

願ミ本專門委員會ニ於ケル支那代表者ハ茲ニ議長ノ許可ヲ得テ聊カ所見ヲ開陳シ留保ヲ爲スノ必要ヲ感ス
露國カ本鐵道ヲ建設シタルハ明ニ戰略上ノ目的ニ出ツルモノニシテ從テ政治的性質ヲ有ス本線ハ支那ノ領域ヲ通過スル
カ故ニ支那ハ之ニ對シ特殊ノ利害關係ヲ有ス支那政府ハ鐵道建設ノ爲ニ露西亞銀行ニ對シ五百萬庫平兩ヲ支拂ヒ本鐵道
竣工ノ上ハ同鐵道會社ハ支那政府ニ對シ五百萬庫平兩ヲ支拂フヘキ筈ナルモ右ハ現ニ未拂ナリ最近露國政變ニ依リ支那
政府ハ一ノ協約ヲ締結シ之ニ依リテ支那政府ハ天津及漢口ニ於ケル露國コンセツションニ關シテ爲セルト同様本鐵道ニ
關シ露國ニ代リテ責任ヲ引受クルノ已ムナキニ至リタルモ右ハ露國現狀ニ乘シ不當ノ利益ヲ貪ラントスルモノニ非ス唯
支那ハ鐵道ノ通過スル地域ノ主權國ニシテ之ニ對シ重大ナル利害ヲ有スルヲ以テ其ノ權利ヲ行使セントスルニ過キス尙
報告案中ニ掲ケタル一九一九年ノ六國間ノ協結ハ暫定協定ニシテ外國軍隊ノ西比利亞撤兵ト共ニ終了スヘキモノナリ
報告案中第一及第三項ハ支那委員ニ於ハ同意スルコト困難ナリ右ニ就キ第一項ニ關シテハ同鐵道ノ管理組織及運行ノ現
狀ニ鑑ミ支那ハ一般の財政管理及委任管理ノ行使ニ同意スルコト甚タ困難ナリ又其第三項ニ關テハ警察若クハ憲兵ハ國
家ノ強制ナルカ故ニ之ヲ混合委員ノ監督ノ下ニ置クノ妥當ナルヤヲ疑フ茲ニ附言スヘキハ一八九六年ノ協約中ニハ支那
カ鐵道及從業員ノ安全ヲ保障スル手段ヲ執ルヘキコトヲ明記セルカ故ニ露國守備兵ノ先例ハ何等法律上ノ根據ヲ有スル
モノニ非ス如上ノ事情ニ依リ支那委員ハ右二項ニ對シ留保セサルヲ得ス然レトモ餘地アルコトヲ認ムルヲ以テ外國ノ友
好的援助ヲ歡迎シ支那ノ政權ノ承認ト兩立スル限リハ何時ニテモ本鐵道ニ關スル技術及財政ニ關スル該事項ノ討議ヲ爲
スヲ辭セス

第五節 分科委員會ニ於ケル討議

(一) 分科委員會設置

前記專門分科會報告ハ一月二十三日極東總委員會第二十四回會議ニ於テ朗讀セラレタルカ「ヒューズ」氏ハ之ニ關シ「右報
告ハ各國ノ專門家ヨリ成ル特別委員會ニ於テ討議ノ結果成レルモノナルカ斯ノ如ク支那側ト他ノ各國トハ其ノ意見著シク
相違セル處此際討議ノ進捗ヲ計ル爲更ニ各國全權ノ一人ヲ以テ組織スル分科會ヲ開キ特ニ本件支那側ト各國トノ意見相違
ノ點ヲ審議セシメ何等カ調節ノ方法ヲ講シ本會ニ報告セシムルコト然ルヘシ」ト提議シタルカ全會異議ナク分科委員會附
託ニ決セリ右ノ結果設置セラレタル東支鐵道分科會ノ各國委員次ノ如シ

各國委員	姓名
日本	埴原全權
米國	「ルト」氏
英國	「ゲデス」氏
佛國	「サロー」氏
伊國	「アルベルチニ」氏
白蘭	「カルテイ」氏
蘭國	「ベーラーツ」氏
葡國	「ジアスコンセロス」氏
支那	顧維鈞氏

(二) 支那側及佛國側決議案討議

一月三十一日
支那側決
案
同分科會
第一回

一月三十一日東支鐵道分科委員會第一回會議ヲ開キ先ツ「ルート」議長ヨリ専門委員會報告中ノ前記支那側留保ニ付各國委員ノ意見ヲ問ヘリ

之ニ對シ支那委員ハ専門分科會ノ報告ノ實際上ノ目的ト合スルト同時ニ支那人民ノ誤解ニ備ヘン爲メ一決議案ヲ作成セリ
同決議案カ烏蘇里鐵道ヲ包含セシメタルハ本分科會討議問題ハ千九百十九年ノ聯合國間協定ニ基クモノニシテ該協定ハ東支及西比利亞橫斷兩鐵道全部ニ互リ規定セラレタルヲ以テナリ然ルニ若シ今回ノ協定カ單ニ東支鐵道ニノミ關係シ之ト密接ノ關係ヲ有シ相俟テ商業上ノ主要ナル通路ヲ形成スル烏蘇里鐵道ト別個ノ地位ニ置クニ於テハ支那全權ハ支那國人民ヲシテ其ノ理由ヲ納得セシムルコトヲ困難トス』ト述ヘタル上左記決議案ヲ朗讀シタリ

