

白皮書第三十號（二十二年九月）

國聯行政院及大會關於中日爭議歷次所通過之決議案

附各項重要聲明

中華民國國

舊



由國家圖書館數位化、典藏

國聯行政院及大會關於中日爭議歷次所通過之決議案

附各項重要聲明

目錄

- (1) 一九三一年九月三十日國聯行政院所通過之決議案……………一
- (2) 一九三一年十月二十四日國聯行政院之決議案……………二
- (3) 一九三一年十二月十日國聯行政院所通過之決議案……………三
- (4) 一九三一年十二月十日國聯行政院會議時主席白里安之聲明……………五
- (5) 一九三一年十二月十日國聯行政院會議時日本代表芳澤聲明之一部……………六
- (6) 一九三一年十二月十日國聯行政院會議時中國代表施肇基之聲明……………七
- (7) 一九三二年一月二十九日顏代表致國聯秘書長請適用盟約第十條與第十五條之申請書……………
- (8) 一九三二年二月十二日顏代表致國聯秘書長請將中日爭議提交大會函……………

國聯行政院及大會關於中日爭議歷次所通過之決議案

附各項重要聲明

一九三一年九月三十日國聯行政院所通過之決議案

- (一) 行政院知悉中日政府對於行政院主席所為緊急聲請之答覆，及為應付此種聲請所取之步驟。
- (二) 行政院對於日本政府之聲明，謂對於東省並無圖謀領土之意，認為重要。
- (三) 行政院知悉日本代表之聲明，謂日本軍隊，業經開始撤退，日本政府當以日本人民生命財產之安全得有切實之保證為比例，仍繼續將其軍隊從速撤退至鐵路區域以內；並希望從速完全實行此項意願。
- (四) 行政院知悉中國代表之聲明，謂中國政府對於該區域以外日僑生命財產之安全，在日軍繼續撤退，中國地方官吏及警察再行恢復時，當負責任。
- (五) 行政院深信雙方政府均亟欲避免採取任何行動，足以擾亂兩國間之和平及諒解者；並知悉中日代表已保證各該國政府採取一切必要步驟，以防止事變範圍之擴大或情勢之愈加嚴重。
- (六) 行政院請求當事兩方盡力所能，速行恢復兩國間通常之關係，並為求達到此項目的，繼續並從速完成上述保證之履行。

國聯行政院及大會關於中日爭議歷次所通過之決議案



國聯行政院及大會關於中日爭議歷次所通過之決議案

(七) 行政院請求當事兩方隨時將關於情勢發展之消息，充分供給行政院。

(八) 行政院決定如無意外事件發生有即開會之必要者，則於十月十四日在日內瓦再行開會，以考量彼時之情勢。

(九) 行政院授權於其主席，經向各同僚尤其兩關係國代表諮詢後，認為根據從當事國或從其他各會員方面，所得關於情勢進展之消息，無須再行開會時，得取消本院十月十四日之會議。

一九三二年十月二十四日 國聯行政院之決議案

行政院依照其九月三十日之決議，並知悉除中國援引國際聯合會盟約第十一條外，多數政府並曾援引非戰公約第二條，茲特：

(一) 重述中日政府在該決議中，向行政院所為之允諾，尤其日本代表之聲明，謂日本政府當依照切實保證日人生命財產安全之程度，繼續從速將軍隊撤退至鐵路區域以內；及中國代表之聲明，謂中國政府，當負保護鐵路區域以外日僑生命財產安全之責任。此實為切實保護居留東省日僑之保證。

(二) 重述兩國政府，已保證避免足令現有情勢愈形擴大之任何舉動；故兩國政府不得訴於任何侵略政策或行動，並須採取辦法，消除敵對運動。

(三) 重述日方之聲明，謂日本在東省並無圖謀領土之意，並知悉此項聲明，與國際聯合會盟約及九國條約之規定相符合

，九國條約各簽字國，曾保證：「尊重中國主權與獨立，及土地與行政上之完整」。

(四)深信實踐上項保證及允諾，為恢復兩方通常關係所必要，故

(甲)要求日本政府，立即開始並順序進行將軍隊撤退至鐵路區域以內，俾在規定之下次開會日期以前，完全撤退。

(乙)要求中國政府，履行其負責保護所有在東省日僑生命安全之保證，並擬定辦法於接收日兵撤退之各地時得能保

證在各該地日僑生命財產之安全！並請中國政府，令因此事委派之中國官吏，會同各國代表，俾各該代表得觀

察此項辦法之實行。

(五)建議中日兩國政府，立即指派代表，商訂實行關於撤兵及接收撤退區域各事之細目，俾得順利進行，不致延緩。

(六)建議一俟撤兵完成後，中日兩國政府，開始直接交涉兩國間之懸案，尤其因最近事件所發生之問題，及關於因東省

鐵路狀況而發生之現有各項困難問題。為此目的，行政院提議雙方設立調解委員會，或類此之永久機關。

(七)決議延會至十一月十六日。屆時行政院對於時局，將重予考量。但行政院授權於其主席，認為有必要時，得提早召

集會議。

一九三二年十二月十日國聯行政院所通過之決議案

(一)行政院重申九月三十日一致通過之決議，該決議經中日兩方聲明各受其莊嚴約束。故行政院要求中日政府採取必要

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

步驟，實行該項決議，俾日軍得依照該決議內所開條件，儘速撤退至鐵路區域內。

(二) 行政院認爲自十一月二十四日會議後，事態更爲嚴重，知悉兩方擔任採取必要辦法，防止情勢之再行擴大，並避免任何行動，致再令發生戰爭及喪失生命之事。

(三) 行政院請兩方繼續將情勢之發展，隨時通知行政院。

(四) 行政院請其他會員國將各該國代表就地所得之消息，隨時供給行政院。

(五) 行政院鑒於本案之特殊情形，欲協力促進兩國政府謀兩國間各項問題之最後根本解決，故並不妨礙上述辦法之實行，決定派遣一委員會，該委員會以五人組織之，就地研究任何情形影響國際關係而有擾亂中日兩國和平或和平所維繫之諒解之虞者，並報告於行政院。中日兩國政府各得派參加委員一人，襄助該委員會。兩國政府對於該委員會應予以一切便利，俾該委員會所需之任何消息，均可得到。茲了解如兩方開始任何商議，該項商議不在該委員會職務範圍之內。又該委員會對於任何一方之軍事辦法，無干涉之權。該委員會之委派及其考量，對於日本政府在九月三十日決議內，所爲日軍撤退之鐵路區域內之保證，並無任何妨礙。

(六) 在現在及一月二十五日舉行下次常會之間，行政院仍在受理本問題中，請主席注意本問題並於必要時再行召集會議。

一九三一年十二月十日國聯行政院會議時主席白里安之聲明

茲應請注意者，現置於諸君前之決議案，就兩種不同途徑，規定辦法：（一）停止對於和平之急迫危險，（二）促進兩國爭執現有原因最後之解決。

本院於此次會議時，對於調查各種情形可紊亂中日間關係者一節，覺有需要，欣料雙方能予接受。故本院對於十一月二十一日所提出設立委員會之提議，表示歡迎。決議案末節規定該委員會之委派及其職務。余現就決議案逐節加以說明：

第一節 本節將九月三十日一致通過之決議，重予申明，特別注重日軍應依照該決議規定之條件，儘速退至鐵路區域內。本院對於該項規定，極為重視，並深信兩國政府，將着手完全履行各該政府九月三十日所負之約言。

第二節 自上次本院會議後，所不幸者，即曾發生使情勢益趨嚴重及引起正當憂懼之事件，故必須避免並急應避免任何行動致再令發生戰爭，及其他一切足使情勢擴大之舉動。

第四節 依照第四節規定，本院會員國除當事兩方外，應請其繼續以各該國代表就地得到之消息，供給於行政院。此項報告，在過去時間，已經證明甚有價值。凡能派代表赴東省各處之各國，均經同意盡量的繼續並改善現在制度。

因此各該國應常與當事兩方接洽，俾當時兩方如願意時，得向其表示，意欲此項代表派往之地點。

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

第五節

此節規定設立調查委員會。此項委員會，雖係顧問性質，而其職務範圍甚廣。在原則上無論何項問題關係任何情形，足以影響國際關係而有擾亂中日兩國和平及和平所維繫之諒解之虞，經該委員會認為須加研究者，均不得除外。該委員會得用充分之裁量，以決定何項問題，應報告於行政院，如認為適宜時，並得繕具臨時報告。兩國政府之任何一方，得請該委員會考慮該國政府特別願意研究之任何問題。

如委員會達到時，雙方依照九月三十日決議案所爲之保證，尙未履行，委員會應將情勢儘速報告於行政院。

「如兩方開始任何商議，該項商議不在該委員會職務範圍之內。又該委員會對於任何一方之軍事辦法，無干涉之權」，已經特別規定。但此項規定不限制委員會調查之權。至委員會應享有行動之完全自由，俾能獲得所需報告之各種消息，此事亦甚爲明顯。

一九三一年十二月十日國聯行政院會議時日本代表芳澤聲明之一部

………主席，因閣下之賢勞與靈敏，本日決議草案，得置於吾人之前，示吾人以澄清時局之途徑。關於決議草案第二節，本席欣幸代表日本政府，予以接受；惟須了解此節之用意，並非阻止日本軍隊得採取爲直接保護日本人民生命財產勢所必須之行動，該項行動實係一種例外之辦法，基於東省之特殊情形，將來該地常態，一經恢復，則此種辦法，其必要性質自亦歸於消滅。因上述之看法，本席欣幸聲明日本政府對於本決議謹予接受。

