

四 国際連盟の動向と九国条約関係国会議

1 中国の連盟提訴と日中紛争報告書の総会採択

昭和12年9月10日

在ジュネーブ宇佐美(珍彦)国際会議事務局長代理兼総領事より
広田外務大臣宛(電報)

第十八回國際連盟總會における極東問題の取

扱い振りにつき観測報告

付記一 昭和十二年八月三十日付、中国政府より國際

連盟宛覚書

日本の行動は連盟規約、不戦条約および九国
条約に違反しつつあるとの通牒

二 昭和十二年九月十二日付、中国政府より國際

連盟宛覚書

日本の行動を非難する補足通牒

三 昭和十二年九月十二日付、中国政府より國際

連盟宛提訴状

日本の行動に対する必要手段の採用方要請

第一四三號

局長ヨリ

聯盟理事會及總會ノ開會ニ際シ當地ニ於テハ地中海問題及
極東問題カ最モ注意ヲ惹キ論議ノ中心トナリ居ル處地中海
問題ニ關スル「ニヨン」會議ハ獨伊ノ不參加通告ニ依リ重
要性ヲ減シタルモ聯盟ハ往電第一四一號ノ通り理事會ヲ延
期シテ「ニヨン」會議ノ成功ニ主力ヲ注クコトナリタル
カ本會議成行如何ハ聯盟ニ於ケル極東問題取扱振ニモ重大
ナル關係ヲ有スルモノト觀測セラル

極東問題ニ付當地ノ空氣ハ日本側ニハ甚タシク不利ナルカ
新聞記者ノ噂ニ依レハ支那側ハ十三日ノ總會ニ提訴シ專ラ
米國引入レニ重キヲ置キ一九三三年日支紛争諮問委員會ニ
附議セシメント努力シ居レリトノコトナルモ聯盟側及主要
國トノ打合ハ未タ完了セサルモノノ如ク其ノ間蘇聯ノ策動

ジュネーブ 9月10日後發
本 省 9月11日夜着

ノ風説モ傳ハリ居リ主要國及聯盟側ニ於テハ(一)此ノ際聯盟ニ於ケル單ナル決議又ハ宣言位ニテハ日本ノ行動ヲ牽制スルニ何等ノ效果ナキノミナラス其ノ結果日本側ノ態度ヲ却テ激化スル惧ナキヤ(二)日本ノ目的ハ支那ノ反省ヲ促シ東亞ノ平和ヲ確保スルニアリト言明セラレタルモ果シテ如何ナル具體案ヲ考慮シ居ルヤ明カナラサルカ此ノ際聯盟カ生シカ干涉カマシキ行動ニ出ツルコトハ本事件ノ仕末ニ付日本ノ態度ヲ硬化セシムル惧ナキヤ(三)日本ハ聯盟ニ對シテハ政治問題ニ付協力セサルモ其ノ他ノ問題ニ付猶協力ヲ續ケ居ルカ聯盟ノ干涉ハ日本側ヲシテ聯盟トノ絶縁ニ迄導クコトナキヤ等聯盟干涉ヨリ生スル影響ト結果トニ付慎重ニ研究シ同時ニ滿洲及「エチオピア」事件ノ事例ニ鑑ミ聯盟ノ體面保持ノ上ヨリモ充分ニ考慮シ「ニヨン」會議ノ始末ト並行シテ極東問題ニ對スル取扱振ヲ決定スルセ^(モカ)ノト一般ニ觀察セラレ居レリ

米、在歐各大使へ轉電シ在歐各公使へ暗送セリ

(付記一)

C. 342. M. 232. 1937. VII.

COMMUNICATION FROM THE CHINESE GOVERNMENT.

Geneva, August 30th, 1937.

Sir,

Acting on the instructions of my Government I have the honour to forward to you herewith its Statement on the Japanese aggression in China since the Lukouchiao incident on July 7th last.

I would be grateful if you would be good enough to communicate this Statement to the Members of the League of Nations and to the Advisory Committee set up under the resolution adopted on February 24th, 1933, by the Assembly of the League of Nations.

I have the honour, etc.

(Signed) Hoo Cui-Tsai.

*Director of the Permanent Bureau
of the Chinese Delegation to the
League of Nations.*

Monsieur JOSEPH AVENOL,

Secretary-General of the League of Nations, Geneva.

STATEMENT OF THE CHINESE GOVERNMENT.

"On the evening of July 7th, Japanese troops held illegal manoeuvres at Lukouchiao, a Railway junction of strategic importance in the vicinity of Peiping, where there presence could not be defended under any existing treaty or agreement. Alleging that one Japanese soldier was missing, Japanese troops demanded after midnight to enter the adjacent city of Wanning to conduct a search. When permission was refused by the Chinese authorities, the Japanese suddenly opened an attack on Wanning with infantry and artillery forces and thus the Chinese garrison was compelled to offer resistance.

"While the Chinese authorities from the very beginning showed their willingness to reach an amicable settlement of the Lukouchiao incident, Japan has sought to exploit the incident for furthering her designs on North China and relentlessly forced China to resort to armed resistance, thus precipitating a sanguinary conflict of which

the world has as yet only witnessed the beginning.

"With a view to avoiding further hostilities and effecting a peaceful settlement with Japan through regular diplomatic channels, The Chinese authorities with great self-restraint and forbearance, in face of repeated provocative attacks by Japanese forces, proposed a mutual withdrawal of troops in order to separate the two opposing forces and, later, as unmistakable proof of China's peaceful intentions, actually proceeded to withdraw her troops from the scene of conflict even before Japan commenced similar withdrawal.

"On the other hand, the Japanese deliberately aggravated the situation by immediately despatching large reinforcements to the province of Hopei, by renewing their offensive in the Wanning-Lukouchiao area and by extending the field of conflict to the immediate outskirts of Peiping.

"In spite of such grave provocations, the Chinese local authorities continued their efforts for peaceful settlement

and, on July 11th, accepted the following terms proposed by the Japanese: 1) expression of regret by a representative of the military authorities, disciplinary measures against officers directly involved in the conflict and guarantee against recurrence of similar incidents; 2) replacement of Chinese regular troops at Lukouchiao and Lungwanmiao by peace preservation corps and 3) effective suppression of anti-Japanese and Communist organisations in the Hopei Province.

"On July 12th, the Counsellor of the Japanese Embassy, accompanied by an assistant Japanese military attaché and assistant naval attaché, acting under instructions from his government, called at the Chinese Ministry of Foreign Affairs and advised the Chinese Government 'not to interfere' with the local settlement which had been reached on the previous day. The Japanese Counsellor received the reply that any local arrangement, in order to be binding, must be approved by the Chinese Central Government. The Ministry of Foreign Affairs also proposed the mutual

withdrawal of troops to their original positions pending the final settlement of the incident.

"While the Chinese local authorities were carrying out the terms of the agreement by withdrawing their troops, the Japanese extended their warlike activities and provocative attacks to the Peiping-Tientsin area. By July 15th it was estimated that over twenty thousand Japanese troops and a hundred aeroplanes had been concentrated in this area with further reinforcements held in readiness on the other side of the Great Wall. Under threat of ^(military *) coercion the negotiations between local representatives were rendered exceedingly difficult, especially as Japanese attempted to dictate measures for complementing the agreement of July 11th.

"On July 16th, China presented a memorandum to the Governments of Powers signatory to the Nine-Power Treaty (with exception of Japan) and Governments of Germany and Soviet Russia, drawing their attention to the fact that the sudden attack on Lukouchiao and the invasion

of North China by large Japanese military forces constituted a clear violation of China's sovereignty, contrary to the letter and spirit of the Nine-Power Treaty, the Paris Peace Pact and the Covenant of the League of Nations. It was also stated in the memorandum that, while China was obliged to employ all means at her disposal to defend her territory and national existence, she nevertheless held herself in readiness to settle her differences with Japan by any of the pacific means known to international law or treaties.

"On July 17th, the Japanese Embassy presented a memorandum to the Ministry of Foreign Affairs, demanding the Central Government not to interfere with local negotiations, nor to make military preparations of any kind. On the same day, the Japanese military attaché, under instructions from the Tokyo War Office, made representations to the Chinese Ministry of War against the entry of Chinese reinforcements into the Hopei Province even for defensive purposes and threatened with 'grave

consequences' if the demand be not complied with.

"To such preposterous representations the Chinese Government, on July 19th, replied in writing, renewing its proposal for simultaneous cessation of troop movements on both sides and mutual withdrawal of troops to their respective original positions on date to be agreed upon by both parties. It was also unequivocally stated in the reply that for the settlement of the incident the Chinese Government was prepared to accept any pacific means known to international law or treaties, such as direct negotiations, good offices, mediation and arbitration. Unfortunately, these conciliation demarches failed to receive the desired response. That the Chinese Government went to the utmost limit of forbearance was shown by the fact that it did not raise objection to the terms of the agreement reached on July 11th between the Chinese local authorities and the Japanese army.

"Thus it will be readily seen that since the outbreak of the Lukouchiao incident, Japan has sought to exploit it in

two ways for realising her object of military, political and economic domination over North China. On the military side, she persisted in sending to the Hopei province enormous numbers of armed forces that would only be required for large scale campaign and, at the same time, sought to prevent the Central Government from taking precautionary defence measures, so that she would be in position more effectively to bring local authorities to subjection. Diplomatically, she has endeavoured to coerce the Chinese Central Government into keeping its hands off North China and agreeing in advance to whatever terms the local authorities, when left alone to face Japanese military pressure, might be forced to accept.

"Finally, seeing that China refused to act according to their wish, the Japanese army presented an ultimatum to the Chinese local authorities on July 26th, demanding, among other things, the withdrawal of Chinese troops from Peiping and its vicinity which, it may be noted, was outside the terms of the agreement of July 11th. Even before the

expiration of the time-limit fixed by the ultimatum, Japanese military and air forces launched a big offensive against the Peiping-Tientsin area causing a widespread feeling of horror and dismay by their wanton destruction of civilian lives and property, including many educational and cultural institutions.

"After the Chinese troops had withdrawn from the Peiping-Tientsin area, Japanese armed forces further extended their operations into southern Hopei and also northward into Hopei-Chahar border, where fierce attacks are being made on the strategic pass of Nankou. It was estimated by August 20th that Japanese troops in North China totalled approximately hundred thousand strong. The concentration of such large force on Chinese soil shown that Japan is irrevocably committed to a policy of military conquest and expansion on the Asiatic continent.

"Fearing that Japan would bring the war scourge to Shanghai, the financial and economic centre of China, as she did following her occupation of Manchuria, the Chinese

Government, during the critical tension in North China, repeatedly ordered the local authorities at Shanghai to take special precautions against the occurrence of any untoward incident. China's efforts to preserve peace of that great metropolis were however frustrated as a result of the incident of August 9th, in which one Japanese naval officer, one Japanese seaman and a member of the Chinese Peace Preservation Corps were killed in a clash arising from the Japanese naval men's attempt to approach the Chinese military aerodrome near Shanghai, regardless of Chinese warnings.

"While the Chinese municipal authorities immediately proposed that a settlement be sought through diplomatic channels, Japan again preferred the arbitrament of force. Within less than 48 hours she concentrated about thirty warships at Shanghai and had her armed forces there increased by several thousand. At the same time, demands calculated to remove or undermine Chinese defence were made on Chinese authorities. The expected attack opened

on August 13th, four days after the incident, when Japanese naval forces both ashore and afloat, using the International Settlement as a base for operations, launched an offensive against the districts of Kiangwan and Chapei.

"Since then, Japanese have extended their air activity to many provinces, including those of Shangtung, Kiangsu, Chekiang, Anhui, Hupei, Hunan and Kiangsi. Daily raids have been made on Nanking, national capital of China, and various other cities of economic or political importance. There is every sign that Japan, relying on the numerical superiority of her air force, aims at crippling China's strength for resistance by extensive bombing operation in the most prosperous parts of China, where her economic and cultural life as well as foreign commerce are centred.

"The above brief account of what Japan has done since the outbreak of the Lukouchiao incident on July 7th, brings out the following facts most clearly, truthfully and indisputably.

"1) Japanese armed forces have invaded China's

territory and are extensively attacking Chinese positions by land, sea and air, in Central as well as North China. It is thus a case of aggression pure and simple.

"2) China is exercising her natural right of self-defence, the failure of all other means of repelling violence having compelled her to resort to force, which is contrary to China's wish.

"3) Japan's present action in China is the continuation of her aggressive program started in Manchuria in September 1931. Japan has now occupied the Peiping-Tientsin area and is bent upon extension of her occupation to the whole of North China and domination of other regions in spite of all her assurances that she has no territorial designs on this country. She is attempting to destroy all the work of reconstruction which the Chinese nation has so steadily and assiduously undertaken during the last ten years.

"4) In thus deliberately disturbing the peace of the Far East, Japan has violated the fundamental principles of

the Covenant of the League of Nations. Using war as an instrument of national policy and ignoring all the pacific means for the settlement of international controversies, she has violated the Paris Peace Pact of 1927. Acting contrary to her pledge to respect the sovereignty, the independence and the territorial and administrative integrity of China, she has violated the Nine-Power Treaty concluded at Washington in 1922."

編 注 本付記一および付記二、付記三は、昭和十二年十二月、条約局第三課作成「支那事變と國際聯盟」より抜粋。

(註記1)

C. 376. M. 253. 1937. VII.

COMMUNICATION, DATED SEPTEMBER 12TH, 1937,

FROM THE CHINESE GOVERNMENT
TO THE SECRETARY-GENERAL.

Geneva, September 12th, 1937.

Acting on the instructions of my Government, I have

the honour to forward to you herewith its statement on the Japanese aggression in China supplementary to that which Dr. Hoo Chi-tsai, Director of the Permanent Office of the Chinese Delegation, had the honour of forwarding to you on August 30th, 1937.

I should be grateful if you would be good enough to communicate this supplementary statement to the Members of the League of Nations and to the Advisory Committee set up under the resolution adopted on February 24th, 1933, by the Assembly of the League of Nations.

(Signed) V. K. WELLINGTON KOO.

First Delegate of the Chinese Delegation.

SUPPLEMENTARY STATEMENT OF THE CHINESE GOVERNMENT.

Since the presentation of the last statement to the League under date of August 30th, 1937, Japan's aggression in China has developed in further intensity and ruthlessness resulting in much wanton destruction of non-

combatant life and property including those of third Powers. The gravity of the situation calls for a supplementary statement in which the Chinese Government wishes to draw special attention to the following outstanding events:

1. *Military and political aspects.*—The fighting in the Shanghai area, which was started on 13th, 1937, by the Japanese landing party, has been intensified with the continual arrival of Japanese military, naval and air reinforcements. It is estimated that, in addition to over ten thousand marines, Japan has brought five army divisions to Shanghai with a formidable array of modern war weapons, including scores of military aeroplanes. Determined to bring under her control the premier seaport of China, Japan has flatly rejected the proposal advanced by the representatives of third Powers for the mutual withdrawal of the forces, including the Japanese warships, from Shanghai, which proposal China accepts in principle. Hostilities in Shanghai have already exacted an enormous

toll in life and property, and with two huge opposing armies locked in a life-and-death encounter, the fighting is likely to be prolonged.

In North China, the Chinese troops defending Nankow, after having valiantly held out about a fortnight against fierce Japanese onslaughts, were eventually forced to withdraw when subjected to gas attacks and threatened with flanking movement by units of the Japanese Kwantung army from Jehol. Advancing westward, the Japanese forces have occupied various cities on the Peiping-Suiyuan railway as far as Kalgan, the capital of Chahar, which was evacuated by Chinese troops on August 27th. The Japanese sources announced on September 4th that a puppet regime styled "South Chahar Autonomous Government" was being formed at Kalgan.

Fighting has continued along northern sections on the Peiping-Hankow and Tientsin-Pukow railways, where the Japanese military strength has reached nine divisions totalling no less than one hundred and fifty thousand men.

Meanwhile, confusion and terror reign in the Peiping and Tientsin area, which is completely under Japanese control. Ten foreign missionaries were reported to have been kidnapped in Peiping, where the Japanese military have admitted that they are facing the problem of preventing looting by their own soldiers.

With a view to devastating all Chinese seaports, Japanese activity in the air has been extended towards South China. A formation of six or seven Japanese military planes bombed Canton on August 31st, while Swatow and Changchow (Fukien) were raided the same day. Two Japanese seaplanes bombed Amoy on September 3rd, shortly after the bombardment of the Chinese forts there by Japanese warships, and Swatow was bombed for the second time on September 6th. With the exception of a few provinces, Japanese air activity has now been extended throughout the length and breadth of China. In carrying out their death-dealing mission, the Japanese airmen have shown most spiteful disregard for distinction between

combatants and non-combatants. Details of this sordid aspect of Japan's aggressions will be given presently.