Whereas the Chinese Eastern and Trans-Siberian Railway are indispensable factors in the economic development of Siberia and Northern Manchuria and their preservation, their efficient operation and their maintenance as a free avenue of commerce, open to the citizens of all countries, are a matter of general interest;

Whereas an agreement in harmony with the foregoing considerations was concluded in January 1919 between several of the Powers represented at this Conference, to wit: the United States of America and Japan, under the terms of which agreement China, France, Great Britain and Italy subsequently cooperated, for the temporary operation of the said Railways with a view to their ultimate return to those interested without impairing any of the existing rights;

Whereas the said agreement provided, among other things, for the creation of a Technical Board consisting of railway experts of the nations then having military forces in Siberia, for the purpose of administering technical and economic management of the said railways; and

Whereas it appears advisable to amend the terms of the said agreement in so far as relates to the functions of the said Technical Board, to the end that the fundamental purpose of the said agreement may be better subserved;

It is agreed between the Powers attending the present Conference:

1. That the Technical Board shall replace the Inter-Allied Committee and take over the duty of supervising the operation of the Chinese Eastern Railway and the Ussuri Railway heretofore performed by the said committee.

2. That the Technical Board shall be authorized to advise and assist the President and Board of Management of the Chinese Eastern Railway and of the Ussuri Railway, respectively, in the matter of borrowing from bankers and other outside sources on fair and equitable terms and of supervising the expenditure of loan funds.

3. That the Chinese Government, in accordance with Article 5 of the Agreement of September 8, 1896, concluded with the Russo-Chinese Bank for the construction of the Chinese Eastern Railway will continue to assure the safety of the Railway and of the persons in its service against any attack, and for the more effective execution of this purpose, will provide an adequate, modern trained and equipped police force or gendarmerie, it being understood that the said force shall be paid by the said Railway in such manner as the Board of Management, with the advice of the said Technical Board, may decide.

(右譯文)

東支鐵道及西比利亞橫斷鐵道ハ西比利亞及北部滿洲ノ經濟開發ニ必要欠ク可カラサル要素ニシテ同鐵道ヲ各國民ニ開放セラレタル商業ノ自由通路トシテ之ヲ保存シ且ツ有效ニ之ヲ運用維持スルコトハ一般利益ニ關スル問題ナルニ依リ

本決議ニ參加セル數國ハ千九百十九年一月中前記考量ニ合致スル一協定ヲ締結シタリ即チ該協定ハ先ツ亞米利加合衆國ト日本國トノ間ニ締結セラレ次テ支那國佛蘭西國大英國及伊太利國ハ何等現在權利ヲ侵害スルコトナク結局該鐵道ヲ利害關係者ニ返還スルカ爲メ一時之ヲ管理スルノ目的ヲ以テ前記協定ノ條項ニ從ヒ協力シタルニ依リ

前記協定ハ諸般ノ事項就中同鐵道ノ技術的經濟的經營ヲ管理スル目的ヲ以テ當時西比利亞ニ軍隊ヲ派遣シ居タル諸國ノ鐵道専門家ヨリ成ル技術部ヲ設置スヘキコトヲ規定セルニ依リ

且ツ右技術部ノ職權ニ關スル限リ前記協定ノ根本的目的ヲ一層助成スル爲メ同協定ノ條項ヲ修正スルヲ得策ナリト認メラルニ依リ

本會議參列國ハ次ノ如ク協定セリ

一、技術部ハ聯合國々際委員會ニ代ハリ從來同委員會ニ依リ履行セラレタル東支鐵道及烏蘇里鐵道運行監督ニ關スル義務ヲ引繼クヘキモノトス

役員會ニ
對シ助言
ヲ與ヘ且
之ヲ補佐
スルノ權

二、技術部ハ公正ニシテ且ツ衡平ナル條件ヲ以テ銀行家其ノ他ノ外部ノ資源ヨリ資金ヲ借入レ且ツ借入資金ノ費消ヲ監督スルノ事項ニ付キ夫々東支鐵道及烏蘇里鐵道ノ社長及役員會ニ對シ助言ヲ與ヘ且ツ之ヲ補佐スルノ權限ヲ附與セラルヘシ

烏蘇里線
包含問題

三、支那政府ハ千八百九十六年九月八日東支鐵道建設ニ關スル露清銀行トノ間ノ協定第五條ニ從ヒ引續キ一切ノ攻撃ニ對シ同鐵道及其ノ従業員ノ安全ヲ保障シ且ツ此目的ノ一層有效ニ遂行セラル爲新式ノ訓練ト裝備ヲ有スル充分ナル警察隊又ハ憲兵隊ヲ配置スヘシ但シ右ハ同警察隊等ニ對スル支給力技術部ノ助言ニ依リ役員會ノ決定スル方法ニ依リ同鐵道ヨリ支拂ハルヘシトノ了解ノ下ニ於ケルモノトス

