

スルコトヲ約ス

四、支那國ト條約關係ヲ有スル諸國ノ政府ニシテ本會議ニ參加セサルモノハ本協定加入ヲ招請セラルヘシ
本會議ノ主催者タル合衆國政府ハ前記諸國ヲシテ成ルヘク速ニ本協定ニ加入セシメムカ爲本協定ヲ右諸國政府ニ通告ス
ルコトヲ約ス

第二節 支那ニ關スル九國條約

(一) 九國條約原案審議

二月二日
第一回起
草委員會

前記ノ如ク極東委員會ニ於ケル決議事項中條約ノ形式ヲ執ルヲ要スルモノニ付條約案ヲ起草スルコトナリ二月二日午後
各國首席全權又ハ其ノ指名セル全權ヨリ成ル支那關係條約案起草委員會第一回會議ヲ開會セリ依ツテ從來議決セル決議中
ヨリ條約ノ形式ヲ執ルヲ適當トスルモノノミヲ選ミ之ヲ基礎トセル原案ニ付討議シ多少ノ修正ヲ加ヘ左記八箇條ヨリ成ル
條約案ヲ大體議了セリ

條約原案

第一條 十一月二十一日第三回極東總委員會ニ於テ可決セラレタル「ルート」決議案

第二條 十二月八日第十四回極東總委員會ニ於テ可決セラレタル支那關係國際約定締結ニ關スル「ゲデス」決議案

第三條 一月十八日第二十回總委員會ニ於テ可決セラレタル支那ニ於ケル門戶開放ニ關スル「ヒューズ」決議案第一項及

第二項

第四條 一月二十一日第二十三回極東總委員會ニ於テ可決セラレタル第三國民間ニ於ケル支那關係排他的約定制限ニ關
スル決議案

第五條 一月十九日第二十一回極東總委員會ニ於テ可決セラレタル支那鐵道賃金劃一ニ關スル「ゲデス」決議案第一項及
第二項

第六條 十二月七日第十三回極東總委員會ニ於テ可決セラレタル支那ノ中立尊重ニ關スル支那提案第八項並支那モ亦中
立義務ヲ遵守スヘキ旨ノ規定

第七條 本條約ノ條項適用ニ關スル爭議發生ノ場合ニ對スル措置

第八條 本條約批准ニ關スル規定

第七條原案

右ノ内第七條ノ原案ハ次ノ如シ

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the principles stated in Article 1, or of the stipulations of other articles of this treaty, and renders desirable discussion of those principles or stipulations, they will communicate fully and frankly with each other for that purpose.

然ルニ之ニ對シ幣原全權ハ其ノ意義ヲ確メタルニ「ビューズ」氏ハ「本條ノ趣旨ハ問題アリタル毎ニ會議ヲ催サントスルニ非サルハ勿論ニシテ只外交上ノ手續ニ依リ各國ニ通牒シ各國ハ其ノ意見ヲ腹藏ナク開陳スヘシト云フニアリテ普通ノ外交上ノ交渉ヲナスト大左ナク全ク重要ナラサルモ條約ノ一條トナスヲ有益ナリト認ム」ト答ヘ幣原全權ハ更ニ各國ニ通牒スルヲ要スト云フ以上甚タ面倒ニシテ實際的ナラスト論シ彼此討議セルカ「バルフォア」氏ヨリ左記ノ如キ修正案ノ提出アリ結局同修正案ニ一應決定スルニ至レリ

第七條ニ對スル「バルフォア」氏修正案

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of this treaty, and renders desirable discussion of those principles or stipulations, there shall be full and frank communication for that purpose between the contracting parties concerned.

第八條原案

又本條約批准ニ關スル第八條ノ案文左ノ如シ

The present treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications which shall take place at Washington as soon as possible.

The Government of the United States will transmit to the other Contracting Parties a certified copy of the

process-verbal of the deposit of ratifications.

The present treaty, in English and in French, shall remain deposited in the archives of the Government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named plenipotentiaries have signed the present treaty.

Done at the city of Washington theday.....one thousand nine hundred and twenty two.