2. *Japan's declaration of the naval blockade.*—The Japanese navy declared on August 25th a blockade against Chinese shipping from Shanghai to a point to the south of Swatow. While it was declared from Tokio that "peaceful trade" would not be interfered with, the legal adviser to the Japanese Third Fleet operating in Chinese waters, Dr. Jumpei Shinobu, told the foreign Press that foreign ships might be hailed by Japanese warships patrolling the blockaded area. He also intimated the possibility of the Japanese exercising the privilege of pre-emption toward foreign bottoms found to be carrying cargo which in their view would constitute war-time contraband.

On September 5th, the blockade was further extended to include an area from Chinwangtao in the north to Pakhoi in the south, covering virtually the entire length of the Chinese coast. Simultaneously, the Japanese naval authorities announced that they reserved the right to hail

all merchantmen in Chinese waters in order to ascertain their identity and also asked all foreign shipping companies to inform them of the movement of their ships in Chinese waters.

3. *Japanese bombing of Red Cross units.*—Flagrantly violating the Geneva Convention of 1929, to which Japan is a signatory, the Japanese forces have repeatedly committed outrages against Red Cross units engaged in humanitarian tasks attending wounded soldiers. Interviewed by the Press on August 29th, Doctor F. C. Yen, a responsible executive of the Chinese Red Cross Society, revealed that seven of thirty Red Cross vans were disabled by Japanese bombs. In many cases, Japanese aeroplanes gave chase to these vehicles despite easily discernible insignia. Sometimes bombs were dropped on them.

On August 18th, the Red Cross hospital at Chenju was bombed. Fortunately, most of the patients had been removed to another place. The stretcher-bearer was killed while one doctor and three others were wounded. The

following day, the Red Cross ambulance corps at Nansiang was likewise bombed by Japanese raiders. Two wounded soldiers were killed, while four members of the corps were wounded.

Perhaps the most horrible of the outrages was staged in a cold-blooded manner by the Japanese soldiers at Lotien on August 23rd. The ambulance corps of forty-three members were rescuing the wounded when they were surrounded by Japanese troops. Having torn off the Red Cross insignia on their white uniform, the Japanese soldiers made them kneel down and then shot at them. One doctor and four nurses were killed outright, while three nurses managed to escape. The rest were still missing and were believed to have been killed. Of the three nurses, one was shot at while running away from the Japanese and succumbed to injuries the next day.

These horrible acts rendered Red Cross work most difficult. Presently all those working behind the front lines were obliged to carry on duties in the evening, when they

were less exposed to the danger of possible death. The Japanese allegation that the Red Cross carried war materials was completely groundless. Great care was exercised by the Chinese Red Cross Society in using Red Cross flags. Each of the thirty vans to which special permits were granted by the International Settlement or French Concession authorities at Shanghai to pass through their respective territory was thoroughly inspected before it left for the war zone. There is absolutely no excuse for the Japanese deliberately to bomb the Red Cross ambulances and lorries.

4. *Indiscriminate attacks on non-combatants.*—Of numerous instances of indiscriminate Japanese attacks from the air, a few tragic examples serve to illustrate the inexcusable and heinous crimes that have been committed against non-combatants.

On August 17th, about ten Japanese planes appeared over Nantungchow, approximately eighty miles west of Shanghai, and dropped six bombs on the American Mission

Hospital there. One bomb hit the main building, which caught fire and was destroyed. Several Chinese doctors and two nurses were among those killed, while scores were wounded, including two American nurses on duty.

On August 28th, twelve Japanese planes raided Nantao, a densely populated Chinese city in Shanghai, which was entirely devoid of Chinese troops or military positions. The bombs which dropped in the vicinity of the south railway station resulted in the death of over two hundred civilians and injury to five hundred others. The victims, including an exceedingly large percentage of women and children, were mostly refugees waiting *en train* for regions of comparative safety.

Over two hundred wounded soldiers and refugees were killed when an omnibus station at Tchang, a few miles from Woosung, was bombed by Japanese aircraft on August 31st. A similar tragedy occurred on the same day at Tsangchow, approximately seventy miles south of Tientsin, where hundreds of civilians were killed and

wounded by Japanese air bombs.

In the early morning of September 5th, sixteen Japanese planes raided the village of Peitsingching, on the western fringe of the International Settlement at Shanghai, where no fighting had occurred. Numerous houses were destroyed and a large number of villagers were killed and wounded. While flying over that area, the Japanese planes saw two junks sailing in the Soochow Creek, both laden with war refugees. One junk was immediately bombed, resulting in forty killed and sixty wounded, while many panic-stricken refugees in the second junk were machine-gunned and killed.

5. *Wanton destruction of educational and cultural institutions.*—Since the outbreak of hostilities, educational and cultural institutions received the special attention of Japanese as objects for their wanton destruction

One of the first acts of Japanese soldiers after the occupation of Tientsin was deliberately to set on fire with large quantities of oil the well-known Nankai university and

the affiliated Middle School. Since then, many other colleges and schools were either partially or totally destroyed by Japanese air bombs. These included the Tsonging Girls' School, at Nantungchow; the Balwin School for Girls, of Kiangsi; the Agricultural Institute and the Normal School for Rural Education, at Nanchang; the National Central University, its Experimental High School and the School for Children of the Revolutionary Martyrs, at Nanking; and the National Tungchi University, at Woosung. It is noteworthy that all these institutions were attacked from the air and, with the exception of the National Tungchi University, were situated hundreds of miles away from the scene of hostilities. Even the latter did not lie within the area of actual conflict, nor was it occupied by Chinese troops at the time when it was destroyed.

The above sketch of what the Japanese armed forces have done on Chinese territory in the last two weeks shows clearly that Japan is determined to extend her aggressive action to the length and breadth of this country, with the

object, as the Japanese themselves have admitted, of destroying the body politic of China and wiping out the very civilisation of the Chinese nation, thereby realising Japan's long-cherished dream of continental conquest.

It is further demonstrated by the above-mentioned facts that the Japanese armed forces, in invading China's territory, show an utter disregard for all rules of international law, all provisions of treaties, and all precepts of humanity. Law and morality give place to violence and anarchy. Intoxicated by the lust for conquest, the invader is bent upon ruthless slaughter and wanton destruction. The lives of four hundred and fifty million people are at stake; the civilisation and the security of the whole world are in the balance.

(附註)

C. 377. M. 254. 1937. VII.
APPEAL OF THE CHINESE GOVERNMENT.

Geneva, September 12th, 1937.

To the Secretary-General.

Under instructions from my Government I have the honour to invite you to take cognizance of the fact that Japan has invaded China and is continuing the invasion with all her army, navy and air force. It is an aggression against the territorial integrity and existing political independence of China, a member of the League of Nations, and clearly constitutes a case to be dealt with under Article 10 of the Covenant. The grave situation which the Japanese aggression has thus created also falls within the purview of Article 11 of the same instrument and, therefore, is a matter of concern to the whole League.

For the facts of the case I beg leave to refer to the statements which the Chinese Government has communicated on August 30th and September 12th, 1937, to the League for the information of the members of the League and the Advisory Committee set up under a Resolution of the Assembly of February 24th, 1933, adopted in virtue of paragraph 3, Article 3 of the Covenant.

In view of Japan's present relation to the League and her action in China, the Chinese Government holds, without prejudice to the continuing validity and binding effect of all the decisions hitherto taken by the Assembly and Council in the Sino-Japanese Conflict, that Article 17 of the Covenant is also applicable.

In the name of my Government I hereby invoke the application of Articles 10, 11, and 17 of the Covenant and appeal to the Council to advise upon such means and take such action as may be appropriate and necessary for the situation under the said articles.

I have the honour, etc.

(Signed) V. K. WELLINGTON KOO.

First Delegate of the Republic of China.

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879  
昭和12年9月15日

中国の連盟提訴に対する外務当局の見解

付 記 昭和十二年九月十五日付



日中紛争に関する天羽國際會議事務局長の外  
國記者談話要旨

支那ノ聯盟提訴ニ對スル外務當局ノ見解

(九月十五日午前)

一、日本ハ非聯盟國テ政治問題ニ付テハ聯盟ト協力シナイ建  
前ヲ採ソテ來テキルカラ支那事變力聯盟ニ提訴サレタト  
コロテ聯盟ニ於ケル論議ニ關與スヘキ立場ニナイ。

二、支那ノ「ステートメント」及提訴文ハ未タ全文ヲ入手シ  
ナイカラ今茲ニ正確ナ意見ヲ發表スルコトハ差控エルカ  
今迄判明シテキルコトコロ丈ケテモ隨分事實ヲ枉ケテ日本  
ヲ誣ヒテキル聯盟力東亞ノ事態ヲ明ニ認識セス支那ノ一  
方的宣傳文書ヲ基礎ニ日支問題ニ介入スルカ如キハ却テ  
問題ヲ惡化シ聯盟ノ所期ニ反スル結果ヲ招來スルノミナ  
ルコトハ既ニ滿洲事變ニ依リ十分ニ實證サレタトコロタ。  
支那側ハ例ヘハ非戦闘員ニ對スル日本軍ノ攻撃ヲ云々シ  
テ居ルカ日本軍ハ非戦闘員ヲ目標トシテ攻撃ヲ加ヘタ様  
ナコトハ絶對ニナイシ、又今後モアリ得ナイトコロテア  
ル、支那軍コソ虹口方面ノ外國人ニ退去ヲ要請シ日本非  
戦闘員ノミヲ目標トシテ日本居留民タケヲ其儘殘シテ置

イテ砲爆撃ヲ加ヘタ、之ハ明ニ支那側ノ暴擧タルノミナ  
ラス又八月十四日ノ佛國租界及共同租界空爆ノ如キ若ハ  
其後ノ「フーバー」號爆撃ノ如キニ依リ外人非戦闘員多  
數ニ死傷者ヲ出シタ有様テアル。

教育文化機關力攻撃ノ目的物タルカ如キモ支那軍ニ於テ  
之等ヲ占據シ戦闘ノ基點ト爲シタル場合ニハ國際法上當  
然ニ其不可侵性ヲ喪失スルコトニ成ルコトハ申ス迄モナ  
イ日本側ハ戦闘員並敵性ヲ有スル人及物ノミニ戦闘行爲  
ノ目標ヲ置クモノテアルコトハ勿論テアル、日本ハ又支  
那ノ政治機構ヲ破壊シ支那ノ統一ヲ妨害セントスルモノ  
ナリト誹謗シテ居ルカ之ハ日本ノ眞意ヲ解セサルコト甚  
シキモノテアル。

日本ハ世界ノ平和機構確立ノ前提トシテノ支那ノ統一ヲ  
希望スルモノテアルカ唯此統一カ正シイ力ニヨリ成就サ  
ルヘキモノテアルトノ信念ヲ有スルモノテアル。

三、今次事變ニ對スル帝國ノ方針ハ飽ク迄支那政府ノ反省ヲ  
求メ誤レル排日政策ヲ拋棄セシメ以テ日支兩國ノ國交ヲ  
根本的ニ調整セントスルニアル。

今次ノ事變勃發スルヤ帝國政府ハ現地解決、事態不擴大

ノ方針ニ基イテ時局收拾ニ渾身努力ヲシタコトハ世界ノ均シク承認スル處テアル然ルニ南京政府ハ毫モ誠意ヲ示サス益々中央軍ヲ北支ニ集中シテ我方ニ挑戦シ來ツタト同時ニ揚子江流域及爾餘ノ各地ニ於テハ陰險極ル排日ヲ行ツテ我在留民ノ平和的活動ヲ脅シ其生存ヲモ危殆ナラシメタ。帝國カスノ如キ國家ニ對シ其反省ヲ求ムル行爲ニ出テタコトハ帝國ノ正義人道ノ爲又自衛ノ爲極テ當然ノコトテアル。只日支問題ニ付テハ日支兩國間ニ於テノミ現實ニ即シタ最モ公正ナ解決方法カ發見サレルモノト確信スル。

編 注 本文書は、昭和十二年十月、情報部作成「支那事變關

係公表集（第一號）」から抜粋。

# （付 記）

國際會議帝國事務局長談話要旨（九月十五日）

天羽國際會議帝國事務局長ハ九月十五日A・P及U・P記者ニ對シテ左ノ如キ談話ヲナシタ、

一、東亞問題ハ日本國民ノ生存ニ關スル死活ノ問題ナルカ、

日本國民ノ生存ヲ確保スル爲ニハ先ツ東亞ノ安定ヲ（確保）スルヲ要ス。東亞ノ平和維持ハ日本ノ根本政策ナリ。然ルニ東亞ノ安定ヲ脅カスモノアリ、是支那國民政府及國民黨ノ排日抗日政策及日本打倒ノ準備ト共產黨ノ暗躍跳梁ナリ。

一、今回ノ事變ハ、蘆溝橋及上海ニ於ケル支那側ノ挑發ニ依リ勃發シタルモノナルカ、支那南北ニ揚カレル狼火カ一舉ニ支那ノ對日戰鬪トナリタルハ、右ノ如キ多年南京政府及國民黨ニ依リテ培養セラレタル排日抗日ノ素地アル爲ナリ。

斯テ在支十萬ニ近キ本邦人ノ生命財産ハ危殆ニ瀕シ、東亞ノ平和ハ攪亂セラルルニ至レリ。依テ日本政府ハ之等日本人ノ生命財産ヲ保護シ、平和確保ノ爲自衛的手段ヲ採ルノ已ムナキニ至レリ。

一、南京政府ハ他方最近更ニ共產黨ト融合シテ共同作戰ヲ採ルニ至レリ。斯テ我々ハ東亞ノ共產化ニ對シテモ戰ハサルヲ得サルニ至レリ。日本ハ東亞安定ト國民ノ生存確保ノ爲ニ已ムヲ得ス起チタルモノニシテ、第三國民ノ利害關係ニ干渉セントスルモノニアラス。我々ハ

支那ノ朝野カ覺醒シテ、眞ニ隣邦日本トノ友好關係ヲ保持シ、共存共榮センコトヲ欲スルモノナリ。

一、聯盟ハ先ツ、日本國民カ何故ニ死活ノ奮闘ヲ爲シツアルカラ了解シ、次テ東亞ノ情勢ニ付テ正シキ認識ヲ有スルヲ必要トス。此ノ際聯盟カ徒ニ日支紛争ニ干渉スルハ何等ノ成果ナキノミナラス、却テ事態ヲ紛糾セシムル惧アリ。云々

880

昭和12年9月21日

國際連盟アヴノール事務総長より  
広田外務大臣宛(電報)

### 日本政府に対する連盟諮問委員会参加招請

ジュネーブ 9月21日発

本省 着

支那政府ノ要請ニ依リ東亞ノ事態ヲ検討スル爲再會セラレタル諮問委員會ノ委任ニ基キ余ハ閣下ニ向ツテ貴國政府ノ右諮問委員會事業ニ參加セラレンコトヲ招請スルノ光榮ヲ有ス

諮問委員會ハ貴國政府ニ於テ本招請ヲ受諾セラルヘキ希望ノ下ニ來ル月曜日(九月二十七日)迄休會スルコトニ決定セ

リ

九月二十一日

壽府國際聯盟事務總長「アヴノル」

大日本帝國外務大臣 廣田 弘毅閣下

編 注 本文書の原文(仏文)は省略。

881

昭和12年9月25日

広田外務大臣より  
國際連盟アヴノール事務総長宛(電報)

### 連盟諮問委員会参加招請に対する日本政府回答

本省 9月25日発

帝國政府ニ諮問委員會ノ事業參加ヲ招請セラレタル二十一日附貴電正ニ接到予ハ茲ニ帝國政府ノ名ニ於テ左ノ如ク貴下ニ通報スルノ光榮ヲ有ス

抑モ日支兩國ノ協調ニ依ル東亞ノ平和確立ハ帝國政府不變ノ方針ニシテ帝國ハ之ガ爲凡ユル努力ヲ盡シ來レルニ拘ラズ支那政府ハ排日抗日ヲ以テ其ノ國策ト爲シ對日挑發行爲ハ全支ニ亘リ頻々トシテ相繼ギ遂ニ不幸今次事變ノ發生ヲ見ルニ至レル次第ナリ仍テ帝國政府ハ支那政府ガ深ク茲ニ