一九三二年十二月十日國聯行政院會議時中國代表施肇基之聲明

本國政府擬以誠意履行其所同意之決議案內之義務，如行政院主席所解釋者。此項整個辦法，既為應付緊急狀態之一種實際辦法，則為謀得充分了解起見，本席實有就原則上將以下數項之觀察及保留，載諸紀錄之必要。

(一) 中國必須保留，並實行保留在國聯盟約下，在中國為締約國之一切現行條約下，及在國際公法國際慣例公認之原則下，中國所應行或可行享有之任何及一切權利，補救辦法及法律地位。

(二) 現經決議案及行政院主席宣言所證實之辦法，中國認為係一種實際上之辦法，包括四項互相關連之要點如下，

(甲) 立即停止戰事

(乙) 日本佔領東省在最短期限終了

(丙) 中立人員對於今後一切發展之視察及報告

(丁) 行政院所派遣之委員會對東省全局作實地詳賅之調查

本辦法在實際上及精神上均基於上述四要點而成立，此四要點中若有一點不能如原來之期望而實現，則本辦法之完整性，顯將為之破壞無餘。

(三) 中國了解並期望決議案內所規定之委員會，如於其到達目的地時，日本軍隊之撤退尚未完成，該委員會將以調查該

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

項撤退情形並附具建議提出報告，爲其首要之職責。

(四)中國推定本辦法對於中國及中國人民因東省事件而發生之損害及賠償問題，無論直接或間接，均不生影響；中國關於此點，特提出特別之保留。

(五)中國於接受本決議案時，對於行政院防止再啓戰爭及流血之努力告誡中日兩方避免再啓戰爭之任何舉動，或足使情勢愈形擴大之其他任何行爲，表示感佩。然有須明白揭示者，行政院告誡一節，不得藉口於現在事態所造成之無紀律情形，而予以破壞，蓋決議案之目的，原在於解除該項事態也。尤應注意者，東省現有之無紀律情形，實因日軍侵入，使生活失其常軌之所致。恢復尋常平安生活之惟一妥善辦法，厥爲迫使日軍之撤退，而使中國當局得負維持治安與秩序之責任。中國不能容忍任何外國軍隊侵略並佔領其領土，更不能容許此類軍隊，攫奪中國當局之警察職權。

(六)各國代表之中立視察及報告，其現行辦法將行繼續並改善，中國得悉此旨，頗爲滿意。中國並將就情勢之需要，隨時指示各該代表應行前往之地方。

(七)有應了解者，中國對於本決議案規定日本軍隊應向鐵路區域內撤退一節，表示同意者，絕非對於在該鐵路區域內駐紮外國武裝隊伍一事，退讓其向來所取之態度。

(八)中國對於日本所有任何之圖謀，足以引起政治性質之糾紛，影響中國領土及行政之完整者，(如曠使所謂獨立運動

，或爲此種目的而利用不法份子，）認爲顯係違背避免再行擴大情勢之承諾。

一九三二年一月二十九日顏代表致國聯祕書長請適用盟約第十條與第十五

條之申請書

逕啓者：本代表茲遵照本國政府訓令作下列之通告：

(一) 國際聯合會兩會員國——即中國與日本間——現有爭議；該爭議起於後者，違反國聯盟約之規定，施行侵略，侵犯前者領土行政之完整及其政治之獨立。

(二) 此項爭議，從未依照國聯盟約任何條款提交仲裁或法律解決。

(三) 上述爭議，現已達到似將使中日邦交立即破裂之程度。

(四) 中國茲提請，對於上述爭議適用（並非減損國聯在盟約第十一條所載運用其機能，已採取或將採取之辦法，且增加之，）盟約第十條及第十五條並將該項事件，正式提交行政院，俾可依照上述兩條款，採取一切適宜及必要之行動。

(五) 爲此目的：中國請參照自一九三一年九月十八日迄今在行政院依據盟約第十一條，於上述爭議所用之手續上，中國前次所發表及提交之一切聲明暨文件，現并採用包含與上述事件關連事實及文件之案情，作爲此案之聲明書。相應

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

函達，即希

查照爲荷。順頌

日祉

顏惠慶一月二十九日

一九三二年二月十二日顏代表致國聯秘書長請將中日爭議提交大會函

逕啓者：關於中日爭議，行政院業經根據國聯盟約第十第十十一第十五諸條，予以處理在案。查：按照該盟約第十五條第九項，行政院有權得將此案提交大會；同時并有規定：如經相爭之一造請求，應即如此辦理；惟此項請求，應於爭議送交行政院後十四日內提出等語。茲因格於所規定之期限，中國政府不得不申請將上述爭議，提交大會；但行政院之意，倘欲將該項爭議自動提交大會，或以所賦予之一般權能，召集大會，對於此項爭議加以考慮，則中國政府當準備將其申請撤回。相應函達，即希

查照爲荷。順頌

日祉

顏惠慶二月十二日

一九三二年二月十九日國聯行政院所通過之決議案

(一) 行政院，鑒於中國代表，根據盟約第十五條第九項之規定，請將中日爭議，提交大會，議決將上述爭議，依照盟約第十五條第九項提交大會。

(二) 行政院，鑒於各會員國代表，為參加軍縮會議，現在日內瓦者幾佔全數，是以在短時間內通告，大會即可召集，議決於三月三日召集大會。

(三) 行政院，認為已經制定之辦法，對於考慮爭議，蒐集必要消息者，仍將繼續。

(四) 行政院，請相爭各造，竭力將第十五條第二項所規定之案情說明書，連同一切關連之事實與文件，送交祕書長，以備大會應用。

(五) 行政院，依照盟約，繼續維持和平工作之任務，不因本決議而有所變更。

一九三二年二月二十九日國聯行政院主席在行政院會議之聲明

(一) 中日兩軍在上海區域內即將有大規模之敵對行為，生命損失重大，感情益趨激烈為不可避免之結果；在此危急時期，吾人全體實負有義務，須勿逸時機，亟求辦法，使國際聯合會兩會員國間，不幸之軍事衝突，得以停止，而獲一

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

和平途徑，俾可遵循。接得英國代表消息謂：昨日上海談話之事屬實，意欲得一停止敵對行爲之調停辦法，該辦法已各向本國政府請示；吾人全體對此消息，表示欣忭。行政院準備以最有益方法在適當時間，對於鞏固和平狀態，有所貢獻。

(二)是以余已將諸同仁召集，其宗旨在於將求達此目的之提議，置於諸同仁之前，欲求此提議之有效執行，非但須中日兩國政府之接受，且須在上海租界有特別利益而現并駐有代表之主要列強之合作，就地貢獻友誼之協力；因該項協力之必要，不減於中日兩國當局對於提議計劃切實與誠懇之同意也。

(三)此項計劃如下：

(甲)立即在上海召集一會議，以中日兩方及上述列強之代表組織之，俾求戰事得一最後結束，而上海區域之和平狀態，得以恢復。

(乙)會議須根據：(一)日本無政治或領土之企圖，無意在上海設立日本租界，或增進其獨享之利益；(二)中國出席會議，基于公共租界及法租界安全完整之必須保持，於商訂辦法之下，俾此等區域及其居民免受危險。

(丙)會議之舉行，當然須待就地已訂有停止敵對行爲之辦法，行政院深信此事可以極速完成；茲提議由主要列強駐滬之文武官憲盡力予以可能之協助，俾得鞏固該項辦法。

(四)此項建議，以立刻恢復上海和平爲目的，并不妨礙或變更行政院或任何國家關於中日事件前此所取地位。

行政院主席，希望以其個人及同仁之名義，邀請中日兩國及上述列強切實合作；因彼等在當地所處之地位，能使其對於停止武力衝突及恢復和平之共同目的，可予以特殊之貢獻也。

一九三二年二月二十九日國聯行政院會議時日本代表之聲明

(一) 日本政府，對於上海問題之唯一目的，在於撤除公共租界及其本國人所感之急迫危險，並恢復和平狀態。

(二) 日本政府，為謀解決上海時局，準備一俟恢復平靜狀態：即租界得有保障，日本人民獲得安全，即與其他列強合作。以此目的，尤其為確定外人在上海地方將來之安全，日本政府并不反對在該城開一圓桌會議；該會議將由在上海有利益之列強代表參加。

(三) 日本政府無意乘現在時局之機會，在該地方成就政治或領土之慾望；亦不望在上海設立日本租界，或為日本人民謀獨享之利益；日本政府之願望，在於維持及鞏固上海之國際性。

(四) 報紙發表消息稱：日本政府現正謀在中國數主要城市之四週，設立中立區等語；此說當然不能代表日本政府之意嚮。

一九三二年三月四日國聯大會所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

大會茲追憶行政院二月二十九日所爲之提議，並聲明不妨害該提議中所包含之其他方法：

(一)請中日兩國政府，立即採取必要之方法，使兩方軍事當局所發停戰之命令，克以有效。

(二)請在上海有特別利益關係之列強，以前項辦法實行狀態報告大會。

(三)建議由中日雙方代表，以上述列強陸軍海軍及文職各當局之協助，開始磋商，訂立辦法；此項辦法，須確定戰事之停止，並規定日軍之撤退。大會希望上述列強，隨時將磋商情形，向大會報告。

