABOVE TREATY.

Dated at Washington, February 11, 1922 (11th year of Taisho).
Published July 13, 1922.

From Baron Shidehara 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.

(Signed) K. Shidehara.

The Honorable Charles E. Hughes,
Secretary of State.

From the Secretary of State to Baron Shidehara.

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 madated islands.

Accept, Excellency, the renewed assurance of my highest consideration.

(Signed) Charles E. Hughes

His Excellency
Baron Kijuro Shidehara,
Ambassador of Japan.

From the Secretary of State to Baron Shidehara

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 nave 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.

(Signed) Charles E. Hughes

His Excellency
Baron Kijuro Shidehara,
Ambassador of Japan.

From Baron Shidehara 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 extention 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 mandate territories.

In taking note of your communication under acknowledgment, I beg you, Sir, to accept the renewed assurances of my highest consideration.

(Signed) K. Shidehara.

Honorable Charles E. Hughes,
Secretary of State.

閣甲第一二號

起案	昭和八年三月二十一日
裁可	昭和八年三月二十七日
決定	昭和　年　月　日
施行	昭和八年三月二十七日

內閣總理大臣

內閣書記官長

內閣書記官

外務大臣	陸軍大臣	文部大臣
內務大臣	海軍大臣	農林大臣
大藏大臣	司法大臣	商工大臣
	遞信大臣	鐵道大臣
	拓務大臣	

國際聯盟脫退ニ關スル詔書案

右閣議ニ供ス

內閣