思フ致シ速ニ反省センコトヲ要望スルモノナリ  
而シテ今次事變ノ解決ニ關シテハ帝國政府ハ其ノ從來中外  
ニ披瀝シ來レル如ク日支間ノ問題ハ日支兩國間ニ於テ現實  
ニ即セル公正妥當ナル解決方法ヲ發見シ得ベシトノ確信ヲ  
堅持スルモノニシテ從テ帝國政府トシテハ從來國際聯盟ノ  
政治的事業ニ對シ執リ來レル其ノ方針ヲ今日改ムベキ何等  
ノ理由ヲモ有セザルヲ以テ遺憾乍ラ諮問委員會ノ招請ヲ受  
諾スルヲ得ズ

九月二十五日

大日本帝國外務大臣 廣田 弘毅

國際聯盟事務總長 「アヴノル」 殿

882 昭和12年9月28日 國際連盟總會採択

**日本軍の空爆に対する非難決議**

九月二十七日日支問題諮問委員會ニ於テ採擇

シタル決議

(二十八日聯盟總會ニ於テモ採擇セラル)

諮問委員會ハ

日本航空機ニ依ル支那ニ於ケル無防備都市ノ空中爆撃ノ問  
題ヲ緊急考慮シ

スル爆撃ノ結果トシテ多數ノ子女ヲ含ム無辜ノ人民ニ與ヘ  
ラレタル生命ノ損害ニ對シ深甚ナル弔意ヲ表シ

世界ヲ通シテ恐怖ト義憤トノ念ヲ生セシメタル斯ル行動ニ  
對シテハ何等辯明ノ餘地ナキコトヲ宣言シ茲ニ右行動ヲ嚴  
肅ニ非議ス

編 注 本文書の原文(英文)は省略。

883 昭和12年9月30日

**連盟總會の空爆非難決議に対するわが方声明**

付 記 昭和十二年九月二十九日付

右決議に対する情報部長談話

聯盟ノ空爆誹謗決議ニ關シ壽府ニ於テ爲シタル聲明

(九月三十日)

國際聯盟諮問委員會ハ爲ニスル所アル新聞電報ト同情ヲ博  
セントシテ之ヲ誇張シタル支那側一方ノ宣傳トヲ基礎トシ

テ我航空隊が無防守都市ノ爆撃ヲ爲シタリトノ誹謗決議ヲ爲シ二十八日國際聯盟總會ハ右決議ヲ採擇セリ斯ル根據ニ基キテ嚴カニ決議ヲ爲ス聯盟ノ行爲ハ了解ニ苦シム所ナルガ此ノ機會ニ於テ真相ヲ周知セシムベシ

帝國陸海軍航空隊ノ攻撃目標ハ其ノ破壊又ハ毀損ニ依リ相手方ノ軍事的能力ヲ著シク減損セシムル性質ヲ帶ブルモノニ嚴格ニ限定セラレ居リ防守セラレタル都市ノ場合ト雖未タ曾テ該都市自体ニ攻撃ヲ加ヘタルコトナク唯都市内ニアル軍事目標ヲ精確ニ照準シテ攻撃スルコトニ最深ノ注意ヲ拂ヒ來レリ而シテ我航空隊ノ卓越セル技術ト規律トハ攻撃ノ實績ヨリ見テ右目的ノ達成上遺憾ナシ都市ノ防守セラレタリヤ否ヤノ見地ヨリセバ南京廣東等ハ最モ堅固ニ防守セラレタル都市タリ而モ攻撃ヲ加ヘタルハ兩市ニ於テモ市中ノ軍事施設ニ過ギズ右ハ將來ニ於テモ同様ナルベシ然レドモ情況ニ依リ右種施設近邊ノ非戦闘員ニ危險ノ及ブコトナキヲ保セズ九月二十日ノ空爆豫告宣言ハ實ニ斯ル危險ヲ最少限ニ止メンコトヲ所期シタルモノニシテ右宣言後ト雖モ前記目的物ノ限定ト照準ノ精密トハ極力嚴守シ來レリ而モ我軍ハ目的物ノ選定ヲ最モ控ヘ目ニ限定シ居リ支那

側ガ故ラニ特別保護物件ノ側近ニ重要軍事施設ヲ設ケテ戰鬪ヲ爲ス形跡顯著ナルニ拘ラズ航空隊指揮官ハ出動ノ都度「假令軍事目標ヲ發見スルモ之ガ攻撃ニ依リ他ノ物件ニ損害ヲ與フル處大ナルトキハ右攻撃ヲ避止スベシ」トノ命令ヲ與ヘ居ル程ナリ斯クテ爆撃ノ目的ニテ出動シタル機モ所期ノ目的物ヲ發見セザリシ爲全爆彈ヲ抱イテ基地ニ歸還セル實例一再ニ止ラズ

以上ノ方針ノ爲我軍ガ作戰上ノ不利ト當然避ケ得ベカリシ犠牲ノ増大トヲ忍ビタルコト多大ニシテ支那軍事輸送ノ大幹線タル粵漢線ノ破壊ヲ二十七日避難民輸送ノ終了スル迄開始セザリシコト又爆撃ハ危險ヲ冒シ編隊急降下ノ方法ニ依リ居ルコト等實例ノ一二ニ過ギズ以上ノ如キ慎重ナル我航空隊ノ行動ニ關シ聯盟諮問委員會ハ何ヲ根據トシテ之ニ是非ノ批判ヲ加フルコトヲ得タルカ我航空隊ハ其ノ攻撃ノ成果ニ付精密ナル記錄ヲ有シ右ニ基キ確信ヲ以テ以上ノ宣言ヲ爲ス尙笑止ナル虚構ノ宣傳ニ基ク將來ノ誤解ヲ避クル爲今後空中攻撃ノ結果ニ付キテハ精密ナル記錄ヲ發表スルコトアルベシ

(付記)

河相情報部長談(於外人記者會見)(九月廿九日)

一、

壽府テハ日本空軍ノ爆撃、殊ニ南京、廣東ニ對スル攻撃ヲ非難シ、聯盟諮問委員會ハ日本空軍カ「無防禦ノ都市」ヲ攻撃シタトテ、之ヲ「嚴肅ニ非難」スル決議ヲ採擇シタ。我カ日本トシテハ、聯盟ノ措置ニ對シテ何等關心ヲ寄セル理由ハナイ、然シ聯盟トモアラウモノカ確實ナル證據モナク偏頗ニシテ不正確極マル新聞記事ヲ取上ケ、無責任ニモ我國ヲ非難スル態度ニ出テタルニ對シテハ、日本國民ハ甚タシキ憤懣ヲ禁シ得ナイノテアル。

第一ニ南京、廣東等カ無防禦都市タトイフ聯盟委員會決議ノ證據ソレ自體既ニ虛妄ノ事テアリ、之等ノ都市カ要塞其他軍事施設ヲ以テ固メラレテキルコトハ公知ノ事テアル。公正ノ爲ニモ將又聯盟ノ威信ノ爲ニモ、ソノ言動ノ確證ニ基クモノタルコトヲ希望セサルヲ得ナイ。

我空軍ノ活動ニ關シテ如何ニ荒唐無稽ノ報道カ行ハレルカハ、九月廿七日香港「サウス・チャイナ・モーニング・ポスト」紙ノ記事ニヨリ一目瞭然テアル、即チ九月二十四日

廣東「ロイテル」通信ハ日本航空隊ノ襲撃ノ結果無辜ノ市民數千カ死傷シタト報シタカ、同紙ハ右報道ヲ以テ誇張モ甚タシイト指摘シタ。「ポスト」紙記者カ直接ニ廣東當局ヲ訪問シ、且ツ在住外人ニ事ノ眞否ヲ糺シタトコロ、廣東市民ノ死傷ハ百人ニモ達シナイトイフノテアリ、又、土曜、日曜ノ兩日ハ廣東テハ間斷ナク空爆警報ヲ鳴ラシテキタニ拘ラス、日本空軍ノ爆弾ハ市内ニハ投下サレナカツタノテアル。

日本陸海軍ノ空襲ハ、我國カ支那ノ挑戰ヲ受ケテ已ムナク起シタ軍事行動ノ一部テアツテ、我軍空爆ノ目標カ決シテ非戦闘員ニ對スルモノテナク、只支那軍及軍事施設ニ止マルコトハ我政府ノ屢々聲明シタ處テ又コノ事ハソノ後ノ我軍ノ行動ニ徴シテモ明カテアル。更メテ想起スル迄モナク、空中攻撃ノ一般問題ニ關シテハ、日本ハ一九二二年「ハーグ」會議ノ際米國ト共ニ空爆目標ノ制限ヲ主張シタカ英佛ノ反對ニヨリ右ノ主張ハ不成立ニ終ツタモノテアル。

然シ乍ラ事茲ニ至ツテハ、我陸海軍ハ一切ノ機會ヲ捉ヘテ敵ノ戦闘力ヲ破壊スル必要カアリ、我軍ハ勇敢ニコノ任務ヲ遂行シツツアルノテアル。日本空軍ハ今次事變ノ當初ヨ

リ、ソノ攻撃目標ヲ軍隊及軍事施設ニ限ル嚴命ヲ受ケテマリ、支那空軍ノ「プレシデント・フーヴァー」號ニ對スル爆撃等ト選リ異ニシ、非戦闘員ト知りツツ之ヲ攻撃シタルコトナク、又高空ヨリ爆弾ノ無差別投下ヲ行フカ如キコトモナイ。日本軍力軍事目標ノ爆撃ニ際シテ、彈着ヲ該目標ノミニ限ル爲支那ノ防禦砲火ノ危險ヲ冒シ急降下ヲ敢行シ、コレカ爲犠牲ヲ増大セル事實、又一旦基地ヲ出發セル飛行機カ惡天候ノ爲目標ノ明瞭ナラサルニヨリ、爆彈ヲ抱イタママ歸還セル事實等ニ鑑ミルモ、ソノ空爆力如何ニ支那軍隊及軍事施設ノミニアツタカハ極メテ明瞭テアル。更ニ又、粵漢鐵道力連日連夜多數軍隊及軍需品ヲ北方戰線ニ輸送シ、之カ爲我軍ノ犠牲力當然豫測セラレタル狀況ニアツタニ拘ラス、我方ハ避難者ノ無事輸送ヲ待チ始メテ線路ノ破壊、軍需品輸送貨車ノ爆發ヲ決行シタ様ナ次第テアル。但不幸ナコトハ、空中戰ノ現狀ニアツテハ、如何ニ技術優秀ノ飛行隊ト雖モ爆撃上絶對正確ヲ期シ得サルコトテアル。右ノ事情ニヨリ且又人命ノ損傷ヲ避クル爲、日本空軍司令部ニ於テハ空襲ノ敢行ニ際シ能フ限リ事前ニ警告ヲ發シ、以テ非戦闘員ノ安全ニ責任ヲ負フ關係當局ニ對シ一切ノ措

置ヲ講スルノ餘裕ヲ與ヘタコトテ、我方トシテハ軍事上大ノ不利ヲ忍ンテ來タノテアル。

然シ乍ラ今日ノ情勢トナツテハ、我國ハ斷々平トシテ敵ノ戰鬥力ヲ撃滅スル一切ノ必要措置ヲ執ルモノテ、右ノ措置カ支那側ノ挑戰ニヨル不可避の事變擴大ノ結果タルコトハ牢記スルヲ要スル。カノ血腥キ八月十四日、上海ヲ攻撃シテ共同租界、日本總領事館、帝國軍艦ニ爆彈投下ヲ敢テシタルモノハ支那空軍テアル。而シテ支那側ハ和平解決案ヲ顧ミス、敵對行爲回避努力ノ尙進行中ナルニ拘ラス嚴肅ナル誓約ヲ破ツテ多數兵團ヲ租界ノ境界ニ進メタモノテアル。日本ハ如何ナル國モ非戦闘員ヲ攻撃スル權利ナキモノナルコトヲ茲ニ重ネテ聲明スル。我國ハ右ノ原則ノ下ニ、一路目的ニ邁進スルモノテ、ソノ當然負フヘキ責任ハ回避スルモノテナイカ偏頗不公平ノ非難ハ斷シテ排撃スルモノテアル。

## 二、

支那側ノ虛構宣傳ハ、最近愈々甚タシク日本軍ニヨル非戦闘員ノ大量虐殺、病院、學校ノ破壊等ヲ放送シ、蔣介石夫人モ「プロパガンヂスト」トシテ暗躍シテキルカ、支那側



ニ於テ斯卡ル宣傳ヲ用キルニ至ツタコトハ、我カ軍事行動、殊ニ軍事施設ニ對スル空爆及沿岸航行遮斷ニヨリ日本ニ對抗スル望ミヲ失ツタニ外ナラナイ。

併シ支那側ノ荒唐無稽ノ宣傳ハ、却ツテ逆效果ヲ奏シテキル。支那側代辯者ノ供給スル「ニユース」ノ不正確ニハ、上海駐在外國通信員モ不平ヲラタテアリ、蔣介石モ捏造「ニユース」ノ流布ニヨル支那ノ信用失墜ヲ憂ヘ數日前「デマ」報道ノ抑制ヲ命令シタ位テアル。

支那側ノ宣傳ハ特ニ日本航空隊ノ行動ニ集中シ、日本軍飛行機カ支那側ノ旗章ヲ盗用シタトカ又ハ日本軍飛行機ニ機カ撃落セラレタトカ放送シタカ、之ハ支那側飛行機ノ墜落ヲ蔽フ支那式宣傳ニ過キナイ。支那側ノ不正不義ニ對シ、正々堂々膺懲ノ軍ヲ進メテキル帝國軍隊ニ於テハ、敵國ノ旗章盗用等想像タニシ得ナイコトテ、日本軍人ハ不名譽ノ行動ニ出テンヨリハ死ヲ選フノテアル。

支那側ニ於ケル「ニユース」ノ工作振りハ、八月十四日上海「カセー・ホテル」ノ空爆當時遺憾ナク發揮セラレタ。

支那新聞檢閲官ハ電文中ノ「支那飛行機」ナル文字ヲ「日本飛行機」ニ變改シタカ、豈計ランヤ之ニヨツテ電文ノ關

係上、日本軍飛行機カ帝國軍艦出雲ヲ爆撃シタル滑稽ナ結果トナツタノテアル。

支那側カ斯克ノ如ク新聞電報ニ干渉スル結果、外國通信員ハ通信ヲ香港ニ郵送シ同地カラ之ヲ電報ニ打ツコトニナツタカ、斯ウシタ電報ハ上海發電トハ内容ニ雲泥ノ差カアツタノテアル。

更ニ他ノ適例ハ、日本潜水艦カ支那「ジャンク」ヲ撃沈シテ三百名ノ死傷者ヲ出シタトイフ虚報テアル。然シ乍ラ日本潜水艦ハ「ジャンク」等ヲ攻撃セサル様嚴命ヲ受ケテ居リ、從ツテ右ノ攻撃ノ如キハ事實ニモ想像ニモ、アリ得ナイコトテアル、ノミナラス日本潜水艦ニシテ右「ジャンク」撃沈事件ノ起ツタトイフ海面ニ當時航行中ノモノハ一隻モナカツタ譯テ、此ノ報道カ絶對ニ捏造「ニユース」ニ過キナイコトハ、自分ノ斷言シ得ルトコロテアル。

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昭和12年10月6日 國際連盟總會採択

連盟總會が採択した日中紛争に関する諮問委員会  
の十月五日付報告書



A. 79. 1937. VII.

REPORT OF THE FAREAST ADVISORY COMMITTEE

TO THE ASSEMBLY

Geneva, October 5th, 1937.

In conformity with the decision of the Council at its meeting of September 16th, 1937, the Advisory Committee set up by the Assembly on February 24th, 1933, has met to examine the situation to which attention was directed by China.

The Committee elected M. V. MUNTERS, Minister for Foreign Affairs of Latvia, to be its Chairman. The Committee has held five meetings during its present session.

It proceeded at once to invite China and Japan, as parties to the dispute, and also Germany and Australia, to participate in its work. This invitation was accepted by China and Australia, and declined by Germany and Japan. The texts of the replies received from the four

Governments in question are annexed to the present report.

On September 27th, 1937, the Committee adopted a resolution with regard to the air bombardments carried out in China by Japanese aircraft. This resolution was communicated to the Assembly and unanimously adopted by the Assembly as its own on September 28th, 1937.

The Committee appointed a Sub-Committee whose duty is:

To examine the situation arising out of the Sino-Japanese conflict in the Far East;

To discuss the questions involved;

To submit to the Committee such proposals as it may think fit.

The Committee remains the only body which is authorised to report, and to make proposals, to the Assembly. At the same time, the Committee considers that it would be right to allow the Sub-Committee, should it so desire, to communicate for information to Members of the

League and non-members any reports which it may submit to the main Committee. In that event, it would follow on practical grounds that such reports would also be published.

The Committee decided to communicate its *Procès-verbaux* for the information of the Assembly. They will be issued as soon as possible in the form of an Annex to the present report.