一九三二年三月四日中國代表向國聯大會發表之聲明

本席閱悉決議案，並就主席之解釋，本席認爲第三節所稱磋商，當係指停戰之磋商而言，而非應在停戰磋商後之所謂上海會議。我方基于此項諒解，並根據曾經穆達 M. Motta 及班涅斯 M. Benes 兩君極力主張之諒解，即由被侵略國領土撤退現正從事佔領之軍隊，不得加以任何條件。乃接受本決議案，吾人認爲不能因國聯會員國實施防禦外來侵犯之權利，而向之希望，或要求付以代價；因此項權利，係盟約對各會員國所擔保之權利也。

一九三二年三月十一日國聯大會所通過之決議案

第一節

大會：

認爲盟約所載各項規定，對於此次爭議完全適用，而以關於：

(一) 嚴格尊重條約之原則；

(二) 聯合會會員，擔任尊重並保持所有聯合會各會員領土之完整，及現有政治上之獨立，以防禦外來侵犯之諾言；

(三) 將彼此間所有一切爭議，以和平手續解決之義務，爲尤應適用；并

採用一九三一年十二月十日行政院主席白里安宣言中所奠立之原則；又

回憶行政院十二會員，於一九三二年二月十六日，致日本政府聲請書中，曾重申此項原則，宣言凡藐視盟約第十條之規定，侵害聯合會會員領土之完整，及變更其政治之獨立者，聯合會各會員均不應認爲合法有效；且

認爲上述支配聯合會會員國際關係，及和平解決爭議之原則，與巴黎公約，完全相符；而該公約實爲世界和平機關之一砥柱，其第二條曾規定：『締約各國，互允各國間設有爭端，不論如何性質，因何發端，祇可用和平方法解決：』因是

在本大會尙未採取最後步驟以解決此項受理之爭議時，特宣告上述原則及規定，負有一種必須遵守之性質；並聲明凡用違反聯合會盟約或巴黎公約之手段所締造之任何局勢，條約，或協定，聯合會會員，均不能承認之。

第二節

大會：

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

鄭重申說：此次中日爭議，如由任何一方用武力壓迫，覓取解決，實與盟約精神相違背；并

回憶一九三一年九月三十日及十二月十日，經當事雙方同意之行政院所通過之決議；又

回憶一九三二年三月四日，經當事雙方同意之關於切實停戰及日軍撤退事項，大會本身所通過之決議；

知悉聯合會會員，在上海租界有特殊利益之國家，對於此項目的，準備充分協助，並請求各該國，於必要時，通力合作，以維持撤退區域之治安。

第三節

大會：

鑒於一月二十九日，中國政府之請求，將聯合會盟約第十五條之手續，適用於此次之爭議；又鑒於二月十二日中國政府之請求，將此次爭議，依照盟約第十五條第九項之規定，提交大會；並鑒於二月十九日行政院之決定；

認為中國政府請求中所指爭議之全部，係交由大會處理；并認為大會應負有適用盟約第十五條第三項所規定調解手續之義務；並於必要時，應負有適用同條第四項所規定建議手續之義務。

爰決定設立一十九會員之委員會；即以大會主席為該委員會之主席，連同當事國以外之行政院會員，及用秘密投票選出之其他會員國代表組織之。該委員會，代表大會，執行職務，並受大會之監督；應

(一)將關於依照一九三二年三月四日大會之決議，停止戰事，及締結協定，使上述戰事切實停止，並規定日軍撤退各事

項，從速報告；

(二) 注意一九三一年九月三十日，及十二月十日行政院通過決議之實行；

(三) 經當事雙方之同意，並依照盟約第十五條第三項之規定，從事預備解決爭議之辦法，並擬具聲明，提交大會；

(四) 於必要時，得向大會提議，向國際裁判常設法庭，提出請其發抒意見之聲請；

(五) 於必要時，從事預備盟約第十五條第四項所規定之報告書草案；

(六) 建議一切似屬必要之緊急辦法；

(七) 於最早時期內，向大會提出第一次工作報告書，最遲不得過一九三二年五月一日。

大會請求行政院將一切視為應行轉送大會之文件，或附帶意見，轉致是項委員會。

大會並不閉會，主席視為必要時，得召集之。

一九三二年四月三十日國聯大會所通過之決議案

國際聯合會大會：

(一) 因三月四日三月十一日大會之決議案建議，中日代表，以在上海租界有特殊利益列強陸海軍及文職各當局之協助，開始磋商，議訂辦法，以確切停止戰鬥行為，並規定日軍之撤退。又

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

(二) 因特別委員會(即十九人委員會)非處於從事磋商者之地位——緣三月四日三月十一日大會決議案所擬議之辦法，祇能就地議訂——但參加磋商之各國，如於磋商進行中，或於實施上述辦法之際，遇有重大困難時，得將該項困難，通知代表大會執行職權並受其監督之特別委員會。又

(三) 因此等磋商，應依據上述大會決議案進行，當事者之任何一方，不得堅持與該決議案相矛盾之條件。并

(四) 已將送達本會且經當事者雙方接受之停戰協定草案諸條款，加以審閱。因

(五) 認爲此等條款，與前述各決議案之精神相照合。

(六) 特別注意依照第三條，日本政府擔允將其軍隊，撤退至公共租界及虹口越界築路區域，一如一月二十八日事變以前

(七) 聲明在最近之將來，實行撤兵，係依據大會三月四日三月十一日決議案之精神。

(八) 聲明必至日軍完全撤退時，三月四日決議案始能認爲充分遵行。

(九) 知悉協定草案規定設立共同委員會，包含中立國人員，證明雙方撤兵，協商日軍撤退華警接防之移交事項，一俟日軍撤退，華警即行接收。

(十) 知悉並認爲滿意，上述委員會，將依照其決議，以最善之方法，監視第一第二及第三條之履行，第三條即係規定日軍完全撤退，一如一月二十八日事變以前。

(十一) 知悉依照協定草案第三附件之規定，共同委員會，既須監視該協定第一第二及第三條之履行，其權限應包括一種權力，即依照上述附件規定所為之決定，對於履行上述任何各條之規定有任何疏懈時，有促使注意之權。

(十二) 誠懇建議，為求得迅速結束起見，當事者雙方應重復進行現在停頓中之磋商，並請在上海公共租界有特殊利益之各國政府，繼續為此目的，居間斡旋。

(十三) 特別指明，除非依照三月四日及三月十一日決議案內所開辦法，以為結束，則本問題有再交大會之必要。

(十四) 請在上海租界有特殊利益之各國政府，將共同委員會按其職權所應取得并由各該國參加該委員會之代表，供給各該國政府之消息，送交國聯。

一九三三年二月二十四日國聯大會所通過之決議案

因根據國聯盟約第三條第三項：「大會開會時，得處理屬於聯合會舉動範圍以內，關係世界和平之任何事件，」因而大會對於中日爭議之發展，不能漠視；

又因根據大會依照盟約第十五條第四項所通過報告書之第四部第三節，國聯會員國關於滿洲情勢，係欲避免採取任何單獨行動，並係欲繼續在各會員國及與本事件有關係之非會員國間，採取一致行動；且為按照本報告書之建議，盡力以便利遠東情勢之奠定起見；因訓令秘書長以此報告書，通知簽字或加入非戰公約及九國條約之各非會員國，告以大會希望

國聯行政院及大會關於中日爭議歷次所通過之決議案

國聯行政院及大會關於中日爭議歷次所通過之決議案

彼等贊同報告書中表示之意見，並於必要時，與國聯會員國採取一致之行動與態度。

大會茲決定指派一顧問委員會，觀察今後情勢，協助大會實行其在盟約下第三條第三項之職責，並協助國聯會員國與非會員國作一致行動。

此項委員會，應以十九國委員會之各會員及坎拿大與荷蘭之代表組織之。

此項委員會，應邀請美俄政府合作，且應於認為適當之時，提出報告與提案。此項委員會並應將報告通知合作之各非會員國之政府。

大會並不閉會。大會主席，於與委員會商洽後，得於認為適當之時，召集會議。

“It shall report and make proposals to the Assembly whenever it thinks fit. It shall also communicate its reports to the Governments of the States non-members of the League which are co-operating in its work.

“The Assembly shall remain in session and its President, after consulting the Committee, may convene it whenever he thinks fit.”



RESOLUTION ADOPTED BY THE LEAGUE
ASSEMBLY, FEBRUARY 24TH, 1933,

“Whereas, in virtue of Article 3, paragraph 3, of the Covenant, the Assembly may deal at its meetings with any matter affecting the peace of the world, and therefore cannot regard with indifference the development of the Sino-Japanese dispute; .

“And whereas, according to Part IV, Section III of the report adopted by the Assembly in virtue of Article 15, paragraph 4, the Members of the League ‘intend to abstain from taking any isolated action with regard to the situation in Manchuria and to continue to concert their action among themselves as well as with the interested States not Members of the League’ and, ‘in order to facilitate as far as possible the establishment in the Far East of a situation in conformity with the recommendations of the present report, the Secretary-General is instructed to communicate a copy of this report to the States non-members of the League who are signatories of or have acceded to the Pact of Paris or the Nine-Power Treaty, informing them of the Assembly’s hope that they will associate themselves with the views expressed in the report, and that they will, if necessary, concert their action and their attitude with the Members of the League’;

“The Assembly decides to appoint an Advisory Committee to follow the situation, to assist the Assembly in performing its duties under Article 3, paragraph 3, and, with the same objects, to aid the Members of the League in concerting their action and their attitude among themselves and with the non-members States.