(二) 九國條約成立

翌二月三日午前支那關係條約案起草委員會第二回會議ヲ開キ前記條約原案ニ對シ審議ヲ重ネ字句等ニ付更ニ多少ノ修正ヲ加ヘタル上支那ニ關スル九國條約案ヲ決定シ同日午後ノ極東問題總委員會第三十一回會議ニ於テ右條約案ハ全會一致ヲ以テ可決セラレ更ニ翌四日第六回總會議ニ於テ各國全權ノ正式承認ヲ得タルカ越ヘテ同六日午前第七回總會議ノ席上各國全權ハ「アルファベット」順ニ從ヒ關稅條約其ノ他ノ條約案ト共ニ同條約案ニ調印ヲ了セリ

二月三日
第二回起
起草委員
二月三十一
第三十一
回總委員
二月四日
第六回總
會議
二月六日
第七回總
會議
二月七日
調印於

九國條約全文次ノ如シ

TREATY BETWEEN THE NINE POWERS CONCERNING CHINA

Signed at Washington, February 6, 1922

The United States of America, Belgium, the British Empire, China, France, Italy, Japan, the Netherlands and Portugal;

Desiring to adopt a policy designed to stabilize conditions in the Far East, to safeguard the rights and interests of China, and to promote intercourse between China and the other Powers upon the basis of equality of opportunity;

Have resolved to conclude a treaty for that purpose and to that end have appointed as their respective Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,

citizens of the United States;

His Majesty the King of the Belgians:

Baron de Cartier de Marchienne, Commander of the Order of Leopold and of the order of the Crown, His Ambassador Extraordinary and Plenipotentiary at Washington;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;
The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;
The Right Honourable Sir Auckland Campbell Geddes K. C. B., His Ambassador Extraordinary and

and

Plenipotentiary to the United States of America,

for the Dominion of Canada.

The Right Honourable Sir Robert Laird Borden, G. C. M. G., K. C.;
for the Commonwealth of Australia.

Senator the Right Honourable George Foster Pearce, Minister for Home and Territories;
for the Dominion of New Zealand:

The Honourable Sir John William Salmond, K. C., Judge of the Supreme Court of New Zealand;
for the Union of South Africa:

The Right Honourable Arthur James Balfour, O. M., M. P.;
for India:

The Right Honourable Valingman Sankaranarayana Srinivasa Sastri, Member of the Indian Council of State;

The President of the Republic of China

Mr. Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary at Washington,

Mr. V. K. Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary at London;

Mr. Chung-Hui Wang, former Minister of Justice.

The President of the French Republic:

Mr. Albert Sarraut, Deputy, Minister of the Colonies;

Mr. Jules J. Jusserand, Ambassador Extraordinary and Plenipotentiary to the United States of America, Grand Cross of the National Order of the Legion of Honour;

His Majesty the King of Italy:

The Honourable Carlo Schanzer, Senator of the Kingdom;

The Honourable Vittorio Rolandi Ricci, Senator of the Kingdom, His Ambassador Extraordinary and Plenipotentiary at Washington;

The Honourable Luigi Albertini, Senator of the Kingdom;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister for the Navy, Junii, a member of the First Class of the Imperial

Order of the Grand Cordon of the Rising Sun with the Paulownia Flower;

Baron Kijuro Shidehara, His Ambassador Extraordinary and Plenipotentiary at Washington,

Jushii, a member of the First Class of the Imperial Order of the Rising Sun;

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Jushii, a member of the Second Class of the Imperial Order of the Rising Sun;

Her Majesty the Queen of The Netherlands:

Jonkheer Frans Beelaerts van Blokland, Her Envoy Extraordinary and Ministry Plenipotentiary,

Jonkheer Willem Hendrik de Beaufort, Minister Plenipotentiary, Chargé d'Affaires at Washington,

The President of the Portuguese Republic:

Mr. José Francisco de Horta Machado da Franca, Viscount d'Alhe, Envoy Extraordinary and Minister Plenipotentiary at Washington;

Mr. Ernesto Julio de Carvalho e Vasconcelos, Captain of the Portuguese Navy, Technical Director of the Colonial Office

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

ARTICLE I.

The Contracting Powers, other than China, agree

(1) To respect the sovereignty, the independence, and the territorial and administrative integrity of China;

(2) To provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government;

(3) To use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China;

(4) To refrain from taking advantage of conditions in China in order to seek special rights or privileges which would abridge the rights of subjects or citizens of friendly States, and from countenancing action inimical to the security of such States.

ARTICLE II.

The Contracting Powers agree not to enter into any treaty, agreement, arrangement, or understanding, either with one another, or individually or collectively, with any Power or Powers, which would infringe or impair the principles stated in Article I.

ARTICLE III.

With a view to applying more effectually the principles of the Open Door or equality of opportunity in China for the trade and industry of all nations the Contracting Powers, other than China, agree that they will not seek, nor support their respective nationals in seeking—

- (a) any arrangement which might purport to establish in favour of their interests any general superiority of rights with respect to commercial or economic development in any designated region of China;
- (b) any such monopoly or preference as would deprive the nationals of any other Power of the right of undertaking any legitimate trade or industry in China, or of participating with the Chinese Government, or with any local authority, in any category of public enterprise, or which by reason of its scope, duration or geographical extent is calculated to frustrate the practical application of the principle of equal opportunity.