The Committee has received two reports from its Subcommittee and adopts the following resolution:

“The Advisory Committee adopts as its own the two reports submitted to it by its Sub-Committee on October 5th, 1937, and decides to communicate them to the Assembly, to the Members of the League, and to the Government of the United States of America.”

The Committee submits the following draft resolution for the approval of the Assembly:

“The Assembly:

“Adopts as its own the reports submitted to it

by its Advisory Committee on the subject of the conflict between China and Japan;

“Approves the proposals contained in the second of the said reports (document A. 80, 1937, VII) and requests its President to take the necessary action with regard to the proposed meeting of the Members of the League which are Parties to the Nine-Power Treaty signed at Washington on February 6th, 1922;

“Expresses its moral support for China, and recommends that Members of the League should refrain from taking any action which might have the effect of weakening China's power of resistance and thus of increasing her difficulties in the present conflict, and should also consider how far they can individually extend aid to China;

“Decides to adjourn its present session and to authorise the President to summon a further meeting if the Advisory Committee so requests.”

編 注 本文書および本文書付記は、昭和十二年十二月、条約

局第三課作成「支那事變ト國際聯盟」より抜粋。

## (付 記)

日支問題諮問委員會ノ總會ニ對スル報告書

十月六日總會ニ於テ採擇セラル(總會書類A.79)

一九三七年九月十六日理事會ノ決定ニ從ヒ一九三三年二月二十四日總會ニ依リテ設置セラレタル諮問委員會ハ支那ニ於テ注意ヲ促ス所アリタル事態ヲ檢討スル爲會合セリ

委員會ハ「ラトヴィア」國外務大臣「V・ミュンテルス」

氏ヲ議長ニ選ヒ本會議中五回會合セリ

委員會ハ劈頭紛爭當事國タル日支兩國竝獨逸及濠洲ニ委員會ノ事業ニ參加スヘク招請ヲ發シタル所支那及濠洲ハ右ヲ受諾、獨逸及日本ハ右招請ヲ拒絕セリ右四國政府ヨリ受領セル回答文ハ本報告ニ附屬トセリ

一九三七年九月二十七日委員會ハ支那ニ於テ日本航空機ニ依リ行ハルル空中爆撃ニ關シ一決議ヲ採擇右ハ總會ニ通告セラレ總會ハ一九三七年九月二十八日之ヲ自己ノ決議トシ

テ採擇セリ

委員會ハ小委員會(註)ヲ任命シタル處其ノ任務トスル所左ノ如シ

東亞ニ於ケル日支紛爭ヨリ生スル事態ノ檢討

右ニ包含セラルル諸問題ノ討議

委員會ニ對シ其ノ適當ト認ムル案ノ提出

委員會ハ總會ニ對シテ報告及提案ヲ爲ス權限ヲ有スル唯一ノ機關ナルモ同時ニ本委員會ハ小委員會ヲシテ若シ其ノ希望スルニ於テハ其ノ本委員會ニ提出スヘキ一切ノ報告ヲ情報トシテ聯盟國及非聯盟國ニ對シテ通報スルコトハ正當ナルヘシト思考ススル場合ニ於テハ實際の見地ニ基ク當然ノ歸趨トシテ斯ル報告モ公表セラルヘシ

委員會ハ其ノ議事録ヲ總會ノ資料トシテ通報スルコトニ決定セリ右ハ出來得ル限り速ニ本報告ノ附屬トシテ刊行セラ

ルヘシ

委員會ハ其ノ小委員會ヨリ二箇ノ報告ヲ受領シ又次ノ決議ヲ採擇ス

(註)小委員會ハ左記諸國ヲ以テ構成セラル

「ラトヴィア」(議長)、濠洲、白耳義、英國、支

那、「エクスアドル」、佛蘭西、新西蘭、和蘭、波蘭、瑞典、蘇聯邦

右ノ外米國ハ同國ノ諮問委員會參加ノ條件ニ從テ參加シ居レリ

諮問委員會ハ其ノ小委員會ヨリ一九三七年十月五日提出セラレタル二箇ノ報告書ヲ自己ノ報告書トシテ採擇シ之ヲ總會、聯盟諸國及亞米利加合衆國政府ニ通告スルコトニ決ス委員會ハ左記ノ決議ヲ總會ニ提出シ其ノ協賛ヲ求ム

總會ハ日支兩國間ノ紛争問題ニ關シ其ノ諮問委員會ヨリ總會ニ提出セラレタル報告書ヲ自己ノ報告書トシテ採擇シ

右報告書第二ニ包含セラレタル提案ヲ承認シ總會議長ニ對シ一九二二年二月六日ノ華府九國條約締約國タル聯盟國ノ會議ヲ召集スヘキ案ニ關シ必要ナル行爲ヲ執ルヘキコトヲ要請シ

支那ニ對スル精神的援助ノ意ヲ表シ且聯盟諸國ニ對シ支那ノ抵抗力ヲ弱メ依テ現在ノ紛争ニ於ケル支那ノ困難ヲ増大セシムル效果ヲ有スヘキ虞アル一切ノ行動ヲ差控フヘク且各個ニ於テ支那ニ對スル援助ヲ爲シ得ル程度ヲ考

慮スヘキコトヲ勸奨シ

總會ノ本會期ヲ休會シ議長ニ對シ諮問委員會ノ要請アルトキハ更ニ會合ヲ召集スヘキ權限ヲ賦與ス

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885 昭和12年10月6日 國際連盟總会採択 (附註)

日中紛争に関する連盟諮問委員会小委員会の

第一報告書

付記 右和訳文

A. 78. 1937. VII.
FIRST REPORT OF THE SUB-COMMITTEE OF THE
FAR-EAST ADVISORY COMMITTEE ADOPTED BY
THE COMMITTEE ON OCTOBER 5TH, 1937.

Geneva, October 5th, 1937.

The Sub-Committee has not attempted to deal with the historical and underlying causes of the conflict in the Far East. It has not, for instance, thought it necessary to revert to the Manchuria affair, which is dealt with in the report adopted by the Assembly on February 24th, 1933.

Nor has it attempted to describe in detail the development

of events either in the sphere of military action or in that of negotiation and policy. The accounts issued by the two parties in regard to these are contradictory, and on the basis of the material available it would be impossible to do so, especially in view of the fact that Japan, which, since March 28th, 1935, is no longer a Member of the League, did not agree to send a representative to sit on the Committee.

In any case, a detailed study is unnecessary. At the beginning of July 1937, there was no indication from either side that there was anything in their relations which could not be settled amicably. All that the Committee has to do is to describe and assess the events which led from a state of peaceful relations to a situation where large armies are in conflict.

It has, accordingly, been possible—in the time available to trace the main development of events—to examine the treaty obligations of the parties to the conflict and to draw conclusions which are set out at the end of this

report.

I.

At the beginning of July 1937, there were about 7,000 Japanese soldiers in Northern China. These troops were kept there on the basis of the Protocol of September 7th, 1901 (and its annexes), concluded between China and the Powers having legations at Peking. Under these Agreements, China recognised the right of each Power to maintain a permanent guard in the legations quarter at Peking and to occupy twelve specified points for the maintenance of open communication between the capital and the sea. Under the terms of a supplementary Agreement of July 15th-18th, 1902, the foreign troops stationed at these points had "the right of carrying on field exercises and rifle practice, etc. without informing the Chinese authorities, except in the case of *jeux de guerre*".

The Powers other than Japan which at present maintain contingents at Peiping (Peking), and certain of the points specified in the Protocol of September 7th, 1901,

only have very small detachments there. The number of British troops stationed in North China at the beginning of July this year was 1,007; that figure includes the 252 members of the Legation guard. Similarly, the strength of the French effectives stationed in Hopei varies between 1,700 and 1,900, the bulk of whom are at Tientsin. The rest are divided among the garrisons of Shan-hai-Kuan, Chin-wang-tao, Tongku and Peking, the detachment in the latter town forming the Embassy guard. At present, the total strength of those troops is 1,600 men and 60 officers; the Embassy guard consists of 120 men.

In addition to the events and developments in Manchuria and Jehol, Japan's political activity in North China, the presence of Japanese effectives greatly in excess of the contingents of the other Powers, and the frequency of their exercises and manoeuvres disquieted the Chinese. It was in an atmosphere of tension that on July 7th last an incident occurred which was not essentially different from those which had preceded it, but which was the occasion

from which flow the Japanese army's present operations in Northern China.

This initial incident occurred at Loukouchniao, thirteen kilometres to the south-west of Peiping (Peking), between the Chinese garrison and the Japanese troops carrying out night manoeuvres in that district.

The Chinese and Japanese versions of the incident differ.

According to the Japanese version, it was the Chinese soldiers of the 29th Army who opened fire; a temporary cessation of hostilities was arranged on the morning of July 8th by the Chinese and Japanese military authorities—this was to permit of the immediate opening of negotiations between these same authorities, with a view to the settlement of the incident; the Chinese soldiers did not abide by this agreement, nor by the agreement concluded next day for the mutual withdrawal of the Chinese and Japanese troops; this aggressive attitude on the part of the Chinese troops rendered vain the agreement concluded on

July 11th for the settlement of the incident by the Japanese military authorities on the one hand and the Mayor of Tientsin and the Chief of the Public Safety Bureau of Hopei on the other.

According to the Chinese version, on the pretext that one of their men was missing, the Japanese troops which were carrying out manoeuvres in the night of July 7th asked permission to enter Wanping (Loukouchiao) in order to make investigations; this having been refused, Wanping (Loukouchiao) was attacked by the Japanese infantry and artillery; the Chinese garrison resisted; the situation was aggravated, not by the action of the Chinese troops, which even before the Japanese troops had begun their withdrawal, complied with the agreement for the withdrawal of troops, but by the action of the Japanese troops, which, having received large reinforcements, resumed the offensive in the Wanping (Loukouchiao) zone, extending their operations to the immediate vicinity of Peiping; the Chinese Government made no objection to the

terms of the agreement concluded on July 11th between the Chinese local authorities and the Japanese army, but the Japanese attempted to impose measures supplementary to this agreement; moreover, disregarding the agreements concluded for the mutual withdrawal of troops, the Japanese army extended its operations in Northern China.

Leaving on one side the obvious discrepancies between these Chinese and Japanese versions of the events, it may be observed that, while these discussions between local authorities for local settlement were going on, and while communications were passing between the Japanese Government and the Chinese Government, the former insisting that a local solution which would confirm its influence in North China should be obtained without Nanking, extensive movements of troops were making the situation worse. As a result of the arrival at Tientsin and in the suburbs of Peiping of reinforcements, hastily sent from Manchuria, the Japanese effectives on July 12th, according

to Chinese reports, exceeded 20,000 men, and the Japanese Air Force consisted of 100 aeroplanes. It was also announced that troops of the Central Chinese Government were moving north.

Just as it had advised Nanking not to intervene in the settlement of the incident of July 7th, the Japanese Government gave the Chinese Government a warning regarding the movements of its troops towards the north. Invoking the Tangu Armistice Convention of May 31st, 1933, and the Umezu-Ho-Ying-ching Agreement of June 10th, 1935, an agreement disputed by China, Japan warned the Nanking Government of the serious consequences that would follow on the despatch of its troops into Hopei.

At the end of July hostilities began in North China, at a time when local negotiations were being carried on. The Japanese occupied Peiping and Tientsin and seized the railway lines running south which connect these two cities with Central China. A new Government which favoured the Japanese influence was set up in Hopei.

The Japanese army then progressed towards the west along the railway which connects Peiping and Sui-yuen through Kalgan and Ta-tung. It also progressed along the frontier between Hopei and Chahar Province; the taking of the Nankow Pass, some 80 kilometres north-west of Peiping, facilitated the penetration of the Japanese Manchurian divisions into Inner Mongolia.

The operations of the Japanese troops in North China provoked a lively reaction in China. By the declarations of Japanese statesmen to the effect that China must give way, the emergency financial measures taken at Tokio, and the departure of the Japanese nationals resident in China, the Government and the people of China were led to the conclusion that Japan was determined to break their resistance by force of arms.

They were confirmed in this conviction, when at the end of the second week of August, the Shanghai region became a second theatre of operations, despite the efforts that were made to keep hostilities at a distance from a city

in which the interests of China and those of other nations are so closely interlocked.

It will be remembered that, in 1932, the hostilities in the Shanghai region had been brought to an end by the conclusion of the Agreement of May 5th, of which Article II stipulated that the Chinese troops would remain in the positions they occupied at that date pending later arrangements upon the re-establishment of normal conditions in the area dealt with by this Agreement. The Chinese delegation to the Shanghai Conference, in accepting the Agreement, declared in particular that it was understood that "nothing in this Agreement implies any permanent restriction on the movements of Chinese troops in Chinese territory".

The Japanese Minister for Foreign Affairs, in a speech which he made in the Imperial Diet on September 5th, 1937, described as follows the initial incident at Shanghai on August 9th and the difficulties which occurred on the following days:

"..... on August 9th, at Shanghai, Sub-Lieutenant Oyama and Seaman Saito, of the landing party, were murdered at the hands of the Chinese Peace Preservation Corps.

"Even then, Japan, adhering to a peaceful cause, sought to settle the affair through the withdrawal of the Peace Preservation Corps and the removal of all military works that had been erected in violation of the 1932 Truce Agreement. China refused to comply with our demands under one pretext or another, and proceeded, instead, to increase her troops and multiply her military works in the prohibited zone, and finally launched an unwarranted attack upon the Japanese.

"Thereupon, as a matter of duty, our Government despatched small naval reinforcements to Shanghai as an emergency measure to ensure the protection of our nationals in that city."

After describing the efforts of the Powers to exclude Shanghai from the zone of hostilities, M. Hirota said that "in

the afternoon of August 13th, the Chinese armies that had been pouring into the Shanghai area took the offensive”.

With this version may be contrasted that contained in the Chinese Government’s statement communicated to the League of Nations on August 30th.

The incident of August 9th is described as follows:

“One Japanese naval officer, one Japanese seaman, and a member of the Chinese Peace Preservation Corps were killed in a clash arising from the Japanese naval men’s attempt to approach the Chinese military aerodrome near Shanghai regardless of Chinese warnings.”

Recalling, moreover, the above-mentioned declaration by its representative at the time of the conclusion of the Agreement of May 5th, 1932, the Chinese Delegation, while mentioning that its Government had repeatedly ordered the local authorities of Shanghai to take special precautions against the occurrence of any untoward incident, maintains that movements of Chinese troops in Chinese territory

cannot be considered as a breach of the Agreement.

The opening of hostilities at Shanghai is described by the Chinese note in these words:

“Within less than forty-eight hours, Japan concentrated about thirty warships at Shanghai, and had her armed forces there increased by several thousand. At the same time, however, demands calculated to remove or undermine Chinese defence were made on the Chinese authorities. The expected attack opened on August 13th, four days after the incident.”

Since then furious fighting has been going on round Shanghai. At the beginning of July, the strength of the Japanese troops stationed in the International Settlement and on the extra-Settlement roads amounted to 4,000 men. At the end of September, under the protection of 38 Japanese warships assembled at Woosung, reinforcements had been landed which the Chinese authorities estimated at over 100,000 men.

During the last few weeks, Japan has developed her

military action, not only in the Yangtse valley, where, *inter alia*, Japanese aircraft have several times bombed the capital of China, but along the Chinese coast and in the interior, where numerous aerial bombardments have been carried out.

At present, apart from the operations of the Japanese armies in North and Central China, and the raids carried out by Japanese aircraft on the ports and the cities of the interior, the Japanese fleet, while continuing to co-operate with the army, more especially before Shanghai, is patrolling the coast to prevent supplies from being brought to China by Chinese ships, a number of which have been sunk.

Since July 7th, faced by a growing resistance, Japan has not ceased to intensify her action, employing larger and larger forces and more powerful armaments. According to Chinese estimates, in addition to the 100,000 men in the Shanghai region, the strength of the Japanese troops

operating in China exceeds 250,000 men.

As regards the activity of the Japanese aircraft, the Advisory Committee, in its resolution of September 27th, condemned the aerial bombardments of open towns in China. The Assembly has endorsed this resolution.

II.

For the purpose of examining the facts of the present situation, it does not seem necessary to discuss the treaties regulating commercial matters and such matters as the extra-territorial status of Japanese nationals in China. There are only three main treaties which are relevant to our present purpose—namely, the Final Protocol of September 7th, 1901, the Nine-Power Treaty signed at Washington in 1922, and the Pact of Paris of 1928, to which may be added the Hague Convention No. I of October 18th, 1907, which has a somewhat different character. There are, in addition to these, an indeterminate number of bilateral agreements which have been negotiated at various times locally between Chinese and Japanese authorities. The

exact terms, the scope, the interpretation of the validity of these agreements are matters of dispute. They cannot affect or override the obligations undertaken by either of the parties in the three multilateral engagements referred to above.

