

七、一般委員會決議	
Conf. D/C. G./135 ^(a)	Le 8 juin "
八、國防費專門分科會公表條文案	
Conf. D/C. D/C. T./204	Le 30 juin "
" " 204 ^(a)	Le 11 juillet "

第八編 武器取引製造取締問題

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第八編 武器取引製造取締問題

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第一節 武器取引及製造取締問題ノ沿革概要

一、武器取引及製造取締ノ問題ハ國際聯盟創立以來聯盟内ニ於テ幾度カ審議セラレタルモ今猶解決ニ至ラサルモノニシテ其ノ主タル理由ハ本問題ト軍縮問題トノ間ニ依存關係アルニ依ルモノナリト認メラレ今般ノ軍縮會議ニ於テ一委員會ヲ作り之カ解決ヲ企圖セラル、ニ至レリ

二、抑々聯盟規約第二十三條ハ聯盟國力共通ノ利益上取締ノ必要アル諸國トノ間ニ於ケル武器及彈藥ノ取引ヲ聯盟ヲシテ一般監視ヲナサシムヘキヲ規定シタルモ聯盟内ニ於テ或非聯盟國モ參加ノ上本問題ヲ研究ノ結果右取締ヲ特殊地域ニ適用スルノミニテハ不完全ニシテ國際的武器取引ノ監督及公表ノ一般制度ヲ樹立スル必要アリト認メラレ一九二五年壽府ニ於テ三十七ヶ國間ニ武器取引取締條約署名セラレタリ然レトモ本條約ハ必要ナル批准數ヲ得ルニ至ラスシテ今日猶發效セス或國ハ武器取引ノ制限カ武器製造ノ制限ヲ伴ハサレハ武器生産國ヲ害スルカ故ニ武器製造ニ關スル條約ノ實施サル、トキニミ本條約ヲ批准スヘシト聲明シタリ

三、聯盟規約第八條ハ武器民營ニ付テ之ニ伴フ弊害ヲ防遏スヘキ方法ヲ考究スヘキヲ定メタルモ聯盟内ニ於テ本件研究ノ結果ハ國營ニ付テモ規制スル必要アリト認ムルニ傾ケリ聯盟ニ於ケル最後ノ研究ハ民營ノ取締及武器ノ公表ニ付テノ特別委員會(米國モ參加)ニ依リ一九二九年作成セラレタル報告ニシテ本報告ニハ或代表部ノ留保ノ伴ヘル條約草案アリ

第二節 武器取引及製造委員會ノ設置

一、昭和七年七月二十三日一般委員會決議中ニ左ノ一項ヲ設ク

「幹部會ハ九月會議ノ再會後直ニ武器ノ取引及製造ニ適用スヘキ取締規約ニ關スル提案ヲ提出スヘキ特別委員會ヲ設ク
ン」

二、右ニ基キ幹部會ハ九月二十二日武器取引及官民營製造制規委員會（以下武器取引及製造委員會ト略稱ス）（Committee for the Regulation of the Trade in, and private and State manufacture of, arms and implements of war）ヲ設置シ「南阿」「白」「英」「支」「丁」「佛」「伊」「日」「メキシコ」「波斯」「西」「波」「土」「蘇」及「米」（獨ハ後ニ參加ス）國代表委員ヲ以テ之ヲ構成ス

第三節 武器取引及製造取締問題ノ議事經過概要

一、武器取引及製造委員會ハ十月四日ヨリ開會シ先ツ製造及取引ニ關スル一般問題ヲ討議シ十一月十二日議事經過報告（Conf. D./15 [Conf. D./Bureau 35]）ヲ作成ス

二、十月十九日武器製造ニ關スル資料蒐集ノ目的ヲ以テ丁國委員ノ發議ニ基ク質問集ヲ作成シ軍縮會議々長ヨリ之ヲ各國委員ニ送致シ回答ヲ求ム（Conf. D./C. I. 5）

右ニ對シ帝國ハ一九三三年一月二十四日回答ヲナス（質問集及帝國回答ハ附屬第一參照アリタシ）

三、十月十九日第八回委員會ニ於テ武器製造分科會（英、西、米、佛、伊、日、波、白、丁、土）及武器取引分科會（英、西、米、佛、伊、日、波、波斯、支）（獨ハ後ニ參加）ヲ設置スルコトヲ決定ス

四、幹部會ハ十一月十八日會議ニ於テ委員會提出ノ議事經過報告ヲ審查シ十一月二十二日會議ニ於テ右委員會ノ指針タルヘキ一ノ決議ヲ採擇ス（Conf. D. 149 [Conf. D./Bureau 37⁹]）（第四節及附屬第三參照）

五、武器製造分科會ハ十一月九日ヨリ開會シ製造取締ニ關スル各問題ヲ審議シ昭和八年二月十七日報告書（Conf. D./C. F. 37）ヲ作成ス

六、武器製造分科會ハ十二月二日免許ノ問題審議資料トシテ各國ノ武器製造取締規則ノ蒐集ヲナスコトヲ決シ各委員ニ當

ノ蒐集

該國ノ現行制度ノ報告ヲ求メテ之ヲ審查ス帝國ハ關係法令ノ各條章ヲ比較の詳細ニ提出セリ（一九三二年十二月五日 Conf. D./C. C. F./S. S. F./6 第五頁以下附屬第四參照）

七、武器取引分科會ハ昭和八年三月二十三日ヨリ開會シ取引ニ關スル各問題ヲ審議シ五月二十七日及三十日報告書（Conf. D./C. C. F./10 40(a)）ヲ作成ス

八、四月十二日委員會ハ武器類別專門分科會ヲ設置ス

本分科會ハ四月二十六日ヨリ會合シ許容兵器類別ニ關スル討議ヲナシ五月五日報告書（Conf. D./C. C. F./38）ヲ作成ス尙本分科會ハ必要ニ應ジ禁止兵器及公表統計表ノ審議ヲ行フ豫定ナリ

九、(イ) 六月三日武器取引及製造委員會ハ一般委員會ニ提出スルノ目的ヲ以テ委員會從來ノ議事經過報告（Conf. D. 160 [Conf. D./C. C. F./32^a]）ヲ作成セリ

右報告書ハ大體今日迄ノ本委員會並ニ分科會及專門分科會ノ經過ヲ簡單ニ記述スルニ止マリ何等決定の意見ヲ表示スルコトナク附屬トシテ關係書類ヲ附シタリ

(ロ) 右ノ如ク本報告書ハ審議經過ノ記述ニ過キサルヲ以テ之ヲ作成ニ付サシタル論議ナカリシモ唯最後ニ英國委員カ或事項ニ付テハ原則上ノ決定ヲナスコトカ爾後ノ討議ヲ進ムル上ニ於テ必須ノ條件ナル處此ノ種原則上ノ決定ヲナスコトハ本委員會ノ權限ヲ逸脱スト思ハル、ニ付之等決定ヲ一般委員會ニ求ムル旨ノ一項ヲ加ヘ且其ノ記述ノ方法ハ能フ限リ事態ヲ明瞭ニスル爲各事項ヲ列舉スヘシト主張スルヤ佛波委員ハ右主張ニ從ヘハ佛案ニ含マル、項目カ本委員會ニテ審議不可能トナルヘキヲ恐レタルモノカ極力之ニ反對シ表決ノ結果英ノ主張採用セラレタルヲ以テ佛國側ハ之ニ對抗シテ反對の聲明ヲ附加スルコト、ナレリ（我方ハ英委員ノ意見ヲ支持シタリ）

(ハ) 原則決定ニ付テノ兩者ノ主張ハ報告書第七項ニ明カニシテ概要左ノ通り

委員會ハ一般委員會ニ對シ委員會ニ於テ決定ニ達シ得サリシ或問題ニ付原則上ノ決定ヲナサンコトヲ求ム

一般委員
會ニ對ス
ル原則決
定ノ要求

武器取引
及製造委
員會議事
經過報告

武器類別
專門分科
會ノ設置
同報告書

武器取引
分科會ノ
報告書

武器製造
取締規則

武器製造
分科會ノ
報告書

幹部會ノ
決議

武器製造
分科會及
武器取引
分科會ノ
設置

武器製造
ニ關スル
質問集

一般問題
ノ討議
經過報告

武器取引
及製造委
員會ノ設
置

- (一) 武器民營ヲ全廢スヘキヤ
(二) 武器製造ヲ國際化スヘキヤ

(a) 英、獨、伊、日、「ベルシヤ」及米國委員ハ上記問題ノ外其ノ權限外ナル或主要事項ニ付一般委員會ノ考慮ヲ求メントス右事項ノ決定ハ委員會ノ遭遇シタル難問解決ノ前提タルヘキモノト思考ス

主要ナル事項左ノ如シ

- (1) 一般器材ノ公表問題 (2) 一般監督問題 (3) 一般器材ノ量的制限問題 (4) 民用航空機ノ一般處理問題
(h) 右宣言アリタルニ鑑ミテ、佛、波、西及土國委員ハ一般委員會カ左ノ問題ニ付決定ヲナサント必要ナリト思考ス

- (1) 器材ノ製造取引ノ制限ヲナスシテ器材制限ヲ行フコト可能ナリヤ
- (2) 監督ヲ有效ニシテ器材統一ヲナス爲ニハ武器官營ヲ國際化シ民營ヲ全廢スルコト適當ナラスヤ
- (3) 監督ヲ有效ニスル爲製造取引ノ割當ヲ決定スルコト適當ナラスヤ
- (4) 製造取引ノ認可ニ常設軍縮委員會ヲ關與セシムルコト適當ナラスヤ
- (5) 民用機製造國際化又ハ之ニ對シ國際監督ヲナスコト適當ナラスヤ
- (6) 現用武器ニ對スル監督手段ヲ將來製造ノモノニ適用スルノ方法如何

十、右報告書ハ武器取締ニ關スル佛國案 (Conf. D/C. G. 172) (英國條約案ノ追加トセントスルモノナリ) ト共ニ六月六日第七十四回一般委員會及同六日第七十五回一般委員會ニ附議セラル

一般委員會ノ決議

十一、一般委員會ハ右報告書及佛國案ヲ討議シタルモ原則ニ付主要國間ニ一致ヲ見ス六月七日左ノ趣旨ノ決議ヲ採擇シタリ

「會議々長ハ武器ノ取引及製造ノ嚴格ナル取締規則ニ關シテ提案ヲナスヘキ代表部ト必要ナル商議ヲ行ヒ右ニ該當ス

ル條文ヲ一般委員會カ英案ノ第二讀會ヲ行フ以前ニ英案中ニ入ル、様努力スヘシ」
十二、要スルニ武器取引及製造取締問題ハ未タ主義上ノ點ニ於テ各國間ニ意見一致セス從テ特別委員會トシテノ業務ハ單ニ第一次ノ豫備の審議ヲ行ヒタルニ過キス今後一般委員會ニ於テ何等カ主義上ノ決定アリタル後ハ相當實質的ノ進展ヲ見ルヘキ段取りトナリ居レリ

第二章 武器取引及製造取締問題ニ對スル各國ノ態度

第一節 會議中ノ各國ノ態度

各國ノ態度
佛國ヲ除ク大國系
ノ保守的
傾向ト佛
國系ノ急
進的傾向

各國ノ態度ハ大體ニ於テ之ヲ二大別シ得即チ實際的見地ニ立チ大體ニ於テ一九二五年條約及一九二九年條約案ヲ基礎トシ之ニ適當ナル改訂ヲ加フル程度ニ止メントスル佛國ヲ除ク大國系(日、英、米、伊、獨等)ト最モ嚴格ナル制限監督特ニ國際機關ヲ通シテ右目的ヲ達成セントスル佛國系(佛、波、西、白、丁等)之ナリ

米國ハ從來ハ國內の監督ヲナスコトサヘモ其ノ憲法上困難トシタル所ニシテ其ノ受諾シ得ル限度ハ公表ニ止マルトノ態度ヲ維持シ來リタルカ本會議ニ於テ稍々其ノ態度ヲ緩和シ來レリ

佛國系ハ武器取締ノ目的ヲ以テ單ニ武器取引及製造ニ因ル弊害ヲ除去スルニ止マラス武器ノ取引及製造ヲ制限シテ各國現用及貯藏武器ノ整備ニ制肘ヲ加ヘ以テ軍備制限ノ補助手段ヲシメントスルニアルカ如ク本件ヲ一般軍縮條約ト一體ヲナスモノトナサントスルモ全ク右ノ目的ニ出ツルモノト思考セラル

提案概要

第二節 各國提案概要 (Conf. D/C. G. F/8 及 8(a) 參照)

(一) 佛國ヲ除ク大國系

- (1) 一九二五年條約、一九二九年條約案ヲ基礎トスルコト(日、伊、英)
- (2) 武器類別ヲ簡單ニスルコト(伊)

- (3) 貯藏兵器ニ制限又ハ監督ヲナサ、ルコト(伊)
- (4) 許可ハ國內のノモノタルヘキコト(日)
- (5) 民營取締ヲ主トスヘキコト(日)
- (6) 監督ハ民營國營同様タルヘキコト(英、米、伊)
- (7) 戰時效力停止ノ問題ハ一九二九年條約案第三十三條ヲ考慮シ決定スヘキコト(米、伊)

(二) 佛 國 系

- (1) 化學兵器及化學戰ニ關スル事項ヲ挿入スルコト(波、佛)
- (2) 武器製造ニ關スル國際特別監督(西)
- (3) 軍縮質の制限ニ依リ禁止セラレタル武器ノ製造禁止(丁)
- (4) 武器製造ニ關スル企業者間ノ協定(佛、西、丁)
- (5) 武器製造企業關係者ノ資格制限(佛、西)
- (6) 武器製造企業關係者ノ新開ニ對シ勢力ヲ及ホスコトノ阻止(佛、西)
- (7) 立法部員ノ武器製造ニ關與スルコトノ禁止(佛、西)
- (8) 武器製造企業投下資本制限(蘇)
- (9) 武器製造工場數及生産能力ノ制限(西及獨(獨ハ爾後態度ヲ變更シタルカ如シ))
- (10) 武器民營禁止(佛、波、西等)
- (11) 武器製造ノ國際化(佛、波、西等)
- (12) 武器製造割當制度(佛)(Conf. D/C. G/122)
- (13) 武器製造ニ關スル免許ヲ定期ニC.P.D.ニ報告スルコト(西)

- (14) 常設軍縮委員會ノ現地調査權能(佛)
- (15) 商工業者組合又ハ從事者ニ依ル監督(佛、西)
- (16) 條約違反事實摘發者ノ訴追免除(佛、西)
- (17) 各國政府報告ヲ刊行スルコト(佛)
- (18) 公表ハ化學兵器、化學戰關係事項ニモ及ホスヘク且各國適當ノ法制ヲ設クヘキコト(佛、波)
- (19) 條約效力停止ノ問題及侵略國ニ對スル武器供給禁止ノ問題(波)

(三) 其 ノ 他

- (1) 生産國ト非生産國ト同一地位ニ置クヘキコト(支、「ベルシヤ」等)
- (2) 特別地帶制度ヲ改正スルコト(「ベルシヤ」)
- (3) 戰時效力ノ存置(支)

我方ノ措

第三節 會議中我方ノ措置概要

大體左ノ如キ方針ヲ以テ措置シタリ

- (1) 實際の方法ニ依ルコト從テ一九二五年條約及一九二九年條約案ヲ基礎トスヘキコト
- (2) 複雑加重ナル義務ヲ各國ニ負ハシムルコトハ條約成立ヲ容易ナラシムル點ヨリ見又條約履行ヲ嚴正ナラシムル點ヨリ見テ適當ナラス從テ條約ハ概括の大綱ヲ規定スルヲ目的トスヘキコト
- (3) 武器取締ノ問題ハ各國々防、內政等ニ觸ル、點多キヲ以テ規定ヲ設クル上ニ於テハ各國事情ヲ篤ト考量スヘキコト

- (4) 各國政府ノ誠意ニ信倚シ細目ハ各國政府ノ自由ニ委スルヲ適當トスルコト
- (5) 武器取締ノ本來ノ目的ハ國際聯盟規約ニ明示セラレアル通り武器製造取引ニ關聯シテ生スルコトアルヘキ弊害除去

ニアリ従テ出來得レハ官營ハ之ヲ除外スルヲ最良トスルモ之ヲ除外シ得ストスレハ成ルヘク寛ナル規定ヲ設クルコト

- (6) 帝國軍備ノ整備ノ爲ノ武器製造ニ付テハ主トシテ官營ニ依リ居ルヲ以テ官營ニ付嚴重詳細ナル制限公表等ヲ要スル規定ニ同意スルトキハ場合ニ依リテハ軍備ノ内容ヲモ曝露スルニ到ルノ虞アリ
- (7) 一方帝國ハ輸入國タル實狀ニアルヲ以テ輸出入ニ關シ餘リ嚴重ナル取締ヲナサル、コトハ新兵器等ノ輸入ヲ困難ナラシムル虞アルヲ以テ注意スルヲ要スルコト
- (8) 武器製造輸出入ニ免許ヲ要スルコト、スルハ差支ナキモ其ノ内容カ餘リ細目ニ互ラサルコト航通ノ自由阻害ヲ招來セサルコト
- (9) 公表ハ簡單概括的ナルヲ要ス價格ノミニ依ル公表ニ關スル從來ノ主張ハ能フ限り之ヲ維持スルヲ可トス（此ノ點ニ關シテ新訓令アリ）軍艦ノ公表要目ハ華府倫敦條約ト合致セシムルコト
- (10) 武器類別ハ簡單ナルコトハ之ヲ歡迎スルモ不明確トナラシメサルコトヲ要ス民間航空機ノ除外ニハ反對スヘキコト
- (11) 禁止武器ニ付テハ大勢順應ノコト
- (12) 海外領域ニ對スル特例ヲ設クルコトハ不公平ナル結果ヲ生スル虞アルヲ以テ新例ヲ設ケサルヲ可トス（大勢順應）
- (13) 特殊地帶問題ニ付テハ帝國トシテハ介入セサルヲ賢明トス
- (14) 條約效力發生ハ主要生産國全部ノ批准アルコトヲ必要條件トスルコト
- (15) 戰時效力停止
- (16) 中立國ニモ右條項ヲ適用セントスル案ニ付テハ大勢順應ノコト
- (16) 戰時交戰國ニ對シ武器軍需品ノ供給ヲ斷ツコトヲ中立國ノ義務トスル（又ハ權利トスル）案ニハ主義トシテ反對ナ

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- (17) 中立ニ關スル海牙條約ハ依然トシテ存續シ又將來モ同條約ニ規定セラル、趣旨ハ維持セラルヘキモノトシテ措置スルコト

右趣旨ヲ以テ一九三二年十月八日第三回委員會ニ於テ一般討議ノ際左ノ通り我方ノ態度ヲ聲明シタリ

As you are well aware, the question of the trade in and manufacture of arms and implements of war has song been a subject of study by the League of Nations; and thanks to the untiring efforts and mutual concessions of the representatives of the Powers concerned, a certain measure of progress has been made toward the ultimate goal. As regards the trade in arms, there is the 1925 Convention to which numerous Powers have become signatories. And with regard to the manufacture of arms, the Special Committee, in 1929, submitted a Draft Convention and reported on the result of its discussions. It is highly important, therefore, that those facts be borne in mind as we proceed with the work of this Committee.

The object in drawing up the regulations now under consideration is, obviously, to eliminate the abuses and evils that might possibly arise in connection with the manufacture of or trade in arms. But since, in the case of state manufacture of arms, the good faith of the Governments concerned may be relied upon with assurance, our objective can be attained by measures looking principally to the elimination of abuses under private manufacture. And it is clear that due consideration was given to this fact in drafting the Covenant of the League of Nations.

The question of the regulation of arms-manufacture and trade is one of great delicacy because of its relations to so many other questions, especially to those of purely domestic character. Hence in drafting a text that shall be applicable to countries which vary as to their systems and conditions, we must naturally make it our primary aim to establish general principles; for if provisions are made for matters of too small detail, it might not only work undue hardship upon the Powers but might even hinder their adherence to the Convention,—there by defeating the very end toward which we are devoting our efforts.

It appears to us essential, moreover, that the discussions of this Committee should be guided along the

most practicable line possible. In that connection, the Convention and Draft Convention which have already been completed relative to the question under consideration should serve as valuable material and should therefore be made the basis for our study. To be sure, certain remarks and reservations have been made to the above Convention and Draft Convention by some of the Powers; but there should be means of finding a suitable solution to all such problems in the course of our discussion.

第三章 武器取引及製造委員會ニ於ケル一般討議

一般問題

第一節 一般問題

一、武器取引及製造委員會ハ一九三二年十月四日ヨリ同十九日ニ互リ八回會合「スカグニース」(丁)議長ノ下ニ武器取締ニ關スル一般討議ヲナシ十一月十二日議事經過報告書ヲ作成提出セリ

二、一般討議開始後間モナク各國委員ノ態度カ二流派ニ大別セラル、コト明瞭トナレリ即チ

(一) 急進的態度ヲ執ルモノ(佛、波、西、丁等)

此ノ流派ニ屬スルモノ、意見ハ「武器取締ノ問題ハ既ニ長年月討究セラレ一九二五年條約及一九二九年條約案アレトモ今日ハ著シク事態ヲ異ニシ居リ右條約及條約案ハ今日ノ要求ニ適合セス依テ今新ニ本問題ヲ討議スルニ當リテハ新事態ニ即スル案ヲ作成スルニ努メサルヘカラス」ト云フニ在リ

(二) 保守的態度ヲ執ルモノ(日、英、米、伊等)

此ノ流派ニ屬スルモノ、意見ハ「長年月ノ努力ノ結晶タル條約及條約案ヲ濫リニ輕視スルコトハ適當ノ措置ト云フコトヲ得ス急進の提案ハ之ヲ審議スルニ吝ナラスト雖モ之カ受諾ハ困難ナリ加之右等提案ハ政治的色彩ヲ有スル重大ナル案件ナルヲ以テ一般委員會ニ於テ何等カ主義上ノ決定ヲナスニ非サレハ議事ノ有效ナル進捗ハ之ヲ望ムヘカラス」ト云フニ在リ

生産國ニ
對スル公
平取扱

三、狀況前記ノ如クニシテ具體的案ヲ作成スルコト不可能ナリシヲ以テ委員會ハ單ニ其ノ權限内ニ屬スト思料セラル、範圍ニ於テ各問題ノ第一次ノ討議ヲ行フニ止メタリ

四、生産國、非生産國ニ對スル公平取扱

非生産國ノ委員ハ武器製造ニ關スル監督制度カ確立セラレサル以上ハ武器ノ取引ニ付監督制度ヲ設クルコトハ不公平ナルヲ以テ之ヲ受諾シ難シトノ意見ヲ述ヘ之ニ對シ委員會ハ生産國非生産國ノ間ニ存スル差等ハ之ヲ減却シ得サルモ公平ナル待遇ヲ與フルノ必要ハ之ヲ認メタリ又佛國、米國委員ハ右ニ關聯シ公表及監督ハ官營民營双方ニ對シ又輸出及輸入ニ對シ等シク行ハルヘキモノナリトノ主張ヲナセリ

條約ノ形
式スルニ

五、條約ノ形式

條約ノ形式ニ關シ左ノ如キ意見アリタルモ條約ノ具體的内容ノ定マリタル後ニ於テ考究スルコトニ決セリ

- (一) 二問題ヲ一括シタル特別條約トスヘシトノ意見
- (二) 各別ノ條約トナスヘシトノ意見
- (三) 一般條約ノ一部トナスヘシトノ意見

六、製造問題先議及製造問題ノ議事順序

委員會ハ一般問題討議ノ後ハ先ツ製造問題ヲ審議スヘキコトニ決セリ之ニ對シテハ波斯委員ハ取引問題ヲモ必ス引續キ審議スヘキコトノ條件ヲ附シテ同意セリ製造問題ノ議事順序トシテハ一九二九年ノ武器製造取締條約案ヲ討議ノ基礎トシ之ニ各提案ヲ附加シテ討議スヘシトノ論アリシモ民營全廢問題質問集團國際化問題等一九二九年條約案ノ範圍外ニアル問題ヨリ討議ヲ開始シ後一九二九年條約案ノ各項ヲ各提案ト同時ニ討議セリ

第二節 武器製造問題

官營民營

一、官營、民營

本件ニ關シ左ノ通りノ意見ノ開陳アリシモ決定ヲナサス

- (一) 兩者同一取扱ヲナスヘシトノ意見(英、米、伊、白、西、土)
- (二) 官營ハ民營ニ比シ寬ニスヘシトノ意見(日)

