



CONFERENCE
ON THE
IMITATION OF ARMAMENT
HELD AT
WASHINGTON

NOVEMBER 12, 1921, TO FEBRUARY 6, 1922

REPORT OF THE CANADIAN DELEGATE

including

TREATIES AND RESOLUTIONS



JX
1974
.5
A6C22
1922
c.1
ROBARTS

OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

22—Price 15 cents.



Presented to the
LIBRARIES of the
UNIVERSITY OF TORONTO
from
the estate of
Harold I. Nelson

CONFERENCE
ON THE
LIMITATION OF ARMAMENT

HELD AT
WASHINGTON

NOVEMBER 12, 1921, TO FEBRUARY 6, 1922

REPORT OF THE CANADIAN DELEGATE

including

TREATIES AND RESOLUTIONS



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1922

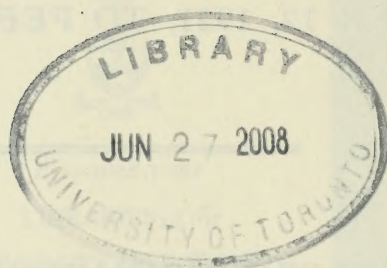


TABLE OF CONTENTS

(The figures in brackets refer to the numbered paragraphs of the Report)

REPORT	PAGE.
Genesis of the Conference (2).....	7
Invitations (3-4).....	7
The Delegates (5).....	8
Canadian Staff (6).....	9
Opening Session (7).....	9
Procedure (8).....	9
Committees (8b).....	9
Sub-Committees (8c).....	10
Informal Conversations (8d).....	10
Plenary Sessions (8e).....	10
Official languages (8f).....	11
Publicity (9).....	11
Agenda (10).....	11
Treaties and Resolutions (11).....	12
Quadruple Pacific Treaty.....	12
Not discussed by Conference (12).....	12
Anglo-Japanese Alliance (13-14).....	12
Negotiation of Quadruple Pacific Treaty (15).....	13
Effect of the Treaty (16).....	13
Supplementary Declaration (17).....	14
Mandated Islands within the Treaty (17b).....	14
Proviso (17c).....	14
Domestic questions excluded (17d).....	14
Supplementary Agreement: Main Islands of Japan excluded (18).....	15
The Netherlands and Portugal: Exchange of Notes (19).....	15
Statements by the Delegations on the Treaty (20).....	15
Treaty for the Limitation of Naval Armament.....	15
Past efforts and present conditions (21).....	15
American Proposal (22).....	16
General considerations (23).....	16
Principles (24).....	17
Proposal (25).....	17
Negotiation of Treaty (26).....	17
The Treaty (27).....	18
Capital ships—definition (28).....	18
Building programmes abandoned (29).....	18
Ships retained (30).....	18
Ships scrapped (31).....	19
Rules for scrapping (32).....	19
Replacement (33).....	19
Naval construction holiday (34).....	19
Size and guns (35).....	20
Aircraft carriers (36).....	20
Cruisers (37).....	20
Guarantee provisions (38).....	20
Pacific fortifications: <i>status quo</i> (39).....	20
Future Conferences (40).....	21
Duration of the Treaty (41).....	21
Attitude of British Empire Delegation (42).....	21
Cruisers, destroyers, submarines, etc. (43).....	22
Proposed abolition of submarines (44).....	22
Application of Treaty to Dominion Navies (45).....	23
Imperial co-operation (46).....	24
Treaty to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals (47).....	24
Existing rules of submarine warfare declared (48).....	24
New rule: Commerce destruction prohibited (49).....	24
Enforcement of penalties (50).....	25
Legislation required (51).....	25
Statement by Canadian Delegate (52).....	25
Poisonous gases, etc. (53).....	25
Statement by Mr. Root reporting the Treaty (54).....	26
Aircraft: no limitation (55).....	26

	PAGE
Commission on laws of war (56)	26
Limitation of Land Armament	26
Statements by the Delegations (57)	26
Pacific and Far Eastern Questions	28
Scope of discussions (58)	28
Conditions in China (59)	28
Statement by Canadian Delegate (60)	28
Statement by Mr. Balfour (61)	30
Far Eastern Agenda (62)	31
Far Eastern Treaty (63)	31
General Principles (64)	31
"Open Door" and Spheres of Influence (65)	31
Chinese railways: discriminations (66)	32
Chinese neutrality (67)	32
Frank communication between the Powers (68)	32
Adhesions to the Treaty (69)	32
Effect of Treaty (70)	32
Chinese Customs Tariff Treaty	32
Chinese desiderata (71)	32
Elements of the question (72)	33
Unanimity necessary (73)	34
The Treaty (74)	34
Immediate revision (75)	34
Special Conference (76)	34
Future revisions (77)	34
Abolition of land rebate (78)	34
Adhesions to Treaty (79)	34
Chinese Declaration-Customs administration (80)	35
Effect of the Treaty (81)	35
Statement by Senator Underwood reporting Treaty to the Conference (82)	35
Shantung Treaty	35
Status of Shantung question (83)	35
Sino-Japanese negotiations at Washington (84)	35
The Treaty (85-6)	36
Wei-hai Wei and other leased territories (87)	36
Resolutions of the Conference (88)	37
Board of Reference in China (89)	37
Extraterritoriality (90)	37
Foreign Post Offices in China (91)	38
Foreign armed forces (92)	38
Wireless stations in China (93)	39
Unification of railways (94)	39
Reduction of Chinese military forces (95)	39
Status of existing commitments concerning China (96)	39
Sino-Japanese Treaties of 1915 ("Twenty-one Demands")—Spheres of Influence or Interest (97)	40
Natural resources of China—"Special Interests" and "Open Door" (98)	40
Chinese Eastern Railway (99)	40
Siberia (100)	41
Northern Saghalien (101)	41
Japanese, American and French statements (102)	42
Mandated Islands (103)	42
Electrical communications in the Pacific (104)	42
Dominion representation in the British Empire Delegation	42
Canadian appointment (105)	42
Full—Power (106)	43
Form of Treaties (107)	43
Ratification (108)	43
Conference records (109)	44
British Empire Delegation (110)	44
Secretariat of British Empire Delegation (111)	44
Effect of Delegation arrangements (112-3)	45
Invitation to the Conference (114)	45
Closing addresses by Mr. Balfour and the President of the United States (115)	46
Conclusion (116)	46

SESSIONAL PAPER No. 47

APPENDICES

	PAGE
Appendix No. 1.—I. Invitation to the Conference from the President of the United States to the Government of Great Britain.. . . .	49
II. Note from Secretary of State for Foreign Affairs accepting invitation.. . . .	50
Appendix No. 2.—Extract from Proceedings of Conference of Prime Ministers and Representatives of the United Kingdom, the Dominions and India, 1921.. . . .	51
Appendix No. 3.—British Note to the Government of The Netherlands with regard to the Quadruple Pacific Treaty and the rights of The Netherlands.. . . .	53
Appendix No. 4.—Statements on behalf of the Delegations on the communication of the Quadruple Pacific Treaty to the Conference.. . . .	54
Appendix No. 5.—I. Statement by Mr. Hughes at the opening Plenary Session, announcing the Proposal of the United States for a Limitation of Naval Armament.. . . .	63
II. The Proposal of the United States for a Limitation of Naval Armament.. . . .	69
Appendix No. 6.—Statement by Mr. Balfour on the Proposal of the United States for a Limitation of Naval Armament, at the second Plenary Session.. . . .	75
Appendix No. 7.—Statement by Mr. Hughes, reporting to the Conference the Treaty for the Limitation of Naval Armament.. . . .	79
Appendix No. 8.—Statement by Sir Robert Borden on the Resolutions relating to the protection of neutrals and non-combatants at sea in time of war.. . . .	88
Appendix No. 9.—Statement by Mr. Root, reporting to the Conference the Treaty to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals.. . . .	89
Appendix No. 10.—The Limitation of Land Armament—Proceedings of the third Plenary Session.. . . .	91
Appendix No. 11.—Chinese statement proposing general principles to be applied in the determination of questions relating to China.. . . .	104
Appendix No. 12.—Statement by Senator Underwood, reporting to the Conference the Chinese Customs Tariff Treaty.. . . .	106
Appendix No. 13.—Articles of the Shantung Treaty between China and Japan, together with statement of related understandings.. . . .	111
Appendix No. 14.—I. Leased Territories in China—Statements on behalf of the Chinese, French, Japanese and British Empire Delegations.. . . .	118
II. Wei-hai Wei—Statement by Mr. Balfour.. . . .	124
Appendix No. 15.—The Sino-Japanese Treaties and Notes of 1915 or the so-called "Twenty-one Demands"—Statements by the Japanese, Chinese and American Delegations.. . . .	126
Appendix No. 16.—Statements by the Japanese and Chinese Delegations relating to the opening up of the natural resources of China.. . . .	132
Appendix No. 17.—Siberia—Statements by the Japanese, American and French Delegations.. . . .	136
Appendix No. 18.—Documents relative to Dominion Representation in the British Empire Delegation at the Washington Conference on the Limitation of Armament.. . . .	143
I. Minute of Council appointing representative of Canada.. . . .	143
II. Order in Council authorizing issuance of Full-Power to representative of Canada.. . . .	143
III. Full-Power issued to representative of Canada.. . . .	144
IV. Correspondence relating to the deposit of the Full-Powers.. . . .	145
V. Official List of British Empire Delegation and Staff.. . . .	146
Appendix No. 19.—Statement by Mr. Balfour at the sixth Plenary Session, surveying results of the Conference.. . . .	149
Appendix No. 20.—Address by the President of the United States at the final Session of the Conference.. . . .	153
Appendix No. 21.—Treaties and Resolutions.. . . .	156

TREATIES

	PAGE
I. Treaty between the United States of America, the British Empire, France, Italy and Japan, for the limitation of naval armament, signed February 6, 1922....	158
II. Treaty between the United States of America, the British Empire, France, Italy and Japan, to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals, signed February 6, 1922.	188
III. Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, to stabilize conditions in the Far East, signed February 6, 1922. (Far Eastern Treaty)...	193
IV. Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, relating to the Chinese customs tariff, signed February 6, 1922....	200
V. Treaty between the United States of America, the British Empire, France, and Japan, for the preservation of the general peace and the maintenance of their rights in the region of the Pacific Ocean, signed December 13, 1921. (Quadruple Pacific Treaty)....	208
VI. Declaration by the United States of America, the British Empire, France, and Japan, signed December 13, 1921, accompanying the above-mentioned Quadruple Pacific Treaty of December 13, 1921....	212
VII. Agreement between the United States of America, the British Empire, France, and Japan, signed February 6, 1922, supplementary to the above-mentioned Quadruple Pacific Treaty of December 13, 1921....	213

RESOLUTIONS

I. Resolution to constitute a Commission to consider the rules of international law respecting new agencies of warfare, adopted February 4, 1922....	214
II. Resolution to exclude the said Commission from reviewing the rules already adopted by the Conference relating to submarines or the use of noxious gases and chemicals, adopted February 4, 1922....	214
III. Resolution to establish in China a Board of Reference in connection with the execution of the Far Eastern Treaty, adopted February 4, 1922....	215
IV. Resolution to establish a Commission to inquire into the present practice of extra-territorial jurisdiction and the administration of justice in China, with a supplementary Declaration by China, adopted December 10, 1921....	215
V. Resolution to provide for the abandonment of foreign postal agencies in China, adopted February 1, 1922....	217
VI. Resolution to provide for an inquiry by the diplomatic representatives of the Powers in China concerning the presence of foreign armed forces, adopted February 1, 1922....	217
VII. Resolution to limit the use and maintenance of foreign radio stations in China, with supplementary Declarations by the Powers other than China and by China, adopted February 1, 1922....	218
VIII. Resolution relating to the unification of railways in China, with a supplementary Declaration by China, adopted February 1, 1922....	219
IX. Resolution relating to the reduction of Chinese military forces and expenditures, adopted February 1, 1922....	220
X. Resolution to provide for full publicity with respect to the political and other international obligations of China and of the several Powers in relation to China, adopted February 1, 1922....	220
XI. Resolution relating to the preservation of the Chinese Eastern Railway, adopted February 4, 1922....	221
XII. Resolution relating to the responsibility of China towards the foreign stockholders, bondholders, and creditors of the Chinese Eastern Railway Company, adopted (by the Powers other than China) February 4, 1922....	222

CONFERENCE ON THE LIMITATION OF ARMAMENT

HELD AT

WASHINGTON

FROM NOVEMBER 12, 1921, TO FEBRUARY 6, 1922

REPORT OF THE RIGHT HON. SIR ROBERT BORDEN, G.C.M.G., K.C.,
CANADIAN DELEGATE

OTTAWA, March 15, 1922.

SIR,—I have the honour to submit the following report on the proceedings of the Conference on the Limitation of Armament, held at Washington from November 12, 1921, to February 6, 1922, which I attended as the Delegate for Canada.

Genesis of the Conference.

2. It will be recalled that the first steps looking to the Conference were taken during the summer of last year. In the early part of July, 1921, the Government of the United States addressed informal inquiries to the British Empire, France, Italy and Japan (that is, the Powers lately known, together with the United States, as the Principal Allied and Associated Powers), to ascertain whether they would participate in a Conference at Washington on a date to be agreed upon for the purpose of considering what measures might be taken in common to bring about an all around reduction in naval and if possible, in other armaments. The inquiry also suggested that, since the success of any effort to limit armaments would in all probability depend upon the removal of existing causes of misunderstanding, the Powers interested should undertake in connection with the Conference, an examination of the outstanding political problems of an international character relating to the Pacific and the Far East, with a view to reaching a common understanding on the policies to be pursued there. As a result of these inquiries the President of the United States on July 10th last announced that he proposed to summon such a Conference to meet in Washington on Armistice Day.

Invitations.

3. Accordingly on August 11th the Government of the United States addressed formal invitations to the Governments of Great Britain, France, Italy and Japan to attend a Conference on the Limitation of Armament to be held in Washington on November 11th, 1921. The texts of the invitation to the Government of Great Britain and of their acceptance are appended hereto (Appendix No. 1, page 49).

4. Invitations were also extended to China, Belgium, The Netherlands and Portugal, asking them to participate in the discussions on Pacific and Far Eastern questions to be held in connection with the Conference. Among the Powers having generally recognized governments the three last named are specially interested in the Pacific and Far East; while of course practically all the questions under this aspect were of direct concern to China.

The Delegates.

5. The Powers participating in the Conference were represented by Plenipotentiary Delegates as follows:

FOR THE UNITED STATES OF AMERICA:

The Honourable Charles Evans Hughes, Secretary of State.
The Honourable Henry Cabot Lodge, Senator.
The Honourable Oscar W. Underwood, Senator.
The Honourable Elihu Root.

FOR BELGIUM:

Baron de Cartier, Belgian Ambassador to the United States.

FOR THE BRITISH EMPIRE:

The Right Honourable A. J. Balfour, O.M., M.P. Lord President of the Council.
The Right Honourable Lord Lee of Fareham, G.B.E., K.C.B., First Lord of the Admiralty.
The Right Honourable Sir Auckland Geddes, K.C.B., British Ambassador to the United States.

Canada—

The Right Honourable Sir Robert Borden, G.C.M.G., K.C.

Australia—

Senator the Right Honourable G. F. Pearce, Australian Minister for Defense.

New Zealand—

The Honourable Sir John Salmond, Judge of the Supreme Court of New Zealand.

India—

The Right Honourable Srinivasa Sastri, member of the Indian Council of State.

FOR CHINA:

Mr. Sao-Ke Alfred Sze, Chinese Minister to the United States.
Mr. V. K. Wellington Koo, Chinese Minister to the Court of St. James.
Mr. Chung-Hui Wang, Chief Justice of the Supreme Court of China.

FOR FRANCE:

M. Aristide Briand, President of the Council, Minister for Foreign Affairs.
M. René Viviani, Deputy, Former President of the Council.
M. Albert Sarraut, Senator, Minister of Colonies.
M. Jules Jusserand, French Ambassador to the United States.

FOR ITALY:

Signor Carlo Schanzer, Senator.
Signor Vittorio Rolandi-Ricci, Senator, Italian Ambassador to the United States.
Signor Luigi Albertini, Senator.

SESSIONAL PAPER No. 47

FOR JAPAN:

Baron Tomosaburo Kato, Minister of the Navy.

Baron Kijuro Shidehara, Japanese Ambassador to the United States.

Prince Iyesato Tokugawa, President of the House of Peers.

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs.

FOR THE NETHERLANDS:

Jonkheer H. A. van Karnebeek, Minister for Foreign Affairs.

Jonkheer F. Beelaerts van Blokland, Chief of the Political Division of the Ministry for Foreign Affairs.

Dr. E. Moresco, Vice President of the Council of The Netherlands East Indies.

Dr. J. C. A. Everwijn, Netherlands Minister to the United States.

Jonkheer W. H. de Beaufort.

FOR PORTUGAL:

Viscount d'Alte, Portuguese Minister to the United States.

Captain E. de Vasconcellos.

Canadian Staff.

6. I was accompanied by Mr. Loring C. Christie, Legal Adviser of the Department of External Affairs, who assisted me in the capacity of a Technical Adviser and who also acted as Secretary for Canada in the Secretariat of the British Empire Delegation. I was also assisted by Mr. Arthur W. Merriam, of the Department of External Affairs, who acted as my Private Secretary.

Opening Session.

7. The Conference met in Plenary Session in the Memorial Continental Hall at Washington on November 12, 1921, the date of the first session having been postponed for one day to permit the Delegates to attend the impressive ceremonies upon the burial of the Unknown American Soldier at Arlington Cemetery on Armistice Day.

Procedure.

8. (a) The proceedings of the Conference having been opened with prayer, the President of the United States then delivered an address welcoming the Delegates and expressing his strong faith in the spirit in which he felt the Conference would undertake its labours and in the results that it would accomplish. Thereupon the meeting elected Mr. Hughes, the Secretary of State of the United States, as Chairman of the Conference and of each Committee of which he should be a member. Mr. John W. Garrett, of Baltimore, Maryland, was elected Secretary General of the Conference.

Committees.

(b) Two Committees on Programme and Procedure were immediately appointed to suggest a method of organization and procedure for the Conference in respect of its two main branches, that is (1) Limitation of Armament, and (2) Pacific and Far Eastern Questions; the first Committee consisting of the Heads of Delegations of the five Principal Powers, while the second was composed of the Heads of Delegations of all the nine Powers. As a result of the deliberations of these Committees it was decided to set up two main Committees of the Conference

corresponding to the two main divisions of the agenda just indicated. These two Committees were accordingly constituted as follows:—

(1) The Committee on Limitation of Armament, consisting of all the Plenipotentiary Delegates of the five Powers—the United States, the British Empire, France, Italy, and Japan.

(2) The Committee on Pacific and Far Eastern Questions, consisting of all the Plenipotentiary Delegates of the nine Powers—the United States, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal.

This procedure may be regarded as an adaptation to the Conference of the parliamentary device of a Committee of the Whole House. The two Committees thus constituted proceeded at once to their labours. So far as it was feasible any Delegation raising a question in Committee was expected to circulate to the other Delegations concerned, at least a day in advance of the meeting, the draft of its proposed Resolution with any explanatory memoranda. The conclusions of the Committees were embodied in formal Resolutions as each question was disposed of.

Sub-Committees.

(c) Whenever it became necessary or convenient for the solution of any given question, either Committee, after what may be described as a second reading discussion, would remit the question to a Sub-Committee to examine it in detail and draft a Resolution for report to the main Committee, thus securing the advantages of expedition and clarity that follow from deliberations confined to small numbers. To assist the Committee on Pacific and Far Eastern Questions a standing Drafting Committee was set up, composed of one Delegate from each Power, with the right of substitution and of bringing such expert assistance as might be required.

Informal Conversations.

(d) But the work of the Conference was not confined to formal proceedings in Committee. Naturally, as in the case of all public bodies, many valuable and fruitful results flowed from the informal conversations and discussions that in the ordinary course took place among the Delegates; while it frequently was found expedient to resort deliberately to this procedure when the more rigid method of formal meetings seemed calculated to frustrate or delay agreement. Some of the most useful results of the Conference were due to such informal discussions.

Plenary Sessions.

(e) The conclusions and Resolutions reached in Committee were reported from time to time to the Conference in Plenary Session for formal adoption. Of the Resolutions thus adopted some, as will be seen, were finally embodied by the draftsmen in treaty form; while the texts of the remainder, in view of their subjects and of the character of the action to be taken, stand as the sufficient formal expression of the agreement of the Powers on these subjects. From first to last seven Plenary Sessions were held, all of them in public. The last Plenary Session, held on February 6, 1922, which was made the occasion for the formal signature of the Treaties agreed upon and for an eloquent closing address by the President of the United States, became an appropriate epilogue to the transactions of the Conference. While, however, these Sessions afforded a fitting method for announcing the results of the Conference, yet they were never the occasion for any real debate. The Conference in Plenary Session was in no sense a deliberative body; its real function was simply to register in a formal way the conclusions already reached in Committee, though it did also afford a forum for formal or explanatory statements by the various Delegations

SESSIONAL PAPER No. 47

Official languages.

(f) The official languages of the Conference were French and English, and in the Treaties and Resolutions both texts are authoritative.

Publicity.

9. At the outset the Conference was confronted with the constantly recurring problem of publicity. On this occasion its pressure was enhanced by the presence of a great array of distinguished journalists from all parts of the world, including not only the regular correspondents of the leading newspapers of the world, but also a large number of well known editors and publicists specially commissioned by various newspapers, individually and in syndicate, to observe and interpret for their readers the progress of the Conference. At the Plenary Sessions, all held in public, every facility was afforded to the activities of the press; but only seven such Sessions were held, and while they were useful for a formal and comprehensive survey of the results from time to time, yet in view of their nature (see paragraph 8e above) they could not afford continuous material for an adequate picture of the work of the Conference, or for what is regarded by the press and public as news. Accordingly it became necessary to provide other means. The Committee meetings were necessarily held in private, not merely because undue or premature publicity would frequently have imperilled delicate negotiations, but also because the presence of the public and the press in the Committee room would have completely changed the character of the proceedings. Instead of an intimate, business-like meeting of negotiators prepared for the prompt and efficient despatch of the affairs at hand, the Committee would have become a debating forum, governed by entirely different considerations; and if any useful results at all had been achieved in such conditions it is certain that they would have been very greatly delayed. In these circumstances the difficulty was solved by the method of giving to the press at the end of each main Committee meeting an agreed official communiqué, reporting as fully as possible the proceedings and the conclusions reached. Full minutes of each Committee meeting were also kept, and in practice the press communiqués were frequently as full as the minutes. The minutes themselves of the two main Committees are being published with the other records of the Conference and will be available for examination. In addition each Delegation was entitled to make its own arrangements for meeting representatives of the press, subject to an understanding that no Delegation should give out information respecting the proceedings of any Committee meeting beyond that contained in the authorized press communiqué.

Agenda.

10. Before the Conference met the American Government had prepared and submitted to the other Powers a list of headings intended to serve as tentative suggestions for the agenda of the Conference. It was as follows:

Limitation of Armament.

One. Limitation of Naval Armament, under which shall be discussed

- (a) Basis of limitation.
- (b) Extent.
- (c) Fulfillment.

Two. Rules for control of new agencies of warfare.

Three. Limitation of Land Armament.

Pacific and Far Eastern Questions.

One. Questions relating to China.

First: Principles to be applied.

Second: Application.

Subjects: (a) Territorial integrity.

(b) Administrative integrity.

(c) Open door—Equality of commercial and industrial opportunity.

(d) Concessions, monopolies, or preferential economic privileges.

(e) Development of railways, including plans relating to Chinese Eastern Railway.

(f) Preferential railroad rates.

(g) Status of existing commitments.

Two. Siberia.

(similar headings).

Three. Mandated Islands.

(unless questions earlier settled).

Electrical Communications in the Pacific.

The proposal was never actually adopted as the formal agenda of the Conference, but in the event the discussions were largely directed along the lines thus indicated, and for practical purposes this document came to be regarded as the informal agenda.

Treaties and Resolutions.

11. The texts of the Treaties concluded by the Conference, or concluded during the Conference and formally communicated thereto by the Powers concerned, are set out in a final Appendix to this report. It was found unnecessary to embody in treaty form the conclusions reached on a number of other subjects; in these cases therefore the texts of the Resolutions as finally adopted by the Conference in Plenary Session were allowed to stand as the formal expression of the agreement of the Powers. The Resolutions so treated are included in the same Appendix (See Appendix No. 21, page 156). The French and English texts of the Treaties are given as both are authoritative. The authoritative French texts of the Resolutions have not yet reached me. In addition to the Treaties enumerated in the Appendix there were also concluded while the Conference was in session a Treaty between China and Japan for the settlement of outstanding questions relative to Shantung, and a Treaty between the United States and Japan with respect to the Island of Yap and the other mandated islands in the Pacific Ocean north of the Equator.

THE QUADRUPLE PACIFIC TREATY

Not discussed by Conference.

12. Before dealing with the work of the Conference proper it will be convenient to take up a matter that was not included in the agenda and was not strictly speaking discussed by the Conference; although the result in its intimate and inseparable relation to the fundamental aims and the conclusions of the Conference itself is of the greatest significance. I allude to the Quadruple Pacific Treaty.

Anglo-Japanese Alliance.

13. Before the Conference began it was recognized that disturbing questions were arising in the Pacific which might profoundly influence the future of international relations. Equally it was realized that the imminence of these questions must seriously impair the success of any proposal for the limitation of armaments unless distrust and apprehension could be removed by clearer understanding through

SESSIONAL PAPER No. 47

peaceful co-operation. Among the factors that had to be taken into account was the Anglo-Japanese Alliance, which had brought into intimate relation and co-operation two great nations of the East and of the West. This Alliance was not aggressive in its purpose but rather had been intended to restrain aggressive purposes of the Governments of Germany and Russia as formerly constituted. For the time being those Powers had ceased to exercise an important influence upon the situation. On the other hand the United States had developed a great and increasing interest, both moral and material, in all that concerned the future of the Pacific regions. In summoning the Conference the Government of that country had made apparent its desire to join whole-heartedly in international co-operation to assure the peace and welfare of those regions. From the standpoint of the British Empire the situation is presented in the accompanying extract from the published proceedings of the Conference of Prime Ministers in 1921 which embodies a public statement by the Prime Minister of Great Britain. (See Appendix No. 2, page 51).

14. Both parties to the Alliance had recognized that its provisions might be inconsistent with the letter and spirit of the Covenant of the League of Nations to which both were committed, and steps to cure any such inconsistency were already in the course of being taken. In the new conditions that arose after the recent war there were grave doubts as to the wisdom or expediency of military alliances of the conventional cast; many felt that such groupings might tend to inspire competitive groupings and so defeat their own avowed object of preserving the peace. For the Pacific and Far East, as for other regions, it was evident that international co-operation was more to be desired than international competition.

Negotiation of Quadruple Pacific Treaty.

15. France as a great naval power possessing large interests in the Pacific region had the right to be consulted in reference to so important a question. The subject in all its aspects was discussed in the British Empire Delegation during the early weeks of the Conference. Informal conversations took place between the Heads of the four Delegations concerned. Strictly speaking these conversations were not directly concerned with the work of the Conference, although they necessarily exercised an important influence upon its results. In the end a full understanding was reached; and at the Plenary Session of December 10, 1921, it was announced by Senator Lodge of the American Delegation that the terms of a Treaty had been agreed upon between the United States of America, the British Empire, France, and Japan, "with a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean." The Treaty was signed on December 13, 1921, at the office of the Secretary of State of the United States (See Appendix No. 21, page 208).

Effect of the Treaty.

16. The Treaty is simple in structure, and the intent and effect are as plain as the instrument is simple. The Parties, it will be observed, are those chief naval powers that have island possessions in the Pacific Ocean. Each agrees to respect the rights of the others in relation to these possessions. Should there develop in the future between any of the Parties a controversy, arising from a Pacific question and involving these rights, that is not settled by diplomacy and seems likely to affect their existing harmonious accord, there shall be a joint conference of all the Parties to consider and adjust the whole question (Article I). Or if the rights so described are threatened by the aggressive action of any other Power, the Parties agree to consult together fully and frankly in order to reach an understanding respecting the situation. (Article II.) The Treaty in any case is to exist for ten years, and thereafter it is to continue in force unless any of the Parties shall have denounced it, though in this case twelve months' notice is necessary (Article III). Upon its rati-

12 GEORGE V, A. 1922

nification the Anglo-Japanese Alliance comes to an end (Article IV). Thus the Treaty does not constitute what is known as an alliance; it imposes no military or warlike obligations. Beyond the obligation to respect each other's rights, an obligation which in any event is implicit in membership of the family of civilized nations, there is simply the obligation to confer when international relations in these regions become strained or threatening; in short the Powers will not resort to war without first endeavouring to settle their difficulties by peaceably meeting together. The principle and device here employed are no more nor less than what has been embodied in a very large number of conciliation and arbitration treaties of recent years, with the added advantage of a broader basis of adherence. The design and effect are to enlist the conference method of diplomacy as a means of settling international disputes; to give public opinion in the countries concerned and throughout the world time within which to face the issues and consequences and so to make known its reasoned attitude; to promote international co-operation rather than to risk international rivalry in this portion of the world; and, finally, in the face of threatened aggressive action by any other Power, to take counsel with each other as to the particular situation.

Supplementary Declaration.

17. (a) To accompany this Treaty there was signed on the same day, December 13, 1921, between the same Powers a supplementary Declaration (See Appendix No. 21 page 212).

Mandated Islands within the Treaty.

(b) The Declaration provides first of all that the Treaty shall apply to the Mandated Islands in the Pacific Ocean. That is to say, the former German Islands, of which those north of the Equator are held by Japan under a Mandate with responsibility to the League of Nations, and those south of the Equator by Great Britain, Australia, and New Zealand under similar Mandates, are assimilated for the purposes of this Treaty to the other islands in the Pacific held by these countries in unfettered sovereignty.

Proviso.

(c) There follows a proviso. Since the United States has not participated in the Treaty of Versailles and in the various consequential arrangements among the Powers that flowed from that Treaty, she has found it necessary, in order to settle the outstanding questions between herself as one of the Principal Allied and Associated Powers (to whom the former German overseas possessions were ceded) and the other Powers concerned, to take up such questions individually with these other Powers. The purpose of the proviso is to remove any prejudice to the continuation of such negotiations that might have been thought to arise from the signature of the Quadruple Pacific Treaty. In respect of the Islands north of the Equator held by Japan under Mandate it is understood that the outstanding questions between the United States and Japan have already been settled as a consequence of the Treaty, concluded between them during the Conference, relating to the Island of Yap. As for the questions relating to the Islands south of the Equator still outstanding between the United States and Great Britain, Australia, and New Zealand, it is understood that the negotiations will continue at convenience.

Domestic questions excluded.

(d) Finally it is declared that the controversies referred to in Article I of the Quadruple Treaty shall not be taken to embrace questions which under international law lie exclusively within the domestic jurisdiction of the respective Powers; a provision intended to exclude such questions as those relating to immigration and tariff matters, which are regarded as of a domestic character so far as they are not affected by existing Treaties. It will be recalled that a similar provision was inserted in Article 15 of the Covenant of the League of Nations.

SESSIONAL PAPER No. 47

Supplementary Agreement; Main Islands of Japan excluded.

18. After the signature of the Quadruple Pacific Treaty questions arose as to the inclusion, according to the original intention, of the main Islands of Japan within the scope of the Treaty. From the public discussion that was precipitated, both in the United States and in Japan, it became apparent that sentiment in both countries would prefer the exclusion of these Islands. Since the other Parties to the Treaty had no objection to this course, a supplementary Agreement was drawn up for the purpose and signed by the four Powers on February 6, 1922 (See Appendix No. 21, page 213). The exclusion of the main Islands of Japan is effected not expressly but indirectly by means of the specific designation of the Japanese Islands in the Pacific to which alone the Quadruple Treaty is to apply. The supplementary Agreement is of the same force and effect as the main Quadruple Treaty itself and is subject to final ratification as well as to the reservation contained in the Declaration of December 13, 1921. While technically the Quadruple Pacific Treaty is carefully designed to apply only to the Islands in the Pacific and is further limited in this respect by the supplementary Agreement, it may be doubted whether for the practical purposes of the future these features will prove to be of great significance. The Treaty affects the relations of the Powers concerned in matters of major policy. It will in the nature of the case be administered and interpreted by statesmen who will be responsible for the preservation of the peace in these regions, and its interpretation will be governed by the necessities of this responsibility. It may therefore be anticipated that it will become in practice available for the settlement of any threatened rupture in this region, even though the controversy should not strictly or narrowly speaking involve rights in relation to the Islands designated, provided always that there exists at the time a desire on all sides to seek peaceable consultation rather than war.

The Netherlands and Portugal; Exchange of Notes.

19. While The Netherlands and Portugal were represented at the Conference and have both of them island possessions in the Pacific, yet neither is a considerable naval Power, and accordingly they did not become parties to the Treaty. At the same time, in order to forestall any conclusion contrary to the spirit of the Treaty, it was arranged that each of the four Parties to the Treaty should deliver simultaneously to the Governments of The Netherlands and of Portugal, identic Notes declaring that each Party is firmly resolved to respect the rights of these Powers in relation to their insular possessions in the region of the Pacific (See Appendix No. 3, page 53).

Statements by the Delegations on the Treaty.

20. As already indicated, the Quadruple Pacific Treaty and the documents supplementary to it were concluded as the result of informal conversations carried on outside the Conference, but were formally communicated to the Conference at the Plenary Session of December 10, 1921. The statements made on that occasion by the Delegates of the four Powers constitute an important contemporary interpretation of the scope and intention of the Treaty as understood by those who had negotiated it. Accordingly I have thought it well to append the statements thus made by Senator Lodge and Mr. Hughes, by M. Viviani, by Mr. (now Sir Arthur) Balfour, and by Prince Tokugawa, on behalf of their respective Delegations; and I have included with these the observations made at the same time by the Delegations not participating in the Treaty (See Appendix No. 4, page 54).

THE TREATY FOR THE LIMITATION OF NAVAL ARMAMENT

Past efforts and present conditions

21. The history of past efforts for the limitation of armaments was a story of discouragement and failure. All such proposals put forward during a period of more

12 GEORGE V, A. 1922

than a century had eventually come to naught. Nevertheless no question with which the Conference was to deal had so seized the imagination and enlisted the hopes of mankind as this new proposal for a century old purpose. The awful experience of the World War, with its appalling toll of human life and the exhausting burdens that it entailed, made stern and constant protest against the system of competition in armaments. No country could afford to face such competition except under an absolutely compelling necessity. Moreover the possession of great naval armaments was confined to a few Powers; and for the reasons indicated these Powers found it not only possible but necessary to discuss the question.

American Proposal.

22. It was obvious that the United States of America, in view of its financial situation and enormous resources, would occupy a position of commanding advantage in any competition for naval ascendancy. The Government of that country was therefore in a peculiarly strong position to take the initiative. High courage, warm imagination and clear discernment characterized the course which the President and his advisers pursued. In the past, general exchanges of views without concrete plans had utterly failed. The Government of the United States came forward at the outset of the Conference with a striking proposal embodying a definite plan for the limitation of naval armaments. I append to this report the statement of Mr. Hughes on the opening day of the Conference, announcing and explaining the American proposal, together with a copy of the proposal itself (See Appendix No. 5, page 63).

General considerations

23. Certain general considerations were laid down by way of preface. These may best be indicated by the following extract from the statement of Mr. Hughes:

“The first is that the core of the difficulty is to be found in the competition in naval programmes, and that, in order appropriately to limit naval armament, competition in its production must be abandoned. Competition will not be remedied by resolves with respect to the method of its continuance. One programme inevitably leads to another, and if competition continues its regulation is impracticable. There is only one adequate way out and that is to end it now.

“It is apparent that this can not be accomplished without serious sacrifices. Enormous sums have been expended upon ships under construction, and building programmes which are now under way can not be given up without heavy loss. Yet if the present construction of capital ships goes forward other ships will inevitably be built to rival them and this will lead to still others. Thus the race will continue so long as ability to continue lasts. The effort to escape sacrifices is futile. We must face them or yield our purpose.

“It is also clear that no one of the naval Powers should be expected to make these sacrifices alone. The only hope of limitation of naval armament is by agreement among the nations concerned, and this agreement should be entirely fair and reasonable in the extent of the sacrifices required of each of the Powers. In considering the basis of such an agreement, and the commensurate sacrifices to be required, it is necessary to have regard to the existing naval strength of the great naval Powers, including the extent of construction already effected in the case of ships in process. This follows from the fact that one nation is as free to compete as another, and each may find grounds for its action. What one may do another may demand the opportunity to rival, and we remain in the thrall of competitive effort.”

SESSIONAL PAPER No. 47

Principles

24. The proposal, it was stated, had been worked out in the belief that it safeguarded the interests of all concerned, and rested upon the application of the following four general principles:

“(1) That all capital-shipbuilding programmes, either actual or projected, should be abandoned;

“(2) That further reduction should be made through the scrapping of certain of the older ships;

“(3) That in general regard should be had to the existing naval strength of the Powers concerned;

“(4) That the capital ship tonnage should be used as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed.”

The fourth principle was interpreted as referring to the existing capital ship tonnage and as taking into account the percentage of construction in the case of ships actually being built.

The proposal.

25. The proposal dealt separately first of all with capital ships, and then with what were described as auxiliary combatant craft, comprising under this head cruisers (exclusive of battle cruisers), flotilla leaders, submarines, aircraft carriers and aircraft. It proposed the abandonment of the present capital ship building programmes of the United States, the British Empire, and Japan. It also involved the scrapping by each Power of a considerable number of existing capital ships. Capital ships not named for scrapping were to be retained, but new construction to replace them was to be suspended for a ten year period. The replacement programme at the end of this period was to be so adjusted as to result in an agreed ratio of naval strength as between these Powers. The specific ratio proposed, based on existing strength,—that is, for the United States, the British Empire, and Japan respectively—was 5:5:3. Corresponding proposals, based on the same principles and preserving the same ratio, were brought forward for ships other than capital ships. In short the proposal contemplated the renunciation of present building programmes, the scrapping of many existing ships, the declaration of a naval construction holiday, and the establishment of an agreed ratio of naval strength for the future.

The negotiations.

26. The British Empire Delegation immediately met to take these proposals into most careful consideration. In the opinion of the naval experts certain difficulties would arise in working out the practical details, and this anticipation was in some respects borne out by subsequent events. On behalf of Canada it was strongly urged that the American proposals should be accepted in spirit and in principle, and this view, which was in accordance with the general voice of the Delegation, was eloquently expressed by Mr. (now Sir Arthur) Balfour at the Second Plenary Session on November 15, when the opportunity was afforded to the Delegations concerned—the British Empire, the Japanese, the French, and the Italian—to make known their attitude (See Appendix No. 6, page 75). All the Delegations accepted the scheme in principle as a basis for discussion. It was therefore at once remitted to the Committee on the Limitation of Armament and by that Committee was referred for close examination in detail to a technical Sub-Committee composed of the naval experts of the Delegations. In the first stages the discussion was confined to representatives

of the British Empire, the United States, and Japan, since these were the Powers most vitally affected; but when agreement had been reached among them on the most important aspects, they were joined by representatives of France and Italy. With periods of relaxation from time to time owing to the necessity of consulting the various Governments concerned, and with frequent resort to informal conversations for the solution of difficult points, the negotiations in Committee stretched throughout the three months of the Conference. In the end they resulted in the Treaty between the United States of America, the British Empire, France, Italy, and Japan, for the limitation of naval armament, which was signed on February 6, 1922 (See Appendix No. 21, page 158). A statement by Mr. Hughes, on behalf of the Committee on the Limitation of Armament, reporting and explaining the Treaty to the Conference in Plenary Session, is set out herewith (See Appendix No. 7, page 79).

The Treaty.

27. The Treaty is arranged in three Chapters:

Chapter I, containing the general provisions for the limitation of naval armament;

Chapter II, describing the rules for the execution of the Treaty and laying down the definition of terms;

Chapter III, containing miscellaneous provisions.

Capital ships—definition

28. A capital ship is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons standard displacement, or which carries a gun with a calibre exceeding 8 inches (Chapter II, Part 4).

Building programmes abandoned.

29. The present building programmes of the Powers are to be abandoned, and there is to be no building of capital ships hereafter except in replacement and as the Treaty provides (Article III). Though it involves no radical departure from the original plan, an exception in the Treaty should be noted here. On the basis that she was not completed, the plan included the scrapping by Japan of the capital ship *Mutsu*. The Japanese Delegation however, affirming that the *Mutsu* was actually in commission before the Conference began, and that she was prized in very especial degree by the people of Japan through the circumstances of her origin, felt that they could not secure the consent of their Government to this inclusion. The retention of the *Mutsu* by Japan necessitated compensatory adjustments for the United States and the British Empire. As she is an especially powerful post-Jutland ship it was provided, in order to preserve the ratio, that the United States might complete (instead of abandoning) two ships of the *West Virginia* class now under construction, and on their completion should scrap two of the older ships that were to have been retained; while the British Empire might build two new ships at once, and on their completion should scrap four of the older ships that otherwise would have been retained. (See Article II and Chapter II, part 3, Section II).

Ships retained.