“The Committee will consist of the representatives of the Members of the Committee of Nineteen and the representatives of Canada and the Netherlands.

“The Committee will invite the Governments of the United States of America and the Union of Soviet Socialist Republics to co-operate in its work,

(14) Requests the Governments of the Powers having special interests in the Shanghai Settlements to transmit to the League information which will be in the possession of the Mixed Commission in virtue its functions and will be furnished to those Governments by their respective representatives on the Commission.



(7) Declares that it is in accordance with the spirit of the Assembly Resolutions of March 4th and 11th that withdrawal should take place in the near future;

(8) Declares that the Resolution of March 4th will be only fully complied with when Japanese forces are entirely withdrawn;

(9) Notes that the draft agreement provides for the establishment of a Joint Commission including neutral members to certify mutual withdrawal and to collaborate in arranging the transfer from evacuating Japanese forces to incoming Chinese police who take over as soon as Japanese forces withdraw;

(10) Notes with satisfaction that the said Commission will in accordance with its decisions watch in such manner as it deems best carrying out Articles 1, 2 and 3 of which the last named provides complete withdrawal of Japanese forces as before the incident of January 28th;

(11) Notes that the powers as defined in Annex 3 of the draft agreement of the Commission which is to watch the carrying out of Articles 1, 2 and 3 of that agreement include authority to call attention, in accordance with its decisions taken in such manner as is provided in the said Annex, to any neglect in the carrying out of any of the provisions of the Articles mentioned above;

(12) Earnestly recommends that the parties in question resume negotiations in suspense with a view to reaching rapid conclusion and requests the Governments having special interests in the Shanghai Settlements to continue to lend their good offices for this purpose;

(13) Expressly points out that unless conclusion is reached as laid down in the Resolutions of March 4th and 11th the question will necessarily come up again before the Assembly;

RESOLUTION ADOPTED BY THE LEAGUE
ASSEMBLY, APRIL 30TH, 1932.

THE ASSEMBLY,

(1) Considering that the Assembly Resolutions of March 4th and 11th recommend that negotiations be entered into by the Chinese and Japanese delegates with the assistance of the military naval and civilian authorities of the Powers having special interests in the Shanghai Settlements for the conclusion of arrangements which will render definite the cessation of hostilities and regulate the withdrawal of Japanese forces;

(2) Considering that, while it is not for the Special Committee to take the place of negotiators — since arrangements contemplated in the Assembly Resolutions of March 4th and 11th can only be concluded on the spot — every Power represented in the negotiations is entitled, should serious difficulties encountered in the course of the negotiations or in the carrying out of the above-mentioned arrangements, to notify the Special Committee which exercises its functions on behalf and under the supervision of the Assembly, of those difficulties;

(3) Considering that negotiations should be pursued in accordance with the above-mentioned Assembly Resolutions, and that none of the parties are entitled to insist on conditions which are incompatible with the said Resolutions;

(4) Having noted the Articles of draft Armistice Agreement communicated to it and accepted by the two parties;

(5) Considers that these articles conform to the spirit of the said Resolutions;

(6) Notes in particular that under Article 3 the Japanese Government undertakes to carry out the withdrawal of its forces in the International Settlement and roads outside of the Settlement in the Hongkew district as before the incident of January 28th;

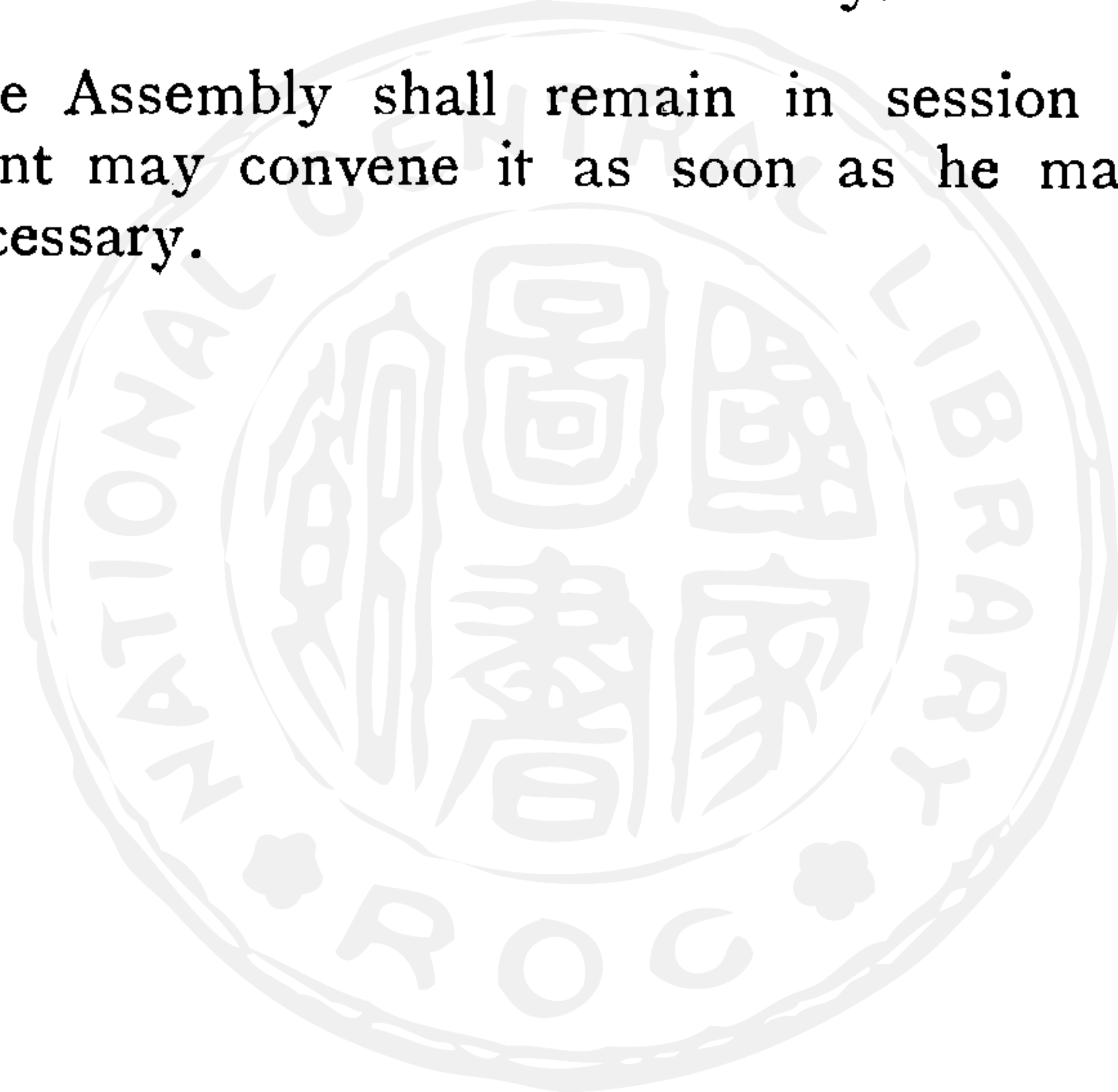
5. to prepare, if need be, the draft of the report provided for in Article 15, paragraph 4, of the Covenant;

6. to propose any urgent measure which may appear necessary;

7. to submit a first progress report to the Assembly as soon as possible and at latest on May 1st, 1932.

The Assembly requests the Council to communicate to the Committee, together with any observations it may have to make, any documentation that it may think fit to transmit to the Assembly.

The Assembly shall remain in session and its President may convene it as soon as he may deem this necessary.



to the dispute of the procedure provided for in Article 15 of the Covenant of the League of Nations;

In view of the request formulated on February 12th by the Chinese Government that the dispute should be referred to the Assembly in conformity with Article 15, paragraph 9, of the Covenant and in view of the Council's decision of February 19th;

Considering that the whole of the dispute which forms the subject of the Chinese Government's request is referred to it and that it is under an obligation to apply the procedure of conciliation provided for in paragraph 3 of Article 15 of the Covenant and, if necessary, the procedure in regard to recommendations provided for in paragraph 4 of the same Article;

Decides to set up a Committee of nineteen members, namely, the President of the Assembly, who will act as Chairman of the Committee, the Members of the Council other than the parties to the dispute and six other Members to be elected by secret ballot.

This Committee, exercising its functions on behalf of and under the supervision of the Assembly, shall be instructed:

1. to report as soon as possible on the cessation of hostilities and the conclusion of arrangements which shall render definitive the said cessation and shall regulate the withdrawal of the Japanese forces in conformity with the Assembly resolution of March 4th, 1932;

2. to follow the execution of the resolutions adopted by the Council on September 30th and December 10th, 1931;

3. to endeavour to prepare the settlement of the dispute in agreement with the Parties, in accordance with Article 15, paragraph 3, of the Covenant, and to submit a statement to the Assembly;

4. to propose, if necessary, that the Assembly submit to the Permanent Court of International Justice a request for an advisory opinion;

world and under Article 2 of which "the High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature and whatever origin they may be, which may arise among them shall never be sought except by pacific means";

Pending the steps which it may ultimately take for the settlement of the dispute which has been referred to it;

Proclaims the binding nature of the principles and provisions referred to above and declares that it is incumbent upon the Members of the League of Nations not to recognise any situation, treaty or agreement which may be brought about by means contrary to the Covenant of the League of Nations or to the Pact of Paris.