尙本件ニ付意見ノ開陳ヲ他ノ機會ニ讓リタルモノモアリ

質問集 二、質 問 集

- (一) 丁抹國委員ハ十月八日武器民營ニ關スル數個ノ問題ニ付材料蒐集ノ目的ヲ以テ各國全權團ニ對シ質問集ヲ發送スルノ案 (Conf. D/G. C. F./1) (附屬第一イ) 参照)ヲ提出セリ
- (二) 右案中或事項ハ既ニ過去ニ於テ研究済ノモノト思ハレ又或事項ハ正ニ本會議ニ於テ爾後討究セラルヘキ問題ナルヲ以テ今之ヲ質問集トシテ各國全權團ニ送付スルモ之ニ對シ回答ヲナシ得サルコトハ一目瞭然タルノミナラス假リニ各國全權團力之ニ對シ回答ヲ與フル場合ニ於テモ相當ノ長期間ヲ要スヘキヲ以テ目下續行中ノ會議ノ有效ナル審議資料トナリ得ルヤ否ヤ甚タ覺束ナク何レノ方面ヨリ見ルモ妥當有用ノモノトハ思料セラレサリシニ依リ帝國委員ハ之カ採用ニ反對ノ態度ヲ表明シタリ(第四回、第七回及第八回委員會ニ於テ)
- (三) 伊國委員モ全然帝國委員ト同意見ニシテ英、米國委員モ大體反對ノ意向ナリシカ丁國委員ノ執拗ナル要求アリタルニ依リ委員會ハ起草委員會(日、英、伊、佛、丁)ヲ設ケテ丁國委員案ヲ適當ニ修正セシメ右ニ付各國全權團ニ對シ回答ノ爲幾許ノ期日ヲ要スルヤヲ尋ネ其ノ模様ニ依リ質問集ノ發否ヲ決スルコト、セリ
- (四) 起草委員會ハ十月十九日會合右案ヲ二部ニ分チ一部ハ比較的回答容易ニシテ實際的ナリト思ハル、項目ヲ摘出シ之ヲ質問集ノ本件トシ (Conf. D/G. C. F./15) 他ノ部ハ之ヲ丁國委員獨自ノ發案トシ民營全廢、武器製造國際化等ノ問題討議ノ資料トスルコト、セリ (Conf. D/G. C. F./16) (丁國委員資料案ニ付テハ附屬第二ロ) 参照)
- (五) 起草委員會ノ提議ニ從ヒ委員會議長ハ質問集中第一部ニ屬スル部分ニ同問題討議事録ノ拔萃及必要ナル説明ヲ附

シテ之ヲ軍縮會議々長ニ回付セリ

右質問集カ軍縮會議々長ヨリ各國政府ニ發送セラレタルコトハ既ニ記述シタ通りナリ (Conf. D/G. L./5) 帝國回答ハ一九三三年一月二十四日發送(附屬第一參照)セリ

- (六) 右丁國案中第二部ニ分別セラレタル特殊問題ハ蘇國提出ニ係ル投下資本制限問題 (Conf. D/Bureau/10) ト一括審査シタル上丁國委員ノ要求ニ依リ多少ノ修正ヲ施シ之ヲ報告中ニ掲記スルコト、セリ

民營全廢 三、民 營 全 廢

- (一) 佛、波、西、丁、土國委員ハ弊害除去ノ爲ニハ民營ヲ全廢スルニ如カスト主張ス
- (二) 日、英、米、伊國委員ハ本委員會ハ武器取締ニ關スル案ヲ作成スル依囑ヲ受ケタルモノニシテ廢止ノ問題ハ權限外ナリ又實際スル提案ニハ反對ナリト主張ス
- (三) 會議法律部ニ照會シタル處委員會ハ廢止ノ問題ヲ討議スルモ越權ニ非ストノ回答アリタルモ討議續行ハ始ク之ヲ延期セリ

武器製造國際化 四、武器製造國際化

波斯、土國委員ハ生産國ト非生産國ト同一地位ニ置ク爲ノ最良ノ方法ナリトシテ武器製造工場全部ノ國際化ヲ主張シタルモ討議ヲナサス

五、一九二九年條約案ノ取扱

- (一) 委員會ハ一九二九年條約案範圍内ノ諸問題ニ付テ同案ヲ討議ノ基礎トシ其ノ構成ニ從ヒ武器民營監督及武器製造公表ノ問題ヲ新提案ト併セテ討議シタリ
- (二) 佛、波、西、丁、波斯、土國委員ハ條約案ハ不充分不完備ノモノト思ハル、ノミナラス目下ノ軍縮會議全般ノ狀況ニ適合セサル傾アリ從テ單ニ之ヲ討議ノ指針トスルニ止メ委員會ノ作成スヘキ決定案ニ對シ拘束ヲ與ヘサルコト、ス

武器類別

六、武器類別

ヘキナリトノ意見ヲ表明セリ

- (一) 委員會ハ一九二五年取引條約ノ表ニ對スル改變ハ之ヲ最小限度ニ止ムルコトニ意見一致ヲ見タリ
(二) 佛、米、伊、丁國委員ハ本件ハ軍縮會議ノ他ノ問題トモ關聯ヲ有スルヲ以テ多少ノ修正ハ必要ナルヘシトノ意見ヲ述ヘタリ

(三) 佛國委員ハ第六類トシテ化學細菌兵器ヲ追加スルノ提議ヲナセリ

(四) 民間航空機ヲ除外スヘシトノ案ハ軍縮會議カ民間航空機ニ關スル決定ヲナシタル後之ヲ討議スルコト、ナレリ

(五) 軍縮質の制限ノ結果ニ依リテハ或武器ハ之カ製造ヲ禁止スルノ必要アルヘシトノ點モ考慮セラレタリ (伊ノ發議)

(六) 伊國委員ハ實際の見地ヨリシテ類別ノ簡易化ヲ主張シタリ

(七) 委員會ハ製造及取引ニ對シ同様ノ武器類別ヲ採用スヘキコトニ意見一致セリ

伊、西國委員ハ右類別ハ軍縮會議ニ決セラレヘキ現用及貯藏武器ノ制限公表ト對應スルヲ要スル旨ヲ述ヘタリ

免許

七、免許

(一) 條約案第三條ハ武器ノ製造ハ當該國政府ノ定ムル一定ノ有効期間ヲ有スル免許ニ依ルニ非サレハ之ヲナスコトヲ得サル旨ヲ規定ス

(二) 佛、西、丁、土、波斯國委員ハ右規定ヲ以テ不充分不完全ナルモノトナシ免許ノ有効期間ヲ當該國政府ニ一任スルコト、セス常設軍縮委員會之ニ干與スヘク又免許附與ニ關シテモ同様常設軍縮委員會ノ干與ヲ必要トスル旨ヲ陳述セリ

(三) 米國委員ハ武器民營ニ對シ免許制度ヲ設ケ又ハ之ヲ制限禁止スルカ如キコトハ其ノ憲法上多大ノ支障アル旨ヲ述ヘタリ (第二回委員會) 尤モ後日報告作成ノ際米國委員ハ此ノ點ヲ報告中ニ掲記スルコトヲ特ニ避ケタルハ其ノ後同政

府ノ態度ニ多少ノ變更アリタルヤニ觀察セラル

八、武器製造者ノ新聞操縦及議員ノ身分取得禁止

武器製造者ノ新聞操縦及議員ノ身分取得禁止

(一) 佛、西、丁國委員ハ本件ニ關スル臨時混成委員會ノ一九二四年報告 (Document Conf. D. 77) 及右報告中ニ包含セラル、少數意見者提案ヲ參照センコトヲ求メタリ

(二) 本件ニ關シテハ各委員ハ充分意見ヲ開陳セサリキ

九、武器民營投下資本制限

武器民營投下資本制限

(一) 蘇國委員ハ國防費委員會ニ對シ武器製造及補助工業ノ民間投下資本ノ制限縮少ニ關スル提案ヲナセリ (Conf. D./Ba-reu/10)

(二) 委員會ハ本件ニ關スル決定ヲナサス

十、質の制限ヲ超ユル武器製造禁止

質の制限ヲ超ユル武器製造禁止

伊、丁國委員ハ禁止武器及條約ニ定ムル質の制限ノ限度ヲ超ユル軍艦、大砲等ノ製造禁止ノ提案ヲナセリ伊國委員ハ參考トシテ華府條約第五條、第九條及第十一條、倫敦條約第七條並ニ一般軍縮條約案第十七條ヲ指摘セリ

公表

十一、公表

(一) 條約案第五條ニハ民營武器ハ凡テ各類別毎ニ價格、數、量ヲ以テ公表スヘキ旨ヲ規定ス

(二) 右ニ關シ伊國委員ハ豫算專家報告 (Document C. 182, M. 69, 193, IX) ニ依レンハ價格表示ハ不可能ナルコトヲ示スカ如シト注意シタリ尤モ又他方本件ニ付テハ新ニ國防費委員會ニ於テ審議セラル、コト、ナレリ

(三) 帝國委員ハ價格ノミヲ以テ表示スヘシトノ從前ヨリノ所信ハ之ヲ變更スルコトナキ旨ヲ表明シ置ケリ (第六回委員會)

(四) 條約案第五條第二項ニハ本公表ハ國ニ專屬スル工場又ハ國ノ爲ニスル他ノ如何ナル種類ノ工場ニ依リテ製造セラル

ル物件ニモ亦適用スル旨ヲ規定ス

英、米、伊、波、西、白、土國等ノ委員ハ右ニ關シ公表ハ官營民營同様ニ行ハルヘキモノナリトノ意見ヲ述ヘタリ

(五) 佛、西國等ノ委員ハ常設軍縮委員會カ各國政府ヨリ受ケタル報告及統計ヲ刊行スルハ有益ナル旨ヲ熱心ニ主張シタリ

(六) 佛、西、丁、波斯、波國委員ハ公表ノミヲ以テシテハ武器製造ニ關スル規定ヲ嚴守セシムル上ニ於テ充分ナル監督手段トハ認メ難シトノ見解ヲ表明シタリ

十二、艦 船 公 表

(一) 伊國委員ハ艦船公表ニ關スル條約案第六條ヲ倫敦條約及一般軍縮條約草案第三十四條ト同様ニ修正スヘシト述フ

(二) 帝國委員ハ右ヲ支持シタリ (第六回委員會)

十三、監 督

(一) 特別委員會ノ作成ニ係ル一九二九年條約案ニハ監督ニ關スル條項ヲ包含セス之蓋シ監督ハ免許ヲ與フル當該國政府ノ手ニ依リ又公表ノ方法ニ依リ充分之ヲ實行シ得ヘシト認メタルカ爲ナリ

尤モ一般軍縮條約草案中ニハ常設軍縮委員會ノ組織ヲ規定シ一定國際監督ヲ豫定シ居リ又一般委員會ハ一九三二年七月二十三日決議ニ於テ常設軍縮委員會ノ設置ヲ認メタリ

(二) 佛、西、波、支、土、丁、波斯國委員ハ嚴格有效ナル國際監督ヲ熱心ニ主張シ條約ノ嚴格ナル遵守ニハ國際監督カ最モ必要ナリトス

(三) 佛、西、波國等ノ委員ハ尙更ニ條約ヲ嚴守セシムル爲ニハ常設軍縮委員會ハ武器製造注文及右經費等ニ關シテモ報告ヲ受クルコト必要ニシテ又單ニ文書審査ノミナラス必要ニ應シ現地調査ヲモナスノ權利ヲ常設軍縮委員會ニ附與スルコトヲ要スト主張シタリ

(四) 佛、西、波、丁國委員ハ武器製造工場ニ使用セラル、職工ノ屬スル勞働團體ヲシテ監督ヲ行ハシムヘシトノ案ヲ提出シタリ

(五) 日、英、米、伊國委員ハ武器製造ニ對スル國際監督ハ國內法制ニモ關係アル極メテ機微ナル問題ナルヲ以テ當該國政府ノ監督ヲ以テ満足スヘシトノ主張ヲナス (第三回、第六回委員會)

(六) 尙多數國委員ハ監督ハ官營民營ニ對シ一律ニ行ハルヘシトシ二、三委員ハ特ニ現用、貯藏ノ双方ニ對シ同一ノ監督ヲ行フコトハ最モ緊要ナリトノ意見ヲ述ヘタリ

(七) 日、英、米委員ハ軍縮會議ニ於ケル一般監督問題カ處理セラレサル以前ニ於テハ武器製造監督ノ問題ヲ討議スルコトハ不可能ナリトシ佛、西國委員ハ之ニ強固ニ反對セリ

條約效力停止

十四、條約效力停止

(一) 條約案第八條ニハ戰時ハ交戰國ニ對シ條約ノ適用停止セララル、旨ヲ規定ス

(二) 伊、米、波斯國委員ハ一九二五年條約ニ於ケルカ如ク中立國ニモ右停止規定ノ適用ヲ擴張スヘキコト必要ナリトセリ

(三) 支國委員ハ平戰兩時ヲ通シ各締約國ニ適用アルカ如クセンコトヲ求メタリ

第三節 武器取引問題

武器取引問題

一、武器取引問題ハ製造問題ニ引續キ之ヲ審議シタルモ單ニ豫備的審議ニ止メタリ

一九二五年條約

委員會ハ一九二五年條約ヲ修正シタル案ヲ作成スルノ原則ヲ認メタルモ其ノ修正ハ最小限ノ範圍ニ止ムルコト、セリ

各種提案

三、各種提案

(一) 一九二五年條約ノ修正トナルヘキ各種提案アリタルモ大體ニ於テ製造問題ニ對スルモノト其ノ趣旨ヲ同フス

主要ナルモノヲ摘記スレハ左ノ如シ

(イ) 類別改正

(ロ) 輸出入制限ハ非生産國ノ需要ヲ考慮スヘキコト

(ハ) 國際機關ニ依ル免許發給

(ニ) 常設軍縮委員會ノ干與

(ホ) 有效ナル國際監督

(ヘ) 艦船公表要目ヲ華府、倫敦條約等ノ規定ト一致セシムヘキコト

(二) 戰時效力停止問題ニ關シ波斯國委員ヨリ宣戰前ノ武力紛争ノ場合防衛國ノ正當權利ヲ阻害セサルコトヲ要求セリ

特別地帯
四、特別地帯

(一) 波斯國委員ハ特別地帯制度ニ關シ反對ノ意思ヲ表明シタリ同委員ノ意見ニ依レハ一九二五年條約ニ規定セラルル特別地帯ノ制度ハ國際聯盟規約ノ豫想セサル所ニシテ斯ル差別的制度ハ主義トシテ不可ナルノミナラス波斯國唯一ノ航通路タル波斯灣ヲ右地帯ニ包含セラル、コトハ忍ビ得サル所ナリト云フニアリ

(二) 英國委員ハ特別地帯ノ制度ハ之ヲ維持スルコト必要ナリト論ス

(三) 委員會ハ一九二五年條約改正ヲ審議スル際ニ波斯國委員ノ案ヲ攻究スルコト、セリ

第四節 條約違反事實摘發者保護問題

條約違反
事實摘發
者保護問
題

(一) 勞働團體ヲシテ監督ノ任ニ當ラシムルノ案提出ノ際佛及西國委員(「ジュオー」及「マダリアガ」)ハ條約違反事實摘發者又ハ摘發團體ノ保護ニ關スル規定ヲ設クルコトノ必要ヲ説ケリ

(二) 兩國委員ハ常設司法裁判所ノ權限ヲ擴張シテ保護ノ任ニ當ラシムルヲ可トストノ提議ヲナセリ

(三) 日、英、伊國委員ハ右ニ反對ノ意思ヲ表明シタリ(第八回委員會)

一般討議
ニ關スル
經過報告
結論

第五節 一般討議ニ關スル經過報告結論

一般討議經過報告書ニ左ノ結論ヲ附シタリ

幹部會カ右報告ヲ審查シタル結果一九三二年十一月二十二日武器取引及製造問題ニ關スル決議(Conf. D./49 [Conf. D./Bureau/37^o])ヲナシタルコトハ既述ノ通りナリ(第一章參照)

CONCLUSIONS.

I. During the first phase of its work, the Committee passed in review all the questions raised in regard to trade in and manufacture of arms.

II. The problems with which the Committee dealt during these first discussions are brought to the knowledge of the Conference in the present report.

III. It appears from this report:

- a) That the Committee is not yet in a position to submit concrete proposals for regulating the trade in and manufacture of arms;
- b) That such proposals will be so framed *inter alia* as to place producing and non-producing States as far as possible on a footing of equality;
- c) That it is already clear that the proposals which the Committee will have to submit regarding the regulation of the manufacture of arms will differ from the draft Convention framed by the Special Commission in 1929;
- d) That it is already agreed that the 1925 Convention concerning trade in arms will have to be revised.

IV. The Committee set up:

- a) A Sub-Committee on the manufacture of arms, consisting of the representatives of the following States: Belgium, the United Kingdom, Denmark, France, Italy, Japan, Poland, Spain, Turkey and the United States of America;

- b) A Sub-Committee on trade in arms, consisting of representatives of the following States: the United Kingdom, China, France, Italy, Japan, Persia, Poland, Spain and the United States of America;
- c) It will be the duty of those two Sub-Committees to prepare as rapidly as possible the second phase of the Committee's work;
- d) The plenary meetings of the Committee are provisionally postponed.
- V. Before the resumption of the Committee's work, members will, as far as possible, obtain information on certain questions relating to private manufacture in regard to which the Danish delegation has submitted a special questionnaire.
- VI. It is desirable that the Committee should, before the resumption of its work, be in possession of:
 - a) The replies to the questionnaire which the Committee requested should be sent to Governments concerning the manufacture of arms;
 - b) The decisions of principle, and if possible regarding details, that the Conference may take regarding limitation and publicity of war material;
 - c) The reports on the question of supervision and the question of chemical, incendiary and bacteriological weapons and the resolutions that the Bureau and the General Commission may pass on the subject.

第四章 幹部會ニ於ケル報告書審議經過

第一節 幹部會ニ於ケル報告書審議

武器取引
及製造委
員會議事
經過報告
書ノ審議

一、武器取引及製造委員會ハ十一月十二日議丁經過報告書 (Conf. D, Bureau/35) ヲ幹部會ニ提出ス

二、幹部會ニ於ケル報告書審議經過

十一月十八日第三十回幹部會ノ討議

(一) 報告者ヨリノ報告書ノ各項目ノ重點及委員會ニ於ケル難點ヲ説明シ幹部會カ委員會ノ爾後ノ事業進行上ノ指針ヲ與ヘンコトヲ希望セリ

(二) 瑞 典

(イ) 瑞典國ハ相當重要ナル武器製造國ナルニ拘ラス進ンテ免許制度ヲ設クル等一九二五年條約(未發效)ト同趣旨ノ規定ヲ適用シテ武器輸出ニ一定ノ制限ヲ加ヘツ、アリ

(ロ) 武器製造ニ對スル國際監督モ適當ナル方法アラハ受諾シ得ヘシ

(三) 米

(イ) 米國政府ハ憲法上ノ理由ニ依リ條約案ノ最初ノ四ヶ條ニ對シ留保ヲ附シタルモ右留保ハ今日之ヲ撤回セリ

(ロ) 從テ武器民營ノ制限監督ニ關スル提案ヲ支持スルノ用意アリ

(ハ) 監督ノ方法ハ先ツ幹部會又ハ一般委員會ニテ要綱ヲ決定シ各特別ノ場合ニ付テハ夫々特別ノ規定ヲ設クヘキナリ

(ニ) 武器取引ニ關シテ一層精密ナル公表ヲ必要トス

(四) 英

(イ) 官營ト民營トノ取扱ヲ異ニスヘキニ非ス

(ロ) 英ハ一九二〇年以來聯盟規約第八條ノ精神ニ基キ Fire Arms Act ヲ設ケ取締ヲナシ輸出ハ Board of Trade ノ許可ヲ要スルコト、ナリ居レリ他國モ英國ニ倣ヒ嚴重ナル取締ヲナサンコトヲ希望ス

(ハ) 一九二九年條約案カ一般ニ受諾セラル、コト及一九二五年條約ニハ適當ナル修正ヲ加ヘンコトヲ望ム

(ニ) 官營民營ノモノニ關スル完全ナル公表制度ハ輸出入統計表ト相俟チテ完璧トナルヘキモノナリ

此ノ問題ハ一般軍縮會議ノ成果ヲ見テ攻究スルヲ適當トス

- (五) 佛
(イ) 一九二五年條約及一九二九年條約案ハ何レモ現狀ニ即セサルノミナラス生産國ト非生産國トノ衡平取扱ノ點ニ付缺クル點アリ依テ速ニ専門委員會ヲシテ廣汎ナル見地ヲ以テ研究ヲ行ハシムヘシ
- (ロ) 監督ハ本問題ノ核心ヲナスモノナル處「ブルカン」第二次報告ニモ記載セラル、如ク特殊ノ事項ニ付テハ各專門委員會ヲシテ夫々特殊ノ研究ヲナサシムヘキナリ
- (六) 西
(イ) 佛國委員ト全然同意見ナリ
- (ロ) 一九二五年條約及一九二九年條約案ヲ基礎トスルノミニテハ何等ノ進歩ヲ期待スルコトヲ得ス
- (七) 波
(イ) 監督ヲ必要トスル點ニ付テハ各國委員間ニ異論ナキモ其ノ範圍程度ニ付未タ結論ニ達シ居ラス波國トシテハ嚴重ナルモノヲ欲ス
- (ロ) 民營全廢ハ之ヲ支持ス然シ若シ不可能ナル場合ニハ官營民營ニ付嚴重取締ヲ行ヒ生産國非生産國トノ間ノ差隔ヲ減少スヘキナリ
- (ハ) 公表ノミニテハ不充分ナリ
- (ニ) 化學兵器ニ關スル項目ヲ挿入スルヲ要ス
- (ホ) 本件ト軍縮條約トハ密接ナル關係アリ本件ヲ不成立ニ終ラシムヘキニ非ス
- (ヘ) 一九二五年條約及一九二九年條約案ヲ單ナル討議ノ基礎トスルコトニハ反對ナシ
- (八) 伊
(イ) 英、米國委員ノ所說ニ大體同意ス
- (ロ) 一九二五年條約、一九二九年條約案程度以上ノ取締ヲ行ハントセハ質的及量的軍縮ノ範圍確定ヲ待ツコトヲ必要トス
- (九) 埃
本件ハ平等權トモ關係アルヲ以テ政府ノ訓令アル迄態度ヲ留保ス
- (十) 我 方
(イ) 本報告ノ結論ハ大體可ナルモ III (C) ニ於テ一九二九年條約案ヲ不完全ナルモノトシ當初ヨリ之ヲ不可トスルカ如キ印象ヲ與フル傾アルハ一考ヲ要ス右條約案ハ幾多ノ困難ヲ排除シタル後ニ漸ク到達シタル妥協點ナリ之ヲ討議ノ基礎トスルコト必要ナリ
- (ロ) 一九二五年條約ハ未タ帝國ニ於テ批准ヲ了シ居ラサルヲ以テ特ニ述フヘキ所ナキモ本條約ト條約案トノ間ニ存スル間隙ヲ調整スルコトニハ同意ナリ
- (ハ) 官營ハ豫算ニ依ル議會監督等ヲ有スルモ民營ニ付テハ斯ルコトナキヲ以テ右兩者ヲ同一ニ取扱フコトハ適當ナラス極言スレハ帝國ハ取締ヲ民營ニ限ルヘキモノト思考スルモ互讓ノ精神ニ依リ官營ノモノニ付テモ或程度ノ規律ヲ考慮スルニ吝ナラス
- (ニ) 若シ同一取扱ヲナサントスルコト、ナラハ特殊ノ事情ヲ考量スルコト必要ナリ(附屬第五參照)
- (土) 議 長
(イ) 聯盟規約第八條ヲ指導原則トスヘシ
- (ロ) 公表ハ官營民營ヲ區別スヘキモノニ非スト信ス然ラサレハ軍縮ノ精神ニ反シ又非生産國ノ利益ヲ害スルニ至ルヘシ
- (ハ) 特別委員會ニ於ケル提案ハ之ヲ制限スヘキニ非ス如何ナル大膽ナルモノヲ提示スルモ差支ナシ

- (二) 本件ハ軍縮條約ノ一部トスヘキナリ
(ホ) 報告者ヨリ特別委員會ノ討議項目ヲ提出セシコトヲ望ム

第二節 幹部會決議案ノ採擇

決議案ノ提出

一、報告者ヨリノ幹部會決議案提出

報告者ハ第三十四回幹部會ニ於ケル議長ノ求めニ應ジ各國代表ノ意見ヲ參酌シテ左記趣旨ノ決議案(Conf. D/Bureau/37)ヲ作成シ十一月二十一日之ヲ幹部會ニ提出シタリ

幹部會ハ武器取引及製造委員會ノ報告ヲ了承シ十一月十八日幹部會ニ於ケル各國代表部ノ提案及註釋ヲ聽取シ委員會ノ報告及之ヲ採用セル方法ニ賛成ス

幹部會ハ

- (一) 武器取引及製造委員會竝ニ右分科會カ速ニ其ノ仕事ヲ終了シ幹部會ニ報告スルコトヲ要求ス
- (二) 委員會ハ本問題ヲ有ユル點ヨリ研究スヘキモノナルモ實際的方法ヲ選フヘキモノナリト思考ス
- (三) 本問題ニ關スル條項カ軍縮條約ト同一ノ法律文書内ニ併合セラルコトハ承認セラレタルモノト認ム
- (四) 委員會ハ左ノ點ニ付如何ナル條件ヲ以テスレハ平等ノ取扱ヲナシ得ルヤヲ審議スルコト
- (イ) 生産國ト非生産國間
- (ロ) 各種締約國相互間(特殊地域等ノ問題)
- (ハ) 國營ト民營
- (五) 幹部會ニ於テ可決セラレタル「ブルカン」報告ニ從ヒ委員會ニ武器取引及製造ノ國際監督適用ニ必要ナル技術的方法ヲ研究センコトヲ招請ス
- (六) 制限及公表問題ニ付テノ委員會ノ結論ハ本問題ニ付權限アル會議ノ機關ノ決定迄最終的決定ヲ延期スヘキモノト