30. The capital ships that each of the five Powers may retain are specified by name and tonnage with the following result (Chapter II, Part 1):

	No. of ships to be retained.	Total tonnage.
United States.. . . .	18	500,650
British Empire.. . . .	22	580,450
France.. . . .	10	221,170
Italy.. . . .	10	182,800
Japan	10	301,320

SESSIONAL PAPER No. 47

The apparent variation of these figures from the agreed ratio of strength is explained by reference to the age factor. Some navies, notably the British, through the force of circumstances, contain ships older and more deteriorated through usage in the war than others; allowances are accordingly made for the superiority of the more modern types.

Ships scrapped.

31. All other capital ships of these Powers, either built or building (except in the case of France and Italy, where scrapping is not necessary to the plan in the earlier years) are to be scrapped or disposed of under the rules of the Treaty (Article II). Under this provision the number of ships, under construction or in existence, to be scrapped or disposed of by the United States is 25, by the British Empire 20 (in addition to the 4 projected *Hoods* now abandoned), and by Japan 10 (in addition to 8 projected ships not laid down and now abandoned). Certain special exceptions, in no way affecting the broad effect of the Treaty or the established ratio, permit the retention of a few specifically named ships for non-combatant purposes after they have been rendered incapable of warlike service under the rules of the Treaty (Chapter II, Part 3, Section II).

Rules for scrapping.

32. To be scrapped a vessel must be placed in such a condition that it cannot be put to combatant use; and the rules for this purpose, which contemplate the permanent sinking or breaking up of the vessel, are laid down in explicit terms. There are two stages of scrapping. The first, which is carefully defined, involves rendering the ship incapable of further warlike service and is to be immediately undertaken. This stage in the case of ships now due for scrapping is to be completed within six months of the coming into force of the Treaty, while the final stage of scrapping is to be effected within eighteen months from that time. Similar rules are to apply in the future when ships are replaced by new construction (Chapter II, Part 2).

Replacement.

33. At the proper times fixed by the Treaty the ships retained may be replaced, but the capital ship fleet of each Power after such replacement will be limited to the following figures (Article IV):

United States.. . . .	525,000 tons.
British Empire.. . . .	525,000 "
Japan.. . . .	315,000 "
France.. . . .	175,000 "
Italy.. . . .	175,000 "

This represents the agreed ratio of naval strength as between the Powers, namely, 5:5:3:1.75:1.75. The rules governing replacements are carefully prescribed, and convenient charts indicate for each Power the years when replacement ships may be laid down and completed in the future (Chapter II, Part 3, Section I-II).

Naval construction holiday.

34. In the case of the United States, the British Empire, and Japan (aside from the two American ships to be completed and the two British to be built at once in compensation for the retention by Japan of the *Mutsu*—see paragraph 29 above) the laying down of the first replacement ships may not begin before the year 1931 for completion in 1934. Replacement thereafter is regulated by tables according to the age of the ships (Chapter II, Part 3, Section I-II). Thus the proposal for a ten-year

naval holiday is carried out in substantial degree. In the case of France and Italy the first replacement is permitted to begin in 1927; for completion in 1930 in the case of France and in 1931 in the case of Italy.

Size and guns.

35. The size of capital ships in the future is limited to 35,000 tons, and no ship shall carry a gun with a calibre in excess of 16 inches (Articles V and VI).

Aircraft Carriers

36. The total tonnage limits allowed for aircraft carriers are as follows (Article VII):

United States.. . . .	135,000 tons.
British Empire.. . . .	135,000 "
Japan.. . . .	81,000 "
France.. . . .	60,000 "
Italy.. . . .	60,000 "

Replacement rules similar to those adopted for capital ships are laid down (Chapter II, Part 3); but since existing aircraft carriers are of an experimental nature, they may be replaced without regard to age (Article VIII). Individual aircraft carriers cannot exceed 27,000 tons, except that each Power may build not more than two of 33,000 tons and, for reasons of economy, may for the purpose of this exception convert into aircraft carriers capital ships that would otherwise be scrapped (Article IX). Careful limits are placed upon the armament of aircraft carriers (Article IX and X).

Cruisers.

37. No vessel of war exceeding 10,000 tons, other than a capital ship or aircraft carrier, shall be acquired or built by or for any of the Powers. This limitation does not apply, however, to vessels not specifically built as fighting ships, nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships. (Article XI). No vessel of war hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (Article XII).

Guarantee provisions.

38. Careful provisions are made to secure the faithful execution of the Treaty and to prevent evasion (Articles XII-XVIII). With the same motive the Conference at the Sixth Plenary Session on February 4th agreed upon the following Resolution:

"It should therefore be recorded in the minutes of the Sub-Committee and before the full Conference that the Powers signatory of the Treaty of Naval Limitation regard themselves in honour bound not to sell any ships between the present date and the ratification of the Treaty when such a sale would be a breach of Article XVIII."

Pacific fortifications: status quo.

39. A highly important provision preserves the *status quo* in regard to naval bases and fortifications in the Pacific (Article XIX). This unusual feature was not in the original plan, yet it represents a happy complement to that plan, and it became an important and even an essential factor in securing agreement to the ratio of naval strength finally reached. The point of this Article chiefly concerns the United States and Japan. Each of them possesses islands in the Pacific whose future fortifi-

SESSIONAL PAPER No. 47

cation or establishment as naval bases might be regarded from the standpoint of the other Power as creating a new naval situation and as constituting a menace. The maintenance of the *status quo* implies that no new fortifications or naval base shall be established in the possessions specified, that no measures shall be taken to increase the existing naval facilities, and that no increase shall be made in coast defences. The effect of the provision was greatly to strengthen the basis of the agreement and doubtless to render it more stable. It was recognized that no such limitation should apply to the main islands of Japan; nor to Australia and New Zealand with their adjacent islands; nor to the islands adjacent to Canada; nor to those adjacent to the United States, Alaska and the Panama Canal Zone; nor to the Hawaiian Islands. In all these cases freedom to fortify is maintained; for in none of them, by reason of the distances involved, could fortification be regarded as having any aggressive character or intent. As to the Aleutian and Kurile Islands, stretching out toward each other from the American and Asiatic Continents, it was finally agreed that the *status quo* should be maintained.

Future Conferences.

40. It is impossible to foresee the march of science or the contingencies of the future, and accordingly there are provisions for future conferences. If the naval security of any of the Powers is materially affected by change of circumstance, the Powers agree at the request of that Power to meet in Conference with a view to the reconsideration and amendment of the Treaty by mutual agreement (Article XXI). The change of circumstance might arise from the sudden development of some new naval Power, or from some other serious contingency. Moreover it is conceivable that technical and scientific developments might materially alter the position; so it is agreed that in any case a Conference of these Powers shall be held, as soon as possible after the expiration of eight years from the coming into force of this Treaty, to consider what changes, if any, may be necessary to meet such developments (Article XXI). Again, since in the event of one of the Powers becoming engaged in a naval war involving its national security the restrictions of the Treaty might expose it to disaster, provision is made for the suspension of its obligations, for consultation in such case among the other Powers, and for a Conference among them all at the end of hostilities (Article XXII). Another contingency to be met by conference is mentioned in the next succeeding paragraph.

Duration of the Treaty.

41. The Treaty is to remain in force in any case until December 31, 1936, while thereafter it is to continue in force unless one of the Powers has denounced it, and for this purpose two years' notice is required. It is agreed however that should such a notice be given all the Contracting Powers shall meet in Conference within one year of the notice (Article XXIII).

Attitude of British Empire Delegation.

42. Such in outline are the provisions of the Treaty. In respect of capital ships they represent with minor modifications an acceptance of the original plan. The spirit in which the British Empire Delegation accepted the proposal was not based upon an attempt to calculate exactly the relative needs of the Powers. On such a basis indeed the British Empire might produce strong arguments looking toward other plans. Having regard to all relevant considerations, the plan and the ratio were accepted as reasonable; and it was felt that the maintenance of peace and the general security should be based in future upon the strong foundation of conference, understanding and peaceful agreement, rather than upon exhausting competition in naval construction. So far as the ratio involving equality between the British Empire and

the United States is concerned, it is of interest to recall the following resolution which was adopted by the Imperial Conference in the summer of 1921 and published in a parliamentary White Paper (Cmd. 1474) at the time:

"That, while recognizing the necessity of co-operation among the various portions of the Empire to provide such Naval Defence as may prove to be essential for security, and while holding that equality with the naval strength of any other Power is a minimum standard for that purpose, this Conference is of opinion that the method and expense of such co-operation are matters for the final determination of the several Parliaments concerned, and that any recommendations thereon should be deferred until after the coming Conference on Disarmament."

Thus the standard of equality had been virtually accepted by the British Empire before the Washington Conference began.

Cruisers, destroyers, submarines, et cetera.

43. Although the original plan in respect of capital ships and aircraft carriers was in substantial degree carried out in the Treaty, yet it failed of acceptance so far as auxiliary craft, such as cruisers, flotilla leaders, destroyers and notably submarines, are concerned. The 10,000 ton limitation upon the size of individual cruisers (Article XI) is valuable; it assists in preventing evasion of the capital ship agreement and supports the underlying motive to deprive naval power of any aggressive character. But there is no limitation upon the size of submarines and no limitation whatever upon the numbers or total tonnage of any of these auxiliary craft. The failure here arose from an inability to reach agreement upon the ratio of strength that should obtain among the Powers in respect both of such auxiliary surface craft and of submarines. Even had there been a nearer approach to unanimity of opinion in this respect, any final agreement would have been doubtful by reason of the extreme difficulty of reconciling the employment of the submarine with any restriction upon the construction of surface craft designed to combat its peculiar menace. In accepting the allotment of 175,000 tons in capital ships as a fair ratio for France, the French Delegation under instruction from their Government made the reservation that France could not accept a corresponding limitation on other craft; specifically they stated that they could agree to nothing less than 330,000 tons for auxiliary craft and 90,000 tons for submarines as the French minimum. Since the acceptance of these figures would have involved for the other Powers under the ratio already established (i.e. 5:5:3:1.75:1.75) an extraordinary increase over their existing fleets and would have been wholly inconsistent with the purpose of the Conference, no agreement was possible. But while there was a failure to reach an understanding in this respect, it may perhaps be anticipated that, in view of the general public approval of the capital ship agreement, it will prove difficult for any Power to embark upon a competitive programme in the production of war vessels not covered by the Treaty.

Proposed abolition of submarines.

44. An important proposal by the British Empire Delegation, which enlisted universal attention, should be specially mentioned here. It looked to the complete abolition of the submarine. The proposal was formally placed on record in the following terms:—

"The British Empire Delegation desires formally to place on record its opinion that the use of submarines, whilst of small value for defensive purposes, leads inevitably to acts which are inconsistent with the laws of war and

SESSIONAL PAPER No. 47

the dictates of humanity, and the Delegation desires that united action should be taken by all nations to forbid their maintenance, construction, or employment."

It precipitated a remarkable discussion to which the widest publicity was given. To those who have acquired any intimate knowledge of the character of submarine warfare, the conclusion expressed in the proposal seems irresistible. It was effectively argued that for defence the submarine is of relatively small value; while, on the other hand, the very nature of the craft and physical necessities under which it operates are such that its use in war inevitably produces acts inconsistent with the plainest dictates of humanity. The proposal however was not accepted by the other Powers; though it should be recorded that in the end the American Delegation presented as the view of their Government the report of a special American Advisory Committee, which, while opposing both the abolition of the submarine and any restriction upon its size, strongly urged the outlawing of unlimited submarine warfare and the prescription of rules to regulate the use of submarines against merchant vessels; a suggestion upon which, as will be seen, formal action was taken. For the present then the submarine remains. It is regrettable that a proposal so plainly in harmony with the fundamental aim of the Conference should have suffered defeat; but at least the question has been strikingly put for the first time to the judgment of the world. It is to be hoped that, as opinion matures, conditions may become favourable for action on some future occasion. Protection against the menace of this monstrous weapon inevitably imposes upon those exposed to it heavy burdens of expenditure. It was recalled in the course of the debate that, although the average number of German submarines operating at any one time on the Atlantic approaches to France and Great Britain during the late war had not been more than nine or ten, yet Great Britain had been obliged to maintain an average of no less than 3,000 anti-submarine craft to deal with this small number. Since submarines are so easily and quickly built, and since the existence in peace of even a limited number involves the possibility of a rapid expansion of the necessary organization and personnel at the outbreak of war, the great difficulty of reconciling the existence of the submarine with any limitation whatever upon anti-submarine craft is obvious.

Application of Treaty to Dominion Navies.

45. There is, it will be noticed, no express provision as to the application of the Treaty to the existing or future navies of the Dominions; and it is apparent that no such provision was necessary. From the point of view of the other Powers the navies of the Empire must necessarily be counted as a single force in estimating the ratio of strength. At the outbreak of the late war and throughout its course they did in fact combine as a single force; and it was assumed that they would do so again in the event of any struggle that might involve the issue of national existence. Thus the British Empire was considered from the aspect of its entire naval power; and the Treaty means that the combined navies of Great Britain and the Dominions may not exceed in capital ships 525,000 tons and in aircraft carriers 135,000 tons. One of the British Empire capital ships designated for scrapping is the *Australia* which forms part of the Australian Navy (See Chapter II, Part 3, Section II, British Empire Table of Replacement and Scrapping of Capital Ships). Should the Australian Government at the end of the naval holiday wish to replace the *Australia*, the replacement tonnage of any such Australian capital ship would necessarily be reckoned as a part of the British Empire total of 525,000 tons. The like considerations would govern in the case of any other Dominion Navy. All other limitations imposed by the Treaty—such as the 10,000 ton limit on individual auxiliary craft or cruisers, the limitations as to aircraft carriers and upon the calibre of guns, and the provisions designed to secure the execution of the Treaty and prevent its evasion (*e.g.*, Articles

XII-XVIII)—apply of course to the naval activities of the Dominions. But as the Treaty places no restriction upon the numbers or total tonnage of cruisers, destroyers, submarines and other auxiliary craft, the Dominions are entirely free, as other nations are, to build war vessels of these types.

Imperial co-operation.

46. While the provisions of the Treaty limit the total naval power which the British Empire as a whole is permitted to maintain, they leave entirely untouched the question of co-operation in the maintenance of that power. This question stands exactly where it stood before the Conference, for the decision of the Parliaments of the Empire. The subject of Imperial co-operation was not discussed at Washington, either in the British Empire Delegation or elsewhere; it was unnecessary to consider it for the purposes of the Conference, nor were the Delegates authorized to discuss it.

THE TREATY TO PROTECT NEUTRALS AND NON-COMBATANTS AT SEA IN TIME OF WAR AND TO PREVENT THE USE IN WAR OF NOXIOUS GASES AND CHEMICALS

47. On the failure of the proposal to abolish the submarine outright the American Delegation, in pursuance of the suggestion of their Advisory Committee (see paragraph 44 above), moved in the Committee on the Limitation of Armament a set of Resolutions concerning the laws of war governing submarine operations against merchant vessels. After a lengthy discussion, which produced a number of amendments and alterations in arrangement, they were ultimately adopted by the Conference, together with other Resolutions on the use of noxious gases, in the form of a Treaty signed between United States, the British Empire, France, Italy and Japan on February 6, 1922 (See Appendix No. 21, page 188).

Existing rules of submarine warfare declared.

48. The purpose of this Treaty is, in the first place, simply to declare briefly the existing international law concerning the protection of the lives of neutrals and non-combatants at sea in time of war, and to secure thereto the formal adhesion of all the other civilized Powers, so that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents (Preamble and Article II). Thus the existing rules for seizure or attack are declared; and it is recognized that established law requires that, before a merchant vessel is destroyed, the safety of the passengers and the crew must be provided for, whether the merchant vessel be an enemy or a neutral; that submarines are not in any circumstances exempt from the universal rules so stated; and that if a submarine cannot capture a merchant vessel in conformity with these rules the existing law of nations requires it to permit the merchant vessel to proceed unmolested (Article I). So far therefore the Treaty involves no change in international law and represents what has been the traditional view of the British Empire.

New rule: Commerce destruction prohibited.

49. In the next place, however, the Treaty is designed to engraft an amendment and an improvement upon established law. Recognizing from the experience of the late war the practical impossibility of using submarines as commerce destroyers without violating the rules of international law, the purpose of the Treaty is to prohibit such use altogether. Steps are to be taken to secure the adhesion of all other Powers to the Treaty, so that the prohibition may be universally adopted into the law of nations. The original Resolution went no further than this; but upon the proposal of the British Empire Delegation, urging the high moral effect of such action,

SESSIONAL PAPER No. 47

the Powers represented at the Conference declared that without waiting for the assent of other nations, they accepted this prohibition as henceforth binding as between themselves (Article IV).

Enforcement of penalties.

50. To ensure their enforcement it is agreed that any person in the service of any Power who shall violate any of the existing rules as declared, whether or not such person is under orders of a governmental superior, shall be deemed to have violated the laws of war and be liable, as if for an act of piracy, to trial and punishment by the civil or military authorities of any Power within whose jurisdiction he may be found (Article III). Being stated without qualification, this new rule applies to the officers and crew not only of a submarine but also of a surface ship in its operations against merchant vessels. Doubts were raised as to the expediency of this Article, and it is true that officers and crews serving unscrupulous governments may be placed in positions of cruel embarrassment. But still more cruel were the inhuman acts of submarines during the late war. The penal clauses of the Peace Treaties (see Article 227-230 of the Treaty of Versailles) are relevant to the principle enforced; and its formal declaration should strengthen the sentiment of horror aroused by submarine outrages.

Legislation required.

51. To render this Article effective it is conceivable that some new statutory enactments may be necessary on the part of the legislatures of the Powers, and so far as any Canadian action in this respect is concerned I venture to suggest that the question should eventually be submitted to the Law Officers of the Crown in Canada for examination and report. The Article exceeds the present limits of international law, and the Conference claimed no authority to impose it upon the rest of the world; but the Treaty will make the rule binding as between the Signatory Powers, and should the other nations, who are invited to adhere, do so in sufficient numbers it would become a part of the law of nations.

52. While the Resolutions on these subjects were under discussion in the Committee on the Limitation of Armament, I made a statement, the official report of which I submit herewith (See Appendix No. 8, page 88).

Poisonous gases, etc.

53. The Treaty finally deals with the use in war of poisonous gases and other analogous liquids, materials, or devices. Recognizing that such practices have been justly condemned by the civilized world and that their prohibition has been declared in various treaties, the Signatory Powers declare their assent to such prohibition, agree to be bound thereby as between themselves, and invite all other civilized nations to adhere thereto, to the end that the prohibition shall be universally accepted as a part of the law of nations (Article V). The question is not free from difficulty. Every investigation into the subject has shown the practical impossibility of preventing in time of peace preparations that would enable noxious gases to be produced on a great scale in time of war; so that it is impossible for nations that have no intention of employing this weapon, to abandon inquiry into the means by which its attacks may be resisted and if necessary countered. Doubtless the rule will not have the effect of preventing such preparation. On the other hand, those who are anxious to make war more humane should not be deterred by these considerations from condemning the misuse of scientific discovery for such purposes. In any case the rule does no more than to reaffirm existing international law. The prohibition was declared by The Hague Conferences of 1899 and 1907; a similar prohibition was formally urged by the Allied and Associated Powers in March, 1918; it was followed in the Treaties of Peace of 1919 (see Articles 171-172 of the Treaty of Versailles), and in the separate

Treaties between the United States and Germany and the other ex-enemy countries. While therefore the Washington Conference has not sought to initiate a new rule, it may be hoped that this emphatic declaration by the five Powers will not be without effect in strengthening the moral aversion with which the civilized nations should regard such methods of warfare.

54. Since it indicates the intention of this Treaty, I append hereto the official report of the statement on the presentation of the Treaty to the Plenary Session of February 1, 1922, on behalf of the Committee on the Limitation of Armament, made by Mr. Root of the American Delegation, who sponsored the original Resolutions and by whose name they became known (See Appendix No. 9, page 89).

Aircraft.

55. There were discussions in Committee on the practicability of adopting rules for the limitation of aircraft in number, size, or character. The extreme difficulty of such a project quickly became apparent. Aircraft produced for commercial uses in time of peace may be easily diverted to warlike uses, and thus any effective limitations upon the production in peace of aircraft capable of being put to military uses would inevitably result in hampering development for commercial purposes. The possibilities of this new mode of transportation and communication are so promising to the economic and social advancement of mankind that it was felt to be unwise, at the present stage of the technical differentiation between war and peace aircraft, and with only our existing knowledge of the subject, to attempt any limitations. Furthermore, such an attempt would be impracticable apart from a consideration of the whole problem of land armaments, and this, as will be seen, could not be taken up. As for the rules of warfare governing the use of aircraft, whether at sea as commerce destroyers or overland for bombarding towns, this question was left to be dealt with by the Commission described in the next paragraph.

Commission on laws of war.

56. In addition to the above described action, taken under the agenda heading "Rules for the control of new agencies of warfare," the Conference decided to set up a Commission to consider, first, whether the existing rules of international law adequately cover the use of such agencies, and, second, what changes in the existing law ought to be adopted; a decision embodied in two formal resolutions adopted by the United States, the British Empire, France, Italy and Japan at the Sixth Plenary Session of February 4, 1922 (see Resolutions I and II, Appendix No. 21, page 214). The Commission, consisting of not more than two members from each Power, and with liberty to seek assistance from experts in international law and in land, naval and aerial warfare, will report its conclusions to these Powers, who shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers. The conclusions obviously cannot become a part of the law of nations unless accepted generally by the civilized Powers; but the method of securing such acceptance, whether through a special world conference or otherwise, is left open. It is not the intention that the Commission shall review or report upon the declarations and rules relating to submarines or poisonous gases already adopted by the Washington Conference.

LIMITATION OF LAND ARMAMENT

Statements by the Delegations.

57. Beyond what is involved in the rules of warfare already dealt with, the Conference found itself unable to take any effective action respecting the limitation of land armament. The subject was scarcely opened before it became apparent

SESSIONAL PAPER No. 47

that no important result could follow. In the case of the British Empire the standing armies have been enormously reduced since the war; and, as is well known, they represent no more than the bare minimum necessary for purely defensive purposes and for the maintenance of order; certainly it would be impossible to attribute to them an aggressive purpose. The case of the United States is similar. To some of the Powers at the Conference, the question of the reduction of land forces was however of great concern. The discussion was practically limited to the proceedings of the third Plenary Session held on November 21, 1921. On that occasion M. Briand, the then Prime Minister of France, made an eloquent statement setting forth the position of his country. After describing the demobilization steps already taken in the French Armies and the proposals of his Government to reduce the number of the classes of men under the French military service laws, he stated clearly and definitely that it would be impossible for France to consent to any further reduction, unless indeed other nations could share with France the danger to which she was exposed and could offer and put at her disposal other means and guarantees in order to secure her safety. The Italian Delegation, having defined the position of the Italian military forces and expenditure, stated that they had reduced their armies to the greatest practicable extent and that any complete solution of the European problem of military reductions would require consideration of the armaments of nations created or transformed as a result of the war. The Japanese Delegation declared that Japan was quite ready to give her hearty approval to the principle of reducing the heavy burdens of military expenditure by limiting land armaments to what was necessary for national security and the maintenance of order. They expressed the view that the size of the land armies of each state should be determined by its peculiar geographical situation, and that this and other basic features were so divergent that an effort to draw final comparisons and lay down a general scheme for limiting land forces was much more difficult than in the case of naval armaments. As the statements made by the various Delegations at the third Plenary Session constitute the main record of the efforts of the Conference in this direction I am submitting herewith the official report of the discussion (See Appendix No. 10, page 91). Some further consideration was given to the subject in Committee. At the second meeting of the Committee on the Limitation of Armament, held on November 23, 1921, I felt it my duty to submit certain observations, the text of which as recorded in the minutes was as follows:

"Sir Robert Borden said that surely no member of the Committee would think of imposing upon France, the victim of two unprovoked attacks in the last 50 years, any conditions that her people would regard as obnoxious. Yet he ventured to express the hope that the Government of France might, in the early future, find conditions so developed as to enable her to reduce her military preparations even below the point suggested by M. Briand. That, however, was by the way. He now wished to emphasize the point that the minds of all the people of the world were concentrated on the Conference and its work, and that the members of the Conference would be left in a very unfortunate situation if they took the position that they could not discuss the reduction of land armament. That discussion must take place, with due regard to what had been urged by France. The stability of the public opinion of the world and the return to normal conditions depended upon the progress made with this question as well as with others. The situation was difficult, but it seemed to him that this condition could be best met by a conference between the heads of the different Delegations. He ventured to express the hope that a clear solution might be arrived at."

As stated in the announcement of the results of this meeting, "after a general discussion of the subjects relating to land armament and new agencies of warfare, these were referred to the Sub-Committee consisting of the Heads of Delegations with

instructions to bring in an order of procedure with regard to these subjects and with power to appoint Sub-Committees to deal with the questions relating to poison gas, aircraft and rules of international law." The Sub-Committees were set up, with the results indicated in the preceding paragraphs of this report, but it became quite clear that on the question of land forces nothing further could be done at this time. This need not be cause for astonishment. Many of the European Powers maintaining considerable land forces were not at the Conference; and at bottom the problem is inextricably a part of the present European political problem. Just as it was seen that an agreed measure of naval disarmament could not be achieved without a preceding or simultaneous agreement upon the political relations and matters of difference between the Naval Powers, so it seems clear that there can be no effective common measures for the reduction of land forces unless at the same time there is some common agreement upon European political problems that will remove tension in that quarter of the world. The failure of the Washington Conference to reach results in this direction was therefore inherent in the circumstances. It is possible indeed, considering the terms of the formal invitations, that those who initiated the Conference did not really anticipate immediate results; in any case the Conference, in affording a forum for statements of the various points of view, has doubtless served a useful purpose in advancing by so much an understanding of the nature of the problem and of the necessary conditions of its solution.

PACIFIC AND FAR EASTERN QUESTIONS.

Scope of Discussion.

58. As already seen, the scheme of the Conference contemplated, not only an exploration of the armament question by the five Great Powers, but also, as an essential part of that effort, a concurrent examination of the outstanding political problems of the Pacific and Far East, in which these Powers should be joined by the other interested Powers. On this aspect therefore the discussions were carried on between all the nine Powers represented at the Conference—that is, the United States, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal; the debate taking place mainly in the Committee on Pacific and Far Eastern Questions and in its Sub-Committees, with formal reports from time to time to the Conference in Plenary Session. Much of the effective work was accomplished through informal discussion. The questions under examination chiefly concerned the state of China and the relations of the Powers, not only as between themselves and China, but as between each other in respect of Chinese affairs.

Conditions in China.

59. The situation was both abnormal and difficult. China lacks at present any single authoritative central Government; the nation is undergoing an economic, political, and social revolution that may last for years and in which disintegrating and weakening influences abound while conflicting centres of authority struggle for supremacy. In some measure the revolution owes its origin to the penetration of an ancient and highly developed civilization by the spirit and activities of the western industrial nations, who have valued more than have the Chinese the pursuits of applied science, the development of technical equipment, and the dogma of efficiency in industrial and political organization.

Statement by Canadian Delegate in Committee.

60. Presumably the Chinese Delegates were present as representatives of a united nation possessing an effective central Government. If that presumption could be relied upon, the somewhat restricted action of the Conference in response to some of the demands put forward by the Chinese Delegation could hardly be explained or defended.

SESSIONAL PAPER No. 47

The actual conditions that had to be taken into account were vastly different; and although they were tacitly recognized by all the Delegates, the absence of any explicit public statement on the subject led to confusion and misapprehension in public opinion, and to a certain sense of unreality in the deliberations and conclusions of the Conference. For this reason I considered it both desirable and important to make such a public statement, and I did so in Committee on January 20, 1922. The occasion was the introduction of a Resolution expressing an earnest hope that immediate steps would be taken to reduce the military forces of China and the expenditures thereon (See paragraph 95 below). The official report of my observations, which were published at the time, is as follows:

"The Resolution now presented was inspired by a sincere and earnest desire to aid the purpose of the Chinese people in establishing stable government and in freeing the country from the incubus of excessive militarism. The appointment of military governors for the provinces which was initiated shortly after the inception of the Republic by the then President, Yuan Shi Kai, had had an unfortunate effect and operation since his death. The power of these governors had increased to such an extent that the Central Government at Peking exercised very little control over a large part of the country. In fact the military governors had become military dictators within their respective Provinces or spheres of influence; they recruited and maintained their own armies; they formed combinations among themselves and struggled for ascendancy, and at intervals they dictated the personnel and policy of the Central Government. That Government possessed very little authority in comparison with the power of the military governors and was only recognized by the latter in so far as it suited their interests. This system had continued in force for several years, although it was entirely alien to the habits and traditions of the Chinese people.

"Up to the present there had been an unfortunate lack of such organizing capacity as would establish a strong and stable central Government and bring the country once more under its effective direction and control. For such a purpose the provision of great revenues or the placing of large funds at the disposal of a weak administration was not of itself effective. So long as the military governors retained their present dominating authority and influence such financial resources would probably be absorbed to a very great extent by these military chiefs instead of being employed to cut down their power.

"Exact accuracy, Sir Robert Borden continued, in any statistics of military forces and expenditure in China at the present time could not be expected; but reasonable estimates placed the total number of men under arms at not less than one million; at least the pay-roll probably included that number. It was confidently asserted that more than half of the total revenues of the country were employed in the upkeep of these forces. They had not been raised for the defence of the country against outside aggression; on the contrary they were really maintained for the purpose of civil war, and when on active service they were fighting against their own countrymen enlisted under the banner of some other military chieftain. However, in one Province, which was said to be exceptionally well governed by a man who devoted his whole attention to the welfare and prosperity of his district, a considerable military force maintained as a necessity to his prestige was made to do duty in the construction of excellent roads. In that Province the progress and advancement of the people were said to be quite remarkable, and they gave an illustration of what the Chinese people might accomplish under good government.

"The forces enlisted under the various military chieftains were said to regard their military duties as entirely occupational, and it was believed that

they would be quite ready to accept employment in the construction of railways, highways, and otherwise, provided the arrears in their pay were made good.

"The weakness, and indeed the impotency, of the central Government, so far as a great portion of the country is concerned, must necessarily be a matter of concern to the other Powers. The Chinese people had developed a high civilization which, in some of its characteristics, afforded a notable lesson to the nations of the West. They had behind them centuries of splendid tradition, a great development of art and of literature. At present they were passing through a period of transition from the autocratic rule of an ancient dynasty to the development of advanced democratic institutions. There was no occasion for surprise that, under these circumstances, the conditions to which he had alluded should have arisen. It might rather have been anticipated that the disorders and the instability would have been more pronounced. But among all the tumult and the fluctuations attending the development of democracy in China, the attachment of the people to the soil and their untiring industry had remained unchanged. One might adapt the words of a well-known quotation:—

'They hear the legions thunder past,
Then plunge in toil again.'

"Notwithstanding the present conditions, no one should fear for the future of the Chinese people. It had sometimes been thought that they would be absorbed by other nations. In his judgment, they were more likely to absorb than to be absorbed. The mere passive resistance of that vast nation of 400,000,000 was powerful to protect it. Out of the present disorders would eventually arise a permanent system of stable government and China would take her deserved and well-recognized place among the great Powers of the world. This could not be accomplished for China by any other nation or group of nations. External beneficent influences might aid, but in the end the Chinese people must work out their own political salvation. There was abundant reason to believe that they could and would accomplish this. In the meantime, it was the duty of other nations—and that duty had been exemplified in the work of this Conference—to lend a helping hand wherever that might be possible, to remove hampering restrictions as soon as practicable, and to give every assistance and encouragement for the political regeneration of this illustrious people."

The views thus expressed as to the actual conditions in China were not controverted by the Chinese Delegation. On the contrary one of the Delegates announced on their behalf deep appreciation of the spirit which had animated these observations.

61. Two weeks later a striking description of the problem was given by Mr. Balfour in the penetrating and eloquent statement with which he summed up the work of the Conference at the sixth Plenary Session of February 4, 1922, an extract from which is here set out:—

"The centre of our troubles has been the peculiar problems to which the special conditions of China have given rise during the last quarter of a century. Through the whole of that quarter of a century the relations between China and foreign Powers—and still more between foreign Powers themselves in relation to China—have given endless cause of anxiety and preoccupation to statesmen. I do not say that difficulties arising in the Far East are forever at an end. It is impossible to apply to China the simple formulæ which content us when we are dealing with western nations. That great and ancient civilization does not easily fit into our more recent schemes of political thought, and China suffers under sources of weakness which we citizens of western countries

SESSIONAL PAPER No. 47

do not find it always easy to understand, while she certainly enjoys sources of strength which all of us would be happy to share. But we have to recognize, in the first place, that China must work out her own destiny in accordance with the changes of a changing world; that all we can do is to help her along her path; that she has little to gain from our advice; and that it is upon sources of strength drawn from within herself, and upon these alone, in the last resort, that she must rely. Nevertheless, the great commercial nations that trade with China have suffered in the relations between themselves owing to the peculiarities of the Chinese problem which I have vaguely indicated, and for these many years past it has been found very difficult to reconcile, not merely the difficulties arising between China and this or that Power, but between all the Powers in their common relations to the great empire of the Far East."

Far Eastern Agenda.

62. The nature of the subjects dealt with under this heading is indicated in the informal agenda set out above (See paragraph 10 above). At the first meeting of the Committee on Pacific and Far Eastern Questions the Chinese Delegation made a carefully considered statement in proposing certain general principles to be applied in the solution of questions relating to China. As this statement eventually assumed, in connection with the informal agenda, something of the character of a guide to the deliberations of the Committee, I submit the text of it with this report (Appendix No. 11, page 104).

THE FAR EASTERN TREATY

Far Eastern Treaty.

63. Out of the discussions as they proceeded there evolved common agreement upon certain general principles and policies that should govern the relations of the Powers toward China; and these principles, embodied in the first instance in a series of Committee Resolutions, were eventually incorporated into a Treaty designed to stabilize conditions in the Far East, which was signed between the nine Powers on February 6, 1922. (Appendix No. 21, page 193).

General Principles.

64. The Powers agree to respect the sovereignty, the independence, and the territorial and administrative integrity of China; to provide to China the opportunity to develop for herself a stable government; to promote the principle of equal opportunity in China for the commerce and industry of all nations; to refrain from taking advantage of conditions in China to seek special privileges that would abridge the rights of others, and from countenancing action inimical to the security of other States; while more definitely they further agree not to enter into any treaty or understanding that would impair these principles (Articles I and II). In this connection it should be noted that the Chinese Delegation made the following formal declaration, which was incorporated in the records of the Conference:

"China, upon her part, is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any Power."

The "Open Door" and Spheres of Influence.

65. By way of carrying out the principle of equality of opportunity in China for the trade and industry of all nations—the principle commonly known by the name of the "Open Door"—certain specific practices, such as monopolies, preferences, and agreements to secure on behalf of the interests of one Power some general superiority

of commercial or economic rights in special regions of China, are prohibited;* and the Powers further undertake not to support agreements by their respective nationals with each other designed to create exclusive spheres of influence in China (Articles III and IV). While Article III was in the Resolution stage, at the twentieth meeting of the Committee on Pacific and Far Eastern Questions on January 18, 1922, the following statement, acquiesced in by the Committee, was made on behalf of the British Empire Delegation and recorded upon the minutes:

"Of course, it is clearly understood that there is nothing in this Resolution which affects, one way or the other, the existing international consortium or any other form of voluntary co-operation among private financial or industrial groups in different countries, which may join together in a manner not involving monopoly or infringement of the principles recognized by the Conference, in order to furnish China with some essential service most efficiently and economically to be provided by united effort."

Chinese railways: discriminations.

66. China agrees that throughout the whole of the railways in China she will not exercise or permit any unfair discrimination, in respect of rates and facilities or otherwise; while the other Powers assume a corresponding obligation in respect of any railways over which they may exercise any control* (Article V).

Chinese neutrality.

67. The Powers agree to respect China's right as a neutral, and China on her part agrees to observe the obligations of neutrality when she is a neutral (Article VI).

Frank communication between the Powers.

68. It is next agreed that, whenever a situation arises involving in the opinion of any one of the Powers the application of the Treaty and rendering discussion desirable, there shall be full and frank communication between the Powers concerned (Article VII). There is some analogy between this Article and the second paragraph of Article 11 of the Covenant of the League of Nations. The method of communication is not specified; but in the ordinary course it will doubtless be through diplomatic channels, or by conference whenever expedient.

Adhesions.

69. In order that these various rules of conduct shall be of universal effect, steps are to be taken to secure the adhesion to the Treaty of all the other Powers with recognized governments that have treaty relations with China (Article VIII).

Effect of Treaty.

70. Many of the principles and policies thus adopted by the nine Powers have, it is true, appeared in various treaties, exchanges of notes, or declarations, made from time to time in the past. This is however the first occasion on which they have been adopted jointly by so large a group of Powers, who henceforth will be collectively responsible for preventing their violation.

THE CHINESE CUSTOMS TARIFF TREATY

Chinese desiderata.

71. One of the difficult questions that confronted the Conference concerned the state of China's revenues. At the opening meeting of the Committee on Pacific and Far Eastern Questions the Chinese Delegation, in the important statement already

* The creation, by an instrument outside the Treaty, of an international Board of Reference in China, to which questions as to the execution of the "Open Door" and railway discrimination Articles (III and V) may be referred, is dealt with later in this report. (See paragraph 83 below.)

SESSIONAL PAPER No. 47

mentioned (see paragraph 62 above) indicated in general terms their proposal that China should be freed from any limitations upon administrative functions affecting her public revenues. Later they proposed specifically that the principle of Chinese tariff autonomy should be accepted; that pending the grant of full autonomy a maximum rate of duties should be agreed to, with freedom to differentiate rates; and finally that the Chinese import tariff should be forthwith raised to twelve and one half (12½) per cent. To deal with the whole question a Sub-Committee on Chinese Revenue and Tariff was set up, upon which I was asked to serve as the representative of the British Empire Delegation. The negotiations became somewhat prolonged and arduous; the Sub-Committee held seven formal meetings, but in order to secure progress it was necessary to resort very frequently to informal conversations with various members of other Delegations.

Elements of the question.

72. The complexities of the problem and the many considerations that presented themselves in the course of the negotiations rendered agreement difficult. On the one hand, for more than fifty years the import and export tariffs of China have been fixed by treaties with the foreign Powers on the basis of a five per cent *ad valorem* duty on all articles except those placed on a free list and those in which trade is prohibited. This import tariff was converted into schedules of specific duties; and in order to maintain these schedules at an effective five per cent, periodical revisions were necessary in view of changing values. It was recognized that adequate revenues were an important element of any scheme to secure stability of government. There was also sympathy with the desire of the Chinese Delegation for eventual autonomy in these matters. On the other hand, it was apparent that, unless adequate safeguards could be established, any increased revenues in the chaos of existing political conditions would in large measure fall into the hands of powerful military governors to be expended in maintaining or augmenting their military forces or for their personal aggrandizement. Such expenditures would inevitably result in putting the country into even worse case than at present. A further complication arose from the system of internal imposts known as *li-kin*, which involves the taxation, at various arbitrarily selected points, of goods *en route* through the interior of China; a system that has seriously impeded the course of trade. Under the Mackay Treaty of 1902 the British Government (and the American and Japanese Governments under similar treaties in 1903) had agreed to an increase in the customs duties in return for the abolition by China of *li-kin*, subject to the acceptance of a similar arrangement by the other Treaty Powers: but, the conditions not having been fulfilled, the system of *li-kin* remained to be taken into account by the Conference. Difficulties also arose from a long standing system of differentiation between the duties on the maritime and on the land frontiers of China, involving roughly a rebate of one-third in favour of land borne trade, which was originally designed to offset the handicap occasioned by antiquated methods of land transport. With the building of railways the handicap has disappeared, so that the system has in recent years operated as an unfair discrimination in favour of some countries. The Chinese customs revenues moreover constitute under international agreements with China the security for certain loans made to her from time to time by various foreign interests; thus any ill considered tariff adjustments might seriously prejudice these loans. There were also claims that any increased revenues should be devoted to the service of such existing Chinese foreign loans as were unsecured. Again, on the basis of the existing tariff long standing and important channels of trade between China and the other nations had been established, and here the risks of sudden disruption, detrimental to China herself as well as to other nations, were obvious. Of great importance also was the desirability of accompanying any tariff readjustment with some arrangement to make it certain that the increased revenues should be devoted to the economic development of China by way of the construction of railways or for other reproductive purposes.

Unanimity necessary.

73. In considering the results achieved, it must be borne in mind that, as in the case of all the other treaties, nothing could be accomplished unless unanimity could be secured. The rights of each of the Powers interested were based upon agreements made by the Government of China and embodied in solemn treaties. It was necessary therefore to carry the judgment of all the Powers interested; and for this reason proposals of a more far reaching character than those eventually adopted could not be carried out. Each Power had the right of veto.

The Treaty.

74. In the end Resolutions were agreed upon in the Sub-Committee and, after adoption by the Conference, were formally embodied in the Chinese Customs Tariff Treaty signed between the nine Powers on February 6, 1922 (See Appendix No. 21, page 200).

Immediate revision.

75. The Treaty, in the first place, arranges for compliance with the request of China for the immediate revision of the customs schedules, to which she is entitled under existing treaties, in order to bring the tariff to an effective basis of five per cent in the light of present commodity prices (Article I).

Special Conference.

76. As it was impossible to reach agreement on several important points, and as necessary statistics and information were not available at Washington, the Treaty provides for the assembling of a Special Conference in China in the near future, whose main duties will be (1) to prepare the way for the speedy abolition of *li-kin* and the fulfillment of the other conditions of the Mackay Treaty with a view to the tariff increases therein stipulated and, (2) in order to provide additional revenues in the interim, to arrange for the levying of surtaxes that will bring the import rate up to seven and one half per cent effective, with the possibility of a ten per cent rate in the case of certain articles of luxury to be designated by that Conference. The date upon which the increase should come into operation, the purpose for which the revenues should be used, the machinery for securing their proper application, and the other conditions to be applied, will also be for that Conference to determine (Articles II and III).