右支那案ニ依レハ東支鐵道ノミナラス烏蘇里鐵道ニモ關聯スル處「ルート」委員長ハ烏蘇里鐵道問題ニ付キ『同鐵道ハ支那ノ領土内ニ非ス且ツ同鐵道敷地ノ一部ハ沿黑龍政府ニ依リ他ノ一部ハ極東共和國政府ニ依リ夫々其ノ領域タルコトヲ主張セラルル處兩政府ハ何レモ未タ承認ヲ經サルモノナルヲ以テ烏蘇里鐵道問題ヲ本委員會ニ於テ論議スルハ稍ヤ困難ナリ』

佛國側決
議案

ト述ヘタルニ支那委員ハ『烏蘇里鐵道カ東支鐵道ニ依リテノミ海ト接觸スルモノナルヲ以テ前者ナカラシムハ東支鐵道ハ交通路トシテノ價值ナク且ツ聯合國間ノ協定ハ東支鐵道ヲ含ム西比利亞鐵道系統ヲ保護スルノ主義ノ上ニ成立セルモノナリ且ツ又前記ノ協定締結ニ際シ露國ノ代表セラレサルコト今日ト同様ナリ』トテ議長ノ說ヲ駁シタリ

支佛兩案
相違點

次テ議長ハ前日佛國側專門委員ノ作製セル決議案ヲ入手セルカ右ハ甚タ前記支那案ト類似スルヲ以テ兩案ヲ比較研究スヘシトテ右決議案ヲ朗讀セリ兩案ハ殆ント同様ニシテ即チ其ノ相違點ハ前文ハ佛國委員決議案カ烏蘇里鐵道ニ付規定スル所ナキ外用字ニ於テモ大差ナク本文三ハ兩者全然同一ナリ唯兩者ノ相違スル點ハ第一項及第二項ナリトス依テ佛國案第一條及第二條ヲ左ニ摘出スヘシ

1. That the Technical Board shall henceforth be considered as replacing the bodies formed in 1919 and shall be entrusted with carrying out the purposes set forth in the introductory paragraph of this resolution.

2. That the Technical Board shall advise and assist the President and the Board of Management of the Chinese Eastern Railway in the matter of borrowing from bankers and outside sources on fair and equitable terms and shall supervise the expenditure of such loan funds.

In so far as the technical operation of the railroad is concerned, the Committee will not interfere with such operation, which is to be left in the hands of the Chinese Eastern Railroad Company, except so far as may be necessary to meet the conditions set in the first sentence of this paragraph.

(右譯文)

一、技術部ハ今後千九百十九年ニ設置サレタル諸機關ニ代ハルモノト認メ且ツ本決議前文ニ掲ケタル目的遂行ノ任務ヲ附託セラルヘシ

二、技術部ハ公正且ツ衡平ノ條件ヲ以テ銀行家又ハ其ノ他外部ノ資源ヨリ借入ヲ爲スコトニ關シ東支鐵道社長及役員會

ニ助言ヲ與ヘ且ツ之ヲ補佐スヘク且ツ右借入資金ノ費消ヲ監督スヘシ鐵道ノ技術的運用ノ關スル限リ右運用ハ之ヲ東支鐵道會社ニ委ネ本項前段ノ事情ニ處スル爲メ必要トセサル限リ右委員會ハ之ニ干涉セサルヘシ

米國委員
ノ意見

右朗讀後「ルート」氏ハ『同案ハ東支鐵道投資者保護ノ見地ヨリ立案セラレタルモノニシテ内容ハ殆ント支那案ト近似ス而シテ當面ノ問題ハ如何ニ右兩案ヲ折衷スルカニ在リ尙本問題ヲ決定スルニ先チ此機會ニ於テ將來支那ト他國トノ間ニ生スル虞アル誤解ヲ避クル爲或ル留保ヲ爲サムト欲ス』ト述ヘ更ニ進ンテ本件ニ關スル同氏ノ私見トシテ大要左ノ如キ陳述ヲ爲セリ

『東支鐵道ハ千八百九十六年支那政府ト露清銀行トノ間ノ約定ニ基キ支那ノ領土内ニ建設セラレタルモノニシテ東支鐵道會社ノ所有ニ屬ス然ルニ同會社ノ印章ハ支那政府ヨリ下附セラレタルモノナルカ故ニ支那會社ニシテ其ノ後株式會社ノ形式ニ依リ設立セラレタリ現條約ニ依レハ支那政府ハ會社ニ對シ鐵道ノ運行及鐵道敷地ノ行政ニ關シ完全且ツ絶對ナル權利ヲ與ヘタルト同時ニ支那政府自ラ鐵道及其ノ業務ニ服スルノ人員ノ安全ヲ保證スヘキコトヲ約セリ此最後ノ點ハ千九百二十年ノ露支協約ニ依リテ確認セラレタリ次テ千九百十九年西比利亞地方ノ混亂戰爭ニ等シキモノアルニ至リタル結果聯合國協定ニ依リ東支及烏蘇里鐵道ハ聯合國委員ノ管理ニ委ネラレタリ然ルニ該協定ノ効力未タ喪失セサル千九百二十年十月ニ至リ支那政府ハ露亞銀行ト協定ヲ結ヘリ

