

第六部 潛水艦、補助航空母艦及會議關係政府刊行書類ノ範 圍ニ關スル文書

- (1) 昭和五年二月八日「マシグリ」カ佐藤公使ニ手交セル
潛水艦使用制限案

“ Il est interdit aux sous-marins d'agir à l'égard des navires de commerce sans se conformer aux règles auxquelles sont actuellement ou auxquelles seraient dans l'avenir soumis les bâtiments de guerre de surface ”.

- (2) 昭和五年二月二十日附法律家非公式會合開催ニ關スル

「マルキン」書翰及我方返翰

FOREIGN OFFICE,
S.W. 1.
20th February, 1930.

Dear Mr. Saito.

I understand that your Delegation has agreed that it would be useful if a meeting were held, consisting of one representative of each Delegation, to have a quite preliminary and informal discussion about the legal side of the submarine question. It would, of course, be understood that, as this question has been referred to the Expert Committee, the proposed meeting would be of a purely preliminary character, and that nobody would be expected in any way to commit his Delegation to anything. Would it be convenient to you to have this meeting in my room at the Foreign Office at 11 o'clock tomorrow, Friday, morning? If so, would you be so good as to let me know who would come on behalf of your Delegation?

Yours very sincerely
H.W. Malkin.

Mr. Hiroshi Saito,
46, Grosvenor Square,
S.W. 1.

.....

三九七

20th February, 1930.

Dear Mr. Malkin,

In reply to your letter of to-day's date addressed to Mr. Saio, I have pleasure in informing you that the Japanese Delegation agrees to the suggestion of holding a preliminary and informal discussion about the legal side of the submarine question, in your room at the Foreign Office at 11 o'clock to-morrow, Friday, and that Mr. J. Enomoto, legal expert, will attend the meeting on behalf of the Japanese Delegation.

Yours sincerely,

(Sgd) N. Sato.

Secretary General

H. W. Malkin, Esq., C.B., C.M.G.,

etc., etc., etc.,

FOREIGN OFFICE.

830

(3) 昭和五年四月二日附潜水艦使用制限ニ關ス「マルキン」案

右案ハ昭和五年四月二日附岡田氏書翰ニ封入セラレタルモノナリ

FOREIGN OFFICE,

S.W. I.

2nd April, 1930.

My dear Colleague,

The result of the informal meetings which were held to discuss the submarine question was to show that there was no hope of agreement on either the French formula or the American proposal to adopt the whole of the Root Treaty. Since then I have been considering whether it would be possible to reach agreement by means of a formula which would adopt the text proposed by the French Delegation as a general principle, and add to it a statement of what may be called the humanitarian rules, as to which, I think, there is no dispute in principle. The enclosed draft represents the result of my consideration of the question, and I intend to propose it if it becomes plain that agreement cannot be reached on any other proposal. I send you two copies of the formula in question so that you may have an opportunity of considering it with your Delegation before the experts meet. I understand that it is hoped to have a meeting of the Expert Committee to consider this question tomorrow morning.

Yours sincerely,

H. W. Malkin.

Mr. Jugi Enomoto,

46, Grosvenor Square,

W. I.

.....

三九七

831

The following are accepted as established rules of international law:—

- (1) In their action with regard to merchant ships submarines must conform to the rules of international law to which surface war vessels are subject.
- (2) In particular, except in the case of persistent refusal to stop on summons, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink a merchant vessel without having first placed the passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

(4) 昭和五年四月三日法律家委員會採擇潛水艦使用制限ニ關スル宣言案

本宣言案ハ四月二日附「レニギン」紙特號ニ封入セラレタル宣言案ヲ四月三日ノ會合ニ於テ修正ノ上決定セラレタルモノナリ 民國四年三月三日會合ハ結果ニ於テ L.N.C. 1st Committee Paper 17 條照

DECLARATION.