Under the Protocol of September 7th, 1901, and annexed instruments, Japan, together with certain other Powers, is entitled to station troops at certain points in the province of Hopei, along the Peiping-Mukden Railway, for the purpose of keeping open communications between the legations in Peiping and the sea. These troops "will have the right of carrying on field exercises and rifle practice, etc., without informing the Chinese authorities, except in the case of *feux de guerre*".

Under the Nine-Power Treaty of 1922 regarding the principles and policies to be followed in matters concerning China, the contracting Powers, other than China, agreed, *inter alia*, to respect the sovereignty, the independence and the territorial and administrative integrity of China; to

provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable Government. The contracting Powers (including China) further agreed that whenever a situation arose which, in the opinion of any one of them, involved the application of the stipulations of the Treaty and rededed desirable discussion of such application, there should be full and frank communication between the contracting Powers concerned.

Under the Pact of Paris of 1928, the parties solemnly declared in the names of their respective peoples that they condemned recourse to war for the solution of international controversies and renounced it as an instrument of national policy in their relations with one another. They further agreed that the settlement or solution of all disputes or conflicts, of whatever nature or of whatever origin they might be, which might arise among them, should never be sought except by pacific means.

III.

Prima facie, the events described in the first part of this report constitute a breach by Japan of her obligations towards China and towards other States under these treaties. The conduct of hostilities by Japanese forces under the circumstances described by land, water and air throughout China is *prima facie* inconsistent with an obligation to respect the sovereignty, the independence and the territorial integrity of China, and also with the obligation never to seek the solution of a dispute with China, of whatever origin or character, except by pacific means. It would seem that only if it could be shown to be a measure necessary for self-defence (including the defence of the Japanese forces and nationals lawfully upon Chinese territory) could the position of the Japanese forces in China possibly be reconciled with Japan's treaty obligations.

Among the elements by which this question can be judged must be included the official statements made by the Parties themselves as to their attitude and policy during the development of the conflict up to the present

time.

The attitude of China was set out by the President of the Executive Yuan, Generalissimo Chiang Kai-shek, in a speech made on July 17th, 1937, in which he emphasised that national existence and international co-existence were the twin aims of the external policy of the Chinese National Government China was not seeking war; she was merely meeting attacks on her very existence. On the other hand, she was still seeking peace. Whether it would be peace or war depended entirely on the movements and activities of the Japanese troops. He then mentioned four points as representing the minimum considerations on the basis of which a pacific solution could be sought. These points were:

- (1) Any settlement must not contain any terms constituting an encroachment on China's sovereign rights and territorial integrity;
- (2) Any unlawful alteration in the administrative systems of the two provinces of Hopei and Chahar

would not be allowed;

(3) The removal of the provincial officers appointed by the Central Government, through outside pressure, would not be allowed; and

(4) No restrictions should be imposed on the garrison districts of the 29th Route Army.

In the memorandum presented by the Chinese Foreign Office to the Japanese Embassy in Nanking on July 19th, the Chinese Government "renewed its proposal for simultaneous cessation of troop movements on both sides and mutual withdrawal of troops to their respective original positions on a date to be agreed upon by both parties". It also unequivocally stated that for the settlement of the incident the Chinese Government was prepared to accept any pacific means known to international law or treaties, such as direct negotiations, good offices, mediation and arbitration.

The general attitude of the Japanese Government towards the dispute was set forth in a statement made by

the Japanese Prime Minister on July 27th, when, in answer to a question in the Diet, he said:

"Japan has no territorial ambitions whatever in China. If she had such designs as the Chinese professed, the army might already have occupied the whole of North China. Surely the Chinese Government and the Powers realise this. Japan wants Chinese co-operation, not Chinese territory. By co-operation, I do not mean that Chinese interests are to be subordinated to those of Japan, but that the two countries should contribute on a basis of equal mutual assistance to the development of Far-Eastern culture and prosperity."

In his speech before the Diet of September 5th, M. Hirota, the Minister for Foreign Affairs, declared that the policy of the Japanese Government had been one of local settlement and non-aggravation and that the Japanese Government had exerted every effort to effect a speedy solution.

On September 15th, the spokesman of the Japanese

Foreign Office declared that the Japanese Government, in accordance with the policy of local settlement and non-aggravation, had done everything to arrive at a speedy settlement.

Statements such as these appear to show that both sides believe that at an early stage of events the incident could have been localised and a pacific solution found. This result, however, proved unattainable.

It is noteworthy that Japanese official statements declare that it was the movements of Chinese troops and the aggressive intentions of the Chinese Government which frustrated the pacific intentions of the Japanese Government. Chinese official statements, on the other hand, bring exactly the same charge against Japan—namely, that it is the invasion of Japanese troops and the aggressive intentions of the Japanese Government that have swelled a local incident into a great catastrophe.

At a comparatively early stage, it began to appear that Japan, in addition to reaching a local settlement, was also

determined to obtain a settlement of all the questions at issue between China and Japan.

On the evening of July 11th, a statement prepared at the Cabinet meeting earlier in the day was issued by the Japanese Foreign Office. The effect of the statement was that, though anxious to maintain peace and order in North China, the Japanese Government intended to take all necessary measures for despatching military forces to that region.

On July 27th, Prince Konoye made a speech in which the following statement occurred:

“I think that not only must problems with China be settled locally but also we must go a step farther and obtain a fundamental solution of Sino-Japanese relations.”

M. Hirota said in the Diet on September 5th that “it is hardly necessary to say that the basic policy of the Japanese Government aims at the stabilisation of relations between Japan, ‘Manchukuo’ and China, for their common

prosperity and well-being. Since China, ignoring our true motives, has mobilised her vast armies against us, we cannot do otherwise than counter the mobilisation by force of arms. We firmly believe that it is in accordance with the right of self-defence as well as with the cause of righteousness that our country is determined to deal a decisive blow to such a country (China), so that it may reflect upon the error of its ways. The sole recourse open to the Japanese Empire is to administer the foregoing blow to the Chinese army, so that it may lose completely its will to fight."

On the Chinese side, Generalissimo Chiang Kai-shek issued a statement on July 30th, containing the following observations:

"The declaration I made at Kuling and the minimum four conditions laid down by me for the settlement of the Loukouchiai affair are unalterable. It is out of the question that, having reached this crucial juncture, we could still consider the situation of

Peiping and Tientsin as a matter for local settlement, or that the Japanese army could be tolerated to run rampant in the North or to set up another puppet government there. The only course open to us now is to lead the masses of the nation, under a single national plan, to struggle to the last. In short, the Government's policy *vis-à-vis* Japanese aggression remains the same and has not changed. It is to preserve China's territorial integrity and political independence."

The Japanese Government has on a number of occasions stated its desire for a peaceful settlement and for harmonious co-operation between Japan and China. It has, however, insisted throughout that this result must be achieved by China and Japan alone, without any interference from third parties. Thus, in reply to a suggestion in the Budget Committee of July 29th that the Governments should make a firm statement to forestall the intervention of third Powers, the Japanese Minister for Foreign Affairs replied that he did not anticipate

intervention, and that were any such proposals to be made, the Government would not fail to reject them.

Further, in his telegram of September 25th declining the Advisory Committee's invitation to take part in its work, M. Hirota declared that as regards the settlement of the present affair the Imperial Government as it has stated on many occasions, is firmly convinced that a just, equitable and practical solution of the questions concerning Japan and China can be found by the two countries.

As regards the attitude of China, reference may be made to the statements made to the Assembly and the Committee by the Chinese Delegation. There seems no reason to doubt that the memorandum of July 19th, which has already been quoted, continues to represent the policy of the Chinese Government.

IV.

CONCLUSIONS.

It is clear that the two countries take very different views as to the underlying grounds of the dispute and as to

the incident which led to the first outbreak of hostilities.

It cannot, however, be challenged that powerful Japanese armies have invaded Chinese territory and are in military control of large areas, including Peiping itself; that the Japanese Government has taken naval measures to close the coast of China to Chinese shipping; and that Japanese aircraft are carrying out bombardments over widely separated regions of the country.

After examination of the facts laid before it, the Committee is bound to take the view that the military operations carried on by Japan against China by land, sea and air are out of all proportion to the incident that occasioned the conflict; that such action cannot possibly facilitate or promote the friendly co-operation between the two nations that Japanese statesmen have affirmed to be the aim of their policy; that it can be justified neither on the basis of existing legal instruments nor on that of the right of self-defence, and that it is in contravention of Japan's obligations under the Nine-Power Treaty of February 6th,

1922, and under the Pact of Paris of August 27th, 1928.

編注一 本報告書は、十月五日に諮問委員会で採択され、同六

日に連盟総会で採択された。

二 本文書および本文書付記は、昭和十二年十二月、条約

局第三課作成「支那事變ト國際聯盟」より抜粋。

(付記)

十月五日聯盟日支問題諮問委員會小委員會第一報告書

諮問委員會ニテ採擇セラレ六日總會ニ於テモ

採擇セラル(總會書類 A. 78)

小委員會ハ東亞ニ於ケル紛争ノ歴史的及潛在的原因ノ穿鑿
ヲ爲サントスルモノニアラス從ツテ例ハハ一九三三年二月
二十四日總會ノ採擇シタル報告ニ於テ取扱ヒタル滿洲事件
ヲ回顧スルコトヲ必要ト認メス事件ノ發展ニ關シ軍事行動
乃至交渉及政策ノ部門ニ立入り詳密ナル記述ヲ爲サントス
ルモノニアラス是等ニ關シ兩當事國ノ主張ハ相矛盾シ居リ
又殊ニ一九三五年三月二十八日以来非聯盟國タル日本ハ委
員會ニ代表ヲ派遣スルコトヲ肯セサリシヲ以テ利用シ得ル

資料ニ依リテ右ノ試ヲ爲サントスルモ殆ト不可能ナルヘシ
何レニスルモ細目ニ互ル檢討ハ必要トスル所ニアラス一九
三七年七月當初日支孰レノ側ヨリスルモ兩者間ニ友好的ニ
解決ノ見込ナキ何等ノ問題アルヲ示ス兆候ナカリキ故ニ委
員會トシテ爲スヘキ所ハ平和的關係ヨリ一舉ニ大軍ヲ以テ
相見ユル紛争状態ニ入りタル事件ニ關シ記述シ且批判スル
ヲ以テ足ル

斯テ委員會ハ所定ノ期間内ニ事件ノ主要ナル展開ヲ回想シ、
尙兩當事國ノ條約上ノ義務ヲ檢討シ及本報告末尾ニ載セタル
結論ヲ構成スルコトヲ得タリ

第一部

一九三七年七月初旬北支ニ在リタル日本軍ハ約七千ナリ右
軍隊ハ支那ト北京ニ公使館ヲ有セル列強トノ間ニ締結セラ
レタル一九〇一年九月七日議定書及同附屬書ニ基キ駐屯ス
ルモノニシテ右締結ニ依リ支那ハ列強ニ對シ北京公使館區
域ニ常備守備隊ヲ置キ且同市ト海岸トノ間ノ自由交通ヲ維
持スル爲特定ノ十二地點(註一)ヲ占據スルノ權利ヲ認メタ
リ又一九〇二年七月十五日―十八日ノ補足協定ニ依リ右地
點ニ駐屯スル軍隊ヲ「……操練ヲ爲シ射撃及野外演習ヲ行

フコト自由タルヘク唯戰鬪射撃ノ際ニハ單ニ其ノ通告ヲ與
「フ」ルヲ以テ足ル權利ヲ取得セリ

日本以外ノ列強ニシテ現在(註二)北京其ノ他一九〇一年九
月七日議定書ノ諸地點ニ軍隊ヲ駐屯セシメ居ルモノハ極メ
テ少數ノ部隊ヲ有スルニ過キス本年七月初旬北支ニ駐屯ノ
英國軍隊ハ公使館守備隊二百五十二名ヲ併セテ一千七名、
河北ニ於ケル佛國駐屯軍ハ一千七百乃至一千九百ニシテ其
ノ大部分ハ天津ニ駐在ス爾餘ハ山海關、秦皇島、唐沽、北
平守備隊二分駐シ北平ノ分ハ大使館守備隊ヲ構成シ現在總
軍勢兵一萬六千將校六十大使館守備隊兵百二十ナリ

滿洲及熱河ニ於ケル事變ノ勃發及其ノ展開アリタル後北支
ニ於ケル日本ノ政治活動ノ結果日本軍ハ數ニ於テ他列強ノ
部隊勢力ヲ超過シ且頻繁ニ操練及演習(註三)ヲ爲シタルコ
トハ支那人ニ不安ノ念ヲ懷カシメタリ去ル七月七日ニ勃發
シタル一事件ハ斯ル緊迫セル空氣ノ中ニ起リタルモノニシ
テ右ハ本質のニ從來ノモノト異ルモノニアラサルモ北支ニ
於ケル日本軍今日ノ行動ニ導ケルモノナリ

註一、右ノ地點ハ黃村、郎房、楊村、天津、軍糧城、

塘沽、蘆臺、唐山、灤州、冒黎、秦皇島及山海關ナ

リ

註二、蘇聯邦ハ一九二四年以來一九〇一年議定書ニ基
キ同國カ支那ニ有スル軍隊駐屯權ヲ放棄シタルヲ以
テ現在同國軍存在セス

註三、事實ハ日本大使館守備隊ハ每夏北京西方ノ田舍
ニ於テ演習ヲ行フヲ常トシタリ其ノ他諸國ノ守備隊
ハ嚴格ナル意味ニ於ケル演習ヲ爲シ居ル慣例ナリ唯
射撃演習、田舍ノ行軍等ヲ爲シ居タルニ過キス

事件ノ發端ハ北平ノ西南十三軒蘆溝橋ニ於テ同地方ニ夜間
演習ヲ行ヘル日支兩軍ノ間ニ發生セリ

右ニ關スル日支兩國ノ主張ハ互ニ相違ス

日本側ノ主張左ノ如シ

發砲シタルハ支那第二十九路軍ノ兵ナリ然レトモ七月八日
日支兩軍間ニ敵對行爲ノ中止ニ關シ取極成レリ右ハ事件ノ
解決ヲ遂クル爲兩軍間ニ直ニ交渉ヲ開始セシムル手筈ナリ
シ處支那軍ハ右取極ヲ遵守セサリシノミナラス翌日締結セ
ラレタル日支兩軍ノ相互撤退ノ約定ヲモ遵守セス斯ル支那
側ノ挑戰的態度ノ爲七月十一日日本軍ト天津市長及河北公
安局トノ間ニ締結セラレタル事件解決ノ爲ノ取極(註)モ遂

ニ無ニ歸セシメタリト

註 右日本側主張ハ同盟通信社電報ニ依ル七月十一日

協定内容左ノ如シ

(一) 第二十九軍代表ノ陳謝及責任者處罰

(二) 支那軍ハ蘆溝橋ヲ撤退シ之ニ代フルニ保安隊ヲ以

テシ依テ日支兩軍ヲ隔離セシム

(三) 藍衣社及共產黨ノ活動ヲ抑フル爲適當ノ措置ノ採

用

支那側ノ主張左ノ如シ

七月七日夜間演習ヲ行ヒツツアリタル日本軍ハ一兵ノ行方不明トナリタリトノ口實ノ下ニ搜索ノ爲蘆溝橋宛平入城ノ許可ヲ求メ來レル處拒絶セラレタル爲日本歩兵及砲兵ハ宛平ヲ攻撃シ支那軍力抵抗セル爲事態ハ惡化シタルモ右ハ支那軍ノ行動ニ依ルモノニ非スシテ日本軍ノ行動ニ基ケルモノナリ即支那軍ハ日本軍力撤退ヲ開始シタルニ先立ツテ軍隊ヲ撤收スヘキ約定ニ從ヒタルニ日本軍ハ強大ナル援軍ヲ求メ宛平地帯ニ攻撃ヲ再開シ其ノ軍事行動ハ北平ノ隣接地域ニ迄及ヘリ七月十一日支那地方官憲ト日本軍トノ間ニ締結セラレタル協定ニ關シ支那政府ハ何等ノ異議ヲ申立テサ