思考ス

- (七) 各國ノ許可制度ニ關スル必要ナル文書ヲ集メ國際的許可制度ヲ規定スルノ可能性ヲ研究スルコトノ望マシキコトニ付委員會ノ注意ヲ喚起ス

二、十一月二十二日第三十一回幹部會ノ討議

- (一) 報告者ヨリ前記決議案ノ説明ヲナス

其ノ要旨左ノ通り

- (イ) 本案ハ特別委員會ノ討議ノ基礎ヲ強固ニスルヲ以テ目的トセリ
- (ロ) 本案ハ各國代表ノナシタル聲明等ノ綜合ニシテ何等彼等ヲ「コンミット」スルモノニ非ス
- (四) 決議案ハ極メテ機微ナル事項ニシテ報告書結論III(C)ト關聯シテ考慮セラルヘキモノナリ殊ニ(四)ハニ關シテハ多數代表カ官營民營ヲ同一ニ取扱フヘシトナセルニ對シ或代表ハ官營ニ對シテハ民營ノモノヨリ寛ナル取扱ヲナスヘシトナシ之ニ對シ幹部會ハ何等決定ヲナサ、リシニ依リ各代表ノ態度ハ本項ニ依リテ影響ヲ受クルコトナキモノナリ
- (ハ) 中ニ用ヒラレタル監督(Supervision)ナル語ハ最モ廣義ニ解セラルヘキモノナリ
- (五) 本件討議ノ現狀ニ於テハ各代表共決定的態度ノ表明不可能ナルヲ以テ武器取引製造委員會ヲシテ其ノ儘審議ヲ續行セシムルヲ適當トスヘシ尤モ委員會ノ討議中隨時必要ニ應ジ幹部會又ハ一般委員會ノ裁決ヲ求ムルコトヲ得ル様ニスルヲ必要トス

(二) 伊

決議案(6)ハ「ブルカン」報告以上ニ出テタルモノニシテ聊カ先走リノ感アリ依テ本項ヲ「本件ニ關スル國際監督ノ適用ニ付特ニ適合スル手續アリヤ否ヤ……」ト修正シタシ

(三) 西

伊提言ハ兵器問題ニ關シ特別ノ監督制度ヲ認ムヘシトノ意ト解セラル、處監督制度ハ一般的ニ適用シ得ルモノタルヲ必要トスヘク特例ヲ認ムルハ不可ナリ

決議案ノ
修正

(四) 伊國提議ノ點ハ結局 (五) ヲ

幹部會ノ決定スル一般監督制度ノ範圍内ニ於テ武器取引及製造ノ國際監督ニ一層適切ナル技術の方法ヲ見出し得サルヤヲ研究スルコト

ト修正スルコトニ落着ス

決議案ノ
採擇

(五) 右ニテ決議案採擇セラレ決議ハ Conf. D/Bu cau/37th トシテ配布セラル (附屬第三參照)

第五章 武器製造分科會ノ議事經過

第一節 概 說

武器製造
分科會ノ
任務

一、昭和七年十月十九日武器取引及製造委員會第八回會議ニ於テ設置方ヲ決シ同二十一日構成セラレタル武器製造分科會ハ同年十一月九日ヨリ昭和八年二月十七日迄十五回會合シ委員會カ一應討議シ爾後ノ審議ヲ委囑シタル武器製造ニ關スル全般ノ問題ヲ審議シタリ從テ分科會ノ任務ハ委員會ノ爾後ノ討議ノ基礎ヲ作り其ノ圓滑ナル進捗ヲ圖ルヲ以テ目的トシタリ

非審議諸
問題

二、分科會ハ委員會カ幹部會ニ提出シタル議事經過報告 (Conf. D. 145) ヲ出發點トシ十一月二十三日ノ幹部會ノ決議 (Conf. D. 149) ヲモ考慮ニ容レテ全般ノ問題ヲ審議シタルカ左ノ諸問題ハ之ヲ除キタリ

(1) 武器民營ノ全廢又ハ武器製造ノ國際化

(分科會ハ委員會カ之等事項ニ付何等カ主義上ノ決定ヲナス迄特別ノ討議ヲナササルコト、シ又一方武器製造問題ニ

關スル質問集 (Conf. D/C. I. 5) ニ對スル回答ノ出揃フヲ待ツコト、セリ)

(2) 武器民營質問集ニ關聯シ討究ヲ要スル他ノ特別問題及丁國委員獨自ノ提案 (Conf. D. 145, Point 9)

(3) 武器軍需品生産ノ取締及公表

(幹部會ハ其ノ一九三二年十一月二十二日決議ニ於テ決定的方式ハ軍縮會議ノ當該機關カ適當ナル解決ヲナス迄之ヲ延期スヘキモノトナセルカ日、英、米等ノ委員ハ軍縮會議ハ未タ武器軍需品ノ制限及公表ニ關シ決定ニ達シ居ラサル點ヲ指摘セリ從テ分科會ハ武器軍需品ノ取締及公表ニ關シ官營ト民營ト同一ニ取扱フヘシトノ案件モ之ヲ充分審議スルコトナカリキ)

(4) 武器類別ニ關スル問題

(分科會ハ本問ヲ深ク審議セス委員會ニ向ヒテ武器製造及取引ノ雙方ニ對シ共通ノ一ノ分科會ヲ設置スルヲ適當トスル旨ヲ進言セリ)

(5) 武器ニ關スル發明ニ付特別ノ規定ヲ設クヘキヤ否ヤノ問題

(本問題ハ丁國委員ニ依リ提起セラレ右委員ハ後日委員會ニ提案スルノ權利ヲ留保シタリ)

報告書ノ
作成

三、(一) 分科會ハ昭和八年二月十七日報告書ヲ作成シタルカ右報告書ニ記載セラレタル事項中ニハ決定の提案ノアルハ極メテ僅少ニシテ多クハ各委員ノ意見ノ羅列ニ過キス提案中ニハ會議ノ他ノ事業ノ結果如何ニ依リ影響ヲ受クルモノアリ假ノ性質ヲ有ス

多數委員ハ軍縮會議カ器材及民間航空ノ制限及公表ノ問題ヲ決スル迄ハ一致ノ決定の案ヲ作成スルコト不可能ナリトノ意見ヲ表明シタリ (我方モ同意見)

(二) 條 約 前 文

幹部會カ一九三二年十一月二十二日決議ヲ以テ武器製造ニ關スル規定ハ之ヲ一般軍縮條約ト同一文書中ニ包含セシム

討論事項

定義

許容武器

第二節 討議事項

第一項 定義

一、許容武器

(一) 分科會ニ於テハ類別ノ變更ハ最少限ニ止ムヘク製造ト取引ト同一ノモノトストノ委員會ノ決定ニ準據シテ本件ヲ攻究シタリ

討議ノ基礎トシテハ一九二五年條約及一九二九年條約案ノ第一條ヲ用ヒ尙之ニ加フルニ國際聯盟經濟委員會關稅名稱統一專門分科會報告 (Conf. D. C. C. F. B. C. E. /24) ヲ參照シタリ

(二) 分科會ハ單ニ豫備の意見ノ交換ヲナシタルニ過キサカ本作ニ關シ左ノ意見アリタリ

(イ) 若シ質的軍縮ノ原則カ一定性能ヲ超ユル武器ハ之ヲ全廢スルカ又ハ國際化ストノ趣旨ト解スヘキモノトスレハ質的軍縮ノ適用ヲ受クル武器例セハ砲、戰車、艦船、航空機等ノ類別ニ付超過スヘカラサル最大限度ヲ定ムルコト可ナルヘシ (主トシテ伊國委員ノ意見)

(ロ) 一九二九年條約案ノ類別中ニハ改訂ヲ要スル點アルヲ認ム

(ハ) 廣範圍ノ改訂ヲ加フルコトナクシテ類別表ヲ簡單ニスルヲ要ストノ意見 (伊) アリ又軍用價值僅少ナルモノハ之ヲ除外スヘシトノ意見モアリタリ

(三) 部分品 (Spare parts) ノ觀念ハ關稅委員會ニ於テナサレタルカ如ク餘リ之ヲ擴張セサルコトニ略意見ノ一致ヲ見タリ一定範圍ニ之ヲ制限スルコトハ監督及統計ヲ容易ナラシメ且又免許制度ノ適用ヲ受クル工場ノ範圍ヲ擴張スルヲ避ケ得ヘキナリ

禁止武器 二、禁止武器 (Conf. D./C. C. F./S. C. F./21, 22 等參照)

(一) 禁止兵器ノ製造ヲ禁止スヘシトノ案本委員會ニ提出セラレタルカ此ノ問題ハ化學兵器特別委員會ニ於テモ提起セラレ同特別委員會ハ武器取引及製造委員會ニ對シ本問題ニ付考量ヲ加ヘンコトヲ求メ來レリ

(二) 分科會ハ禁止武器ニハ左ノ如キ各種ノモノ、存スルコトヲ認メタリ尤モ之ヲ精細ニ列舉スルコトニハ反對意見モアリタルヲ以テ定義スルコトヲ敢テセサリキ

(イ) 軍縮會議ニ依リ使用其ノモノヲ禁セラレタルモノ

(ロ) 專ラ敵ニ對シ用フル武器及戰闘手段

例セハ爆發性銃丸、化學燒夷戰ニ用フル武器及發射物、「マスタード」瓦斯、毒ヲ施シタル武器等

(ハ) 平戰兩用ニ用ヒラル、武器及戰闘手段

例セハ化學生産物、火焰發射器、「ダムダム」彈、毒物等

(ロ) 質的軍縮ノ適用ヲ受クルモノ即チ一定性能ヲ超ユル砲、戰車、艦船及航空機

(三) 禁止兵器ノ類別ヲ定ムル件ニ關シ左ノ如キ賛否ノ意見アリタリ

(〔反對〕英、伊等〔贊成〕丁、佛等)

(反對)

(贊成)

(イ) 精細ナル表ヲ設クルコトハ困難ナルノミナラス現存又ハ將來現レ來ルヘキモノヲ脱漏スル虞アリ單ニ關係國際法ヲ引用スルニ止ムルヲ可トス

(イ) 關係國際法ヲ引用スルニ止マラス各武器ヲ列舉スヘシ
「國際法」ト云フハ甚タ曖昧不正確ナル記述ノ方法ナリ列舉スルコトハ別段困難ニ非ス又 (イ) (b) ノ平戰兩用武器ノ如キハ特ニ禁止ノ必要アリ然ラサレハ戰爭ノ

- (ロ) 禁止武器ハ多ク平和用ニ使用スルモノナレハ之カ製造ハ許可セラレサルヘカラス
- 禁止スヘキハ其使用目的ニアリ

- (ニ) (ハ) 右ノ理由ニ依リ類別ヲ設クル必要ナシ
- 軍縮條約ノ前文ニ禁止武器ニ關スル規定ヲ置ケハ充分ナリ

此ノ點ニ關シ特別委員會(一九二九年)ハ左ノ案文ヲ作成セリ

「武器彈藥軍需品ニシテ戰爭ニ用フルコトヲ國際法ニ依リ禁止セラレタルモノヲ右ノ目的ニ使用スル爲ニ製造スルコトヲ得サルニ鑑ミ……」

- (四) 妥協案トシテ前文ニ規定スルト共ニ禁止兵器ヲ列示的ニ記載シタル附屬書ヲ附シ右前文中ニ於テ該附屬書ニ言及スルノ一案カ提示セラレタルモ協定ニ達セザリキ

武器民營ノ定義

三、武器民營ノ定義

一九二九年條約案第二條ヲ討議ノ基礎トシ左ノ案文ヲ留保附ニテ一應採擇ス

“For the purposes of the present Convention¹ private manufacture shall be considered to mean manufacture of articles defined in Article 1 taking place in establishments of which the State is not the sole proprietor, and which are (mainly or to a large extent)² engaged in the manufacture of the articles covered by categories……³ of Article

- (ロ) 或種禁止武器ハ平和ノ爲ニハ用途僅少ナリ
- 異常ニ多量ノ製造ヲナスコトハ嫌疑ノ材料トナルヘシ

之等ノモノ、製造ハ公表セシメ監督ニ附スヘシ

- (ニ) (ハ) 右ノ理由ニ依リ類別ヲ設ケヘシ

前文ノミニ規定スルハ各國各様ニ解釋セラル、虞アルノミナラス現實ノ義務ヲ賦課スルモノトハ思ハレス單ニ理由原因ヲ示スニ過キス

右案文ニ對スル留保

1. 此ノ字句ハ軍縮條約中ニ武器製造問題ヲ包含スルヤ否ヤニ依リテ決定スル要アリ
2. 此ノ字句ハ不明瞭ナレハ削除スヘシトノ意見アリタリ
3. 類別挿入ハ留保ス
4. 此ノ字句ハ國營ノ問題ニ觸ル、迄姑ク留保ス

第二項 武器製造取締

一、許可制度

武器製造
取締許可
制度

{ Conf. D./C. C. F./S. C. F./I, 5, 6, 7, 9, 10, 11, 12, 13, 14, 17, 28
Conf. D./C. C. F./21, 21(a) (b) (c), 22
第四回、第六回、第七回、第九回、第十回分科會議事録等參照

- (一) 武器ノ製造ハ一定免許ヲ受クルニ非サレハ之ヲナスコトヲ得ストノ原則ニ付テハ別段異議ナカリキ尤モ武器民營ノ全廢ヲ主張スル委員ハ若シ全廢不可能ト決シタル上ハ右原則ニ同意スヘシトノ留保ヲ附シタリ

- (二) 右ノ免許ハ之ヲ國內的ノモノトスルカ(日、英、米、伊、獨等)又ハ之ヲ國際的ノモノトスルカ(丁、佛、波、西等)ニ付テハ意見合致セス報告書ニハ其ノ兩者ヲ掲ケタリ
- 右ニ對シ左ノ折衷案モ出テタルカ決定ニ至ラス

- (イ) 各國政府カ國內免許制度ヲ設クル爲ノ原則的規定ヲ條約ヲ以テ定ム

- (ロ) 國內免許制度統一ノ爲條約ヲ以テ免許離型ヲ定ム

- (三) 各國現行免許制度ノ調査

一九三二年十二月二日分科會議長ヨリ各委員ニ對シ當該國ノ現行制度ヲ報告センコトヲ求メ其ノ出揃フヲ俟テヲ提出
文書(口頭説明ニ止メタル委員モアリ)ニ付審査シタルカ其ノ結果概要左記ノ通りニシテ完備セル法令ヲ有シ取締ヲ
嚴重ニ勵行シ居ル政府ハ甚タ稀ナルコト明瞭トナレリ

(イ) 白

製造ニ付免許ノ制度ナシ

監督ノ形式ハ情報ノ回答以外ニ存セス

(ロ) 波

製造ノ免許ハ質ヲモ量ヲモ含ム

(ハ) 伊

監督制度ハ嚴重ナリ

(ニ) 英

完備シ居レリ

(ホ) 日

取締嚴重ニシテ武器ハ刀劍ノ類ニ迄及ヒ又艦船モ監督ニ附セラル

(ヘ) 米

免許ノ制度ナシ

(ト) 佛

爆藥彈藥ヲ除キ自由制度ニシテ國際上取締不完全ナリ

(チ) 丁

免許制度ナシ

(リ) 西

免許制度アリ

二、許可ニ關スル規定 (Conf. D/C. C. F/S. C. F/14 參照)

(一) 許可ノ態様

一九二九年條約案第三條第一項ト同趣旨ノ左ノ規定ヲ一應採擇ス

The High Contracting Parties undertake not to permit in the territory under their jurisdiction the private manufacture as defined.....of the articles covered by categories.....unless the manufacturers thereof are licensed by the Government.

西國委員ハ國際機關ニ依ル許可附與ノ必要ヲ説キ後日提案スル權利ヲ留保ス

(二) 製造許可武器ノ明示

左ノ二案提出セラレタリ

(イ) The Government licence must stipulate what categories of arms the holder is authorised to manufacture.
(ロ) The Government licence must specify with as much detail as possible the kind and quantity of implements of war which the holder of a licence is authorised to manufacture.

(三) 許可ノ有効期間

(イ) 經濟上ノ見地ヨリシテ製造許可有効期間ノ短小ナルハ實際的ナラス若シ短小ナル場合ニハ企業者投資ヲ躊躇スヘシトノ意見ニ對シ異論ナカリキ

(ロ) 一九二九年條約案第三條第二項即チ其ノ有効期間ハ當該國政府ノ裁量ニ委スル規定ニ多數ノ賛成者アリタルモ

(帝國委員モ之ニ賛成) 西國委員ヨリ常設軍縮委員會ヲシテ期間ヲ決定セシムヘシトノ提議アリタルヲ以テ決定ヲナス

(四) 許可ノ取消

- (イ) 英國委員ハ取消ノ權利ハ許可附與ノ權利中ニ當然包含スルヲ以テ特ニ取消ニ關スル規定ヲ必要トセスト主張ス
- (ロ) 波國委員左ノ反對意見ヲ述フ
 - (a) 各國政府ハ其ノ許可條款中ニ許可狀所持者ノ行動カ國際親善關係ヲ害スル虞アルトキハ取消シ得ル旨ヲ挿入ス

取消權ハ必スシモ許可附與權中ニ含マル、モノトハ解シ難シ

- (b) 許可附與ノ際豫メ取消ス場合アルコトヲ豫告シ置ケハ政府ハ賠償ノ責ヲ免レ得ヘシ

三、許可附與ノ拒否

禁止武器ニ付決定ニ達セサリシヲ以テ禁止武器製造ノ爲許可ヲナサ、ル件ハ之ヲ審議セサリキ

四、武器製造ニ關スル人的制限

(Conf. D./C. C. F./S. C. F./B.4.4.) 第五回、第六回分科會議事録等參照)

(一) 佛國委員ハ左ノ案ヲ提出シタリ

“In consideration of the acknowledged importance of the public opinion of the world for the application of any pact and the supervision over the observance of any convention relative to the reduction and limitation of armaments; in consideration further, of the prevailing uneasiness reflected by public opinion regarding the “evil effects” attendant upon the private manufacture of arms, an uneasiness which has already brought about the introduction of certain disabilities:

“Sub-Committee considers it necessary that, with a view to giving satisfaction and guidance to public opinion,

all countries signatories to the Disarmament Convention should undertake to adopt the same legislative and administrative measures, in order that, in accordance with principles IV and V of the Temporary Mixed Commission's report, the following should be prohibited:

“(a) Any collusion, direct or indirect, between the holder of a manufacturing licence and the holder of any position in a newspaper enterprise, whether in connection with editing or publishing:

“(b) The simultaneous tenure by one individual of a legislative office and a position as director or manager of a private concern manufacturing war material under Government contracts”.

武器製造業者の制限

(二) 武器製造業者ニ對スル人的制限ハ可能ナリヤ又好マシキモノナリヤ

- (イ) 人的制限ハ憲法ノ改正ヲ行フニ非サレハ之ヲ行フコトヲ得ス若シ憲法ヲ改正ストセハ多大ノ時日ヲ要スヘシトノコトニハ異論ナカリキ

本件ニ對シテハ伊國委員モ最モ強硬ニ反對シ帝國委員米國委員モ亦反對的ノ意思ヲ表示ス

波國委員ハ佛案ノ趣旨ニ賛成ナルモ本件ハ精神軍縮委員會ノ問題タルヘシトノ意見ヲ述ヘ西國ハ賛成ノ意思ヲ表示ス

反 對

贊 成

- (ロ) 弊害除去ハ各國政府自ラ適當ナル手段ヲ執ルヘシ
- (日) 公表ヲ完全ニナセハ弊害ヲ除キ得ヘシ(米)
- (ハ) 武器製造ハ不名譽ナル營業ニ非ス人的制限ヲナス理由ナシ(伊)
- (ニ) 武器製造業者ノ範圍ヲ定ムルコト困難ナリ(副業ヲナス場合ノ如キ)
- (ロ) 弊害ヲ除去スル爲人的制限ハ絶對ニ必要ナリ
- (ハ) 人的制限ヲナシタリトテ武器製造ヲ不名譽ノ營業ト看做ス理由ナシ醫師ニ對シ一定制限ヲナス國モアリ
- (ニ) 許可證所持者及支配人等高級職員ナリ(臨時混成委員會報告 (Conf. D. 77) 參照)

(ホ) 混成委員會ハ政府ノ代表者ヲ以テ組織シタルモノニ
非ス(伊)一九二九年條約案ニハ規定セス

(三) 武器製造業者ハ外國ニ迄影響ヲ及ホシ得ルヤ

普通國內ニ止マルモ場合ニ依リテハ外國ニモ及ビ得トノ意見ヲ述フル者アリタリ

(四) 新聞ニ不良ノ影響ヲ及ホスコトヲ防止スル爲特別ノ手段ヲ講スヘキヤ

反 對

贊 成

(イ) 新聞經營ニ付政府カ監督ヲナスコトハ好マシカラス
言論機關ノ自由ト兩立セス

(イ) 平和維持ノ爲制限ヲ設クヘシ
言論機關ノ自由ノ原則ニ反セス

(ロ) 假令法令ヲ設クルモ實效ヲ舉ゲ難シ
(ハ) 各國特殊ノ事情アリ政府ニ一任スヘシ

(ホ)(ニ) 外國新聞ニ勢力ヲ及ホスコトニ付防止法ヲ講スヘシ
精神軍縮委員會ノ研究ニ讓ルヘシ

(五) 武器製造業者ノ議會ニ議席ヲ有スルコトヲ止ムヘキヤ

反 對

贊 成

(イ) スル制限ハ實效ナシ議席ヲ有セストモ議會ニ勢力ヲ
延ハシ得ヘシ某國ニ於テハ corporate representation ノ
制度アリスル國ニ於テハ本件ハ憲法ニ抵觸スヘシ

(イ) 數國ニ於テハ既ニ或種類ノ業ニ従事スル者カ議席ヲ
有スルコトヲ禁シ居レリ
(ロ) 本件ハ國內法ヲ國際法ノ進歩ニ從ヒ之ニ適合セシム

武器製造
制限
質的制限

(六) 分科會ハ本件ニ付何等決定ヲナサ、リキ

第三項 武器製造制限

一、質的制限

(一) 華府、倫敦條約及一般軍縮條約案ハ海軍艦船ニ付一定制限ヲ超ユルモノ、建造ヲ禁シ居レリ

(二) 分科會ハ右趣旨ニ則リ凡テノ武器ニ付同様ノ規定ヲ設クルコト、セリ案文左ノ如シ

“The High Contracting Parties undertake not to cause to be manufactured or constructed and not to permit within their jurisdiction the manufacture or construction for their own account, that of another State or of private individuals, of arms, vessels of war or aeroplanes possessing characteristics exceeding those provided in Categories” (條約案第一類、第二類及第四類ニ相當スルモノヲ入ル)

二、禁止武器ノ製造禁止

(一、二) 參照)

三、武器製造投資制限

(Conf. D./Bureau/10, Conf. D./C. C. F./S. C. F./8, 25 第五回、第十三回分科會議事録等參照)

蘇國案ニ付審議シタルカ日、英、伊、白國委員反對シ佛、丁國委員ハ本案ニ贊意ヲ表シタリ双方ノ意見概要左ノ通り

反 對

贊 成

(イ) 實際のナラス武器軍需品製造投下資本ハ器材制限ヲ
ナセハ自動的ニ制限セラル

(イ) 武器軍需品ヲ專業トスル大工場ノ資本制限ヲ規定ス
ル必要アリ制限ニ止マラス縮減スルヲ要ス

(ロ) 軍事工業ノ投資ヲ限定スルコト困難ナリ多クノ工場ハ平戰兩用ノ物品ヲ作製シ居レリ補助工業ノコトヲ考フレハ極メテ複雑ナル關係ヲ生ス
(ハ) 如何ナル種類ノ資本ニ付制限ヲナサントスルカヲ決定スルコトハ極メテ困難ナリ
(Paid-up capital or normal capital or market value, capital alone or capital with reserves & loans)

(ロ) 軍用器材専用ノ大工場ニ付テハ困難ニ非ス
(ハ) 凡テノ資本ヲ含ム

第四項 公表 (Conf. D./C. C. F./S. C. F./15, 26, 第十回分科會議事録等參照)

公表
許可ノ公表

一、許可ノ公表
(一) 政府ニ依ルモノ

一九二九年條約案第四條ト同様 ("Secretary-General of the League of Nations" 及 "Permanent Disarmament Commission" ニ改ム) ナル左案ヲ一應採擇ス

"The High Contracting Parties undertake to forward to the Permanent Disarmament Commission, or to publish, within two months of the close of each quarter beginning on the first day of January, April, July and October, a list of licences granted or renewed (or modified) (or withdrawn) during that quarter, together with:

(a) A description (with indication of the quantity) of the war material for which licence is granted;

(b) The name and address of the registered or head office of the licence (and the period for which the licence has been granted or renewed);"

右案中 (or modified) (or withdrawn) 挿入意見ハ波、丁國委員ヨリ提出シタルモノニシテ (with indication of the quantity) 挿入ハ佛、波國委員ノ意見ナリ

(二) 本件ニ付表示セラレタル意見左ノ如シ

(イ) 佛國委員 (西、丁賛成)

許可ノ内容ノ標準化ヲ重視ス然ラサレハ比較ノ方法ナシ

(ロ) 帝國、米國委員

一九二九年條約案第四條維持ヲ主張ス重點ハ許可形式ノ標準化ニ非スシテ各國政府ヨリ供給セラル、材料ノ調整ニアリ

(ハ) 米國委員

官營民營共通ノモノタルヲ要ス

(三) 本件ニ付テノ決定案ハ一般器材ノ公表監督制限カ決定セラレサル限り之ヲ作成スルコト不可能ナリトノコトニ議一決ス

(四) 常設軍縮委員會ニ依ルモノ

左記案ヲ假リニ採擇セリ

"The Permanent Disarmament Commission shall periodically publish a list of licences issued by the Government."