Future revisions.

77. The period between future revisions is reduced from ten to seven years, the first of these revisions to take place after four years from the immediate revision mentioned above (Article IV).

The abolition of land rebate.

78. The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is recognized, and the Special Conference is to arrange for carrying out this principle, thus abolishing the long standing anomaly above described (Article VI; see paragraph 72 above).

Adhesions.

79. Finally the Treaty provides for the adhesion of the Treaty Powers not represented at the Conference, and for the overriding of existing treaty provisions inconsistent with its terms.

SESSIONAL PAPER No. 47

Chinese Declaration—Customs administration.

80. In connection with these arrangements the Chinese Delegation recorded the following formal Declaration concerning the maintenance of the present efficient administration of the Chinese maritime customs:

“The Chinese Delegation has the honour to inform the Committee on the Far Eastern Questions of the Conference on the Limitation of Armament that the Chinese Government have no intention to effect any change which may disturb the present administration of the Chinese maritime customs.”

Effect of the Treaty.

81. While these various provisions fall short of the full extent of the Chinese desiderata, yet they represent a notable advance on existing conditions, and they provide a means by which, as she recovers from her present political disorder, China may eventually attain the relief sought by her Delegation.

82. As a further aid to an understanding of the Treaty, I include herewith the text of the statement made by Senator Underwood, Chairman of the Sub-Committee, in presenting the Treaty to the Plenary Session of February 4, 1922, on behalf of the Committee on Pacific and Far Eastern Questions (See Appendix No. 12, page 106).

THE TREATY FOR THE SETTLEMENT OF OUTSTANDING QUESTIONS RELATIVE TO SHANTUNG

Status of Shantung question.

83. Before dealing with the remaining Resolutions I should allude to the important settlement that restores to China the interests in the Province of Shantung formerly held by Germany but captured by Japan early in the late war. A bare sketch of past events will suffice. In 1898, under a Convention concluded with China, Germany obtained a ninety-nine years' lease of the Bay of Kiaochow, the Port of Tsingtao and a zone of fifty kilometres in radius, together with certain railway concessions in the Province. In September, 1914, Japan issued an ultimatum to Germany, and (with the assistance of a small British force) occupied the leased territory. Japan thereupon took over the administration of the railway that had been built by German interests. In the ultimatum Japan had declared that her action was taken with a view to the eventual restoration of the leased territory to China. In 1915, under a series of agreements following the presentation by Japan of what were popularly known as the “Twenty-one Demands,” China undertook to assent to any settlement that Japan might thereafter reach with Germany respecting the Shantung interests. The question came up in due course at the Paris Peace Conference, and eventually under the Treaty of Versailles (see Articles 156-8 thereof) Germany renounced in favour of Japan all her rights and interests in these territories. At the same time Japan declared her intention to hand back the Shantung peninsula in full sovereignty to China, with a reservation only of the economic privileges granted to Germany and the right to establish a foreign settlement under the usual conditions at Tsingtao. In spite of this declaration the Chinese Government were dissatisfied with the settlement; their Delegation at Paris asserted that, by reason of the circumstances under which they were concluded, the agreements of 1915 ought not to be recognized; and in the end they declined to sign the Treaty of Versailles. The question has since remained a source of irritation between Japan and China, and has been perhaps the most disturbing factor in the general Far Eastern situation, as any proposals made by Japan to open up negotiations in the interval proved unacceptable to the Chinese Government.

Sino-Japanese negotiations at Washington.

84. In view of the treaty stipulations indicated above it was impracticable for the Conference itself to take up the matter. However, the occasion presented a

favourable opportunity for negotiations looking to direct agreement between Japan and China; and, to facilitate this, the good offices of Mr. Hughes and Mr. Balfour individually were offered to both parties. The offer having been accepted, conversations were entered upon between the Japanese and Chinese Delegations. Observers designated from the American and British Empire Delegations were present to render any available assistance in the negotiations. On occasion there was personal participation by Mr. Hughes and Mr. Balfour. The conversations, though prolonged and meticulous to a degree, were marked by the greatest good feeling; in the end they resulted in a satisfactory settlement, and the conclusions were embodied in a Treaty signed between Japan and China on February 4, 1922. At the fifth Plenary Session on February 1, 1922, when the terms of the agreement were announced to the Conference, both the Japanese and the Chinese Delegations expressed their warm gratitude to Mr. Hughes and to Mr. Balfour for their good offices in the matter.

Shantung Treaty.

85. For convenience the text of the Articles of the Treaty and of certain connected understandings is submitted herewith (See Appendix No. 13, page 111). The former German leased territory of Kiaochow is to be restored to China within six months. Within nine months the Shantung Railway (taken over by Japan from Germany) is to be transferred to China and will come under a Chinese managing director; the value of Japan's interest therein, as fixed by a Commission, is to be paid by China to Japan in Chinese treasury notes secured on the Railway, running for 15 years but redeemable at any time after five years; and pending complete redemption China will employ a Japanese traffic manager and joint chief accountant under the Chinese managing director, though after two and a half years there may be a Chinese assistant traffic manager. Thus it is open to China to secure the railway in complete ownership and control within five years. Other former German properties and interests are to be transferred to China under suitable financial arrangements. Japan foregoes the establishment of a foreign settlement in the territory, and China opens the territory to foreign trade and agrees to respect vested rights there. All Japanese troops are to be withdrawn; from the Railway within six months at the latest, from the leased territory within one month.

86. The value of this achievement cannot be overestimated; for in view of the feeling aroused by the question, not only in the two countries concerned but elsewhere, a satisfactory solution had evidently become an essential factor to the success of the whole Conference. It was in the most cordial spirit that the Japanese Government and Delegation agreed to accept the good offices tendered and to enter upon the negotiations; and it should be remembered that the military effort and expenditure of the Allies in the late war, and especially of Japan and Great Britain, brought about the restoration of this territory which had been extorted from China by Germany. Now that China by this means is recovering completely this ancient Province, valued by her so deeply as the home of her great religious leader, it is not amiss to recall these facts.

Wei-hai Wei and other leased territories.

87. The Conference, in response to the request of the Chinese Delegation, considered the rendition to China of other leased territories. These were the leaseholds of Kowloon (an extension adjoining the British Port of Hong Kong) and of the Port of Wei-hai Wei in the Province of Shantung, both secured by Great Britain in 1898; of Kuangchow Wan on the coast of the southern Province of Kuangtung, secured by France in 1898; and of Port Arthur and Darien in the Liaotung Peninsula, secured by Russia in 1898, but obtained by Japan as the result of her victory in the Russo-Japanese War of 1904-5. The position of the various Delegations concerned was set forth in a series of statements made at the twelfth meeting of the Committee on Pacific and Far Eastern Questions on December 3, 1921, the text of

SESSIONAL PAPER No. 47

which is appended to this report (See Appendix No. 14, page 118). Later, at the fifth Plenary Session on February 1, 1922, and following the announcement that Japan and China had reached an agreement for the restoration to China of the Kiaochow lease, Mr. Balfour announced that Great Britain proposed to hand back Wei-hai Wei to China. The text of his statement is included in the last mentioned Appendix (See Appendix No. 14, page 124). As a result of the Conference, therefore, both Kiaochow and Wei-hai Wei in the Province of Shantung are restored to the sovereignty of China. Later, the French Delegation announced that France would arrange directly with the Chinese Government the conditions and the time for the restoration of Kuangchou Wan.

RESOLUTIONS

Resolutions.

88. The remaining questions under the head of Pacific and Far Eastern Questions were disposed of through the adoption in Plenary Session of a series of formal Resolutions recording the results reached in Committee. In these cases the agreements related to policies or action already authorized under existing treaties, or contemplated only such action as is within the competence of the executive governments concerned in the ordinary exercise of their functions. Thus it was unnecessary to express these agreements in the form of Treaties; and the Resolutions stand as the formal official expression of the conclusions reached. They may conveniently be referred to briefly in their order (See Appendix No. 21, page 156).

Board of Reference in China.

89. It seemed desirable to provide an appropriate instrumentality for investigating disputes that may arise under Articles III and V of the Far Eastern Treaty. The Resolution for this purpose declares that there shall be established in China a Board of Reference to which any such questions may be referred for investigation and report (See Resolution III, Appendix No. 21, page 215). A plan for the constitution of the Board is to be formulated by the Special Conference on the Chinese customs tariff already referred to (See paragraph 76 above). The Board will not be authorized to determine but only to investigate and report. Its jurisdiction in each case will depend upon the scope of the reference to which the Powers interested may agree. Questions touching any alleged violation of the "Open Door" principle, or of the prohibition against monopolies or preferences or unfair discrimination on railways, are among those that may be referred to this tribunal.

Extraterritoriality.

90. An important Resolution was adopted regarding extraterritoriality in China (See Resolution IV, Appendix No. 21, page 215). For years the Powers having treaty relations with China have enjoyed extraterritorial rights, under which legal controversies affecting their nationals in China are determined, not by the Chinese Courts, but through a jurisdiction exercised by their own Consular Courts. In 1902 Great Britain, and in 1903 the United States and Japan, agreed by treaty to assist China in the reform of her judicial system, and declared that they would relinquish their extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other conditions, should warrant them in so doing. The Chinese Delegation having raised the question, it became apparent in the discussion that action could not wisely be taken without accurate information on the questions of fact involved. It was recognized that China had made a considerable advance in the character of her laws; but it was not certain that the judicial system and the methods of judicial administration were of such an efficient character as to justify the abolition of extraterritoriality and the placing

of vast foreign interests under the jurisdiction of the Chinese Courts. Accordingly the Resolution arranges for the establishment of a Commission to inquire into and report upon these questions of fact, and to recommend means for improving the existing administration of justice in China and for promoting such judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their rights of extraterritoriality. Powers having similar rights, but not represented at the Conference, are to be invited to adhere to the Resolution. In an accompanying Declaration, China expresses her satisfaction with this step and declares her intention to appoint a member on the Commission and to co-operate in its work.

Foreign Post Offices in China.

91. There has existed in China from a period when the Chinese Posts were not yet organised a system of foreign postal agencies, which grew up from the original practice of allowing foreign residents to make use of the diplomatic pouches and special messenger services of their Governments. Such independent postal agencies have been maintained by Great Britain, France, Japan, the United States, and, before the war, by Germany and Russia. They naturally competed with the Chinese Government Posts, and, especially since she has been admitted as a member of the Universal Postal Union, China has protested against this condition. The excellence of the Chinese Postal Service, which has been developed with the assistance of a foreign (French) Co-Director General and other foreigners employed by China for the purpose, is recognized on all hands. Accordingly, in response to a request by the Chinese Delegation, the Conference adopted a Resolution under which the four Powers having post offices (the United States, the British Empire, France, and Japan) agree to their abandonment, subject to the maintenance of an efficient postal service and an assurance by China that no change in the present postal administration is contemplated so far as the status of the Co-Director General is concerned (See Resolution V, Appendix No. 21, page 217).

Foreign armed forces.

92. At the ninth meeting of the Committee on Pacific and Far Eastern Questions on November 29, 1921, the Chinese Delegation, pointing to the agreement already reached "to respect the sovereignty, the independence, and the territorial and administrative integrity of China", requested the Conference to put this principle into practice by securing the withdrawal of all foreign armed forces from China, except those whose presence was sanctioned by treaty. Certain detachments stationed in and around Peking and Tientsin, including the Legation Guards, and comprising British, American, Japanese, French, Dutch, and Belgian troops, are maintained under the Protocol of 1901 providing for the resumption of friendly relations with China after the Boxer insurrection. There have also been certain Japanese forces in Manchuria, Shantung, Hankow, and along the Chinese Eastern Railway. The discussion in committee, since the issue was chiefly between China and Japan, was confined in the main to their Delegations: it produced numerous and somewhat prolonged and intricate statements and counter-statements as to whether treaty authority existed for the maintenance of these forces, and whether there were such conditions of lawlessness and disorder in these portions of China that the withdrawal of the forces would endanger the security of life and property for foreign nationals there resident. It being quite impossible for the Conference to pass judgment upon such questions, it was finally agreed that, whenever China shall so request, a full and impartial inquiry shall be conducted on the spot by the diplomatic representatives of the other Powers in association with three Chinese representatives (See Resolution VI, Appendix No. 21, page 217). It should be noted in this connection that under the Shantung settlement Japan has agreed to the withdrawal of the troops from that area (See paragraph 85 above).

SESSIONAL PAPER No. 47

Wireless stations in China.

93. The presence of certain foreign governmental wireless telegraph stations in China, and questions relating to concessions granted by China to various foreign private interests, have been a source of difficulty among the Powers in their relations both toward China and among themselves. The subject was discussed at some length, and finally a Resolution was adopted at the fifth Plenary Session of February 1, 1922 (See Resolution VII, Appendix No. 21, page 218). Except when other telegraphic communication is interrupted, all radio stations maintained by foreign governments in China shall be limited in their use to sending and receiving government messages; they are not to deal in commercial or personal or unofficial traffic. Radio stations operated by foreign interests under treaties and concessions are to be limited to the terms thereof; and any foreign stations maintained without authority are to be transferred, upon fair compensation, to the Chinese Ministry of Communications for management and operation. Provision is made for reaching a common arrangement to avoid interference in the use of wave lengths. At the same time the Chinese Delegation formally declared that China would not recognize the right of any foreign Power, or of its nationals, to install or operate, without the consent of China, radio stations in legation grounds, settlements, concessions, leased territories, railway areas, or other similar areas.

Unification of railways.

94. As for the railways of China, I have already referred to the agreement against unfair discriminations embodied in Article V of the Far Eastern Treaty (see paragraph 66 above); while the special case of the Chinese Eastern Railway is treated below (See paragraph 99). The Conference further adopted a Resolution recording the hope that, to the utmost extent consistent with legitimate existing rights, there might be effected a unification of all the railways in China into a railway system under Chinese control (See Resolution VIII, Appendix No. 21, page 219). This expression of view, as indicated by the American Delegation who proposed it, had the broad aim of aiding in the maintenance of strong and stable administration in China, and of suitable control in respect of the facilities essential to such an administration and to the prosperity of the people. The Chinese Delegation concurrently declared their appreciation of the Resolution and affirmed China's intention to bring about the result as speedily as possible, seeking to this end the friendly support of the Powers and the use of such foreign financial and technical assistance as might be needed in accordance with the principle of the "Open Door."

Reduction of Chinese military forces.

95. China's excessive expenditures upon military activities have already been alluded to (See paragraphs 60 and 72 above). The relation of such expenditures to other questions dealt with, especially to that of the revenues, was so intimate that the Conference felt bound to record its view, in the hope that such action might strengthen the hands of those elements in China that are opposed to a militarist regime. The subject was broached and discussed, first of all, in the sub-Committee on Chinese Revenue and Tariff; and eventually a Resolution was adopted at the fifth Plenary Session on February 1, 1922, expressing to China the earnest hope of the Conference that immediate and effective steps might be taken by the Chinese Government to reduce the excessive military forces and expenditure now maintained (See Resolution IX, Appendix No. 21, page 220). As I had taken a considerable share in the drafting and promotion of this Resolution in the Sub-Committee, I felt it my duty, when the matter came before the main Committee on Pacific and Far Eastern Questions, to make the explanation set forth above (See paragraph 60).

Status of existing commitments concerning China.

96. Another subject on the agenda, the "status of existing commitments" relating to China, resulted in a useful Resolution (See Resolution X, Appendix No.

21, page 220). It has been a disturbing feature in the Far East that certain engagements between the Powers with or relating to China, and many concessions granted by China to the nationals of the Powers, have not been disclosed. In some cases their existence may have been known, but not their terms; and the uncertainties and suspicions thus precipitated have frequently resulted in serious and prolonged disputes. The Resolution is an attempt to reform the practice and to prevent future controversy. It provides, with suitable detail, for the publication of the international obligations of China and of the several Powers in relation to China; while corresponding provisions are laid down in respect of contracts between the nationals of the Powers and any Chinese public authority involving concessions, franchises, options, or preferences. The other Powers having treaty relations with China but not represented at the Conference are to be invited to adhere. The same principle underlies Article 18 of the Covenant of the League of Nations; and in so far as the Resolution covers engagements between States, the Members of the League have already put it into practice.

*Sino-Japanese Treaties of 1915 ("Twenty-one Demands")—
Spheres of Influence or interest.*

97. At the fifteenth meeting of the Committee on Pacific and Far Eastern Questions on December 12, 1921, the Chinese Delegation brought forward a statement that concluded by asking the Powers "to disavow all claims to a sphere or spheres of interest or of influence or any special interests within the territory of China." On being pressed to be more specific, they presented at the sixteenth meeting a list of "restrictive stipulations from which China desired to be relieved." Among these were set out the series of treaties and exchanges of notes entered into between China and Japan in 1915, following upon the presentation of the so-called "Twenty-one Demands" (See paragraph 83 above). Formal statements, setting forth their respective points of view, made at the thirtieth and thirty-first meetings by the Chinese, Japanese, and American Delegations, were ordered by the Committee to "be reported to the Plenary Session and spread upon the records." A perusal of these statements, the texts of which are included herewith (see Appendix No. 15, page 126), will disclose the difficult nature of the question and the considerations that rendered it impossible for the Conference to take any action beyond the above formal resolution.

Natural resources of China—"Special Interests" and "Open Door."

98. Since they have a bearing upon the subjects that are briefly if vaguely described by the phrases "Special Interests" and "Open Door," certain important statements made by the Japanese and Chinese Delegations with regard to the opening up by China of her vast natural resources for the uses of the world are also included herewith (see Appendix No. 16, page 132). Among these the eloquent speech of Baron Shidehara in Plenary Session at the end of the Conference is of especial interest.

Chinese Eastern Railway.

99. The Conference also took up questions relating to the Chinese Eastern Railway which have been the subject of lengthy consultation between the Powers concerned and which directly affect Siberia as well as China. This railway was built under the direction and supervision of the Russian Government, acting through the Chinese Eastern Railway Company, out of the funds of that Government. Its status is defined by certain contracts, made in 1896 and subsequently between China on the one hand and the railway company and certain Russian banking interests on the other, under which the railway is in effect the property of Russia with certain reversionary rights in China. As it is a vital factor in the economic life of Siberia as well as of Northern Manchuria, and as it constitutes a link in the transcontinental rail-

SESSIONAL PAPER No. 47

way system between Europe and the Pacific Ocean, the Powers at the Conference were concerned for its preservation and efficient operation as a free avenue for international commerce. The absence of a recognized Russian Government since 1917 has necessitated certain temporary measures for the preservation and continued operation of this railway. In January, 1919, an arrangement was made between the United States and Japan, to which China, France, Great Britain, and Italy subsequently adhered, whose fundamental purpose was declared to be the temporary operation of the railway with a view to its ultimate return to those in interest without the impairment of any existing rights. The trusteeship thus assumed continues in force. Complex problems of finance, of operation, and of policing have caused serious difficulties to the Finance Committee and to the Technical Board which have been acting in the Far East for the Powers in this matter. Difficulties have also arisen from the attitude of the Chinese Government, who, fearing that their sovereign status in respect of the railway might be prejudiced, have made various claims with respect to operation and finance; while this attitude in turn has aroused anxiety as to the protection of the rights and interests of the foreign stockholders, bond holders, and creditors of the railway. The questions were carefully considered, but in the event it became impossible to reach any final settlement. All that was agreed upon is embodied in the two Resolutions attached hereto. (See Resolutions XI and XII, Appendix No. 21, pages 221-2). In the first Resolution, approved by all the Powers including China, it is agreed that the preservation of the railway for those in interest requires better protection for the line and the persons engaged in its operation and use, a more careful selection of personnel to secure efficiency, and a more economical use of funds to prevent waste; but it is declared that the subject should be dealt with immediately through the proper diplomatic channels. The second Resolution, adopted by the Powers other than China, formally reserves the right to insist hereafter upon the responsibility of China towards the foreign stock holders, bond holders, and creditors, arising from the contracts under which the railway was built, and from the action of China thereunder. The obligations of China in this respect are regarded as a trust resulting from the exercise of power by the Chinese Government over the possession and administration of the line. Although no concrete steps were agreed upon, it may be hoped that these Resolutions, while facilitating future diplomatic efforts to reach a solution, will at the same time impress upon China the serious nature of the responsibilities and duties necessarily attaching to the sovereign rights upon whose recognition she is naturally insistent.

SIBERIA

Siberia.

100. It has been seen that the agenda embraced, under the heading "Pacific and Far Eastern Questions," subjects relating to Siberia as well as to China. While no concrete action was taken by the Conference, yet there was an important exchange of views between the delegations concerned. The particular aspects of the problem that came before the Conference had to do chiefly with the situation created by the military expedition conducted jointly by the Allies in Siberia during 1918 and thereafter. It will be recalled that forces of the British Empire, of the United States and of Japan co-operated in this undertaking, of which all have been withdrawn except a portion of the Japanese. The Japanese Government maintain that the present chaotic political conditions in Siberia render these forces necessary for the preservation of order and the protection of the interests of their nationals resident in Siberia.

Northern Saghalien.

101. Another aspect of the question is concerned with the occupation of the northern part of the Island of Saghalien, which was carried out by Japan in 1920 as an act of reprisal for the massacre by the Russians of a large number of Japanese

subjects at Nicolaievsk. These matters have been the subject of correspondence between the American and Japanese Governments.

Japanese, American and French declarations.

102. At the twenty-fourth and twenty-fifth meetings of the Committee on Pacific and Far Eastern Questions, on January 23 and 24, 1922, the Japanese, American and French Delegations made important statements on the whole question. The action of the Conference was confined to a formal Resolution that "these statements be reported to the Conference at its next Plenary Session to be spread upon its records." The text of the statements so recorded is set out herewith (See Appendix No. 17, page 136). The Japanese statement, it will be noted, concludes with the following declaration:

"In conclusion, the Japanese Delegation is authorised to declare that it is the fixed and settled policy of Japan to respect the territorial integrity of Russia, and to observe the principle of nonintervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions."

As to Northern Saghalien the statement points out that Japan had no alternative but to occupy certain points in the Russian Province of Saghalien in which the massacre was committed, pending the establishment in Russia of a responsible authority with whom the Japanese Government could communicate in order to obtain due satisfaction. It then goes on to say that the occupation "is only a temporary measure and will naturally come to an end as soon as a satisfactory settlement of the question shall have been arranged with an orderly Russian Government."

Mandated Islands.

103. With the subject of "Mandated Islands" in the Pacific it became unnecessary for the Conference to concern itself. Questions between the United States and Japan in relation to the Mandated Islands north of the Equator, already under negotiation between these Powers before the Conference, were settled through the conclusion of the Treaty between them to which reference has already been made (See paragraphs 11 and 17c above). Analogous questions outstanding between the United States and the British Empire are left for settlement by means of direct diplomatic negotiation.

Electrical communications in the Pacific.

104. The subject of "Electrical Communications in the Pacific", also embraced in the agenda, had reference mainly to the allocation of the former German cables captured during the war and ceded to the five Principal Allied and Associated Powers (See Treaty of Versailles, Part VIII, Section I, Article 244, Annex VII). On this no action was taken by the Conference; but arrangements have been made to continue the negotiations between the Principal Allied and Associated Powers that began with the Preliminary International Conference on Electrical Communications at Washington in October, 1920. The discussions will be conducted through the diplomatic representatives of the Powers concerned.

DOMINION REPRESENTATION IN THE BRITISH EMPIRE DELEGATION

Canadian appointment.

105. I ought not to conclude without some account of the general features of Dominion representation at the Conference and of the system and methods of the British Empire Delegation. The nature of my appointment by the Canadian Government as the representative of Canada may be seen from the terms of the Minute of

SESSIONAL PAPER No. 47

Council passed, of which a certified copy was handed to me before my departure for Washington (See Appendix No. 18, page 143). The Minute recites "that as the result of telegraphic communication with the Prime Minister of the United Kingdom it has been arranged that a representative of Canada should be appointed as a member of the Delegation which will represent the British Empire at the Conference on the Limitation of Armament."

Full-Power.

106. For convenience of reference I also set out herewith (1) the text of the Order in Council sanctioning the issuance by His Majesty the King of the Full-Power necessary to provide me with authority to sign, "for and in the name of His Majesty the King in respect of the Dominion of Canada," such treaties as might be concluded at the Conference; and (2) the text of the Full-Power (which is in the form of Letters Patent) issued in pursuance thereof (See Appendix No. 18, page 143-4). As will be seen from the correspondence with the Secretary General of the Conference, also submitted herewith, the original Full-Powers issued to all the Delegates remain deposited in the archives of the Conference (See Appendix No. 18, page 145). It will be observed that the procedure and formulæ here employed follow the practice adopted at the Paris Peace Conference (*Cf.* Sessional Papers of the Parliament of Canada, Special Session, 1919, No. 41j, page 7-10).

Form of treaties.

107. The style of the treaties concluded at Washington is also of interest (See Appendix No. 21, page 156). In their formal aspects—their preamble, their preliminary statement of purpose, their recital of the names of the plenipotentiaries, and finally their signature—they were drafted according to the scheme of the Treaty of Versailles and the other treaties concluded at Paris. It is "the British Empire" in each case that is recited as one of the Powers that have resolved to conclude the treaty, and that have to that end appointed plenipotentiaries. As the appointment under our constitution proceeds from the King, the usual formal description of His Majesty, which embraces the whole British Empire, follows. Since, however, the assent of their Governments is necessary to commit the Dominions, the names of the plenipotentiaries, appointed on their advice respectively and holding Full-Powers as shown above, are set out; and they are preceded in each case by the name of the Dominion as a distinguishing heading. Finally the treaties are signed on behalf of their respective Dominions by the plenipotentiaries so named. A similar formal procedure is followed for the case of India.

Ratification.

108. According to custom the treaties are signed subject to ratification; but of course the method of ratification is determined for each Power by its own constitutional practice. The constitutional convention of the British Empire, under which the final act of ratification by the King of a treaty signed on behalf of a Dominion must be based on the assent of that Dominion, was fixed by the practice of recent years worked out between the members of the Empire themselves. As that practice is entirely within the control and determination of the nations of the Empire, the Washington treaties do not affect it. In like case is the question whether the treaties shall be submitted to Parliament for approval before ratification is recommended, although in this respect the practice is determined by each part of the Empire for itself; for example, it appears from the Speech of His Excellency at the opening of the present Session that with respect to the Washington Treaties the Government consider that the "approval of Parliament ought to precede their ratification on behalf of Canada."

Conference records.

109. It may be mentioned that in the official lists of the Delegations, and wherever in the day to day records the Powers composing the Conference and their respective Delegates were set out, the British Empire Delegation was designated under appropriate sub-headings to indicate the special capacity within the Delegation of the respective Delegates (See Official List of British Empire Delegation and Staff, Appendix No. 18, page 146).

British Empire Delegation.

110. These formal arrangements illustrated a recognized convention based upon a definite principle. In order to commit the British Empire Delegation as a whole to any agreement reached at the Conference, the signature of each Dominion Delegate was necessary in addition to that of the others, and any Dominion Delegate could, if convinced or instructed that his duty lay that way, reserve assent on behalf of his Government. On the other hand, in the internal economy of the body known as the British Empire Delegation the design and effect were to reconcile the principle of diplomatic unity in the Empire's international relations with the principle of co-ordinate autonomy for each self-governing nation. All the British Empire Delegates took part in the meetings of the two main Committees of the Conference, and in the Plenary Sessions; while in the Sub-Committees, whose personnel was always limited to one from each Power, a Dominion Delegate was frequently designated to represent the British Empire. Frequent meetings of the seven British Empire Delegates were held to exchange views, to discuss the Conference problems as they arose, and to reach conclusions; their technical advisers were present to furnish information and advice according to the subject at hand; while the Secretariat, including the Secretaries for the Dominions and India, also attended to assist the meeting, to record the results, and to ensure that any appropriate action should be taken afterward. The agenda of each meeting, with relevant memoranda, drafts and other necessary papers, were circulated to each Delegate in advance by the Secretariat. In the ordinary course the Chairman was Mr. Balfour; in his occasional absence the other Delegates took the Chair in rotation. These arrangements were a reproduction of the practice followed by the British Empire Delegation at Paris.

Secretariat of British Empire Delegation.

111. The British Empire Delegation was served, as already indicated, by a single joint Secretariat, which included a Secretary for each Dominion and for India appointed by their respective Governments. In addition to organization and arrangements for meetings of the British Empire Delegation, the duties of this Secretariat comprised assistance to the Delegation at Conference meetings, correspondence with the Secretary General of the Conference, and, within the Delegation, the issuance of notices of Conference meetings, the summoning of experts thereto, the circulation of Conference and other documents, attendance at Delegation meetings, and many related duties of this character. The Secretary General to the British Empire Delegation, responsible for overseeing these arrangements, was Sir Maurice Hankey (Secretary to the Cabinet of the Government of Great Britain). To those who have had close contact with these matters it is well known how greatly his unique abilities have contributed to carry out effectively the present day principle of co-operation between the Governments of the Empire, which, employed so successfully in the Imperial War Cabinets and in the British Empire Delegation at Paris, has now served equally well at Washington. It is of interest to note that on the recall of Sir Maurice Hankey to urgent duties in Great Britain shortly before the end of the Conference, Mr. Loring C. Christie, who had been acting as Secretary for Canada, was appointed Secretary General to the Delegation. In both capacities Mr. Christie discharged his duties most efficiently and acceptably. I am indebted to him for most valuable assistance in the preparation of this report.

SESSIONAL PAPER No. 47

Effect of Delegation arrangements.

112. Under these various arrangements the entire Delegation kept under constant review the questions confronting the Conference and at every stage became aware of developments occurring, not only in the formal meetings of the Conference and of its Committees and Sub-Committees, but also in the course of the many informal conversations between members of Delegations. The Delegation meetings afforded the means for harmonizing the various points of view. They insured that the particular interest of any part of the Empire should be considered by the Conference. For example, the special interests of Canada, Australia and New Zealand were thus taken into account in reaching the formula in the Naval Treaty for preserving the *status quo* in respect of the fortifications of the Pacific islands (see paragraph 39 above); while the special position of India in relation to the Chinese customs tariff on goods entering by land frontiers (see paragraph 78 above) was similarly treated. Again there was the category of questions of high policy, so called; questions that by common understanding are felt by the nations to raise directly the fundamental issues of peace or the reverse; questions therefore of general concern to the whole Empire rather than of particular interest to any part; questions such as those involved in the Quadruple Pacific Treaty, in the equilibrium of power defined in the Naval Treaty, or in matters affecting the future position of the Powers in the Far East. Here too the Delegates were enabled by the meetings of the Delegation to exchange views and to reach in advance conclusions that could be put forward on behalf of the whole Empire. Throughout the Conference each Delegate was in touch with his own Government by means of the telegraphs or the posts. Thus no Dominion could be committed without its consent, and each was enabled to state its view and exert its influence in advance of the formulation of agreement with other Powers. It should be added that in many instances the influence of the Dominions contributed very materially to the conclusions finally reached.

113. I have attempted this description and analysis of the organization of the British Empire Delegation and of its relation to the work of the Conference because this aspect is perhaps of special interest to Canada, and full information thereon is desirable. Doubtless the scheme will be susceptible of improvement as time goes on, but speaking broadly I believe the experience of this Conference has again justified it as a means whereby under our present constitutional system the Empire can effectively act at international gatherings. The formal aspects of the Treaties and of our appearance at the Conference recognize both the principle of unity and that of co-ordinate autonomy; but neither could be real without effective means whereby in advance of action the views of all would be fully and frankly exchanged and considered in common. The organization of the British Empire Delegation provided that means. Given such means and given good will, the experience of this Conference has again shown that agreement and unity may be expected to follow under no compulsion other than that imposed by the common purpose of free and equal peoples to maintain a single allegiance and to recognize their international responsibilities. Throughout the Conference, a cordial and unvarying spirit of co-operation marked the action of the British Empire Delegation; I refer not only to the relations between the principal Delegates, but also to the work of all those who in whatever capacity, whether from Great Britain or the Dominions or India, assisted in the task.

Invitation to the Conference.

114. There has been some public discussion of the position of the Dominions at Washington; it has been perhaps somewhat lacking in a precise definition of the point at issue; but I understand the suggestion to be that there has been some derogation from the status of the Dominions. So far as this alludes to the method of appointment of the Dominion Delegates and their standing in the British Empire Delegation, the issuance of Full Powers, the form of the Treaties, their signature,

and so on, it has been seen that the practice at Washington followed that of the Paris Peace Conference, which is the most recent outstanding precedent. The point I believe has really to do with the form of the invitation. For the Washington Conference the invitations were issued by the United States, and so far as the Empire is concerned it was the Government of Great Britain that was formally addressed (See paragraph 3 above, and Appendix No. 1, page 49). Shortly before the Conference met the suggestion became prominent that an invitation should have been addressed direct to each Dominion Government. Whether in the circumstances the suggestion was timely, whether the idea itself is expedient, what the difficulties might have been in carrying it out, it is no part of my duty to inquire; the point is one of public policy for the Government itself to consider. For the sake of clarification it may be observed however that, so far as the immediate practical aspect is concerned, the forms and practice followed at Washington were not affected by the form of the invitation; they developed independently of it, and it seems clear that in any such case they would so develop in the natural course, since it is for the British Empire to determine for itself the manner in which it will enter into obligations with other Powers. While practically the question did not affect the right of the Dominions to participate in the discussions and to signify for themselves their assent to agreements or their dissent, it does seem to involve considerations as to their status and prestige in international affairs. In that aspect it is not without importance, and it will doubtless present itself to the Governments of the Empire in the future. Whether the solution lies in the direction of separate direct invitations, or of some other alteration, notified to the other Powers, in the present methods of communication, it should leave the Powers under no misapprehension as to constitutional relationships within this Commonwealth of Nations.

115. Two addresses at the close of the Conference, one of them an illuminating summary of its labours given by Mr. Balfour at the sixth Plenary Session on February 4, 1922 (See Appendix No. 19, page 149), the other an impressive statement by President Harding at the final Session on February 6 (See Appendix No. 20, page 153), will be of assistance in estimating the results; I therefore include them with my report.

Conclusion

116. No one will contend that the Conference completely solved every problem that confronted it; but certainly it was the feeling of those who took part, without distinction of nationality, that it made a notable advance in international co-operation. Its concrete results must be estimated as a whole and in their relation to one of the chief purposes, if not the primary purpose, for which it was summoned. In the Far Eastern and Pacific regions there had been a growing tension from which the menace of serious international discord seemed ready to arise. To remove this danger by means of discussion, understanding, agreement, and co-operation was perhaps the highest hope of the Conference, and that hope was in no small measure fulfilled. If it had accomplished less in practical results, it would still have justified the wisdom and foresight of those who summoned it. For out of association in the every day work of such a Conference there arises almost inevitably the quickening spirit of comprehension and good will. Thus in bringing nine nations into this intimate association at Washington the Conference did not minimize but rather illustrated the value of the League of Nations. Not so much by the elaborate machinery with which it is equipped as by the lessons that the nations shall learn at its council boards, will the League give its best service to mankind. It is by this standard that the service of the Washington Conference can best be measured. That the nations shall be taught to bring their differences to such a common council board or to the determination of a judicial or arbitral tribunal is essential and indeed vital. When the public

SESSIONAL PAPER No. 47

conscience of the world shall have been so developed and aroused that any nation or government refusing these methods of justice and public right and seeking rather the arbitrament of war will be outlawed by the common voice of humanity, then, perhaps not before, we shall have a certain assurance of world peace.

I have the honour to be,

Sir,

Your obedient servant,

R. L. BORDEN.

The Honourable

W. L. MACKENZIE KING, C.M.G., M.P.,

Prime Minister and Secretary of State for External Affairs.

Ottawa.

APPENDIX NO. 1

I. Invitation of August 11, 1921, from the President of the United States to the Government of Great Britain to participate in a Conference on the Limitation of Armament to be held in Washington on November 11, 1921.

The President is deeply gratified at the cordial response to his suggestion that there should be a conference on the subject of limitation of armaments in connection with which Pacific and Far Eastern questions should also be discussed.

Productive labour is staggering under an economic burden too heavy to be borne unless the present vast public expenditures are greatly reduced, and it is idle to look for stability or the assurance of social justice or the security of peace while wasteful and unproductive outlays deprive effort of its just reward and defeat the reasonable expectation of progress.

The enormous disbursements in the rivalries of armaments manifestly constitute the greater part of the incumbrance upon enterprise and national prosperity, and avoidable or extravagant expense of this nature is not only without economic justification but is a constant menace to the peace of the world rather than an assurance of its preservation. Yet there would seem to be no ground to expect the halting of these increasing outlays unless the Powers most largely concerned find a satisfactory basis for an agreement to effect their limitation.

The time is believed to be opportune for these Powers to approach this subject directly and in conference; and, while in the discussion of limitation of armaments the question of naval armament may naturally have first place, it has been thought best not to exclude questions pertaining to other armament, to the end that all practicable measures of relief may have appropriate consideration. It may also be found advisable to formulate proposals by which in the interest of humanity the use of new agencies of war may be suitably controlled.

It is, however, quite clear that there can be no final assurance of the peace of the world in the absence of the desire for peace, and the prospect of reduced armaments is not a hopeful one unless this desire finds expression in a practical effort to remove the causes of misunderstanding and to seek ground for agreement as to principles and their application.

It is the earnest wish of this Government that through an interchange of views with the facilities afforded by a conference it may be possible to find a solution of Pacific and Far Eastern problems, of unquestioned importance at this time, that is, such common understanding with respect to matters which have been and are of international concern as may serve to promote enduring friendships among our peoples.

It is not the purpose of this Government to attempt to define the scope of the discussion in relation to the Pacific and Far East, but rather to leave this to be the subject of suggestions to be exchanged before the meeting of the conference, in the expectation that the spirit of friendship and a cordial appreciation of the importance of the elimination of sources of controversy will govern the final decision.

Accordingly, in pursuance of the proposal which has been made and in the light of the gracious indication of its acceptance, the President invites the Government of Great Britain to participate in a conference on the subject of limitation of armaments, in connection with which Pacific and Far Eastern questions will also be discussed, to be held in Washington on the 11th November, 1921.

II. Note of August 19, 1921, from the Secretary of State for Foreign Affairs to the American Ambassador at London accepting the invitation of the President of the United States.

FOREIGN OFFICE, S.W.I., 19th August, 1921.

YOUR EXCELLENCY,—I have the honour to acknowledge the receipt of the invitation proffered to His Majesty's Government by the Government of the United States, to participate in a conference at Washington, beginning on the 11th November next, for the discussion of the limitation of armaments, and in connection therewith, of the international problems presented by the Pacific and the Far East.

2. It is with sincere gratification that I have the honour, on behalf of His Majesty's Government, to request Your Excellency to convey to the United States Government, our ready acceptance of their invitation to take part in this auspicious meeting, with the objects of which His Majesty's Government and the British nation are in whole-hearted sympathy. It is the earnest and confident hope of His Majesty's Government that this conference, approached, as it will be, by all concerned in a spirit of courage, friendliness and mutual understanding, may achieve far-reaching results, that will conduce to the prosperity and peace of the world.

I have the honour to be with the highest consideration, etc.

(Sgd.) CURZON OF KEDLESTON.

His Excellency,
The Honourable
GEORGE HARVEY,
etc., etc., etc.

APPENDIX NO. 2

Extract from the Summary of Proceedings of the Conference of Prime Ministers and Representatives of the United Kingdom, the Dominions, and India, held in London, June, July, and August, 1921 (See British Parliamentary Paper [Cmd. 1474], 1921, pages 3-5).

The problems of the Western Pacific and the Far East, together with the Anglo-Japanese Agreement, were also fully discussed; and President Harding's invitation to a Conference on Disarmament was warmly welcomed by all the members of the Conference. The following statement, made by the Prime Minister in the House of Commons on the 11th July, represents the general view of all members of the Conference on the main issues of the Pacific, as also on the question of disarmament:—

"The broad lines of Imperial policy in the Pacific and the Far East were the very first subjects to which we addressed ourselves at the meetings of the Imperial Cabinet, having a special regard to the Anglo-Japanese Agreement, the future of China, and the bearing of both those questions on the relations of the British Empire with the United States. We were guided in our deliberations by three main considerations. In Japan we have an old and proved ally. The agreement of twenty years' standing between us has been of very great benefit, not only to ourselves and her, but to the peace of the Far East. In China there is a very numerous people, with great potentialities, who esteem our friendship highly, and whose interests we, on our side, desire to assist and advance. In the United States we see to-day, as we have always seen, the people closest to our own aims and ideals with whom it is for us, not merely a desire and an interest, but a deeply-rooted instinct to consult and co-operate. Those were the main considerations in our meetings, and upon them we were unanimous. The object of our discussions was to find a method combining all these three factors in a policy which would remove the danger of heavy naval expenditure in the Pacific, with all the evils which such an expenditure entails, and would ensure the development of all legitimate national interests of the Far East.