リシモ日本側ハ右協定ニ補足的の措置ヲ課セント試ミタリ加之軍隊ノ相互撤收ヲ約シタル協定ニ違反シテ日本軍ハ北支ニ行動ヲ展開セリ

事變ノ發端ニ關スル日支兩國側ノ主張ノ明白ナル齟齬ハ暫ク之ヲ措クトスルモ地方的解決ノ爲地方官憲間ノ是等ノ交渉進捗中且日本政府カ北支ニ其ノ勢力ヲ確認セシムル地方的解決ヲ南京政府ヲ無視シテ行ハントシテ日支兩國政府間ニ交渉ノ行ハレツツアリシ間ニ日本軍ノ廣範ナル地域ニ亘ル行動ハ時局ヲ益々困難ナラシメタリ天津及北平近郊ニ滿洲ヨリ急遽派遣セラレタル援軍ノ到着シタル結果支那側報告ニ依レハ七月十二日日本軍勢力ハ兵二萬ヲ超エ其ノ空軍ハ百機ヲ有シタリト云フ支那政府中央軍ノ北上モ同シク報セラレ居レリ

日本政府ハ七月七日事件ノ解決ニ南京政府ノ介入セザランコトヲ警告セル如ク支那軍ノ北上ニ關シテモ支那政府ニ警告ヲ發シタリ一九三三年塘沽停戰協定及支那側ニ異論アル一九三五年梅津何應欽協定ヲ引用シ日本ハ中央政府ヲ河北ニ進駐セシムルコトノ齎スヘキ重大ナル影響ニ關シ南京政府ヲ警告セリ

七月下旬地方の交渉ノ進捗中北支ニ於テ敵對行爲發生セリ
日本ハ北平、天津ヲ占據シ前記兩地ト支那中央トヲ連結ス
ル南下鐵道線路ヲ占領セリ又日本ノ意ヲ迎フル一新政府河
北ニ設立セラレタリ

日本軍ハ平綏線ニ沿ヒ張家口、大同ヲ經テ西下シ更ニ河北
及察哈爾ノ境界ニ沿ヒテ進軍セル處北平ノ西北八十杼南口
ノ占據ハ日滿軍ノ内蒙進軍ヲ容易ナラシメタリ

北支ニ於ケル日本軍ノ行動ハ支那ニ於テ活潑ナル反動ヲ惹
起セシメタリ支那ハ東京ニ於テ執ラレタル緊急財政措置ノ
前ニ屈服スヘシトノ日本側聲明ニ依リ又支那在住日本人ノ
支那引揚等ニ依リ支那政府及國民ハ日本カ支那ノ抵抗ヲ武
力ニ依リテ擊破セントノ決意ヲ懷ケルモノト了解スルニ至
レリ

右信念ハ八月第二週末ニ於テ上海地方カ支那及諸外國ノ權
益カ最モ緊密ニ錯綜セル同市ヨリ敵對行爲ヲ遠避ケントシ
テ拂ハレタル努力ニ拘ハラス軍事行動第二ノ中心ト爲レル
コトニ依リ益鞏固ナルニ至レリ

一九三二年ノ上海地方ニ於ケル戰鬪ハ五月五日協定ノ締結
ニ依リ中止セラレタル處同協定第二條ハ支那軍隊ハ本協定

ニ依リ取扱ハルル地域ニ於ケル正常狀態ノ回復後追テ取極
アル迄其ノ現駐地點ニ留マルヘキコトヲ規定シ居ルコトヲ
記憶スヘシ、上海會議支那代表ハ右協定ヲ受諾スルニ當リ
「右協定ハ支那領土ニ於ケル支那軍隊ノ移動ニ對スル何等
永久的ノ制限ヲ包含スルコトナシ」ト了解スル旨ヲ特ニ宣
明シタリ

日本外務大臣ハ九月九日(五カ)議會ニ於テ八月九日上海ニ發生シ
タル事件及其ノ後數日ノ困難ニ付次ノ如ク説明セリ

「……八月九日上海ニ於テ我カ陸戰隊大山中尉及齋藤水兵
カ支那保安隊ノ爲無慘ニ殺害セラルルニ至レルカ我方ニ於
テハ尙努メテ平和的解決ノ方針ヲ以テ之レニ處シ右保安隊
ノ急速ナル撤退竝ニ昭和七年ノ停戰協定ニ違反スル各種軍
事施設ノ撤去ヲ求メ以テ事態ノ收拾ヲ圖ラントセリ。然ル
ニ支那側ニ於テハ言ヲ左右ニ託シテ之ニ應セサルノミナラ
ス益々停戰區域内ニ於ケル其ノ兵力竝ニ軍事施設ヲ増大シ
我方ニ對シテ不法ニモ攻勢ニ出テタル爲帝國ニ於テハ已ム
ナク應急ノ措置トシテ少數ノ海軍兵力ヲ上海ニ増遣シ以テ
我カ居留民保護ノ責ヲ全ウセンコトヲ期シタル次第ナリ」
更ニ同大臣ハ上海ヲ戰鬪地域ヨリ除外セントセル列國ノ努

力ヲ述ヘタル後「上海附近ニ進出シタル支那軍ハ八月十三日攻撃ヲ開始セリ」ト聲明セリ

然ル處右ヲ八月三十日聯盟ニ通報セラレタル支那政府ノ覺書ノ記述ト對照スルニ支那側ハ八月九日事件ヲ左ノ如ク敘述ス

「日本海軍軍人カ支那側ノ警告ニ拘ラス上海近接ノ支那軍用飛行場ニ接近セント試ミタル爲生シタル衝突ニ於テ日本海軍將校水兵各一名及支那保安隊員一名殺害セラレタリ」支那代表カ一九三二年五月協定締結ノ際爲シタル前記宣言ヲ想起スルト共ニ支那政府カ上海ノ現地官憲ニ對シ不幸ナル事件ノ發生ニ對シ特別ナル注意ヲ拂フヘキコトヲ繰返シ命令シタリシコトヲ述ヘ他方支那領土ニ於ケル支那軍隊ノ行動ハ協定ノ違反トシテ認ムルコトヲ得サルコトヲ主張シ居レリ

支那覺書ハ上海ニ於ケル戰鬪開始ヲ左ノ如ク記述ス

「四十八時間ニ足ラサル間ニ日本ハ上海ニ軍艦三十隻ヲ集結シ且同地軍隊ヲ數千名増員シタリ右ト同時ニ支那官憲ニ對シ支那側防備ヲ撤廢若クハ破壊スヘシトノ要求ヲ爲シタリ豫期セラレタル攻撃ハ事件四日後ノ八月十三日ニ開始セ

ラレタリ」

爾來上海附近ニ激烈ナル戰鬪行ハレ居レリ七月ノ始ニ於テハ共同租界及越界路ニ駐屯シ居リタル日本軍隊ノ兵力ハ四千ナリシ處九月ノ始メニ於テハ吳淞ニ集結シタル日本軍艦三十八隻ノ掩護ノ下ニ支那官憲ノ計算ニ依レハ十萬ヲ超ユル援軍上陸シタリ

過去數週間日本ハ軍事行動ヲ展開シ其ノ範圍ハ日本飛行機カ數次ニ互リ首都ヲ爆撃シタル揚子江沿岸ノミナラス無數ノ空爆カ遂行セラレタル支那沿岸及奧地ニ及ヘリ

現地ニ於テハ北支及中支ニ於ケル日本陸軍ノ行動竝ニ港及奧地ノ都市ニ對シ行ハレタル日本飛行機ノ爆撃ノ外日本海軍ハ就中上海ニ於テ引續キ陸軍ト協力シ居ルト共ニ支那船舶ニ依リ支那ニ物資ノ供給セラルコトヲ防止スル爲メ沿岸ヲ警備シツツアリ支那船舶ノ若干ハ撃沈セラレタリ(註)

(註)一九三七年八月二十五日日本海軍司令官長谷川中将ハ上海ニ於テ左記宣言ヲ發表セリ

「八月二十五日午後六時ヨリ北緯三十二度四分東經百二十一度四十四分ヨリ北緯二十三度十四分東經百十六度四十八分ニ至ル支那沿海ヲ支那公私船ニ對シ

テ遮斷ス第三國船及帝國船舶ハ遮斷區域内ニ出入スルヲ妨ケス」

更ニ九月五日東京海軍省ハ同日正午ヨリ全支海岸ヲ支那船舶ニ對シテ閉鎖スル旨發表シタリ青島及第三國ノ租借地ノ諸港ハ右閉鎖ヨリ除外セラル

七月七日以來愈強硬ナル抵抗ニ直面シタル日本ハ益々大ナル軍隊ト益々強力ナル武器トヲ使用シテ行動ヲ激化スルコトヲ止メス支那側ノ計算ニ依レハ支那ニ行動シ居レル日本軍隊ノ勢力ハ上海地方ニ於ケル十萬ノ外二十五萬ヲ超ユ日本飛行機ノ活動ニ關シテハ諮問委員會ハ九月二十七日ノ決議ニ於テ支那ニ於ケル無防禦都市ノ空爆ヲ誹議シ、總會右決議ヲ協贊シタル所ナリ(註)

(註)總會ハ九月三十日ノ會合ニ於テ第六委員會ノ報告書ヲ採擇セリ右委員會報告ノ趣旨ハ支那代表陳述ニ促サレ兵力ヲ伴フ紛爭ニ於テ高度文明ノ水準ヲ代表スル藝術の記念碑及文化的施設ヲ尊重スヘキ旨ヲ述ヘタルモノナリ

第二部

現下事態ノ事實ヲ檢討スル目的ノ爲ニハ通商關係又ハ支那

ニ於ケル日本人ノ治外法權關係等ノ條約ヲ論議スル必要ヲ認メス現下ノ目的上適當ナルモノトシテハ重要ナル條約三箇アルニ過キス即一九〇一年九月七日最終議定書、一九二二年華府九國條約及一九二八年巴里規約ニシテ之ニ一九〇七年十月十八日海牙協定第一(註)ヲ加ヘ得ヘキモ右ハ多少其ノ性質ヲ異ニス右ノ外日支官憲ノ間ニ隨時地方的ニ交渉セラレタル不定數ノ兩者間ノ取極アルモ之等諸取極ノ精確ナル條件、範圍及其效力ニ關スル解釋ニ關シテハ議論アリ何レニスルモ以上ハ日支兩國ノ双方ヲ約束スル前記多數國間ノ約定ノ義務ヲ變改若ハ之ニ優先スルモノニ非ス

一九〇一年九月七日議定書及其附屬書ニ基キ日本ハ他ノ特定列強ト共ニ北平ニ於ケル公使館ト海岸トノ間ノ自由交通ヲ維持スル目的ノ爲北平、奉天間鐵道ニ沿ヒタル河北省ノ特定地點ニ軍隊ヲ駐屯スル權利ヲ有ス右軍隊ハ「操練ヲ爲シ射撃及野外演習ヲ行フコト自由タルヘク戰鬪射撃ノ場合ノ外支那官憲ニ通告スルヲ要セサル」權利ヲ有ス

支那ニ關スル事案ニ於テ遵守セラルヘキ主義及政策ニ關スル一九二二年華府九國條約ニ依レハ支那ヲ除ク締約國ハ就中支那ノ主權、獨立竝其領土の及行政の保全ヲ尊重シ又支

那カ自ラ有力且安固ナル政府ヲ確立維持スル爲最完全ニシテ且最障礙ナキ機會ヲ之ニ供與スヘキコトヲ約定セリ更ニ締約國(支那ヲ含ム)ハ其ノ何レカノ一國カ本條約ノ規定ノ適用問題ヲ包含シ且右適用問題ノ討議ヲ爲スヲ望マシト認ムル事態發生シタルトキハ何時ニテモ關係締約國間ニ充分ニシテ且隔意ナキ交渉ヲ爲スヘキコトヲモ約定セリ

一九二八年巴里規約ニ於テ締約國ハ國際紛争解決ノ爲戰爭ニ訴フルコトヲ非トシ且其ノ相互關係ニ於テ國家ノ政策ノ手段トシテノ戰爭ヲ拋棄スルコトヲ其ノ各自ノ人民ノ名ニ於テ嚴肅ニ宣言シ更ニ締約國ハ相互間ニ起ルコトアルヘキ一切ノ紛争又ハ紛議ハ其ノ性質又ハ起因ノ如何ヲ問ハス平和的手段ニ依ルノ外之カ處理又ハ解決ヲ求メサルコトヲ約セリ

(註)日支兩國共一九〇七年十月十八日海牙協定第一ヲ批准シ居レリ右協定第一條ニ於テ締約國ハ「國家間ノ關係ニ於テ兵力ニ訴フルコトヲ成ルヘク豫防センカ爲」、「國際紛争ノ平和的處理ヲ確保スルニ付其ノ全力ヲ竭サムコトヲ約定」セリ右協定ハ事態ニ應シテ調停、仲裁又ハ國際調査委員會等ニ訴フヘキコト

ヲ勸奨スルモノナリ

第三部

一見明白ナル如ク本報告第一部ニ記述セラレタル事件ハ日本ノ支那ニ對スル及是等諸條約ニ基キ他ノ諸國ニ對シ有スル義務ノ違反ヲ構成スルモノナリ日本軍ニ依ル前記狀況ニ於ケル支那全土ニ對スル陸上、水上及空中ヨリノ敵對行爲ノ遂行ハ一見明白ニ支那主權、獨立及其ノ領土の保全ヲ尊重スヘキ義務竝ニ支那トノ間ニ於ケル紛争ノ解決ハ其ノ起因又ハ性質ノ如何ヲ問ハス平和的手段ニ依ルノ外之ヲ求メサルヘキ義務ト兩立セス唯右カ自衛(合法的ニ支那ノ領域ニアル日本軍及日本人ノ防衛ヲ包含ス)ノ爲必要ナル手段タルコトヲ立證シ得ル場合ニ於テノミ支那ニ於ケル日本軍ノ地位ハ日本ノ條約上ノ義務ト調和セシメ得ヘキ所ナリ右問題ノ判定ニ資シ得ヘキ資料ノ内ニハ兩當事國カ紛争ノ發展今日ニ至ル迄ノ間ニ於テ其ノ各自ノ態度及政策ニ關シ自ラ爲セル公式諸聲明ヲ舉ケサルヘカラス

支那ノ態度ハ行政院長大總統蔣介石ノ一九三七年七月十七日ニ爲セル演說ニ明ナル處右ニ於テ左記諸點強調セラレタリ即チ支那ノ國家的存立ト國際の共存トハ支那國民政府對

外政策ノ二大目のナリ……支那ハ戰爭ヲ欲スルモノニアラス單ニ支那ノ存立ヲ危フカラシメントスル攻撃ニ對處シ居ルノミ、平和ト戰爭トハ一ニ掛ツテ日本軍ノ行動及活動ノ如何ニアリトテ平和の解決ヲ求メ得ヘキ基礎タル最少ノ考慮ヲ代表スルモノトシテ次ノ四點ヲ掲ケタリ即

(一)如何ナル解決策モ支那ノ主權及領土の保全ヲ侵スヘキ條件ヲ包含スルコトヲ得ス

(二)河北及察哈爾兩省ノ行政制度ノ不法ナル改變ハ之ヲ許容スルコトヲ得ス

(三)中央政府ノ任命シタル地方官ヲ……外部ノ壓力ヲ以テ免黜スルヲ許容スルコトヲ得ス

(四)二十九路軍警備地域ニ何等ノ制限ヲ課スルコトヲ得ス
七月十九日支那外交部ヨリ在南京日本大使館ヘ手交セラレタル覺書中ニ於テ支那政府ハ「日支兩軍ノ同時移動停止及兩者間ニ於テ協定セラルヘキ時期ニ於ケル日支兩軍ノ相互の現駐地撤收ヲ重ネテ提議」セリ右覺書ハ更ニ事件解決ノ爲ニハ支那政府ハ國際法若ハ諸條約ニ知ラレタル直接交渉、周旋、調停及仲裁等一切ノ平和的手段ヲ受諾スル用意アルコトヲ相當明瞭ニ陳述シ居レリ

紛爭ニ對スル日本政府ノ一般の態度ハ七月二十七日日本總理大臣ノ議會答辯中ノ左ノ陳述ニ掲ケラレ居レリ

「日本ハ支那ノ領土ニ對シテ何等侵略的ノ意圖ヲ抱懷セス若シ支那ノ宣傳スル如ク日本ニ假ニ支那侵略ノ意圖アリトセハ今日既ニ北支一帯ハ日本軍ノ占有スル所ナルヘキヤモ知レス(中略)此點ハ支那政府及列國ノ能ク了解スル所ナルヘシ日本ノ支那ニ求ムル所ハ領土ニアラスシテ提携ニアリ、提携トハ日本ノ利益ノ爲ニ支那ヲ犧牲ニ供スルノ意ニアラスシテ日支互ニ平等ノ立場ニ於テ相互ニ相扶ケ以テ東洋文化ノ發揚、東亞ノ興隆ニ資セントスルニアリト思考ス」