武器製造
ノ公表

二、武器製造ノ公表

(一) 本件ハ一般軍縮會議ニ於テ器材ノ公表ノ問題ニ付何等カ決定ヲ見サル限り之ヲ審議スルコト適當ナラストノ意見ノ下ニ唯單ニ消極的ノモノ即チ公表ニ附セラレサルモノニ付一應ノ審議ヲナシタリ

(二) 左ノ案ヲ採擇ス (一九二九年條約案第七條ト同様)

"Articles covered by Categories.....shall only be subject to such publicity as may be prescribed by the

national legislation.”

(類別ハ第五類ニ相當スルモノヲ入ル、等ナリ)

戦用ニ供
シ得ヘキ
器具生産
品ノ公表

三、戦用ニ供シ得ヘキ器具生産物ノ公表「ダムダム」彈、火焰發射器、或種化學製造ノ如キ平戰兩用ノモノ、公表ニ關シ

左ノ如キ意見ノ表明アリタリ

(一) 佛、波國委員等

平和用トシテハ比較的少量ニテ事足ルヘキ筈ナリ多量ニ製造スルコトハ容疑ノ措置タルヘキニ依リ公表セシムルヲ可
トス

(二) 伊國委員

斯ル公表ハ煩雜ニシテ實際的ナラス

武器製造
投資公表

四、武器製造投資公表

(二四) 參照)

法令公表

五、法令公表

左案ヲ採用ス

The High Contracting Parties undertake to forward to the Permanent Disarmament Commission, or to publish, the text of the provisions of all statutes, orders or regulations in force within their territory dealing with articles covered by categories..... All provisions enacted for the purposes of carrying out the present Convention and all amendments and additions to such statutes, orders, regulations and provisions shall also be published, or forwarded to the Permanent Disarmament Commission.”

第五項 監督 (Conf. D/C. C. F/S. C. F./17, 23 第十一回分科會議事錄等參照)

監督

一、一九三二年十一月二十二日決議ニ鑑ミ軍縮會議ニ於テ一般監督ノ規定カ設ケラル、上ハ同規定ハ武器製造ノ監督ニモ

適用ヲ及ホスニ至ル點ニ付テハ異論ナカリキ

二、武器製造ニ付特別監督ヲ要スルヤ否ヤノ點ニ關シ左ノ如キ意見ノ表明アリタリ(日、米、伊、英國委員ハ監督ニ對シ消極的態度ヲ執リ佛、波國等ノ委員ハ精密ナル特別ノ監督規定ヲ要ストナス)

(消極意見)

(積極意見)

(イ) 一般器材ノ公表監督ノ問題決定スル迄審議ヲ延期スヘシ

(イ) 先ツ武器製造ニ關スル特別ノ監督手段ヲ攻究スヘシ後日其ノ適用範圍程度ヲ定ムルコトハ容易ナリ

(ロ) 民營カ全廢セラレルハ殘ル所ハ官營ノミナリ之ヲ最モ嚴重ナル監督ニ附スヘシ

(ハ) 特別ノ監督手段ヲ必要トセス

(ハ) 一般監督手段ノミニテハ效果薄シ

(ニ) 若シ數量及價格ノ監督ヲナスコト、ナレハ特別ノ規定ヲ必要トス

三、特別監督手段ニ關スル波國委員案

波國委員ハ左案ヲ提出シタルモ分科會ハ之ヲ審議セス

I. “If one of the High Contracting Parties is at any time of opinion that the manufacture of arms, ammunition and war material in the territory of another High Contracting Party shows a sudden large and abnormal increase, and if it regards such increase as evidence of a menace to peace it may refer the matter to the Permanent Disarmament Commission.”

“The Commission shall invite the High Contracting Party whose manufacture led to the taking of this step to furnish all necessary explanations. It shall undertake an enquiry into the matter and, for this purpose, shall be entitled to make use of the various sources of information provided for in the present Convention.”

“The Commission shall draw up a reasoned report as soon as possible, giving the result of its enquiry.
“The High Contracting Parties shall without delay come to an agreement regarding the conclusions in the report.”

2. The Permanent Disarmament Commission should be kept informed of orders for arms and of the relative expenditure, and should be in a position to supervise manufacture on the basis of output, and if necessary by inspection on the spot.

Supervision should, in addition, be exercised by the workmen's organisations whose members are employed on arms production.

四、官營民營ノ間ニ區別ヲ設クヘキヤ

猶ト全部官營民營同一取扱ヲナスヘシトノ主張ヲナシ官營ト民營トヲ同一ニ取扱フ必要ナシト明瞭ナル主張ヲナシタルハ帝國委員ノミナリ

第六項 條約ノ適用制限

(Conf. D./C. C. F./S. C. F./19, 35, Conf. D./C. G./48, 第十一回分科會議事錄等參照)

條約ノ適用制限

一、武器取締ニ關スル規定カ一般軍縮條約ト同一文書中ニ包含セシメラル、コト、ナリタル結果條約ノ適用制限ノ一般の問題ハ之ヲ本分科會トシテハ討究スルノ必要ナクナリタル次第ニシテ又武器取締ニ關シテ特殊ノ規定ヲ必要トスルモノトスルモ一般の問題カ未タ軍縮會議ニ於テ決定セラレサリシヲ以テ本分科會トシテハ有效ニ右審議ヲ進ムルコト不可能ナリキ

二、本分科會ニ於ケル豫備的討議中左ノ如キ問題提起セラレ右ハ重要性ヲ帶ヘルコト、之ヲ認メタルモ斯クノ如キ國際法上ノ問題殊ニ製造及取引双方ニ關係アル問題ハ武器製造分科會トシテハ其ノ權限内ニ在ラスト認メタリ
戰時ニ於テ武器取締規定ノ左ノモノニ對スル效力如何

- (イ) 交戰國ニ對シ
- (ロ) 中立國ニ對シ特ニ
- (ハ) 質的制限ヲ受クル武器ニ付テ
- 三、英國委員ノ發意ニ基キ右審議ノ狀況ヲ一般委員會ニ報告 (Conf. D./C. G. 49) ヽ軍縮會議ニ於ケル一般問題ノ決定セラル、コトカ先決問題タルコトヲ了知セシムルコト、セリ

第六章 武器取引分科會ノ議事經過

概説 第一節 概説

一、昭和七年十月十九日武器取引及製造委員會第八回會議ニ於テ設置セラレタル武器取引分科會ハ昭和八年三月二十三日ヨリ五月十七日迄八回會合一九二五年ノ武器取引取締條約ヲ討議ノ基礎トシ十二月十二日ノ幹部會ノ決議並各提案ヲ考慮ニ容レ審議ヲ行ヒ昭和八年五月二十七日及三十日ニ議事經過ノ報告ヲ作成セリ (Conf. D./C. C. F./40 et 41a) 同分科會ノ任務ハ武器製造分科會ト同シク委員會ノ今後ノ討議ノ基礎ヲ作リテ其ノ圓滑ナル進捗ヲ圖ルニアリ其ノ報告モ意見ノ相違セルモノハ之ヲ羅列シアリ又提案中ニハ會議ノ他ノ事業ノ決定如何ニ依リテ影響セラル、モノ尠カラス從ツテ報告ハ假ノ性質ヲ有スルコト製造分科會ノ報告ト同シ

討議事項 第二節 討議事項

第一項 前文類別定義

前文 一、前文

武器製造ノ場合ト同様ニ前文ニ關シテハ特ニ討究スル所ナシ

武器類別 二、武器類別

武器類別ニ關シテハ武器類別専門委員會ノ報告 (Conf. D./C. C. F./S. C. C./9)ヲ審議スルコトハ分科會ノ任ニ非サルヲ以テ單ニ之ヲ考量スルニ止メタリ尤モ二、三委員ハ類別ニ關シテ意見ヲ開陳シタリ

定義

三、“Licence”ノ定義

- (一) 輸出入許可ノ問題討論ノ際「Licence」トハ如何ナル意義ヲ有スルヤカ問題トナリ從來ノ用語法ヲ調査シタル結果一九二五年條約ニ於テハ一定量ノ武器輸出ニ對スル「special licence」ノ意味ニ用ヒラレ一九二九年條約案ニ於テハ武器製造ニ對スル「general licence」ノ意味ニ用ヒラレ居ルコト即チ取引ノ場合ニハ特定ノ一時ノ行為ニ對シ許可ヲ與ヘ製造ノ場合ニハ一般的ニシテ比較的長期ノ行為ニ對シ許可ヲ與ヘラル、コトヲ確メタリ (Conf. D./C. C. F./S. C. C./10)
- (二) 尤モ武器取引ニ對スル一般制度カ決定セラル、前ニ本問題ヲ決定スルハ尙早ナルヲ以テ分科會ハ深ク審議スルコトナカリキ

- (三) 本問題ニ關聯シテ獨國委員ハ一ノ提案ヲナシタルカ審議スルニ至ラス (Conf. D./C. C. F./S. C. C./9)

第二項 武器取引取締

武器取引
取締
許可
附與
原則

- 一、許可附與ノ原則決定 (Conf. D./C. C. F./S. C. C./1, 4 第一回分科會記事等參照)
- 分科會ハ許可ノ必要ナルコトハ之ヲ認メタルモ如何ナル許可制度ヲ採用スヘキカニ付意見分レタリ
- (イ) 日、英、米、伊、獨國委員
- 一九二五年條約ノ規定ニ則ルヘシ即チ國內許可制度タルヘシ
- (ロ) 佛、波、西國委員

純然タル國內許可制度ハ不充分ニシテ目下作成中ノ一般條約ト步調揃ハス依テ許可ハ確定有效ナル國際監督ニ附スヘシ

取引許可
制度

- 二、各國ノ武器取引許可制度 (Conf. D./C. C. F./S. C. C./4)

第一類武器
ノ輸入
輸出
對スル
原則

委員會事務局ニ於テ武器製造許可制度ニ關シテ各國委員ヨリ提出アリタル文書ニ依リ取引ニ關スル各國制度ヲ調査シ覺書ヲ分科會ニ提示セリ本書ハ分科會ニ於テハ之ヲ審議資料トスルニ止メタリ

- 三、第一類武器ノ輸入國ニ對スル輸出
- 一九二五年條約第二條ニ相當スル左ノ條項ヲ採擇セリ

Article A.—“The High Contracting Parties undertake not to export or permit the export of articles covered by Category I, except in accordance with the following conditions;

“(1) The export shall be for a direct supply to the Government of the importing State or with the consent of such Government, to a public authority subordinate to it;

“(2) An order in writing, which shall be signed or endorsed by a representative of the importing Government duly authorised so to act, shall have been presented to the competent authorities of the exporting country. This order shall state that the articles to be exported are required for delivery to the importing Government or public authority as provided in paragraph 1.”

第一類武器
ノ輸入
輸出
對スル
原則

- 四、第一類武器ノ私人ニ對スル輸出
- 一九二五年條約第三條ニ相當スル左ノ條項ヲ採擇セリ

Article B.—“Nevertheless, export for supply to private persons may be permitted in the following cases:

“(1) Articles covered by Category I exported direct to a manufacturer of war material for use by him for the requirements of his industry, provided their import has been duly authorised by the Government of the importing country;

“(2) Rifles, muskets and carbines and their ammunition exported for supply to rifle associations formed for the encouragement of individual sport and duly authorised by their own Government to use them, the import of which is not contrary to any other provisions of the present Convention. Such arms and ammunition shall be sent direct to the Government of the importing country for transmission by such Gov-

武器取引
の制限
人的制限

七、武器取引ニ關スル人的制限 (Conf. D/C. C. F./24 第一回分科會議事録等參照)
武器製造ニ關シ人的制限ヲ主張シタル委員ハ取引ニ付テモ同様ノ制限必要ナリト主張セリ
依テ武器製造分科會ニ於ケル討議ノ結果ヲ其ノ儘本分科會ニ引用スルコト、セリ

武器取引
の制限
量的制限

第三項 武器取引制限

一、量的 制限

左ノ兩様ノ意見ノ一應ノ開陳アリタルノミニシテ且又主張者側モ具體案ヲ提出セサリシヲ以テ深く討議セス

(一) 佛、波、西國委員

武器取引製造ニ付テ量的ノ制限ヲナスコト極メテ必要ナリ而シテ量的制限ヲナス場合ニハ私人ニ對シテ輸入セラレタル武器ヲモ算入セサルヘカラス

(二) 日、英、米、伊、獨國委員

本件ハ軍縮會議ニ於テ此ノ種ノ制限ヲ決定シタル曉ナラハ兎モ角今斯カル問題ヲ討議スヘキ時機ニ非ス從テ本分科會ノ權限内ノ事項ナリヤ否ヤモ疑ハシ

質的制限

二、質的 制限

左ノ條項ヲ假リニ採擇ス次ノ條項ハ製造分科會ノ採擇シタルモノト同様ナリ(第六、四、一) 及 Conf. D/C. C. F./24 參照)

Article E.—“The High Contracting Parties undertake not to acquire and not to permit the import, export or transit of arms, warships or aircraft with characteristics in excess of those laid down in the general convention.”

禁止武器
取引禁止

三、禁止武器取引禁止

公表

第四項 公表

一、第一類及第二類武器ノ取引公表

第一類及
第二類武
器ノ取引
公表

(一) 一九二五年條約第六條ト略同様ノ左ノ條項ヲ採擇ス

Article F.—“The High Contracting Parties undertake to publish or to forward to the Permanent Disarmament Commission, within two months of the close of each quarter, a statistical return of their foreign trade during this quarter in the articles covered by Categories I and II. This return shall be drawn up in accordance with the specimen forms contained in Annex I to the present Convention and shall show under each heading provided for in Article I for the said categories the value and the weight or number of the articles exported or imported under a licence or export declaration, and the distribution of these amounts according to country of origin or destination.

“In all cases where the consignment comes from, or is sent to, a territory possessing an autonomous Customs system, such territory shall be shown as the country of origin or destination”.

(二) 右採擇ニ關スル佛、波國委員ノ留保

五、(二) (2) ノ波國案ノ決定ヲ俟テテ態度ヲ明示スヘシ

(三) 英、波斯國委員ハ製造ノ公表ト關聯スヘキモノナリトノ意見ヲ述フ

武器取引
ノ統計

二、武器取引ノ統計

(一) 附屬書 (Article F ニ規定シアル) 及統計公表ノ點ハ審議セス

(二) 各國政府ノ定期統計公表及 C・P・Dノ手ニ依ル公表ノ問題ハ事務局作成ノ製造ニ關スル統計覺書 (Conf. D/C. C. F./23) ト共ニ委員會ニ依リ審議セラルヘキモノナリトノ意見アリ

(三) 佛、波、西國委員ハ取引ノ公表ハ製造ニ關スル公表ト同様ニスヘキモノナリトノ意見ヲ述フ

法令ノ公
表

三、法令ノ公表

一九二五年條約第六條末項ト同趣旨ノ左ノ條項ヲ採擇ス

Article G.—“The High Contracting Parties undertake to publish or to forward to the Permanent Disarmament Commission the text of the provisions of all statutes, orders or regulations in force within their territory dealing with the export and import of articles covered by Article I, and to include therein all provisions enacted for the purpose giving effect to the present Convention. Amendments and additions to these provisions shall be likewise published in annexes to subsequent quarterly returns.”

表許可ノ公 四、許可ノ公表

(一) 佛、波、西國委員ハ武器製造ニ對スルト同様ニ一九二五年條約ヲ補足スル意味ニ於テ武器取引許可ヲシタルトキハ之ヲ公表スルノ規定ヲ設クヘシトテ左ノ案ヲ提出シタリ

“The High Contracting Parties undertake to forward to the Permanent Disarmament Commission, or to publish, within two months of the close of each quarter beginning on the first day of January, April, July and October, a list of licences granted (or withdrawn) or renewed (or modified) during the preceding quarter, together with:

“(a) A description (with an indication of the quantity) of the war material for which the licence is granted;

“(b) The name and address of the registered or head office of the licensee (and the period for which the licence has been granted or renewed).”

(二) 尙右委員ハ常設軍縮委員會ハ武器取引ニ關シ前記規定ニ基キ得タル材料ヲ以テ詳細ナル統計ヲ公表スルコトノスヘシトノ提議ヲナセリ

(三) 日、英、米、伊、獨國委員ハ輸出許可ハ製造許可トハ性質ヲ異ニシ居リ各個ノ場合ノ許可ヲ公表スルコトハ必要ナルノミナラス實行不可能ナリトノ意見ヲ述フ

艦船ノ建造ニ關スル公表

五、艦船ノ建造ニ關スル公表

(一) 伊國委員ハ艦船ノ公表ニ關スル一九二五年條約第七條ハ一般軍縮條約案華府條約等トモ異ル點(要目等カ嚴重ニナリ居レリ)アルヲ以テ一般條約案華府條約等ト調和セシムルコト可ナリト提議シ我方モ之ニ賛意ヲ表シタルカ各條約ノ規定ノ細目ノ調整ハ之ヲ事務局ニ委ヌルコトナリ事務局ハ左案ヲ作成分科會ニ提出シ分科會ハ之ヲ採擇シタリ

Article H.—“Within one month after the date of laying down and the date of completion respectively of each vessel of war, subject to limitation in virtue of treaties in force, laid down or completed on behalf of another Government. The High Contracting Parties shall communicate to the Permanent Disarmament Commission the information detailed below:

“(a) The date of laying down the keel and the following particulars:

“Classification of the vessel (Stating for which Government it was built);

“Standard displacement in tons and metric tons;

“Principal dimensions—namely, length of waterline, extreme beam at or below waterline;

“Mean draught at standard displacement;

“Calibre of the largest gun.

“(b) The date of completion, together with the foregoing particulars relating to the vessel at that date.

“Within two months of the close of each quarter, a return for that quarter shall be made to the Permanent Commission, showing the particulars specified above in respect of every vessel of war not subject to limitation, laid down or completed with their territorial jurisdiction on behalf of the Government of another state.”

軍艦ノ部分品

(二) 軍艦ノ部分品

(イ) 一九二五年ノ條約第八條ハ左ノ如ク規定ス

「軍艦ノ輸送カ其ノ自動力又ハ曳船以外ノ方法ニ依リテ行ハレタル場合ニ於テハ右軍艦(組立テタルモノナルト數

箇ノ部分ニ分離セラレタルモノナルトニ關セス）及其ノ武裝ハ第七條ノ規定ヲ害スルコトナクシテ第一類ニ含まレタルモノトシテ取扱ハルヘシ」

(ロ) 右規定ハ今回類別専門委員會ニ於テ軍艦トシテ取扱ハル、ハ完成シタル一體ヲ成セルモノニ限ルコト、シ其ノ以外ノモノハ當然普通ノ戰用武器トシテ第一類ニ編入セラル、コト、ナリタルヲ以テ特ニ本條ノ如キ規定ヲ置クノ必要ナシト認メ分科會ハ之ニ相當スル規定ヲ設ケサルコト、セリ

六、航空機及航空機用發動機ノ公表

航空機及
發動機用
ノ公表

(一) 一九二五年條約第九條類似ノ左ノ條項ヲ採擇セリ（括弧内ヲ除ク）
〔（ ）内及期間短縮並「aircraft」ヲ「complete aircraft」トシタル點ヲ除ケハ條約案同シ）

Article I.—“The High Contracting Parties undertake to publish, within two months of the close of each quarter, a return for that quarter of the export of complete aircraft and aircraft engines [manufactured for the armed forces of the various countries] giving quantities exported and their allocation according to countries of destination.”

(二) 右〔（ ）内ノ字句ヲ追加セントスルハ民間航空機ヲ除外セントスル目的ニ出ツルニ外ナラサル所

(イ) 伊、獨國委員ハ右追加ヲ固ク主張シ一九二九年條約第九條ノ儘ニテハ受諾不可能ナリトセリ尤モ民間航空ヲ他ノ方面ニ於テ公表スルコトハ異存ナシト言ヘリ

(ロ) 之ニ反シ波國委員ハ民間航空機モ第一類ニ偏入スヘシト主張ス

(ハ) 我方ハ航空機ハ軍用民用共ニ從來通り第四類ト爲シ置クヲ適當トスル旨ヲ表明シ置ケリ

(三) 民用航空機ノ問題ハ重要ナル政治問題ナルヲ以テ分科會ハ此ノ問題ヲ深ク審議スルコトヲ避ケタリ

第五項 監督

武器取引
監督制度

一、武器取引監督制度

(一) 左ノ如キ意見ノ開陳アリタルカ深ク審議セス

(イ) 日、伊國委員

一九二五年條約ノ規定程度ニテ充分ナリ

(ロ) 英、米國委員

一般軍縮條約案及一九二五年條約ノ規定程度ノ規定ヲ設クルコト可ナリ

(ハ) 獨國委員

公表ノミニテ充分ナリ

(ニ) 佛、波、西國委員

一般監督規定ノミニテハ不充分ナリ特別ノ規定ヲ必要トス

(二) 波國委員ハ右ニ關シ左ノ提案ヲ爲シタルカ審議セス

“If one of the High Contracting Parties is at any time of opinion that imports of arms, ammunition and war material into the territory of another High Contracting Party show a sudden, large and abnormal increase, and if it regards such increase as evidence of a menace to peace, it may refer the matter to the Permanent Disarmament Commission.

“The Commission shall invite the High Contracting Party whose imports led to the taking of this step to furnish all necessary explanations. It shall undertake an enquiry into the matter and, for this purpose, shall be entitled to make use of the various sources of information provided for in the present Convention.

“The Commission shall draw up a reasoned report as soon as possible giving the result of its enquiry.

“The High Contracting Party shall without delay concert together regarding the conclusions in the report.”

二、國內許可ノ常設軍縮委員會ノ送達

國內許可
ノ常設軍
縮委員會
ハ送達

(一) 佛、波、西國委員ノ主張

國內許可ハ一定ノ標準ニ從ヒ細目ヲ記載シ且一定有効期間ヲ附シタルモノタルヘク又必要アル場合ニハ常設軍縮委員會カ物件引渡前干涉シ得ル如ク爲スヘシ

波ノ提案

(二) 波國委員ハ右ニ關シ左ノ提案ヲ爲シタルカ分科會ハ政治問題ナリトシ審議セス

“The States signatories to the Disarmament Convention should undertake to forward to the Permanent Disarmament Commission a copy of any licence authorising an export of arms or ammunition. This copy should be sent to the Commission at the same time as the licence is delivered to the applicant.

“Exportation could only take place at the end of a certain time after the date of the forwarding of the copy of the licence. This time should be sufficiently long to enable the Commission to be acquainted with the licence before exportation takes place.

“The Commission would be entitled to draw the attention of the Government concerned to any provision in the licence which seemed to it not to be in keeping with international obligations and might ask this Government to supply it with the necessary explanations. In this case, the despatch of arms could not take place until the matter had been completely cleared up. The Commission might, in addition, have the contents of the consignment verified by a commission of enquiry, the existence of which has already been provided for within the framework of the general attributions of the Permanent Commission”.

(三) 日、英、米、伊、獨國委員ノ意見

此ノ種規定ハ實行不可能ニシテ事態ヲ複雑ニスルニ過キス

第六項 雜 則

一、或種武器ノ自由

(一) 一九二五年條約第十條ニ左ノ如ク規定ス

「第三章ノ規定ニ從フ條件ノ下ニ第四類及第五類ニ屬スル品目ハ何等ノ形式又ハ制限ナクシテ輸出スルコトヲ得」

(二) 各 國 主 張

(イ) 英、米、獨、伊國委員ハ本條ノ規定ノ存置ヲ主張ス

(ロ) 佛、波、西國委員ハ航空機及航空用發動機ハ軍用民用共ニ取引ニ付テハ第一類武器ト同様ニ取扱ハルヘシト主張ス

(ハ) 米國委員ハ軍隊用完成航空機ニ付テハ許可制度ヲ適用シ得ヘシトノ意見ヲ述フ

(三) 右ノ如ク多種ノ說出テタルカ結局第四類カ確定的ニ採用セラレタル上ニ非レハ決定ヲナシ得サル問題ナリトシテ決定ヲナサス

二、武器取締例外規定

一九二九年條約案第三十四條ニ相當スル左ノ條項ヲ採擇セリ

Article J.—The High Contracting Parties agree that the provisions of the present Convention do not apply:

“(a) To arms or ammunition or to implements of war forwarded from territory under the sovereignty, jurisdiction, protection or tutelage of a High Contracting Party for the use of the armed forces of such High Contracting Party, wherever situated; nor

“(b) To arms or ammunition carried by individual members of such forces or by other persons in the service of a High Contracting Party and required by reason of their calling; nor

“(c) To rifles, muskets, carbines and the necessary ammunition therefor, carried by members of rifle clubs for the sole purpose of individual use of international competitions in marksmanship”.

艦船讓渡ノ禁止

三、艦船讓渡ノ禁止 (Conf. D./C. C. F./S. C. C./15) 及第七回分科會議事録等參照)

(一) 伊國委員ハ一般軍縮條約案第二十一條及壽府條約第十八條ニ相當スル左ノ規定ヲ設クルコトヲ提案セリ

“Each of the High Contracting Parties undertakes not to dispose by gift, sale or any mode of transfer, of any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign Power.”