"The undersigned, duly authorised to that effect on behalf of their respective Governments, hereby make the following declaration:—

"The following are accepted as established Rules of International Law:—

- "(i) In their action with regard to merchant ships, submarines must conform to the Rules of International Law to which surface war vessels are subject.
- "(ii) In particular, except in the case of persistent refusal to stop on being duly summoned, or of active resistance to visit or search, a warship, whether surface vessel or submarine, may not sink or render incapable of navigation a merchant vessel without having first placed the passengers, crew and ship's papers in a place of safety. For this purpose the ship's boats are not regarded as a place of safety unless the safety of the passengers and crew is assured, in the existing sea and weather conditions, by the proximity of land, or the presence of another vessel which is in a position to take them on board.

"The signatory Governments invite all other Governments to express their assent to the above rules by means of a notification addressed to the Government of"

(5) 倫敦條約第二十二條(潛水艦使用制限)ノ解釋ニ關スル昭和五年
四月二十二日附事務總長書翰及我方返翰

LONDON NAVAL CONFERENCE, 1930.

Secretariat-General,
St. James's Palace,
London, S. W. I.
22nd April, 1930.

Sir,

I am directed by the Chairman of the London Naval Conference to transmit herewith a copy of a letter which I have sent to the Permanent Under-Secretary of State for Foreign Affairs in regard to Article 22 of the London Naval Treaty, 1930.

I am,

Sir,

Your obedient Servant,
(Signed) M. P. A. Hankey.
Secretary-General.

The Secretary-General
The Japanese Delegation.

.....

22nd April, 1930

Sir,

I am directed by the Prime Minister, as Chairman of the London Naval Conference, to inform you that, at a meeting of the Heads of Delegations of the London Naval Conference, held at St. James's Palace on Monday, April 21st, at 12.30 p. m., it was arranged that when the Rules of International Law, set forth in Part IV, Article 22, of the London Naval Treaty 1930, are transmitted to non-signatory Powers with a view to obtaining their assent, their attention should also be drawn to the following recommendation contained in the Report of the Committee of Jurists that originally prepared the text referred to:—

“THE COMMITTEE wish to place it on record that the expression “merchant vessel”, where it is employed in the declaration, is not to be understood as including a merchant vessel which is at the moment participating in hostilities in such a manner as to cause her to lose her right to the immunities of a merchant vessel.”

(Third Report of the First Committee, L. N. C.—1st Committee, Paper No. 18 Appendix II.)

I am transmitting a copy of this letter to the Secretaries of all the Delegations at the London Naval Conference.

I am,

Sir,

Your obedient Servant,
(Signed) M. P. A. Hankey.
Secretary-General.

The Permanent Under-Secretary of State
for Foreign Affairs,
Foreign Office,
S. W. I.

.....

NO 11

April 22nd, 1930.

Sir,

I beg to acknowledge the receipt of your letter of the 22nd instant, enclosing a copy of a letter which you have sent to the Permanent Under Secretary of State for Foreign Affairs in regard to Article 22 of the London Naval Treaty, 1930.

I am,

Sir,

Your obedient Servant,

(Signed) N. Sato.

Secretary-General.

Sir, Maurice Hankey, G.C.B., G.C.M.G.

(6) 補助航空母艦ヲ何ノ類別ニ屬セシムヘキヤノ問題ニ

關スル昭和五年四月二日米國提案

本提案ハ昭和五年四月二日首席全權會議ノ際「インディアン」ヨリ提案セラルルモノナリ

PROPOSAL TO BE PUT FORWARD AT THE HEADS OF DELEGATION

MEETING TO BE HELD APRIL 2, 1930.

All combatant vessels, not in the exempt or special class, shall be assigned to one of the limited combatant categories. Surface combatant vessels displacing over 10,000 tons are now covered by the Washington Treaty. Submarines are definitely assigned. It therefore remains to cover surface combatant craft displacing between 600 and 10,000 tons.