It is understood that the foregoing stipulations of this Article are not to be so construed as to prohibit the acquisition of such properties or rights as may be necessary to the conduct of a particular commercial, industrial, or financial undertaking or to the encouragement of invention and research.

China undertakes to be guided by the principles stated in the foregoing stipulations of this Article in dealing with applications for economic rights and privileges from Governments and nationals of all foreign countries, whether parties to the present Treaty or not.

ARTICLE IV.

The Contracting Powers agree not to support any agreements by their respective nationals with each other designed to create Spheres of Influence or to provide for the enjoyment of mutually exclusive opportunities in designated parts of Chinese territory.

ARTICLE V.

China agrees that, throughout the whole of the railways in China, she will not exercise or permit 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 Contracting Powers, other than China, assume a corresponding obligation 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.

ARTICLE VI.

The Contracting Powers, other than China, agree fully to respect China's rights as a neutral in time of war to which China is not a party; and China declares that when she is a neutral she will observe the obligations of neutrality.

ARTICLE VII.

The Contracting Powers agree that, whenever a situation arises which in the opinion of any one of them involves the application of the stipulations of the present Treaty, and renders desirable discussion of such application, there shall be full and frank communication between the Contracting Powers concerned.

ARTICLE VIII.

Powers not signatory to the present Treaty, which have Governments recognized by the Signatory Powers and which have treaty relations with China, shall be invited to adhere to the present Treaty. To this end the Government of the United States will make the necessary communications to non-signatory Powers and will inform the Contracting Powers of the replies received. Adherence by any Power shall become effective on receipt of notice thereof by the Government of the United States.

ARTICLE IX.

The present Treaty shall be ratified by the Contracting Powers in accordance with their respective constitutional methods and shall take effect on the date of the deposit of all the ratifications, which shall take place at Washington as soon as possible. The Government of the United States will transmit to the other Contracting Powers a certified copy of the process-verbal of the deposit of ratifications.

The present Treaty, of which the French and English texts are both authentic, shall remain deposited in the archives of the government of the United States, and duly certified copies thereof shall be transmitted by that Government to the other Contracting Powers.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at the City of Washington the Sixth day of February One Thousand Nine Hundred and Twenty-Two.

CHARLES EVANS HUGHES.	[L. S.]
HENRY CABOT LODGE.	[L. S.]
OSCAR W. UNDERWOOD.	[L. S.]
ELIHU ROOT.	[L. S.]
BARON DE CARTIER DE MARCHELLE.	[L. S.]
ARTHUR JAMES BALFOUR.	[L. S.]
LEE OF FAREHAM.	[L. S.]
A. C. GEDDES.	[L. S.]
R. L. BORDEN.	[L. S.]
G. F. PEARCE.	[L. S.]
JOHN W. SALMOND.	[L. S.]
ARTHUR JAMES BALFOUR.	[L. S.]
V. S. SRINIVASA SASTRI.	[L. S.]
[L. S.] SAO-KE ALFRED SZE.	
[L. S.] Y. K. WELLINGTON KOO.	
[L. S.] CHUNG-HUI WANG.	

[L. S.] A. SARRAUT.	
[L. S.] JUSERAND.	
[L. S.] CARLO SCHANZER.	
[L. S.] V. ROLANDI RICCI.	
[L. S.] LUIGI ALBERTINI.	
T. KATO.	[L. S.]
K. SHIDEHARA.	[L. S.]
M. HANIHARA.	[L. S.]
BEELAERTS VAN BLOKLAND.	[L. S.]
W. DE BEAUFORT.	[L. S.]
ALTE.	[L. S.]
ERNESTO DE VASCONCELLOS.	[L. S.]

支那ニ關スル九國條約

亞米利加合衆國、白耳義國、英帝國、支那國、佛蘭西國、伊太利國、日本國、和蘭國及葡萄牙國ハ
極東ニ於ケル事態ノ安定ヲ期シ支那ノ權利利益ヲ擁護シ且ツ機會均等ノ基礎ノ上ニ支那ト他ノ列國トノ交通ヲ増進セムト
スルノ政策ヲ採用スルコトヲ希望シ