更ニ廣田外務大臣ハ九月五日議會演說ニ於テ日本政府ノ方針ハ局地の解決及事件不擴大ニアリ且日本政府ハ解決ヲ速ナラシメン爲凡ユル努力ヲ傾倒シタル旨ヲ闡明セリ
九月十五日日本外務省代表者ハ日本政府力局地の解決及不擴大ノ方針ニ從ヒ迅速ナル解決ニ到達セン爲一切ノ努力ヲ拂ヒタル旨ヲ明ニセリ

是等諸聲明ニ依レハ日支双方共事件ノ當初ニ於テハ之ヲ局地化シ且平和の解決ヲ求メ得ヘカリシモノト信シタルヲ示

1 中国の連盟提訴と日中紛争報告書の總會採択

スモノノ如シ

日本ノ公式聲明カ日本政府ノ平和的意圖ヲ挫折セシメタルハ支那軍ノ移動及支那政府ノ侵略的意圖ナリト宣言セルハ注目ニ値ス他方支那ノ公式聲明ハ正シク同一ノ責任ヲ日本ニ負ハシメ即地方的事件ヲ一大破局ニ導タルモノハ日本軍ノ侵入ト日本政府ノ侵略的意圖ナリト爲セリ

事件ノ比較的初期ニ於テ日本ハ局地的解決ニ到達スルト共ニ日支間ニ懸案タル一切ノ問題ヲ一舉ニ解決セント決意シタルモノノ如シ

七月十一日夕刻同日閣議ニ於テ用意セラレタル聲明日本外務省ヨリ發表セラレタリ右聲明ノ趣旨ハ日本ハ北支ニ於テ平和ト秩序トノ維持ヲ希望スルモノ乍ラ日本政府ハ右地域ニ兵力派遣ノ爲必要ナル一切ノ手段ヲ執ラントスルモノナルコトヲ明ニセルモノナリ

七月二十七日近衛公爵ハ其ノ演說ニ於テ左記趣旨ノ陳述ヲ爲セリ

「今回ノ事件カ局地的ニ解決セラルヘキヲ要スルノミナラス更ニ進テ日支間ノ根本的ノ國交ノ調整ニ進メサルヘカラス」

更ニ九月五日廣田外務大臣ノ議會ニ於ケル演說左ノ如シ

「帝國ノ國是カ日滿支三國間ノ融和提携ニ依リ東亞安定ノ基礎ヲ築キ以テ共存共榮ノ實ヲ舉ケントスルニアリマスコトハ今更申スマテモナイノテアリマス。然ルニ支那ハ毫モ我カ眞意ヲ諒解セントセス却ツテ今日ノ如ク大軍ヲ動カシテ我カ軍民ニ向ヒ來ル以上ハ我方モ亦之ニ對應スル軍事行動ニ依リ斷乎トシテ支那ノ猛省ヲ促スコトヲ急務トスルノテアリマス」……「斯ノ如キ國家ニ對シテ其ノ反省ヲ求ムル爲ニ帝國カ斷乎一擊ヲ加フルノ決意ヲ爲シタルコトハ獨リ帝國自衛ノ爲ノミナラス正義人道ノ上ヨリ見マシテモ極メテ當然ノコトナリト固ク信シテ疑ハヌモノテアリマス」(註、右ハ同日近衛首相演說中ノ一節ナリ)……「併ナカラ今日此際帝國トシテ探ルヘキ手段ハ出來ルタケ速ニ支那軍ニ對シテ徹底的打撃ヲ加ヘ彼ヲシテ戰意ヲ喪失セシムル以外ニナイノテアリマス」

(註、同上)

他方支那側ニ於テハ蔣介石大總統ハ七月三十日聲明ヲ發シ左記趣旨ヲ宣明セリ

「曩ニ魯山^(崑崙)(牯嶺)ニ於テ爲シタル宣言及蘆溝橋事件ノ解

決ノ爲ニ予ノ提示シタル四條件ハ共ニ不動ノ所ナリ現在ノ危局ニ到達シテ猶且北平及天津ノ事態ヲ局地的ニ解決シ得ヘシト爲シ又ハ日本軍カ北支ニ於テ跳梁ヲ擅ニシ又シテモ同地ニ傀儡政府ヲ設ケントスルヲ默過スヘシト爲スカ如キハ以テノ外ナリ吾人ノ執ルヘキ唯一ノ途ハ國民大衆ヲ唯一ノ國家の計畫ヲ以テ統一シ最後ニ至ル迄奮闘スルニアリ要スルニ日本ノ侵略ニ對スル國民政府ノ政策ハ一貫シテ渝ル所ナシ支那ノ領土ノ保全及政治的獨立ヲ維持スルニアリ」

日本政府ハ事變ノ平和的解決及日支兩國ノ提携ニ對スル希望ヲ繰返シ開陳セルモ日本ハ右ノ結果ヲ第三國ノ介入ヲ排斥シ日支兩國ノミノ間ニ於テ齎サンコトヲ主張セリ即七月二十九日豫算委員會ニ於テ政府ハ第三國ノ干涉ヲ豫メ封スヘキ確乎タル聲明ヲ爲スヘシトスル提案ニ對シ日本外務大臣ハ外國ヨリノ干涉ヲ豫想シ居ラス又若シ斯ル提議アリトスルモ日本政府ハ之ヲ拒絕スヘシト答辯シタリ

更ニ諮問委員會ノ事業ニ參加スヘシトノ招請ヲ拒絕セル九月二十五日電報ニ於テ廣田氏ハ今次事變ノ解決ニ關シテハ日本帝國政府ハ其ノ從來中外ニ披瀝シ來レル如ク日支間ノ

問題ハ日支兩國間ニ於テ現實ニ即セル公正妥當ナル解決方法ヲ發見シ得ヘシト宣言セリ

支那ノ態度ニ關シテハ支那代表カ總會及委員會ニ於テ爲シタル聲明ヲ參照スルコトヲ得ヘシ既ニ前言セル七月十九日附覺書カ今尙支那政府ノ政策ヲ代表スルモノタルコトニ關シテハ疑ノ餘地ナキカ如シ

第四部

結 論

日支兩國ハ本紛爭ノ根底及最初ノ敵對行爲ノ勃發ヲ導ケル事件ニ關シ甚シク其ノ見解ヲ異ニスルコト明白ナリ然レドモ強力ナル日本軍カ支那ノ領域ニ侵入シ且北平ヲモ包含スル廣大ナル地域ヲ軍事的ニ統轄シ居ルコト、日本政府カ支那ノ船舶ニ對シテ支那海岸ヲ閉鎖スル爲ニ海軍力ニ依ル措置ヲ執リタルコト及日本空軍カ支那ノ廣ク隔絕セル地域ニ亘リ爆撃ヲ加ヘツツアルコトニ付テハ疑ヲ挾ム餘地ナシ本委員會ニ提出セラレタル事實ヲ檢討シタル上委員會ハ日本カ支那ニ對シ陸上、海上及空中ヨリ加ヘツツアル軍事行動ハ本紛爭ヲ惹起セシメタル事件ト權衡ヲ失スルコト、斯ル行動ハ到底日本政治家カ其ノ政策ノ目的ナリトシテ確言

シタル兩國間ノ友誼的協調ヲ容易ナラシメ若ハ促進スル所以ニアサルコト、右ハ現存法律文書又ハ自衛權ノ何レニ依ルモ是認セラルルヲ得サルコト及右ハ一九二二年二月六日ノ九國條約及一九二八年八月二十七日ノ巴里協定ニ基ク日本ノ義務ニ違反スルモノナリトノ意見ヲ表示セサルヲ得ス



886 昭和12年10月6日 国際連盟総会採択 (附註1)

日中紛争に関する連盟諮問委員会小委員会の

第二報告書

付記 右和訳文

A. 80. 1937. VII.
SECOND REPORT OF THE SUB-COMMITTEE OF THE
FAREAST ADVISORY COMMITTEE ADOPTED BY
THE COMMITTEE ON OCTOBER 5TH, 1937.

Geneva, October 5th, 1937.

1. In the report which the Sub-Committee has already
submitted to the Advisory Committee, the facts of the

present situation in China and the treaty obligations of Japan have been examined. That report shows that the action taken by Japan is a breach of Japan's treaty obligations and cannot be justified.

2. The establishment of the understandings of international law as the actual rule of conduct among Governments and the maintenance of respect of treaty obligations in the dealings of organised peoples one with another are matters of vital interest to all nations.

3. The present situation in China is a matter of concern not only to the two States in conflict but, to a greater or lesser degree, to all States. Many Powers are already directly affected in the lives of their nationals and in their material interests. But even more important than this is the interest which all States must feel in the restoration and maintenance of peace. This, indeed, is the fundamental purpose for which the League exists. It has thus the duty as well as the right to attempt to bring about a speedy restoration of peace in the Far East, in accordance

with existing obligations under the Covenant and the treaties.

4. The Sub-Committee has considered in the first place the obligations which the Covenant places in such circumstances upon Members of the League.

5. The Advisory Committee has been set up under the wide terms of Article 3 (3) of the Covenant, which authorises the Assembly to deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

6. This Article places no limit upon the action of the Assembly, and Article 11 which, *inter alia*, has been invoked by China provides that "the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations."

7. The Sub-Committee has examined the situation with a view to determining what action would be "wise and effectual".

8. It cannot be admitted that the present conflict in

the Far East, which has been shown to involve an infringement of Japan's treaty obligations, is one which can as of right only be settled by direct methods between the Chinese and Japanese Governments. On the contrary, the whole situation must be taken into the fullest consideration and in particular any appropriate means by which peace may be reestablished, in conformity with the principles of the Covenant and of international law and with the provisions of existing treaties, must be examined.

9. The Sub-Committee is convinced that even at this stage of the conflict, before examining other possibilities, further efforts must be made to secure the restoration of peace by agreement.

10. In attempting a settlement, by negotiation, of the present conflict, the League cannot lose sight of the fact that one party is not a member of the League and has, in relation to the work of the Advisory Committee, explicitly declined to co-operate in political matters with the League.

11. The Sub-Committee notes that under the Nine-

Power Treaty signed at Washington, the contracting Powers, other than China, agreed, *inter alia*, to respect the sovereignty, the independence, and the territorial and administrative integrity of China, and that all contracting Powers, including China, agreed that, whenever a situation should arise which involved the application of the stipulations of the Treaty and rendered desirable the discussion of such application, there should be full and frank communication between the Powers concerned. It appears, therefore, to the Sub-Committee that the first step which the Assembly should take, in the name of the League, would be to invite those Members of the League who are parties to the Nine-Power Treaty to initiate such consultation at the earliest practicable moment. The Sub-Committee would suggest that these Members should meet forthwith to decide upon the best and quickest means of giving effect to this invitation. The Sub-Committee would further express the hope that the States concerned will be able to associate with their work other States which

have special interests in the Far East to seek a method of putting an end to the conflict by agreement.

12. The States thus engaged in consultation may at any stage consider it desirable to make proposals through the medium of the Advisory Committee to the Assembly. The Sub-Committee recommends that the Assembly should not close its session and should declare the League's willingness to consider co-operation to the maximum extent practicable in any such proposals. The Advisory Committee should in any case hold a further meeting (whether at Geneva or else where) within a period of one month.

13. Pending the results of the action proposed, the Advisory Committee should invite the Assembly to express its moral support for China and to recommend that Members of the League should refrain from taking any action which might have the effect of weakening China's power of resistance and thus of increasing her difficulties in the present conflict, and should also consider how far they

can individually extend aid to China.

編注一 本報告書は、十月五日に諮問委員会で採択され、同六

日に連盟総会で採択された。

二 本文書および本文書付記は、昭和十二年十二月、条約局第三課作成「支那事變ト國際聯盟」より抜粋。

(付記)

十月五日聯盟日支問題諮問委員會小委員會第二報告書

諮問委員會ニテ採擇セラレ六日總會ニ於テモ

採擇セラル(總會書類A.80)

一、小委員會ハ既ニ諮問委員會ニ提出シタル報告中ニ於テ支那ニ於ケル今次事態ノ事實及日本ノ條約上ノ義務ニ關シ檢討ヲ了セリ本報告ハ日本ノ執レル行動カ日本ノ條約上ノ義務ノ違反ニシテ之ヲ是認スルヲ得サルコトヲ示スモノナリ

二、政府間ニ於ケル行動ノ現實ノ規定トシテ國際法ノ約定ヲ確立シ及組織アル國民相互間ノ關係ニ於テ條約上ノ義務ノ尊重ヲ維持スルコトハ一切ノ國民ニトリ必至ノ利害關

係事項タリ

三、支那ニ於ケル現在ノ事態ハ單ニ紛爭當事國タル兩國間ノ關心事タルノミナラス一切ノ諸國ニ多少ノ關係ヲ有ス列強中其ノ國民ノ生命及其ノ財產權ニ於テ直接影響ヲ蒙レルモノ既ニ渺トセス然レトモ更ニ重要ナルハ一切ノ國家カ平和ノ回復及維持ニ對シテ感スヘキ利害關係ナリトス之實ニ聯盟存在ノ根本義ナリ從テ聯盟ハ規約及條約ニ基キテ現存スル義務ニ從ヒ東亞ニ於ケル速カナル平和ノ克復ヲ試ミルヘキ權利及義務ヲ有ス

四、小委員會ハ第一ニ斯ル事態ニ於テ規約上聯盟國ノ負フヘキ義務ニ付考慮シタリ

五、諮問委員會ハ規約第三條三項ノ廣範ナル規定ノ下ニ設置セラレタリ然シテ右規定ハ總會カ聯盟ノ行動範圍ニ屬シ又ハ世界ノ平和ニ影響スル一切ノ事態ヲ其ノ會議ニ於テ處理スヘキコトヲ規定ス

六、本條ハ總會ノ行動ニ關シ何等ノ制限ヲ設ケサル所特ニ支那ノ援用シタル規約第十一條ニ依レハ聯盟ハ國際ノ平和ヲ擁護スル爲適當且有效ト認ムル一切ノ措置ヲ執ルヘキコトヲ規定ス

七、小委員會ハ如何ナル措置ヲ以テ適當且有效ナルカニ付決定セントシテ事態ヲ檢討セリ

八、東亞ニ於ケル今次ノ紛争ハ前述ノ如ク日本ノ條約義務違反ヲ包含スルモノニシテ之ヲ以テ本來日支兩國政府間ノ直接ノ方法ニ依リ解決セラルヘキモノト爲スコトヲ得ス之ニ反シ事態ノ全般ハ之ヲ最モ充分ナル考慮ニ容レ就中規約、國際法及現存諸條約ノ規定ニ遵據シテ平和ヲ再建セシムヘキ適當ナル一切ノ手段ヲ檢討セサルヘカラス

九、小委員會ハ紛争今日ノ段階ニ於テモ他ニ可能ナル措置ヲ檢討スルニ先タチ協定ニ依ツテ平和ノ再建ヲ確保スヘキ更ニ一段ノ努力ヲ拂フヘキモノト確信ス

十、本紛争ノ交渉ニ依リ解決ヲ策スルニ當リ聯盟ハ當事國ノ一方カ聯盟國ニ非スシテ且諮問委員會ノ事業ニ關シ聯盟ト政治的事業ニ協力スルコトヲ明白ニ拒絶シタル事實ヲ看過スルコトヲ得ス

十一、小委員會ハ華府ニ於テ署名セラレタル九國條約ニ依レハ支那ヲ除ク締約國ハ就中支那ノ主權、獨立竝ニ其ノ領土及行政的保全ヲ尊重スヘキコトヲ約シ且支那ヲ含ム一切ノ締約國ハ同條約ノ規定ノ適用問題ヲ包含シ且右適

用問題ノ討議ヲ爲スヲ望シト認ムル事態發生シタルトキハ何時ニテモ關係締約國間ニ充分且隔意ナキ交渉ヲ爲スヘキコトヲ約定セルコトヲ認定ス從テ小委員會トシテハ聯盟ノ名ニ於テ總會^(開会)ヲ執ルヘキ第一ノ措置ハ聯盟國ニシテ右九國條約タル諸國ヲ招集シ實際的ナル最モ早キ時期ニ於テ右ノ協議ヲ開始セシムルニアルヘシ然シテ小委員會ハ斯ル聯盟國ハ直ニ會合ノ上右招集ヲ有效ナラシムヘキ最善且最モ迅速ナル手段ヲ決定スヘキコトヲ提示ス委員會ハ更ニ關係諸國ハ右ノ事業ニ關聯シテ協定ニ依リ紛争ヲ終止セシムヘキ手段ヲ構スル爲東亞ニ特殊ノ利害關係ヲ有スル諸國ヲ之ニ協力セシムルコトヲ希望ス