"We had, in the first place, to ascertain our exact position with regard to the Anglo-Japanese Agreement. There had been much doubt as to whether the notification to the League of Nations made last July constituted a denunciation of the agreement in the sense of clause 6. If it did, it would have been necessary to decide upon some interim measure regarding the agreement pending fuller discussions with the other Pacific Powers, and negotiations with this object in view were, in point of fact, already in progress. If, on the other hand, it did not, the agreement would remain in force until denounced, whether by Japan or by ourselves, and would not be actually determined until twelve months from the date when notice of denunciation was given. The Japanese Government took the view that no notice of denunciation had yet been given. This view was shared by the Secretary of State for Foreign Affairs; but, as considerable doubt existed, we decided, after a preliminary discussion in the Imperial Cabinet, to refer the question to the Lord Chancellor, who considered it with the Law Officers of the Crown, and held that no notice of denunciation had yet been given.

"It follows that the Anglo-Japanese Agreement remains in force unless it is denounced, and will lapse only at the expiration of twelve months from the time when notice of denunciation is given. It is, however, the desire of both the British Empire and Japan that the agreement should be brought into complete harmony with the Covenant of the League of Nations, and that wherever the Covenant and the

agreement are inconsistent, the terms of the Covenant shall prevail. Notice to this effect has now been given to the League.

"The broader discussion of Far Eastern and Pacific policy to which we then turned showed general agreement on the main lines of the course which the Imperial Cabinet desired to pursue. I have already explained that the first principle of our policy was friendly co-operation with the United States. We are all convinced that upon this, more than any single factor, depends the peace and well-being of the world. We also desire, as I have stated, to maintain our close friendship and co-operation with Japan. The greatest merit of that valuable friendship is that it harmonizes the influence and activities of the two greatest Asiatic Powers, and thus constitutes an essential safeguard to the well-being of the British Empire and peace of the East. We also aim at preserving the open door in China, and at giving the Chinese people every opportunity of peaceful progress and development.

"In addition to these considerations, we desire to safeguard our own vital interests in the Pacific, and to preclude any competition in naval armaments between the Pacific Powers. All the representatives of the Empire agreed that our standpoint on these questions should be communicated with complete frankness to the United States, Japan and China, with the object of securing an exchange of views which might lead to more formal discussion and conference. The Secretary of State for Foreign Affairs accordingly held conversations last week with the American and Japanese Ambassadors and the Chinese Minister, at which he communicated to them the views of the Imperial Cabinet, and asked in turn for the views of their respective Governments. He expressed at these conversations a very strong hope that this exchange of views might, if their Governments shared our desire in that respect, pave the way for a Conference on the problems of the Pacific and the Far East.

"The views of the President of the United States were made public by the American Government this morning. It is known to the House, Mr. Harding has taken the momentous step of inviting the Powers to a Conference on the limitation of armaments, to be held in Washington in the near future, and he also suggests a preliminary meeting on Pacific and Far Eastern questions between the Powers most directly interested in the peace and welfare of that great region, which is assuming the first importance in international affairs. I need not say that we welcome with the utmost pleasure President Harding's wise and courteous initiative. In saying this I know that I speak for the Empire as a whole. The world has been looking to the United States for such a lead. I am confident that the House will esteem it as an act of far-seeing statesmanship and will wholeheartedly wish it success. I need hardly say that no effort will be lacking to make it so on the part of the British Empire, which shares to the full the liberal and progressive spirit inspiring it."

In accordance with the suggestion which was believed to have been made by the American Government that the Conference on Disarmament should be preceded by friendly conversations or consultations between the Powers who were principally concerned in the future of the Far East and the Pacific, the Imperial Conference, anxious that for the Anglo-Japanese Agreement should be substituted some larger arrangement between the three Great Powers concerned, namely, the United States of America, Japan and Great Britain, and holding the firm conviction that the later discussions on disarmament, to which they attached a transcendent importance, could best be made effective by a previous mutual understanding on Pacific questions between those Powers, devoted many hours of examination to the question how such an understanding could best be arrived at; where the proposed conversations could best be held; in what manner the representatives of the British Dominions, who were so vitally affected, could most easily participate in them; and upon what broad principles of policy it was desirable to proceed. It was difficult for the Dominion Prime Ministers, owing to the exigencies of time and space, to attend at Washington late in the autumn.

SESSIONAL PAPER No. 47

APPENDIX No. 3

Note of February 4, 1922, from the British Minister at The Hague to the Minister for Foreign Affairs of the Government of The Netherlands, with regard to the Quadruple Pacific Treaty and the rights of The Netherlands in relation to her insular possessions in the region of the Pacific Ocean.

BRITISH LEGATION, THE HAGUE, February 4th, 1922.

MONSIEUR LE MINISTRE,—The British Empire has concluded on December 13, 1921, with the United States of America, France and Japan, a treaty with a view to the preservation of general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean. They have agreed thereby as between themselves to respect their rights in relation to these possessions and dominions.

The Netherlands not being signatory to the said treaty and The Netherlands possessions in the region of the Pacific Ocean therefore not being included in the agreement referred to, His Britannic Majesty's Government, anxious to forestall any conclusion contrary to the spirit of the treaty, desire to declare that it is firmly resolved to respect the rights of The Netherlands in relation to her insular possessions in the region of the Pacific Ocean.

In bringing the foregoing to the knowledge of Your Excellency by the instruction of my Government I avail myself of this occasion, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Sgd.) C. M. MARLING.

HIS EXCELLENCY,
JONKHEER VAN KARNEBEEK,
etc., etc., etc.

APPENDIX No. 4

Statements on behalf of the Delegations on the communication of the Quadruple Pacific Treaty to the Conference on the Limitation of Armament at its fourth Plenary Session, Washington, December 10, 1921.

(Unrevised text)

STATEMENT BY SENATOR LODGE ON BEHALF OF THE AMERICAN DELEGATION

SENATOR LODGE (*speaking in English*): Mr. Chairman, and Gentlemen of the Conference, I should be insensible, indeed, if I did not feel deeply gratified by the opportunity which has come to me to lay before the Conference the draft of a treaty, the terms of which have been agreed upon by four of the great powers of the earth in regard to the islands of the Pacific, which they control, either as possessions or dominions. I will begin by reading to the Conference the treaty, which is both brief and simple, and yet I am sure is full of meaning and importance to the world's peace.

[At this point Senator Lodge read the text of the Treaty. See Appendix No. 21 page 208.]

The signing of this treaty is, on the part of the United States, subject to the making of a convention with Japan concerning the status of the island of Yap and what are termed the mandated islands in the Pacific Ocean north of the Equator, the negotiations in regard to which are almost concluded, and also to the reservations with respect to what are termed the mandated islands in the Pacific Ocean south of the Equator.

It should also be observed that the controversies to which the proposed treaty refers do not embrace questions which, according to principles of international law, lie exclusively within the domestic jurisdiction of the respective powers.

The Conference will perceive that I spoke correctly when I referred to the terms of the treaty as simple. To put it in a few words, the treaty provides that the four signatory powers will agree as between themselves to respect their insular possessions and dominions in the region of the Pacific, and that if any controversy should arise as to such rights all the high contracting parties shall be invited to a joint conference looking to the adjustment of such controversy. They agree to take similar action in the case of aggression by any other power upon these insular possessions or dominions. The agreement is to remain in force for ten years, and after ratification under the constitutional methods of the high contracting parties the existing agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. And that is all. Each signer is bound to respect the rights of the others and before taking action in any controversy to consult with them. There is no provision for the use of force to carry out any of the terms of the agreement, and no military or naval sanction lurks anywhere in the background or under cover of these plain and direct clauses.

The surest way to prevent war is to remove the causes of war. This is an attempt to remove causes of war over a great area of the globe's surface by reliance upon the good faith and honest intentions of the nations which sign the treaty, solving all differences through the processes of diplomacy and joint consideration and conciliation. No doubt we shall hear it said that the region to which this agreement applies is one most unlikely to give birth to serious disputes, and therefore an agreement of this

SESSIONAL PAPER No. 47

character is of little consequence. History unhappily has shown that there is no corner of the earth so remote or so valueless that it is not capable of giving cause for controversy or even for war between the tribes and the nations of mankind. But the islands of the Pacific although remote from the dwelling places of the mass of humanity, are far from valueless. The islands of the southwestern Pacific extend over a vast space in that great ocean. They reach from the Marquesas on the east to the Philippines on the west; from the Aleutian Islands on the north nearly to the Antarctic Circle on the south. They are far more numerous than is generally realized. I do not know what the total number is, but I am informed as to the Philippines, and it appears that this group alone contains over 3,100 islands, of which 1,600 have names. We have all probably heard of the remark of Robert Louis Stevenson, when on leaving one of the Pacific islands he was asked how he was going to Samoa. He replied that he should just go out and turn to the left. These islands are, comparatively speaking, so dense that we might describe them in the words of Browning, as the

“Sprinkled isles,

“Lily on lily that o’erlace the sea—”

And yet the region through which they are scattered is so vast that the isles of Greece and the Aegean Sea, so famous in history and in poetry, could easily be lost therein and continue unnoticed except by wandering seamen or stray adventurers. They range from Australia, continental in magnitude, to atolls where there are no dwellers but the builders of the coral reefs or lonely rocks marking the peaks of mountains which rise up from the ocean’s floor through miles of water before they touch the air. To the western and the eastern world alike most of the islands of the southwestern Pacific are little known. There still lingers about them the charm so compelling and so fascinating which an undiscovered country has for the sons of men who are weary of main-travelled roads and the trampled highways of trade and commerce which cover the surface of the patient earth. Upon these islands still shines the glamour of romance in the stories of Melville and the writings of Robert Louis Stevenson, to whom the South Seas gave both a grave and a monument imperishable as his own fame.

But the Pacific islands are much more than this. They possess certain qualities other than natural beauty and romantic charm, which to many minds are more enticing. The larger ones are rich in many ways, fertile in the gifts of soil and climate and in other forms of riches desired by men, which extend from the untold mineral resources of Australia to the pearls which are brought from the depths of the ocean. There are among them all great areas of forest and of plain fit for the support and prosperity of civilized man. In a word, they have a very great material value, largely undeveloped; and where this condition exists the desires of men will enter; and conflicting human desires have throughout recorded history been breeders of war.

Thus far the wastes of the Pacific Ocean with all the crowding islands, except on the edges of the continents, have not been the scene of great wars; and yet not many years have passed since three great nations sent their warships to Samoa because there was a dispute in regard to those distant islands. Therefore an agreement among the nations controlling these islands has a very serious importance to the peace of the world. We make the experiment here in this treaty of trying to assure peace in that immense region by trusting the preservation of its tranquility to the good faith of the nations responsible for it. The world has just passed through a war the very memory of which makes us shudder. We all believe deep in our hearts that this hideous destruction of life, this suffering and ruin which still beset us, must not be permitted to come again if we can prevent it. If the nations of the earth are still in the innermost recesses of their consciousness planning or dreaming of coming wars and longing for conquests, no treaties of partition and no alliances can stay them; but if, as I firmly hope, the world has learned a frightful lesson from the awful experiences of

12 GEORGE V, A. 1922

the Great War of 1914, then our surest appeal in order to prevent wars in the future must be to the hearts, the sympathies, the reason, and the higher impulses of mankind.

Such an appeal we make to-day by this agreement among four great nations. We rely upon their good faith to carry out the terms of this instrument, knowing that by so doing they will prevent war should controversies ever arise among them. If this spirit prevails and rules we can have no better support than the faith of nations. For one, I devoutly believe the spirit of the world is such that we can trust to the good faith and the high purposes which the treaty I have laid before you embodies and enshrines.

Agreements of this kind I know have often been made before, only to fail. But there has been a far-reaching change in the mental condition of men and women everywhere. That which really counts is the intention of the nations who make the agreement. In this hour of trial and darkness which has followed the war with Germany the spirit of the world is no longer the same. If we enter upon this agreement, which rests only upon the will and honour of those who sign it, we at least make the great experiment and appeal to the men and women of the nations to help us sustain it in spirit and in truth.

STATEMENT BY MR. HUGHES ON BEHALF OF THE AMERICAN DELEGATION

THE CHAIRMAN (*speaking in English*): Gentlemen, we have been dealing with a very simple paper. Probably you would not be able to find an international document couched in more simple or even briefer terms; but we are again reminded that the great things are the simple ones. I firmly believe that when this agreement takes effect we shall have gone further in the direction of securing an enduring peace than by anything that has yet been done.

STATEMENT BY MR. VIVIANI ON BEHALF OF THE FRENCH DELEGATION

MR. VIVIANI (*speaking in French*): Gentlemen, in the name of the Government of the French Republic, which today has conferred on me its authority and which speaks through my voice, I assent, without reticence and without reservation, to everything implied in the agreement just read by Mr. Lodge, who has followed it up with an analysis at once so simple and so powerful.

The moment that the final ratifications have been exchanged here, France will assume the obligations growing out of this pact, just as she will exercise the rights conferred on her by it. Amid this gathering of nations whose custom it is to honour their signature, I am entitled to say, speaking of this treaty, that France is in her rightful place here—France, who throughout the entire course of her history has scrupulously fulfilled her obligations and only a few years since offered up the blood of her sons that her plighted word might be kept.

We have been enlightened as to the juridical and diplomatic value of this agreement by the simple words of Mr. Lodge's analysis. It is fitting, however, to pause a moment, if only to mark the unity of our purpose. We fully understand that four great Powers bind themselves to respect their mutual rights as far as the islands and dominions of the Pacific are concerned; we understand that if some controversy should loom up on the horizon which cannot be settled through the ordinary workings of diplomacy, these Powers shall take counsel together; we understand that should the rights of these Powers be imperilled by the aggressive

SESSIONAL PAPER No. 47

action of another Power, measures would be taken to meet this situation. The treaty provides for a duration of ten years. At the moment of its ratification the Anglo-Japanese alliance comes to an end.

So much for the juridical value of this document. We should, however, be remiss indeed—we should be slighting the open-handed and sumptuous hospitality offered us by America and failing in our manifest duty, if we did not attempt to stress the moral worth of the agreement and thereby give this memorable day its true historic character. This moral value has just been alluded to by Mr. Lodge; he has pointed out that when four great Powers are determined that peace shall prevail in a given part of the world, the concert of these Powers, without provision for naval or military action, is all that is needed to assure the preservation, the guaranty and the protection of that peace; and I say here, in this illustrious hall, in this tribune so exalted that however feeble may be the voice speaking here it will be heard throughout the universe, that it is a good thing that this example of cohesion has been given the world. Now that the pact has been read, now that our signatures are united and the community of our consciences and purposes has been affirmed, I am more than ever justified in saying that this Conference, to which we have had the honour of being invited, in which we are proud to play a part, has proved itself fully successful.

Let me say, however, that when the call of America reached us, when we replied to that call by a direct acceptance, by our presence here, we knew that we were bound to run certain risks. Mr. Lodge in the eloquent speech which he has just read, has alluded to them not without sadness. We must look facts in the face. Ever since the Armistice a sort of tragic disillusionment has been striking into the souls of the peoples as they compared their sacrifices with the results of these sacrifices and wondered whether the triumph of justice has been commensurate with their efforts. And what was to come out of this Conference? Was it to be merely one more meeting, one more consultation? What would issue from it—light or darkness? We have just heard the reply to this question. I may say here that, thanks to the limitation of naval armament, thanks to the treaty which has brought us together, it is proved that the Conference has fully succeeded and that the peoples of the earth may now believe in intellectual progress, in moral progress and in the progress of conscience.

You have reminded us, Mr. Lodge, that our treaty deals with vast remote regions, and you have uttered the wish that this same will to peace might be extended to other parts of the world. We Frenchmen, at any rate, cannot turn deaf ears to such words—we who represent a country ravaged by a hideous and ghastly war which has filled the land with mourning and covered our soil with fifteen hundred thousand tombs, so thickly strewn that we know not whether the miserly Spring will give us flowers enough to adorn the graves of our dead. No word exists which could be better received by French ears than the word “peace.”

As for the War, France left nothing undone which might avert it. I who am now speaking to you was head of the Government during those crucial hours; on July 31, 1914, I took the responsibility, unparalleled in all history, of ordering the French armies to withdraw for a space of ten kilometers from our frontier; for the sake of avoiding the conflict, I delivered over to the enemy a part of the soil of my country. I took the responsibility of being the last to order mobilization in a Europe driven to arms; I waited until the last hour, the last minute, as long as the faintest glow of hope remained. Then we were forced to take up our arms and do battle once more for justice, to fight not only for France and her honour, but for the liberty of the world and the fate of civilization.

Now our arms have been thrown down. But allow me—I have no wish to speak here in the name of the other nations of Europe, though I feel sure that the words of my colleagues, were they to utter them, would harmonize with my own—allow me,

I say, to make one observation: we do not ask you to take part in the affairs of Europe; we respect the national sovereignty of America; but if you judge us, have faith in us and pass sentence with justice. That old Continent of Europe has been tormented for twenty centuries by every passion—political, religious, national and international; the blood and tears of mankind have been poured out over her in floods; her frontiers have been trampled under foot; storms of hatred have raged from one end of Europe to the other; and, as a finishing touch, this great shameful war, of which you have spoken, has heaped up its material and moral devastation in every country. A war, did I say? It was no war. You did not take part in a war, but in a revolution. We have laid low militarism and autocracy; we have raised up from the tomb, towards life and light, young peoples which are still untrained and which must yet pass through the novitiate of liberty. In view of all this, how could you expect that we should instantly regain our balance; how could you expect that peace should return to Europe; how could you fail to see that hatred and difficulties must still linger, just as the surface of the ocean remains troubled even though the tempest has passed? Have faith in us. Already we have taken heart through our contact with you.

The men who are gathered here, who have had the stern task of taking up arms for justice's sake, and that other unexpected task of being forced to organize a shattered society, pledge themselves to leave nothing undone in order that universal peace may prevail between men and nations and that this peace may become final. But it must be understood that peace will never be final until justice shall have been satisfied.

STATEMENT BY MR. BALFOUR ON BEHALF OF THE BRITISH EMPIRE DELEGATION

Mr. BALFOUR (*speaking in English*): Mr. Chairman and Gentlemen of the Conference, you have heard an exposition by Senator Lodge of the contents of this treaty, admirable in its clarity, perfect in its literary form, and you have just heard the way in which this treaty strikes a great Frenchman in its world relations; you have heard his views, in an eloquent speech by one of the greatest masters of eloquence now living.

So far as I am concerned, I would most gladly leave the matter in their hands, for I have nothing to add to what they have said upon the general aspects of the treaty. If I rise to occupy your attention for one or two moments it is not to deal with the treaty in its entirety, but merely to say something about one clause in that treaty in which only my friends from Japan and the British delegation can regard themselves as immediately interested, although I think it touches, in truth and in reality, the interests of the whole world.

You will all have noticed that clause four provides that when this treaty receives its ratification at the hands of the signatory Powers, at that moment the treaty between Japan and Great Britain comes to an end. Now, I am perfectly well aware that the treaty between Great Britain and Japan has been the cause of much searching of heart, of some suspicions, of a good deal of animadversion in important sections of opinion in the United States, and I think that from the historical point of view that attitude may at first cause surprise, for certainly nothing was further from the thoughts of the original framers of the treaty between Japan and Great Britain than that it could touch in the remotest way, either for good or for evil, the interests of the United States. The United States seemed as remote from any subject touched in the original agreement, as Chile or Peru.

Now what has caused the change in what I think was the original view taken in the United States by all sections of opinion? To what is it that the change of opinion is due? I think it is due to the fact that a state of international tension did arise in the Pacific area—and I hope I may incidentally say that it is now forever set at

SESSIONAL PAPER No. 47

rest—but at all events it did arise in the area of the Pacific Ocean, and critics in the United States began to say to themselves, "Why is there this treaty between Japan and Great Britain? What further interest does it serve?" They called to mind the fact that it originally came into being on account of the aggressive attitude taken in Far Eastern affairs by Russia and by Germany, and they asked themselves, "Is there any further danger from Russia? Is there any further peril to be feared from Germany?" And when they answered that question, as of course they were obliged to answer it, in the negative; when they perceived that the practical objects for which the Anglo-Japanese Alliance was brought into being no longer existed, that history had wiped them out, they said to themselves, "Why, then, is this treaty continued? May it not in certain conceivable eventualities prove hampering and injurious in case strained relations should become yet more strained?"

I understand that point of view; but there is another point of view which I want you to understand, and with which even those who disagree with it will sympathize. There is no audience that I would rather appeal to than an American audience on the point I am just going to mention. This treaty, remember, was not a treaty that had to be renewed: it was a treaty that ran until it was formally denounced by one of the two parties to it. It is true that the objects for which the treaty had been created no longer required international attention. But, after all, that treaty (or its predecessors) had been in existence within a few days of twenty years. It had served a great purpose in two great wars. It had stood the strain of common sacrifices, common anxieties, common efforts, common triumphs.

When two nations have been united in that fiery ordeal, they cannot at the end of it take off their hats one to the other and politely part as two strangers part who travel together for a few hours in a railway train. Something more, something closer, unites them than the mere words of the treaty; and, as it were, gratuitously and without a cause to tear up the written contract, although it serves no longer any valid or effective purpose, may lead to misunderstandings in one nation just as much as the maintenance of that treaty has led to misunderstandings in another. Great Britain therefore found herself between the possibilities of two misunderstandings; a misunderstanding if she retained the treaty, a misunderstanding if she denounced the treaty; and we have long come to the conclusion that the only possible way out of this impasse, the only possible way of removing those suspicions and difficulties which are some of the greatest obstacles to that condition of serene peace which is the only tolerable condition, after all, for civilized people, was that we should annul, merge, destroy, as it were, this ancient and outworn and unnecessary agreement and replace it by something new, something effective, which should embrace all the Powers concerned in the vast area of the Pacific.

I hope that at not too great length I have explained the frame of mind in which my Government approached this difficult problem. The solution is one which gives me a satisfaction which I find it difficult, which I find it impossible adequately to express in words.

It so happens that I was at the head of the British administration which, twenty years ago, brought the first Anglo-Japanese alliance into existence. It so happens that I was at the head of the British administration which brought into existence the entente between the British Empire and France. And through all my life I have been a constant, ardent and persistent advocate of intimate and friendly relations between the two great branches of the English-speaking race. You may well conceive therefore, how deep is my satisfaction when I see all these four Powers putting their signature to a treaty which I believe will for all time ensure perfect harmony and co-operation between them in the great region with which the treaty deals.

Mr. Chairman, you told us at the beginning of this part of our meeting, most truly, that this treaty did not strictly come within the four corners of the Conference program. That statement was perfectly accurate; but no man or woman who has

listened to this discussion, who has heard Senator Lodge read and comment on the treaty, who has heard Mr. Viviani's eloquent statement of the effect it has produced on his country, can consider the substance and matter of the treaty itself without seeing that whether or not it be within the strict program of our Conference, nothing is more germane to its spirit, and nothing that we could possibly have done would better prepare the way for that diminution of naval armament which I hope will be one of our greatest triumphs.

STATEMENT BY PRINCE TOKUGAWA ON BEHALF OF THE JAPANESE DELEGATION

PRINCE TOKUGAWA (*speaking in English*): Mr. Chairman and Gentlemen, although it is unnecessary to add to what has already been said by Senator Lodge, Mr. Viviani and Mr. Balfour, I hope, Mr. Chairman, I shall be permitted to say a few words.

The terms of the important pact assuring mutual security and friendship have just been made known. It is needless for me to say that all Japan will approve the consummation of this work. Japan will rejoice in this pledge of peace upon the Pacific Ocean.

As to the Anglo-Japanese agreement which is soon to terminate, I desire to associate myself with the words of appreciation so ably expressed by our distinguished colleague, Mr. Balfour, with respect to the glorious service which that agreement has done for the preservation of peace and liberty.

STATEMENT BY SENATOR SCHANZER ON BEHALF OF THE ITALIAN DELEGATION

SENATOR SCHANZER (*speaking in English*): Mr. Chairman and Gentlemen of the Conference, the Italian Delegation is very much gratified by the public announcement of the agreement reached between the four great Powers having insular possessions in the Pacific Ocean, which was courteously communicated to us previously to its conclusion.

Any measure aiming at the creation of guaranties for the safeguard of peace in the world cannot but meet with our fullest consent. The principles involved in the agreement are entirely in accordance with the main lines of policy inspired by the high aim of the peaceful elimination of conflicts between nations.

We therefore express our full confidence that this agreement will represent the most firm and lasting guaranties for the safeguarding of peace in the Pacific.

STATEMENT BY JONKHEER VAN KARNEBEEK ON BEHALF OF THE NETHERLANDS DELEGATION

JONKHEER VAN KARNEBEEK (*speaking in English*): Mr. Chairman, may I say a few words in addition to those which have already been spoken by others?

I feel that this is a great meeting. It is a meeting, Mr. Chairman, in which you have been able to produce the first results of the fruitful international collaboration which you have directed, and you have been able at the same time to explain those results and commend them to a world which is eagerly listening. Mr. Chairman, you have referred to the resolutions with respect to China. We have assented, and we have done it in the fullest sympathy with the spirit which has animated the Con-

SESSIONAL PAPER No. 47

ference. In the second place, public announcement has been made of the treaty which is going to be concluded between the United States of America, the British Empire, France and Japan. Mr. Chairman, I want to seize this opportunity to state that I feel that in my country, Holland, this treaty will be received with great sympathy, because in that country it will be felt that it constitutes and embodies an endeavour to promote peace and tranquility in these far-off regions neighbouring The Netherlands' possessions. We feel that it is an endeavour which may be a new and a happy beginning in the world's history, and for which you, Mr. Chairman, among others, may be sincerely congratulated.

When as a corollary to this treaty, Mr. Chairman, the resolutions concerning China shall have finally been incorporated in a general understanding of policy of all the Powers interested, and such understanding extended to such matters as you have mentioned in connection with the status quo in general, then, Mr. Chairman, a great step will have been taken on the ascending road which leads to the restoration of confidence, and restoration of confidence, Mr. Chairman, I believe, is what the world wants and what we are here for.

STATEMENT BY MR. SZE ON BEHALF OF THE CHINESE DELEGATION

MR. SZE (*speaking in English*): Mr. Chairman and Gentlemen, I rise to associate myself with the previous speakers in expressing great satisfaction at the results that have already been accomplished by this Conference.

The Chinese Delegation notes with gratification the intention of the Powers agreeing to the draft treaty reported this morning to preserve general peace and to adjust by peaceful means all matters of controversy that may arise between them with reference to their rights in relation to their insular possessions and insular dominions in the region of the Pacific.

The Chinese Delegation anticipates, as indicated by our distinguished Chairman, that this agreement will be supplemented by a further convention to which all the Powers, including China, will be parties, which will adjust conditions in the Far East upon a basis satisfactory to all the Powers, and which it is hoped will provide for the amicable settlement of any future controversies that may arise.

The Chinese delegation has been greatly impressed by the friendliness with which the discussions in the Conference on the proposals by us, as on other matters, have been carried on, and it is convinced that a satisfactory solution can be found for the remaining questions which represent Chinese sovereignty and her legitimate aspirations. China, for her part, will do what she can to bring this about, and will at all times give her whole-hearted help in the maintenance of the most friendly relations between herself and the other Powers and thus add to the effort for the preservation of peace in the Pacific and the Far East.

STATEMENT BY BARON DE CARTIER ON BEHALF OF THE BELGIAN DELEGATION

BARON DE CARTIER (*speaking in French*): Gentlemen, I consider it an honour to concur with all my heart in the eloquent words which have just fallen from the lips of our honourable colleagues and which have given to this great historic day its full value and its full bearing.

12 GEORGE V, A. 1922

STATEMENT BY VISCOUNT D'ALTE ON BEHALF OF THE PORTUGUESE DELEGATION

VISCOUNT D'ALTE (*speaking in English*): Mr. Chairman and Gentlemen, I can add but little to all that my distinguished colleagues who sit around this table have so ably said today; but I may perhaps be forgiven if I endeavour to draw attention to a notable feature of the agreement which has today been the object of our thoughts. Even more than the words in which it is written, it is the spirit in which this memorable agreement was conceived that will fill the whole civilized world with high hopes for the future. It would of course be easy to evade any of the clauses of the treaty of which I am speaking; it would even seem as if the men who have drafted it have tried to signify that they did not place their main reliance and the achievement of their aims in a long series of carefully worded clauses. Only four Powers who repose the most implicit trust in the honour and integrity of each other could sign a treaty such as this. And it is this fact that gives the agreement its tremendous binding power. The confidence so fully given, no nation would dare to betray.

APPENDIX NO. 5

I. Statement by Mr. Hughes, Secretary of State of the United States and Head of the American Delegation, announcing the "Proposal of the United States for a Limitation of Naval Armament" to the Conference on the Limitation of Armament, at its first Plenary Session, Washington, November 12, 1921; and

II. The Proposal.

I.—STATEMENT BY MR. HUGHES

MR. HUGHES (*speaking in English*): Gentlemen, it is with a deep sense of privilege and responsibility that I accept the honour you have conferred.

Permit me to express the most cordial appreciation of the assurances of friendly co-operation which have been generously expressed by the representatives of all the invited Governments. The earnest desire and purpose, manifested in every step in the approach to this meeting, that we should meet the reasonable expectation of a watching world by effective action suited to the opportunity is the best augury for the success of the Conference.

The President invited the Governments of the British Empire, France, Italy, and Japan to participate in a conference on the subject of limitation of armament, in connection with which Pacific and Far Eastern questions would also be discussed. It would have been most agreeable to the President to have invited all the Powers to take part in this Conference, but it was thought to be a time when other considerations should yield to the practical requirements of the existing exigency, and in this view the invitation was extended to the group known as the Principal Allied and Associated Powers, which, by reason of the conditions produced by the war, control in the main the armament of the world. The opportunity to limit armament lies within their grasp.

It is recognized, however, that the interests of other Powers in the Far East made it appropriate that they should be invited to participate in the discussion of Pacific and Far Eastern problems, and, with the approval of the five Powers, an invitation to take part in the discussion of those questions has been extended to Belgium, China, the Netherlands, and Portugal.

The inclusion of the proposal for the discussion of Pacific and Far Eastern questions was not for the purpose of embarrassing or delaying an agreement for limitation of armament, but rather to support that undertaking by availing ourselves of this meeting to endeavour to reach a common understanding as to the principles and policies to be followed in the Far East and thus greatly to diminish, and if possible wholly to remove, discernible sources of controversy. It is believed that by interchanges of views at this opportune time the Governments represented here may find a basis of accord and thus give expression to their desire to assure enduring friendship.

In the public discussions which have preceded the Conference, there have been apparently two competing views: one, that the consideration of armament should await the result of the discussion of Far Eastern questions, and another, that the latter discussion should be postponed until an agreement for limitation of armament has been reached. I am unable to find sufficient reason for adopting either of these extreme views. I think that it would be most unfortunate if we should disappoint the

hopes which have attached to this meeting by a postponement of the consideration of the first subject. The world looks to this Conference to relieve humanity of the crushing burden created by competition in armament, and it is the view of the American Government that we should meet that expectation without any unnecessary delay. It is, therefore, proposed that the Conference should proceed at once to consider the question of the limitation of armament.

This, however, does not mean that we must postpone the examination of Far Eastern questions. These questions, of vast importance, press for solution. It is hoped that immediate provision may be made to deal with them adequately, and it is suggested that it may be found to be entirely practicable through the distribution of the work among designated committees to make progress to the ends sought to be achieved without either subject being treated as a hindrance to the proper consideration and disposition of the other.

The proposal to limit armament by an agreement of the Powers is not a new one, and we are admonished by the futility of earlier efforts. It may be well to recall the noble aspirations which were voiced twenty-three years ago in the imperial rescript of His Majesty the Emperor of Russia. It was then pointed out with clarity and emphasis that "The intellectual and physical strength of the nations, labour and capital, are for the major part diverted from their natural applications and unproductively consumed. Hundreds of millions are devoted to acquiring terrible engines of destruction, which, though to-day regarded as the last word of science, are destined to-morrow to lose all value in consequence of some fresh discovery in the same field. National culture, economic progress, and the production of wealth are either paralyzed or checked in their development. Moreover, in proportion as the armaments of each Power increase, so do they less and less fulfil the object which the Governments have set before themselves. The economic crises, due in great part to the system of armaments *à outrance* and the continual danger which lies in this massing of war materials, are transforming the armed peace of our days into a crushing burden, which the peoples have more and more difficulty in bearing. It appears evident, then, that if this state of things were prolonged it would inevitably lead to the calamity which it is desired to avert, and the horrors of which make every thinking man shudder in advance. To put an end to these incessant armaments and to seek the means of warding off the calamities which are threatening the whole world—such is the supreme duty which is to-day imposed on all States."

It was with this sense of obligation that His Majesty the Emperor of Russia proposed the Conference, which was "to occupy itself with this grave problem" and which met at The Hague in the year 1899. Important as were the deliberations and conclusions of that Conference especially with respect to the pacific settlement of international disputes, its result in the specific matter of limitation of armament went no further than the adoption of a final resolution setting forth the opinion "that the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind," and the utterance of the wish that the governments "may examine the possibility of an agreement as to the limitation of armed forces by land and sea, and of war budgets."

It was seven years later that the Secretary of State of the United States, Mr. Elihu Root, in answering a note of the Russian Ambassador suggesting in outline a programme of the Second Peace Conference, said: "The Government of the United States, therefore, feels it to be its duty to reserve for itself the liberty to propose to the Second Peace Conference, as one of the subjects for consideration, the reduction or limitation of armaments, in the hope that, if nothing further can be accomplished, some slight advance may be made toward the realization of the lofty conception which actuated the Emperor of Russia in calling the First Conference." It is significant that the Imperial German Government expressed itself as "absolutely opposed to the question of disarmament" and that the Emperor of Germany threatened to decline

SESSIONAL PAPER No. 47

to send delegates if the subject of disarmament was to be discussed. In view, however, of the resolution which had been adopted at the First Hague Conference, the delegates of the United States were instructed that the subject of limitation of armament "should be regarded as unfinished business, and that the Second Conference should ascertain and give full consideration to the results of such examination as the Governments may have given to the possibility of an agreement pursuant to the wish expressed by the First Conference." But by reason of the obstacles which the subject had encountered, the Second Peace Conference at The Hague, although it made notable progress in provision for the peaceful settlement of controversies, was unable to deal with limitation of armament except by a resolution in the following general terms: "The Conference confirms the resolution adopted by the Conference of 1899 in regard to the limitation of military expenditure; and inasmuch as military expenditure has considerably increased in almost every country since that time, the Conference declares that it is eminently desirable that the Governments should resume the serious examination of this question."

This was the fruition of the efforts of eight years. Although the effect was clearly perceived, the race in preparation of armament, wholly unaffected by these futile suggestions, went on until it fittingly culminated in the greatest war of history; and we are now suffering from the unparalleled loss of life, the destruction of hopes, the economic dislocations and the widespread impoverishment which measure the cost of the victory over the brutal pretensions of military force.

But if we are warned by the inadequacy of earlier endeavours for limitation of armament, we cannot fail to recognize the extraordinary opportunity now presented. We not only have the lessons of the past to guide us, not only do we have the reaction from the disillusioning experiences of war, but we must meet the challenge of imperative economic demands. What was convenient or highly desirable before is now a matter of vital necessity. If there is to be economic rehabilitation, if the longings for reasonable progress are not to be denied, if we are to be spared the uprisings of peoples made desperate in the desire to shake off burdens no longer endurable, competition in armament must stop. The present opportunity not only derives its advantage from a general appreciation of this fact, but the power to deal with the exigency now rests with a small group of nations, represented here, who have every reason to desire peace and to promote amity. The astounding ambition which lay athwart the promise of the Second Hague Conference no longer menaces the world, and the great opportunity of liberty-loving and peace-preserving democracies has come. Is it not plain that the time has passed for mere resolutions, that the responsible Powers should examine the question of limitation of armament? We can no longer content ourselves with investigations, with statistics, with reports, with the circumlocution of inquiry. The essential facts are sufficiently known. The time has come, and this Conference has been called, not for general resolutions or mutual advice, but for action. We meet with full understanding that the aspirations of mankind are not to be defeated either by plausible suggestions of postponement or by impracticable counsels of perfection. Power and responsibility are here and the world awaits a practicable programme which shall at once be put into execution.

I am confident that I shall have your approval in suggesting that in this matter, as well as in others before the Conference, it is desirable to follow the course of procedure which has the best promise of achievement rather than one which would facilitate division; and thus, constantly aiming to agree so far as possible, we shall, with each point of agreement, make it easier to proceed to others.

The question, in relation to armament, which may be regarded as of primary importance at this time, and with which we can deal most promptly and effectively, is the limitation of naval armament. There are certain general considerations which may be deemed pertinent to this subject.

The first is that the core of the difficulty is to be found in the competition in naval programmes, and that, in order appropriately to limit naval armament, competi-

12 GEORGE V, A. 1922

tion in its production must be abandoned. Competition will not be remedied by resolves with respect to the method of its continuance. One programme inevitably leads to another, and if competition continues, its regulation is impracticable. There is only one adequate way out and that is to end it now.

It is apparent that this can not be accomplished without serious sacrifices. Enormous sums have been expended upon ships under construction and building programmes which are now under way can not be given up without heavy loss. Yet, if the present construction of capital ships goes forward, other ships will inevitably be built to rival them and this will lead to still others. Thus the race will continue so long as ability to continue lasts. The effort to escape sacrifices is futile. We must face them or yield our purpose.

It is also clear that no one of the naval Powers should be expected to make these sacrifices alone. The only hope of limitation of naval armament is by agreement among the nations concerned, and this agreement should be entirely fair and reasonable in the extent of the sacrifices required of each of the Powers. In considering the basis of such an agreement and the commensurate sacrifices to be required, it is necessary to have regard to the existing naval strength of the great naval Powers, including the extent of construction already effected in the case of ships in process. This follows from the fact that one nation is as free to compete as another, and each may find grounds for its action. What one may do another may demand the opportunity to rival, and we remain in the thrall of competitive effort. I may add that the American delegates are advised by their naval experts that the tonnage of capital ships may fairly be taken to measure the relative strength of navies, as the provision for auxiliary combatant craft should sustain a reasonable relation to the capital ship tonnage allowed.

It would also seem to be a vital part of a plan for the limitation of naval armament that there should be a naval holiday. It is proposed that for a period of not less than ten years there should be no further construction of capital ships.

I am happy to say that I am at liberty to go beyond these general propositions, and, on behalf of the American delegation acting under the instructions of the President of the United States, to submit to you a concrete proposition for an agreement for the limitation of naval armament.

It should be added that this proposal immediately concerns the British Empire, Japan, and the United States. In view of the extraordinary conditions due to the World War affecting the existing strength of the navies of France and Italy, it is not thought to be necessary to discuss at this stage of the proceedings the tonnage allowance of these nations, but the United States proposes that this matter be reserved for the later consideration of the Conference.

In making the present proposal the United States is most solicitous to deal with the question upon an entirely reasonable and practicable basis, to the end that the just interests of all shall be adequately guarded and that national security and defense shall be maintained. Four general principles have been applied:

(1) That all capital ship building programmes, either actual or projected, should be abandoned;

(2) That further reduction should be made through the scrapping of certain of the older ships;

(3) That, in general, regard should be had to the existing naval strength of the Powers concerned;

(4) That the capital ship tonnage should be used as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed.

SESSIONAL PAPER No. 47

The principal features of the proposed agreement are as follows:

CAPITAL SHIPS

United States:

The United States is now completing its program of 1916 calling for 10 new battleships and 6 battle cruisers.

One battleship has been completed. The others are in various stages of construction; in some cases from 60 to over 80 per cent of the construction has been done. On these 15 capital ships now being built over \$330,000,000 have been spent. Still, the United States is willing in the interest of an immediate limitation of naval armament to scrap all these ships.

The United States proposes, if this plan is accepted—

(1) To scrap all capital ships now under construction. This includes 6 battle cruisers and 7 battleships on the ways and in course of building, and 2 battleships launched.

The total number of new capital ships thus to be scrapped is 15. The total tonnage of the new capital ships when completed would be 618,000 tons.

(2) To scrap all of the older battleships up to, but not including, the *Delaware* and *North Dakota*. The number of these old battleships to be scrapped is 15. Their total tonnage is 227,740 tons.

Thus the number of capital ships to be scrapped by the United States, if this plan is accepted, is 30, with an aggregate tonnage (including that of ships in construction, if completed) of 845,740 tons.

Great Britain:

The plan contemplates that Great Britain and Japan shall take action which is fairly commensurate with the action on the part of the United States.

It is proposed that Great Britain—

(1) Shall stop further construction of the 4 new *Hoods*, the new capital ships not laid down but upon which money has been spent. These 4 ships, if completed, would have tonnage displacement of 172,000 tons.

(2) Shall, in addition, scrap her predreadnaughts, second-line battleships, and first-line battleships up to but not including the *King George V* class,

These, with certain predreadnaughts which it is understood have already been scrapped, would amount to 19 capital ships and a tonnage reduction of 411,375 tons.

The total tonnage of ships thus to be scrapped by Great Britain (including the tonnage of the 4 *Hoods*, if completed) would be 583,375 tons.

Japan:

It is proposed that Japan—

(1) Shall abandon her program of ships not yet laid down, viz., the *Kii*, *Owari*, *No. 7* and *No. 8*, battleships and *Nos. 5, 6, 7, and 8*, battle cruisers.

It should be observed that this idea does not involve the stopping of construction, as the construction of none of these ships has been begun.

(2) Shall scrap 3 capital ships: the *Mutsu* launched, the *Tosa* and *Kaga* in course of building; and 4 battlecruisers: the *Amagi* and *Akagi* in course of building, and the *Afoga* and *Takuo* not yet laid down but for which certain material has been assembled.

The total number of new capital ships to be scrapped under this paragraph is seven. The total tonnage of these new capital ships when completed would be 289,100 tons.