(二) 右ニ對シ左ノ如キ意見ノ開陳アリタルモ分科會ハ決定ヲナサス

(イ) 日、英國委員

趣旨ニハ反對ナキモ特ニ取引ニ關シ規定スルヲ要スルヤ否ヤハ疑問ナリ

(ロ) 獨 國 委 員

趣旨ニ異議ヲ有セサルモ政治的問題ナレハ本分科會ハ決定ノ權限ナシ

四、非締約國トノ取引

(一) 非締約國ヲ締約國ヨリ有利ノ地位ニ立タシムルコトヲ防ク爲一九二五年條約ニハ第十一條トシテ規定ヲ設ケアリ

分科會ハ同様ノ規定ヲ採擇シタリ

Article K.—The High Contracting Parties undertake not to apply a more favourable régime to imports of articles referred to in article 1 coming from territories of non-contracting States than that which they will apply to such imports coming from territories of contracting States, and to subject these imports, of whatever origin, to the same conditions of authorisation and, so far as possible, of publicity.

(二) 波國委員ハ非締約國ニ對スル武器輸出禁止ノ目的ヲ以テ左ノ提案ヲナシタルモ審議セス

“The High Contracting Parties undertake to prohibit any export of articles referred to in Article 1 to non-contracting States.”

特別地帶

五、特別地帶 (Conf. D./C. C. F./S. C. C./2, 6, 8, 13, 14 第二回、第七回分科會議事錄等參照)

(一) 波斯國委員ノ主張及之ニ關スル討議

(イ) 波斯國委員ノ主張要旨

(a) 聯盟規約第二十三條(d)ニキ

“entrusts the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest.”

ト規定シ居ル處右ハ海上特別地帶ノ規定ヲ豫期スルモノニ非ス

(b) 然レトモ波斯國委員ハ若シ分科會カ特別地帶ヲ維持スルコトニ決定スルニ於テハ協調ノ精神ヲ以テ之ニ同意スヘシ尤モ波斯灣及「オマン」灣ハ之ヲ除外センコトヲ求ム

(c) 波斯國カ其ノ領土、領水及公海ノ安寧ヲ保全シ得ルニ至リタルハ大犧牲ノ結果ニ外ナラス而シテ一九二五年條約ノ規定ハ現狀ニ適合セス特ニ特別地帶ノ點ニ付テ然リトス聯盟規約ノ精神ニ反シ波斯國ノ海上自由及通商ヲ阻害スルモノナリ

(d) 波斯國ハ波斯灣及「オマン」灣ノ監督ニ付其ノ相互ノ利益ヲ保護スル爲英國トノ間ニ條約ヲ締結センコトヲ提議ス

(ロ) 英 國 委 員

(a) 波斯灣及「オマン」灣ノ一般安全ノ問題ヲ二國條約ニ依リテ解決セントスルノ說ニハ承服シ難シ

(b) 右安全ハ各國ノ利益ノ爲ニセラルヘク又聯盟規約ニ從ヒ一九二五年條約第十二條ニ規定セラル、カ如キ海上地帶ヲ設クルコトニ依リ始メテ之ヲ確保シ得ヘキモノナリ

(ハ) 分科會ハ特別地帶ノ制度ノ必要ハ之ヲ認め紅海及「アデン」灣ニ對シテハ之ヲ維持スルコトニ決シ波斯灣及「オマン」灣ニ付テハ其ノ儘委員會ニ移スコト、セリ

(二) 一九二五年條約ノ關係條項

分科會ハ一九二五年條約ノ特別地帶ニ關スル條項及附屬書全部(定義ニ關スル部分ヲ留保シ)ヲ其ノ儘再録スルコト、セリ尤モ“native vessels”ノ觀念ハ捨ツルコト、ス

(イ) 第 三 章

(a) 第十二條乃至第十九條殆ト改訂セス

(b) 第二十條ヲ左ノ如ク改ム

“The High Contracting Parties agree that, within the special zones, no vessel of under 500 tons (net tonnage) shall be allowed to ship, discharge or tranship articles covered by Categories I, II, IV and V.

“The provisions of the first paragraph of the present Article do not apply to lighters or barges or to vessels engaged exclusively in the coasting trade between different ports of the same State, colony, protectorate or mandated territory where warehouses are situated. The conditions under which articles covered by categories I, II, VI and V may be carried by such vessels are laid down in paragraph I of Section II of Annex II of the present Convention, to which High Contracting Parties undertake to conform”.

(c) 第二十一條中 “native” ヲ削ル

(d) 第二十二條中 “native” ヲ削ル

(e) 第二十七條中 “native” ヲ削ル

(f) 新條 挿入

第二十七條 (a)

“The provisions of the present Convention respecting the right to fly the flag of a High Contracting Party shall not apply to vessels duly registered in the territories of a High Contracting Party which, by the laws of such Party, are required to fly the flag of that Party. The High Contracting Parties agree, however, that all such vessels, before entering or trading within the special zones, shall be furnished by the Consular or other authorities of that Party with a licence, authorising the said vessels to enter or trade within the zones. Such licences shall be renewed annually and shall so far as possible be given subject to the conditions and regulations specified in paragraphs 3 and 4 of Section II of Annex II to the Convention”.

本條ヲ追加シタルハ各條ニ於テ “native vessels” トアルヲ “vessels of under 500 tons” ト改メタル結果條約國ノ五百噸以下ノ船舶カ世界ノ如何ナル場所ニ在ルヲ問ハス國旗掲幟ニ關スル特別規定(第二十二條)ノ適用ヲ受

(ロ) クルコト、ナリ不都合ナルニ付斯カル結果ヲ生セシメサル考慮ニ出テタルモノナリ
附屬書II第二款

(a) 第四號中左ノ如ク改ム

“all native vessels before” ヲ “all vessels of less than 500 tons (net tonnage) before” ニ改ム

右ノ外 “native” ヲ削ル

(b) 第五號中第一ヲ左ノ如ク改ム

“When a warship belong one of the High Contracting Parties encounters within the maritime zone but outside territorial waters a vessel of under 500 tons burden (net tonnage), etc.”

(c) 同號中第二ヲ削ル

附屬書II第二款ニ關シ波斯國委員ハ本款ハ正當ニ締約國ノ國旗ヲ掲揚シ居ル船舶ニ適用スヘカラス之等規定ハ單ニ正當權利ナクシテ締約國々旗ヲ掲揚シ又ハ國旗ヲ掲揚セサル船舶ニ對シテノミ之ヲ適用スヘキモノナリトノ意見ヲ述ヘタリ

特別規定 六、特別規定(第二十八條乃至第三十條)及「イフニ」ニ關スル宣言

(一) 第二十八條

一九三〇年八月二十一日巴里ニ於テ調印セラレタル「アビシニア」ニ對スル武器輸入取締ニ關スル條約カ效力ヲ發生シタルニ依リ分科會ハ第二十八條ニ對シ左ノ改正案ヲ提出シタリ

“If a State at present included in the special zones should, at the moment of its accession to the present Convention, assume with respect to its own territory the undertakings necessary to comply with the stipulations, inclusive of Articles 12 to 18, of the said Convention with regard to the export, import and transport of arms and ammunition and of implements of war, and, on the understanding that, when such State possesses a sea-coast, it

will also assume the obligations contained in Articles 19 to 26 inclusive, the High Contracting Parties declare that such accession, as soon as it becomes effective in accordance with Article 41, will have the following legal effect:

- “(1) The said State will be excluded from the said zones;
- “(2) The High Contracting Parties agree as regards such State to comply with the stipulations of Articles 12 to 18 inclusive as regards the territory of the said State;
- “(3) They will observe the regulations put into force in conformity with the said undertakings by that State as a sovereign State;
- “(4) They agree, when that State possesses a sea-coast, to comply with the obligations of Articles 19 to 27 inclusive in regard to that State”.

(二) 第二十九條

政治問題ナルヲ以テ審議セス

(三) 第三十條

本條モ政治問題ナルモ之ヲ採擇シタリ内容左ノ如シ

“The High Contracting Parties, who possess extraterritorial jurisdiction in the territory of another State Party to the present Convention, undertake, in cases where the rules of this Convention can not be enforced by the local courts as regards their nationals in such territory, to prohibit all action by such nationals contrary to the provisions of the present Convention.”

(四) 西國委員ハ「イフニ」宣言ニ付提案ヲナスノ權利ヲ留保シタリ

一般規定

七、一般規定(第三十一條乃至第四十一條)

- (一) 武器取引取締規定カ一般軍縮條約中ニ包含セラルヘキモノト了解セラル、ヲ以テ第三十二條(適用例外規定)(七、(二) 参照)ヲ除クノ外之ヲ審議セザリキ
- (二) 波國委員ハ既存條約維持ニ關スル第三十四條ノ存置希望ノ意見ヲ述ヘタルモ獨國委員ハ右ハ政治問題ニシテ權限外

ナリトノ理由ヲ以テ意見ヲ留保シタリ

- (三) 佛、波國委員ハ武器取引ニ關シ侵略又ハ侵略ノ脅威アル場合ニ於テ執ルヘキ手段ニ付攻究スルコトハ極メテ重要ナリト主張シタルモ伊國委員ハ無用ナリトシ日、英國委員ハ政治問題ニシテ分科會ノ權限外ナリト意見ヲ表示シタルヲ以テ深く討議スルコトナクシテ終レリ

第七章 武器類別專門分科會ノ議事經過

第一節 概 說

武器類別
專門分科
會ノ設立

- 一、本專門委員會ハ武器製造及取引ノ兩分科會ヨリノ提議ニ基キ一九三三年四月十二日武器取引及製造委員會議長ニ依リ設立セラレ四月二十六日ヨリ五月五日迄ニ六回會合シ五月五日報告書(Conf. D/C. C. F/38)ヲ提出セリ尙本專門委員會ニハ國際聯盟經濟委員會ノ設立シタル“Sub-Committee of Experts for the Unification of Customs Nomenclature”作成ノ關稅名稱草案中武器軍需品ノ部ノ報告擔當者(「マニネット」(白))ヲ列席助言セシメタリ
- 二、本專門委員會ノ目的ハ武器取引及製造取締ニ關シ其ノ双方ニ對シテノ武器類別ヲ設定スルニアリタリ尤モ右類別ハ之ヲ單ニ許容武器ニ關スルモノニ限り禁止武器ニ關シテ審議スルコトナカリキ又禁止武器ノ類別ヲ定ムヘキヤ否ヤニ關シ未タ武器取引及製造委員會ハ決定ヲナシ居ラサレハナリ
- 本專門委員會ハ公表(制限)カ重量、數又ハ價格ノ何レニ依リテナサル、カノ點ニ關シテハ殆ト之ヲ考慮スルコトナカリキ

- 三、本專門委員會ハ一九二九年特別委員會ニ依リテ作成セラレタル類別(Document A. 30. 1929. IX)ヲ基礎トシテ審議ヲ進メタリ

尙佛、伊、獨、波國委員ヨリ夫々提案アリタルヲ以テ之ヲ參酌シタルカ不必要ナル改正ヲ避クルノ見地ヨリシテ佛、獨

國委員ヨリノ提案ハ之ヲ採用セヌ主トシテ伊國委員提出ノモノヲ審議ノ資料トシタリ

各國提案

各國委員案左ノ通り

波 案

(一) 波國委員案 (Conf. D./C. C. F./C. T. 2)

1. The Polish Delegation considers that in conformity with the recommendations expressed by the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of war in §13 of its report to the Bureau of the Conference (Doc. C. D./145):

a) It would be necessary in principle to maintain in its present form the list of categories which appears in the Convention on Trade in Arms of 1925 and in the Draft Convention on the Manufacture of Arms of 1929.

b) It would be necessary to maintain an identical list of categories for the Manufacture and Trade in Arms.

c) It would perhaps be expedient to examine the question of the possible simplification of the list of categories of 1925 and 1929.

2. The Polish Delegation proposes to abolish category IV and to add to category I a new head as follows:

“13 a) Aircraft mounted or unmounted, military or civilian.

b) Aircraft engines.”

伊 案

(二) 伊國委員案 (Conf. D./C. C. F./C. T./3) 要旨

伊國委員提案ハ完成品ト部分品トヲ同一項中ニ一括記載シタルコト第四類航空機ヲ「completed aircraft and aircraft engines manufactured for the armed forces of the various countries」トシタルコトノ外一九二九年條約案ノ類別ト大差ナシ

獨 案

(三) 獨國委員案 (Conf. D./C. C. F./C. T./4) 要旨

(イ) 獨國委員ハ國際聯盟規約ノ武器取締ニ關スル主要目的ハ秘密ノ軍備ヲ防止シ不意ニ實力ニ訴フルコトヲ不可能ナ

佛 案

(四) 佛國委員案 (Conf. D./C. C. F./C. T./5) 要旨

(イ) 第一 類

陸海軍主要兵備ヲナス武器彈藥器具(現用ノモノ)

第二 類

軍艦及其ノ特殊兵裝

第三 類

航空機及其ノ特殊兵裝

第四 類

部分品

第五 類

戰用ニ使用シ得ル武器、其ノ取引ハ主トシテ特別地帯ニ於テ制限セララル

(ロ) 右ノ中第四類ノモノニ對シテハ各別ニ公表等ヲ重量又ハ數執レニ依リテナスカラ明示ス

四、武器類別ヲ設クルニ付テハ左ノ諸點ヲ遵則トシタリ

- (一) 既存類別ノ變更ハ之ヲ最少限度ニ止ムルコト
(二) 實際の見地ヨリシテ類別ヲ簡單ニナスコト又各類別間ノ分界線ニ曖昧ノ點ナカラシムルコト
(三) 能フ限リ關稅名稱統一規則ト調和セシムルコト

第二節 専門分科會ニ於テ採擇セラレタル類別

1929 DRAFT CONVENTION.

COMMITTEE'S PROPOSAL.

CATEGORY 1.

Arms, ammunition and implements of war exclusively designed and intended for land, sea or aerial warfare.

Arms, ammunition and implements of war, exclusively designed for land, sea or aerial warfare, except those covered by other categories. 註

(註) 此ノ字句ヲ追加シタルハ表題ヲ明確ニセシカ爲ニシテ軍艦銃空機等ヲ除外セラルコトヲ示ス

A. Arms, ammunition and implements exclusively designed and intended for land, sea or aerial warfare (註 1) both those which are or shall be comprised in the armament of the armed forces of a State and those which have been comprised in such armament (註 2) except such arms, ammunition and implements which, though included in the above definition, are covered by other categories. (註 3)

A. Arms and their component parts which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling or repair of such arms. (註 2)

(註 1) 部分品ヲ同一項ニ於テ取扱ヘン類別ヲ簡單ニナシ得ラルルカ爲ナリ從前ノ第一類ノ内項ニ相當ス

(註 2) 特ニ明示セサルモ廢用武器モ當然包含セラルル趣旨ナリ

(註 1) 此ノ字句ハ新案ニ於テハ削リタリ既ニ表題ニ明示シタルヲ以テ其ノ必要ナキニ依ル

(註 2) 第一類第二類ノ定義ニ鑑ミ廢用武器ヲ特ニ明記スルノ必要ナシ

(註 3) 此ノ字句ハ新案ニ於テハ表題中ニ入レタリ

Such arms, ammunition and implements are classified under the following twelve headings:

1. Rifles, muskets, carbines.

2. (a) Machine-guns, automatic rifles and machine-pistols of all calibres. (註 1)

(b) Mountings for machine-guns,

(c) Interrupter gears. (註 1)

3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above.

4. Gun-sighting apparatus, including serial gun-sights and bomb-sights, and fire-control apparatus.

5. (a) Cannon, long or short and howitzers, of a calibre less than 5.9 inches (15 cm.); (註 2)

(b) Cannon, long or short, and howitzers, of a calibre of 5.9 inches. (15 cm.) or above;

(c) Mortars of all kinds; (註 2)

(d) Gun carriages, mountings, recuperators, accessories for mountings. (註 1)

6. Projectiles and ammunition for the arms enumerated in No. 5 above.

7. Apparatus for the discharge of bombs, torpedoes, depth charges and other kinds of projectiles.

8. (a) Grenades;

(b) Bombs;

(c) Land mines, submarine mines fixed or float-

Such arms, ammunition and implements are classified under the following 5 headings:

1. Rifles, muskets, carbines.

2. Machine-guns, automatic rifles and machine-pistols of all calibres.

See below under B.

3. Guns, howitzers and mortars.

See below under B.

4. Apparatus for the discharge of bombs, torpedoes, discharge and other kinds of projectiles.

See below under B.

ing, depth charges;

9. Appliances for use with the above arms and apparatus.

10. Bayonets.

11. Tanks and armoured cars.

12. Arms and ammunition not enumerated above.

(註 1) 此ノカ方ヲ削除シタル部分品ノ一種ニ外ナラサルナリ
(註 2) 各種砲ノ第一撃砲ノ下ニ包含セシム得ルモノト解シタルニ
依ル協同委員ノ留保ス

B. Essential and easily recognisable component parts, completely finished, of the articles covered by A above, if capable of being utilised only in the assembling or repair of the said articles, or as spare parts. (註)
(註) 部分品ヲ同一項中ニ記載シタルヲ以テ此ノ部分ハ不用ニ爲シ
タル譯ナリ

CATEGORY II.

Arms and ammunition capable of being used for military or other purpose.

See below under B.

See Category V, 3.

5. Tanks and armoured cars.

B. Projectiles and ammunition for the arms enumerated under A above, and hand grenades and mines. Also their component parts which are easily recognisable, have a definite military characteristic and are capable of being used only in the assembling or repair (註) of such arms.

(註) 彈丸類ヲ凡テ其中ニ收メタルナリ

Arms and ammunition capable of being used for military or other purpose, except those covered by other categories. (註 1)

A. Arms and their component parts which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling or repair (註 2) of such arms.

1. Revolvers, and self-loading or automatic pistols, and developments of the same, designed for single-handed use or fired from the shoulder, of a calibre greater than 6.5 mm. and length or barrel greater than 10 cm.

2. Fire-arms designed, intended or adapted for non-military purposes, such as sport or personal defence, that will fire cartridges that can be fired from fire-arms in Category I; other rifled fire-arms firing from the shoulder, of a calibre of 6 mm. or above, not included in Category I, with the exception of rifled fire-arms with a "break-down" action.

B. Ammunition for the arms enumerated in A above, except the ammunition covered by Category I; also its component parts which are easily recognisable, have a definite military characteristic and are capable of being utilised only in the assembling of such ammunition.

See under Category V.

(註 1) 表題ニ此ノ追加ヲシタルハ第一類ノ場合ト同シ理由ナリ
(註 2) 部分品ヲ同一項ニ於テ取扱フ理由ハ第一類ノ場合ト同シ

1 and 2, same wording as the right-hand column.

3. Ammunition for the arms enumerated under 1 and 2 above with the exception of those covered by Category I.

4. Swords and lances.

B. Essential and easily recognisable component parts of the articles covered by paragraph A above, which are entirely finished, and utilisable exclusively for the assembling and repair of the said arms or as spare parts. (註)
(註) 部分品ヲ同一項中ニ記載シタルヲ以テ此ノ部分ハ不用ニ爲シ
タル譯ナリ

CATEGORY III.

Vessels of war and their armament.

- 1. Vessels of war of all kind.
- 2. Arms, ammunition and implements of war mounted on board and forming part of their normal armament.

Vessels of war and their armament.

Vessels of war of all kinds and their arms, ammunition and implements of war forming part of their normal armament. (註)

(註) 第三類ニ更ニ小分ケナスノ必要ナシ完成事艦ヲ單一ノ類別トスル (即チ一艦トシテノ軍艦) チ可キト認メタリ此ノ取扱方法ハ華府倫敦條約英國提出條約草案ト相應ス

CATEGORY IV.

1. Aircraft assembled or dismantled.

2. Aircraft engines.

1. Aircraft assembled or dismantled.

Completed aircraft and aircraft engines manufactured for the armed forces of the various countries.

(註) 航空機ノ問題ニ付テハ專門委員會ノ意見ニ派ニ分レタリ日、佛、波、及西國委員ハ1929年條約案通リニモソコトヲ主張シ英、米、伊及獨逸委員ハ單ニ「各國軍隊ノ爲ニ製造セラレタル完成航空機及航空機用發動機」トモソコトヲ主張シタリ而シテ民用航空機ヲ茲ニ包含セシムヘキカ又ハ陸外スヘキカハ全ク政治的問題ナルヲ以テ專門委員會ハ之ニ對シ決定ヲ爲サズ双方ノ主張ヲ併記スルコトトシタリ

CATEGORY V.

1. Propellents and explosives,(註 1) except common black gunpowder.

2. Arms and ammunition other than those covered

1. and 2. Same text as in the right-hand column.

by Categories I and II, such as pistols and revolvers of all models, rifled weapons with a "break-down" action, other rifled fire-arms of a calibre of less than 6 mm. designed for firing from the shoulder, guns with more than one barrel of which at least one barrel is smoothbore, fire-arms firing rim-fire ammunition, muzzle-loading fire-arms.

3. Swords, lances, bayonets and similar weapons.(註2)

(註 1) 佛國委員ハ火藥爆藥ヲ前裝込型ト同一ノ類別中ニ置クカ知キ案ニハ完成シ難シ若シ第一類中ニ入レ難シトスルハ獨立ノ類別ヲ設ケ第一類ノモノニ對スルハ同様ノ取柄ヲ爲スヘシトテ本問題ヲ留保ス(註 2) 之等ハ從前ハ第一類ノ(10)及第二類ノ(4)ニ含まレタルモノナリ

佛案

第三節 佛國委員提案 (Conf. D./C. C. F./C. F. 5)

一般問題ノ項ニ於テ記述シタルカ如ク佛國案ハ專門委員會ノ採用スル所トナラサリシカ佛國委員ハ更ニ左ノ趣旨ノ説明ヲ附シ佛國案ヲ專門委員會報告中ニ記載センコトヲ求メタルヲ以テ專門委員會ハ右要求ヲ認メ報告書末尾ニ佛國案ヲ附加スルコトナレリ佛國委員案作成ノ趣旨左ノ通リ

(1) Categories should be arranged in the order of their importance on the one hand for the armament of modern armed forces and on the other hand for the possibilities they afford of supervision of the execution of a Convention for the Reduction and Limitations of Armaments.

(2) There should be no separation of the material comprised in the armament of the land, naval or air forces which is manufactured under analogous conditions, as well as of ammunition, propellents and explosives (Category I).

(3) There should be a special category for implements or parts of implements less important for the execution

of the Disarmament Convention, the strict supervision of which would require special regulations (Category IV).

(4) There should be a special category for armaments not of great military value but of importance from the standpoint of trade, particularly in certain special zones (Category V).

第八章 武器民營廢止及武器製造國際化ノ問題 (Conf. D./C. G./48)

(Conf. D./C. C. F./21, 21(a), 25, 26, 27, 28, 30, 31, 32, 33, 34, 及第九回、第十

回委員會議事錄等參照)

第一節 概 説

一、武器取締ニ關スル一般問題討議ノ際武器民營廢止及武器製造ノ國際化ノ提案アリシカ右問題ヲ討議スルコトカ果シテ委員會ノ權限ニ屬スルヤ否ヤノ問題ヲ生シ之ニ關シ事務局法律部ノ意見ヲ求タル處本問題ヲ審議スルコトハ委員會ノ權限ヲ踰越スルモノニ非ストノ解答ヲ得タルモ何分重大ナル問題ナルノミナラス委員會間ノ意見ニ甚シキ懸隔アリテ委員會トシテハ之カ解決ヲナスコトハ到底不可能ナル狀態ニ在リタリ然ルニ提案者ノ側ニ於テハ本問題カ解決セラレサル限リ他ノ問題ヲ審議スルモ之ニ對スル意見ハ假リノモノニ過キストナシ結局委員會ノ有效ナル議事ノ進行ハ之ヲ望ムヘカラサリシヲ以テ昭和八年二月二十一日第九回委員會ニ於テ武器製造分科會ノ報告書審議ノ際米國委員ヨリ議事ノ進行方法ニ付一ノ議案ヲ提出シタル處各様ノ議論ヲ生シタルカ英國委員ヨリ又一ノ議事進行案ヲ提出シ之ヲ表決ニ附シ多數ヲ以テ採擇スルコト、ナレリ

二、議事進行ニ關スル英國案及委員會決議

(一) 英國委員提出案 (Conf. D./C. C. F./27)

*Referring of certain questions to the General Commission
British Proposal.*

議事進行
ニ關スル
英案

That this Committee, before proceeding further with the consideration of the manufacture of arms, find it necessary to request the General Commission to decide two questions, on which it has not been able to reach a unanimous decision, and a solution of which is indispensable for the continuation of its work:

- (1) shall the private manufacture of arms be suppressed?
- (2) shall the manufacture of arms be internationalised?