(a) Surface combatant vessels displacing more than 600 tons, but not exceeding 2,000 tons shall be included in the allowed total tonnage of the destroyer category.

(b) Surface combatant vessels displacing more than 2,000 tons, but not exceeding 10,000 tons shall be included in the allowed total tonnage of the cruiser category.

(c) Surface combatant vessels of the existing listed special vessel class shall not be included in any limited category.

(d) Exception may be made by name for any existing surface combatant vessel which any Power may wish to allocate otherwise than according to the method of classification above set forth,

NO 11

(7) 補助航空母艦ヲ如何ナル類別ニ屬セシムヘキヤノ問題ニ
關スル昭和五年四月九日米國案

昭和五年四月九日開催ノ補助航空母艦ノ委員會ニ於テ米國側ハ條件ヲ附シテ英國案ヲ受諾セリ、本
米國案前中リシ英國案ヲ掲グ、後中リシ米國側カ英國案ヲ受諾メン條件ヲ掲グ、右小委員會討議經
過リセリ、L.N.C. 1st Committee Paper No. 19 參照スルニ

The definitions comprehended under the terms of the agenda, to wit:—

“The generic term ‘aircraft carrier’, for the purposes of the present agreement, comprehends:

- (a) Aircraft carriers of over 10,000 tons standard displacement, as defined in the Treaty between the United States of America, the British Empire, France, Italy and Japan limiting naval armament, signed at Washington on the 6th of February 1922, and
 - (b) Other surface vessels of war of a standard displacement not exceeding 10,000 tons designed for the specific and exclusive purpose of carrying aircraft, and so constructed that aircraft can be launched therefrom and landed thereon. Such vessels shall not carry a gun with a calibre in excess of 6 inches.”
- are perfectly acceptable to the United States, with this definite understanding on our part that the act of placing a landing-on or flying-off platform or deck on vessels designed as battleships, cruisers, or any of the defined combatant types, does not put her in the aircraft carrier type, she not being specifically and exclusively designed for the purpose of carrying aircraft.

(8) 倫敦海軍會議關係政府刊行書類ノ範圍ニ關スル昭和五年
四月二十二日附事務總長書翰

LONDON NAVAL CONFERENCE, 1930.

Secretariat-General,

St. James's Palace,

London, S. W. I.

22nd April, 1930.

Sir,

I am directed by the Chairman of the London Naval Conference to inform you, for the information of your Delegation, that at a meeting of Heads of Delegations, held at St. James's Palace on the 31st, April, at 12.30 p.m., an understanding was reached that governmental publications in regard to the London Naval Conference should include the following:—

The Treaty.

The Minutes of Plenary Meetings of the London Naval Conference.

The Reports of the First Committee.

I am,

Sir,

Your obedient Servant,

M. P. A. Hankey,

Secretary-General.

The Secretary General,

The Japanese Delegation.

.....

四〇六

22nd April, 1930.

Dear Sir,

I have the honour to acknowledge the receipt of your letter of the 22nd instant, containing the information concerning the governmental publications which have been issued in regard to the London Naval Conference.

I am,

Sir,

Your obedient servant,

(Sgt) N. Sato.

Secretary-General.

Sir Maurice Hankey, G.C.B., G.C.M.G.

(9) 倫敦海軍會議關係政府刊行書類ノ範圍ニ關スル昭和五年

五月十日附在京英國大使來翰及帝國政府返翰

British Embassy,

Tokyo.

May 10, 1930.

No. 89.

Your Excellency,

I have the honour to state that I have received instructions from my Government to inform Your Excellency, with reference to a letter addressed to the Imperial Japanese Delegation on April the 22nd by the Secretary-General of the London Naval Conference, that His Majesty's Government propose to publish at an early date the following Conference documents in a non-Parliamentary publication :—

The London Naval Treaty ;

The Minutes of the Plenary Sessions ;

The reports of the First Committee ;

The Letter dated April the 21st from the Chairman of the Conference to the Secretary-General of the League of Nations.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Signed : John Tilley.