(3) Shall scrap all predreadnaughts and battleships of the second line. This would include the scrapping of all ships up to but not including the *Settsu*; that is, the scrapping of 10 older ships, with a total tonnage of 159,828 tons.

12 GEORGE V, A. 1922

The total reduction of tonnage on vessels existing, laid down, or for which material has been assembled (taking the tonnage of the new ships when completed), would be 448,928 tons.

The three Powers:

Thus, under this plan there would be immediately destroyed, of the navies of the three Powers, 66 capital fighting ships, built and building, with a total tonnage of 1,878,043.

It is proposed that it should be agreed by the United States, Great Britain, and Japan that their navies, with respect to capital ships, within three months after the making of the agreement shall consist of certain ships designated in the proposal and numbering for the United States 18, for Great Britain 22, for Japan 10.

The tonnage of these ships would be as follows: of the United States, 500,650, of Great Britain, 604,450; of Japan, 299,700. In reaching this result, the age factor in the case of the respective navies has received appropriate consideration.

Replacement:

With respect to replacement, the United States proposes—

(1) That it be agreed that the first replacement tonnage shall not be laid down until 10 years from the date of the agreement;

(2) That replacement be limited by an agreed maximum of capital ship tonnage as follows:

For the United States.. . . .	500,000 tons.
For Great Britain.. . . .	500,000 tons.
For Japan.. . . .	300,000 tons

(3) That, subject to the 10-year limitation above fixed and the maximum standard, capital ships may be replaced when they are 20 years old by new capital ship construction;

(4) That no capital ship shall be built in replacement with a tonnage displacement of more than 35,000 tons.

I have sketched the proposal only in outline, leaving the technical details to be supplied by the formal proposition which is ready for submission to the delegates.¹

The plan includes provision for the limitation of auxiliary combatant craft. This term embraces three classes; that is: (1) auxiliary surface combatant craft, such as cruisers (exclusive of battle cruisers), flotilla leaders, destroyers, and various surface types; (2) submarines; and (3) airplane carriers.

I shall not attempt to review the proposals for these various classes, as they bear a definite relation to the provisions for capital fighting ships.

With the acceptance of this plan the burden of meeting the demands of competition in naval armament will be lifted. Enormous sums will be released to aid the progress of civilization. At the same time the proper demands of national defense will be adequately met and the nations will have ample opportunity during the naval holiday of 10 years to consider their future course. Preparation for offensive naval war will stop now.

I shall not attempt at this time to take up the other topics which have been listed upon the tentative agenda proposed in anticipation of the Conference.

As in the case of the address given by the President, as copies in both French and English will be available for distribution, may I ask if it is agreeable that the translation into French may be dispensed with?

SESSIONAL PAPER No. 47

II. THE PROPOSAL OF THE UNITED STATES FOR A LIMITATION OF NAVAL ARMAMENT

PRESENTED WITH THE ADDRESS OF CHARLES E. HUGHES, SECRETARY OF STATE OF THE UNITED STATES AND AMERICAN DELEGATE

The United States proposes the following plan for a limitation of the naval armament of the conferring nations. The United States believes that this plan safely guards the interests of all concerned.

In working out this proposal the United States has been guided by four general principles:

(A) The elimination of all capital shipbuilding programs, either actual or projected.

(B) Further reduction through the scrapping of certain of the older ships.

(C) That regard should be had to the existing naval strength of the conferring powers.

(D) The use of capital ship tonnage as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed.

CAPITAL SHIPS

UNITED STATES

1. The United States to scrap all new capital ships now under construction and on their way to completion. This includes 6 battle cruisers and 7 battleships on the ways and building and 2 battleships launched.

NOTE.—Paragraph 1 involves a reduction of 15 new capital ships under construction, with a total tonnage when completed of 618,000 tons. Total amount of money already spent on 15 capital ships, \$332,000,000.

2. The United States to scrap all battleships up to, but not including, the *Delaware* and *North Dakota*.

NOTE.—The number of old battleships scrapped under paragraph 2 is 15; their total tonnage is 227,740 tons. The grand total of capital ships to be scrapped is 30, aggregating 845,740 tons.

GREAT BRITAIN

3. Great Britain to stop further construction of the 4 new *Hoods*.

NOTE.—Paragraph 3 involves a reduction of 4 new capital ships not yet laid down, but upon which money has been spent, with a total tonnage when completed of 172,000 tons.

4. In addition to the 4 *Hoods*, Great Britain to scrap her pre-readnaughts, second-line battleships, and first-line battleships up to but not including the *King George V* class.

NOTE.—Paragraph 4 involves the disposition of 19 capital ships (certain of which have already been scrapped) with a tonnage reduction of 411,375 tons. The grand total of ships scrapped under this agreement will be 583,375 tons.

JAPAN

5. Japan to abandon her program of ships not yet laid down, viz., the *Kii*, *Owari*, *No. 7*, *No. 8*, battleships, and *Nos. 5, 6, 7, and 8*, battle cruisers.

NOTE.—Paragraph 5 does not involve the stopping of construction on any ship upon which construction has begun.

6. Japan to scrap 3 battleships: the *Mutsu* launched, the *Tosa* and *Kaga* building; and 4 battle cruisers: the *Amagi* and *Akagi* building, and the *Atago* and *Takao* not yet laid down but for which certain material has been assembled.

NOTE.—Paragraph 6 involves a reduction of 7 new capital ships under construction, with a total tonnage when completed of 289,100 tons.

7. Japan to scrap all predreadnaughts and capital ships of the second line. This to include the scrapping of all ships up to but not including the *Settsu*.

NOTE.—Paragraph 7 involves the scrapping of 10 older ships with a total tonnage of 159,828 tons. The grand total reduction of tonnage on vessels existing, laid down, or for which material has been assembled is 448,928 tons.

FRANCE AND ITALY

8. In view of certain extraordinary conditions due to the World War affecting the existing strengths of the navies of France and Italy, the United States does not consider necessary the discussion at this stage of the proceedings of the tonnage allowance of these nations, but proposes it be reserved for the later consideration of the Conference.

OTHER NEW CONSTRUCTION

9. No other new capital ships shall be constructed during the period of this agreement except replacement tonnage as provided hereinafter.

10. If the terms of this proposal are agreed to then the United States, Great Britain, and Japan agree that their navies, three months after the making of this agreement, shall consist of the following capital ships:

List of capital ships

United States.	Great Britain.	Japan.
Maryland.	Royal Sovereign.	Nagato.
California.	Royal Oak.	Hiuga.
Tennessee.	Resolution.	Ise.
Idaho.	Ramillies.	Yamashiro.
Mississippi.	Revenge.	Fu-So.
New Mexico.	Queen Elizabeth.	Settsu.
Arizona.	Warspite.	Kirishima.
Pennsylvania.	Valiant.	Haruna.
Oklahoma.	Barham.	Hi-Yei.
Nevada.	Malaya.	Kongo.
Texas.	Benbow.	
New York.	Emperor of India.	
Arkansas.	Iron Duke.	
Wyoming.	Marlborough.	
Utah.	Erin.	
Florida.	King George V.	
North Dakota.	Centurion.	
Delaware.	Ajax.	
	Hood.	
	Renown.	
	Repulse.	
	Tiger.	
Total.....18	22	10
Total tonnage. 500,650	604,450	299,700

DISPOSITION OF OLD AND NEW CONSTRUCTION

11. Capital ships shall be disposed of in accordance with methods to be agreed upon.

SESSIONAL PAPER No. 47

REPLACEMENTS

12. (a) The tonnage basis for capital ship replacement under this proposal to be as follows:—

United States	500,000 tons.
Great Britain	500,000 tons.
Japan	300,000 tons.

(b) Capital ships 20 years from date of completion may be replaced by new capital ship construction, but the keels of such new construction shall not be laid until the tonnage which it is to replace is 17 years of age from date of completion. Provided, however, that the first replacement tonnage shall not be laid down until 10 years from the date of the signing of this agreement.

(c) The scrapping of capital ships replaced by new construction shall be undertaken not later than the date of completion of the new construction and shall be completed within three months of the date of completion of new construction; or if the date of completion of new construction be delayed, then within four years of the laying of the keels of such new construction.

(d) No capital ships shall be laid down during the term of this agreement whose tonnage displacement exceeds 35,000 tons.

(e) The same rules for determining tonnage of capital ships shall apply to the ships of each of the Powers party to this agreement.

(f) Each of the Powers party to this agreement agrees to inform promptly all of the other Powers party to this agreement concerning:

- (1) The names of the capital ships to be replaced by new construction;
- (2) The date of authorization of replacement tonnage;
- (3) The dates of laying the keels of replacement tonnage;
- (4) The displacement tonnage of each new ship to be laid down;
- (5) The actual date of completion of each new ship;
- (6) The fact and date of the scrapping of ships replaced.

(g) No fabricated parts of capital ships, including parts of hulls, engines, and ordnance, shall be constructed previous to the date of authorization of replacement tonnage. A list of such parts will be furnished all Powers party to this agreement.

(h) In case of the loss or accidental destruction of capital ships they may be replaced by new capital ship construction in conformity with the foregoing rules.

AUXILIARY COMBATANT CRAFT

13. In treating this subject auxiliary combatant craft have been divided into three classes:

- (a) Auxiliary surface combatant craft.
- (b) Submarines.
- (c) Airplane carriers and aircraft.

(a) AUXILIARY SURFACE COMBATANT CRAFT

14. The term auxiliary surface combatant craft includes cruisers (exclusive of battle cruisers), flotilla leaders, destroyers, and all other surface types except those specifically exempted in the following paragraph.

15. Existing monitors, unarmoured surface craft, as specified in paragraph 16, under 3,000 tons, fuel ships, supply ships, tenders, repair ships, tugs, mine sweepers, and vessels readily convertible from merchant vessels are exempt from the terms of this agreement.

12 GEORGE V, A. 1922

16. No new auxiliary combatant craft may be built exempt from this agreement regarding limitation of naval armaments that exceed 3,000 tons displacement and 15 knots speed, and carry more than four 5-inch guns.

17. It is proposed that the total tonnage of cruisers, flotilla leaders, and destroyers allowed each Power shall be as follows:

For the United States.. . . .	450,000 tons.
For Great Britain.. . . .	450,000 tons.
For Japan.. . . .	270,000 tons.

Provided, however, that no Power party to this agreement whose total tonnage in auxiliary surface combatant craft on November 11, 1921, exceeds the prescribed tonnage shall be required to scrap such excess tonnage until replacements begin, at which time the total tonnage of auxiliary combatant craft of each nation shall be reduced to the prescribed allowance as herein stated.

Limitation of new construction

18. (a) All auxiliary surface combatant craft whose keels have been laid down by November 11, 1921, may be carried to completion.

(b) No new construction in auxiliary surface combatant craft except replacement tonnage as provided hereinafter shall be laid down during the period of this agreement; provided, however, that such nations as have not reached the auxiliary surface combatant craft tonnage allowances hereinbefore stated may construct tonnage up to the limit of their allowance.

Scrapping of old construction

19. Auxiliary surface combatant craft shall be scrapped in accordance with methods to be agreed upon.

(b) SUBMARINES

20. It is proposed that the total tonnage of submarines allowed each Power shall be as follows:—

For the United States.. . . .	90,000 tons
For Great Britain.. . . .	90,000 tons
For Japan.. . . .	54,000 tons

Provided, however, that no Power party to this agreement whose total tonnage in submarines on November 11, 1921, exceeds the prescribed tonnage shall be required to scrap such excess tonnage until replacements begin, at which time the total tonnage of submarines for each nation shall be reduced to the prescribed allowance as herein stated.

Limitation of new construction

21. (a) All submarines whose keels have been laid down by November 11, 1921, may be carried to completion.

(b) No new submarine tonnage except replacement tonnage as provided hereinafter shall be laid down during the period of this agreement; provided, however, that such nations as have not reached the submarine tonnage allowance hereinbefore stated may construct tonnage up to the limit of their allowance.

Scrapping of old construction

22. Submarines shall be scrapped in accordance with methods to be agreed upon.

SESSIONAL PAPER No. 47

(c) AIRPLANE CARRIERS AND AIRCRAFT

AIRPLANE CARRIERS

23. It is proposed that the total tonnage of airplane carriers allowed each Power shall be as follows:—

United States.. . . .	80,000 tons
Great Britain.. . . .	80,000 tons
Japan.. . . .	48,000 tons

Provided, however, that no Power party to this agreement whose total tonnage in airplane carriers on November 11, 1921, exceeds the prescribed tonnage shall be required to scrap such excess tonnage until replacements begin, at which time the total tonnage of airplane carriers for each nation shall be reduced to the prescribed allowance as herein stated.

Limitation of new construction

24. (a) All airplane carriers whose keels have been laid down by November 11, 1921, may be carried to completion.

(b) No new airplane carrier tonnage except replacement tonnage as provided herein shall be laid down during the period of this agreement; provided, however, that such nations as have not reached the airplane carrier tonnage hereinbefore stated may construct tonnage up to the limit of their allowance.

Scrapping of old construction

25. Airplane carriers shall be scrapped in accordance with methods to be agreed upon.

AUXILIARY COMBATANT CRAFT

REPLACEMENTS

26. (a) Cruisers 17 years of age from date of completion may be replaced by new construction. The keels for such new construction shall not be laid until the tonnage it is intended to replace is 15 years of age from date of completion.

(b) Destroyers and flotilla leaders 12 years of age from date of completion may be replaced by new construction. The keels of such new construction shall not be laid until the tonnage it is intended to replace is 11 years of age from date of completion.

(c) Submarines 12 years of age from date of completion may be replaced by new submarine construction, but the keels of such new construction shall not be laid until the tonnage which the new tonnage is to replace is 11 years of age from date of completion.

(d) Airplane carriers 20 years of age from date of completion may be replaced by new airplane carrier construction, but the keels of such new construction shall not be laid until the tonnage which it is to replace is 17 years of age from date of completion.

(e) No surface vessel carrying guns of caliber greater than 5 inches shall be laid down as replacement tonnage for auxiliary combatant surface craft.

(f) The same rules for determining tonnage of auxiliary combatant craft shall apply to the ships of each of the Powers party to this agreement.

(g) The scrapping of ships replaced by new construction shall be undertaken not later than the date of completion of the new construction and shall be completed

within three months of the date of completion of the new construction, or, if the completion of new tonnage is delayed, then within 4 years of the laying of the keels of such new construction.

(h) Each of the Powers party to this agreement agrees to inform all of the other Powers party to this agreement concerning:—

- (1) The names or numbers of the ships to be replaced by new construction;
- (2) The date of authorization of replacement tonnage;
- (3) The dates of laying the keels of replacement tonnage;
- (4) The displacement tonnage of each new ship to be laid down;
- (5) The actual date of completion of each new ship;
- (6) The fact and date of the scrapping of ships replaced.

(i) No fabricated parts of auxiliary combatant craft, including parts of hulls, engines, and ordnance will be constructed previous to the date of authorization of replacement tonnage. A list of such parts will be furnished all Powers party to this agreement.

(j) In case of the loss or accidental destruction of ships of this class they may be replaced by new construction in conformity with the foregoing rules.

AIRCRAFT

27. The limitation of naval aircraft is not proposed.

NOTE.—Owing to the fact that naval aircraft may be readily adapted from special types of commercial aircraft, it is not considered practicable to prescribe limits for naval aircraft.

GENERAL RESTRICTION ON TRANSFER OF COMBATANT VESSELS OF ALL CLASSES

28. The Powers party to this agreement bind themselves not to dispose of combatant vessels of any class in such a manner that they later may become combatant vessels in another navy. They bind themselves further not to acquire combatant vessels from any foreign source.

29. No capital ship tonnage nor auxiliary combatant craft tonnage for foreign account shall be constructed within the jurisdiction of any one of the Powers party to this agreement during the term of this agreement.

MERCHANT MARINE

30. As the importance of the merchant marine is in inverse ratio to the size of naval armaments, regulations must be provided to govern its conversion features for war purposes.

SESSIONAL PAPER No. 47

APPENDIX NO. 6

Statement by Mr. Balfour, on behalf of the British Empire Delegation, on the "Proposal of the United States for a Limitation of Naval Armament," at the second Plenary Session of the Conference on the Limitation of Armament, Washington, November 15, 1921.

MR. BALFOUR (*speaking in English*): Mr. Chairman, you have invited those who desire it to continue the discussion which began on Saturday last. I think it would be very unfortunate if we were to allow the events of Saturday to pass without some further observations on the part of those to whom you, Mr. Chairman, addressed your speech; and if, for reasons which I shall venture to explain in a moment, I am the first to take up the challenge, it is because of all the Powers here assembled the country which I represent is, as everybody knows, most intimately interested in all naval questions.

Statesmen of all countries are beginning to discover that the labours and difficulties of peace are almost as arduous and require almost as great qualities as those which are demanded for the conduct of a successful war. The struggle to restore the world to the condition of equilibrium, so violently interfered with by five years of war, is one that taxes and must tax the efforts of everybody. And I congratulate you, if I may, Mr. Chairman, on the fact that you have added a new anniversary which will henceforth be celebrated in connection with this movement towards reconstruction in the same spirit in which we welcomed the anniversary, celebrated only a few hours ago, of the date on which hostilities came to an end. If the 11th of November, in the minds of all the Allied and Associated Powers, in the minds perhaps not less of all the neutrals, is a date imprinted on grateful hearts, I think November 12th will also prove to be an anniversary welcomed and thought of in a grateful spirit by those who in the future shall look back upon the arduous struggle now being made by the civilized nations of the world, not merely to restore pre-war conditions, but to see that war conditions shall never again exist.

I count myself among the fortunate of the earth in that I was present, and to that extent had a share in the proceedings of last Saturday. They were memorable indeed. The secret was admirably kept! I hope that all the secrets, so long as they ought to be secret, of our discussions will be as well kept. In my less sanguine mood I have my doubts. But, however that may be, the secret in this case was most admirably kept, and I listened to a speech which I thought eloquent, appropriate, in every way a fitting prelude to the work of the Conference which was about to open or which indeed had been opened by the President, without supposing that anything very dramatic lay behind. And suddenly I became aware, as I suppose all present became aware, that they were assisting not merely at an eloquent and admirable speech, but at a great historical event. It was led up to with such art, the transition seemed so natural, that when the blow fell, when the speaker uttered the memorable words which have now gone round and found an echo in every quarter of the civilized world, it came as a shock of profound surprise: it excited the sort of emotions we have when some wholly new event suddenly springs into view, and we felt that a new chapter in the history of world reconstruction had been worthily opened.

Mr. Chairman, the absolute simplicity of the procedure, the easy transition, and the great dramatic climax, were the perfection of art, which shows that the highest art and the most perfect simplicity are very often, indeed very commonly, combined.

Now, I said I would explain, if I was allowed, why I venture to rise first to-day to deal with the subject which is in all our hearts. As I have hinted, it is because the British Empire and Great Britain, the two together, are more profoundly concerned with all that touches matters naval than it is possible for any other nation to be, and this not, believe me, for any reasons of ambition, not for any reasons drawn from history or tradition, but from the hard brutal necessities of plain and obvious facts.

There never has been in the history of the world a great empire constituted as the British Empire is. It is a fact no doubt familiar to everybody whom I am addressing at the present moment; but has everybody whom I am addressing imaginatively conceived precisely what the situation of the British Empire is in this connection?

Most of my audience are citizens of the United States. The United States stands solid, impregnable, self-sufficient, all its lines of communication protected, doubly protected, completely protected, from any conceivable hostile attack. It is not merely that you are one hundred and ten millions of population; it is not merely that you are the wealthiest country in the world; it is that the whole configuration of your country, the geographical position of your country, is such that you are wholly immune from the particular perils to which, from the nature of the case, the British Empire is subject.

Supposing, for example, that your western States, for whose safety you are responsible, were suddenly removed ten thousand miles across the sea. Supposing that you found that the very heart of your empire, the very heart of this great State, was a small and crowded island depending upon oversea trade not merely, not chiefly, for its luxuries, but depending upon oversea communication for the raw material of those manufactures by which its superabundant population lives; depending upon the same oversea communication for the food upon which they subsist. Supposing it was a familiar thought in your minds that there never were at any moment of the year within the limits of your State more than seven weeks' food for the population, and that that food had to be replenished by oversea communication. Then, if you will draw that picture, and if you will see all that it implies and all that it carries with it, you will understand why it is that every citizen of the British Empire, whether he be drawn from the far dominions of the Pacific or whether he lives in the small island in the North Sea, never can forget that it is by sea communication that he lives, and that without sea communication he and the Empire to which he belongs would perish.

Now, ladies and gentlemen, do not suppose that I am uttering laments over the weakness of my country. Far from it. We are strong, I hope, in the vigorous life of its constituent parts. We are strong, I hope, in the ardent patriotism which binds us all together. But this strategic weakness is obvious to everybody who reflects; it is present in the minds of our enemies, if we have enemies. Do not let it be forgotten by our friends.

These reflections, with your kindness, I have indulged in in order to explain why it is that I am addressing you at the present time. We have had to consider, and we have considered, the great scheme laid before you by your Chairman. We have considered it with admiration and approval. We agree with it in spirit and in principle. We look to it as being the basis of one of the greatest reforms in the matter of armaments and preparations for war that has ever been conceived or carried out by the courage and patriotism of statesmen. I do not pretend, of course—it would be folly to pretend—that this or any other scheme, by whatever genius it may have been contrived, can deal with every subject, can cover the whole ground of international reconstruction. It would be folly to make the attempt, and it would be folly to pretend that the attempt has as yet been made in any single scheme. As was most clearly explained by the Secretary of State on Saturday, the scheme deals, and deals only, with the three nations which own the largest fleets at present in the world. It,

SESSIONAL PAPER No. 47

therefore, of necessity omits all consideration for the time being of those European nations who have diminished their fleets, and who at present have no desire, and I hope never will have any desire, to own fleets beyond the necessities that national honour and national defence require.

Again, it does not touch a question which every man coming from Europe must feel to be a question of immense and almost paramount importance; I mean the heavy burden of land armament. That is left on one side, to be dealt with by other schemes and in other ways. What it does is surely one of the biggest things that has ever yet been done by constructive statesmanship. It does deal with the three great fleets of the world; and in the broad spirit in which it deals with those fleets, in the proportion of disarmament which it lays down for those fleets, the Government of the country which I represent is in the fullest and the heartiest sympathy with the policy which the United States have brought before us for our consideration. They have, as we think most rightly, taken the battle fleet as the aggressive unit which they have in the main to consider; and in the battle fleet you must include those auxiliary ships without which a modern battle fleet has neither eyes nor ears, has little power of defence against certain forms of attack, and little power of observation, little power of dealing with any equal foe to which it may be opposed.

Taking these two as really belonging to one subject, namely the battle fleet, taking those two, the battleships themselves and the vessels auxiliary and necessary to a battle fleet, we think that the proportion between the various countries is acceptable; we think the limitation of amounts is reasonable; we think it should be accepted; we firmly believe that it will be accepted.

In my view the message which has been sent around the world on Saturday is not a message which is going to be received by those most concerned with cool approbation; I believe it is going to be received by them with warm, hearty approval, and with every effort at full, loyal and complete co-operation.

I think it would be ill fitting on such an occasion as this if I were to attempt to go into any details. There are questions—and I have no doubt that the Secretary of State, our Chairman, would be the first to tell us that there are details which can only be adequately dealt with in committee. At the first glance, for example, and I give it merely as an example, our experts are inclined to think that perhaps too large an amount of tonnage has been permitted for submarines. Submarines are a class of vessel most easily abused in their use and which, in fact, in the late war were most grossly abused. We quite admit that the submarine probably is the defensive weapon, properly used, of the weak, and that it would be impossible, or, if possible, it might well be thought undesirable, to abolish it altogether. But the amount of submarine tonnage permitted by the new scheme is far in excess, I believe, of the tonnage possessed by any nation at the present moment, and I only throw it out as a suggestion that it may be well worth considering whether that tonnage should not be further limited, and whether, in addition to limiting the amount of the tonnage, it might not be practicable, and if practicable, desirable, to forbid altogether the construction of those vast submarines of great size which are not intended for defence, which are not the weapon of the weaker party, whose whole purpose is attack and whose whole purpose is probably attack by methods which civilized nations would regard with horror.

However, there may be other questions of detail, questions connected with replacement, questions connected with cruisers which are not connected with or required for fleet action. But those are matters for consideration by the technical experts, and however they be decided they do not touch the main outline of the structure which the United States Government desire erected and which we earnestly wish to help them in erecting.

That structure stands, as it seems to me, clear and firm, and I cannot help thinking that in its broad outlines, whatever may happen in the course of the dis-

missions during the next few weeks, that structure will remain as it was presented by its original architects, for the admiration and for the use of mankind.

I have little more to say except this. It is easy to estimate in dollars, or in pounds, shillings and pence, the saving to the taxpayer of each of the nations concerned which the adoption of this scheme will give. It is easy to show that the relief is great. It is easy to show that indirectly it will, as I hope and believe, greatly stimulate industry, national and international, and do much to diminish the difficulties under which every civilized government is at this moment labouring. All that can be weighed, measured, counted; all that is a matter of figures. But there is something in this scheme which is above and beyond mere numerical calculation. There is something which goes to the root, which is concerned with the highest international morality. This scheme, after all—what does it do? It makes idealism a practical proposition. It takes hold of the dreams which reformers, poets, publicists, even potentates, as we heard the other day, have from time to time put before mankind as the goal to which human endeavour should aspire.

The narrative of all the attempts made, of all the schemes advanced for diminishing the horrors of war, is a melancholy one. Some fragments of it were laid before you by our Chairman on Saturday. They were not exhilarating. They showed how easy it is to make professions, and how impotent it is to carry those professions into effect. What makes this scheme a landmark is that combined with the profession is the practice, that in addition to the expression, the eloquent expression of good intentions, in which the speeches of men of all nations have been rich, a way has been found in which, in the most striking fashion, in a manner which must touch the imagination of everybody, which must come home to the dullest brain and the hardest heart, the Government of the United States have shown their intention not merely to say that peace is a very good thing, that war is horrible, but that there is a way by which wars can really be diminished, by which the burdens of peace, almost as intolerable as the burdens of war, can really be lightened for the populations of the world. And in doing that, in doing it in the manner in which they have done it, in striking the imagination not merely of the audience they were addressing, not merely of the great people to whom they belonged, but of the whole civilized world, in doing that they have, believe me, made the first and opening day of this Congress one of the landmarks in human civilization.

I have said all that I propose to say, but if you will allow me I will read a telegram put into my hands just as I reached this meeting, from the British Prime Minister.

“Following for Mr. Balfour from Mr. Lloyd George:—

“Many thanks for your telegram. If you think it would serve useful purpose to let them know message might be published, as follows:

“Government (that is, the British Government) have followed proceedings at opening session of Conference with profound appreciation and whole-heartedly endorsed your opinion that speeches made by President Harding and Secretary of State were bold and statesmanlike utterances pregnant with infinite possibilities. Nothing could augur better for the ultimate success of the Conference. Please convey to both our most sincere congratulations.”

APPENDIX No. 7

Statement by Mr. Hughes of the American Delegation, on behalf of the Committee on the Limitation of Armament, reporting the Treaty for the Limitation of Naval Armament to the Conference at its fifth Plenary Session, Washington, February 1, 1922.

(Unrevised text)

THE CHAIRMAN (*speaking in English*): I desire to say, as a personal word, that I appreciate most deeply the reference that has been made by the Chinese and Japanese representatives to the part that has been taken by Mr. Balfour and myself in the endeavour to secure a satisfactory settlement of the controversy relating to Shantung. It has been a great privilege to be associated in any way with those efforts, and having by way of anticipation a vision of the possibility of this result, it seemed that no effort should be lacking to produce, if possible, a conclusion of these negotiations which should be satisfactory to Japan and China alike, because of the fairness of the terms of the disposition.

Let me also express the gratification that is felt at this announcement by Mr. Balfour on behalf of the British Delegation with respect to Weihaiwei. Thus, by what he fittingly calls the crowning act in relation to this Province, there has been restored to China her ancient and most sacred possession in its entirety, free from any foreign domination.

I now have the honour to report on behalf of the committee of the Conference which has been dealing with the subject of armament, that the proposals of the American Government in relation to the limitation of naval armament have been considered and an agreement has been reached which is embodied in a treaty now presented for your adoption.

The treaty is a long document, and I shall not attempt to read it. It is before you in the English and the French version. With your permission, however, I shall make an effort to state succinctly the purport of the treaty.

May I say in advance, that with respect to capital ships, while there are certain changes in detail, the integrity of the plan proposed on behalf of the American Government has been maintained, and the spirit, in which that proposal was made, and in which it was received, has dominated the entire negotiations and brought them to a very successful conclusion.

This treaty is in three parts or chapters:

First, a chapter containing the general principles or provisions relating to the limitation of naval armament; second, a chapter containing the rules for the execution of the agreement; and, third, a chapter with certain miscellaneous provisions.

It is not my purpose to present the substance of the treaty in the order of this arrangement, but rather to submit it to you in what I conceive to be a manner better fitted to the full understanding of it.

The first subject with which the treaty deals is that of the limitations as to capital ships.

The treaty defines a capital ship as follows:

"A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons standard displacement, or which carries a gun with a calibre exceeding eight inches."

The treaty specifies the capital ships which each of the five Powers may retain. Thus, the United States of America is to retain 18 capital ships, with a tonnage of

12 GEORGE V, A. 1922

500,650 tons: the British Empire, 22 capital ships, with a tonnage of 580,450 tons; France, 10 ships of 221,170 tons; Italy, 10 ships of 182,800 tons; Japan, 10 ships of 301,320 tons.

The treaty provides that all other capital ships of these Powers, either built or building, are to be scrapped or disposed of as provided in the treaty.

It is provided that the present building programmes are to be abandoned and that there is to be no building of capital ships hereafter, except in replacement and as the treaty provides.

Let me pause for a moment to make a comparison with the proposal which was made on November 12 on behalf of the American Government in respect to capital ships.

That proposal set forth that 18 ships were to be retained by the United States, with a tonnage of 500,650 tons. In this treaty the same ships are to be retained.

In that proposal there were set forth 22 capital ships to be retained by the British Empire. Under this treaty, the same number of ships is to be retained; in fact, the same ships, with the single substitution of the *Thunderer* for the *Erin*, with a tonnage of 580,450 tons, as against the calculation in the proposal of 604,450 tons for ships retained.

In the case of Japan, the proposal set forth 10 ships to be retained. By the treaty, the same number of ships is to be retained, the difference being that the *Mutsu* is to be retained and the *Settsu* is to be scrapped. The tonnage retained by Japan, as indicated in the proposal, was 299,700. The tonnage retained under the treaty is 301,320. The effect of the retention of the *Mutsu*, a ship just completed, on the part of Japan, was to make necessary certain changes for which the treaty provides.

The changes are these: In the case of the United States of America, it is provided that two ships of the *West Virginia* class may be completed, two ships being now under construction, and that on their completion, two of the ships which it is provided may be retained, to wit, the *North Dakota* and the *Delaware*, are to be scrapped.

In the case of the British Empire, it is provided that two new ships may be built not exceeding 35,000 tons each. And on the completion of those two ships, four ships, the *Thunderer*, *King George V*, the *Ajax*, and the *Centurion*, are to be scrapped.

In the case of Japan, as I have said, the difference is that the *Mutsu* is retained and the *Settsu* is scrapped.

If you will permit me, for the sake of the comparison that very likely you will be attempting to make, to refer to the proposal of the American Government on November 12, I may recall to you that four general principles were then stated as the principles according to which, in the opinion of the American Government, the limitation should be effected. The principles were these:

"(1) That all capital-ship building programmes either actual or projected, should be abandoned;

"(2) That further reduction should be made through the scrapping of certain of the older ships;

"(3) That in general regard should be had to the existing naval strength of the Powers concerned; and

"(4) That the capital-ship tonnage should be used as the measurement of strength for navies and a proportionate allowance of auxiliary combatant craft prescribed."

Those principles have been applied and govern the agreements set forth in the treaty, with these exceptions:

That in the case of capital-ship building programmes, all programmes are abandoned by the United States of America, the British Empire, and Japan save for the completion of the two ships of the *West Virginia* class in the case of the United States of America and the building of two ships as stated in the case of the British

SESSIONAL PAPER No. 47

Empire, upon the completion of which in the one case two of the old ships retained by the United States are to be scrapped, and in the other case four ships retained by the British Empire are to be scrapped.

There is another exception in the fact that there is no provision in the Treaty for the allowance of auxiliary combatant craft; but with respect to the capital-ship programme it is in its essence maintained, and these principles have been applied.

Let me call your attention to this further fact—and I state it merely to avoid any possible public misapprehension and in order that discussion of the matter may proceed intelligently. In the proposal that I had the honour to make on November 12 I said this:

“The United States proposes, if this plan is accepted—

“(1) To scrap all capital ships now under construction. This includes 6 battle-cruisers and 7 battleships on the ways and in course of building, and 2 battleships launched.

“The total number of new capital ships thus to be scrapped is 15. The total tonnage of the new capital ships when completed would be 618,000 tons.

(2) To scrap all of the older battleships up to, but not including, the *Delaware* and *North Dakota*. The number of these old battleships to be scrapped is 15. Their total tonnage is 227,740 tons.

“Thus the number of capital ships to be scrapped by the United States, if this plan is accepted, is 30, with an aggregate tonnage (including that of ships in construction, if completed) of 845,740 tons.”

Under this arrangement as made, instead of the 15 ships under construction being scrapped, there are 13 of those ships scrapped or disposed of, and the total number of ships to be scrapped or disposed of instead of 30 is 28. The tonnage is substantially the same—a very slight difference.

In the case of Great Britain the proposal was this:

“The plan contemplates that Great Britain and Japan shall take action which is fairly commensurate with this action on the part of the United States.

“It is proposed that Great Britain—

“(1) Shall stop further construction of the 4 new *Hoods*, the new capital ships not laid down but upon which money has been spent. These 4 ships, if completed, would have tonnage displacement of 172,000 tons.

“(2) Shall, in addition, scrap her predreadnaughts, second line battleships, and first line battleships up to, but not including, the *King George V* class.

“These, with certain predreadnaughts which it is understood have already been scrapped, would amount to 19 capital ships and a tonnage reduction of 411,375 tons.

“The total tonnage of ships thus to be scrapped by Great Britain (including the tonnage of the 4 *Hoods*, if completed) would be 583,375 tons.”

Now, the fact is that under that the present treaty, Great Britain, as stated in the first paragraph I have just read, has stopped the further construction, has abandoned the construction of the four new *Hoods* which are mentioned. Great Britain is permitted under the treaty to have two new ships, but these are not ships of the size contemplated in the case of the four *Hoods*, which was in the neighbourhood of 48,000 or 49,000 tons, and, as I have said, there are four ships to be scrapped when these two new ships are completed.

And the provision for the scrapping of the three dreadnaughts, second-line battleships, and first-line battleships, is substantially unaffected, the fact being that there will be, I think, under the treaty 20 ships scrapped instead of the 19 that were mentioned in the proposal.

In the case of Japan the proposal was this:

“It is proposed that Japan—

“(1) Shall abandon her program of ships not yet laid down, viz., the *Kii*, *Owari*, *No. 7*, and *No. 8* battleships, and *Nos. 5, 6, 7, and 8*, battle cruisers.”

I should say that that is carried out and that programme is abandoned by Japan.

"(2) Shall scrap 3 capital ships (The *Mutsu* launched, the *Tosa* and *Kago* in course of building) and 4 battle cruisers (the *Amagi* and *Akagi* in course of building, and the *Atoga* and *Tokuo* not yet laid down, but for which certain material has been assembled).

"The total number of new capital ships to be scrapped under this paragraph is seven. The total tonnage of these new capital ships when completed would be 289,100 tons."

That was the proposal. Japan is to scrap all the ships mentioned with the exception of the *Mutsu*, to which I have referred.

The third item of the proposal was this, that Japan should "scrap all predreadnaughts and battleships of the second line. This would include the scrapping of all ships up to but not including the *Settsu*; that is, the scrapping of 10 older ships, with a total tonnage of 159,828 tons."

The result reached in this agreement is the same, that 10 ships are scrapped, including the *Settsu* instead of excluding it. And the fact is that all the ships mentioned as ships to be scrapped are to be scrapped except the *Mutsu*; that is, 6 instead of the 7 there mentioned in the second paragraph above quoted.

There are certain special provisions in the treaty with regard to capital ships to which I shall call your attention in order that there should be no misapprehension, although the matter itself is insignificant.

In the tables in section 2 of Chapter II, part 3, it is provided that the United States may retain the *Oregon* and *Illinois* for noncombatant purposes after they have been emasculated in accordance with certain provisions of the treaty. There is a sentimental reason for the retention of the *Oregon* which, I understand, the State of Oregon, for historical reasons or by reason of the name, wishes to possess.

In the same way, the British Empire may retain the *Colossus* and the *Collingwood* for noncombatant purposes after they have been emasculated as provided in the treaty. These have already been withdrawn from combatant use.

Then there is a provision in the case of Japan that two of her old ships, which are over 20 years old, the *Shikishima* and the *Asahi*, which were to be scrapped, may be retained for noncombatant purposes after they have been emasculated as stated.

I should refer at this point to the statement made on November 12 with regard to the case of France and Italy. May I repeat the words then used? I said:

"In view of the extraordinary conditions due to the World War affecting the existing strength of the navies of France and Italy, it is not thought to be necessary to discuss at this stage of the proceedings the tonnage allowance of these nations, but the United States proposes that this matter be reserved for the later consideration of the Conference."

The matter has been considered in the Committee. In view of the reduced condition of the navies of France and Italy it was recognized at the outset that they could not fairly be asked to scrap their ships in the proportion in which the United States of America, the British Empire and Japan were to scrap their ships. In the case of these three Powers the scrapping roughly amounts to about 40 per cent of the capital ship strength, and it was not thought, in view of the reduction of the navies of France and Italy, that they could be asked to scrap in anything like that proportion.

The result of the treaty is that France and Italy retain the ships that they have now, which are in the schedule relating to the retained ships, from which it appears that France retains 10 ships, 3 of which I believe are very old, and predreadnaughts, of the total tonnage of 221,170; and Italy retains 10 ships with a total tonnage of 182,800.

I should add that there are special provisions relating to the scrapping to which I have referred. That matter is not left to conjecture or to the decision of each of the

SESSIONAL PAPER No. 47

Powers taken separately, but is carefully provided for in part 2 of the treaty under Chapter II:

"Rules for scrapping vessels of war."

In other words, all vessels that I have referred to as vessels to be scrapped are to be disposed of in accordance with the rules provided in this article. I will summarize them:

First: A vessel to be scrapped must be placed in such condition that it can not be put to a combatant use.

Second: This result must be finally effected in any one of the following ways:

- (a) Permanent sinking of the vessel;
- (b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armor, and all deck, side, and bottom plating;
- (c) Converting the vessel to target use exclusively. In such case the pertinent portions of the paragraph relating to the denaturing, if I may use that expression, of capital ships, are to be applied, and only one ship can be retained after this process has been finished for the purpose of target practice.

Then there is a special provision with regard to France and Italy that in each case they may retain two seagoing vessels for training purposes exclusively; that is, as gunnery or torpedo schools; and it is defined what those vessels are, or the class to which they belong, and France and Italy undertake to remove and destroy their conning towers and not to use them as vessels of war.

There is a provision as to the two stages of scrapping, and the first stage is intended to render the ship incapable of further warlike service, and that is to be immediately undertaken.

You will find this process set forth in great detail with respect to the removal of guns; all machinery for working hydraulic or electric mountings; all fire-control instruments and range finders; all ammunition, explosives, and mines; all torpedoes, warheads, and torpedo tubes; all wireless telegraphy installations; the conning tower, and all side armour, et cetera.

There are set forth the periods in which the scrapping is to be effected. In the case of the vessels that are to be immediately scrapped, the work of rendering them incapable of further war-like service is to be completed within six months from the time of the coming into force of the Treaty, and the scrapping is to be finally effected within eighteen months from the time of the coming into force of the Treaty.

Then, in the case of vessels which are to be scrapped, as in the case of those which are to be scrapped after the completion of the two ships of the *West Virginia* class on the part of the United States, and the two new ships which the British Empire may build, the scrapping of those ships is to begin not later than the completion of the successor in each case, and to be finished within six months from that time, and the final scrapping is to be completed within eighteen months from that time.

The Treaty provides the replacement limits. I have given you the tonnage of the reduced fleets, according to the capital ships that may be retained. The Treaty in Article IV sets forth the total capital ship replacement tonnage; that is, the maximum limit. It provides that it shall not exceed in standard displacement for the United States, 525,000 tons; for the British Empire, 525,000 tons; for France, 175,000 tons; for Italy, 175,000 tons; for Japan, 315,000 tons.

There is also a provision in the Treaty limiting the size of each capital ship to 35,000 tons, providing that no capital ship exceeding that limit shall be acquired by or constructed by, for, or within the jurisdiction of any of the contracting Powers.

It is also provided that no capital ship shall carry a gun of a calibre in excess of 16 inches. The periods of replacement of the capital ships are set forth in charts which form Section II of Part 3 of Chapter II of the Treaty.

You will there find the ships that are to be scrapped, the ships that may be laid down, the time when they may be laid down, the time of their completion. In the case of the United States of America, the British Empire, and Japan, aside from the

two ships that may be completed in the case of the United States of America and the two to which I have referred which may be built in the case of the British Empire, the first replacement is to begin with the laying down of ships in 1931 for completion in 1934, and replacement takes place thereafter according to the age of the ships.