該協定ハ(一)支那側ノ宣言トシテ「支那國政府ハ露國現在ノ紛亂狀態ノ結果トシテ東支鐵道會社カ同鐵道ノ運行ヲ維持スルノ一時不可能トナリタルノ事實及主權關係ニ鑑ミ交通ノ保護及維持ノ爲メ並ニ同鐵道財產ノ有效ナル保護ノ爲メ必要歟可カラサル處置ヲ執ルノ義務アリト認メ千九百二十年十月二日鐵道會社ニ對シ支那政府ト支那國ノ承認セル露國政府トノ間ニ協定ノ成立スルニ至ル迄支那政府ハ現行契約及規則ニ基キ該鐵道ノ最高支配權ヲ行使スヘキ」コトヲ舉ケ(二)會社ハ支那ノ投資額五百萬庫平兩ヲ社債ヲ以テ支那政府ニ返還スルコトヲ定メ更ニ(三)支那政府ハ東支鐵道總辦ノ外支那人タル四名ノ重役ヲ任命スルコト等ヲ定メタリ右ニ依リテ見レハ支那ハ其ノ領土内ニ在ル鐵道ヲ占有 (title possession) スル權能有リト自認スルモノノ如シ然レトモ千八百九十六年ノ露支間條約カ既ニ履行セラレ東支鐵道會社設立セ

ラレタル以上露亞銀行ヲ相手トスル千九百二十年ノ露支協定ニ依リテ現條約ノ效力ニ何等ノ變更ヲ與フル能ハス右協定ニ依リ支那ハ重役ヲ任命シ鐵道ニ對スル管理權ヲ掌握スルコトニ依リ鐵道ヲ株主ノ手ヨリ取去リタルカ同時ニ其ノ行爲ノ結果ヨリ生スル義務ヲ免カルルヲ得ス換言スレハ支那ハ該鐵道ニ對シ恰モ「トラステイ」ノ責任ヲ自ラ取リタルモノナルカ故ニ外國ノ株主債權者等ニ對シ義務ヲ負フニ至レリ故ニ列國ハ今後右義務ノ履行又ハ不履行ニ對スル支那ノ責任ヲ問フノ權利ヲ留保セサル可カラス』云々

日佛兩國
委員態度

依テ壇原全權ハ『ルート』氏ノ說ノ如ク東支鐵道會社カ支那會社ナリトセハ自然右鐵道財產亦支那ノ財產ナリト推論セラレ得ルカ如シ日本全權ハ右ノ如キ前提ノ下ニ本議事ヲ進ムル權能ヲ有セス本委員會ハ條約ノ解釋又ハ該鐵道會社ノ法律上ノ地位如何ヲ決定ス可キ權限ヲ有セス唯現實ノ事態ニ鑑ミ該鐵道ノ保護經營運行ニ關シ適當ナル方法如何ヲ議セムトスルモノナリト思考ス日本ハ該鐵道ニ重大ナル利害ヲ有スルヲ以テ「ルート」氏ノ陳述ヲ基礎トシテ本問題ヲ論議スルノ準備ナキコトノ留保ヲ爲ササル可カラス』ト述ヘタルニ議長ハ余カ東支鐵道會社ヲ支那會社ナリト云フハ何等所有權トハ關係無し鐵道ハ株主及債權者ノ財產ナルモ會社ハ支那ノ主權ニ服從ストノ意味ナリトテ大體壇原全權ノ所說ニ理由アル旨ヲ答ヘタリ次テ佛國委員「カムメラ」氏ハ日本委員ト同様ノ留保ヲ爲スヘシト前提シテ『右鐵道會社ハ露西亞ノ法人ナリト思考スルモ此點ヲ論議スルヲ欲セス又本委員會ハ千九百二十年ノ協定ノ效力ヲ上議スルヲ得ス』ト告ケ以上ノ結果議長ノ指名ニ依リ佛支兩國委員ニ於テ妥協案ヲ作成シ次回ニ報告スルコトニ決定シテ散會セリ

佛支妥協
案起草決
定

(三) 佛支妥協決議案

翌二月一日東支鐵道分科會第二回會議ヲ開キ先ツ佛支兩國委員ノ起草ニ係ル左記妥協案ノ提出アリタリ

Whereas the Chinese Eastern Railroad and the Trans-Siberian Railways are indispensable factors in the economic development of Siberia and Northern Manchuria and constitute an essential link in a transcontinental railway system of international importance, and whereas their preservation, efficient operation and maintenance

二月一日
第二回分
科委員會
佛支妥協
案

as a free avenue of commerce, open to citizens of all countries, are a matter of general interest;

Whereas an agreement in harmony with the foregoing considerations was concluded in January, 1919, between several of the Powers represented at this Conference, to wit: the United States of America and Japan, under the terms of which agreement China, France, Great Britain and Italy subsequently cooperated for the temporary operation of the said railway, with a view to their ultimate return to those in interest without impairing any of the existing rights;

Whereas the said agreement provides among other things for the creation of a technical board constituted of representatives of the nations then having military forces in Siberia for the purpose of maintaining the operation of the railways and assisting in their technical and economic management; and

Whereas it appears advisable to amend the terms of said agreement, in order to meet the changed conditions and so that the fundamental purposes of the said agreement may be better subserved.