(討論ノ際西國委員ノ注意ニ依リ「イタリック」ノ部ヲ提案者自ラ削ル)

右案ヲ二月二十二日第十回委員會ニ於テ討議ニ附シタルカ英案掲記ノ事項ノミヲ一般委員會ニ送付シ獨立ノ審議ヲ求ムルハ不適當ナルノミナラス不可能ナリ宜シク他ノ武器取締ニ關スル重要問題ト共ニ審議ヲ求ムヘキナリトノ異論アリシカ表決ノ結果英案採擇セラレタリ(贊成―日、英、米、獨、伊、白、西)(反對―佛、波、丁、土)

(二) 右決議ヲ一般委員會ニ送付スル文案ノ形式等

(1) 本件ニ關シ左ノ如キ論議アリタリ

(イ) 丁、土國委員

武器民營廢止武器製造國際化ノ問題ノ本委員會ニ於ケル審議ハ不充分ナリ然ルニ突如トシテ之等ヲ一般委員會ニ移スコトハ妥當ノ措置ニ非ス又本問題ト關聯ヲ有スル丁國委員發議ノ質問集ノ結果ニ付未タ何等ノ審議ヲナス不問ニ附シ置クハ公正ニ非ス

(ロ) 佛國委員

英案ヲ一般委員會ニ送付スルコトモ相當詳細ナル形態ヲ備フルコトヲ必要トス其ノ爲ニハ Conf. D./C. C. F./28 (各國提案表) 第二頁ノ佛國案程度トスルヲ可トス

(ハ) 英國委員

複雜ニスルコトハ宜シカラス寧ロ Yes 又ハ No ノ決定ヲナシ得ルカ如キ簡潔ノモノトスルコトヲ要ス

起草委員

(2) 起草委員會

(イ) 上記ノ如ク各種ノ議論アリタルモ結局案文形式ノ問題ニ外ナラサルヲ以テ決議ヲ冒頭ニ置キ以下ニ兩派ノ意見ヲ附加スルノ方針ヲ以テ起草委員會(帝國委員モ參加セリ)ヲシテ案文ヲ作成セシムルコト、セリ

(ロ) 協議會

委員會ニ於ケル討議ノ狀況ニ鑑ミ直チニ起草委員會ヲ開クモ成案ヲ得ルコト困難ナルヘキヲ豫想シ先ツ廢止反對者側及賛成者側夫々別個ニ協議會ヲ催シ理由書ヲ作成スルコトトシ反對者側(日、英、米、伊、獨、白)ハ二月二十三日及同二十四日ノ二會合ニテ一ノ意見書(Conf. D/C. C. F./30)ヲ作成シタリ

(ハ) 起草委員會

(a) 三月一日起草委員會ヲ開キ前記反對者側ノ意見書及武器民營廢止主張者側ノ意見書(Conf. D/C. C. F./31)並右兩意見書ヲ合併シタル報告者作成ノ案文(Conf. D/C. C. F./32)ヲ議題トシテ審議シタル結果 Conf. D/C. C. F./31 ニ對シ少許ノ修正ヲ施シ又報告者作成案文中第二節 derogations ニ關スル部分ハ英國委員發議ノ本來ノ目的(即チ民營廢止及武器製造國際化ノ採否ノ決定ヲ一般委員會ニ求ムヘシトノ)ノ範圍外ニ在ルモノナルヲ以テ本書ニ記載スルコト好マシカラストノ意見(英國委員)アリシニ依リ報告ノ覺書トシテ別書(Conf. D/C. G./49)トスルコトニ決ス

(b) 佛國委員ハ本決議ノ如キ簡單ナルモノニテハ一般委員會ハ判斷ノ材料ニ乏シク困惑スヘキヲ以テ Conf. D/C. C. F./38 右欄ニ掲ケアルカ如キ問題ノ細目ヲ記載スルコト極メテ必要ナリトノ主張ヲ固持シ結局 note ノ形式トシテ佛國委員意見ヲ本文書中ニ附加スルコトニ落着セリ

(三) 右決議採擇ノ結果委員會ハ武器製造分科會報告ノ審議ヲ延期シ一般委員會ニ對シ右決議中ニ含マル、二問題ノ裁決ヲ求ムルコト、ナレリ(Conf. D/C. G./48)

決議採擇

武器民營廢止主張者側ノ意見

第二節 武器民營廢止主張者側(丁、佛、波及西委員)ノ意見要領

一、聯盟規約第八條第三項ハ武器民營ヨリ生スル弊害ニ關シ聯盟國ノ注意ヲ喚起シ居レリ「聯盟國ハ民業ニ依ル兵器彈藥及軍用器材ノ製造カ重大ナル非議ヲ免レサルモノナルコトヲ認ム仍テ聯盟理事會ハ該製造ニ伴フ弊害ヲ防遏シ得ヘキ方法ヲ具申スヘシ尤モ聯盟國中其ノ安全ニ必要ナル兵器彈藥及軍用器材ヲ製造シ得サルモノ、需要ニ關シテハ相等斟酌スヘキモノトス」

從テ聯盟諸國ニ取リテハ此問題ノ解決ハ國際的性質ヲ有スルモノト謂フヘシ何國ノ武器製造案ト雖モ他ノ一般私企業ト同シク投下資本ニ對スル利潤ノ回收ヲ以テ第一目標ト爲ス從テ武器ニ對スル不斷ノ需用ノ増加ヲ必要トスルモノナリ而シテ此ノ需用ノ増加ハ國際關係ノ緊張ニ依リテノミ生スルモノナリトス右等企業ノ齎ス弊害ニ關シテハ一九二一年九月十五日臨時混成委員會ノ報告ヲ參照スルヲ要ス

“Armament firms have attempted to bribe Government officials both at home and abroad.

“Armament firms have disseminated false reports concerning the military and naval programmes of various countries in order to stimulate armament expenditure.

“Armament firms have sought to influence public opinion through the control of newspapers in their own and foreign countries.

“Armament firms have organised international armament rings through which the armament race has been accentuated by playing off one country against another.

“Armament firms have organized international armament trust which have increased the price of armaments sold to Government.”

情況ハ一九二一年以來改善シ居ラス一九二七年壽府三國會議ニ關聯シテ發生シタル事件ハ周知ノ事ニ屬ス尙茲ニ一九二六年國際聯盟ニ依リテ爲サレタル質問ニ對スル「ラトヴィア」國政府ノ回答ヲ掲記スヘシ「ラトヴィア」國政府ノ爲シタル説明左ノ如シ

"The Latvian Government, however, thinks it desirable to indicate certain concrete examples drawn from its own experience:

"(a) Cases have occurred in which private armaments firms endeavour to induce Governments to purchase material by encouraging competition between neighbouring States;

"(b) After selling out-of-date armaments on the strength of dishonest advertisement, such firms offer to supply improved armaments, in this way inducing Governments to accumulate unnecessary stocks;

"(c) As a result of concerted action on the part of armaments firms, prices are unduly high, especially if, as is the case in Latvia, supplies are bought in small quantities."

武器民營ノ問題ノ解決カ國際的性質ヲ有スルコトハ今次會議カ現存軍備ノ制限縮少ヲ圖リツ、アルノ事實ヲ引用スレハ一層明瞭ニ之ヲ諒解シ得、シ各國政府カ自己ノ裁量ニヨリ自由ニ現存軍備ヲ擴充スルヲ得サルコト、爲リタル場合ニ於テハ其ノ制限内ノ軍備ヲ如何ニ更新スヘキカノ問題ハ既ニ純然タル國內問題タルノ性質ヲ喪失セルモノト謂フヘシ而シテ軍備ノ更新ハ國內生産カ輸入カ何レカノ方法ニ依ルノ外方途ナキモノナレハ武器製造及取引ハ茲ニ國際的性質ヲ有スルニ至ベリ從テ軍備制限縮少ト同一基礎ノ上ニ又同一方法ニ依リテ單一條約ノ一部トシテ處理セラレサルヘカラス

(註) 右ノ趣旨ニ關聯シテ佛國委員ハ一般委員會ニ對シ左ノ問題ヲ提出シ、ノータヲ希望セリ (17、21、26、參照)

(1) Does the General Commission consider that the problems raised by the private and State manufacture of war material should be examined in connection with the general problem of the limitation and reduction of armament and that the solutions to be applied to these problems should be included in the General Convention for the limitation and Reduction of Armaments?

(2) Does the General Commission consider that the General Commission should include limitations of the manufacture of arms and implements of war or simply publicity as regards such manufacture?

(3) Does the General Commission consider it necessary or not, in order to ensure the efficiency of such limitations or the sincerity of such publicity, to include in the General Convention of the limitation and reduction of Armaments provisions under which the various Governments would find themselves to prohibit the manufacture of

arms and implements of war or of certain categories of arms and implements of war by private understandings?

In the affirmative, on the basis of what rules will the Committee for the Regulation of the trade in and Manufacture of Arms and Implements of war have to draw up the list of arms and implements which may only be manufactured in State understandings?

(4) Does the General Commission consider that, in order to ensure the effectiveness of limitations or the sincerity of publicity regarding the manufacture of arms and implements of war, it is necessary or not to organise this manufacture on an international basis and to appoint an international body affording all the necessary guarantees for the purpose of distributing orders and the material manufactured between suitable centres of production?

(5) Does the General Commission consider that it is sufficient:

(a) To regulate the manufacture of arms and implements of war on a basis common to all States by a uniform system of licences sufficiently stringent to permit of effective supervision, this manufacture being at present subject to very different regulations, often of a very inadequate character, in the various States?

(b) To organise an international supervision of private or State manufacture in the different countries?

(c) To instruct the Committee to lay before it definite proposals for uniform national regulations and for an international supervision of private or State manufacture?

二、武器民營制度廢止ノ爲ニ凡テノ民間工場ノ閉鎖ノ結果ヲ招クモノニ非ス工場カ一國ノ制限軍備ニ相應スル程度ノモノナラハ依然トシテ經營可能ノ筈ナリ變更スルハ唯所有權カ何人ニ在ルカノ制度ノ問題ニ過キス國內工業ニ打撃ヲ與フルニ至ルコトアリトスルモ夫レハ軍縮ノ結果ニシテ民營廢止ノ爲ニ非ス

三、民營廢止ノ結果非生産國ノ利益ヲ害スルニ至ルト云フ說ハ正論ニ非ス現在ニ於テモ實際上民間工場カ武器ノ引渡ヲ爲ス場合ニハ當該國政府ノ許可ヲ得サルモノナシ武器彈藥ノ輸出ニ付テハ當該國ハ全然自己ノ利益ヲ獲得シ得ヘシトモ思ハレス從テ民營制度ヲ廢止シタレハトテ非生産國ノ地位ニ變更ヲ來スヘキ筈ナシ

近時既ニ非生産國モ其ノ國防上ノ顧慮ヲ以テ武器製造ノ獨立ヲ計ル傾向アリ併シ此ノ政策ハ民營廢止トハ別問題ナリ非

生産國ノ立場ヨリ見レハ他國ノ官營工場ヨリ供給ヲ受クルト國家ノ監督ノ下ニ立ツ民間工場ヨリ供給ヲ受クルトノ間ニ差異ハナキ筈ナリ

四、海牙條約ニ依レハ戰時交戰國ハ中立國政府ヨリ軍需品ヲ受クルコトヲ禁セラレアリ

右ノ見地ヨリシテ民營廢止ノ結果非生産國ハ戰時中立國ヨリ軍需品ヲ得ルノ途ヲ喪フヘシトノ意見アレトモ今日ニ於テハ中立ノ問題ハ單ニ海牙條約ノミヲ以テ律スヘキニ非ス各種ノ國際約定特ニ聯盟規約及不戰條約等ヲモ考慮セサルヘカラス之等ハ中立問題ニ對シ法律的及道德的方面ニ重大ナル變化ヲ與ヘタリ

聯盟規約又ハ不戰條約ノ拘束ヲ受クル國カ規約又ハ不戰條約ニ違反シテ戰爭ニ訴ヘタル一國ト侵略ノ犠牲ト爲リタル一國トヲ同一地位ニ置キ之等ニ對シ所謂中立ヲ維持シ得ラル、モノト思考シ得ルヤ否ヤ

民營ヲ廢止スレハ政府カ國際紛争ノ平和的處理ヲ爲サントスル場合武器製造業者ヨリ妨害ヲ受クル憂ナシ武器製造業者ハ紛争國ノ一方又ハ双方ニ對シテ武器ノ輸出ヲ圖ルコトアルヘク又甚シキハ規約又ハ不戰條約違反國ニ對シテサヘモ武器ノ輸出ヲ圖ルコトナキヲ保セス

五、民營ヲ廢止スレハ非生産國ハ戰時輸入ノ困難ヲ豫想シテ平時ヨリ豫メ多量ノ軍需品ヲ貯藏スルニ至ルヘシトノ說ハ誇張ニ過ク如何ナル國(生産國、非生産國共ニ)ト雖モ制限量ニ不相當ノ多量ノ貯藏ヲ試ムル國ハナカルヘキナリ

六、戰後事業ヲ縮少スル上ニ於テ官營ハ民營ヨリ困難ナル地位ニ在リ(從業労働者ノ議會ニ對スル勢力ニ依リ)トノ說モアル處之ハ軍縮會議ノ關スル問題ニ非ス軍縮會議ノ目的ハ戰爭後ノ處理ヲ爲サントスルニ在ラスシテ戰爭勃發ヲ防止セントスルニ在リ尙亦政府ノ處置ヲ拘束スルハ労働者ニ非スシテ寧ロ他ノ勢力ノ加ハルカ爲ナリ

七、民營ヲ廢止シ武器製造ヲ政府ノ專管ニ歸セシムルコトハ戰用器材ト平和器材トヲ的確ニ區分スル上ニ於テ甚タ都合ナリ民營ハ多ク平戰兩種ノモノヲ製造スルヲ以テ動モスレハ平和用ノ名ノ下ニ密カニ戰用器材ヲ製造スルノ虞アリ

民營廢止ノ結果民間工場ハ純粹ニ平和用器材製造專業ト爲リ其ノ結果民間工場ヲ戰時戰用器材製造ノ目的ニ轉換スルコ

ト困難ト爲リ右轉換ノ爲ニハ相當ノ改造ヲ必要トスヘキニ依リ工業能力大ナル國モ其ノ工業能力ヲ開戰當初即時戰用ニ供スルコト不可能ト爲ル譯ナリ

八、武器工業ヲ定義スルコト困難ナリトノ說アルモ之ハ獨リ民營廢止ニノミ起ル問題ニ非ス取締規定ヲ作成スル上ニ於テモ起ル問題ナリ此ノ定義ヲ爲スコトハ一般ニ想像セラル、カ如ク困難ナル問題ニ非ス何トナレハ民營廢止ハ戰用ニ供シ得ルモノ全部ヲ包含セシムル趣旨ニ非ス(例ヘハ化學生産物等)シテ專ラ戰用ニ供スルモノ(例ヘハ銃、機關銃、大砲等)ニ限ラントスルノ趣旨ニ外ナラサレハナリ

九、民營廢止ハ武器製造ニ用ヒ得ル有ラユル工場ヲ政府ノ專管ニ委スルノ趣旨ニ非ス平和用トシテハ役立タス單ニ專ラ戰用ニ供セラル、物件ノ製造工場ヲ政府ノ手中ニ移サントスルニ在リ

十、民營ヲ廢止シテ他ノ組織ヲ以テ之ニ代ヘントスレハ生産國ニトリテ經濟上ノ負擔ヲ醸スコトハ素ヨリ之ヲ避クルコトヲ得ス然レトモ現ニ或國ニ依リテ實行セラレツ、アルカ如キ右ト反對ニ民營ニ對シ直接間接ノ補助ヲ與ヘ之カ發達ヲ助長シテ官營ニ代ラシメントスル方法ニ比スレハ國ノ負擔ハ遙カニ輕易ナルヘキコト疑ナシ而モ民營廢止ニ依リテ生スル負擔ハ相當長期間ニ互リ配分シ得ヘキヲ以テ各年度豫算面ニ表ハル、國ノ負擔ハ過大トナルノ虞少シ

十一、各國現行國內法規ハ民營ニ依リテ生スル國際的弊害ヲ除去スルカ如キ性質ノモノニ非ス其ノ目的トスル所ハ國內秩序ノ維持ニ存シ唯武器製造ノ國內的影響ヲ考慮シ居リ政府ニ對シ國際的弊害ヲ防止スルノ方法ヲ許與シ居ラス

十二、民營ハ武器ノ種類ヲ複雑ニシ又性能ノ増進ヲ促ス而シテ右ハ軍縮條約ノ精神ニ反シ又武器ノ標準化ヲ計ルノ企圖ニ副ハサル結果ヲ招來スヘシ

十三、要スルニ民營維持主張者側ノ提示スル弊害除去ノ方法(製造及輸出許可ノ公表)ヲ以テシテハ軍備及平和ニ對スル“evil effects”ヲ除キ得ル效果ナキニ依リ社會上及政治上ノ現狀如何ニ拘泥セス只管軍縮條約ノ要求ヲ充足スル爲民營ノ廢止ヲ考慮スヘキナリ

反對者側
ノ意見

第三節 反對者側ノ意見要領

(日、英、米、伊、獨、白國委員)

反對者側ノ見ル所ニ依レハ廢止ノ提案ヲ承認スルノ危險ハ民營ニ依リ生スルヤモ知レサル危險ニ比シ更ニ大ナルモノアリト思ハル

一、民營ヨリ醸生スト稱セラル、所謂弊害ハ大體之ヲ二方面ニ分別シ得ヘシ

(イ) 個人關係ノ "misconduct" (新聞ニ干渉スルコト議會ニ對スル不當ナル勢力ノ及ホスコト等)

(ロ) 好マシカラサル方面ヘノ武器ノ供給

前者ノ弊害ニ對シテハ若シ夫カ存在ストセハ當該國ノ國內法ヲ以テ充分之ヲ處理シ得ヘク後者ノ弊害(官營ノモノニ對シテモ亦生シ得ヘシ)ニ對シテハ國際取引ニ對スル適當ナル規律ヲ設クルコトニ依リ之ヲ除去シ得ヘシ

上記ノ如キ官營民營ニ依ル武器製造ヨリ生スルコトアルヘキ各般ノ弊害ハ戰用器材ノ有效ナル制限縮少ヲ受諾スルコトニ依リ自ラ減少スヘキナリ

二、民間施設ヲ有スル國ハ右施設カ廢止セラル、場合ニハ工場ヲ新設シ又ハ民間現存工場ヲ買收スルノ方法ヲ以テ官ノ施設ノ大増大ヲ餘儀ナクセラルヘク右何レノ方法ヲ執ルモ頗ル多額ノ經費ノ支出ヲ要シ軍事豫算ノ増大ヲ見ルニ至ルヘシ而シテ多數國ハ斯カル負擔ニ堪フヘカラサルヲ以テ延イテ労働ニ對シ重大ナル動搖ヲ與フルコトヲ避ケ得サルヘシ

三、武器製造ノ注文ヲ受クル民間會社ハ多クハ他面ニ於テ純粹ナル平和的物件ノ製造ニ従事シツ、アリ此ノ種會社ニ對シ注文ヲ發スルコトニ依リ政府ハ彈力性ニ富メル供給ノ途ヲ得ル理ナリ然ルニ若シ斯カル方途ヲ奪ハル、ニ於テハ官工場ニ對シ不均衡ニシテ不經濟ナル擴張ヲ餘儀ナクセラル、ニ至ルヘシ

四、政府ハ或場合ニ於テハ其ノ使用スル労働者ニ對スル責任上武器製造施設ヲ最小限度ニ縮減スルコトノ困難ヲ感スルコトアリ民營組織ニ於テハ武器ノ注文ノ減少ニ依リ不用ニ歸スル労働ハ通例之ヲ他方面ノ製造ニ振向ケ得ルモノナリ

五、武器製造施設ヲ有セサルカ又ハ之ヲ有スルモ極メテ小規模ノモノヲ有スルニ過キサレ國ニ在リテハ己ムナク官ノ施設ヲ設置スルニ至ルヘシ一九〇七年海牙條約第十三條(海戰ノ場合ニ於ケル中立國ノ權利義務ニ關スル條約)ノ規定ニ依レハ交戰國ニ對シテ軍需品ヲ供給スルコトハ中立國政府ノ中立義務違反トナル故ニ若シ民營カ廢止セラル、コト、ナレハ交戰國政府ハ戰時ニ於テハ全部自國又ハ其ノ同盟國ノ生産ニ依賴セサルヘカラス斯クテ各國政府ハ戰時ノ準備トシテ巨額ノ武器ヲ貯藏シ又ハ武器工場ノ新設擴張ノ必要ヲ感スルニ至ルハ自然ノ勢ナリ

六、委員會ニ於テ既ニ行ハレタル討議ノ結果ヨリ見レハ問題トナリ居レル此ノ二件(武器製造ノ廢止及國際化)カ先ツ決定セラル、コトカ本委員會カ武器製造問題ニ關シ有效ニ其ノ義務ヲ進ムルニ付前提條件ヲナスヘキモノナルコトヲ知ルヘシ

第四節 武器製造工場ノ國際化ニ關スル土國委員提案(Conf. D/C. G/48 參照)

武器製造
工場國際
化ノ上ニ
基キテ

一、本件ハ委員會ニ於テハ討議セラレサリシモ民營廢止ノ問題ト關聯ヲ有スルヲ以テ之ヲモ一般委員會ニ送付シ其ノ原則上ノ決定ヲ求メタルモノナリ

二、提案ノ内容概要左ノ通り

生産國ハ其戰用工業ノ不當ナル發達ニ努メ工業ハ日ヲ追ツテ能力ヲ増シ自然ノ歸結トシテ軍備ノ競争ヲ見ルニ至ル武器民營ニ付テモ其ノ關係ハ右ト異ナル所ナシ

若シ眞ニ戰爭ノ防止ヲ欲求シ現實ノ軍備縮少ヲ實現セントセハ武器製造ニ付有效ナル監督ノ存在ヲ必要トス然レトモ武器製造カ私人ノ資本ニ依リ行ハレ又ハ政府ノ意思ニ依リテ左右セラル、モノトセハ有效ナル監督ハ望ムヘカラス武器製造(官、民)規律ノ方法ハ唯右製造ヲ國際化スルノ一途アルノミ

武器製造ノ國際化ハ左ノ趣旨ニ依リ之ヲ行フコトヲ得ヘシ

(イ) 民營タルト國有タルト問ハス製造工場ノ資本ハ凡テ之ヲ國際的基礎ノ下ニ置キ之ニ對シ國際監督ヲ行フ尙右工場

ハ各國ノ代表者ヲ以テ組織スル國際機關ニヨリ支配セラレ其ノ代表者ノ數ハ軍縮條約ニ依リテ決定セラルヘキ各國ノ武器ノ需要ニ比例スルモノトス

(ロ) 國際化シタル武器工場ハ經濟の見地(地理的地位、交通ノ方法等ヲ考慮シ)ヨリシテ最適切ナル生産中樞ニ配分セラルヘシ

(ハ) 右配分ハ最モ巧ミニ之ヲ行ヒ疑惑ヲ生セサル如ク排列スルヲ要ス換言スレハ各生産中樞ニ於テハ一定種類ノ武器彈藥ニ限リテ之ヲ製造シ各國ヲシテ其ノ權限内ニ於テハ完成軍備ヲ形成セシメス各國ヲシテ其ノ工業資源ノミヲ以テシテハ武装ヲナスコトヲ得サラシムルモノトス

(ニ) 此ノ國際化製造ニ於テハ各國ハ均等ノ利益ヲ有スルモノトス從テ戰用器材ノ製造ニ依ル個人的利益獲得ノ觀念ハ全ク消滅スルニ至ルヘシ各國ノ注文ハ如何ナル製造中樞ニ於ケルヲ問ハス凡テノ國ノ有效現實ナル監督ニ服スルモノトス此ノ場合凡テノ國ハ全然平等ノ地位ニ立ツモノトス該監督ハ恐ラク議會人民會議ノ機關ニ依リ行ハルヘキ處之等機關中ニハ勞働者農民團體其ノ他ノ代表者ヲ包含スルコト勿論ナリトス

此ノ軍用工業ノ配分ノ結果トシテ武器彈藥工場ノ一定數ハ不用ニ歸スルコト、ナルヘシ

兩原則決定ノ延期

第五節 武器民營廢止及武器製造國際化ニ關スル原則決定ノ延期

本件ニ關シ委員會カ原則上ノ決定ヲ求ムル爲決議ヲナシ之ヲ一般委員會ニ送付シタルコトハ既記ノ通りナル處其ノ後一般委員會ハ英國條約案ノ討議ニ没頭シ全ク他ノ問題ヲ顧ルノ餘裕ナキ有様ニシテ五月二十六日第十三回委員會ノ際「ヘンダーソン」議長ハ懇々委員會ニ出席シテ一般委員會ハ英國條約案ノ審議續行中ハ本委員會提出ノ二問題ヲ議事日程中ニ加フルコト不可能ナルコトヲ説明シ尙委員會ハ一般委員會ノ決定ヲ俟タス引續キ未審議ノ問題ノ討議ヲ行ハンコトヲ希望スル旨ヲ附言セリ

其ノ後本件ニ關スル佛案委員會ニ提出セラレタルモ委員會ニ於テ審議セラレス右ハ一般委員會ニ提出セラレ一般委員會ニ

於テ一應討議セラレタルモ未タ決定ニ至ラサルハ次章ニ之ヲ述フヘシ

第九章 英條約案修正案トシテノ武器取締ニ關スル佛國提案及

一般委員會ニ於ケル武器問題ノ審議經過

佛國提案

第一節 佛國提案

一、英條約案ノ一般委員會提出ニ際シ武器取引及製造問題ニ關スル規定ナク之ヲ問題トセル代表ニ對シ「サイモン」ハ本問題カ專門委員會ニ於テ審議中ナルヲ以テ其ノ審議決定ヲ阻害セサル爲之ヲ除キタルニ過キサル旨ヲ答ヘタルカ五月二十三日英案器材問題ノ討議ニ際シ佛代表「ボール、ボンクール」ハ近ク武器製造殊ニ民營ノ監督ニ關スル提案ヲ爲スヘキ旨ヲ聲明シタリ

二、昭和八年五月二十七日武器取引及製造委員會ニ對シ佛國委員ハ英國條約案ニ對スル修正案トシテ武器取締ニ關シ左ノ標題ノ案 (Conf. D/C. C.F./41) ヲ提出シタリ

Add to Part II, Section II, of the Draft Convention submitted by the United Kingdom Delegation the following Chapter 4.