In the case of France and Italy, the first replacement by laying down is permitted in 1927, for completion in 1930 in the case of France, and in 1931 in the case of Italy.

The next subject with which the Treaty deals is that of aircraft carriers. It is important to note the definition of aircraft carriers; that is, the definition in the Treaty. An aircraft carrier is defined as a vessel of war, with a displacement in excess of 10,000 tons standard displacement, designed for the specific and exclusive purposes of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed to carry a more powerful armament than that allowed to it under Article IX or Article X, as the case may be.

If you refer to Articles VII, VIII, IX, and X of the Treaty, you will find special provisions relating to aircraft carriers. Thus the total tonnage of each of the contracting Powers for aircraft carriers shall not exceed for the United States 135,000 tons; for the British Empire, 135,000 tons; for France, 60,000 tons; for Italy, 60,000 tons; and for Japan, 81,000 tons.

In view of the experimental nature of existing aircraft carriers owned by the Powers, that fact is recognized and there is provision for replacement without regard to age.

It is provided that there shall be a limit on the size of each aircraft carrier of 27,000 tons. There is, however, a special exception which permits the contracting Powers to build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons. And what I have said with regard to the disposition of existing capital ships and their scrapping is to be qualified by the statement that, in order to effect economy, any of the contracting Powers may use, for the purpose of constructing aircraft carriers as defined, any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the Treaty, and these may be of a tonnage of not more than 33,000 tons.

It is provided, however, that the armament of any aircraft carrier exceeding 27,000 tons shall be in accordance with the requirements of the general article to which I shall presently refer, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches, except anti-aircraft guns and guns not exceeding 5 inches, cannot number more than eight.

Then there is a general provision as to the armament of aircraft carriers. If it has guns exceeding 6 inches, then, with the exception I have just stated, the total number of guns shall not exceed ten. It cannot carry a gun in excess of 8 inches. It may carry, without limit, 5-inch guns and anti-aircraft guns.

Now, there are certain special rules which I shall briefly mention. One relates to auxiliary craft. I have said that the provisions relating to auxiliary craft contained in the proposal made on behalf of the American Government were not carried into the final agreement, and we have no limitations of auxiliary craft except as I am about to state them. The Treaty does provide that no vessel of war exceeding 10,000 tons, other than a capital ship or aircraft carrier, shall be acquired by or constructed by, for, or within the jurisdiction of any of the contracting Powers. That is a limitation of 10,000 tons in the case of auxiliary craft individually. Vessels not specifically built as fighting ships, nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitation of 10,000 tons.

Then we have certain provisions of a protective nature; that is, to protect the faithful execution of the agreement.

SESSIONAL PAPER No. 47

The first is that no vessel of war of any of the contracting Powers, hereafter laid down, except a capital ship which is under the limitations I have stated, shall carry a gun in excess of 8 inches; that no ship designated in the present treaty to be scrapped may be reconverted into a vessel of war; that no preparation shall be made in merchant ships in time of peace for the installation of warlike armament, for the purpose of converting such vessels into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inches.

With respect to foreign powers, there are certain provisions. No vessel of war constructed within the jurisdiction of any of the contracting powers for a non-contracting power shall exceed the limitations as to displacement and armament prescribed by the present treaty for vessels of a similar type which may be constructed by or for any of the contracting powers: Provided, however, that the displacement for aircraft carriers constructed for a non-contracting power shall in no case exceed 27,000 tons standard displacement. There is a provision for information to the Powers in case orders are received from foreign powers for the building of vessels of war.

There is the further provision that in the event of a contracting power being engaged in war, such power shall not use, as a vessel of war, any vessel of war which may be under construction within its jurisdiction for any other power, or which may have been constructed within its jurisdiction for another power and not delivered.

There is also this very important provision, that each of the contracting powers agrees not to dispose of, by gift, sale, or any mode of transfer, any vessel of war in such a manner that such vessel may become a vessel of war in the navy of any foreign power, and it is recorded in the proceedings of the committee that that undertaking as a matter of honour is regarded as made now.

There is a further article with respect to fortifications in the Pacific Ocean. Article XIX, which has been published in full—a special agreement between the United States of America, the British Empire, and Japan. They agree that the status quo at the time of the signing of the present treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:—

“(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean except (a) those adjacent to the coast of the United States, Alaska, and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands.”

That is to say, there is perfect freedom with regard to the insular possessions of the United States which are adjacent to the coast of the United States, Alaska, and the Panama Canal Zone, not including the Aleutian Islands, and likewise perfect freedom with respect to the Hawaiian Islands.

Paragraph 2 is the agreement on status quo in the case of the British Empire, defining the territories and possessions in which the status quo shall be maintained, to wit:—

“Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean east of the meridian of 110 degrees East longitude, except (a) those adjacent to the coast of Canada, (b) the Commonwealth of Australia and its territories, and (c) New Zealand.”

In the case of Japan, the territories and possessions to which the status quo provision applies are defined as follows:—

“The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa, and the Pescadores, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.”

Then there is a statement of obvious import with respect to the meaning of the maintenance of the status quo in these places to which reference has been made.

In the third chapter of the treaty are certain miscellaneous provisions. The first in Article XXI is as follows:—

If during the term of the present treaty, which is fifteen years, the requirements of the national security of any contracting power in respect of naval defense are, in the opinion of that Power, materially affected by any change of circumstances, the contracting Powers will, at the request of such Power, meet in conference with a view to the reconsideration of the provisions of the treaty and its amendment by mutual agreement.

It is also provided that in view of possible technical and scientific developments the United States, after consultation with the other contracting powers, shall arrange for a conference of all the contracting Powers, which shall convene as soon as possible after the expiration of eight years from the coming into force of the present treaty to consider what changes, if any, in the treaty may be necessary to meet such developments.

There is in Article XXII a special provision as to the effect of an outbreak of war, that is, the effect of any one of the contracting Powers becoming engaged in war. That mere fact does not affect the obligations of the treaty, but if a contracting Power becomes engaged in a war which in its opinion affects the naval defence of its national security, such Power may after notice to the other contracting Powers suspend for the period of hostilities its obligations under the present treaty, other than certain obligations which obviously are to be maintained throughout, and which are specified, provided that such Power shall notify the other contracting Powers that the emergency is of such a character as to require such suspension.

In such case the remaining contracting Powers are to consult together and ascertain what temporary modifications may be required. If such consultation does not produce agreement, duly made in accordance with the constitutional methods of the respective Powers, any one of the contracting Powers may, by giving notice to the other contracting Powers, suspend for the period of hostilities its obligations under the treaty, with the exceptions already mentioned.

On the cessation of hostilities the contracting Powers will meet in conference to consider what modifications, if any, are required.

You will observe that it is not a mere technical war, or any sort of war, which suspends or may be used to suspend the obligations of the treaty. It is only where the Power thus engaged in war notifies the other Powers that the emergency is of such a character as to require such suspension.

Then, in Article XXIII, it is provided that the present treaty shall remain in force until December 31, 1936, and in case none of the contracting Powers shall have given notices two years before that date of its intention to terminate the treaty, it shall continue in force until the expiration of two years from the date on which notice of termination shall be given by one of the contracting Powers, whereupon the treaty shall terminate as regards all the contracting Powers.

There is a provision for the giving of the notice and as to the time when the notice shall take effect, and for the ratification of the treaty in accordance with the constitutional methods of the respective contracting Powers.

That is the summary of the treaty engagements. I have not the time to state all the details. I have endeavoured faithfully to represent the purport of the engagements.

May I say in conclusion that no more extraordinary or significant treaty has ever been made. It is extraordinary because we no longer merely talk of the desirability of diminishing the burdens of naval armaments, but we actually limit them. It is extraordinary because this limitation is effected in that field in which nations have been most jealous of their power, and in which they have hitherto been disposed to resent any interference with their power.

I shall not enlarge upon the significance of the engagement. Of course, it is obvious that it means an enormous saving of money and the lifting of a very heavy

SESSIONAL PAPER No. 47

and unnecessary burden from the peoples of the countries who unite in this agreement.

This treaty ends, absolutely ends, the race in competition in naval armament. At the same time it leaves the relative security of the great naval powers unimpaired.

The significance of the treaty is far more than that. In this treaty we are talking of arms in the language of peace. The best thing about the engagement is the spirit which has been manifested throughout our negotiations and to which is due our ability to reach this fortunate conclusion. In other words, we are taking perhaps the greatest forward step in history to establish the reign of peace.

APPENDIX No. 8.

Statement by Sir Robert Borden on the Resolutions relating to the protection of neutrals and non-combatants at sea in time of war, at the eleventh meeting of the Committee on the Limitation of Armament, Conference on the Limitation of Armament, Washington, December 29, 1921.

Sir Robert Borden said that, in offering a few observations in regard to the proposals presented, he was without the advantage of having heard Mr. Root's explanation on the previous day, having been in attendance at a subcommittee. Further, his views were purely personal and must not be regarded as binding on any other member of the delegation to which he belonged. As he understood the proposals, Mr. Root had set forth existing rules which had been, or should have been, the general practice in the past to govern the action of nations in time of war. In setting forth article 1 Mr. Root had placed the rules of submarines on a much higher plane than had been the case with the nations with whom the Allies had been at war for a period of four years. Those nations had wantonly violated these rules. He had no doubt that the statement of the rules in article 1 was correct and that these rules should have been followed by belligerent vessels. Mr. Root's proposal, however, went much further.

In article 2 the signatory powers were asked to pledge themselves to recognize the practical impossibility of using submarines as commerce destroyers without violating the requirements universally accepted by civilized nations for the protection of lives of neutrals and noncombatants, and to the end that the prohibition of such use should be universally accepted as a part of the law of nations the nations here represented were asked to declare their assent to such prohibition and to invite all other nations to adhere thereto. As he understood this resolution, it was intended to mark a notable and most desirable advance on the existing rules. Mr. Root had first stated the existing practice and had then suggested this advance. He thought it would be wise and indeed essential in the interests of humanity that this proposal should be accepted. The exact wording, however, must be considered and he did not disagree with the suggestion for examination by an expert body provided that this should not prevent action by this conference. In article 3, Mr. Root had gone rather further. He had laid down the principle that any person in the service of any of the powers adopting these rules who should violate any of the rules thus adopted, whether or not such person was under orders of a governmental superior, should be deemed to have violated the laws of war and should be liable to trial and punishment as if for an act of piracy, etc. Having regard to some experiences of his own country in the late war, and especially to one occasion when nearly 20 Canadian nurses had been drowned as the result of the torpedoing of a hospital ship and the subsequent sinking of the ship's boats, he could say that the feeling of his country was strongly in favour of the proposal that any person guilty of such conduct, whether under the orders of his Government or not, should be treated as a pirate and brought to trial and punishment as such.

APPENDIX No. 9

Statement by Mr. Root of the American Delegation, on behalf of the Committee on the Limitation of Armament, reporting the Treaty to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals, to the Conference, at its fifth Plenary Session, Washington, February 1, 1922.

(Unrevised text)

Mr. Root (*speaking in English*): Mr. Chairman and gentlemen, this treaty supplements the treaty which limits armaments by imposing certain limitations upon the use of armaments.

It is brief and I will read it. [*At this point Mr. Root read the text of the Treaty; see Appendix No. 21, page 188.*]

You will observe that this treaty does not undertake to codify international law in respect of visit, search, or seizure of merchant vessels. What it does undertake to do is to state the most important and effective provisions of the law of nations in regard to the treatment of merchant vessels by belligerent warships, and to declare that submarines are, under no circumstances, exempt from these humane rules for the protection of the life of innocent non-combatants.

It undertakes further to stigmatize violation of these rules, and the doing to death of women and children and non-combatants by the wanton destruction of merchant vessels upon which they are passengers and by a violation of the laws of war, which as between these five great powers and all other civilized nations shall give their adherence shall be henceforth punished as an act of piracy.

It undertakes further to prevent temptation to the violation of these rules by the use of submarines for the capture of merchant vessels, and to prohibit that use altogether. It undertakes further to denounce the use of poisonous gases and chemicals in war, as they were used to the horror of all civilization in the war of 1914-1918.

Cynics have said that in the stress of war these rules will be violated. Cynics are always nearsighted, and oft and usual the decisive facts lie beyond the range of their vision.

We may grant that rules limiting the use of implements of warfare made between diplomatists will be violated in the stress of conflict. We may grant that the most solemn obligation assumed by governments in respect of the use of implements of war will be violated in the stress of conflict; but beyond diplomatists and beyond governments there rests the public opinion of the civilized world, and the public opinion of the world can punish. It can bring its sanction to the support of a prohibition with as terrible consequences as any criminal statute of Congress or of Parliament.

We may grant that in matters which are complicated and difficult, where the facts are disputed and the argument is sophistic, public opinion may be confused and ineffective, yet when a rule of action, clear and simple, is based upon the fundamental ideas of humanity and right conduct, and the public opinion of the world has reached a decisive judgment upon it, that rule will be enforced by the greatest power known to human history, the power that is the hope of the world, will be a hope justified.

That power was the object of all the vast propaganda of the late war; that power was the means of determining the conflict in the late war; and that power, the clear

12 GEORGE V, A. 1922

opinion of the civilized world, stigmatizing as a violation of the fundamental rules of humanity and right a specific course of conduct, will visit a nation that violates its conclusion with a punishment that means national ruin.

This treaty is an attempt to crystallize, in simple and unmistakeable terms, the opinion of civilization that already exists. This treaty is an appeal to that clear opinion of the civilized world, in order that henceforth no nation shall dare to do what was done when the women and children of the *Lusitania* went to their death by wanton murder upon the high seas.

SESSIONAL PAPER No. 47

APPENDIX No. 10

The Limitation of Land Armament—Proceedings of the third Plenary Session of the Conference on the Limitation of Armament, Washington, November 21, 1921.**THIRD PLENARY SESSION**

WASHINGTON, MONDAY, NOVEMBER 21, 1921.

The third plenary session of the Conference on the Limitation of Armament, in connection with which Pacific and Far Eastern questions will also be discussed, met at Washington on Monday, November 21, 1921, at 11 o'clock a.m., in Memorial Continental Hall. The Chairman, the Honourable Charles Evans Hughes, Secretary of State of the United States of America, presided.

THE CHAIRMAN (*speaking in English*): A record of the proceedings at the last plenary session has been sent to the delegations, and I understand that such corrections as are desired have been forwarded to the Secretary General, and that the record as it now stands is acceptable to all the delegates. Unless there is objection, the record will stand approved.

It is a pleasure to be able to state that gratifying progress has been made in the work of the Conference. The proposals of the American Government with respect to the limitation of naval armament have been under consideration by the committee of the plenipotentiary delegates of the five Powers, and, aided by a subcommittee of naval experts, that matter is progressing favourably. You will recall the appointment of a committee consisting of the plenipotentiary delegates of the nine Powers to consider questions relating to the Pacific and the Far East. In the course of the deliberations of that committee, most important declarations have been made on behalf of the represented countries, and, while there is nothing at the moment to report to the plenary session with respect to either of these topics, I think I am justified in saying that our expectations with respect to the expedition and thoroughness of our consideration of these matters have already been more than realized.

There remains another subject which so far has not engaged our attention, and that is the subject of land armament or military forces.

So far as the Army of the United States is concerned, no question is presented. It has always been the policy of the United States—it is its traditional policy—to have the regular military establishment upon the smallest possible basis. At the time of the armistice there were in the field and in training in the American Army approximately 4,000,000 men. At once upon the signing of the armistice demobilization began and it was practically completed in the course of the following year, and to-day our regular establishment numbers less than 160,000 men.

While, however, we have this gratifying condition with respect to the military forces in the United States, we fully recognize the special difficulties that exist with respect to military forces abroad. We fully understand the apprehensions that exist and their bases, and also the essential conditions of national security which must appeal to all the Powers that are here represented.

It is regarded as fitting at this time that there should be the freest opportunity for the presentation of views upon this subject of land armament or military forces by the delegates present, and it is the wish of all delegates that the considerations that are pertinent and full explanation of all the conditions that exist that bear

12 GEORGE V, A. 1922

upon the matter should be had, and that all of the delegates of the Governments represented here should have opportunity to present fully the matters which they think should be understood by the Conference and by the world.

Are you ready to proceed to the discussion of this question?

Mr. Briand:—and let me say, before Mr. Briand rises, that it will probably be convenient and, I understand, in accordance with his wishes, for him to pause from time to time to permit translation of portions of his address as he proceeds; and the audience will therefore understand that he has not finished when the translation begins.

MR. BRIAND (*speaking in French*): Gentlemen, you will readily appreciate that I, as delegate of France, experience a certain emotion in rising in this resounding tribune from which, one may say, every word spoken is borne to the attentive and anxious ears of all civilized peoples.

I thank my colleagues of the Conference who, in calling this public session, have made it possible for the representative of France to reveal her to their eyes, to the eyes of the entire world, in her true light, just as she is, as eager as any country, I might perhaps say more eager than any other country, to give heed to every measure which may tend to secure a lasting peace for the world. Nothing could be more gratifying to my colleagues and to myself than to be able to stand before you and say: "We come prepared to make the greatest sacrifices; our country is safe; we lay down our arms and, in so doing, we rejoice in helping to lay the foundations of a permanent peace." Unhappily we can not do this. I say further: Unhappily we have not the right to do it. I shall explain the reasons for this; I shall tell you what the position of France is at the present moment.

It takes two to make peace: yourself and your neighbour. To make peace—I speak from the standpoint of land armament—it is not enough to reduce armies and to decrease the munitions of war. That is the material side of things. There is another consideration which one has no right to overlook when facing such a problem—a consideration which goes to the heart of questions vital to the welfare of a nation. A nation must also be surrounded by what I may call an atmosphere of peace; disarmament must be moral as well as material. I have the right to say, and I hope to be able to prove, that in Europe as she is at the present moment there are still, alas, grave elements of instability, conditions of such a character that France is forced to look them in the face and to measure their consequences from the point of view of her own safety.

I find myself in a land where many men have had occasion to appreciate that situation. They came to our country in the darkest hours of the war; they shed their blood with ours, with that of our allies; they have known France and her agony; they have seen her wounds. They have also known Europe, and they are surely doing their share to enlighten the mind of the great American people. I thank them for what they have already done to dispel the asphyxiating gases with which our enemies have striven to mask, to disfigure the face of France. Here in this vast country, however, which has known nothing of the entangled boundaries of the European nations, in a country where the homes of men are spread over an immense territory, where hostile neighbours are unknown, where not a single frontier gives cause for anxiety, it is hard indeed to form a true idea of the state of Europe after the war and the victory.

I readily admit that a citizen of the United States might say: "The war has been won; peace is signed; Germany now has but a limited army; the greater part of her war material has been destroyed. What then stands in the way of an abiding peace in Europe? Why does France still maintain a considerable army abundantly supplied with war material?" There are even those who try to persuade the American people that if France persists in this position it is because she has hidden

SESSIONAL PAPER No. 47

motives, because she seeks to set up in Europe a sort of military hegemony, and to take the place of the old imperialistic Germany in the employment of force.

Gentlemen, to us Frenchmen no reproach could be more painful or more cruel. And that after such a terrible war as that through which we have just passed we should still find ourselves under the grim necessity of keeping up an appearance which permits our enemies to attribute to us such perfidious motives—this would be sad and discouraging indeed if I did not have faith in those who understand my country and who know that these accusations are wholly false.

If in all the world there is a country resolutely turned toward peace, longing for it with all its might, invoking it with all its faith, it is France. Since the armistice, she has suffered many disillusionments; she has had to await the fulfilment of many hopes; for more than a year she has seen Germany disputing over her pledged word; she has seen Germany playing false to her promises to pay for the reparation of the devastated regions and accept the punishment which justice demanded after such a war; she has seen Germany refusing to disarm. France was strong; Germany could not resist her; public opinion was naturally impatient; yet all the while, France remained calm. She has had no wish to make a move which might make a bad situation worse; she has no hatred in her heart.

I tell you now: France will do everything, she will do her utmost to bring to an end the era of bloody conflicts between herself and Germany, in order that the two nations may live side by side in good understanding and in peace. But France has no right to forget the past; she has no right to relax; she has no right, in her present situation, to impair her strength to such an extent as to raise hopes in enemy hearts and, by her very weakness, to encourage new wars.

I have spoken of the moral aspect of the problem in Germany. I do not wish to be unfair; there is a Germany made up of a great body of working-folk, of reasonable and enlightened people, who are anxious to leave war behind and to settle down in peace under a democratic régime. We shall do everything in our power to aid that Germany in the fulfilment of her aims. It is that Germany which, if she finally establishes herself as a peaceful republic, will permit us to face the future in perfect safety. But there is another Germany, all unenlightened by the recent conflict; a Germany which has learned nothing, which still cherishes the hidden motives and evil designs held by her before the war; which has retained all the obsessions and ambitions of the Germany of the Hohenzollerns. How can we Frenchmen pay no heed to this Germany? She is at our very door; we clearly read her thoughts; we witness her attempts—for they have not been wanting since peace was restored—to secure a new lease of power. The significance of Kapp's coup d'état could not be mistaken; every one knows that had it been successful, the Germany of former days would have been born again to disturb the world's peace anew.

A book has just been published by a man of distinction in Germany, General Ludendorff, whose authority is great in certain German circles, and whose influence is an inspiration, so to speak, to many people belonging to the élite of his country: professors, philosophers, authors. What do we read in this book? I have no wish to make quotations and abuse your patience by prolonging my remarks: it is, nevertheless, one of the elements of my brief. In view of your conviction that the moral aspect of this problem is of great import, I ask permission to read, for your information, two or three passages from this book.

Here is one:

"We must learn to understand that we live in an age of war; that for the individual, as well as for the State, strife is a natural phenomenon, and that this strife likewise has its foundation in the divine order of the world."

Farther on, General Ludendorff quotes words uttered in the same spirit by Field Marshall Count von Moltke on December 11th, 1890:

"Eternal peace is a dream; it is not even a beautiful dream, and war is one of the elements of the order of the world created by God. It is through war that man's

noblest virtues—courage and unselfishness, devotion to duty, the spirit of sacrifice unto death—are brought to fruition. Without war the world would sink into a morass of materialism.”

And still farther on, Ludendorff himself says:

“Herein lies an idea as indispensable to the political education of the German people as the knowledge of the fact that in future, war must always be the last and only decisive factor in the settlement of political questions. This thought, complemented by a manly love of war, cannot be withheld from the German people by the Entente, however much they may wish to take it from us. It is the cornerstone of all political understanding; it is the cornerstone of the future, and especially of the future of the German people, who have been reduced to slavery.”

Lastly, I shall make a final quotation:

“The warlike qualities of the German and Prussian armies have been proved on the bloody fields of battle. The German people need no other qualities for their moral regeneration. The spirit of the old army must be the germ from which this regeneration will spring.”

This is the teaching of the highest authorities of Germany, of the men who, to a large extent, have preserved the confidence of the German people, and I can well understand it; this, after a bloody war which has sent millions to their graves and stricken the peoples of the world to the depths of their souls—this, I say, is being taught at the very gates of France. How could you expect her to remain indifferent to it all?

I now come to an examination of the material side of things. I am aware that some one might say to me: It is not enough for people to harbour evil designs; in order to carry them out they must have the appropriate means at their disposal; and, when it is a question of war, as war is waged to-day, they must have vast numbers of troops, the necessary equipment for these troops—rifles, machine guns, artillery, and enormous stocks of ammunition. Germany no longer has these. But Germany, coming out of the war after four years’ fighting, has at her disposal seven million soldiers, and far be it from me to attempt to underrate the valour of those soldiers, for our men have had to fight them and know of what extremes of patriotism the German soldier was capable. These millions of soldiers have survived the war and are there, in Germany. Some will say that they are not organized or armed. I reply: No. But then, is it possible to mobilize them to-morrow? my answer is, Yes. I shall now explain myself.

Since peace was signed, Germany has organized an army which was supposed to be in the nature of a police force destined to preserve order at home and along the frontier, and which is called the *Reichswehr*. According to the treaty, it was to comprise one hundred thousand men, and, in fact, it does comprise one hundred thousand men. But what sort of men? Almost all non-commissioned or commissioned officers of the old regular army, who thus form the nucleus of the army of to-morrow. Is this organization devoted solely to the work of maintaining internal order, as stipulated by the Treaty of Peace? No. All the secret instructions issued by the War Office call on the men of this *Reichswehr* to prepare themselves not for police work, but for the work of war, and to undergo the necessary training therefor.

But this is not all. Since the armistice, Germany, under various forms, has brought together real military forces. First of all there were the *Einwohnerwehren*, which included practically all men willing to render military service. These gave rise to such concern that an ultimatum of the Allies was necessary to secure their disbandment. At one time, under the stimulus of the *Orgesch*, a fighting organization whose activities extended over all Germany, these *Einwohnerwehren* acquired such strength and accumulated such a quantity of arms, that the Prime Minister of Bavaria, in a movement of revolt against the Entente, was able to say that he had at his disposal, if he desired it, within a very short time, an army of 300,000 men,

SESSIONAL PAPER No. 47

fully equipped with rifles, machine guns and artillery. This army is to-day disbanded. The German Government fulfilled its duty; I hasten to acknowledge it here, for honesty compels me to do so; and, besides, I have declared it in the French Parliament. At the present time, the German Government is under the leadership of Chancellor Wirth, who, in my opinion, is a well-meaning man, loyal and frank of purpose, who has made a praiseworthy effort to carry out the agreements signed by his country. But it is a weak government, spied upon and watched. In its path traps and snares are constantly being laid. We shall do everything to enable it to accomplish its democratic task and to organize its people in a state of peace. It really disbanded the *Einwohnerwehren*; but another formidable organization was formed, the *Sicherheitspolizei*, or safety police, of 150,000 men, composed almost exclusively of regular non-commissioned officers, or at least of soldiers who wished to remain in the military service. We demanded the dispersal of this police force. It was actually disbanded, but it was promptly replaced by a new organization, the *Schutzpolizei*, composed of the same 150,000 men, which, instead of preserving the character of a local police force, has become a centralized police at the disposal of the federal government throughout the entire German territory. This, with the *Reichswehr*, makes a total of 250,000 men who, under the direction of the regular officers, and by the instruction they receive daily, are being trained to command in the event of a new war. The men themselves are kept constantly under observation. These seven million soldiers have not, therefore, simply returned to civilian life, but have been grouped in all sorts of organizations, with the admirable ingenuity displayed by the German people under similar circumstances. Such are the *Freikorps*; such are the numerous associations for former combatants. Advantage is taken of every occasion, every anniversary—and the Germans are very fond of anniversaries—to bring together their members, to mobilize them, to keep them in hand.

We Frenchmen know all this, and if it is necessary to prove how quickly a fighting force can thus be organized, I shall cite an example: At the time the affairs of Upper Silesia had reached an acute stage, within a few weeks, I might almost say within a few days, there was organized by means of enlistments made all over Germany a military force of about 40,000 men, supplied with rifles, machine guns, artillery, armored trains, and the very latest military equipment, in sufficient quantity to give this force its full fighting value. These are facts; I am not improvising them here for the needs of my argument; they have been verified; they are undeniable.

As regards troops, Germany, in the space of a few weeks, can raise a fighting army of several million men, and she has the officers necessary for it. Now, then, I address the great American people, with its devotion to justice and nobility of purpose. I say to them: "Let us suppose, side by side with America, there existed a nation which throughout the course of history had been in bloody conflict with her, and still revealed its aggressive disposition by its attitude, speaking from a moral standpoint, and by its organization, speaking from a military standpoint. Would the people of the United States avert their eyes from such a danger? Would this people, pre-eminently a people of action, ever desirous of safeguarding its existence, and, what is more, its liberty and its honour, deliberately impair its strength in the face of peril?" In putting such a question I feel sure that there is not an American citizen who would not reply, "Never in the world!"

Well, France looks on. She does not exaggerate the danger; she is watching it.

There remains the question of war material. Germany, it is said, has no more material. I grant that the Inter-Allied Commission has accomplished much in this regard. Many cannon have been delivered up and destroyed, perhaps not all. In some cases their destruction has actually been verified by our officers; in others, we must content ourselves with assurances. As to the latter, doubt might perhaps be expressed, but our adversary should receive the benefit of that doubt.

However, the rapid accumulation of the new material is a problem that can be solved. You saw, during the war, with what promptness, fortunately for us (for we

should finally have given way if this had not been possible)—with what promptness, I repeat, immense armies were organized, supplied with material, and brought to our side to aid us on the fields of battle. Now, Germany is one vast factory, an industrial plant which before the war had always pursued two aims—a very legitimate commercial aim and a military aim. During the war her factories all worked to their fullest capacity: they have since been still further expanded. In Germany there exist specifications, plans, patterns, and moulds necessary for the manufacture of cannon, rifles, and machine guns. If, during a period of diplomatic tension, purposely prolonged for several weeks, all these factories were set to work turning out war material, they would be able to supply the armies for the beginning of a campaign. Thereafter the production would go on increasingly. But it is not the industrial plants of Germany alone must be reckoned with; there are, outside of Germany, great metallurgical plants purchased by large German manufacturers and financiers; some are in Scandinavian countries, others are elsewhere in Europe, where they can produce unseen and uncontrolled.

For that matter, can practical men like you be made to believe that it is possible to obtain accurate information in the matter of estimating factory production? A ship, a "capital ship," cannot be laid down without the knowledge of the world; if, by any chance, its construction has been successfully concealed, it cannot be launched without the fact being known. But who can verify with any accuracy the output of rifles, machine guns, and cannon, whose separate parts are distributed amongst all the factories of Germany?

We Frenchmen are seeing history repeat itself; we have seen a Prussia disarmed by treaties—disarmed beneath whose scrutiny and by what man? By Napoleon! And yet later we met that Prussia whom we had thought impotent, and our blood flowed abundantly. Would you expect the French people to overlook these pages of history? This French people have been reproached for their levity; it is gratuitously stated that the danger once passed, they fling themselves into other preoccupations. To speak the truth, they are not given to fixing their eyes and thoughts constantly on sorrowful and unwelcome things, such as matters of war; but, nevertheless, the lacerations of the flesh have this time been too deep to fail in their lesson. Too much mourning is worn in my country, too many cripples walk our streets, for us not to profit at every instant by the teachings of the war. We have not the right to allow the French nation to be exposed to a repetition of such tragic events. We must protect it—it must protect itself.

That, gentlemen, is the situation we are facing. It is already serious as it stands, but this is not all. In Europe, where, so they say, there is peace, one need only to scan the horizon to see many wisps of smoke which indicate that all the volcanic fires are not extinguished. Since peace was signed, war would already have broken out had not France been strongly armed. Presently I shall explain myself more fully on this point.

I select some instances: Russia is not a negligible element in European politics. When a country capable of mobilizing 20,000,000 men is in a state of complete anarchy; when it maintains an army of 1,500,000 men, of whom 600,000 are fully equipped, while the others could be armed to-morrow, how can one help but feel uneasy? A year and a half ago, Russia hurled herself upon Europe; she strove to drive through Poland, in response to calls coming from Germany. Can you not understand the hours of anguish that we have lived in France under the menace of such a danger? If Bolshevism had broken through the Polish frontiers, if the Bolshevik armies, the armies of anarchy, had united with certain German combinations, what would have become of France; what would have become of Europe? In what state of chaos would Europe be at the present time? I have the right to say that France has been the guardian of order for the entire world; she may well glory in it. But the Russian question is not yet settled. Russia remains in a state of permanent unrest. What

SESSIONAL PAPER No. 47

will become of these armies, what will become of their war material? What will Germany do to assist Russia to regain her balance and to exploit her? Of this we know nothing.

So many problems of an economic and financial nature are now occupying the attention and good will of statesmen! But that which should first concern us is the question of our safety, of our very life. Above all, we must live. This is truly the great query for France, and when I address you, gentlemen, you who are her friends, many of whom have been her allies, toward whom she has contracted a debt of eternal gratitude; you who have aided in safeguarding her life, her dignity, her liberty, her honour—when I address you and tell you this, you are, indeed, bound to recognize that this situation is a serious one.

When we consider the limitation of armament from the naval point of view, we have freedom of decision and assurance in our hearts and minds; we are among friends; no threat of war is before us. The possibility of danger is remote. Nevertheless, you do not acknowledge your right to ignore it; you still maintain adequate fleets—and you are right in doing so—to safeguard your prestige upon the seas and to insure your existence should it be threatened. From the land point of view, the danger is imminent—it surrounds us, it prowls, it hangs over our heads. If there is a French statesman who has longed for peace, I am that man. I have the right to say it; no one will contest it. I took office with a view to peace; I assumed my duties in the midst of difficult conditions when my country was in a state of justifiable impatience; I have had to withstand many attacks in defense of my position; I am deeply, passionately attached to the cause of peace, and if it is ever disturbed, it will not be by me. But the further I urge my country along the path of peace, the more I feel upon my head the burden of responsibility for its safety. And if, to-morrow, as a consequence of too much optimism, I should see France once more attacked, mutilated, bleeding, perhaps lost, I, in having caused her weakness, would have failed in the most imperative of my duties.

It is with this situation that one must reckon; it is under the weight of these responsibilities that action must be taken.

Only yesterday, in Upper Silesia, an incident occurred which suddenly assumed a serious nature. Germany, not believing the French people prepared for direct action, suddenly made known that it was proposed to send the *Reichswehr* into the disputed territory. Such are the stirring situations which confront statesmen. I have experienced some, but never any more serious than that one. I firmly made up my mind to say to Germany: "That is impossible. If any such attempt is made, the most appalling consequences may follow." If I had spoken without having the strength of the French Army behind me, what weight would my words have had? And yet, if the proposed action had taken place, what would have become of the peace of Europe, what would have become of the young States which have just sprung into being, but have not yet attained their equilibrium? That is the problem. It did not arise because we were able to back our words with force.

Quite recently an attempted restoration in Europe might have touched the spark to the magazine. There was perfect harmony among the Allies, they were ready to use force, and the conflict did not take place; the incident was closed.

Gentlemen, these are considerations which I submit for your contemplation; they are serious, but despite that, we have not become so absorbed by them as to turn aside from everything that might be calculated to direct our steps toward final peace.

If you will be good enough to permit me (I apologize for having spoken so long and for having imposed so much upon your attention; another time our Chairman will perhaps hesitate to allow me to speak), I shall endeavour to pursue my explanations to the end.

The idea of limiting armament, which occupies your attention and is the noble aim proposed by this Conference, is not one to which we are indifferent. As regards

land armament, we began to demobilize from the moment of the armistice, and this demobilization has been as rapid and as complete as possible.

The military law in France requires the presence of three classes under the colours for a three years' term of military service. This law still exists; it has not been abrogated. The Government, however, has already reduced to two years the time spent under the colours by the soldiers, and, instead of three classes, there are at the present moment only two classes performing their military service. We have therefore accomplished an important reduction, one-third, in the normal strength of the home forces of the French Army, excluding all those who are on duty in the colonies, or engaged in tasks imposed upon them in consequence of the treaty, whether on the Rhine or elsewhere. This movement has not ended, and the plans of the Government for the future include further limitations. Before long it is certain that, according to the Government's project, the length of military service will be reduced by one-half; instead of three classes, only one class and a half will be found under the colours; the home army, by reason of this fact, will find itself reduced to one-half of its strength.

I tell you very plainly and very frankly, gentlemen, that it is impossible to do more than this. France could not do it without exposing herself to the greatest dangers. If some one should come and say to us, to-day or to-morrow: "We see this danger as well as you; we appreciate it, we are going to share it with you; we offer you every means of security that you can desire," France would immediately take another course. Gentlemen, we appreciate the preoccupations which weigh upon the minds of the statesmen who are charged with the government of other countries; we realize the problems of other nations, their difficulties in a world still full of unrest; and we have not the selfishness to ask other people to use their own national sovereignty to our profit. But then (and it is here that I appeal to your sense of justice), if France must face alone a situation such as I have described without any exaggeration, such as it really is, then she must not be denied the opportunity of insuring her own safety within limits consistent with the needs of the present hour.

I should not like to be the man who would attempt to limit the efforts of a conference assembled for so noble a purpose. I should prefer to see no limitation whatever placed upon our labours. I should like to be able to say that all questions must be presented, examined, discussed, settled; still I venture to call your attention to this point: a moral disarmament of France would be most dangerous; it would also be a most unfavourable factor in hastening the hour when peace shall be definitely established in Europe and throughout the world.

It is important that everyone should know that France is not morally isolated; that she still has with her and for her the good will, the affection of all civilized peoples, of all those who fought by her side to ensure the triumph of freedom on earth. What is really required for the moral disarmament in Germany of all the evil elements that I mentioned at the beginning of my speech is that it is well understood beyond the Rhine that France is not alone; the absolute certainty in Germany that all poisonous propaganda destined to disfigure the face of France will beat itself against impassable walls, and that those who were with us yesterday are still with us morally to-day. If that be known in Germany, the new elements of the German democracy, the sensible men who are trying to strengthen the Republic, will gain the upper hand. The inflammatory words of the old Germany will fall into empty space; it will be impossible for those who are dreaming of revenge to pursue their aims; democracy will become established in that country, and from that time one can really hope to see peace finally reign upon earth.

Gentlemen, all that France can do to hasten that hour, she will do, she has already done; she has not hesitated to open negotiations with the German Government for the purpose of arranging some method of payment which will adequately meet the terrible needs of reparation; she has done everything that she could to

SESSIONAL PAPER No. 47

hasten the hour when normal relations shall be established between the two countries. That hour will come; it has not yet struck. If, from the course followed by the work of this Conference, the hope might be gleaned elsewhere that the result would be an implied censure of the armament of France; if, furthermore, it might be thought that France was alone in her attitude, if she might be pointed out to the entire world as the country opposed to general disarmament and permanent peace—gentlemen, the Conference would have dealt a terrible blow to the cause of peace. I am sure that that is not in your thought nor in your purpose; I am sure that after having weighed the reasons I have given you, you will realize that they are valid; you will be good enough to record them and to recognize that, in the existing circumstances, France cannot possibly do otherwise than she has done.

THE CHAIRMAN: (*speaking in English*): Mr. Balfour.

MR. BALFOUR (*speaking in English*). Mr. Chairman, evidently this is not a fitting moment to deal at length or in detail with the great speech which has just come to its conclusion. It has been your privilege, and my privilege, to hear one of the great masters of parliamentary oratory. We have heard him with admiration, we have heard him with a full measure of sympathy; but we have done much more, I think, than merely be the auditors of a great, artistic performance. We have heard something more than a great speech; we have heard a perfectly candid, perfectly lucid, perfectly unmistakable exposition of the inmost thoughts of the Prime Minister of our great ally. He has told us, I believe without reserve, what are the anxieties, what are the preoccupations, of the country over whose destinies he presides. He has told us what they fear and why they fear it. And nothing can be more useful, nothing can be more instructive to us of other nations, than to have this full revelation of the inner thoughts of one of our allied and associated statesmen.

We live under very different conditions from the French citizens for whom Mr. Briand has so eloquently spoken. In the secure homes of America no terrors exist or can exist comparable to those which inevitably haunt the thoughts, waking and sleeping, of the leaders of French politics; for they have what neither you in America have nor we in England have. I do not venture to speak for the other nations represented around the table. They have at their very doors a great country, great in spite of defeat, powerful in spite of losses; and of its policy, of the course which it means to pursue in the future, they necessarily remain in anxious doubt.

It is good for us all, I venture to say, from whatever nation we may be drawn, from whatever part of this great continent we come, that we should be initiated, as we have been initiated this morning into the inner sanctuary of French policy.

It must be acknowledged, sorrowfully acknowledged that the speech to which we have just listened is not hopeful for any immediate solution of the great problem of land armaments. And why is it that there is this great difference between land armaments and sea armaments? Why is it that we all here look forward with a confidence which I think is not overrated, a serene confidence, to bringing about as a result of our deliberations some great measure; and, under the guidance of the program laid before you by the United States Government, why is it we are hopeful of coming to some solution of the great naval problem?

It is because, in the language of Mr. Briand, there has been, in matters maritime, a moral disarmament, and it is on the basis of this moral disarmament that the physical and material disarmament is going to be built. That is why we are hopeful about the naval question. And why are we less hopeful about at least any immediate settlement of the military question? It is because, as Mr. Briand has explained to you, in that case there has not been moral disarmament—because we have no assurance, or because the French Government, who watch these things closely, have no assurance either in Russia or in Germany that moral disarmament has made the degree of progress which would make material disarmament of an immediate possibility.

I do not venture to offer an opinion of my own upon this question. I leave you to judge of the facts as they have been expounded by one who has profoundly studied them and whose gifts of exposition cannot be excelled.

Only this I would say, for I need hardly tell you that I am not going to make a speech. Mr. Briand appears to have some fears lest France should feel herself in moral isolation. That would be a tragedy, indeed.

That the liberties of Europe and the world in general, and of France in particular, should be maintained and guarded against the dominating policy of her eastern neighbour is the cause for which the British Empire fought and in which the British Empire still believes. Killed on the field of battle we lost nearly a million men. I am talking of the British Empire now. We lost nearly a million men. We lost well over two million men, in addition, maimed and wounded.

We grieve over the sacrifice; we do not repent it. And if the cause of international liberty was worthy of this immense sacrifice from one of the allied powers—I speak not of others; it is not my right to speak for them—if it deserved and required this sacrifice from one of the allied and associated powers, and if we at all events had not changed our views, either as to the righteousness of the war or as to its necessity; if the lust of domination, which has been the curse of Europe for so many generations, should again threaten the peace, the independence, the self-development of our neighbours and allies—how should it be possible that the sympathies once so warm should become refrigerated, should become cold, and we who had done so much for the great cause of international liberty should see that cause perish before our eyes rather than make further sacrifices in its defence?