II.

THE ASSEMBLY,

Affirming that it is contrary to the spirit of the Covenant that the settlement of the Sino-Japanese dispute should be sought under the stress of military pressure on the part of either Party;

Recalls the resolutions adopted by the Council on September 30th and on December 10th, 1931, in agreement with the Parties;

Recalls also its own resolution of March 4th, 1932, adopted in agreement with the Parties, with a view to the definitive cessation of hostilities and the withdrawal of the Japanese forces; notes that the Powers Members of the League of Nations having special interests in the Shanghai Settlements are prepared to give every assistance to this end, and requests those Powers, if necessary, to co-operate in maintaining order in the evacuated zone.

III.

THE ASSEMBLY,

In view of the request formulated on January 29th by the Chinese Government invoking the application

RESOLUTION ADOPTED BY THE LEAGUE
ASSEMBLY, MARCH 11TH, 1932.

I.

THE ASSEMBLY,

Considering that the provisions of the Covenant are entirely applicable to the present dispute, more particularly as regards:

(1) the principle of a scrupulous respect for treaties;

(2) the undertaking entered into by Members of the League of Nations to respect and preserve as against external aggression the territorial integrity and existing political independence of all the Members of the League;

(3) their obligation to submit any dispute which may arise between them to procedures for peaceful settlement;

Adopting the principles laid down by the Acting President of the Council, M. Briand, in his declaration of December 10th, 1931;

Recalling the fact that twelve Members of the Council again invoked those principles in their appeal to the Japanese Government on February 16th, 1932, when they declared "that no infringement of the territorial integrity and no change in the political independence of any Member of the League brought about in disregard of Article 10 of the Covenant ought to be recognised as valid and effectual by Members of the League of Nations";

Considering that the principles governing international relations and the peaceful settlement of disputes between Members of the League above referred to are in full harmony with the Pact of Paris, which is one of the corner-stones of the peace organisation of the

STATEMENT MADE BY DR. W. W. YEN,
CHINESE DELEGATE TO THE LEAGUE
ASSEMBLY, AT ITS PUBLIC
MEETING, MARCH 4TH, 1932.

As I read the resolution, and as I understand the President to interpret it, the negotiations mentioned in paragraph 3 refer to armistice negotiations rather than to the so-called Shanghai Conference, which is to follow the armistice negotiations. We accept the resolution on that understanding; and also with the understanding, which has been so splendidly emphasised by M. Motta and M. Benes, that no condition should be imposed upon the withdrawal of troops occupying the territory of an invaded country. We consider that Members of the League cannot be expected or asked to pay a price for the enforcement of the right of being protected against foreign aggression, which is a right guaranteed to every Member of the League by the Covenant.

RESOLUTION ADOPTED BY THE LEAGUE
ASSEMBLY, MARCH 4TH, 1932.

The Assembly,

Recalling the suggestions made by the Council on the 29th February and without prejudice to the other measures therein visaged,

(1) Calls upon the Governments of China and Japan to take immediately the necessary measures to ensure that the orders which, as it has been informed, have been issued by the Military Commanders on both sides for the cessation of hostilities, shall be made effective;

(2) Requests the other Powers which have special interests in the Shanghai Settlements to inform the Assembly of the manner in which the invitation set out in the previous paragraph is executed;

(3) Recommends that negotiations be entered into by the Chinese and Japanese Representatives with the assistance of the Military, Naval and Civilian authorities of the Powers mentioned above for the conclusion of arrangements which shall render definite the cessation of hostilities and regulate the withdrawal of the Japanese forces. The Assembly will be glad to be kept informed by the Powers mentioned above of the development of these negotiations.

STATEMENT MADE BY JAPANESE
DELEGATE TO THE LEAGUE
COUNCIL, AT ITS ORDINARY
SESSION, FEBRUARY
29TH, 1932.

(1) In the Shanghai question, the sole aim of the Japanese Government is to remove from the International Concession, and also from its own nationals, an imminent danger and to restore peaceful conditions.

(2) The Japanese Government will be prepared to co-operate with other Powers with a view to settling the situation at Shanghai as soon as calm is re-established under conditions such as will guarantee the security of the Concession and the Japanese nationals. For this purpose, and particularly with a view to ensuring the future security of foreigners in the Shanghai region, the Japanese Government will have no objection to the opening in that city of a round-table conference at which there will be represented foreign Powers who have interests at Shanghai.

(3) The Japanese Government has no intention of taking advantage of the present situation in order to realise political or territorial ambitions in that region. It has no wish to establish a Japanese concession at Shanghai or to obtain exclusive advantages there for the Japanese. It desires to maintain and strengthen the international character of Shanghai.

(4) News has been published in the press according to which the Japanese Government is stated to be contemplating the establishment of neutral zones around some of the chief Chinese cities. This in no wise represents the intentions of the Japanese Government.

Governments of China and Japan together with representatives of the other Powers above referred to for the purpose of bringing about a final conclusion of fighting and the restoration of peaceful conditions in the Shanghai area.

(2) The conference would be undertaken on the basis (a) that Japan has no political or territorial designs and no intention of establishing a Japanese settlement in Shanghai or of otherwise advancing the exclusive interests of the Japanese, and (b) that China enters the conference on the basis that the safety and integrity of the International and French Settlements must be preserved under arrangements which will secure these areas and their residents from danger.

(3) The meeting of this conference is, of course, subject to the making of local arrangements for a cessation of hostilities. The Council trusts that this will very speedily be brought about. It is proposed that the military, naval and civilian authorities of the other principal Powers represented in Shanghai will render all possible assistance in consolidating the arrangements.

4. To this proposal, which is aimed at the immediate re-establishment of peace in the Shanghai area, without prejudice to, or qualification of, any position previously taken up by the League of Nations or any power in relation to Sino-Japanese affairs, the President desires, in the name of himself and of his colleagues, to invite the adherence and co-operation both of China and Japan and of the other Powers referred to, whose local position enables them to make a special contribution to the common purpose of stopping armed conflict and restoring peace.

STATEMENT MADE BY THE PRESIDENT
OF THE LEAGUE COUNCIL, AT ITS
PUBLIC MEETING, FEBRUARY
29TH, 1932.

1. The imminence of hostilities on the largest scale in the Shanghai region between Chinese and Japanese forces, with the inevitable consequence of heavy loss of life and further embitterment of feeling, makes it at this critical moment the duty of all of us to lose no opportunity of seeking means by which this deplorable armed conflict between two Members of the League may be suspended and a way of peace may be found and followed.

The news that we have received from the British representative that conversations actually took place yesterday at Shanghai with a view to making arrangements for a cessation of hostilities and that the proposed arrangements have been referred to the respective Governments is welcomed by us all, and the Council of the League is ready to make its contribution towards the consolidation of peaceful conditions in the way and at the time which is most useful.

2. I have therefore called together my colleagues on the Council for the purpose of laying before them a proposal which might serve to this end. For its effective execution, this proposal will require, not only the acceptance of the Governments of China and Japan, but the co-operation on the spot of the other principal Powers who have special interests in the Shanghai Settlements and whose representatives are therefore readily available to make the local contribution of their friendly aid which is no less necessary than the positive and sincere agreement of the Chinese and Japanese authorities to the plan proposed.

3. This plan is as follows:

(1) A conference to be immediately set up in Shanghai composed of representatives of the

RESOLUTION ADOPTED BY THE LEAGUE
COUNCIL, FEBRUARY 19TH, 1932.

The Council,

(1) Considering the request submitted by the representative of China, under the provisions of paragraph 9 of Article 15 of the Covenant, to the effect that the Sino-Japanese dispute should be referred to the Assembly:

Decides that the said dispute is referred to the Assembly in accordance with Article 15, paragraph 9, of the Covenant.

(2) Considering that delegations from almost every Member of the League are now present in Geneva in order to take part in the Conference for the Limitation and Reduction of Armaments, thereby enabling the Assembly to meet at short notice:

Decides that a meeting of the Assembly shall be held on March 3rd.

(3) Notes that the measures which have already been instituted in order to obtain information necessary for the consideration of the dispute will be continued.

(4) Requests the Parties to the dispute to use all diligence in communicating to the Secretary-General for the use of the Assembly the statements of their case with all the relevant facts and papers as provided for in Article 15, paragraph 2.

(5) The duty of the Council to continue its work for the maintenance of peace in accordance with the Covenant remains unaffected by the present decision.

LETTER FROM THE CHINESE REPRESENTATIVE TO THE SECRETARY-GENERAL,
REQUESTING THAT THE DISPUTE BE
REFERRED TO THE ASSEMBLY.

GENEVA, FEBRUARY 12TH, 1932.

With regard to the Sino-Japanese dispute, of which the Council has been seized under Articles 10, 11 and 15 of the Covenant of the League of Nations, I have the honour to observe that, according to Article 15, paragraph 9, of the said Covenant, it is within the competence of the Council to refer the case to the Assembly. At the same time, it is also provided that the dispute shall be so referred at the request of either party, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In view of the time-limit imposed, the Chinese Government is constrained hereby to request that the said dispute be referred to the Assembly. If, however, it should be the pleasure and intention of the Council to refer the said dispute at its own initiative to the Assembly or, in virtue of the general powers vested in it, to summon the Assembly for consideration of the dispute, the Chinese Government will then be prepared to withdraw the request on its part.