十二、右ノ協議ニ與レル諸國ハ其ノ望マシト認ムルトキハ如何ナル段階ニ於テモ諮問委員會ヲ通シテ總會ニ提案ヲ爲スコトヲ得ヘシ小委員會ハ總會カ本會期ヲ閉會セスシテ聯盟カ右提案ノ實際的ナルモノニ付最大限ノ協力ヲ考慮スルノ用意アルコトヲ宣明センコトヲ勸告ス諮問委員會ハ如何ナル場合ニ於テモ(壽府又ハ其ノ他ニ於テ)一ヶ月ノ期限内ニ更ニ會合スヘシ

十三、右行動ノ結果ヲ待ツ間諮問委員會ハ總會ニ於テ支那ニ

對シ其ノ精神的支持ヲ表明シ更ニ聯盟諸國ニ對シ支那ノ抵抗カヲ弱カラシメ依テ本紛争ニ於ケル同國ノ困難ヲ増大セシムヘキ效果ヲ有スル處アル一切ノ行動ヲ差控フヘキコト及聯盟各國カ個別的ニ支那ニ對シテ與フルコトヲ得ヘキ援助ノ程度ニ關シ考慮センコトヲ勸獎センコトヲ要請ス

887

昭和12年10月7日

在仏国杉村大使より
広田外務大臣宛(電報)

日中紛争をめぐる連盟總會の動静に関する情

報報告

パリ 10月7日前発

本省 10月7日夜着

第五八九號

聯盟¹⁾ノ爲壽府ニ出張中ナリシ「バツセ」六日内山ヲ來訪内話要領左ノ通り

一、總會中「克蘭ボーン」「ボンクール」等責任輕キ連中ハ言動荒キ傾キアリタルモ「イーデン」「デルボス」等ハ責任上言辭極メテ慎重ニテ支那側ノ策動猛烈ナルモノ

アリシカ毎日長文ノ抗議文ヲ突付クル爲外國代表ノ印象モ餘リ良カラス滿洲事變當時ノコトヲ回顧スレハ實ニ雲泥ノ差アリ聯盟カ如何ナル決議ヲ爲ストモ結局形式丈ケニテ自分ハ今度程度ノ決議ニテ終リタルコトハ日本トシテモ先ツ成功ナリト見居レリ

二、英國ノ大僧正ヤ米國大統領カ如何ナル演說ヲ爲ストモ現在ノ歐洲情勢ヲ以テスレハ如何ナル國モ日本ニ對シ手ヲ出スコト全然ナカルヘシ

三、英佛ハ勿論蘇聯代表ノ對日態度モ思ヒノ外軟弱ナリシハ注意ニ値スヘク蘇聯カ他國ヲ踊ラセントスル魂膽ハ毎度ノコトナカラ蘇聯現在ノ内政狀態ヨリ察スレハ蘇聯側ヨリ日本ニ手出シヲスヘシトハ想像セラレス

四、²⁾「ランブイエ」ニ於ケル佛最近ノ閣議ニ於テ伊カ西班牙問題ニ關シ英佛ノ申出ヲ拒否スル場合佛ノ執ルヘキ態度如何ニ付テ議論二ツニ分レタルカ「シヨータン」ハ其ノ場合ニテモ

(イ)國境ヲ開クモ佛ヨリ義勇兵トシテ西班牙政府ニ加擔スル者ハ殆トナカルヘク

(ロ)若シ之ヲ開キ軍需品ヲ送ルトセハ獨伊ハ聲ヲ大ニシテ

之二對抗スヘク其ノ結果ハ歐洲ノ大亂トナルヘシ又

(ハ)「バレンシヤ」側ハ兵ハアルモ優秀ナル指揮官ナク到底最後ノ勝利ハ覺束ナク偶々「バ」政府ヲ援助スル結果ハ後日「フランコ」政權トノ關係斷絶シ甚タシキ不利ニ陥ルヘシトノ理由ヲ以テ極力不干渉維持ヲ主張シタル由

五、致國ノ外相「クロフタ」ハ聯盟總會中ヨリ「ブルム」ト接近ヲ續ケ居リタルカ最近巴里ニ來レル際佛政府ハ之ニ對シ獨力致國ヲ襲フ場合佛ハ飛行機ノ派遣ヲ以テ軍事的ニ致國ニ應援スヘシトノ前内閣以來ノ言質ヲ更新シ之ヲ英國ニ通知シタリ

六、佛内閣ハ内政上ノ困難ヨリ地方議員選舉後來ル十一月十二日議會開會前ニ辭職スルニアラスヤト觀測セラル
壽府、在歐各大使(土ヲ除ク)ヘ暗送セリ

888

昭和12年10月9日

今次事變における日本の行動は自衛であり現存条約に違反しない旨の外務省声明

付記一 右英文

二 昭和十二年十二月、条約局第三課作成「支那事變ト國際聯盟」より抜粋

「概説 支那ノ聯盟提訴ヨリ十月六日總會ノ報告書及決議採擇ニ至ル經緯概略」

外務省聲明(昭和十二年十月九日)

國際聯盟ハ現ニ帝國カ支那ニ於テ執リツツアル行動ヲ以テ九國條約及不戰條約違反ナリト斷定シ米國國務省亦同趣旨ノ聲明ヲ發シタルカ右ハ今次事變ノ實體及帝國ノ眞意ヲ理解セサルヨリ來レルモノニシテ帝國政府ノ甚タ遺憾トスルトコロナリ。

今次事變ハ條約上明白ニ認メラレタル駐兵權ニ基キ合法的ニ北支ニ在リタル帝國軍隊ニ對スル支那軍隊ノ不法攻撃ニ端ヲ發シタルモノニシテ當時蘆溝橋ニ於テ演習ニ從事シタルハ極メテ小部隊ナリシノミナラス當時我支那駐屯軍ハ平時任務ノ爲各地ニ分散配置セラレ居タルコト、又事變勃發後日本力作戦上ノ不利ヲ忍ビテ迄毛局地的解決ヲ計ランコトニ飽迄努力シタルコトヲ見レハ我軍ノ行動力何等計畫的ノモノニ非スシテ全ク自衛ノ措置ニ外ナラサリシコト明カ

ナリ又上海次テ中支各地ニ事變カ擴大スルニ至リタルハ支
那側カ一九三二年ノ上海停戰協定ヲ破リテ非武裝地帶ニ四
萬餘ノ優勢ナル軍隊ヲ入レ三千内外ノ僅少ナル我陸戰隊ト
婦女子ヲ含ム約三萬ノ租界在留民トヲ殲滅セントシタルニ
起因スルモノナリ而シテ其ノ後ノ軍事行動ノ發展ハ偏ニ支
那側ニ於テ帝國ノ現地解決及時局不擴大ノ方針ヲ無視シ大
軍ヲ移動集結シテ我方ニ對シ全面的ニ敵對行爲ニ出テタル
カ爲我方モ已ムヲ得ス軍事的行動ヲ以テ之ニ應シタルニ基
クモノニ外ナラス要スルニ帝國カ今日支那ニ於テ執リツツ
アル行動ハ支那側ノ計畫的挑發行動ニ已ムナクセラレタル
自衛措置ニシテ而シテ帝國政府カ現下ノ對支行動ニ依リ支
那ニ求メントスルモノハ前記對日挑發行爲ノ根源ヲ成ス排
日抗日政策ノ拋棄ト日支兩國ノ眞摯ナル協調ニ依ル東亞平
和ノ具現トニ存シ何等領土の企圖ニ出ツル次第ニ非ス從テ
帝國ノ對支行動ハ如何ナル現存條約ニモ違反セス却ツテ赤
色勢力ニ操ラレ國策トシテ執拗惡性ナル排日抗日ヲ實行シ
武力行使ニ依リ自國內ニ於ケル日本ノ權益ヲ排除シ去ラン
トシテ今次事變ヲ招來セル支那政府コソ不戰條約ノ精神ニ
背戾シ世界ノ平和ヲ脅威スルモノト言フヘキナリ。

(付記1)

FOREIGN OFFICE STATEMENT

October 9, 1937.

The League of Nations has declared that the actions now being taken by Japan in China are a violation of the Nine Power Treaty and the Treaty for the Renunciation of War, and the State Department of the United States has issued a statement to the same purport. However, these steps must be attributed to an unfortunate lack of understanding of the real circumstances as well as the true intentions of Japan, a state of affairs which the Japanese Government deem very regrettable.

The present Sino-Japanese affair originated in the unwarranted attack made by Chinese forces on Japanese garrison troops legitimately stationed in North China under rights clearly recognized by treaty. The troop which was maneuvering at the time of the outbreak was a very small unit. The Japanese garrison force was then scattered in

different parts, engaged in peace-time duties. After the outbreak of hostilities, Japan did everything in her power to reach a local settlement of the incident, even at the sacrifice of strategic advantages. These facts are sufficient to prove that the action of the Japanese force was by no means premeditated but simply defensive.

China is undoubtedly responsible for the spread of the affair to Shanghai and then to other points of Central China. She openly violated the Agreement for the Cessation of Hostilities concluded in 1932 by concentrating overwhelmingly numerous forces of more than forty thousand men in the demilitarized zone and attempted to annihilate our Naval Landing Party, numbering but a scant three thousand, and wipe out our 30,000 nationals living in the Settlement, amongst whom were many women and children.

The subsequent development of the Japanese military action has been but the unavoidable consequence of the hostile operations of China, who, ignoring our policy of a

local settlement and non-aggravation of the situation, moved and concentrated her large armies against us. The action which Japan is taking at the present time is a measure of defense to which she has been compelled to resort by the premeditated provocative acts of China.

What the Japanese Government seek today is merely the abandonment by China of her anti-Japanese policy and the establishment of enduring peace in East Asia, through sincere cooperation between Japan and China. They have no territorial designs whatever.

In the light of these circumstances, it must be firmly declared that the present action of Japan in China contravenes none of the existing treaties which are in force.

The Chinese Government, lending themselves to Communist intrigue, have brought about the present hostilities by their persistent and malicious anti-Japanese measures and their attempt to do away with the rights and vital interests of Japan in China by force of arms. It is they who should be deemed a violator of the spirit of the Treaty

for the Renunciation of War — a menace to the peace of the world.

(付記二)

概説

昭和十二年八月三十日支那政府ハ國際聯盟ニ對シ七月七日事變勃發以來ノ經緯ニ關シ浩翰ナル覺書ヲ提出シ又九月十二日更ニ補足覺書ヲ提出シ同時ニ規約第十條、十一條及十七條ヲ援用シテ事變ヲ聯盟ニ提訴セリ

九月十三日聯盟總會開催、十五日支那代表ハ總會ニ於テ日本ノ侵略ヲ訴ヘ聯盟ニ於ケル事變ノ取扱ハ理事會ノ決定ニ委スヘキ旨ヲ演說セリ

九月十四日理事會ハ本件提訴ヲ議題ニ追加シ更ニ二十六日問題ヲ一九三三年二月二十四日總會決議ニ依リテ設置セラレタル日支問題諮問委員會ニ付託スルコトニ決シ支那ハ右決定ヲ聯盟ノ措置ノ第一歩トシテ承認シ必要ノ場合更ニ理事會ニ對シ規約ノ條項ヲ援用スヘキ權利ヲ留保セリ

右諮問委員會ハ一九三二年三月十一日成立セル十九國委員會(當事國ヲ除ク理事國及特定ノ數國ヨリ成ル)ニ和蘭、

加奈陀ヲ加ヘ非聯盟國タル米國ヲ招請(米國ハ當時討議ニ參加スルモ票決ニ加ハラサル資格ニ於テ右招請ヲ受諾)シタルモノニシテ參加國合計二十三ニ達ス

右ニ基キ聯盟ハ十七日米國政府ニ對シ諮問委員會ニ代表ノ派遣ヲ招請シ同國政府ハ二十日附ニテ從前ト同一資格ヲ以テ諮問委員會ニ在瑞西米國公使ヲ出席セシムヘキ旨ヲ回答シ斯テ同委員會ハ二十一日始メテ會合「ラトヴィア」代表「ミュンテルス」ヲ議長トシ今次事變當事國タル日支兩國竝獨逸及濠洲ノ諸政府ヲ招請スルコトニ決シ是等新ニ招請セラレタル諸國ノ回答ヲ待ツ爲ニ二十七日迄會合ヲ延期スルコトトセリ

斯テ聯盟事務總長ヨリ帝國政府ニ對シ二十一日附ヲ以テ參加招請電報アリタルニ對シ帝國政府ハ二十五日問題ノ解決ハ日支兩國間ニ於テ爲サルヘキト聯盟ノ政治的事業ニ協力セサル從來ノ方針トニ依リ右ヲ受諾シ得サル旨回答セリ(尙支那及濠洲ハ參加ヲ受諾シ獨逸ハ拒絕セリ)

此ノ間九月二十四日及二十七日支那ハ更ニ聯盟ニ對シ日本空軍ニ依ル南京蘇州及廣東等ノ爆撃ニ關シ覺書ヲ提出シ諮問委員會ヘノ回付ヲ求ム

1 中国の連盟提訴と日中紛争報告書の總會採択

二十七日諮問委員會ニ於テ支那ハ日本ノ侵略ヲ誹謗シ就中空爆ノ慘ニ付テ訴ヘタル處委員會ノ空氣ハ先ツ右空爆ヲ不當視スルニ傾キ遂ニ之ヲ非難スル決議ヲ爲シ右決議ヲ總會ニ回付シ總會ハ二十八日之ヲ採擇セリ本決議ハ虛構ナル宣傳ニ基ク不當ノモノナルニ付二十九日帝國空軍ノ態度ニ付壽府ニ於テ聲明ヲ爲セリ

二十九日諮問委員會ニ於テ支那ハ日本ヲ侵略者ト認定センコトヲ要求シタルモ委員會トシテハ先ツ今後ノ任務遂行方法ヲ研究スル爲小委員會ヲ設置スルコトヲ決シ十月一日小委員會ノ任務及構成決定セラレ當日支那ハ日本ヲ侵略者ト認ムル決議案ヲ提出シタルモ小委員會ハ事實ノ調査ヲ要ストテ一旦休會シタル上帝國政府ノ立場ニ付テハ總理大臣及外務大臣議會演說、帝國政府累次ノ聲明等ヲ蒐集シ二日及四日起草委員會ヲ設ケテ曲折アル審議ヲ續ケ(何レモ非公開)五日二個ノ報告ヲ作成、諮問委員會之ヲ採擇シ(波蘭及瑞西棄權)別ニ諮問委員會ノ報告及決議ヲ附シテ直ニ總會ニ回付シタルモ之ニ關スル總會ノ態度決定ハ延期セラレ總會ハ翌六日之ヲ採擇セリ(波蘭及暹羅棄權)

以上ト平行ニ聯盟總會及理事會ニ於テ隨時支那事變ニ關

スル討議アリタルモ重要ナルハ支那ノ惡疫流行ニ鑑ミ聯盟ノ對支衛生技術援助決定セラレ二百萬瑞西法ノ支出ヲ可決シタルコト及總會第六委員會ニ於テ學藝文化的施設ノ尊重ヲ報シタルコトナリ

報告及決議ノ要領ハ帝國ノ對支態度ヲ以テ不戰條約及九國條約違反ナリト爲シ九國條約ノ締約國タル聯盟國其ノ他ノ會議ヲ催シテ東洋平和ノ回復ヲ圖ルヘシト爲シ總會ヲ閉會セス又一ケ月以内ニ諮問委員會ノ再會スヘキヲ定メ總會ハ不取敢支那ニ精神的的支持及援助ヲ與フヘキヲ提言セルモノナリ右報告及決議採擇ニ至ル迄支那ハ日本ヲ侵略國ト認定セシメントシテ極力努力シタルモ英國其ノ他ハ九國條約關係國會議ヲシテ調停セシメント主張シ漸ク纏リタルモノノ如シ而シテ右決定ニ基キ主トシテ英國政府ノ主唱ニ依リ且米國政府ノ同意ヲ得テ九國條約締約國ノ會議ヲ十月三十日(後十一月三日ニ延期セラル)武府ニ於テ開催スルコトト爲リ形式的ニハ同會議ハ聯盟ノ決定ト何等ノ關聯ヲ有セサル建前ヲ採ルニ至リ一方一月以内ニ再會ノ豫定ナリシ聯盟諮問委員會ハ右九國條約國會議ノ開催ヲ控ヘ委員會議長及事務總長ニ於テ協議ノ上暫ク形勢觀望ノ爲再會延期方考慮中

ノ模様ナリ

因ニ米國政府ハ前記聯盟ノ決定ニ對シ十月六日一般的贊同
ノ意ヲ表シタリ(十一月五日大統領演說及六日國務長官聲
明)