Those are the thoughts which rise in my mind after hearing the great speech of Mr. Briand. I should only be interfering, I should only be weakening its effect were I to dwell further upon them, and I will content myself, therefore, with thanking Mr. Briand for the admirable and candid account which he has given of the policy of his country, and wishing him and his country every success and every prosperity in that path of unaggressive prosperity upon which I hope and believe they are now entering.

THE CHAIRMAN (*speaking in English*): Senator Schanzer.

SENATOR SCHANZER (*speaking in French*): Gentlemen, I am going to use the French language because I wish the expression of the thought of the Italian delegation to arrive direct, without even the short delay of translation, to the French delegation across the table.

We have listened with great attention to the speech just delivered by Mr. Briand who, with his well-known eloquence, has put forward the situation of France and the French point of view. We are united to France not only by the links of race affinity but also by the brotherhood of arms, which has a long and glorious tradition, and which has received a new and everlasting consecration in the great war which the two countries fought side by side for the defence of their most sacred national rights, of liberty, and of justice.

We have heard the information given us by Mr. Briand; we have considered the figures and documents mentioned in support of his statement, and noted with great satisfaction that France, notwithstanding her present difficulties, is ready, within the limits of her possibilities, to put into execution the principle of the limitation of armaments.

We have no intention whatever of discussing what France considers indispensable for her national safety. Only may we be allowed to express the wish and the hope that the general limitation of land armaments may become a reality in the shortest possible time?

Italy fought the war for the highest aims which a country can seek; but Italy, in her soul, is a peace-loving nation. I shall not repeat what I had the honour of stating at the first meeting of the Conference, but I should like to emphasize again

SESSIONAL PAPER No. 47

that Italy is one of the surest factors of the world's peace; that she has no reasons whatsoever for conflict with any other country; that she is following and putting constantly into action a policy inspired by the principle of maintaining peace among all nations.

Italy has succeeded in coming to a direct understanding with the country of the Serbs, Croats, and Slovenes, and in order to attain this result she has made considerable sacrifices in the interest of the peace of Europe. Italy has pursued towards the countries succeeding her former enemies a policy not only of pacification but of assistance. And when a conflict arose between Austria and Hungary, a conflict which might have dragged the Danubian peoples into war, she offered her friendly offices to the two countries in order to settle the dispute. Italy has succeeded, and in so doing has actively contributed to the peace of Europe.

Moreover, Italy has acted similarly within her own frontiers, and has reduced her armed forces in the largest possible measure. Her naval expenditure, compared with that before the war, has been considerably curtailed. The total amount of her armed forces does not exceed 200,000 men, and a further reduction to 175,000 men is already planned. To this number there are only to be added about 35,000 colonial troops.

Our ordinary war budget for the present financial year amounts to \$52,680,000, including \$11,000,000 expenses for police forces; the extraordinary part of the war budget, representing expenses incurred in the liquidation of the war—expenses, therefore, of a purely transitory character—amounts to \$62,000,000.

However, although we have already reduced our armaments to the greatest possible extent, we consider it indispensable to a complete solution of the problem of limitation of armament in Europe, to take into consideration as well the armaments of the countries either created or transformed as a result of the war. The problem is not a simple one and must be considered as a whole; it is a serious and urgent problem for which an early solution is necessary.

Gentlemen, I think I have said all that is necessary to explain the Italian point of view. The United States of America, in calling this Conference, have taken a great and noble initiative with the aim of creating sound guaranties for the safeguarding of the peace of the world.

Allow me to express the desire and the hope that the Conference, while considering the present difficulties, may also give all its attention to the problem of the limitation of land armaments, the solution of which is an essential condition for creating, throughout the world, that atmosphere of peace without which it would be hopeless to expect that the economic and social reconstruction of the nations which have suffered more severely during and after the war may be fulfilled.

THE CHAIRMAN (*speaking in English*): Baron Kato.

ADMIRAL BARON KATO (*speaking in Japanese*): Mr. Chairman and Gentlemen:

It is needless for me to assure Mr. Briand that Japan has nothing but a most profound sympathy for France's peculiarly difficult position which has been so clearly and so eloquently presented to us this morning. May I venture also to add Japan's appreciation of, and sympathy for, the great sacrifices in men and wealth made by France, the British Empire, Italy, the United States, and Belgium in the great war for the cause of peace, justice, and humanity.

I would like to say this morning just a few words on land armament limitation. Japan is quite ready to announce her hearty approval of the principle which aims to relieve the nations of heavy burdens by limiting land armaments to those which are necessary for national security and the maintenance of order within their territories.

The size of the land armaments of each State should be determined by its peculiar geographical situation and other circumstances, and these basic factors are so divergent and complicated that an effort to draw final comparisons is hardly possible. If I may venture to say so, it is not an easy task to lay down a general scheme for the limitation

of land armaments, as in the case of limitation of naval armaments. Nevertheless, Japan has not the slightest intention of maintaining land armaments which are in excess of those which are absolutely necessary for purely defensive purposes, necessitated by the Far Eastern situation.

THE CHAIRMAN (*speaking in English*): The Belgian Ambassador.

BARON DE CARTIER (*speaking in French*): Mr. Chairman, while I am still under the spell of the thrilling and convincing speech delivered by Mr. Briand, I should like to state briefly the point of view of Belgium on the question of limitation of land armaments.

Belgium, trusting in the assurance given by the powers which guaranteed her neutrality, remained for three-quarters of a century faithful to a policy of peace and limitation of armaments. The tragical events of 1914 were for her a terrible awakening. While she was aspiring to nothing but peace, while she was only anxious to fulfill her duties as a neutral State, war was carried on her own territory by two Powers which had taken an engagement not only to respect her neutrality but to see that that neutrality was respected. Devastation, fire, wanton and systematic destruction of her industries, murder of her inhabitants, deportation of civilian population, heavy losses in her gallant army, were the reward of her peaceful attitude and of her policy of restriction of armaments.

The Treaty of Versailles put an end to that régime of neutrality which events had proved to be worthless and dangerous for her. Owing to her special geographical position, Belgium is compelled to direct her attention towards all measures by which her security may be insured. In 1920 she concluded with France a military agreement, purely for defensive purposes, in case of a new and unjustified aggression on the part of Germany. She keeps her army down to the minimum necessary for her security; for the time being, and in view of the present state of her international relations, she can not possibly proceed to further reductions. And yet there is perhaps no State more sincerely peace-loving, no State which more cordially hates war, from which we have suffered so much during the course of our whole history.

As King Albert said in the message His Majesty addressed a few days ago to the President of the United States, the whole Belgian nation is longing with all its heart for the moment when, its security being insured, it can definitely enter upon the path of the limitation of armaments. It admires the noble initiative of the Government of the United States and wishes every success to the Conference for the greater benefit of the whole world.

THE CHAIRMAN (*speaking in English*): I shall detain you, gentlemen, but a moment. It would not do justice to my own sentiment or to that of my colleagues of the American Delegation if I did not, in a word, take part in this expression of the sense of privilege which has been felt in listening to this brilliant, eloquent, comprehensive, and instructive address stating the position and policy of France.

No words ever spoken by France have fallen upon deaf ears in the United States. The heart of America was thrilled by her valor and her sacrifice, and the memory of her stand for liberty is imperishable in this country, devoted to the institutions of liberty.

It is evident from what Mr. Briand has said that what is essential at this time, in order that we may achieve the great ideal, is the will to peace. And there can be no hope of a will to peace until institutions of liberty and justice are secure among all peace-loving people.

May I say, in response to a word which challenged the attention of us all as it was uttered by Mr. Briand, that there is no moral isolation for the defenders of liberty and justice. We understand the difficulties; what has been said will be read throughout this broad land by a people that desires to understand. The essential condition of progress toward a mutual understanding and a maintenance of the peace

SESSIONAL PAPER No. 47

of the world is that we should know exactly the difficulties which each nation has to consider, that we should be able justly to appraise them, that we should have the most candid and complete statement of all that is involved in them, and then, with that full appreciation of the apprehensions, of the dangers, of all that may create obstacles in the path of the policy that we are most anxious to pursue, we should then plan to meet the case to the utmost practicable extent; and thus the will to peace may have effective expression.

We cannot now go into a statement of detail. Apparently the Conference is so organized that this matter may have an appropriate place in our discussion. We can not foresee at the moment what practical measures may be available, but the expressions that we have heard from the representatives of the Powers engaged in this Conference make us confident that here will be generated that disposition which is essential to national security, the final assurance of security which armies and officers and men and material can never supply; that is, the disposition of a world conscious of mutual interests and of the fact that if it so desires—most ardently and wholly desires—peace will be enduring among our peoples.

Is it the desire of the delegates that the matter suggested by the addresses that have been made and the subject itself of land armament should now be committed for the consideration of the Committee on the Limitation of Armament, consisting of the plenipotentiary delegates of the five Powers? (*After a pause.*) Assent is manifested, and it will be so ordered.

Is it now in accordance with your wish that we should adjourn subject to the call of the Chair?

(*After a pause.*) Adjourned.

Whereupon, at 2 o'clock p.m., the Conference adjourned subject to the call of the Chair.

APPENDIX No. 11

Statement by Mr. Sze, on behalf of the Chinese Delegation, proposing general principles to be applied in the determination of the questions relating to China, made at the first meeting of the Committee on Pacific and Far Eastern Questions, Washington, November 16, 1921.

"In view of the fact that China must necessarily play an important part in the deliberations of this conference with reference to the political situation in the Far East, the Chinese delegation has thought it proper that they should take the first possible opportunity to state certain general principles which, in their opinion, should guide the conference in the determinations which it is to make. Certain of the specific applications of the principles which it is expected that the conference will make, it is our intention later to bring forward, but at the present time it is deemed sufficient simply to propose the principles which I shall presently read.

"In formulating these principles, the purpose has been kept steadily in view of obtaining rules in accordance with which existing and possible future political and economic problems in the Far East and the Pacific may be most justly settled and with due regard to the rights and legitimate interests of all the powers concerned. Thus it has been sought to harmonize the particular interests of China with the general interests of the world. China is anxious to play her part, not only in maintaining peace, but in promoting the material advancement and the cultural development of all the Nations. She wishes to make her vast natural resources available to all peoples who need them, and in return to receive the benefits of free and equal intercourse with them. In order that she may do this, it is necessary that she should have every possible opportunity to develop her political institutions in accordance with the genius and needs of her own people. China is now contending with certain difficult problems which necessarily arise, when any country makes a radical change in its form of government. These problems she will be able to solve if given the opportunity to do so. This means not only that she should be freed from the danger or threat of foreign aggression, but that so far as circumstances will possibly permit, she be relieved from limitations which now deprive her of autonomous administrative action and prevent her from securing adequate public revenues.

"In conformity with the agenda of the conference, the Chinese Government proposes for the consideration of and adoption by the conference the following general principles to be applied in the determination of the questions relating to China:

"1. (a) The powers engage to respect and observe the territorial integrity and political and administrative independence of the Chinese Republic.

"(b) China upon her part is prepared to give an undertaking not to alienate or lease any portion of her territory or littoral to any power.

"2. China, being in full accord with the principle of the so-called open door or equal opportunity for the commerce and industry of all nations having treaty relations with China, is prepared to accept and apply it in all parts of the Chinese Republic without exception.

"3. With a view to strengthening mutual confidence and maintaining peace in the Pacific and the Far East, the powers agree not to conclude between themselves any treaty or agreement directly affecting China or the general peace in these regions without previously notifying China and giving to her an opportunity to participate.

SESSIONAL PAPER No. 47

"4. All special rights, privileges, immunities, or commitments, whatever their character or contractual basis, claimed by any of the powers in or relating to China are to be declared, and all such or future claims not so made known are to be deemed null and void. The rights, privileges, immunities, and commitments now known or to be declared are to be examined with a view to determining their scope and validity and, if valid, to harmonizing them with one another and with the principles declared by this conference.

"5. Immediately, or as soon as circumstances will permit, existing limitations upon China's political, jurisdictional, and administrative freedom of action are to be removed.

"6. Reasonable, definite terms of duration are to be attached to China's present commitments which are without time limits.

"7. In the interpretation of instruments granting special rights or privileges, the well-established principle of construction that such grants shall be strictly construed in favour of the grantors, is to be observed.

"8. China's rights as a neutral are to be fully respected in future wars to which she is not a party.

"9. Provision is to be made for the peaceful settlement of international disputes in the Pacific and the Far East.

"10. Provision is to be made for future conferences to be held from time to time for the discussion of international questions relative to the Pacific and the Far East, as a basis for the determination of common policies of the signatory powers in relation thereto."

APPENDIX No. 12

Statement by Senator Underwood of the American Delegation, on behalf of the Committee on Pacific and Far Eastern Questions, reporting the Treaty relating to the Chinese customs tariff to the Conference, at its sixth Plenary Session, Washington, February 4, 1922.

(Unrevised text)

SENATOR UNDERWOOD (*speaking in English*): Mr. Chairman, I realize fully that the delegates seated at this table understand why the nine Powers have agreed with China on the adoption of a customs tariff, but in this twentieth century treaties have ceased to be compacts of Governments. If they are to live and survive, must be the understandings of the people themselves.

It may seem an anomaly to the people of the world who have not studied this question that this Conference, after declaring that it recognizes the sovereignty and territorial integrity of China, should engage with China in a compact about a domestic matter which is a part of her sovereignty. To announce the treaty without an explanation may lead to misunderstanding, and therefore I ask the patience of the Conference for a few minutes that I may put in the record a statement of the historic facts leading up to present conditions, which make it necessary that this Conference should enter into this agreement.

The conclusions which have been reached with respect to the Chinese maritime customs tariff are two in number, the first being in the form of an agreement for an immediate revision of existing schedules, so as to bring the rate of duty up to a basis of 5 per cent effective. The second is in the form of a treaty, and provides for a special conference which shall be empowered to levy surtaxes and to make other arrangements for increasing the customs schedules above the rate of 5 per cent effective.

In order to understand the nature and the reasons for these agreements, it is well to bear in mind the historical background of the present treaty adjustment, which places such a large control of the Chinese customs in the hands of foreign powers.

The origin of the Chinese customs tariff dates back to the fourteenth century, but the administration system was of such a nature that constant friction arose with foreign merchants engaged in trade with that country, and culminated in an acute controversy relating to the smuggling of opium, sometimes known as the Opium War of 1839-1842.

This controversy ended in 1842 with the Treaty of Nankin, between China and Great Britain. The Treaty of Nankin marked the beginning of Chinese relations on a recognized legal basis with the countries of the Western World, and is likewise the beginning of the history of China's present tariff system.

By the Treaty of Nankin it was agreed that five ports should be opened for foreign trade, and that a fair and regular tariff of export and import customs and other dues should be published.

In a subsequent treaty of October 8, 1843, a tariff schedule was adopted for both imports and exports, based on the general rate of 5 per cent ad valorem.

In 1844 the first treaty between China and the United States was concluded. In this treaty the tariff upon which China had agreed with Great Britain was made an integral part of its provisions, and most-favoured-nation treatment was secured for the United States in the following terms:—

SESSIONAL PAPER No. 47

"Citizens of the United States resorting to China shall in no case be subject to other or higher duties than are or shall be required of the people of any other nation whatever, and if additional advantages or privileges of whatever description be conceded hereafter by China to any other nation, the United States and the citizens thereof shall be entitled thereupon to a complete, equal, and impartial participation in the same."

In the same year a similar treaty between China and France was concluded, and in 1847 a like treaty was entered into with Sweden and Norway.

After an interval of a little over a decade, friction again developed and a war ensued.

In 1851, when negotiations were again resumed, silk had fallen in value, prices of foreign commodities had changed, and the former schedule of duties no longer represented the rate of 5 per cent ad valorem.

In 1858 China concluded what was known as the Tientsin Treaty with the United States, Russia, Great Britain, and France.

The British Treaty, which was the most comprehensive, being completed by an agreement as to the tariff and rules of trade, was signed at Shanghai on November 8, 1858. By this agreement a schedule of duties was provided to take the place of the schedule previously in force. Most of the duties were specific, calculated on the basis of 5 per cent of the then prevailing values of articles.

The tariff schedule thus adopted in 1858 underwent no revision, except in reference to opium, until 1902.

The beginning of foreign administrative supervision of the Chinese maritime customs dates back to the time of the Taiping Rebellion, when, in September, 1853, the city of Shanghai was captured by the Taiping rebels. As a consequence the Chinese customs was closed and foreign merchants had no offices to collect customs duties.

In order to meet the emergency, the foreign consuls collected the duties until June 29, 1854, when an agreement was entered into with the British, American, and French consuls for the establishment of a foreign board of inspectors. Under this agreement a board of foreign inspectors was appointed, and continued in office until 1858, when the tariff commission met and agreed to rules of trade, of which Article X provided that a uniform customs system should be enforced at every port, and that a high officer should be appointed by the Chinese Government to superintend the foreign trade, and that this officer might select any British subject whom he might see fit to aid him in the administration of the customs revenue, and in a number of other matters connected with commerce and navigation. In 1914, just as the Great War was breaking, there were 1,357 foreigners in the Chinese customs service, representing 20 nationalities among a total of 7,441 employees.

It is appropriate to observe that the present administrative system has given very great satisfaction in the matter of its efficiency and its fairness to the interests of all concerned, and in that connection I desire to say that, when the consideration of this tariff treaty was before the subcommittee that prepared it, there was a general, and, I may say, universal sentiment about the table from the delegates representing the nine Powers, that on account of the disturbed conditions, in China to-day, unsettled governmental conditions, it was desirable, if it met with the approval of China, that there should be no disturbance at this time of the present administration of the customs system. In response to that sentiment, which was discussed at the table, Dr. Koo, speaking for the Chinese Government, made a statement which I have been directed by the full committee to report to this plenary session, which is as follows:

"The Chinese Delegation has the honour to inform the Committee on the Far Eastern Questions of the Conference on the Limitation of Armament that the

Chinese Government have no intention to effect any change which may disturb the present administration of the Chinese maritime customs."

Speaking only for myself, I hope that the day may not be far distant when China will have established a parliamentary government representing her people, and that thus an opportunity will be given her to exercise in every respect her full sovereignty and regulate her own customs tariffs.

But for the present, on account of the disturbed conditions in China, it is manifest that there must be an agreement and understanding between China and the other nations involved in her trade, and I want to say that this agreement as it is presented to the Conference to-day, meets the approbation of the representatives of the Chinese Government.

Between the period of 1869 and 1901 a series of agreements were entered into which establish special tariff privileges with various Powers respecting movements of trade. This period culminated in a greatly involved state of affairs which led to the Boxer Revolution, out of which grew the doctrine of the open door.

In 1902, in accordance with the terms of the Boxer protocol, a commission met at Shanghai to revise the tariff schedule. This revision applied only to the import duties and to the free list. Most of the duties were specific in character, and the remainder were at 5 per cent ad valorem. Nonenumerated goods were to pay 5 per cent ad valorem. All the duties remained subject to the restrictions of the earlier treaties, and those of the export duties which are still in force are the specific duties contained in the schedule of 1858.

In 1902 a treaty was concluded between China and Great Britain which laid a basis for the subsequent treaties between China and the United States and China and Japan in 1903, along similar lines. In the preamble of the British treaty the Chinese Government undertakes to discard completely the system of levying likin and other dues on goods at the place of production, in transit, and at destination.

The British Government in turn consents to allow a surtax on foreign goods imported by British subjects, the amount of this surtax on imports not to exceed the equivalent of one and one-half times the existing import duty. The levy of this additional surtax being contingent upon the abolition of the likin has never gone into effect, but remains, nevertheless, the broad basis upon which the general schedules of Chinese tariff duties may be increased.

It is clear from the foregoing brief summary that two measures were necessary in dealing with the Chinese customs, the first being that of the revising of the tariff schedules as they exist, so as to make them conform to the rate of 5 per cent effective, as provided by the treaty.

Second, to pave the way for the abolition of the likin, which constitutes the basis of higher rates. In the meantime, however, it is recognized that the Chinese Government requires additional revenue, and in order that this may be supplied, a special conference is charged with the levying of a surtax of $2\frac{1}{2}$ per cent on ordinary duties, and a surtax of 5 per cent on the luxuries, in addition to the established rate of 5 per cent effective.

In 1896 an agreement was made between Russia and China for the construction of the Chinese Eastern Railway, and as a part of this agreement, merchandise entering China from Russia was allowed to pass the border at one-third less than the conventional customs duties. Afterwards, similar reductions were granted to France, Japan, and Great Britain, where the merchandise entered China across her land frontiers and not by sea.

This discrimination was unfair to the other nations, and not the least important paragraph in the proposed treaty is the one which abolishes this discrimination entirely.

Mr. Chairman, I shall not read the formal parts of the treaty; I shall merely read the articles that are substantive.

SESSIONAL PAPER No. 47

The first article reads:

“ARTICLE I.

“The representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the city of Washington, a resolution, which is appended as an Annex to this article, with respect to the revision of Chinese customs duties, for the purpose of making such duties equivalent to an effective 5 per centum ad valorem, in accordance with existing treaties concluded by China with other nations, the Contracting Powers hereby confirm the said resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible but not earlier than two months after publication thereof.”

Then follows an Annex. It was intended originally for a separate resolution by the Conference to make the present rate effective. As I have stated, the rates of Chinese customs tariff were 5 per cent ad valorem, but they have been worked into specific rates, and China was not receiving under the old customs system the amount of revenue that she was entitled to under her treaty. But it was found when it was proposed to pass this merely as a resolution that as these rates had been fixed in some of the treaties and specifically named, it was necessary to include the resolution in the treaty so that it would abolish the binding power of the treaties that had already been made and substitute this new provision in their stead. The annex reads as follows:

“ANNEX.

“With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely, the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, agree:

“That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent effective, as provided for in the several commercial treaties to which China is a party.

“A revision commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

“This commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having governments at present recognized by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent ad valorem and who desire to participate therein.

“The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern Questions.

“The revised tariff shall become effective as soon as possible, but not earlier than two months after its publication by the revision commission.

“The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms of this resolution to the Governments of Powers not represented at this Conference but who participated in the revision of 1918, aforesaid.”

Then, the actual treaty provisions are incorporated, beginning with Article II, as follows: [*At this point Senator Underwood read the remaining Articles of the Treaty; see Appendix No. 21, page 200.*]

"SEPARATE RESOLUTION.

"That the Government of the United States, as convener of the present Conference, be requested to communicate forthwith the terms of the agreement arrived at with regard to the Chinese tariff to the Governments of the Powers concerned as stated in this Agreement, with a view to obtaining their adherence to the Agreement as soon as possible."

In conclusion, I can say that the adoption of this treaty and putting it into effect will in all probability double the existing revenues of China received from maritime and inland customs. I say in all probability, because the amount of revenue of course is governed by the amount of imports and exports coming into a country and going out of a country, and naturally no one can predict with absolute certainty.

The Chinese Government is badly in need of this revenue, and it will be a great relief to existing conditions there if the treaty is ratified at an early date. I request its ratification.

APPENDIX No. 13

Articles of the Treaty between China and Japan for the settlement of outstanding questions relative to Shantung (signed at Washington on February 4, 1922); together with a statement of understandings recorded in the Minutes of the Sino-Japanese conversations as a part of the conclusions reached, as communicated to the Conference on the Limitation of Armament, at its fifth Plenary Session, Washington, February 1, 1922.

ARTICLES OF TREATY FOR SETTLEMENT OF OUTSTANDING
QUESTIONS RELATIVE TO SHANTUNG

China and Japan, being equally animated by a sincere desire to settle amicably and in accordance with their common interest outstanding questions relative to Shantung, have resolved to conclude a treaty for the settlement of such questions, and have to that end named as their Plenipotentiaries, that is to say:—

His Excellency the President of the Chinese Republic:

Sao-Ke Alfred Sze, Envoy Extraordinary and Minister Plenipotentiary;
Vikyuin Wellington Koo, Envoy Extraordinary and Minister Plenipotentiary;
and
Chung-Hui Wang, Former Minister of Justice;

His Majesty the Emperor of Japan:

Baron Tomosaburo Kato, Minister of the Navy;
Baron Kijuro Shidehara, Ambassador Extraordinary and Plenipotentiary;
and
Masanao Hanihara, Vice-Minister for Foreign Affairs;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles:—

SECTION I.—*Restoration of the Former German Leased Territory of Kiaochow.*

ARTICLE I

Japan shall restore to China the former German Leased Territory of Kiaochow.

ARTICLE II

The Government of the Chinese Republic and the Government of Japan shall each appoint three Commissioners to form a Joint Commission, with powers to make and carry out detailed arrangements relating to the transfer of the administration of the former German Leased Territory of Kiaochow and to the transfer of public properties in the said Territory and to settle other matters likewise requiring adjustment.

For such purposes, the Joint Commission shall meet immediately upon the coming into force of the present Treaty.

ARTICLE III

The transfer of the administration of the former German Leased Territory of Kiaochow and the transfer of public properties in the said Territory, as well as the

adjustment of other matters under the preceding Article, shall be completed as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

ARTICLE IV

The Government of Japan undertakes to hand over to the Government of the Chinese Republic upon the transfer to China of the administration of the former German Leased Territory of Kiaochow, such archives, registers, plans, title-deeds and other documents in the possession of Japan, or certified copies thereof, as may be necessary for the transfer of the administration, as well as those that may be useful for the subsequent administration by China of the said Territory and of the Fifty Kilometre Zone around Kiaochow Bay,

SECTION II.—*Transfer of Public Properties*

ARTICLE V

The Government of Japan undertakes to transfer to the Government of the Chinese Republic all public properties including land, buildings, works or establishments in the former German Leased Territory of Kiaochow, whether formerly possessed by the German authorities, or purchased or constructed by the Japanese authorities during the period of the Japanese administration of the said Territory, except those indicated in Article VII of the present Treaty.

ARTICLE VI

In the transfer of public properties under the preceding Article, no compensation will be claimed from the Government of the Chinese Republic; Provided, however, that for those purchased or constructed by the Japanese authorities, and also for the improvements on or additions to those formerly possessed by the German authorities, the Government of the Chinese Republic shall refund a fair and equitable proportion of the expenses actually incurred by the Government of Japan, having regard to the principle of depreciation and continuing value.

ARTICLE VII

Such public properties in the former German Leased Territory of Kiaochow as are required for the Japanese Consulate to be established in Tsingtao shall be retained by the Government of Japan, and those required more especially for the benefit of the Japanese community, including public schools, shrines and cemeteries, shall be left in the hands of the said community.

ARTICLE VIII

Details of the matters referred to in the preceding three Articles shall be arranged by the Joint Commission provided for in Article II of the present Treaty.

SECTION III.—*Withdrawal of Japanese Troops.*

ARTICLE IX.

The Japanese troops, including gendarmes, now stationed along the Tsingtao-Tsinanfu Railway and its branches, shall be withdrawn as soon as the Chinese police or military force shall have been sent to take over the protection of the Railway.

SESSIONAL PAPER No. 47

ARTICLE X.

The disposition of the Chinese police or military force and the withdrawal of the Japanese troops under the preceding Article may be effected in sections.

The date of the completion of such process for each section shall be arranged in advance between the competent authorities of China and Japan.

The entire withdrawal of such Japanese troops shall be effected within three months, if possible, and, in any case, not later than six months, from the date of the signature of the present Treaty.

ARTICLE XI.

The Japanese garrison at Tsingtao shall be completely withdrawn simultaneously, if possible, with the transfer to China of the administration of the former German Leased Territory of Kiaochow, and, in any case, not later than thirty days from the date of such transfer.

SECTION IV.—*Maritime Customs at Tsingtao*

ARTICLE XII.

The Customs House of Tsingtao shall be made an integral part of the Chinese Maritime Customs upon the coming into force of the present Treaty.

ARTICLE XIII.

The Provisional Agreement of the 6th August, 1915, between China and Japan, relating to the reopening of the Office of the Chinese Maritime Customs at Tsingtao shall cease to be effective upon the coming into force of the present Treaty.

SECTION V.—*Tsingtao-Tsinanfu Railway.*

ARTICLE XIV.

Japan shall transfer to China the Tsingtao-Tsinanfu Railway and its branches, together with all other properties appurtenant thereto, including wharves, warehouses and other similar properties.

ARTICLE XV.

China undertakes to reimburse to Japan the actual value of all the Railway properties mentioned in the preceding Article.

The actual value to be so reimbursed shall consist of the sum of fifty-three million, four hundred and six thousand, one hundred and forty-one (53,406,141) gold marks (which is the assessed value of such portion of the said properties as was left behind by the Germans), or its equivalent, plus the amount which Japan, during her administration of the Railway, has actually expended for permanent improvements on or additions to the said properties, less a suitable allowance for depreciation.

It is understood that no charge will be made with respect to the wharves, warehouses and other similar properties mentioned in the preceding Article, except for such permanent improvements on or additions to them as may have been made by Japan, during her administration of the Railway, less a suitable allowance for depreciation.

ARTICLE XVI.

The Government of the Chinese Republic and the Government of Japan shall each appoint three Commissioners to form a Joint Railway Commission, with powers to appraise the actual value of the Railway properties on the basis defined in the preceding Article, and to arrange the transfer of the said properties.

ARTICLE XVII.

The transfer of all the Railway properties under Article XIV of the present Treaty shall be completed as soon as possible, and, in any case, not later than nine months from date of the coming into force of the present Treaty.

ARTICLE XVIII.

To effect the reimbursement under Article XV of the present Treaty, China shall deliver to Japan simultaneously with the completion of the transfer of the Railway properties, Chinese Government Treasury Notes, secured on the properties and revenues of the Railway, and running for a period of fifteen years, but redeemable, whether in whole or in part, at the option of China, at the end of five years from the date of the delivery of the said Treasury Notes, or at any time thereafter upon six months' previous notice.

ARTICLE XIX.

Pending the redemption of the said Treasury Notes under the preceding Article, the Government of the Chinese Republic will select and appoint, for so long a period as any part of the said Treasury Notes shall remain unredeemed, a Japanese subject to be Traffic Manager, and another Japanese subject to be Chief Accountant jointly with the Chinese Chief Accountant and with co-ordinate functions.

These officials shall all be under the direction, control and supervision of the Chinese Managing Director, and removable for cause.

ARTICLE XX.

Financial details of a technical character relating to the said Treasury Notes, not provided for in this Section, shall be determined in common accord between the Chinese and Japanese authorities as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

SECTION VI.—*Extensions of the Tsingtao-Tsinanfu Railway.*

ARTICLE XXI.

The concessions relating to the two extensions of the Tsingtao-Tsinanfu Railway, namely, the Tsinanfu-Shunteh and the Kaomi-Hsuchowfu lines, shall be made open to the common activity of an international financial group, on terms to be arranged between the Government of the Chinese Republic and the said group.

SECTION VII.—*Mines.*

ARTICLE XXII.

The mines of Tsechwan, Fangtze and Chinlingchen, for which the mining rights were formerly granted by China to Germany, shall be handed over to a company to be formed under a special charter of the Government of the Chinese Republic, in which the amount of Japanese capital shall not exceed that of Chinese capital.

The mode and terms of such arrangement shall be determined by the Joint Commission provided for in Article II of the present Treaty.

SESSIONAL PAPER No. 47

SECTION VIII.—*Opening of the former German Leased Territory of Kiaochow.*

ARTICLE XXIII.

The Government of Japan declares that it will not seek the establishment of an exclusive Japanese settlement, or of an international settlement in the former German Leased Territory of Kiaochow.

The Government of the Chinese Republic on its part declares that the entire area of the former German Leased Territory of Kiaochow will be opened to foreign trade, and that foreign nationals will be permitted freely to reside and to carry on commerce, industry and other lawful pursuits within such area.

ARTICLE XXIV.

The Government of the Chinese Republic further declares that vested rights lawfully and equitably acquired by foreign nationals in the former German Leased Territory of Kiaochow, whether under the German régime or during the period of the Japanese administration, will be respected.

All questions relating to the status or validity of such vested rights acquired by Japanese subjects or Japanese companies shall be adjusted by the Joint Commission provided for in Article II of the present Treaty.

SECTION IX.—*Salt Industry.*

ARTICLE XXV.

Whereas the salt industry is a Government monopoly in China, it is agreed that the interests of Japanese subjects or Japanese companies actually engaged in the said industry along the coast of Kiaochow Bay shall be purchased by the Government of the Chinese Republic for fair compensation, and that the exportation to Japan of a quantity of salt produced by such industry along the said coast is to be permitted on reasonable terms.

Arrangements for the above purposes, including the transfer of the said interests to the Government of the Chinese Republic, shall be made by the Joint Commission provided for in Article II of the present Treaty. They shall be completed as soon as possible, and, in any case, not later than six months from the date of the coming into force of the present Treaty.

SECTION X.—*Submarine Cables.*

ARTICLE XXVI.

The Government of Japan declares that all the rights, title and privileges concerning the former German submarine cables between Tsingtao and Chefoo and between Tsingtao and Shanghai are vested in China, with the exception of those portions of the said two cables which have been utilised by the Government of Japan for the laying of a cable between Tsingtao and Sasebo; it being understood that the question relating to the landing and operation at Tsingtao of the said Tsingtao-Sasebo cable shall be adjusted by the Joint Commission provided for in Article II of the present Treaty, subject to the terms of the existing contracts to which China is a party.

SECTION XI.—*Wireless Stations.*

ARTICLE XXVII.

The Government of Japan undertakes to transfer to the Government of the Chinese Republic the Japanese wireless stations at Tsingtao and Tsinanfu for fair compensation for the value of these stations, upon the withdrawal of the Japanese troops at the said two places, respectively.

Details of such transfer and compensation shall be arranged by the Joint Commission provided for in Article II of the present Treaty.

ARTICLE XXVIII.

The present Treaty (including the Annex thereto) shall be ratified, and the ratifications thereof shall be exchanged at Peking as soon as possible, and not later than four months from the date of its signature.

It shall come into force from the date of the exchange of ratifications.

In witness whereof, the respective Plenipotentiaries have signed the present Treaty in duplicate, in the English language, and have affixed thereto their seals.

Done at the City of Washington this day of February, 1922.

ANNEX

I.

Renunciation of Preferential Rights.

The Government of Japan declares that it renounces all preferential rights with respect to foreign assistance in persons, capital and material stipulated in the Treaty of the 6th March, 1898, between China and Germany.

II.

Transfer of Public Properties

It is understood that public properties to be transferred to the Government of the Chinese Republic under Article V of the present Treaty include (1) all public works, such as roads, water works, parks, drainage and sanitary equipment, and (2) all public enterprises such as those relating to telephone, electric light, stock-yard and laundry.

The Government of the Chinese Republic declares that in the management and maintenance of public works to be so transferred to the Government of the Chinese Republic, the foreign community in the former German Leased Territory of Kiaochow shall have fair representation.

The Government of the Chinese Republic further declares that, upon taking over the telephone enterprise in the former German Leased Territory of Kiaochow, it will give due consideration to the requests from the foreign community in the said territory for such extensions and improvements in the telephone enterprise as may be reasonably required by the general interests of the public.

With respect to public enterprise relating to electric light, stock-yard and laundry, the Government of the Chinese Republic, upon taking them over, shall retransfer them to the Chinese municipal authorities of Tsingtao, which shall, in turn, cause commercial companies to be formed under Chinese laws for the management and working of the said enterprises, subject to municipal regulation and supervision.

III.

Maritime Customs at Tsingtao.

The Government of the Chinese Republic declares that it will instruct the Inspector-General of the Chinese Maritime Customs (1) to permit Japanese traders in the former German Leased Territory of Kiaochow to communicate in the Japanese language with the Custom House of Tsingtao; and (2) to give consideration, within the limits of the established service regulations of the Chinese Maritime Customs, to the diverse needs of the trade of Tsingtao, in the selection of a suitable staff for the said Custom House.

IV.

Tsingtao-Tsinanfu Railway.

Should the Joint Railway Commission provided for in Article XVI of the present Treaty fail to reach an agreement on any matter within its competence, the point or points at issue shall be taken up by the Government of the Chinese Republic and the Government of Japan for discussion and adjustment by means of diplomacy.

In the determination of such point or points, the Government of the Chinese Republic and the Government of Japan shall, if necessary, obtain recommendations of experts of a third Power or Powers who shall be designated in common accord between the two Governments.

V.

Chefoo-Weihsien Railway.

The Government of Japan will not claim that the option for financing the Chefoo-Weihsien Railway should be made open to the common activity of the International Financial Consortium, provided that the said Railway is to be constructed with Chinese capital.

VI.

Opening of the former German Leased Territory of Kiaochow.

The Government of the Chinese Republic declares that, pending the enactment and general application of laws regulating the system of local self-government in China, the Chinese local authorities will ascertain the views of the foreign residents in the former German Leased Territory of Kiaochow in such municipal matters as may directly affect their welfare and interests.

STATEMENT OF UNDERSTANDINGS

"1. It is understood that on taking over the railway, the Chinese authorities shall have full power and discretion to continue to remove the present employees of Japanese nationality in the service of the railway and that reasonable notice may be given before the date of transfer of the railway.

"Detailed arrangements regarding the replacements to take effect immediately on the transfer of the railway to China are to be made by the Chinese and Japanese authorities.

"2. It is understood (1) that the entire subordinate staff of the Japanese traffic manager and of the Japanese chief accountant is to be appointed by the Chinese managing director; and (2) that after two years and a half from the date of the transfer of the railway, the Chinese Government may appoint an assistant traffic manager of Chinese nationality, for the period of two years and a half, and that such assistant Chinese traffic manager may also be appointed at any time after six months' notice for the redemption of the Treasury notes is given.

"3. The Japanese Delegation declare that Japan has no intention to claim that China is under any obligation to appoint Japanese nationals as members of the said subordinate staff.

"4. It is understood that the redemption of the said Treasury notes will not be effected with funds raised from any source other than Chinese."

APPENDIX No. 14

Leased Territories in China — Statements on behalf of the Chinese, French, Japanese and British Empire Delegations at the twelfth meeting of the Committee on Pacific and Far Eastern Questions, Washington, December 3, 1921 — Proceedings of the Committee.

4. The chairman, Mr. Hughes in opening the meeting, announced that the subject under discussion at the previous meeting being in the hands of a subcommittee, he would call upon the delegates from China to take up the question of leased territories.

LEASED TERRITORIES, CHINESE STATEMENT

5. Mr. Koo stated that the existence of the leased territories in China was due in the original instance to the aggressions of Germany, whose forcible occupation of part of Shantung Province constrained the Chinese Government on March 6, 1898, to grant a lease for 99 years of the Bay of Kiaochow in the Shantung Province. This was closely followed, on March 27, 1898, by a demand on the part of Russia for the lease of the Liaotung Peninsula, in which are found the ports of Port Arthur and Dalny, along with the demand for the right of building a railway to be guarded by Russian soldiers traversing the Manchurian Provinces from Port Arthur and Dalny to join the Trans-Siberian Railway and Vladivostok. This was later the cause of the Russo-Japanese war which resulted in 1905 in the transfer of those territories to Japan with the consent of China. Following the lease of Kiaochow Bay to Germany and that of Port Arthur and Dalny to Russia, France obtained from China on April 22, 1898, the lease of Kwangchowwan on the coast of Kwangtung Province for 99 years. Great Britain on June 9, 1898, secured the lease, also for 99 years, of an extension of Kowloon and the adjoining territory and waters close to Hongkong, and on July 1, 1898, the lease "for so long a period as Port Arthur should remain in the occupation of Russia" of the Port of Wei-Haiwei on the coast of Shantung. Both Great Britain and France based their claims for the leases on the ground of the necessity of preserving the balance of power in the Far East.

Mr. Koo added that while the measures and extent of control by the lessee powers over the leased territories varied in different cases, the leases themselves were all limited to a fixed period of years. Expressly or impliedly they were not transferable to a third power without the consent of China. Though the exercise of administrative rights over the territories leased was relinquished by China to the lessee power during the period of the lease, the sovereignty of China over them had been reserved in all cases. These leases were all creatures of compact, different from cessions both in fact and in law. As was stated in the beginning, these leaseholds were granted by China with the sole purpose of maintaining the balance of power in the Far East, not so much between China and the other powers, but between other powers themselves concerning China.

Twenty years had elapsed since then and conditions had entirely altered. With the elimination of German menace in particular, an important disturbing factor to the peace of the Far East had been removed. Russia had equally disappeared from the scene and it could be hoped with confidence that she would eventually return, not as the former aggressive power, but as a great democratic nation. The misrule of Manchu dynasty which had aggravated the situation had also disappeared. The very fact that this conference was being held at Washington for the purpose of arriving at a

SESSIONAL PAPER No. 47

mutual understanding on the part of the powers, provided an added reason for dispensing with the necessity of maintaining the balance of power in the Far East, which was the principal ground on which the original claims of the different powers were based. In the absence of that necessity the Chinese delegation believed that the time had come for the interested powers to relinquish their control over the territories leased to them.