(Signed) W. W. YEN.

LETTER FROM THE CHINESE GOVERNMENT
TO THE SECRETARY-GENERAL, SUBMIT-
TING ITS APPEAL TO THE LEAGUE
COUNCIL UNDER ARTICLES 10
AND 15 OF THE COVENANT.
GENEVA, JANUARY 29TH, 1932.

Under instructions from my Government, I have the honour hereby to give notice as follows:

1. A dispute between two Members of the League of Nations—to wit: China and Japan—arising from the aggression of the latter against the territorial and administrative integrity and political independence of the former in violation of the provisions of the Covenant of the League of Nations, exists.

2. This dispute has not been submitted to arbitration or to judicial settlement in accordance with any of the articles of the Covenant.

3. The said dispute has now reached a stage when it is likely to lead to an immediate rupture between China and Japan.

4. China hereby invokes the application (not in derogation of the measures taken, or which may be taken by the League in the exercise of its functions under Article 11, but in addition thereto) both of Article 10 and of Article 15 of the Covenant to said dispute and formally submits the said matter to the Council for all appropriate and necessary action under both of said articles.

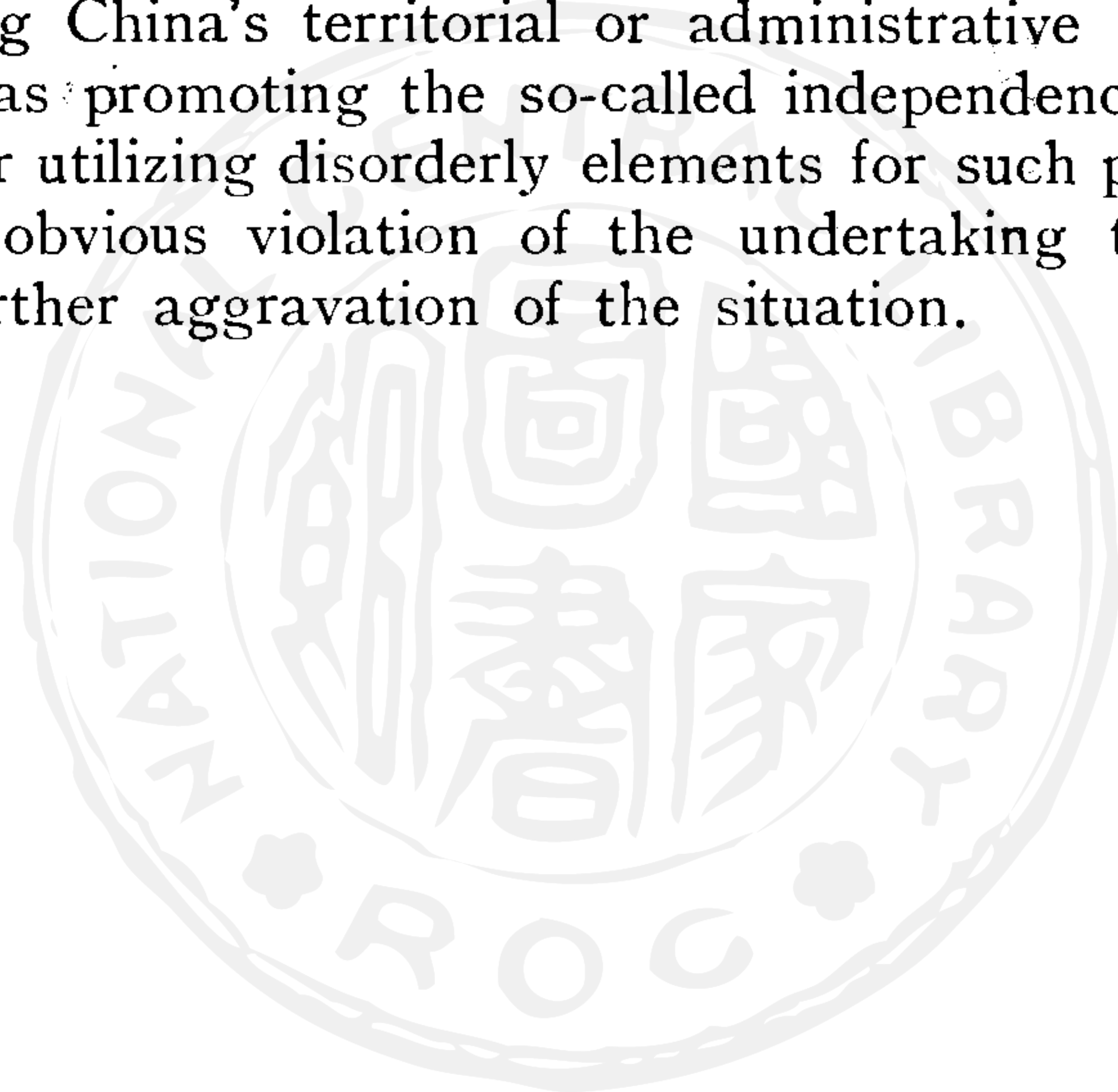
5. For ~~this~~ purpose, China begs leave to refer to, and hereby ~~adopts~~ as and for the statement of its case comprising the relevant **facts and papers in** relation to said matter, all the statements and papers heretofore made and submitted by China in the proceedings of the Council taken in said controversy under Article 11 of the Covenant from September 18th, 1931, to the date hereof.

(Signed) W. W. YEN.

as occasion requires, indicate the localities to which it seems desirable to despatch such representatives.

7. It should be understood that in agreeing to this Resolution which provides for the withdrawal of Japanese forces to the railway zone, China in no way recedes from the position it has always taken with respect to the maintenance of military forces in such railway zone.

8. China would regard any attempt by Japan to bring about complications of a political character affecting China's territorial or administrative integrity (such as promoting the so-called independence movement or utilizing disorderly elements for such purpose) as an obvious violation of the undertaking to avoid any further aggravation of the situation.



integrity would be manifestly destroyed by the failure of one of them to materialise and be effectively realised as contemplated.

3. China understands and expects that the Commission provided for in the Resolution will, as its first duty, inquire into and report with its recommendations on the withdrawal of the Japanese forces if such withdrawal has not been completed when the Commission arrives on the ground.

4. China assumes that the said arrangement neither directly nor by implication affects the question of reparation and damage to China and its nationals growing out of the present events in Manchuria and makes specific reservation in that respect.

5. In accepting the Resolution laid before us, China appreciates the efforts of the Council to prevent further fighting and bloodshed by enjoining both China and Japan to avoid any initiative which may lead to further fighting or any other action likely to aggravate the situation. It must be clearly pointed out that this injunction should not be violated under the pretext of the existence of lawlessness caused by a state of affairs which it is the very purpose of the Resolution to do away with. It is to be observed that much of the lawlessness now prevalent in Manchuria is due to the interruption of the normal life caused by the invasion of the Japanese forces. The only sure way of restoring the normal peaceful life is to hasten the withdrawal of Japanese troops and allow the Chinese authorities to assume the responsibility for the maintenance of peace and order. China cannot tolerate the invasion and occupation of her territory by the troops of any foreign country; far less can she permit these troops to usurp the police functions of the Chinese authorities.

6. China notes with satisfaction the purpose to continue and improve the present system of neutral observation and reporting through the representatives of other Powers and China will from time to time,

STATEMENT MADE BY DR. SAO-KE ALFRED
SZE, CHINESE DELEGATE TO THE LEAGUE
COUNCIL, AT ITS PUBLIC MEETING,
DECEMBER 10TH, 1931.

My Government intends to discharge in good faith every obligation which it has assumed in agreeing to this Resolution as interpreted by the President of the Council. The entire arrangement being a practical one designed to meet the pending emergency, it becomes necessary in the interest of a complete understanding for me to place upon record certain observations and reservations in point of principle as follows:

1. China must and does reserve any and all rights, remedies and juridical position to which it is or may be entitled under and by virtue of the Covenant, under all the existing treaties to which China is a party, and under the accepted principles to which China is a party, and under the accepted principles of international law and practice.

2. The present arrangement evidenced by the Resolution and the Statement made by the President of the Council is regarded by China as a practical measure embodying four essential and inter-dependent elements:

(A) Immediate cessation of hostilities.

(B) Liquidation of the Japanese occupation of Manchuria within the shortest possible period of time.

(C) Neutral observation and reporting upon all developments from now on.

(D) A comprehensive inquiry into the entire Manchurian situation on the spot by a Commission appointed by the Council.

The said arrangement being in effect and in spirit predicated upon these fundamental factors, its

PART OF STATEMENT MADE BY MR.
YOSHIZAWA, JAPANESE DELEGATE
TO THE LEAGUE COUNCIL, AT
ITS PUBLIC MEETING,
DECEMBER 10TH, 1931.

