

一月十八日
第二十回
總委員會
「ゲデス」
決議案

第五章 支那鐵道ニ關スル問題

(一) 支那鐵道運賃劃一ニ關スル決議案

大正十一年一月十八日極東問題總委員會第二十回會議ニ於テ東支鐵道問題ノ討議後「ヒューズ」議長ハ支那ニ於ケル鐵道ニ關シ何等決議案ヲ提出セントスル向アリヤト問ヒタルニ對シ英國委員「ゲデス」氏ハ『支那ニ於ケル鐵道ニ於テ各國民カ其ノ通商ニ關シ均等ノ待遇ヲ受クルハ各國ノ共通利害トスル所ナリ』ト前提シ同鐵道ニ於ケル運賃劃一問題ニ付一ノ決議案ヲ朗讀シ次回會議ニ於テ之カ討議ヲ求ムヘキ旨ヲ述ヘタリ該決議案ノ全文次ノ如シ

The Chinese Government declares that, throughout the whole of the railways in China, it will not exercise or permit any discrimination, whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of the passengers or the countries from which or to which they are proceeding or origin or ownership of goods or the country from which or to which they are consigned or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese railways.

The other Powers represented at this Conference take note of the above Declaration and make a corresponding Declaration in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise. Any question, arising under this Declaration, may be referred by the Powers concerned to the Board of Reference when established for consideration and report.

(右譯文)

支那政府ハ支那ニ於ケル全鐵道ヲ通シ旅客ノ國籍其ノ出發國若クハ到達國貨物ノ原產地若クハ所有者其ノ積出國若クハ仕向國又ハ前記ノ旅客若クハ貨物カ支那鐵道ニ依リ輸送セラルル前若クハ後ニ於テ之ヲ運搬スル船舶其ノ他ノ輸送機關ノ國籍若クハ所有者ノ如何ニ依リ料金又ハ便宜ニ付直接間接ニ何等ノ差別ヲ行ヒ又ハ之ヲ許容セサルヘキコトヲ聲明ス本會議ニ參列スル支那以外ノ各國ハ上記ノ聲明ヲ諒認シ前記鐵道中自國若クハ自國民力特許特殊協定若クハ其ノ他ニ基キ管理ヲ爲シ得ル地位ニ在ルモノニ關シ前項ト同趣旨ノ聲明ヲ爲ス

本聲明ニ關シ發生スヘキ問題ハ關係國ヨリ諮議院ノ設立後之ニ移牒シテ其ノ考量及報告ヲ求ムルコトヲ得

(二) 支那鐵道統一ニ關スル決議案

「ヒューズ」決議案

右「ゲデス」決議案ノ紹介ニ次キ「ヒューズ」氏モ亦「支那ニ於ケル鐵道ノ發達ハ同國ノ繁榮ト直接至要ノ關係ヲ有スル問題ニシテ本會議カ支那將來ノ發展ニ對シ同情ヲ有スル以上同國ニ於ケル鐵道運用ニ付一般政策ヲ獻言スルモ無用ノ業ヲラサルヘシ」トテ支那ニ於ケル鐵道統一ニ關スル左記決議案ヲ朗讀シテ次回ニ之ヲ審議スヘキ旨宣告セリ

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

(右譯文)

本會議ニ參加シタル諸國ハ支那ニ於ケル諸鐵道ノ將來ノ擴張ハ適法ナル既存ノ權利ト兩立スル最大限度ニ於テ支那國政府ヲシテ同國ノ管理スル鐵道網ニ諸鐵道ヲ統一スルコトヲ得シムルヤウ處理セラルヘク之ニ就テハ右鐵道網ノ利益上必