右ノ目的ヲ以テ條約ヲ締結スルニ決シ之カ爲左ノ如ク其ノ全權委員ヲ任命セリ

亞米利加合衆國大統領

合衆國人民「チャールス、エヴァンス、ヒューズ」

同 「ヘンリー、カボット、ロッジ」

同 「オスカー、ダブリュ、アングーウッド」

同 「エリヒュー、ルート」

白耳義國皇帝陛下

亞米利加合衆國駐劄特命全權大使男爵「カルチエ、ド、マルシエヌ」

大不列顛愛蘭聯合王國及大不列顛海外領土皇帝印度皇帝陛下

樞密院議長國會議員「アーサー、ジェームス、バルフォア」

海軍大臣男爵「リー、オブ、フェアラム」

亞米利加合衆國駐劄特命全權大使「サー、オークランド、キャンブル、ゲデス」

加 奈 陀

「サー、ロバート、レアド、ボーデン」

濠太利聯邦

内務大臣上院議員「ジョージ、フオスター、ピアス」

新西蘭

新西蘭最高法院判事「サー、ジョン、ウィリアム、サルモンド」

南阿弗利加聯邦

國會議員「アーサー、ジェームス、バルフォア」

印度

印度參議院議員「ヴァリシグマン、サンカラナラヤナ、スリニヴァサ、サストリ」

支那共和國大統領

亞米利加合衆國駐劄特命全權公使施肇基

英國駐劄特命全權公使顧維鈞

前司法大臣王寵惠

佛蘭西共和國大統領

殖民大臣下院議員「アルベール、サロー」

亞米利加合衆國駐劄特命全權大使「ジュール、ジー、ジュスタン」

伊太利國皇帝陛下

參議院議員「カルロ、シアンツェル」

亞米利加合衆國駐劄特命全權大使參議院議員「ヴィットリオ、ロランディ、リッチ」

參議院議員「レイジ、アルベルティニ」

日本國皇帝陛下

海軍大臣男爵加藤友三郎

亞米利加合衆國駐劄特命全權大使男爵幣原喜重郎

外務次官埴原正直

和蘭國皇帝陛下

特命全權公使「ヨンクヘール、フランス、ベールールツ、ヴァン、ブロッ克蘭ド」

亞米利加合衆國駐劄代理公使「ヨンクヘール、ウィルレム、ヘンドリック、ド、ボーフォール」

葡萄牙共和國大統領

亞米利加合衆國駐劄特命全權公使「アルテ」子爵「ジョゼー、フランシスコ、デ、オルタ、マシャド、ダ、フランカ」

海軍大佐殖民省技術部長「エルネスト、ジュリオ、デ、カルヴァリオ、イ、ウアスコンセロス」

右各委員ハ互ニ其ノ全權委任狀ヲ示シ之カ良好妥當ナルヲ認メタル後左ノ如ク協定セリ

第一條

支那國以外ノ締約國ハ左ノ通約定ス

- (一) 支那ノ主權、獨立並其ノ領土的及行政的保全ヲ尊重スルコト
- (二) 支那カ自ラ有力且ツ安固ナル政府ヲ確立維持スル爲最完全ニシテ且ツ最障礙ナキ機會ヲ之ニ供與スルコト
- (三) 支那ノ領土ヲ通シテ一切ノ國民ノ商業及工業ニ對スル機會均等主義ヲ有效ニ樹立維持スル爲各盡力スルコト
- (四) 友好國ノ臣民又ハ人民ノ權利ヲ減殺スヘキ特別ノ權利又ハ特權ヲ求ムル爲支那ニ於ケル情勢ヲ利用スルコトヲ及右友好國ノ安寧ニ害アル行動ヲ是認スルコトヲ差控フルコト

第二條

締約國ハ第一條ニ記載スル原則ニ違背シ又ハ之ヲ害スヘキ如何ナル條約、協定、取極又ハ了解ヲモ相互ノ間ニ又ハ各別ニ若ハ協同シテ他ノ一國又ハ數國トノ間ニ締結セサルヘキコトヲ約定ス

第三條

一切ノ國民ノ商業及工業ニ對シ支那ニ於ケル門戶開放又ハ機會均等ノ主義ヲ一層有效ニ適用スルノ目的ヲ以テ支那國以外ノ締約國ハ左ヲ要求セサルヘク又各自國民ノ左ヲ要求スルコトヲ支持セサルヘキコトヲ約定ス

(イ) 支那ノ何レカノ特定地域ニ於テ商業上又ハ經濟上ノ發展ニ關シ自己ノ利益ノ爲一般的優越權利ヲ設定スルニミナコトアルヘキ取極

(ロ) 支那ニ於テ適法ナル商業若ハ工業ヲ營ムノ權利又ハ公共企業ヲ其ノ種類ノ如何ヲ問ハス支那國政府若ハ地方官憲ト共同經營スルノ權利ヲ他國ノ國民ヨリ奪フカ如キ獨占權又ハ優先權或ハ其ノ範圍、期間又ハ地理的限界ノ關係上機會均等主義ノ實際的適用ヲ無効ニ歸セシムルモノト認メラルルカ如キ獨占權又ハ優先權