.....Thanks to your labours and tact, Mr. President, we have before us the draft Resolution furnishing us with the means of clarifying the situation. Regarding paragraph 2 I am happy to accept it on behalf of the Japanese Government on the understanding that this paragraph is not intended to preclude Japanese forces from taking such action as may be rendered necessary to provide directly for the protection of the lives and property of Japanese subjects in various parts of Manchuria. Such action is admittedly an exceptional measure called for by the special situation prevailing in Manchuria, and its necessity will be obviated when normal conditions are restored in that region. With these considerations I am happy to be able to declare that the Japanese Government accepts the draft Resolution now before us.

within the scope of the terms of reference of the Commission nor would it be within the competence of the Commission to interfere with the military arrangements of either party". The latter provision does not limit in any way its faculty of investigation. It is also clear that the Commission will enjoy full liberty of movement in order to obtain information required for report.



may lead to further fighting and from all other action likely to aggravate the situation.

Paragraph 4. Under paragraph 4, members of the Council, other than the Parties, are requested to continue to furnish the Council with information received from their representatives on the spot.

Such information having been proved of high value in the past, the Powers who have the possibility of sending such representatives to the localities, have agreed to all that is possible to continue and improve the present system.

For this purpose these Powers will keep in touch with the two Parties so that the latter may, should they so desire, indicate to them the localities to which they would desire the despatch of such representatives.

Paragraph 5. This paragraph provides for the institution of a Commission of Enquiry. Subject to purely advisory character, the terms of reference of the Commission are wide in principle, and no question which it feels called upon to study will be excluded, provided the question relates to any circumstances which, affecting international relations, threaten to disturb peace between China and Japan or the good understanding between them upon which peace depends. Each of the two Governments will have the right to request the Commission to consider any question the examination of which it particularly desires. The Commission will have full discretion to determine the questions upon which it will report to the Council and will have the power to make interim reports when desirable.

If the undertakings given by the two Parties according to the Resolution of September 30th have not been carried out by the time of the arrival of the Commission, the Commission should, as speedily as possible, report to the Council on the situation.

It is specially provided that, "should the two Parties initiate any negotiations, these would not fall

STATEMENT MADE BY M. BRIAND,
PRESIDENT OF THE LEAGUE
COUNCIL, AT ITS PUBLIC
MEETING, DECEMBER
10TH, 1931.

It will be observed that the Resolution which is before you provides action on two separate lines, (1) to put an end to the immediate threat to peace, and (2) to facilitate the final solution of the existing causes of the dispute between the two countries.

The Council was glad to find during the present sittings that an enquiry into the circumstances which tend to disturb the relations between China and Japan, in itself desirable, would be acceptable to the Parties. The Council, therefore, welcomed the proposal to establish a Commission which was brought before it on November 21st. The final paragraph of the Resolution provides for the appointment and functioning of such Commission.

I shall now make certain comments on the Resolution paragraph by paragraph.

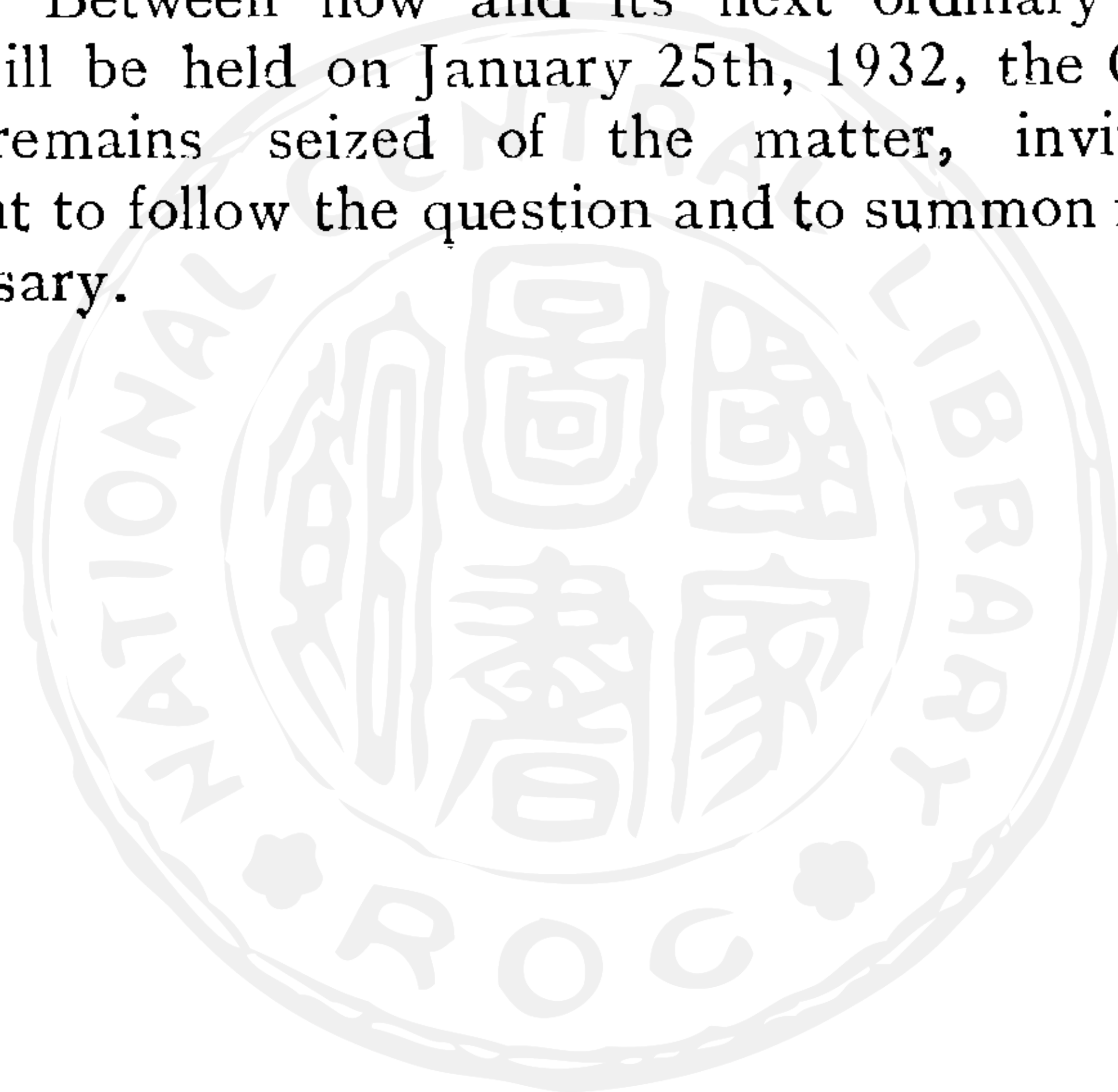
Paragraph 1. This paragraph re-affirms the Resolution unanimously adopted by the Council on September 30th, laying particular stress on the withdrawal of the Japanese troops to the railway zone under the conditions described in that Resolution as speedily as possible.

The Council attaches the utmost importance to this Resolution and is persuaded that the two Governments will set themselves to the complete fulfilment of the engagements which they assumed on September 30th.

Paragraph 2. It is an unfortunate fact that, since the last meeting of the Council, events have occurred which have seriously aggravated the situation and have given rise to legitimate apprehensions. It is indispensable and urgent to abstain from any initiative which

information it may require. It is understood that, should the two Parties initiate any negotiations, these would not fall within the scope of the terms of reference of the Commission, nor would it be within the competence of the Commission to interfere with the military arrangements of either party. The appointment and deliberations of the Commission shall not prejudice in any way the undertaking given by the Japanese Government in the resolution of September 30th as regards the withdrawal of Japanese troops within the railway zone;

(6) Between now and its next ordinary session which will be held on January 25th, 1932, the Council, which remains seized of the matter, invites the President to follow the question and to summon it afresh if necessary.



RESOLUTION ADOPTED BY THE LEAGUE
COUNCIL, DECEMBER 10TH, 1931.

The Council,

(1) Re-affirms the Resolution passed unanimously on September 30th, 1931, whereby the two Parties declare that they are solemnly bound. It therefore calls upon the Chinese and Japanese Governments to take all steps necessary to assure its execution so that the withdrawal of Japanese troops within the railway zone may be effected as speedily as possible under the conditions set forth in the said Resolution;

(2) Considering that events have assumed an even more serious aspect since the Council meeting of October 24th, notes that the two Parties undertake to adopt all measures necessary to avoid any further aggravation of the situation and to refrain from any initiative which may lead to further fighting and loss of life;

(3) Invites the two Parties to continue to keep the Council informed as to the development of the situation;

(4) Invites other members of the Council to furnish the Council with any information received from their representatives on the spot;

(5) Without prejudice to the carrying out of the above-mentioned measures and desiring, in view of the special circumstances of the case, to contribute towards a final and fundamental solution by the two Governments of the questions at issue between them, decides to appoint a Commission of five members to study on the spot and to report to the Council on any circumstances which, affecting international relations, threaten to disturb peace between China and Japan or the good understanding between them upon which peace depends. The Governments of China and Japan will each have the right to nominate one assessor to assist the Commission. The two Governments will afford the Commission all facilities to obtain on the spot whatever

a) Calls upon the Japanese Government to begin immediately and to proceed progressively with the withdrawal of its troops into the railway zone, so that the total withdrawal may be effected before the date fixed for the next meeting of the Council.

b) Calls upon the Chinese Government, in execution of its general pledge to assume the responsibility for the safety and lives of all Japanese subjects resident in Manchuria, to make such arrangements for taking over the territory thus evacuated as will ensure the safety of the lives and property of Japanese subjects there, and requests the Chinese Government to associate with the Chinese authorities designated for the above purpose representatives of other Powers in order that such representatives may follow the execution of the arrangements;

(5) Recommends that the Chinese and Japanese Governments should immediately appoint representatives to arrange the details of the execution of all points relating to the evacuation and the taking over of the evacuated territory so that they may proceed smoothly and without delay;

(6) Recommends the Chinese and Japanese Governments as soon as the evacuation is completed, to begin direct negotiations on questions outstanding between them, and in particular those arising out of recent incidents as well as those relating to existing difficulties due to the railway situation in Manchuria. For this purpose the Council suggests that the two Parties should set up a conciliation committee or some such permanent machinery;

(7) Decides to adjourn till November 16th, at which date it will again examine the situation, but authorises its President to convoke a meeting at any earlier date should it in his opinion be desirable.