It is agreed between the Powers attending the present Conference:

1. That the Technical Board shall henceforth be considered as-replacing the bodies formed in 1919 and shall be entrusted with carrying out the purposes set forth in the introductory paragraphs of this resolution.
2. That the Technical Board shall be authorized to advise and assist the President and the Board of Management of the Chinese Eastern Railway and of the Ussuri Railway, respectively, in the matter of borrowing from bankers and outside sources on fair and equitable terms and shall supervise the expenditure of such loan funds.

In so far as the technical operation of the railway is concerned, the committee will not interfere with such

operation, which is to be left in the hands of the Chinese Eastern Railroad Company, except so far as may be necessary to meet the conditions set in the first sentence of this paragraph.

3. That the Chinese Government, in accordance with article 5, of the agreement of September 8, 1896, with the Russo-Chinese Bank for the construction of the Chinese Eastern Railway, will continue to assure the safety of the Railway and the persons in its service against any attack, and for the more effective execution of this purpose will provide an adequate, modern, trained and equipped police force or gendarmerie, it being understood that in the future as soon as an agreement shall be reached with the Technical Board for the borrowing of the necessary funds, the said forces shall be paid by the said Railway.

(右譯文)

東支鐵道及西比利亞橫斷鐵道ハ西比利亞及北部滿洲ノ經濟開發ニ必要缺ク可カラサル要素ニシテ國際上重要ナル大陸橫斷鐵道系統ニ於ケル緊要ナル連鎖ヲ成シ之ヲ各國民ニ開放セラルル商業ノ自由交通路トシテ保存シ有效ニ運用シ且ツ維持スルコトハ一般の利益ニ關スル事項タルニ依リ

本決議ニ參加セル數國ハ千九百十九年一月中前記考量ニ合致スル一協定ヲ締結シタリ即チ該協定ハ先ツ亞米利加合衆國ト日本國トノ間ニ締結セラレ以テ支那國、佛蘭西國、大英國及伊太利國ハ何等現存權利ヲ侵害スルコトナク結局該鐵道ヲ利害關係者ニ返還スルカ爲メ一時之ヲ管理スルノ目的ヲ以テ前記協定ノ條項ニ從ヒ協力シタルニ依リ

前記協定ハ諸般ノ事項就中同鐵道ノ運用ヲ維持シ且ツ其ノ技術的經濟的經營ヲ援助スルノ目的ヲ以テ當時西比利亞ニ軍隊ヲ出動セシメ居レル諸國ノ代表者ヨリ成ル技術部ヲ設置スヘキコトヲ規定セルニ依リ

且ツ事情ノ變更ニ應ジ右協定ノ根本的目的ヲ一層助成スル爲メ其ノ條項ヲ修正スルヲ得策ト認ムルニ依リ
本會議參列國ハ次ノ如ク協定セリ

一、技術部ハ今後千九百十九年ニ設置セラレタル諸機關ニ代ハルヘキモノト認メラレ且ツ本決議諸前文ニ掲ケタル目のノ遂行ヲ委託セラルヘシ

二、技術部ハ公正且ツ衡平ノ條件ヲ以テ銀行家其ノ他外部ノ資源ヨリ資金借入ノ事項ニ付キ夫々東支鐵道及烏蘇里鐵道ノ社長及役員會ニ助言ヲ與ヘ且ツ之ヲ補佐シ及其ノ借入資金ノ費消ヲ監督スルノ權限ヲ附與セラルヘシ

鐵道ノ技術的運用ノ關スル限リ右運用ハ之ヲ東支鐵道會社ニ委任本項前段ノ事情ニ應スル爲メ必要トセサル限リ前記委員會ハ之ニ干渉セサルヘシ

三、支那政府ハ支那鐵道建設ニ關シ露清銀行トノ間ニ締結セラレタル千八百九十六年九月八日ノ協定第五條ニ遵ヒ引續キ一切ノ攻撃ニ對シ同鐵道及其ノ従業員ノ安全ヲ保障シ且ツ右目的ヲ一層有效ニ遂行スルカ爲メ充分ニシテ新式訓練ト裝備トヲ有スル警官隊又ハ憲兵隊ヲ配置スヘシ但シ右ハ同警察隊等ニ對スル支給カ技術部ノ助言ニ依リ役員會ノ決定スル方法ヲ以テ同鐵道ヨリ之ヲ支拂フヘキモノト了解ス

右ニ關シ佛國委員ハ『支那委員提案ヲ基礎トシ二三ノ修正ヲ加ヘタリ即チ(一)西比利亞橫斷鐵道ヲ包括シタルコト(二)第三條ノ最後ノ二項即チ the said force shall be 以下ヲ削除シタルコトナリ』ト述ヘ支那委員ハ佛國委員ノ陳述ニ同意シタリ次テ本協定案ノ適用ヲ受クヘキ烏蘇里鐵道ノ範圍ニ關シ委員間ニ應答アリタル末英國委員「ゲデス」氏ヨリ烏蘇里鐵道ニ關シテ「本委員會ハ何等權限ヲ有セサルヲ以テ第二項中 'respectively' ヲ削リ Usuri Railway ノ次ニ "so far as control over the latter is exercised from the headquarters of the Chinese Eastern Railway at Harbin with a view to the proper coordination of through working especially" ノ一句ヲ挿入スヘシトノ修正意見出テ佛國委員之ニ異議ナカリシモ支那委員ハ烏蘇里線ヲ除外セハ東支鐵道ノ價值甚シク減スヘシトノ前説ヲ固執シテ反對シ此點ニ關スル意見容易ニ決セス