本條ノ前記規定ハ特定ノ商業上、工業上若ハ金融業上ノ企業ノ經營又ハ發明及研究ノ獎勵ニ必要ナルヘキ財産又ハ權利ノ取得ヲ禁スルモノト解釋スヘカラサルモノトス

支那國ハ本條約ノ當事國タルト否トヲ問ハス一切ノ外國ノ政府及國民ヨリノ經濟上ノ權利及特權ニ關スル出願ヲ處理スルニ付本條ノ前記規定ニ記載スル主義ニ遵由スヘキコトヲ約ス

第四條

締約國ハ各自國民相互間ノ協定ニシテ支那領土ノ特定地方ニ於テ勢力範圍ヲ創設セムトシ又ハ相互間ニ獨占の機會ヲ享有スルコトヲ定メムトスルモノヲ支持セサルコトヲ約定ス

第五條

支那國ハ支那ニ於ケル全鐵道ヲ通シ如何ナル種類ノ不公平ナル差別ヲモ行ヒ又ハ之ヲ許容セサルヘキコトヲ約定ス殊ニ旅

客ノ國籍其ノ出發國若ハ到達國貨物ノ原產地若ハ所有者其ノ積出國若ハ仕向國又ハ前記ノ旅客若ハ貨物カ支那鐵道ニ依リ輸送セラルル前若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

支那國以外ノ締約國ハ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義務ヲ負擔スヘシ

第六條

支那國以外ノ締約國ハ支那國ノ參加セサル戰爭ニ於テ支那國ノ中立國トシテノ權利ヲ完全ニ尊重スルコトヲ約定シ支那國ハ中立國タル場合ニ中立ノ義務ヲ遵守スルコトヲ聲明ス

第七條

締約國ハ其ノ何レカノ一國カ本條約規定ノ適用問題ヲ包含シ且ツ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ツ隔意ナキ交渉ヲ爲スヘキコトヲ約定ス

第八條

本條約ニ署名セサル諸國ニシテ署名國ノ承認シタル政府ヲ有シ且ツ支那國ト條約關係ヲ有スルモノハ本條約ニ加入スヘキコトヲ招請セラルヘシ右目的ノ爲合衆國政府ハ非署名國ニ必要ナル通牒ヲ爲シ且ツ其ノ受領シタル回答ハ之ヲ締約國ニ通告スヘシ別國ノ加入ハ合衆國政府カ右ノ通告ヲ受領シタル時ヨリ效力ヲ生スヘシ

第九條

本條約ハ締約國ニ依リ各自ノ憲法上ノ手續ニ從ヒ批准セラルヘク且ツ批准書全部ノ寄託ノ日ヨリ實施セラルヘシ右ノ寄託ハ成ルヘク速ニ華盛頓ニ於テ之ヲ行フヘシ合衆國政府ハ批准書寄託ノ調書ノ認證牒本ヲ他ノ締約國ニ送付スヘシ本條約ハ佛蘭西語及英吉利語ノ本文ヲ以テ共ニ正文トシ合衆國政府ノ記錄ニ寄託保存セラルヘク其ノ認證牒本ハ同政府ヨ

リ他ノ各締約國ニ之ヲ送付スヘシ

右證據トシテ前記各全權委員ハ本條約ニ署名ス

千九百二十二年二月六日華盛頓市ニ於テ之ヲ作成ス

チアールス、エヴァンス、ヒューズ

ヘンリー、カボット、ロツジ

オスカー、ダブリュー、アングーウッド

エリヒュー、ルード

男爵カルチエ、ド、マルシエス

アーサー、ジエームス、バルフォア

リー、オブ、フェアラム

エー、シー、ゲデス

アール、エル、ボーデン

ジー、エフ、ピアス

ジョン、ダブリュー、サルモンド

アーサー、ジエームス、バルフォア

ヴィー、エス、スリニヴァサ、サストリ

施肇基

顧維鈞

王寵惠

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アー、サロー

ジュスラン

カルロ、シァンツェル

ヴィー、ロランディ、リッチ

ルイジ、アルベルテニ

加藤友三郎

幣原喜重郎

埴原正直

ベーラールツ、ヴァン、ブロッ克蘭ド

ダブリュー、ド、ボーフォール

アルテ

エルネスト、デ、ヴァスコンセロス

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