RESOLUTION OF THE LEAGUE COUNCIL,
OCTOBER 24TH, 1931.

The Council, in pursuance of the Resolution passed on September 30th, and noting that in addition to the invocation by the Government of China, of Article 11 of the Covenant, Article 2 of the Pact of Paris has also been invoked by a number of Governments,

(1) Recalls the undertakings given to the Council by the Governments of China and Japan in that Resolution, and in particular the statement of the Japanese Representative that the Japanese Government would continue as rapidly as possible the withdrawal of its troops into railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured, and the statement of the Chinese Representative that his Government will assume the responsibility for the safety of the lives and property of Japanese nationals outside that zone—a pledge which implies the effective protection of Japanese subjects residing in Manchuria;

(2) Recalls further that both Governments have given the assurance that they would refrain from any measures which might aggravate the existing situation, and are therefore bound not to resort to any aggressive policy or action and to take measures to suppress hostile agitation;

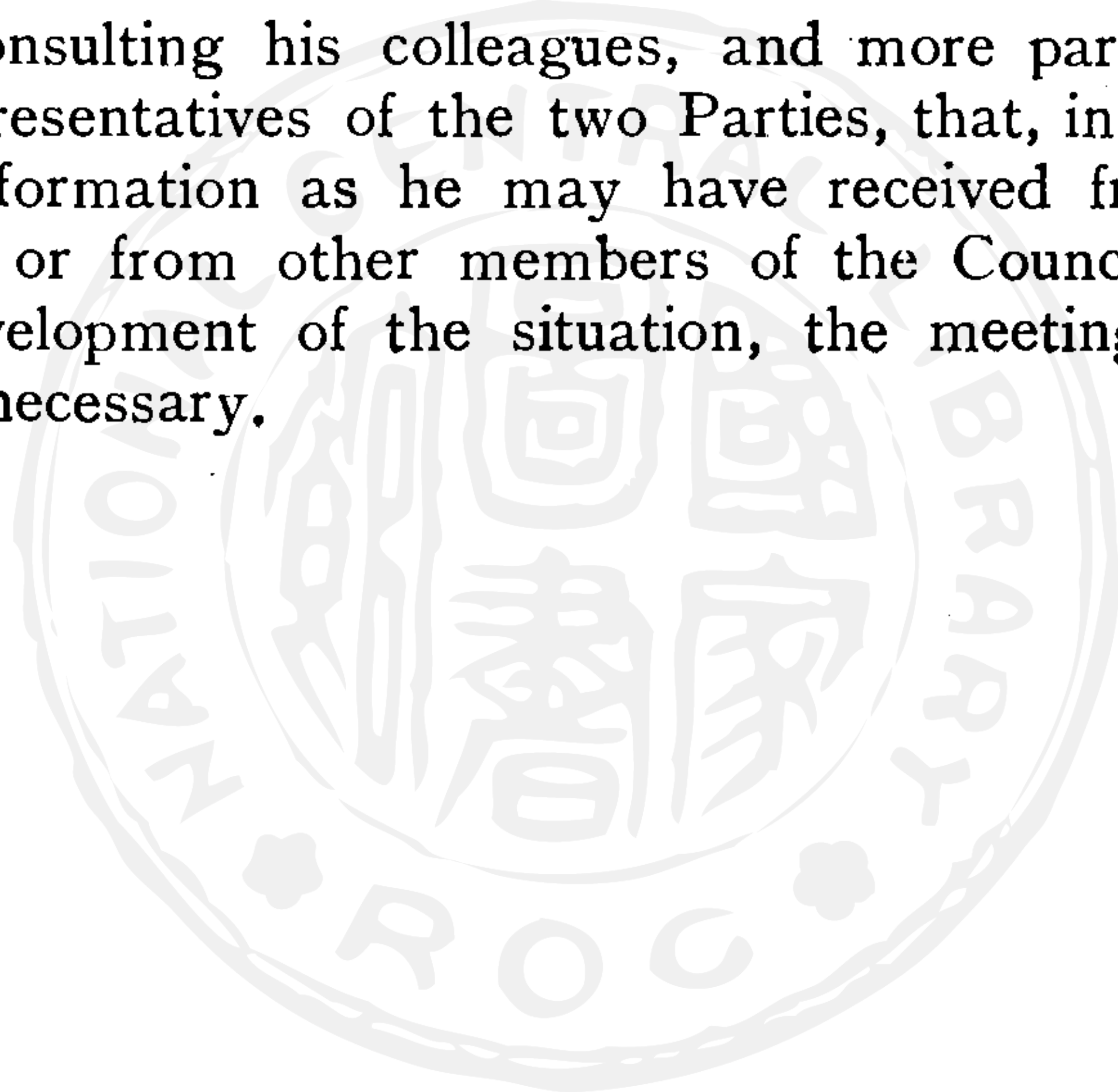
(3) Recalls the Japanese statement that Japan has no territorial designs in Manchuria, and notes that this statement is in accordance with the terms of the Covenant of the League of Nations and of the Nine Power Treaty, the signatories of which are pledged “to respect the sovereignty, the independence, and the territorial and administrative integrity of China”;

(4) Being convinced that the fulfilment of these assurances and undertakings is essential for the restoration of normal relations between the two Parties;

(7) Requests both Parties to furnish the Council at frequent intervals with full information as to the development of the situation;

(8) Decides, in the absence of any unforeseen occurrence which might render an immediate meeting essential, to meet again at Geneva on Wednesday, October 14th, 1931, to consider the situation as it then stands;

(9) Authorises its President to cancel the meeting of the Council fixed for October 14th should he decide, after consulting his colleagues, and more particularly the representatives of the two Parties, that, in view of such information as he may have received from the Parties or from other members of the Council as to the development of the situation, the meeting is no longer necessary.



RESOLUTION ADOPTED BY THE LEAGUE
COUNCIL, SEPTEMBER 30TH, 1931.

The Council,

(1) Notes the replies of the Chinese and Japanese Governments to the urgent appeal addressed to them by its President and the steps that have already been taken in response to that appeal;

(2) Recognises the importance of the Japanese Government's statement that it has no territorial designs in Manchuria;

(3) Notes the Japanese representative's statement that his Government will continue, as rapidly as possible, the withdrawal of its troops, which has already been begun, into the railway zone in proportion as the safety of the lives and property of Japanese nationals is effectively assured and that it hopes to carry out this intention in full as speedily as may be;

(4) Notes the Chinese representative's statement that his Government will assume responsibility for the safety of the lives and property of Japanese nationals outside that zone as the withdrawal of the Japanese troops continues and the Chinese local authorities and police forces are re-established;

(5) Being convinced that both Governments are anxious to avoid taking any action which might disturb the peace and good understanding between the two nations, notes that the Chinese and Japanese representatives have given assurances that their respective Governments will take all necessary steps to prevent any extensions of the scope of the incident or any aggravation of the situation;

(6) Requests both Parties to do all in their power to hasten the restoration of normal relations between them and for that purpose to continue and speedily complete the execution of the above-mentioned undertakings;

CONTENTS

1. Resolution Adopted by the League Council, September 30th, 1931.
2. Resolution of the League Council, October 24th, 1931.
3. Resolution Adopted by the League Council, December 10th, 1931.
4. Statement Made by M. Briand, President of the League Council, at its Public Meeting, December 10th, 1931.
5. Part of Statement Made by Mr. Yoshizawa, Japanese Delegate to the League Council, at its Public Meeting, December 10th, 1931.
6. Statement Made by Dr. Sao-ke Alfred Sze, Chinese Delegate to the League Council, at its Public Meeting, December 10th, 1931.
7. Letter from the Chinese Government to the Secretary-General, Submitting its Appeal to the League Council under Articles 10 and 15 of the Covenant. Geneva, January 29th, 1932.
8. Letter from the Chinese Representative to the Secretary-General, Requesting that the Dispute be Referred to the Assembly. Geneva, February 12th, 1932.
9. Resolution Adopted by the League Council, February 9th, 1932.
10. Statement Made by the President of the League Council, at its Public Meeting, February 29th, 1932.
11. Statement Made by Japanese Delegate to the League Council, at its Ordinary Session, February 29th, 1932.
12. Resolution Adopted by the League Assembly, March 4th, 1932.
13. Statement Made by Dr. W. W. Yen, Chinese Delegate to the League Assembly, at its Public Meeting, March 4th, 1932.
14. Resolution Adopted by the League Assembly, March 11th, 1932.
15. Resolution Adopted by the League Assembly, April 30th, 1932.
16. Resolution Adopted by the League Assembly, February 24th, 1933.

國家圖書館



003716507



3. 146
64-2

籍