次テ填原全權ハ本決議ハ千九百十九年ノ聯合國間協定ヲ修正スルモノナリヤ果シテ然ラハ同協定ノ當事者以外ノ國ニ依リテ修正セラルル義ナリヤト問ヒタル結果千九百十九年ノ協定當事國以外ノ國ノ本決議ニ對スル關係ニ付議論紛糾シ之ニ關

烏蘇里線
問題再燃

一九一九年
協定ト
本決議
トノ關係

シテ「ゲデス」氏カ原協定當事國六箇國ハ何レモ本會議ニ參列シ其ノ協定ニ依リ原協定ハ既ニ時勢ニ應セサルニ至レルヲ以テ之ヲ改訂スルニ決定シ而シテ他ノ諸國ハ之ニ參加シタルモノト解釋スレハ可ナル旨説明スルヤ議長ハ "with the approval of the other Powers" ノ文句ヲ挿入スヘシト爲シ「ゲデス」氏ハ "with the concurrence of the other Powers" トスル方可ナリト述ヘ更ニ顧氏ハ "with the adherence of the other Powers" ト附加スヘシト云ヒ議論遂ニ一致セス

技術部ノ
本質ニ關
スル問題

更ニ填原全權ハ本決議案中第一項中ノ技術部ハ新設ノ機關ナリヤ又ハ舊來ノモノノ權限ヲ擴大シタルモノナリヤト問ヒタルニ議長ハ右技術部ハ舊來ノモノノ存續ニシテ唯之ニ對シ千九百十九年ノ協定ニ於ケル運輸部ノ權限ヲ附加セルモノト解スル旨ヲ答ヘタルカ填原全權ハ該部ニ新權限ヲ附加スル以上別名ヲ用フルコト然ルヘシト提議シ佛國委員ハ進ンテ第一項全部ノ削除ヲ主張セリ

日佛支三
國協案
起草決定

以上ノ如ク前記決議案ニ付テハ何等決着ヲ見ルニ至ラサリシ結果議長ノ發議ニ依リ更ニ日支佛三國委員ヲシテ打合ヲ爲シ新ニ協定案ヲ起草セシメ次回ニ於テ之ヲ審議スルコトトシテ散會セリ

(四) 日佛支妥協決議案討議

二月二日
第三回分
科委員會
日佛支三
國協案

二月二日續イテ第三回分科委員會ヲ開キ填原全權ハ日支佛三國委員內相談ノ結果作製セル左記妥協案ヲ朗讀セリ

Whereas the Chinese Eastern Railway and the Trans-Siberian Railway are indispensable factors in the economic development of Siberia as well as of Northern Manchuria and constitute essential links in a transcontinental railway system of international importance, and whereas their preservation, efficient operation and maintenance as a free avenue of commerce, open to citizens of all countries without favor or discrimination, are a matter of general interest;

Whereas the absence of a recognized Russian Government since 1917 having made imperative for some

time past certain measures providing for the preservation and continued operation of the railways, an arrangement in harmony with the foregoing considerations was concluded in January, 1919, between the United States of America and Japan, under the terms of which arrangement China, France, Great Britain and Italy subsequently cooperated, for the temporary operation of the said railways in the interest of the Russian people with a view to their ultimate return to those in interest without impairing any of the existing rights;

Whereas it appears advisable to amend the terms of the said arrangement, in order to meet the changed conditions and to the end that the fundamental purposes of the said arrangement may be served as much as possible under the existing conditions;

It is agreed between the Powers who are parties to the said arrangement;

1. That the Technical Board shall consist of one representative each of the Powers participating in this arrangement who shall have equal power and authority. The Chairmen of the Board shall be elected by the members thereof from among them in such a manner as may be best suited for the discharge of its functions.

2. That the Technical Board shall be authorized to advise and assist the Management of the Chinese Eastern Railway and of the Ussuri Railway for the purpose set forth in the introductory paragraph of this Resolution especially in the matter of securing necessary funds for the operation of the two railways on fair and equitable terms and to exercise general financial supervision over the managements of the said railways.

In so far as the technical operation of the said railways is concerned, the Board will not interfere with such operation, which is to be left in the hands of the Chinese Eastern Railway Company and of the Ussuri Railway, except so far as may be necessary to meet the conditions set in the first sentence of this paragraph.

3. That the provisions relating to the functions of the Technical Board in the arrangement of 1919 above referred to are to be replaced by the foregoing provisions.

4. As regards the protection of the railway properties and the maintenance of public order within the railway zone adequate measures shall be provided by the managements of the respective railways with advise and assistance of the Technical Board.

5. That the Chinese Government will assure the safety of the railway and of the persons in its service against attack and for the more effective execution of this purpose, will provide an adequate modern trained and equipped police force or gendarmerie, it being understood that the said force shall be paid by the said Railways in such manner as the Board of Management, with the advice of the Technical Board, may decide.