Chapter 4.—Limitation and Supervision of the Manufacture of and Trade in War Material.

五月二十九日第十四回武器取引及製造委員會ニ於テ一般委員會ニ提出スヘキ委員會議事經過ニ關スル報告書審議ノ際佛國委員「ジューオー」ハ二大根本主義(民營廢止及國際化ノ問題ヲ指ス)ヲ決定ナナスシテ學究的報告ヲ作成スルモ武器問題ノ解決ニ寄與スヘシトモ思ハレストテ痛ク委員會ノ態度ヲ非難シ且委員會ハ武器問題ニ付廣汎ナル權限ヲ委ネラレアリトテ「ヘンダーソン」議長ノ言ヲ引用シ徒ニ討議ノ範圍ヲ壓縮スヘキニ非スト述ヘ當日ノ議題ト爲リ居ラサル前

佛提案ニ對スル委員會ノ態度

記佛國案ノ討議ヲ求メタリ

右ニ對シ重要原則ノ決定ハ之ヲ一般委員會ニ委ネアリ本委員會ハ其ノ回答ヲ待チ居リ原則上ノ決定サヘナレハ直チニ有效ナル議事ノ進行ヲ見ルヘキ段取ニ爲リ居ル次第ナルヲ以テ此ノ既定方針ニ依リ日程通り議事ヲ進行セシムルヲ可トストテ佛案ノ審議ヲ開始スルコトニ反對ナル委員多ク結局佛國委員ハ委員會ニ於ケル審議ヲ固執スルコトナク本案ヲ適當ノ時機ニ一般委員會ニ提出スル旨ヲ聲明シタリ

一般委員
會へ提出

三、佛國案ノ一般委員會へノ提出

五月二十九日佛國代表^註ハ前記提言ニ多少訂正ヲ加ヘ「ボール、ボンクール」ノ書翰ヲ添ヘテ之ヲ一般委員會ニ提出シタリ (Conf. D/C. G./122)

Chapter 4.—Limitation and Supervisions of the Manufacture of and Trade in War Material.

Article A. The following provisions shall apply to the manufacture of and trade in the articles enumerated in Annex I.

(The categories of war material subject to the regulations laid down hereinafter shall be determined by the conclusions of the Conference with regard to the quantitative limitation of material and shall include, as far as may be necessary, the articles covered by categories I (sub-categories A and B), III (sub-category 2) and V (sub-category I) of Article 1 of the 1925 Convention on the Supervision of the International Trade in Arms and Ammunition and in Implements of War).

Article B.

1. Annex I fixed the quotas within the limits of which each of the High Contracting Parties may, during the period of application of the present Convention, procure the said articles whether the latter are manufactured or imported by it direct or on its behalf.

2. The manufactures or imports of the said articles effected on behalf of other Powers within the limits of the jurisdiction of each High Contracting Party must not have the effect of causing the amount of

the quotas assigned to it to be exceeded by more than x per cent.

3. It shall be for the Permanent Disarmament Commission to judge at any time whether:

(a) The rate of supply of the said articles to each of the High Contracting Parties, as shown in particular by the licences or declarations of manufacture or export transmitted to the Secretary-General of the League of Nations, is in relation with the size of the quotas assigned to that Party;

(b) If the nature of the supplies delivered to the High Contracting Parties whose armed land forces are subject to the provisions of Part II, Section I, Chapter 2, of the present Convention answers to the requirements of the progressive standardisation of war material provided for, as between those Powers, by other clauses of the present Convention.

4. The Secretary-General of the League of Nations shall not only give the visa provided for in Article D below to the amount and, according to circumstances, the nature of the material supplied to the Power that is the consignee or importer meet with the approval of the Permanent Disarmament Commission.

Article C.

The High Contracting Parties undertake not to order the said articles to be manufactured or to export them or to permit their exportation, unless the following conditions are fulfilled:

(a) The characteristics of the arms or material shall comply with the present Convention;

(b) Export or manufacture shall take place with a view to direct supply to a Government or, with the assent of the said Government, to some public authority under its control;

(c) Supplies of material to the consignee or importing Power must be approved by the Permanent Commission.

Article D.

1. In every case of an order for manufacture or the export of the said articles, the Government of the High Contracting Party shall issue an export of manufacture licence or declaration.

2. The said licence or declaration, which shall be made out in duplicate, one copy being immediately addressed to the Secretary-General of the League of Nations, shall contain;

(a) A description permitting of the identification of the material to which it applies, together with particulars of the said articles in accordance with the headings of Annex I and details of their numbers or weight and their principal characteristics, more specially the calibre of artillery and the tonnage of tanks.

(b) The name of the exporter or factory;

(c) The name of the consignee;

(d) The name of the Government, if any, having authorised importation.

In addition, the license or declaration must be accompanied by a certificate from the Secretary-General of the League of Nations attesting that the said supplies have been approved by the Permanent Commission.

Article E.

The International trade in arms, ammunition and implements of war other than the articles enumerated in Annex I shall be governed by the provisions of Annex II to the present chapter.

The High Contracting Parties shall comply with these provisions.

(Annex II will reproduce, with such amendments or additions as may appear appropriate, the provisions of the 1925 Convention on the supervision of international trade in arms, ammunition and implements of war).

Article F.

The private manufacture of arms, ammunition and implements of war shall be governed by the provisions of Annex III to the present chapter.

The High Contracting Parties shall comply with these provisions.

(Annex III will reproduce, with such amendments or additions as may appear appropriate, the provisions of the 1929 draft Convention regarding the supervision of the manufacture of arms, ammunition and implements of war).

右 要 譯

A 條 左記條項ハ附屬書一ニ掲ケラレタルモノ、製造及取引ニ適用セラル（本規定ニ服スル武器ノ種類ハ器材ノ量の

制限ヲ目的トスル會議ノ結果ニ從ヒテ決定セラルヘシ）

B 條 一、附屬書一ハ締約國カ本條約適用期間中製造シ或ハ直接其ノ國ニ依リ又ハ其ノ爲ニ輸入セラル、割當ヲ定ム

二、締約國ノ管轄内ニ於テ他國ノ爲ニ前記物品ヲ製造又ハ輸入ヲナス場合ニ於テ割當額ヨリX「パーセント」ヲ超ユル結果ヲ生セシムルコトヲ得ス

三、常設軍縮委員會ノ前記事項ニ對スル監督規定及陸軍器材ノ供給ハ本條約ノ漸進的統一化規定ニ適應スルコト

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四、（聯盟事務總長證明ノ權限）略ス

C 條 締約國ハ前記物品ノ製造又ハ輸出ヲナシ又ハ許可スルニハ左記條件ヲ以テス

a 器材ハ本條約ニ從ヘル性質ノモノタルヘキコト

b 輸出又ハ製造ハ政府ニ直接供給スル爲又ハ該政府ノ同意ノ下ニ其ノ從屬公機關ニ對シ爲サル、コト

c 荷受人又ハ輸入國ニナサル、供給ハ常設軍縮委員會ノ同意ヲ得ルコト

D 條 一、前記物品ノ製造及輸出ニ付テハ其ノ都度締約國政府ニ於テ輸出若ハ製造ノ免許又ハ申告ヲ爲スヘキコト
二、右免許又ハ申告書ハ二通作成シ一通ハ直チニ聯盟事務總長ニ送付スルコト

（記載事項）略ス

且又右供給カ常設軍縮委員會ノ承認ヲ得タルコトノ事務總長ノ證明ヲ伴フコト

E 條 武器取引ニ付テハ附屬書一ニ掲クル以外ノ物品ニ付テ一九二五年條約ニ適當ニ修正ヲ施シタルモノヲ適用ス

F 條 武器製造民營ニ付テハ一九二九年條約案ニ適當ニ修正ヲ施シタルモノヲ適用ス

第二節 一般委員會ニ於ケル武器問題ノ審議經過

一、六月六日及七日一般委員會（第七十四回及七十五回會議）ニ於テ

討議概要

二、討議概要左ノ通り

- (イ) 武器取引及製造委員會報告 (Conf. D./160)
 (ロ) 佛國提案 (Conf. D./C. G./122) ヲ審議ス

(一) 武器委員會報告者「コマルニスキー」ノ報告

報告者ハ今日迄ノ委員會ニ於ケル審議ノ一般狀況ヲ敘シタル後左ノ意見及希望ヲ述ヘタリ
 委員會ニ於テハ一般委員會カ原則ノ問題ヲ決定セサル以上ハ實質的ニ議事ヲ進ムルコトヲ欲セサル委員ト之ト反對ニ原則上ノ決定ヲ俟タス他ノ問題ニ就キ審議ヲ進ムヘシトスル委員ノ二派アリ武器取締ノ問題ハ一般軍用機材制限ノ問題ト密接ノ關係ヲ有スルヲ以テ一般委員會カ監督、公表、質的制限、量的制限ノ諸點ニ關シ一般軍用機材制限ト武器取締トノ關聯性ニ付特別ノ攻究ヲ加フルコトハ極メテ有益ナルヘシ此ノ點ニ關シ昭和七年十一月二十二日幹部會採擇ノ左ノ委任條項第六ニ留意セラレンコトヲ希望ス

制度及公表問題ニ付テノ委員會ノ結論ハ本問題ニ付權限アル會議ノ機關ノ決定マテ最終的決定ヲ延期スヘキモノト思考ス

右ノ狀況ナルヲ以テ委員會ニ於テハ何等決定案ヲ作成スルコト不可能ナリシカ今後一般委員會ニ於テ原則的諸問題カ決定セラレハ委員會ハ圓滑有效ニ其ノ業務ヲ進捗シ得ヘキニ付一般委員會カ速ニ原則問題ノ決定ヲ爲スコト極メテ肝要ナリ

(二) 佛「ジューオー」

本問題ハ軍縮ノ根本問題ノ一ニシテ聯盟カ本問題ニ付大膽ナル措置ヲ執リ得ストスレハ益々權威ヲ失墜スルニ至ルヘシ

佛國案ハ英國條約案外ノモノニ非ス器材ノ制限及監督ノ問題ハ同時ニ器材製造ノ制限及監督ノ問題ヲ論議セサレハ之

ヲ討議シ得ヘキモノニ非ス假令器材ノ制限縮少ヲ爲スモ製造ヲ自由ニ爲シ置カンカ全ク豫期ニ反スル結果ヲ齎スヘシ

佛案ニ付キ一般委員會カ如何ナル手續ヲ執ルモ差支ナク第二讀會ノ際條約案ノ一部トナルヘキ明確ナル案文サヘ作成シ得レハ結構ナリ若シ然ラサレハ第二讀會ニ於テ佛國ハ再ヒ條約案ノ修正ヲ問題トスヘク之カ容レラレサルニ於テハ條約案ヲ受諾シ得ルカ否カニ付考慮スヘシ

(三) 土「チマルフシユニユベイ」

佛國代表ノ意見ニ全然贊意ヲ表ス尙民營廢止ノ當然ノ結論トシテ國營ノ國際化ヲ必要トス(土國提案ノ趣旨ヲ詳細説明ス)

(四) 波「ラヂンスキー」

全然佛國代表ノ意見ニ贊成ス武器取締ハ極メテ重要ナル問題ニシテ一般軍縮ト最密接ナル關係ヲ有ス從テ英國條約案ノ一部トシテ偏入セサルヘカラス

(五) 西「マダリアガ」

本問題ハ本會議事業ノ中心トモ言フヘキ重要性ヲ有スルモノニシテ武器取引及製造取締條約ノ成立スルコトハ軍縮條約ヨリモ一層大切ナリ

武器民營廢止ノ問題モ重要ニシテ其ノ趣旨ニハ贊成ナルモ之カ實現ニハ重大ナル障害ノ存スルコトヲ豫期セサルヘカラス武器問題中最モ緊要ナルハ寧ロ嚴格ナル監督制度ヲ樹立スルコトニ在リ

佛國案ニハ大體贊成ナルカ之ト並行シテ(イ)武器ノ取引及製造ニ關スルコトハ總テ國家ノ責任ニ歸スヘキモノナルコト(ロ)製造輸入輸出受授ニハ總テ國際許可制度ヲ設クヘキコト(ハ)麻藥取締ニ對スル同様ニ書府ニ監督機關ヲ設クヘキコトヲ認ムヘキナリ(附屬第七參照)本問題ハ之ヲ再ヒ專門的委員會ニ委ヌルコトナク他ノ問題ト同様ノ處理方

法ニ從ヒ會議々長指導ノ下ニ關係國特ニ積極的及之ト反對ナル消極的案ヲ提示セル國ノ代表ト接觸ヲ保チ適當ナル解決ヲ爲サンコトヲ希望ス

(六) 米「ノーマン、デヴィス」

民營廢止ハ困難ナル問題ヲ惹起スヘク之カ廢止ノ危險ハ現狀カ齎ス危險ヨリ一層大ナルヘシ武器ノ取引製造カ其ノ弊害ヲ減スル様ニ監督セラルルコトハ望マシキモ民營ノ弊害ヲ除ク最良ノ方法ハ軍縮自體ナリ輿論カ本問題ニ關心ヲ有スト言フ「ジューオー」氏ノ所說ハ之ヲ認ムルモ輿論カ最モ關心ヲ有スルハ寧ロ軍縮自體ニ在ルコトヲ察セサルヘカラス

要スルニ軍縮協定成立シ且之ニ伴ヒ武器製造ニ對シテ適當ナル監督制度設定セラル、コトカ民營問題ノ良キ解決方法タルヘキナリ

尙監督ハ民營及官營双方ニ對シテ行ハルヘキモノナル處官營ノモノニ付テハ民營モノヨリモ一層多クノ難點ノ存スルコトハ特ニ留意ノ要アル點ナリト思考ス

(七) 波斯「アリ、カン、リアジ」

非生産國トシテノ立場ヨリシテ土國提案ヲ支持ス

(八) 瑞典「ウエストマン」

本問題ヲ軍縮條約中ニ挿入スルコト及嚴重ナル監督ニ賛成ス

(九) 加「リッデル」

民營ノ存スル以上ハ嚴重ナル監督必要ニシテ武器製造ヲ官營ノミトスルコト適當ナルヘキモ之カ實現ニハ過渡的措置ヲ必要トスヘシ製造ノ國際化ハ實際的ナラス麻藥取締ニ關スル原則ハ器材製限カ決定セラレタル後ハ之ヲ本問題ニ適用シ得ヘシ

(十) 獨「ナドルニー」

軍縮ノ重要ナル決定カナサレタル後ハ本問題ノ諸點ヲ決定スルコト容易ナルヘシ本問題ハ器材及貯藏器材問題決定ノ補足トハナルヘキモ條件トナルヘキモノニ非ス

民營廢止ハ之ヲ承認シ難シ現在獨逸ニ存スル程度ノ民營ノ監督及民營國營ノ同一取締ニハ反對セス

國際化ニ付テハ何等具體的提案ヲ見サルヲ以テ今日之ヲ論スルハ適當ナラス

割當及歐洲諸國ヘノ武器ノ供給調整(B條三)ヲ規定スル佛案ハ英案ニ付テノ決定アリタル後ニ之ヲ決定シ得ヘシ佛案カ實際的ナラハ之ヲ受諾スヘキモ其ノ方法ノ有效ナルヤ否ヤハ疑ハシ

(十一) 日(佐藤代表)

本問題ノ根本ハ窮極スル處武器取締及製造ヨリ生スルヤモ知レサル弊害ヲ除去センカ爲ニ之ヲ取締リ有效ナル監督ヲナスニ在リ右ハ民營ニ關シテハ規約第八條ニモ既ニ明ニセラレ居ル處日本ニ於テハ既ニ久シキニ互リ詳細完全ナル取締規定カ嚴守セラレ居ルヲ以テ帝國ニ關スル限リ其ノ弊害ヲ見タルコトナシ

依テ各國政府カ其ノ國ニ適合スル有效ナル措置ヲ講スレハ其ノ弊害ヲ除去防止シ得ルモノナルコトヲ確信ス

民營ノ廢止ニハ困難アリ製造ノ國際化ハ非實際的ナリ右二點ハ弊害除去ノ爲ノ根本要件ニハ非ス右目的ノ爲ニハ要スルニ各國政府カ誠意ヲ以テ取締ニ當リ「ライセンズ」ヲ以テスル國內監督ニ加フルニ適當ナル公表制度ヲ以テ各國政府ノ努力ヲ調整スル國際約定ヲ以テセハ充分ナルヘク嚴重面倒ナル國際監督ハ寧ロ有害ナリ他方各國ハ政治行政經濟軍事夫々特殊ノ組織ヲ有シ右ノ如キ特殊性ヲ考慮セサルヘカラサル以上國際約定ハ柔軟性アリ且實際的及漸進的ナラサルヘカラス

本問題カ重要ニシテ眞面目ニ研究セラル、ノ要アルヲ認ムルモ本會議第一ノ任務ハ軍縮其ノモノニ付協定ニ到達スル

コトニ在リ從テ軍縮特ニ器材ニ關シテ本委員會ニ於テ決定ヲ見サル限リ本問題ニ付決定的態度ヲ執ルコトハ困難ナリ
(附屬第十六參照)

(二) 伊「ルスボリー」

佛提案ハ割當制度ヲ定メ居レルカ右ハ完全ナル軍備ヲ有シ且貯藏器材ヲ多數有スル國ニ便利ナリ各國ハ欲スル所ニ向テ注文ヲ發スルコトヲ得ス自ラ製造ヲナスニ至ラン
佛案ハ英案ヲ修正スルモノナルカ若シ佛案ヲ採用セラル、コト、ナラハ伊ハ英案ニ對スル其ノ態度ヲ變化セサルヲ得ス

(三) 英「イデ ン」

佛國案ニ關スル批判ハ第二讀會ニ於テ之ヲナスヘシ

民營廢止ハ公正ニ非ス製造國際化ハ世界ノ現狀ニ適セス民營國營ハ平等ニ取扱フヲ要ス英國ハ「ライセンス」及公表ニ依リ且各國政府ニ適用シ得ル現在以上ノ嚴重ナル監督ヲ受諾スヘシ

本問題ハ軍縮及其ノ監督ニ結ヒ付キ居レリ本問題ハ「マダリアガ」ノ提案ノ如ク關係國ニテ商議スルヲ可トスヘク又麻藥取締制度ヲ利用スルコトニハ賛成ナリ尙佛案中割當制度ニハ異議ヲ有ス

(四) 丁「ボルバーク」

民營廢止及嚴重ナル監督ヲ主張ス

第三節 決議 採擇

一般委員
會議

六月七日第七十五回會議ニ於テ各國代表ノ意見開陳アリタル後議長ハ西國代表ノ發議ニ基ク左ノ決議案ヲ議題ニ供シ異議ナク之ヲ採擇セリ

“The President of the Conference shall be entrusted with the necessary negotiations with the delegations which may have any proposals to offer in respect to the stringent regulation of the trade in and manufacture of arms, so that the relevant text may find its place in the draft Convention submitted by the United Kingdom delegation before the General Commission take up the consideration of the draft at second reading.”

附屬第一 (1) 武器民營質問集

Conf. D./C.L. 5.
Geneva, 28 Oct. 1932.

At its meeting of October 19th, the Committee on the Regulation of the Trade in and Manufacture of Arms has drawn up a questionnaire with a view to obtaining certain information regarding the manufacture of arms in the different States.

I have the honour to send you herewith a copy of the aforesaid questionnaire (Annex I) together with the relevant extract from the Minutes of the meeting at which it was discussed (Annex II).

You will see from these Minutes that it is essential, in order to expedite the work of the Conference, to receive, as soon as possible, the replies to the questionnaire from the various States. I would therefore be grateful if your Government could supply the desired information at its earliest convenience, before the end of the year.

I have the honour to be,

President of the Conference for the Reduction
and Limitation of Armaments.

ANNEX I.

QUESTIONNAIRE CONCERNING THE PRIVATE AND STATE MANUFACTURE OF ARMS AND IMPLEMENTS OF WAR.

1. For the purpose of the manufacture of arms and implements of war is a special permit required? If so please give particulars.

2. What undertakings in the territory under the jurisdiction of your State are chiefly or largely engaged in the manufacture of the articles coming under categories I, II, III and IV of the 1929 draft Convention with regard to the Supervision of the Manufacture of Arms and Implements of War (Doc. A. 30. 1929. IX)?

- a) Are they State-owned?
- b) Or are they exploited,
subsidised,
under concession or
under supervision by the State?
- c) Or are they entirely private undertakings?
- 3. How were the sales of the total output of all these undertakings and, if this information is available, of each of them, distributed in percentages (weight, value) between foreign markets and the home markets during the years 1927 to 1931?
- 4. Are there any laws or administrative regulations in your country forbidding all soldiers or members of the military administration in active service to hold paid posts in private armament undertakings?

(ロ) 武器民營質問集ニ對スル我方ノ回答 (二月二十四日)

I. a) Not only are the manufacture, transformation and improvement (repair) of firearms and gunpowder (non-military as well as military) forbidden to anyone not especially authorised by the competent administrative office, but such operations (i.e. manufacture, transformation and improvement) are subject to strict governmental supervision and control. (Cf. Law for the Control of Firearms and Gunpowder, 1910; Rules concerning the operation of the Law for the Control of Firearms and Gunpowder, Imperial Ordinance N° 16, 1911; Detailed Provisions concerning the Operation

of the Law for the Control of Firearms and Gunpowder, (Ordinance of the Department of Interior N° 2, 1911. Regulations of similar purport are in force also in Chosen, Taiwan and the Kwantung leased province).

b) Special authorization by the competent administrative office must be obtained also in connection with naval vessels; and all operations (i.e. construction, repair etc.) in connection with naval vessels are subject to the control of the competent administrative office. (Cf. Law concerning the Execution of the Treaty for the Limitation of Naval Armaments, Law N° 2, 1924. This Law applies also in Chosen and Taiwan, and governmental control is exercised in pursuance of this Law also in the Kwantung leased province and the mandated South Sea Islands. (Cf. Regulations relating to the Law concerning the Execution of the Treaty for the Limitation of Naval Armaments, Ordinance of the Department of Navy N° 7, 1924).

II. a) They are for the most part government-owned.

b) There is nothing corresponding to these items.

c) A small part is private enterprise.

III. By reason of the nature of the system obtaining in Japan it would be difficult in practice to make the necessary investigation.

IV. Yes. V/z. Regulations concerning the Service of State Officials, Imperial Ordinance N° 39, 1887.

附屬第二 (一) (丁) 國委員提案原案)

Conf. D/C. C.F./4.
Geneva, October 8th, 1932.

QUESTIONNAIRE SUBMITTED BY THE DANISH DELEGATION
CONCERNING PRIVATE MANUFACTURE.

1. For the purposes of the manufacture of arms and implements of war, is a special permit required other than the permit required for ordinary industrial manufacture?

2. What undertakings of this kind exist in the territory of the States taking part in the Conference?
 - a) Are they exploited
 - under concession or
 - under supervision by the State?
 - b) or are they entirely private undertakings?
3. What arms and implements of war are produced by the various factories?
4. a) What is the total output of each factory and how is it distributed between the various kinds of material?
 b) How were sales of output distributed as between foreign countries and the home country during the years 1927-1931?
 - c) What is the value of the present stocks?
5. In the case of companies, what were the annual dividends for the last five years?
6. Do commercial agreements (cartels, etc.) exist, relating to prices, or the distribution of production or profits, etc. between the said undertakings or between any one of them and establishments of the same kind abroad?
 If the answer is in the affirmative, what is the tenor of such agreements?
7. What is the number of persons employed in each establishment?
8. Are any persons attached to the army or military administration, members of the board of management or do they hold paid posts in private companies of the kind referred to?

附屬第二 (ロ) 上國委員資料案

- The Danish delegation proposes that the delegation should obtain information on the following points:
1. As regards undertakings exploited, subsidised, under concession or under supervision by the State, or entirely

private undertakings, what is the amount of the private capital invested in these undertakings and what are the annual dividends?

2. Do commercial agreements (cartels, etc.) exist relating to prices or the distribution of production or profits, etc., between the said undertakings or between any one of them and establishments of the same kind abroad?

If the answer is in the affirmative, what is the tenor of such agreements?

3. What is the number of persons employed in each establishment?

(Conf. D/C. C. F./16)

附屬第三 昭和七年十一月二十二日幹部會決議

Conf. D./149.

[Conf. D./Bureau/37. (1)]

Geneva, November 22nd, 1932.

TRADE IN AND MANUFACTURE OF ARMS

RESOLUTION ADOPTED BY THE BUREAU ON NOVEMBER 22ND, 1932.

The Bureau of the Conference,

Having taken cognisance of the report of the Rapporteur of the Committee for the Regulation of the Trade in and Private and State Manufacture of Arms and Implements of War and heard the proposals and comments made by the various delegations at the Bureau's meeting on November 18th,

Approves the Committee's Report and the methods of work adopted by it,

- 1) Requests the Committee and its Sub-Committees to resume work as quickly as possible in order that the Bureau may at the earliest possible moment have at its disposal all the necessary material to enable it to submit to the Conference the proposals provided for in the General Commission's resolution of July 23rd.