His Excellency,

Baron Kijuro Shidehara,

H.I.J.M. Minister for Foreign Affairs.

.....

四〇七

British Embassy,
Tokyo.
May 20, 1930

No. 101.

Your Excellency,

With reference to my Note No. 89 of May 10th regarding the publication of certain documents concerning the recent London Naval Conference, I have the honour to inform Your Excellency, that His Majesty's Government propose, as a result of a suggestion made by the Italian Government, to embody in their forthcoming publication "Naval Conference Documents", the paper entitled "I. N. C. II :—Position at the Conference of the various Delegations".

2. It is presumed that the Imperial Government will have no objection to the publication of this additional document, and I should be glad if Your Excellency would be so good as to inform me of their views as soon as conveniently possible.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Signed: John Tilly.

His Excellency,

Baron Kijuro Shidehara,

H.I.J.M. Minister for Foreign Affairs.

.....

歐二普通第八五號

昭和五年五月二十一日

幣 原 大 臣

在 本 邦

チ レ ー 英 國 大 使

(倫敦會議文書公表方ニ關スル件)

以書翰啓上致候陳者本月十日附第八九號貴翰ヲ以テ貴國政府ノ訓令ニ基キ貴國政府ニ於テハ倫敦海軍會議文書中倫敦海軍條約、總會議事錄、第一委員會報告書及四月二十一日附國際聯盟事務總長宛會議議長書翰ヲ早目ニ公表致シ度旨御通報越相成敬承致候右申進旁本大臣ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候 敬具

.....

歐二普通第九一號

昭和五年五月二十四日

幣 原 大 臣

在 京

チレー英國大使

(倫敦海軍會議文書公表方ニ關スル件)

以書翰啓上致候陳者本月二十日附第一〇一號貴翰ヲ以テ曩ニ本月十日附第八九號貴翰ヲ以テ御照會相成タル倫敦海軍會議關係書類公表方ニ關シ貴國政府ニ於テハ伊太利國政府ノ提議ニ基キ右貴翰中ニ掲ケラレタル書類ノ外 L. N. C. H. : Position at the Conference of the various Delegations ヲモ公表致シ度キ意向ナル旨並右ニ關スル帝國政府ノ意見ヲ了知致シ度キ旨御申越相成敬承致候帝國政府ハ右書類公表方ニ關シ何等異存無之候間右様御了知相成度右申進旁本大臣ハ茲ニ重テ閣下ニ向テ敬意ヲ表シ候 敬具

附 錄

海軍勢力表ニ關スル文書

一、各國艦艇表

倫敦海軍會議開催前英國政府ニ於テハ英國海軍艦艇表ヲ作成シ之ヲ關係各國ニ送付シ關係各國ニ於テモ同種艦艇表ヲ作成シ之ヲ關係各國ニ配布スルノ目的ヲ以テ會議事務局ニ提出センコトヲ請求シタルカ各國何レモ右請求ニ基キ之ヲ提出セリ右艦艇表ハ夫々左記番號ヲ附シ各國ニ配布セラレタリ

一、英國艦艇表 L. N. C. 1

二、日本艦艇表 L. N. C. 4

三、伊太利艦艇表 L. N. C. 5

四、佛蘭西艦艇表 L. N. C. 6

五、米國艦艇表 L. N. C. 7

二、補助艦基準噸數表

右ノ外英國政府ニ於テハ補助艦基準噸數表ヲ作成シタルカ其ノ他ニモ之ヲ作成シタルモノアリ左記各國ノモノハ夫々左記番號ヲ附シ配布セラレタリ

英國補助艦基準噸數表 L. N. C. 2

米國補助艦基準噸數表 L. N. C. 7

伊國補助艦基準噸數表 L. N. C. 12

三、特殊艦々艇表