(右譯文)

東支鐵道及西比利亞橫斷鐵道ハ西比利亞及北部滿洲ノ經濟開發ニ必要缺ク可ラサル要素ニシテ國際上重要ナル大陸橫斷鐵道系統ニ於ケル緊切ナル連鎖ヲ成シ之ヲ各國民ニ開放セララル商業上ノ自由交通路トシテ保存シ有效ニ運用シ且ツ維持スルコトハ一般の利益ニ關スル事項タルニ依リ

千九百十七年以來承認ヲ經タル露國政府ノ存在セサル結果過去或期間右鐵道ノ維持及運用繼續ニ備フルカ爲メ何等カ手段ヲ講スルコト必要ナルニ至リタルニ依リ北米合衆國及日本國ハ前記考量ニ一致セル協定ヲ締結シ次ヲ支那國佛蘭西國大英帝國及伊太利國ハ現存權利ヲ侵害スルコトナクシテ結局之ヲ利害關係者ニ返還スルノ目的ヲ以テ千九百十九年一月同鐵道ヲ露國民ノ利益ノ爲メ一時運用スル爲メ同協定條項ニ依リ協力シタルニ依リ

事態ノ變更ニ應シ且ツ右協定ノ根本目的ヲ現存狀態ノ下ニ出來得ル限り貫徹スル爲ニハ右協定ノ條項ヲ改訂スルヲ得策ナリト認メタルニ依リ

右協定ノ締約國間ニ次ノ如ク協定セリ

一、技術部ハ本協定參加國ノ代表者各一名ヨリ成リ右代表者ハ平等ノ權力及權限ヲ有ス技術部部長ハ同部ノ職務執行ノ爲最モ適當ナル方法ニ依リ同部員ニ依リ相互選舉セラルヘシ

二、技術部ハ本決議冒頭ニ掲ケタル目的上殊ニ公正且ツ衡平ノ條件ヲ以テ兩鐵道ノ運用ニ必要ナル資金ヲ得ル件ニ付東支鐵道及烏蘇里鐵道ノ經營ニ付助言ヲ與ヘ且ツ之ヲ補佐シ並右鐵道經營ニ關シ一般の財政監督ヲ行使スルノ權限ヲ附與セラルヘシ

右鐵道ノ技術の運用ノ關スル限リ之ヲ東支鐵道會社及烏蘇里鐵道ニ委ネ本項前段ニ掲ケタル事態ニ應スルカ爲メ必要ナラサル限リ技術部ハ之ニ干渉セサルヘシ

三、前記千九百十九年協定中技術部ノ任務ニ關スル

四、鐵道財産ノ保護及鐵道地帶内ノ公序維持ニ關シテハ技術部ノ助言及補佐ヲ以テ各鐵道ノ經營部ニ於テ適當ノ方法ヲ講スヘキモノトス

五、支那政府ハ侵害ニ對シ鐵道及其ノ從業員ノ安全ヲ保障シ且ツ右目的ヲ一層有效ニ遂行スル爲メ充分ニシテ新式ナル訓練ト裝備トヲ有スル警察隊又ハ憲兵隊ヲ配置スヘシ但シ右ハ同警察隊等ニ對スル支給カ技術部ノ助言ニ依リ役員會ノ決定スル方法ヲ以テ同鐵道ヨリ之ヲ支拂フヘキモノトス

右ニ付填原全權ハ右決議案ニ付キ修正ヲ要スル個所アリトテ『第一ニ第四項ヲ削除シ之ニ代フルニ支那委員決議案第三項中之ニ該當スル部分即チ The Chinese Government will continue 以下ヲ以テスヘシ余ハ顧維鈞氏カ in the interest of the Russian people ヲ以テ始マル數行ノ削除方ヲ希望シタリト了解ス』ト述ハタルニ顧氏ハ『填原氏ノ陳述セル如ク余ハ露國民ノ利益云々ノ削除ヲ希望シタルハ其ノ次ニ記載セラルル所ニ照シ不要ナリト思考スルカ故ナリ』ト述ヘ填原全權ハ更ニ『顧氏ハ to exercise a general financial control over the financial managementノ削除方ヲ希望セラレタリ』ト述ヘ顧氏ハ之ヲ

肯定シタリ

米國委員
反對

次テ議長ハ『本件討議ノ主眼ハ鐵道ノ保護及鐵道ノ有效ナル運行ニ必要ナル財政援助ヲ講スルニ在ル處右妥協案ニ依レハ支那ハ右根本的提案ニ不同意ナルモノノ如ク然ルニ聯合國ハ露國民ノ利益ノ爲メニ何事カヲ爲スヘキ責任アルニ拘ラス專門分科委員會ノ報告ニ係ル保護及財政ニ關スル右二根本問題ニ付同意ヲ得ル能ハサルモノトセハ本妥協案ハ畢竟「スチーブンズ」氏排斥ノ結果ヲ來ス以外ニ何等改善ヲ齎ス所無キカ如シ而シテ「スチーブンズ」氏ノ才能及功績ハ何人モ之ヲ認ムル所ナルカ同氏ハ到底必要ノ權限ヲ與ヘラレサル地位ニ留任スルヲ肯セサルヘシ』ト述ヘタリ