要ト認メラルヘキ外國ノ財政上及技術上ノ協力ヲ受クルモノナリトノ希望ヲ記錄ニ留ム

(三) 兩決議案審議

一月十九日
第二十回
委員會
「ゲデス」
案審議
「ゲデス」
案修正提
案

支那側修
正意見

「ゲデス」
決議案可
決

「ヒューズ」
決議案
案審議

支那側陳
述
「ヒューズ」
案可
決

翌一月十九日極東問題總委員會第二十一回會議ニ於テ「ゲデス」、「ヒューズ」兩決議案ノ審議ヲ開キタルカ先ツ「ゲデス」氏ハ其ノ決議案ノ冒頭 or permit 以下ヲ any unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect 云々(以下原文通り)ト訂正スルコトヲ提議スルト共ニ本決議ハ支那カ現ニ鐵道運賃ニ關シ何等差別的取扱ヲナシツアルヲ前提トスルモノニ非サルコト竝ニ本決議ハ門戶開放主義ヲ補足シ之ヲ完全ナラシムルモノナル所以ヲ説明シタルニ支那全權施氏ハ支那カ各國ノ貨物及乗客ニ對シ何等差別的取扱ヲ爲シ居ラサルコトヲ辯明シ「ゲデス」案第三項ノ referred by the powers ヲ by any of the powers ト訂正セムコトヲ求メ最後ニ鐵道運賃率類別ノ權利ハ支那獨リ之ヲ保持スルコトヲ茲ニ宣明スル旨ヲ述ヘタリ茲ニ於テ「ヒューズ」氏ハ本決議ハ何等右運賃率制定權ニ干與スルモノニ非サルコトヲ答ヘタルカ幣原全權ヨリ右運賃率制定ニ際シ内外產品ニ依リ適用スヘキ運賃率類別ヲ異ニシ其ノ結果差別的待遇ヲ爲スヲ恐アルコトヲ指摘シ右運賃率類別ノ方法ニ依リテモ差別的取扱ヲ爲スモノニ非スト解スル旨ヲ述ヘタルニ「ヒューズ」氏ハ之ヲ承認シタリ依テ前記二個ノ訂正ヲ加ヘタル本決議案ニ付票決ヲ求メタルカ帝國先ツ之ヲ贊成シ其ノ他ノ各國モ異議ナク其ノ儘可決セラレタリ

次テ「ヒューズ」氏ハ前回ニ提出セル其ノ決議案ニ關シ本決議ハ支那ヲシテ其ノ鐵道ノ正當ナル管理ヲ行ハシメントスル政策ニ關スルモノナルモ既得ノ權利ニ對シテハ何等影響ヲ及ホスモノニ非サルコトヲ説明シタルニ施氏ハ支那政府ヲシテ其ノ鐵道ノ管理經營ニ關シ統一的政策ヲ行ハシメントスル本決議ハ支那委員ノ歡迎スル所ナルヲ述ヘ決議末段ノ cooperation ナル文字ヲ assistance ニ訂正アリ度キ旨ヲ求メタリ依ツテ右修正ノ下ニ票決ヲ行ヒ全會一致之ヲ可決シタリ

(四) 支那鐵道ニ關スル兩決議成立

二月一日
第五回總
會議

「ゲデス」
決議

越エテ二月一日第五回總會議ニ於テ前記支那鐵道運賃劃一ニ關スル「ビューズ」決議案ハ參列各國全權ノ正式承認ヲ得タルカ翌二日支那關係條約起草委員會ニ於テ支那鐵道運賃劃一ニ關スル前記「ゲデス」決議案中第一項及第二項ノ趣旨ヲ採用シ支那ニ關スル九國條約第五條ニ編入スルニ至レリ修正ヲ經タル「ゲデス」決議ノ全文ヲ掲クレハ次ノ如シ

The Chinese Government declares that throughout the whole of the railways in China, it will not exercise or permit any unfair discrimination of any kind. In particular there shall be no discrimination whatever, direct or indirect, in respect of charges or of facilities on the ground of the nationality of passengers or the countries from which or to which they are proceeding, or the origin or ownership of goods or the country, from which or to which they are consigned, or the nationality or ownership of the ship or other means of conveying such passengers or goods before or after their transport on the Chinese Railways.

The other Powers represented at this Conference take note of the above declaration and make a corresponding declaration in respect of any of the aforesaid railways over which they or their nationals are in a position to exercise any control in virtue of any concession, special agreement or otherwise.

Any question arising under this declaration may be referred by any of the Powers concerned to the Board of Reference, when established, for consideration and report.

(右譯文)

支那國ハ支那ニ於ケル全鐵道ヲ通シ其ノ種類ノ如何ヲ問ハス不公平ナル差別ヲ行ヒ又ハ之ヲ許容セサルヘキコトヲ聲明

ス殊ニ旅客ノ國籍其ノ出發國若クハ到達國ノ貨物ノ原產地若クハ所有者其ノ積出國若クハ仕向國又ハ前記ノ旅客若クハ貨物カ支那鐵道ニ依リ輸送セラルル前若クハ後ニ於テ之ヲ運搬スル船舶其ノ他ノ輸送機關ノ國籍若クハ所有者ノ如何ニ依リ料金又ハ便宜ニ付直接間接ニ何等ノ差別ヲ設ケサルヘシ

本會議ニ參列セル他ノ締約國ハ右聲明ヲ了認シ前記鐵道中自國又ハ自國民カ特許條件特殊協定其ノ他ニ基キ管理ヲ爲シ得ル地位ニ在ルモノニ關シ前項ト同趣旨ノ聲明ヲ爲ス

本聲明ニ關シ生スヘキ問題ハ關係國ノ何レヨリモ諮議院ノ設立後之ニ移牒シテ其ノ考量及報告ヲ求ムルコトヲ得ヘシ

又「ビューズ」案ハ同案審議ノ際ニ於ケル支那全權ノ聲明ヲ附隨シテ支那ニ關スル決議ノ一ト爲レルカ該決議ハ前記ノ如シ
原案ニ對シ cooperation ヲ assistance ト改メタルノミナルヲ以テ之ヲ省略シ右支那全權ノ附帶聲明ノ全文ヲ掲クレハ次ノ如シ