- 2) Considers that the Committee has been entrusted with the examination of all the aspects of the problem of the regulation of the trade in and manufacture of arms, but that it must choose a practical method of work based on the declarations made at the Bureau's meeting on November 18th.
- 3) Considers that it is already agreed that the provisions relating to the trade in and manufacture of arms and implements of war shall be included in the same legal instrument as the Convention for the Reduction and Limitation of Armaments.
- 4) Requests the Committee to consider in what conditions equality of treatment may be attained:
 - a) between producing and non-producing countries;
 - b) between the different contracting countries (special zones, etc.);
 - c) between State manufacture and private manufacture.
- 5) The Bureau requests the Committee to consider whether within the general framework of supervision already adopted by the Bureau, it is necessary to provide a technical procedure better adapted to the international supervision of the trade in and manufacture of arms.
- 6) As regards the Committee's conclusions concerning the questions of the limitation of and publicity in regard to war material, the Bureau considers that any final formula should be postponed until appropriate solutions have been reached by the competent organs of the Conference.
- 7) The Bureau draws the Committee's attention to the desirability of collecting the necessary documentation with regard to the licence systems adopted by the different countries, and of studying the possibility of framing an international licence system.

附屬第四 我國ニ於ケル現行武器製造取締規則ニ關スル我方ノ回答

In the accompanying pages is given a general outline of the system obtaining in Japan for the control of arms. In its preparation we have been seriously handicapped by lack of time and failure to have available here some of the

material which we consider necessary for complete treatment of the subject. For reasons that were unavoidable, therefore, the statement which follows must be submitted with the request that it be not looked upon as a thorough treatment of the subject or as being absolutely accurate in every detail.

This statement, moreover, is concerned principally with matters relating to the manufacture of arms. Those relating to traffic in arms have been condensed as much as possible; should more detailed particulars be needed later, however, they will be offered then.

THE SYSTEM OBTAINING IN JAPAN FOR THE CONTROL OF ARMS.

I. The Japanese Government employs an exceedingly stringent and thorough system of control over the manufacture of, traffic in and possession of firearms, gunpowder and all other kinds of weapons, as well as over the construction of naval vessels and the arming of merchant vessels. Supervision is exercised also over the organization and methods of business as well as over the various transactions connected therewith. As a general rule, therefore, no one may effect any of the above-mentioned particulars without a licence issued by a competent Governmental authority. And the conditions under which licences are issued are provided for in minute detail. It is further provided that competent Governmental authority may even prohibit or restrict any of the acts above mentioned whenever such a measure is deemed necessary. Violations of the laws and regulations regulating to arms control are punishable by imprisonment (with or without hard labour) and fines.

The aim of such control is not only to facilitate the preservation of internal order but also to assure the observance of international obligations and to prevent abuses in general. This control has been so effectively exercised by the Governmental authorities that nothing that might be termed an abuse has ever occurred in Japan in connection with the manufacture of arms; nor is there any likelihood of such abuses occurring in the future.

II. The principal laws and ordinances now in force in Japan relating to the control of arms are the following:

- 1) Law for the Control of Firearms and Gunpowder (Law No 53, 1910).

- 2) Rules concerning the Operation of the Law for the Control of Firearm and Gunpowder (Imperial Ordinance N° 16, 1911).
- 3) Detailed Provisions concerning the Operation of the Law for the Control of Firearms and Gunpowder (Ordinance of the Department of Interior N° 2, 1911).
- 4) Regarding the Number of Persons who may engage in the Sale of Firearms and Gunpowder (Public Notice N° 17 of the Department of Interior, 1911)
- 5) Law concerning the Execution of the Treaty for the Limitation of Naval Armaments (Law N° 2, 1924 amended in 1931).

6) Regulations relating to the Law concerning the Execution of the Treaty for the Limitation of Naval Armaments (Ordinance of the Department of Navy N° 7, 1924—amended in 1931).

Regulations similar in purport to those enumerated above are in force also in Chosen (Korea), Taiwan (Formosa), Karafuto (Saghalien) and the Kwantung leased province.

III Firearms and Gunpowder.

1) License for manufacture, transformation, improvement and sale.

a) Law for the Control of Firearms and Gunpowder:

Article 1. No one, unless he is a person engaged in the business or has been licensed or commissioned by a competent administrative office, may manufacture firearms or manufacture, transform or repair gunpowder. This shall not apply, however, with regard to gunpowder to be used for purposes of experiments in physics or chemistry, hunting or extermination of birds and beasts and for target practice, where other provisions have been made by means of a decree.

Article 3. Any person who would engage in the business of manufacturing or selling firearms and gunpowder must obtain a licence from the competent administrative office,

Article 5. If a person who has been licensed to engage in the manufacture, transformation, repair or sale of firearms and gunpowder does not commence business within the period designated by the Administrative Office; or if, after having commenced business, he suspends his business for more than a

year or contravenes any law or ordinance; or if there is ground for the fear that he will disturb public peace and order, the Administrative Office may rescind his licence or order the discontinuance or restriction of his business.

Article 6. Except in cases where special provisions have been made by law or ordinances, no one may convey or receive by transfer any firearms or gunpowder intended for military purposes unless he is a person engaged in their manufacture or sale as a business or has been especially authorized by the Administrative Office.

b) Rules Concerning the Operation of the Law for the Control of Firearms and Gunpowder.

Article 4. A person who has been commissioned by an administrative office to manufacture firearms or to manufacture, transform or repair gunpowder shall, prior to commencing the undertaking, forward to the Governor of the Prefecture within whose jurisdiction the commission is to be executed a report as to the kind and quantity of firearms to be manufactured or of the gunpowder to be manufactured, transformed or repaired, the date and conditions of the commission as well as the name of the administrative office by which the commission was given, together with a certificate of such administrative office.

Article 5. Application for a licence for the manufacture of military firearms, gunpowder or explosives shall be made through the Governor of the Prefecture within whose jurisdiction the work is to be undertaken to the Minister of Interior and the Minister of Army if the firearms and gunpowder are to be supplied to the army; to the Minister of Interior and the Minister of Navy if they are to be supplied to the Navy; and to the Minister of Interior in all other cases.

Article 6. Application for a licence for the manufacture of firearms for non-military use or for the manufacture, transformation or repair of gunpowder and explosives for pyrotechnics shall be made to the Governor of the Prefecture where the work is to be undertaken; application for a licence for the sale of firearms and gunpowder shall be made to the Governor of the Prefecture where the business is situated.

Article 7. A person who has been licensed by the Administrative Office or who is engaged in the manufacture, transformation or repair of firearms or gunpowder as a business may not use the equip-

ment necessary for his business except upon its inspection by the administrative office which has issued the licence or by the Prefectural Governor who has been commissioned by the office to make the inspection. The same applies also to an alteration of such equipment.

Article 8. An administrative office, when giving a commission for the manufacture, transformation or repair of firearms or gunpowder, may order any particulars necessary for purposes of supervision, in addition to the particulars provided for in the present decree or in an order issued on the basis of the present decree.

c) Detailed Provisions concerning the Operation of the Law for the Control of Firearms and Gunpowder.

Article 1. An application for a licence to manufacture firearms or to engage in such manufacture as an enterprise shall contain the following particulars:—the permanent domicile, full name, age and profession of the applicant (if the applicant is a corporation, its designation, the location of its office, the permanent domicile and full name of its representative, a copy of the Articles of Incorporation and a list of its members or shareholders), the object of the enterprise, the kind of goods manufactured, a detailed diagram and description of the goods, the estimated output for a given period, operating methods and procedure, location and equipment of the factory, provisions relating to the supervision of operatives, any special protective measures to be provided in case experimental firing is necessary, and the methods of obtaining and storing the necessary gunpowder.

An application for a license to engage in the sale of firearms as a business shall contain the location of the store as well as of the place of storage.

2) Licence for export and import.

a) Law for the Control of Firearms and Gunpowder.

Article 8. A person may not export firearms or gunpowder unless he is engaged in the business of manufacturing or selling them or has been especially authorized by the administrative office.

Article 9. A person may not import firearms or gunpowder unless he has been commissioned by

the administrative office or is engaged in the business of selling them or has been especially authorized by the administrative office,

b) Rules concerning the Operation of the Law for the Control of Firearms and Gunpowder.

Article 23. Application for the licence mentioned in Article 8 of the Law for the Control of Firearms and Gunpowder shall be made to the Governor of the Prefecture having jurisdiction over the port of export; application for the licence mentioned in Article 9 of the said Law shall be made to the Governor of the Prefecture having jurisdiction over the port of import.

In the case of firearms and gunpowder for military use, application for the licence mentioned in the preceding paragraph shall be made through the Governor of the Prefecture having jurisdiction over the port of export or the port of import to the Minister of Interior and the Minister of Army if the firearms and gunpowder are to be supplied to the army; to the Minister of Interior and the Minister of Navy if they are to be supplied to the navy.

Article 24. The licence mentioned in the preceding Article shall be valid for a period of one year. But the administrative office which issued the licence may rescind it at any time if such rescission is deemed necessary for purposes of supervision.

3) Inspection.

a) Law for the Control of Firearms and Gunpowder.

Article 10. The administrative office may, at any time, cause a competent official to inspect establishments where firearms or gunpowder are manufactured or kept in storage or any other place suspected of containing firearms or gunpowder; or to examine firearms or gunpowder or any other goods suspected of containing them, as well as to examine business books and other documents.

The administrative office may, as a preventive measure against harm, order the reconstruction or repair of establishments where firearms or gunpowder are manufactured or kept in storage, or may take any supervisory measure necessary in connection with the storage, transport or handling of gunpowder.

b) Detailed provisions.

Article 7. Persons engaged in the manufacture or sale of firearms and gunpowder shall enter in their books the following particulars:—the kind and quantity of firearms and gunpowder manufactured or sold, the date of manufacture or sale, the permanent domicile and full name of the person making delivery, the person placing the order and the person taking delivery (if a juridical person, its trade name, location of its office and other necessary particulars).

4) Restriction and prohibition.

a) Law for the Control of Firearms and Gunpowder.

Article 11. If deemed necessary for the purpose of preserving the public peace or for military or diplomatic reasons, the competent administrative office may restrict or prohibit the export or import of firearms and gunpowder.

b) Rules concerning the Operation of the Law for the Control of Firearms and Gunpowder.

Article 26. An order for the prohibition or restriction of the export or import of firearms and gunpowder based on the provisions of Article 11 of the Law for the Control of Firearms and Gunpowder shall be issued by the Minister of Interior. But if the firearms and gunpowder are to be supplied to the army, such order shall be issued by the Minister of Interior and the Minister of Army; and if to be supplied to the navy, then by the Minister of Interior and the Minister of Navy.

5) Penalties.

Summary translation of Article 16 of the Law for the Control of Firearms and Gunpowder:

A person who has contravened any of the provisions concerned shall be subject to imprisonment (with or without hard labour) for a period not exceeding two years or to a fine not exceeding one thousand yen.

IV. Weapons other than firearms and gunpowder.

The provisions relating to firearms and gunpowder shall apply with the necessary modifications to the control of weapons other than firearms and gunpowder (Law for the Control of Firearms and Gunpowder, Article 15).

V. Vessels of War.

1) Licence for the construction and reconstruction of naval vessels.

a) Law concerning the Execution of the Treaty for the Limitation of Naval Armaments.

Article 1. None of the following acts shall be effected without the authorization of the Minister of

State concerned:

1. The construction or reconstruction of warships.
2. The arming of a merchant vessel with the object of converting it into a vessel of war, or reparations for such arming.

The Minister of State concerned may refuse the authorization mentioned in the preceding paragraph if he deems such refusal to be necessary in order to discharge the obligations arising from the provisions of the Washington Naval Treaty of 1923 and the London Naval Treaty of 1930.

b) Regulations relating to the Law concerning the Execution of the Treaty for the Limitation of Naval Armaments.

Article 1. A person who would effect any of the acts mentioned in Article 1, paragraph 1 of the Law concerning the Execution of the Treaty for the Limitation of Naval Armaments shall make his application in a given form to the Minister of Navy.

Article 2. An act constituting the object of the application mentioned in the preceding Article must not exceed the limitation prescribed by the Treaties set forth under the following heads:

1. Washington Naval Treaty, Art. 5, Art. 6, Art. 9 paragraph 1, Art. 10, Art. 11, Art. 12, Art. 14 and Art. 15.
2. London Naval Treaty, Art. 3 and Art. 5.

2) Inspection.

Law concerning the Execution of the Treaty for the Limitation of Naval Armaments.

Article 2. Whenever deemed necessary, the competent official may, for the purpose of making investigations relating to the matters mentioned in the preceding Article, visit and inspect dockyards,

factories, warships, merchant vessels and any other necessary places, or may order persons concerned to furnish any information or material needed for the investigation.

3) Penal provisions.

Do, Art. 3. A person who has contravened the provisions of Article 1, paragraph 1 or has violated the conditions of the license provided for in the said Article shall be subject to imprisonment (with or without hard labour) for a period not exceeding two years or to a fine not exceeding two thousand yen.

我國ニ於ケル現行武器製造取締規則ニ關スル我方ノ回答原案要旨

日本ニ於ケル武器ノ取締ニ關スル制度

(イ) 銃砲火藥類其ノ他刀劍等ノ武器ノ製造取引所持並ニ軍艦ノ建造船舶ニ武裝ヲ施スコトニ關シテハ嚴重詳密ナル取締ヲナシ居レリ

企業ノ創設、營業方法及上記ニ關聯スル各個ノ行爲ニ對シテモ一々監督ヲナス之カ爲右等ノ事項ハ原則トシテ官憲ノ許可ヲ得ルニ非サレハ之ヲナスコトヲ得サルコト、ナシ居レリ

而シテ右許可ノ條件モ頗ル細密ニ規定シアリ

尙官憲ニ於テ必要ト認メタル場合ニハ右ニ掲クル諸行爲ニ對シ制限ヲ加ヘ又ハ禁止ヲナスコトヲサヘナシ得ルコト、シアリ

又法令違反ニ對シテハ懲役禁錮罰金刑ヲ科スルコト、ナリ居レリ要スルニ右取締ハ國內保安ヲ維持スルト同時ニ國際義務ノ履行ヲ確實ニシ依テ以テ弊害ノ發生ヲ未然ニ防クコトヲ以テ目的トスルモノニ外ナラス而シテ從來右ノ取締ハ極メテ圓滑ニ行ハレ官憲ニ於テ適切ニ指導サレ居ルヲ以テ日本ニ於テハ武器ノ製造ニ關シ未ダ嘗テ弊害ト認ムヘキモノヲ生シタルコトナク恐ラク將來ニ於テモ其ノ憂ナカルヘキナリ

(ロ) 武器取締ニ關スル現行法令ノ主要ナルモノヲ舉クレハ左ノ如シ

- (1) 銃砲火藥類取締法(明治四十三年法律第五三號)
- (2) 銃砲火藥類取締法施行規則(明治四十四年勅令第一六號)
- (3) 銃砲火藥類取締法施行細則(明治四十四年內務省令二)
- (4) 銃砲販賣業者火藥販賣業者定員(明治四十四年內務省告示一七號)
- (5) 海軍々備制限條約實施法(大正十三年法律第二號、昭和六年改正ス)

(6) 海軍々備制限條約實施法施行規定（大正十三年海軍省令第七號、昭和六年改正ス）
右等ト同趣旨ノ規則ハ朝鮮、臺灣、樺太、關東州等ニモ行ハレ居レリ

(ハ) 銃砲火藥類

(1) 製造、變形、修理、販賣等ノ許可

(a) 法律 第一條

同 第二條

同 第三條

同 第四條

同 第五條

同 第六條

(b) 施行法 第四條

同 第五條

同 第六條

同 第七條

同 第八條

同 第九條

(c) 細則 第一條

(2) 輸出入ノ許可

(a) 法律 第八條

同 第九條
(b) 施行法

第二十三條

第二十四條

(3) 檢 査

法律 第十條

(4) 制限 禁止

(a) 法律 第十一條

(b) 施行法 第二十六條

(5) 刑 罰

違反者ニ對シテハ二年以下ノ懲役禁錮又ハ千圓以下ノ罰金ニ處ス（法律第十六條）

(ニ) 銃砲火藥類以外ノ武器

銃砲火藥類ニ關スル規定ハ之ヲ銃砲火藥類以外ノ武器ノ取締ニ付之ヲ準用ス（法律第十五條）

(ホ) 艦 船

(1) 艦船建造及改裝ノ許可

(a) 海軍々備制限實施法 第一條

(b) 同法施行規程 第一條 第二條

(2) 檢 査

同法 第二條

(3) 刑 罰

違反者ニ對シテ二年以下ノ懲役禁錮又ハ二千圓以下ノ罰金ニ處ス（同法第三條）

附屬第五 昭和七年十一月十八日幹部會第十三回會議ニ於ケル我方ノ主張

M. SATO (Japan) said that in principle the Japanese delegation accepted the conclusions submitted by the Rapporteur. He felt bound however to stress paragraph 3 (c) of the Rapporteur's conclusions, which stated

“that it was already clear that the proposals which the Committee would have to submit regarding the regulation of the manufacture of arms would differ from the draft Convention framed by the Special Commission in 1929”. He realised that in certain respects the 1929 draft was incomplete. The Special Committee could however examine it and consider possible ways of modifying or improving it. M. Sato would accept such a procedure. It might on the other hand be wondered whether the paragraph which he had just read meant that the 1929 draft should be condemned offhand. That was a view which M. Sato would find it somewhat difficult to share. Moreover he was unwilling to believe that such was the opinion of the Rapporteur and of the Bureau. In spite of its imperfections the 1929 draft, which had been drawn up as the outcome of several years' arduous preparation, represented the utmost that a convention could achieve. Hence M. Sato's insistence that this draft should be taken as a basis of discussion and should not be scrapped in advance. It only needed supplementing.

The same objections had been raised against the 1925 Convention. M. Sato hardly felt able to dwell on that point, since Japan, though it had signed the 1925 Convention, had not ratified it. That meant that it was indifferent as to whether the Conference decided to revise it. In this connection M. Sato thought it his duty to point out that Japan would never rank among the great arms exporting countries, a fact which made its attitude of indifference on this point still more comprehensible. Should the Conferees think fit to bring the Conventions relative to traffic in arms and private manufacture into harmony with one another, he would accept such a suggestion in advance.

The question of equality of treatment between State and private manufacture appeared to him extremely compli-

cated, especially if an attempt were made to ensure equality of treatment between producing and non-producing countries. He was still of opinion that State manufacture differed from private manufacture and that in consequence, it should not be subjected to the same treatment. That point of view had been frequently expressed at the 1929 Conference at which M. Sato had himself been present. As at the present Conference, Japan had always been of opinion that in the very nature of things, State manufacture was already subjected to effective supervision. It was indeed given full consideration during the framing of budgets and during the budgetary discussions in Parliaments etc. There was nothing at all comparable in respect of private manufacture and it was for that reason that the issue of licences, publicity in regard to manufacture etc. had been contemplated. The only result of insistence upon equality of treatment would be to add to these objections. There were, moreover, in this connection, essential differences between the various countries. Some possessed only private manufactures; others only State factories, while in others again, both systems were practised. Japan was one of those countries where the manufacture of arms was exclusively in the hands of the State. If the arguments in regard to supervision were to be carried to their logical conclusion, he would be entitled to request that regulation of manufacture should be confined to private manufacture. M. Sato would not lay undue emphasis on this point; he even declared himself in favour of a certain measure of regulation of State manufacture.

As opinions were divided on this point—and as these opinions made it clear that it was impossible to contemplate subjecting State manufacture to supervision as strict as that to be applied to private manufacture, M. Sato stated that, if the Conference were to pronounce in favour of equality of treatment, he would support a system of regulation giving due weight to special circumstances and so conceived that States would be able to submit to it.

Finally, M. Sato assured the Rapporteur that Japan would wholeheartedly cooperate in the work of the sub-committees of the committee for the Regulation of Trade in, and Private and State Manufacture of Arms and Implements of war; it would sincerely strive to discover a basis for agreement which would make it possible to apply a system of regulation both to State and private manufacture provided always that State manufacture was not subjected to any undue limitation or supervision.

附屬書第六 昭和八年六月七日一般委員會第七十五回會議ニ於ケル我方ノ主張

M. Sato (Japan) said that he desired, above all, to express his deep gratitude to the members of the Committee for the Regulation of the Trade in and Manufacture of Arms and Implements of War, and to its Bureau (and, more especially, to the Chairman and Rapporteur), who had worked indefatigably for eight months on those extremely complicated questions and submitted such a very instructive progress report.

The Committee had drawn up a preliminary report, owing to the impossibility of it giving a final opinion so long as the Conference had not taken a decision with regard to certain principles. However, that report could obviously serve as a basis for the work of the General Commission. The report had cleared up the difficulties which the Committee had encountered during its discussions and indicated the task before the General Commission and the responsibilities which rested upon it, thus furnishing very valuable material for subsequent discussions.

In his opinion, the solution of those complicated problems was to be found, in the last resort, in the regulation and effective supervision of the manufacture of and trade in arms and implements of war for the prevention of the evil effects attendant upon such manufacture. As regarded private manufacture, the main object in view had already been clearly stated in Article 8 of the Covenant of the League. The Japanese Government had, in its own experience, never encountered such evil effects, as, in Japan, detailed and complete regulations on the manufacture of and trade in arms or implements of war were issued years ago and were rigorously observed. He was therefore convinced that, if each Government took the necessary effective measures appropriate to its own country, it would not be difficult to abolish or prevent possible evil effects. He was sincerely of opinion that the abolition of private manufacture or the internationalisation of the manufacture of arms was not essential for preventing those evil effects. The abolition of the private manufacture of arms would entail certain disadvantages, and even dangers, for countries in which private manufacture was important as compared with State manufacture and for the countries which imported arms, as compared with those which exported them, inasmuch as the former would be placed at the mercy of the latter. Nor would the application of the system of internationalising the manufacture of arms be practicable, and it would offend against equity in the

present state of the world.

If, in certain countries which possessed scarcely any effective regulation of the trade in and manufacture of arms, individuals were discovered engaging in activities prejudicial to peace, it would certainly be the duty of those countries to take the necessary measures, even in the absence of an international agreement. It was the duty of the modern State to do so. In order to prevent those evil effects, it would be sufficient for each Government to show goodwill, and for effective national supervision to be introduced by means of licences, such supervision to be supplemented by an international undertaking for co-ordinating the efforts of each Government with an appropriate system of publicity. In order to do that, it would not be necessary to apply a strict and pettifogging system of international supervision which would hamper the activities, liberty and good relations of the nations.

It must not be forgotten that each country had an organisation of its own and a different military, political, economic and social system. Thus, in order to regulate such matters as affected national life in all its aspects, they must take account of the circumstances peculiar to each State. Therefore, any international engagement would have to be simple, practical and progressive.

Although he recognised the importance of those problems of the regulation of the manufacture of and trade in arms which called for the most careful study on the part of the Conference, he was convinced that the first task of the Conference consisted in coming to an agreement. Consequently, it would be difficult for him to take a decision on those problems, as long as the provisions relating to disarmament, and especially those relating to material, had not been adopted by the General Commission.

附屬第七 麻薬取引ノ問題ト武器取引及製造問題トノ比較覺書

(Conf. D. 159) ニ付テ

一、一九三二年十一月二十八日理事會ニ於テ西國代表「マダリアガ」ハ阿片ノ生産及取引ノ監督ニ關シテ得タル材料ニシテ武器取引及製造ノ監督ニ關シテ參考トナルモノニ付軍縮會議ノ注意ヲ喚起セントコトヲ事務總長ニ依頼スル案ヲ提出シ

タリ

事務總長ハ其ノ有スル材料中ノ如何ナルモノヲ軍縮會議ニ呈示スヘキカラ事務局ヲシテ調査セシムヘキ旨ヲ約シ其ノ約ニ從ヒ作成シタルモノカ即チ本覺書ナリ

二、右覺書ハ一九三三年五月四日事務總長ヨリ軍縮會議各國代表部ニ送付セラレタルカ武器取引及製造委員會ハ何等本書ニ付審議スルコトナカリキ

三、一般委員會ニテ武器取引問題討議ニ際シ「マダリアガ」カ之ニ言及セルハ第九節第二ノ通リナリ

附屬第八 武器取引及製造問題ニ關スル重要會議文書表

一、武器取引取締條約（一九二五年六月十七日署名）（A. 16, 1925 IX）

二、武器製造取締問題特別委員會報告及條約案（A. 30, 1929 IX）

三、武器取引及製造委員會一般討議々事經過報告（Conf. D. 145）

四、同 委員會議事經過報告（Conf. D. 160）

右報告中ニハ左ノ文書ヲ包含ス

(イ) 武器民營全廢及武器製造國際化ノ問題（Conf. D./C. G. 148）

(ロ) 武器製造質問題ニ對スル回答（Conf. D./C. G. F./21(a), 21(b), 21(c)）

(ハ) 右 概 要（Conf. D./C. G. F./42）

(ニ) 製造分科會報告（Conf. D./C.C.F./24）

(ホ) 武器類別專門委員會報告（Conf. D./C. G. F./38）

(ヘ) 取引委員會報告（Conf. D./C. G. F./40, 40(a)）

(ト) 佛 國 提 案（Conf. D./C. G. F./41）

(チ) 戰時效力停止及失效問題（Conf. D./C.G./49）

五、英條約案修正案トシテノ佛國提案（Conf. D./C. G./122）