分科會
見不一致
善後策

佐ツテ填原全權ハ『日本ハ先ノ專門分科委員會報告文ナラハ其ノ儘承認シ得可カリシニ其ノ後他ノ承認シ難キ提案カ議題トナリタル爲已ムヲ得ス右ノ如キ妥協案ヲ案出シタルモノナルカ若シ右專門分科委員會報告カ再議セララルルニ於テハ今日ニ於テモ尙日本全權ハ右全部ヲ承認スルニ吝ラス』ト述ヘタリ議長ハ然ラハ右專門分科委員會ノ報告ヲ基礎トシテ討議ヲ續行スヘキカト諮リタルニ支那委員之ニ反對シ到底議論ノ纏ハル所ヲ知ラサル狀態ニ達シタルヲ以テ議長ハ本委員會ニ於テハ到底意見ノ一致ヲ見ルコト困難ナルヘキヲ以テ右ノ趣ヲ總委員會ニ報告シ寧ロ之ヲ普通外交手段ノ交渉ニ移スコト適當ナルヘシト提言シタル處佛國委員バスクテハ極メテ遺憾ナリトシ本分科委員會ニ於テモ例ヘハ委任管理ノ問題等ニ關シテハ支那委員以外恐ラク異議ナキ所ナルヘキヲ以テ是等ノ點ニ付決議ヲ爲スコト然ルヘシト主張シタルモ支那委員之ニ服セス愈々混沌トシテ歸着スル所ヲ知ラサルニ至レリ

(五) 米國側決議案及留保決議案

米國側決
議案可決

茲ニ於テ「ルート」議長ハ本分科會ニ於ケル前記諸決議案トハ離レテ總委員會ニ報告スヘキ一箇ノ決議案ヲ提出シタル處各國委員ヨリ二三修正意見出テタル末遂ニ左ノ如キ決議案ノ可決ヲ見タリ

Resolved that the preservation of the Chinese Eastern Railway for those in interest requires that better

protection be given to the railway and the persons engaged in its operation and use; a more careful selection of personnel, to secure efficiency of service, and a more economical use of funds to prevent waste of the property.

That the subject should immediately be dealt with through the proper diplomatic channels.

(右譯文)

東支鐵道ヲ其ノ利害關係者ノ爲ニ保存センカ爲ニハ鐵道及其ノ運用及使用ニ從事スル職員ニ一層ノ保護ヲ與ヘ業務ノ能率ヲ擧グル爲職員ノ選任ニ一層留意シ鐵道財産ノ浪費ヲ防ク爲資金ノ使用ヲ一層經濟的ナラシムルヲ要ス

本問題ハ適當ナル外交機關ヲ通シテ速カニ處置セラルヘシ

右決議案可決セラルルヤ議長ハ更ニ一九一九年聯合國間ノ協定ニ依ル責任ニ顧ミ其ノ權利保障ニ關スル留保ヲ爲ス必要ヲ感ストテ前記決議案ニ對スル左記決議留保案ヲ提出セリ

米國委員
留保決議
案提出

The Powers other than China, in agreeing to the resolution regarding the Chinese Eastern Railway, reserve the right to insist hereafter upon the responsibility of China for performance or non-performance of the obligations toward the foreign stock-holders, bond-holders and creditors of the Chinese Eastern Railway Company which the Powers deem to result from the contracts under which the rail-road was built and the action of China there-under and the obligations which they deem to be in the nature of a trust resulting from the exercise of power by the Chinese Government over the possession and administration of the rail-road.

(右譯文)

支那ヲ除ク諸國ハ東支鐵道ニ關スル右決議ニ合意スルト同時ニ東支鐵道會社ノ外國人株式所持人社債券所持人及債權者ニ對スル義務ノ履行及不履行ニ對シ支那ニ於テ責任ヲ負フヘキコトヲ主張スルノ權利ヲ留保ス

前記諸國ハ右責任ヲ以テ該鐵道建設ノ基礎タル契約及之ニ基ク支那ノ行爲竝ニ該鐵道ノ保有及管理ノ爲支那政府ノ權力ヲ行使スルヨリ生スル義務(前記諸國ハ此義務ハ信託ノ性質ヲ有スルモノト思惟ス)ノ結果ナリト思惟ス

依ツテ埴原全權ハ右留保案後段ノ意味ニ付質問セルニ議長ハ之ニ對シ『支那政府カ露亞銀行ト締結シタル千九百二十年ノ協定ニ依レハ同政府ハ其ノ主權ノ發動ニ基クモノナリトシテ自ラ進ンテ該鐵道ノ管理行爲ヲ敢テセルモノナリ從テ之ヨリ生スル義務ノ履行又ハ不履行ヨリ生スル一切ノ責任ヲ引受ケサル可ラス又利害關係列國ハ右責任ヲ問フノ權利ヲ留保スルノ要アリ本案ハ此ノ意味ニ依リテ作成セラレタルモノナリ』ト説明シ支那以外各國委員一同之ニ同意ヲ表シタリ

留保決議
案可決

次テ支那委員ヨリ露國民ノ利益ニ對スル支那政府ノ態度ニ關シ説明スル所アリ最後ニ議長ハ前記二決議案ヲ總委員會ニ報告スヘク尙專門分科委員會ノ報告ヲモ併セテ報告スル所アルヘシト述ヘテ散會セリ