「ビューズ」
決議
支那對全權
附帶聲明

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

(右譯文)

支那鐵道ニ關シ一九二二年一月十九日支那國委員ノ爲シタル陳述

支那國委員ハ支那ニ於ケル現存及將來ノ鐵道カ財政上及技術上必要ナル外國ノ助力ヲ以テ支那國政府ノ管理及運用ノ下ニ統一セラルヘキコトニ關シ諸國ノ表示シタル希望ヲ同情ト感謝トヲ以テ了承ス吾人ノ意思ハ成ルヘク速ニ右目的ヲ達成セムトスルニ在リ吾人ノ目的ハ支那ノ經濟上工業上及商業上ノ必要ニ適應スハキ一般計畫ニ從ヒ現存及將來ノ鐵道ヲ發展セシメムトスルニ在リ吾人ノ政策ハ門戶開放又ハ機會均等ノ主義ニ從ヒ諸外國ヨリ必要ナルヘキ財政上及技術上ノ助力ヲ得ルニ在リ而シテ支那國政府ハ現ニ存在シ又ハ將來建設セラルヘキ支那ノ一切ノ鐵道ヲ同國ノ有效ニシテ且ツ統一セル管理及運用ノ下ニ置カムコトヲ努ムルニ當リテハ前記諸國ノ友好ノ支持ヲ求メムト欲ス

第六章 支那關係現存約定公表問題

(一) 支那全權要望陳述

一月十九日
第二十九
一回總委
員會

一月十九日極東問題第二十一回總委員會ニ於テ鐵道問題ニ關スル討議了ルヤ「ヒューズ」議長ハ米國試案ノ議題順序ニ從ヒ支那關係現存約定ノ狀態ニ關スル問題ニ移ルヘキ旨宣シタル上本會議參列各國カ支那ニ關シテ現存スル諸約定ニ付明瞭ナル了解ヲ有スルニ於テハ相互ノ利便極メテ大ナルモノアルヘシトノ趣旨ヲ述ヘタリ

支那全權
陳述

右ニ關シテ支那全權顧維鈞氏ハ本問題ニ關スル意見ヲ述フヘシトテ次ノ如キ陳述ヲ試ミタリ

『支那ニ關スル約定ハ其ノ數極メテ多數ナルカ其ノ多數ナルコトハ益々之ヲ詳細ニ知悉スルコトヲ必要ナラシムルモノナリ抑々條約公表ノ主義ハ巴里講和會議ノ根本原則ニシテ現ニ國際聯盟規約中ニモ聯盟國ハ其ノ條約ヲ登錄スルヲ要スル旨ノ規程モアル處惟フニ條約ノ公表ハ輿論ノ等シク要求スル所ナリ然ルニ支那ニ關スル取極中ニハ單ニ地方官ノ口約若クハ書簡ニ依ル保障ヲ基礎トシテ締結セラレ其ノ性質曖昧ナルモノモ尠ナカラス故ニ是等取極ニシテ全部公表セラレザル限り一般ノ疑惑ヲ晴ラスコト能ハス從テ時局常ニ不安不滿ノ狀態ニ陷ラサルヲ得ス斯ノ如クニシテ一國ノ支那ニ對スル政策祕密ニ附セラルル時ハ他國ハ之ヲ牴觸スル態度ニ出テ或ハ相背反スル等ノ方法ヲ取ルコトアルヘク從テ相互ノ圓滿ナル發達ヲ期スル能ハス依テ支那委員ハ支那カ當事者トナリテ締約シタル協定取極ハ總テ之ヲ本會議ニ提示シ又之ニ關スル如何ナル手段ヲモ提供スルニ吝ナラス故ニ列國ニ於テモ同様ノ態度ヲ以テ錯綜セル時局ノ闡明ニ資セラレンコトヲ希望ス支那トシテハ嘗テ公表セラレザル唯一ノ取極ハ千八百九十六年ノ所謂露清密約ナルカ之ニ付テハ何時ニテモ之ヲ公表シ之カ說明ヲ與フヘシ右列國ノ約定公表ニ付テハ前述ノ性質曖昧ナル約定ノ果シテ效力アルヤ否ヤヲ決定スルヲ要シ最後ニ公表セラルヘキ各種約定ノ相互ニ牴觸スルモノ若クハ今次會議ニ於テ承認セラレタル原則ト相容レサルモ