The existence of such leased territories had greatly prejudiced China's territorial and administrative integrity, because they were all situated at the strategical points along the Chinese littoral. Furthermore, these foreign leaseholds had hampered her work of national defense by constituting in China a virtual "imperium in imperio," i.e., an empire within the same empire. There was another reason which the Chinese delegation desired to point out. The shifting conflict of interests of the different lessee power had involved China more than once in complications of their own. It would be sufficient to refer here to the Russo-Japanese war, which was caused by the Russian occupation of Port Arthur and Dalny. The Kiaochow leasehold brought upon the Far East the hostilities of the European war. Furthermore some of these territories were utilized with a view to economic domination over the vast adjoining regions, as points d'appui for developing spheres of interest to the detriment of the principle of equal opportunity for the commerce and industry of all nations in China. In the interest not only of China, but of all nations, and especially with a view to the peace of the Far East, the Chinese delegation asked for the annulment and an early termination of these leases. But pending their termination these areas should be demilitarized—that is, their fortifications dismantled—and it was hoped that the lessee nations would undertake not to make use of their several leased areas for military purposes, either for naval bases or for military operations of any kind whatsoever.

In concluding Mr. Koo observed that the Chinese delegation were, however, fully conscious of the obligations which China would entail after the termination of the leaseholds, and that the Chinese Government would be prepared to respect and safeguard the legitimately vested interests of the different powers within those territories.

The chairman remarked that this question was now open for discussion.

KWANGCHOW-WAN—POSITION OF FRANCE REGARDING

6. Mr. Viviani made a formal declaration, in the following form:

"The French delegation has heard the detailed statement of the Chinese claims and is ready to examine them in the most friendly spirit.

"As Mr. Koo has just said, it was only after the other powers had obtained concessions of this sort that France requested the lease of Kwangchow-Wan, in order that the equilibrium of the powers in the Far East should not be disturbed to her disadvantage.

"We have developed the resources of the territory leased to us; we have brought the benefits of civilization to a country torn by piracy, we have established the reign of prosperity and peace to such a degree that the neighbouring population seeks refuge on our territory in times of trouble. When China recovers Kwangchow-Wan she will receive back a country of greater value than the territory she had leased.

"These being the facts, I state that, since we have responded to the appeal of the American Government to perform a sincere and generous undertaking, we must pass from theory to action.

"The French delegation, in so far as it is concerned, welcomes the claims of China with the greatest favour.

"She must, however, add conditions to her acceptance: France can not be the only one of the powers to relinquish territory which has been leased to her; the

12 GEORGE V, A. 1922

settlement of the retrocession, on the other hand, should take place under suitable conditions and in accordance with the forms which govern such transfers, all private rights being respected.

"Finally, it is thoroughly understood that China shall pledge herself not to alienate or to lease any other power the territory thus restored to her.

"In order to clearly define the position of the French Government, I have the honour to place in the hands of the chairman the statement which I am about to read:

"After having taken note of the request made by the Chinese delegation, December 1, 1921, the French delegation states that the Government of the Republic is ready to join in the collective restitution of territories leased to various powers in China, it being understood that this principle being once admitted and all private rights being safeguarded, the conditions and time limits of the restitution shall be determined by agreement between the Chinese Government and each of the Governments concerned."

KIAOCHOW AND KWANTUNG PROVINCE

7. Mr. Hanihara, on behalf of the Japanese delegation, submitted a statement in writing, as follows:

"STATEMENT OF JAPAN'S POSITION

"The leased territories held by Japan at present are Kiaochow and Kwantung Province, namely, Port Arthur and Dairen. It is characteristic of Japan's leased territories that she obtained them, not directly from China, but as successor to other powers at considerable sacrifice in men and treasure. She succeeded Russia in the leasehold of Kwantung Province with the express consent of China, and she succeeded Germany in the leasehold of Kiaochow under the Treaty of Versailles.

"As to Kiaochow, the Japanese Government have already declared on several occasions that they would restore the leased territory to China. We are prepared to come to an agreement with China on this basis. In fact, there are now going on conversations between representatives of Japan and China regarding this question, initiated through the good offices of Mr. Hughes and Mr. Balfour, the result of which, it is hoped, will be a happy solution of the problem. Therefore, the question of the leased territory of Kiaochow is one which properly calls for separate treatment.

"PORT ARTHUR AND DAIREN

"The only leased territory, therefore, which remains to be discussed at the conference so far as Japan is concerned, is Kwantung Province, namely, Port Arthur and Dairen. As to that territory, the Japanese delegates desire to make it clear that Japan has no intention at present to relinquish the important rights she has lawfully acquired and at no small sacrifice. The territory in question forms a part of Manchuria—a region where, by reason of its close proximity to Japan's territory more than anything else, she has vital interests in that which relates to her economic life and national safety. This fact was recognized and assurance was given by the American, British, and French Governments at the time of the formation of the international consortium, that these vital interests of Japan in the region in question shall be safeguarded.

"In the leased territory of Kwantung Province there reside no less than 65,000 Japanese, and the commercial and industrial interests they have established there are of such importance and magnitude to Japan that they are regarded as an essential part of her economic life.

SESSIONAL PAPER No. 47

"It is believed that this attitude of the Japanese delegation toward the leased territory of Kwantung is not against the principle of the resolution adopted on November 21."

BRITISH STATEMENT

8. Mr. Balfour pointed out that leased territories, though nominally all described under the same title, were held under very different and varying circumstances. The Japanese delegation had already indicated that Shantung and Manchuria, respectively, were held on entirely different bases and must be considered from different points of view. Great Britain had two different kinds of leases, and these, as he thought the Chinese delegation itself would admit, must be held to stand on a different footing one from the other.

KOWLOON

Mr. Balfour referred first to the leased territory of Kowloon extension. Why, he asked, was it considered necessary that the leased territory of Kowloon should come under the same administration as Hongkong? The reason was that, without the leased territory, Hongkong was perfectly indefensible and would be at the mercy of any enemy possessing modern artillery. He hoped that he would carry the conference with him when he asserted that the safeguarding of the position of Hongkong was not merely a British interest but one in which the whole world was concerned. He was informed that Hongkong was easily first among the ports of the world, exceeding in this respect Hamburg before the war, Antwerp, and New York. Mr. Balfour then read the following extract from "The United States Government Commercial Handbook of China":

"The position of the British colony of Hongkong in the world's trade is unique and without parallel. It is a free port except for a duty on wine and spirits; it has relatively few important industries; it is one of the greatest shipping centers in the world; it is the distributing point for all the enormous trade of South China and about 30 per cent of the entire foreign commerce of China. The conditions of Hongkong in its relations to commerce are in every way excellent, and the Government centers all its efforts on fostering trade, while the future is being anticipated by increased dock facilities, the dredging of the fairways, and other improvements. The merchants, both native and foreign, give special attention to the assembling and transshipping of merchandise to and from all the ports of the world, and with the world-wide steamship connection at Hongkong the necessity of retranshipment at other ports is reduced to a minimum. Hongkong is the financial center of the East."

Mr. Balfour said he could not add anything to this perfectly impartial testimony to the conditions of absolute equality of nations under which the affairs of Hongkong were administered and the motives on which they were conducted. The lease of the Kowloon extension had been obtained for no other reason except to give security to the port of Hongkong, and it would be a great misfortune if anything should occur which was calculated to shake the confidence of the nations, using this great open port, in its security. He hoped he need say no more to explain that Kowloon extension was in a different category and must be dealt with in a different spirit from those leased territories which had been acquired for totally different motives.

WEI-HAI-WEI.

9. Mr. Balfour then passed to the question of Wei-hai-wei. The acquisition by Great Britain of this lease had been part of the general movement for obtaining leased territories in 1898, in which Russia, Germany, and France, as well as Great Britain, had been concerned. The motive which had animated the Germans in acquiring Kiao-

Chow had been largely to secure economic domination. The motive of the British Government, on the other hand, in acquiring the lease of Wei-hai-wei had been connected with resistance to the economic domination of China by any other powers; in fact, it had been based on a desire for the maintenance of the balance of power in the Far East with a view to the maintenance of the policy of the open door, and had been intended as a check to the predatory action of Germany and Russia. Mr. Balfour laid emphasis on the fact that the convention of July 1, 1898, confirming the lease, gave no economic rights or advantages to Great Britain. There had been no question of it being a privileged port of entry for British commerce, nor for the establishment of British commercial rights to the exclusion or diminution of the rights of any other power. In fact, on April 20, 1898, Great Britain had announced that "England will not construct any railroads or communication from Wei-hai-wei and the district leased therewith into the interior of the Province of Shantung." As regards the attitude of the British Government to the request of the Chinese delegation for an abrogation of those leases, Mr. Balfour stated that he had very little to add to, and he did not wish to qualify, the conditions contained in the statement just made by M. Viviani, which represented very much the spirit in which the British Government approached the question. The British Government would be perfectly ready to return Wei-hai-wei to China as a part of a general arrangement intended to confirm the sovereignty of China and to give effect to the principle of the "open door." This surrender, however, could only be undertaken as part of some such general arrangement, and he spoke with his Government behind him when he said that on these conditions he was prepared to give up the rights which Great Britain had acquired at Wei-hai-wei.

RÉSUMÉ BY THE CHAIRMAN

10. The chairman stated that everyone present must have been impressed by the disposition manifested in the discussion of this important subject. He summarized briefly the statements made:

Through Mr. Viviani, and in a most generous manner, France had made a very definite proposal, limited only by conditions which were admirable and fair. The United States had no leased territory in China, and its attitude was one of benevolent disinterestedness.

Mr. Hanihara for Japan had stated that, as had already been known, the matter of Shantung was being dealt with in the course of conversations outside of the conference, and that he hoped for a happy result. On the other hand, he had pointed out the difference between the status of Japan's rights in Port Arthur and Dalny and those in Kiao-Chow, and had stated that Japan had no intention of relinquishing the rights acquired in Port Arthur and Dalny.

Mr. Balfour had illustrated the difference between the British leaseholds at Kowloon and Wei-Hai-Wei and, with regard to the latter, had shown a willingness on the part of Great Britain to relinquish her rights under conditions similar to those set forth by France; but had pointed out the importance of retaining Kowloon.

Continuing, the chairman observed that in view of the definite statements by Japan with regard to the retention of her rights in Port Arthur and Dalny, and by Great Britain with regard to her inability to relinquish Kowloon, it was necessary to inquire whether the French proposal to return Kwangchowwan and the British offer to relinquish Wei-Hai-Wei might be considered without the proviso which requires that all other leaseholds be relinquished. He desired to inquire whether consideration of the Shantung matter could be set aside, and whether other leases could be treated on a separate basis, and whether in view of the position taken with regard to the maintenance of Japanese rights in Kwantung Province and British rights in Kowloon, France and Great Britain would make more definite statements.

SESSIONAL PAPER No. 47

11. Mr. Balfour replied that this was a very specific question which his former statement, had it been clearer, would have answered; that he had never intended to imply that any action Great Britain might take with regard to Wei-hai-Wei would be determined or guided by the disposition of the Manchurian question; that he had not had Dalny in mind at all, but had been thinking of the Shantung peninsula, in which Wei-hai-wei is situated. He then declared that the British Government's policy was to make use of the surrender of Wei-hai-wei to assist in securing a settlement of the question of Shantung and that, if agreement could be reached on this question, the British Government would not hesitate to do their best to promote a general settlement by restoring Wei-hai-wei to the Central Government of China.

12. Mr. Viviani replied that France had made a generous offer which she considered final in case the equitable conditions she had attached thereto were fulfilled. Since the latter action of the Japanese and British Empire delegations, however, that offer could no longer be considered final, as reservations had been made by both of those delegations. France also might have made reservations, considering the fact that she was offering to restore more than she had received. Mr. Viviani added that in view of the special interests which, according to the statements of the other delegations, complicate the restoration of certain leased territories, France desired to examine the new situation thus created.

13. The chairman, to summarize the statements made, stated it as his understanding that—

(a) France had made a generous and definite proposal hinging on certain conditions which had not yet been met, and therefore desired to examine the resulting situation.

(b) Japan was carrying on special conversations with China in regard to Shantung.

(c) Great Britain had expressed readiness to relinquish Wei-hai-wei in order to aid in the general settlement of the Shantung question.

There were thus altogether five special situations, two relating to Shantung, one to Kwantung, one to Kowloon, and one to the French conditions which had not been met. What had been said had been very helpful in leading to the result desired. The proposal made by France was a most important forward step and the British offer respecting Wei-hai-wei marked decided progress. The chairman did not think the Chinese delegates should feel disappointed at the progress made, but he did not see what the committee could do further in the matter, as it was not a question of general policy, unless it was desired to submit the matter for a general statement of results to the committee on draft.

14. Mr. Koo stated that after listening to the various observations of his colleagues around the table, the members of the Chinese delegation would be false to their sentiment if they did not associate themselves with the words of the chairman regarding the spirit which had animated all those who had taken part in this discussion. He wished especially to thank Mr. Viviani for the generosity and good neighbourliness of the French proposal, adding that he used the words "good neighbourliness" advisedly because France and China had many interests in common through the French possession of Indo-China. Although Mr. Viviani had asked for an opportunity to re-examine the question, Mr. Koo felt certain he would enter upon that task in the same generous spirit that had animated him in making the proposal originally.

As for the position of Mr. Hanihara, with regard to the leased territory in Manchuria, Mr. Koo said he could understand it and, while not able to accept all of Mr. Hanihara's reasons, found it perfectly intelligible. The statement that Japan had no intention of giving up her lease in Manchuria had indeed been received with great disappointment. The Chinese delegation had no desire to press the question at this particular moment.

Mr. Koo acknowledged great force in what Mr. Balfour had said with regard to the importance of Hong Kong and realized that Kowloon, being essential to the defence

of Hong Kong, presented a more complicated question than did Wei-hai-wei. He hoped that the question of Kowloon might be examined further, but again the position of Great Britain was clear. The British readiness to restore Wei-hai-wei, and the spirit in which Mr. Balfour had announced it, were very gratefully noted by the Chinese delegation, who took them as a very welcome indication of the importance attached by the committee to the principles which had been adopted. While Mr. Koo felt the relinquishment of the leased territories would contribute greatly to the welfare of China and the future peace of the Far East, he was disposed to await a more opportune moment to discuss the four leased territories other than Wei-hai-wei. For the time being, however, if there was no objection on the part of the committee, he would suggest that the matter should be referred to the drafting committee, which could formulate the sentiments expressed here in the form of a resolution, giving a sense of the attitude of this committee on the question of leased territory in general, and particularly the readiness of Great Britain in relinquishing her leased territory of Wei-hai-wei. He did not wish to urge this course, however, if there was opposition to it.

Mr. Viviani explained that he wished only to ask for time in which to consider the new circumstances and to reflect.

15. The chairman inclined to the view that it was unnecessary to ask the committee on draft to try to explain in a resolution what had been said at this meeting, and that, after deciding upon what should be made public, a further statement from Mr. Viviani at a later meeting should be awaited.

PRESS COMMUNIQUE

Mr. Viviani desired that the declaration made on the part of France be made public.

The chairman stated that for the press communique the statement by Mr. Koo would be given out, followed by the French declaration and by the statements which Mr. Hanihara and Mr. Balfour would themselves prepare for the secretary-general, who would add that further discussion of the matter was reserved.

Wei-hai-Wei — Statement by Mr. Balfour at the fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922.

(Unrevised text)

MR. BALFOUR (*speaking in English*): Mr. Chairman, Ladies, and Gentlemen:

I should not have intervened at this stage of our discussions but for two reasons: The first is the most kindly references made by the representative of China to such assistance as Mr. Hughes and I have been able to give to the happy settlement of this great and long controverted question.

I am sorry that, from physical defects, I missed a similar statement which Lord Lee tells me was made by my friends from Japan. I did not doubt the warmth of their feelings, although I happened to have missed this particular expression of them.

I beg for myself—it would be impertinent to do it on the part of your chairman, but I doubt not that he shares my sentiments—I beg to thank you for what you have done.

None can doubt that through all this great assembly there is not an individual who does not rejoice at this most happy settlement. But if there are two who especially rejoice, I think it must be our chairman, and, in a secondary degree, myself, who have worked together in absolute harmony to do what lay in our power to end this long-standing and most unfortunate dispute. That is the first reason that I intervene upon your patience.

SESSIONAL PAPER No. 47

The second reason is one in which I speak for the British Empire Delegation and for them alone. The result of the termination of this Shantung dispute between China and Japan is to hand back to the sovereignty of China a great port and a most important railway, the port giving access to and the railway giving communications within what I believe is the most ancient and the most thickly populated province of China. But there is another leased territory within that province, and its keeper is the British Government. I refer to Weihaiwei.

Those of you who have followed the course of events in China during the last generation are aware that a most critical position arose when Russia and Germany began to attempt to dominate more and more the Chinese Empire. It was when Russia seized Port Arthur that, in order to bring some foreign equipoise to the assistance of China, and to maintain international equality in the East, an arrangement was come to between the Chinese Government and the British Government by which Weihaiwei was leased to Great Britain for a term of years under conditions which left it possible to use that port as a defence against Russia, though impossible to develop it as a great commercial centre or as a rival to any existing commercial interests.

The circumstances under which Weihaiwei thus came under the control of Britain have now not only provisionally changed, but they have altogether disappeared. The rest of the Province of Shantung is now handed back under suitable conditions to the complete sovereignty of China. Under like suitable conditions I have to announce that Great Britain proposes to hand back Weihaiwei to the country within whose frontier it lies.

It has so far been used merely as a sanatorium or summer resort for ships of war coming up from the tropical or more southern portions of the China station. I doubt not that arrangements can be made under which it will remain available for that innocent and healthful purpose in time to come. But Chinese sovereignty will now be restored, as it has been restored in other parts of the Province, and we shall be largely guided in the arrangements that we propose at once to initiate by the example so happily set us by the Japanese and Chinese negotiators in the case of Shantung. They have received from this great assembly unmistakable proof of your earnest approval, and most surely they deserve it.

When that is accomplished, this great Province of China will again be what every Chinese citizen must desire that it should be, in the fullest sense an integral part of that great Empire, and I rejoice to think that I am in a position to-day to add, if I may say so, this crowning word to the statement of policy made by our chairman on behalf of the Conference and responded to in such felicitous terms by our Japanese and our Chinese colleagues.

APPENDIX NO. 15

The Sino-Japanese Treaties and Notes of 1915, or the so-called "Twenty-one Demands" — Statements by the Japanese, Chinese and American Delegations, as reported to the Conference at its sixth Plenary Session, Washington, February 4, 1922, by the Chairman, Mr. Hughes, in pursuance of the Resolution of the Committee on Pacific and Far Eastern Questions.

(Unrevised Text)

THE CHAIRMAN (*speaking in English*): I am directed by the Committee on Pacific and Far Eastern Questions to read, for the purpose of having the statements formally placed upon the records of the Conference, the following declarations with respect to the so-called Twenty-one Demands or the Sino-Japanese treaties and notes of 1915.

The first statement that I shall read is the statement made in the committee by Baron Shidehara on behalf of the Japanese Government. It is as follows:

JAPANESE STATEMENT

"At a previous session of this committee the Chinese Delegation presented a statement urging that the Sino-Japanese Treaties and Notes of 1915 be reconsidered and cancelled. The Japanese Delegation, while appreciating the difficult position of the Chinese Delegation, does not feel at liberty to concur in the procedure now resorted to by China with a view to cancellation of international engagements which she entered into as a free sovereign nation.

"It is presumed that the Chinese Delegation has no intention of calling in question the legal validity of the compacts of 1915, which were formally signed and sealed by the duly authorized representatives of the two Governments, and for which the exchange of ratifications was effected in conformity with established international usages. The insistence by China on the cancellation of those instruments would in itself indicate that she shares the view that the compacts actually remain in force and will continue to be effective, unless and until they are cancelled.

"It is evident that no nation can have given ready consent to cessions of its territorial or other rights of importance. If it should once be recognized that rights solemnly granted by treaty may be revoked at any time on the ground that they were conceded against the spontaneous will of the grantor, an exceedingly dangerous precedent will be established, with far-reaching consequences upon the stability of the existing international relations in Asia, in Europe, and everywhere.

"The statement of the Chinese Delegation under review declares that China accepted the Japanese demands in 1915, hoping that a day would come when she should have the opportunity of bringing them up for reconsideration and cancellation. It is, however, difficult to understand the meaning of this assertion. It can not be the intention of the Chinese Delegation to intimate that China may conclude a treaty, with any thought in mind of breaking in at the first opportunity.

"The Chinese Delegation maintains that the Treaties and Notes in question are derogatory to the principles adopted by the Conference with regard to China's sovereignty and independence. It has, however, been held by the Conference on more than one occasion that concessions made by China *ex contractu*, in the exercise of her own sovereign rites, can not be regarded as inconsistent with her sovereignty and independence.

SESSIONAL PAPER No. 47

"It should also be pointed out that the term 'Twenty-one Demands,' often used to denote the Treaties and Notes of 1915, is inaccurate and grossly misleading. It may give rise to an erroneous impression that the whole original proposals of Japan had been pressed by Japan and accepted *in toto* by China. As a matter of fact, not only 'Group V,' but also several other matters contained in Japan's first proposals were eliminated entirely or modified considerably, in deference to the wishes of the Chinese Government, when the final formula was presented to China for acceptance. Official records published by the two Governments relating to those negotiations will further show that the most important terms of the Treaties and Notes, as signed, had already been virtually agreed to by the Chinese negotiators before the delivery of the ultimatum, which then seemed to the Japanese Government the only way of bringing the protracted negotiations to a speedy close.

"The Japanese Delegation can not bring itself to the conclusion that any useful purpose will be served by research and re-examination at this Conference of old grievances which one of the nations represented here may have against another. It will be more in line with the high aim of the Conference to look forward to the future with hope and confidence.

"Having in view, however, the changes which have taken place in the situation since the conclusion of the Sino-Japanese Treaties and Notes of 1915, the Japanese Delegation is happy to avail itself of the present occasion to make the following declaration:—

"1. Japan is ready to throw open to the joint activity of the International Financial Consortium recently organized, the right of option granted exclusively in favour of Japanese capital, with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia, and, second, to loans to be secured on taxes in that region; it being understood that nothing in the present declaration shall be held to imply any modification or annulment of the understanding recorded in the officially announced notes and memoranda which were exchanged among the Governments of the countries represented in the Consortium and also among the national financial groups, composing the Consortium, in relation to the scope of the joint activity of that organization.

"2. Japan has no intention of insisting on her preferential right under the Sino-Japanese arrangements in question concerning the engagement by China of Japanese advisers or instructors on political, financial, military, or police matters in South Manchuria.

"3. Japan is further ready to withdraw the reservation which she made in proceeding to the signature of the Sino-Japanese Treaties and Notes of 1915, to the effect that Group V of the original proposals of the Japanese Government would be postponed for future negotiations.'

"It would be needless to add that all matters relating to Shantung contained in those Treaties and Notes have now been definitely adjusted and disposed of. c

"In coming to this decision, which I have had the honour to announce, Japan has been guided by a spirit of fairness and moderation, having always in view China's sovereign rights and the principle of equal opportunity."

In response to that statement made on behalf of the Japanese Government, Dr. Wang made to the committee the following statement on behalf of the Chinese Delegation:—

CHINESE STATEMENT

"The Chinese Delegation has taken note of the statement of Baron Shidehara made at yesterday's session of the Committee with reference to the Sino-Japanese Treaties and Notes of May 25, 1915.

"The Chinese Delegation learns with satisfaction that Japan is now ready to throw open to the joint activity of the banking interests of other Powers the right

of option granted exclusively in favour of Japanese capital with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia, and, second, to loans secured on taxes in that region; and that Japan has no intention of insisting upon a preferential right concerning the engagement by China of Japanese advisors or instructors on political, financial, military or police matters in South Manchuria; also that Japan now withdraws the reservation which she made to the effect that Group V of her original demands upon China should be postponed for future negotiation.

"The Chinese Delegation greatly regrets that the Government of Japan should not have been led to renounce the other claims predicated upon the Treaties and Notes of 1915.

"The Japanese Delegation expressed the opinion that abrogation of these agreements would constitute 'an exceedingly dangerous precedent', 'with far-reaching consequences upon the stability of the existing international relations in Asia, in Europe and everywhere.'

"The Chinese Delegation has the honour to say that a still more dangerous precedent will be established with consequences upon the stability of international relations which can not be estimated, if, without rebuke or protest from other Powers, one nation can obtain from a friendly but, in a military sense, weaker neighbour, and under circumstances such as attended the negotiations and signing of the Treaties of 1915, valuable concessions which were not in satisfaction of pending controversies and for which no *quid pro quo* was offered. These treaties and notes stand out, indeed, unique in the annals of international relations. History records scarcely another instance in which demands of such a serious character as those which Japan presented to China in 1915, have, without even pretense of provocation, been suddenly presented by one nation to another nation with which it was at the time in friendly relations.'

"No apprehension need be entertained that the abrogation of the agreements of 1915 will serve as a precedent for the annulment of other agreements, since it is confidently hoped that the future will furnish no such similar occurrences.

"So exceptional were the conditions under which the agreements of 1915 were negotiated, that the Government of the United States felt justified in referring to them in the identical note of May 13, 1915, which it sent to the Chinese and Japanese Governments. That note began with the statement that 'in view of the circumstances which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as the result thereof, the Government of the United States has the honour to notify the Government of the Chinese Republic (Japan) that it can not recognize any agreement or undertaking which has been entered into between the Governments of China and Japan impairing the treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China commonly known as the Open Door Policy.'

"Conscious of her obligations to the other Powers, the Chinese Government, immediately after signing the agreements, published a formal statement protesting against the agreements which she had been compelled to sign, and disclaiming responsibility for consequent violations of treaty rights of the other Powers. In the statement thus issued the Chinese Government declared that although they were 'constrained to comply in full with the terms of the (Japanese) ultimatum' they nevertheless 'disclaim any desire to associate themselves with any revision which may be thus effected, of the various conventions and agreements concluded between the other Powers in respect of the maintenance of China's territorial independence and integrity, the preservation of the *status quo*, and the principle of equal opportunity for the commerce and industry of all nations in China.'

"Because of the essential injustice of these provisions, the Chinese Delegation, acting in behalf of the Chinese Government and of the Chinese people, has felt itself in

SESSIONAL PAPER No. 47

duty bound to present to this conference, representing the Powers with substantial interests in the Far East, the question as to the equity and justice of these agreements and therefore as to their fundamental validity.

"If Japan is disposed to rely solely upon a claim as to the technical or juristic validity of the agreements of 1915, as having been actually signed in due form by the two Governments, it may be said that so far as this Conference is concerned the contention is largely irrelevant, for this gathering of the representatives of the nine Powers has not had for its purpose the maintenance of the legal *status quo*. Upon the contrary, the purpose has been, if possible, to bring about such changes in existing conditions upon the Pacific and in the Far East as might be expected to promote that enduring friendship among the nations of which the President of the United States spoke in his letter of invitation to the Powers to participate in this Conference.

"For the following reasons, therefore, the Chinese Delegation is of the opinion that the Sino-Japanese Treaties and Exchange of Notes of May 25, 1915, should form the subject of impartial examination with a view to their abrogation:

"1. In exchange for the concessions demanded of China, Japan offered no *quid pro quo*. The benefits derived from the agreements were wholly unilateral.

"2. The agreements, in important respects, are in violation of treaties between China and the other powers.

"3. The agreements are inconsistent with the principles relating to China which have been adopted by the conference.

"4. The agreements have engendered constant misunderstanding between China and Japan, and, if not abrogated, will necessarily tend, in the future, to disturb friendly relations between the two countries, and will thus constitute an obstacle in the way of realizing the purpose for the attainment of which this Conference was convened. As to this, the Chinese Delegation, by way of conclusion, can, perhaps, do no better than quote from a resolution introduced in the Japanese Parliament, in June, 1915, by Mr. Hara, later Premier of Japan, a resolution which received the support of some one hundred and thirty of the members of the parliament.

"The resolution reads:—

"*Resolved*, That the negotiations carried on with China by the present Government have been inappropriate in every respect; that they are detrimental to the amicable relationship between the two countries, and provocative of suspicions on the part of the Powers; that they have the effect of lowering the prestige of the Japanese Empire; and that, while far from capable of establishing the foundation of peace in the Far East, they will form the source of future trouble."

"The foregoing declaration has been made in order that the Chinese Government may have upon record the view which it takes, and will continue to take, regarding the Sino-Japanese Treaties and Exchange of Notes of May 25, 1915."

Thereupon, on behalf of the American Government, I stated to the Committee the position of the Government of the United States:

AMERICAN STATEMENT

"The important statement made by Baron Shidehara on behalf of the Japanese Government makes it appropriate that I should refer to the position of the Government of the United States as it was set forth in identical notes addressed by that Government to the Chinese Government and to the Japanese Government on May 13, 1915.

"The note to the Chinese Government was as follows:

"In view of the circumstances of the negotiations which have taken place and which are now pending between the Government of China and the Government of Japan and of the agreements which have been reached as a result thereof, the Government of the United States has the honour to notify the Government of the Chinese

Republic that it can not recognize any agreement or undertaking which has been entered into or which may be entered into between the Governments of China and Japan impairing the Treaty rights of the United States and its citizens in China, the political or territorial integrity of the Republic of China, or the international policy relative to China commonly known as the Open Door Policy.

“‘An identical note has been transmitted to the Imperial Japanese Government.’

“That statement was in accord with the historic policy of the United States in its relation to China, and its position as thus stated has been, and still is, consistently maintained.

“It has been gratifying to learn that the matters concerning Shantung, which formed the substance of Group 1 of the original demands, and were the subject of the Treaty and exchange of notes with respect to the province of Shantung, have been settled to the mutual satisfaction of the two parties by negotiations conducted collaterally with this Conference, as reported to the Plenary Session on February 1st.

“It is also gratifying to be advised by the statement made by Baron Shidehara on behalf of the Japanese Government that Japan is now ready to withdraw the reservation which she made, in proceeding to the signature of the treaties and notes of 1915, to the effect that Group 5 of the original proposals of the Japanese Government—namely, those concerning the employment of influential Japanese as political, financial, and military advisers; land for schools and hospitals; certain railways in South China; the supply of arms, and the right of preaching—would be postponed for future negotiations. This definite withdrawal of the outstanding questions under Group 5 removes what has been an occasion for considerable apprehension on the part alike of China and of foreign nations which felt that the renewal of these demands could not but prejudice the principles of the Integrity of China and of the Open Door.

“With respect to the Treaty and the notes concerning South Manchuria and Eastern Inner Mongolia, Baron Shidehara has made the reassuring statement that Japan has no intention of insisting on a preferential right concerning the engagement by China of Japanese advisers or instructors on political, financial, military, or police matters in South Manchuria.

“Baron Shidehara has likewise indicated the readiness of Japan not to insist upon the right of option granted exclusively in favour of Japanese capital with regard, first, to loans for the construction of railways in South Manchuria and Eastern Inner Mongolia; and, second, with regard to loans secured on the taxes of those regions; but that Japan will throw them open to the joint activity of the international financial Consortium recently organized.

“As to this, I may say that it is doubtless the fact that any enterprise of the character contemplated, which may be undertaken in these regions by foreign capital, would in all probability be undertaken by the Consortium. But it should be observed that existing treaties would leave the opportunity for such enterprises open on terms of equality to the citizens of all nations. It can scarcely be assumed that this general right of the Treaty Powers of China can be effectively restricted to the nationals of those countries which are participants in the work of the Consortium, or that any of the Governments which have taken part in the organization of the Consortium would feel themselves to be in a position to deny all rights in the matter to any save the members of their respective national groups in that organization. I therefore trust that it is in this sense that we may properly interpret the Japanese Government's declaration of willingness to relinquish its claim under the 1915 treaties to any exclusive position with respect to railway construction and to financial operations secured upon local revenues, in South Manchuria and Eastern Inner Mongolia.

“It is further to be pointed out that by Articles II, III, and IV of the Treaty of May 25, 1915, with respect to South Manchuria and Eastern Inner Mongolia, the Chinese Government granted to Japanese subjects the right to lease land for building

SESSIONAL PAPER No. 47

purposes, for trade and manufacture, and for agricultural purposes in South Manchuria, to reside and travel in South Manchuria, and to engage in any kind of business and manufacture there, and to enter into joint undertakings with Chinese citizens in agriculture and similar industries in Eastern Inner Mongolia.

"With respect to this grant, the Government of the United States will, of course, regard it as not intended to be exclusive, and, as in the past, will claim from the Chinese Government for American citizens the benefits accruing to them by virtue of the most favoured nation clauses in the treaties between the United States and China.

"I may pause here to remark that the question of the validity of treaties as between Japan and China is distinct from the question of the treaty rights of the United States under its treaties with China; these rights have been emphasized and consistently asserted by the United States.

"In this, as in all matters similarly affecting the general right of its citizens to engage in commercial and industrial enterprises in China, it has been the traditional policy of the American Government to insist upon the doctrine of equality for the nationals of all countries, and this policy, together with the other policies mentioned in the note of May 13, 1915, which I have quoted, are consistently maintained by this government. I may say that it is with especial pleasure that the Government of the United States finds itself now engaged in the act of reaffirming and defining, and I hope that I may add, revitalizing, by the proposed Nine-Power Treaty, these policies with respect to China."

After these statements it was proposed and decided in the committee that the statements thus made should be reported to the Conference to be spread upon its record. In the course of the vote Mr. Koo stated in the committee that his colleagues and he himself desired to indorse the Chairman's suggestion that all of the statements on this very important question should be spread upon the records of the Conference, it being understood of course that the Chinese Delegation reserved their right to seek a solution on all future appropriate occasions concerning those portions of the treaties and notes of 1915 which did not appear to have been expressly relinquished by the Japanese Government. The Chairman stated:

"Of course it is understood that the rights of all Powers are reserved with respect to the matters mentioned by Mr. Koo."

The question now is upon the approval of the resolution that these statements be spread upon the minutes of the Conference as a part of its permanent record.

APPENDIX No. 16

Statements by the Japanese and Chinese Delegations relating to the opening up of the natural resources of China.**STATEMENT BY BARON SHIDEHARA ON BEHALF OF THE JAPANESE DELEGATION AT THE TWENTIETH MEETING OF THE COMMITTEE ON PACIFIC AND FAR EASTERN QUESTIONS, CONFERENCE ON THE LIMITATION OF ARMAMENT, WASHINGTON, JANUARY 18, 1922.**

Baron Shidehara said there was a question he wished to raise in connection with the matters discussed relating to the "open door." He then made the following statement:

"The Japanese delegation understands that one of the primary objects which the present conference on Far Eastern questions has in view is to promote the general welfare of the Chinese people and, at the same time, of all nations interested in China. For the realization of that desirable end, nothing is of greater importance than the development and utilization of the unlimited natural resources of China.

"It is agreed on all sides that China is a country with immense potentialities. She is richly endowed by nature with arable soil, with mines and with raw materials of various kinds. But those natural resources are of little practical value so long as they remain undeveloped and unutilized. In order to make full use of them, it seems essential that China shall open her own door to foreign capital and to foreign trade and enterprise.

"Touching on this subject, Dr. Sze, on behalf of the Chinese delegation, made an important statement at the full committee on November 16, declaring that 'China wishes to make her vast natural resources available to all people who need them.' That statement evidently represents the wisdom and foresight of China, and the Japanese delegation is confident that the principle which it enunciated will be carried out to its full extent.

"It is to be hoped that, in the application of that principle, China may be disposed to extend to foreigners, as far as possible, the opportunity of co-operation in the development and utilization of China's natural resources. Any spontaneous declaration by China of her policy in that direction will be received with much gratification by Japan and also, no doubt, by all other nations interested in China. Resolutions which have hitherto been adopted by this committee have been uniformly guided by the spirit of self-denial and self-sacrifice on the part of foreign powers in favour of China. The Japanese delegation trusts that China, on her part, will not be unwilling to formulate a policy which will prove of considerable benefit, no less to China herself than to all nations."

STATEMENT BY MR. SZE ON BEHALF OF THE CHINESE DELEGATION AT THE THIRTIETH MEETING OF THE COMMITTEE ON PACIFIC AND FAR EASTERN QUESTIONS, WASHINGTON, FEBRUARY 2, 1922.

Mr. Sze said the statement that he had had the honour to make before on the subject was, he thought, so clear and in such simple language that he wondered whether there was anything more he could usefully add, but animated by the desire,

SESSIONAL PAPER No. 47

as he was always animated, to meet the views of his Japanese friends, he would, with the permission of the Committee, read a statement in reply. He then read as follows:

"At the meeting of this committee on January 18, Baron Shidehara on behalf of the Japanese delegation, expressed a hope that China might be disposed to extend to foreigners, as far as possible, the opportunity of co-operation in the development and utilization of China's natural resources, and added that any spontaneous declaration of her policy in that direction would be received with much gratification.

"The Chinese Government, conscious of the mutual advantage which foreign trade brings, has hitherto pursued an established policy to promote its development. Of this trade, products of nature of course form an important part. In view of this fact, as well as of the requirements of her large and increasing population, and the growing needs of her industries, China, on her part, has been steadily encouraging the development of her natural resources, not only by permitting, under her laws the participation of foreign capital, but also by other practical means at her disposal. Thus in affording facilities and fixing rates for the transportation on all her railways of such products of nature as well as of other articles of merchandise, she has always followed and observed the principle of strict equality of treatment between all foreign shippers. Thanks to this liberal policy, raw material and food supplies in China—as my colleague Dr. Koo stated before this committee on a previous occasion with reference to Manchuria, and it is equally true of other parts of China—are to-day accessible to all nations, on fair terms and through the normal operation of the economic law of supply and demand.

"The Chinese Government does not at present contemplate any departure from this mutually beneficial course of action. Consistent with the vital interests of the Chinese nation and the security of its economic life, China will continue, on her own accord, to invite co-operation of foreign capital and skill in the development of her natural resources.

"The Chinese delegation, animated by the same spirit of self-denial and self-sacrifice which Baron Shidehara was good enough to assure the Chinese delegation had uniformly guided the foreign powers here represented in the resolutions hitherto adopted by the committee in favour of China, has no hesitation to make the foregoing statement. It is all the more glad to make it, because it feels confident that the Japanese delegation, in expressing the hope for a voluntary declaration of policy on China's part in regard to the development and utilization of her natural resources, was not seeking any special consideration for Japan on this subject or for the foreign powers as a whole, but merely wishes to be assured that China was disposed to extend the opportunity of co-operation to foreigners on the same terms as are accorded by nations of the world equally favoured by nature in the possession of rich natural resources."

STATEMENT BY BARON SHIDEHARA ON BEHALF OF THE JAPANESE
DELEGATION AT THE SIXTH PLENARY SESSION OF THE CON-
FERENCE, WASHINGTON, FEBRUARY 4, 1922.

BARON SHIDEHARA (*speaking in English*): Mr. Chairman, we have listened with great emotion to the report made by the chairman upon the final outcome of the labours of the Committee on Pacific and Far Eastern Questions, and of the committee relating to naval matters. The task imposed upon those committees has, by no means been easy or simple. Unanimity of views could hardly be expected on all questions submitted for consideration, but, after numerous sessions, one broad fact has been brought markedly to the fore. It has been found that all differences of opinion which have divided those committees relate not so much to the ultimate purposes, the great

aims of the nations represented here, as to the means by which such purposes are to be attained.

It has been found that we are all striving for the same goal of life, and that goal is now perceptibly within sight.

Take, for instance, the Chinese problem, which, it was often asserted, would one day lead to world-wide conflagration. What has the Conference revealed? No sooner had Mr. Root formulated and presented the four great rules of international conduct with regard to China than those proposals met a ready, spontaneous, and whole-hearted approval on all sides. They laid the foundation of the work of the delegations and of friendly understandings among nations.

No one denies to China her sacred right to govern herself. No one stands in the way of China working out her own great national destiny. No one has come to the Conference with any plan of seeking anything at the expense of China. On the contrary, every participating nation has shown readiness at all times to help China out of her present difficulties.

Japan believes that she has made to China every possible concession compatible with a sense of reason, fairness, and honour. She does not regret it. She rejoices in the thought that the sacrifice which she has offered will not be in vain, in the greater cause of international friendship and goodwill.

We are vitally interested in a speedy establishment of peace and unity in China and in the economic development of her vast natural resources. It is, indeed, to the Asiatic mainland that we must look primarily for raw materials and for the markets where our manufactured articles may be sold. Neither raw materials nor the markets can be had, unless order, happiness and prosperity reign in China, under good and stable government. With hundreds of thousands of our nationals resident in China, with enormous amounts of our capital invested there, and with our own national existence largely dependent on that of our neighbour, we are naturally interested in that country to a greater extent than any of the countries remotely situated.

To say that Japan has special interests in China is simply to state a plain and actual fact. It intimates no claim or pretension of any kind prejudicial to China or to any other foreign nation.

Nor are we actuated by any intention of securing preferential or exclusive economic rights in China. Why should we need them? Why should we be afraid of foreign competition in the Chinese market provided it is conducted squarely and honestly? Favoured by geographical position, and having fair knowledge of the actual requirements of the Chinese people, our traders and business men can well take care of themselves in their commercial, industrial, and financial activities in China without any preferential or exclusive rights.

We do not seek any territory in China, but we do seek a field of economic activity beneficial as much to China as to Japan, based always on the principle of the open door and equal opportunity.

We came to Washington with full confidence in the future of international relations. We are now departing with reassured confidence. We knew that the Conference would do good, and it has done good. Competition in naval armament, ruinous to national welfare and harmful to international peace, is now a matter of the past. The relief from tension is provided by the agreements reached by the Conference for the limitation of naval armament, for the suppression of the brutal practices of warfare, and for the definition of a policy on matters relating to China. The Conference has also given occasion to the Powers directly interested to conclude the Pacific Treaty and to adjust the difficult question of the Pacific mandates and the still more difficult question of Shantung.

In arriving at this happy result, we are under everlasting debt to the President of the United States, at whose gracious initiative the Conference was convoked. We feel no less grateful to our trusted Chairman, to whose able leadership the success of

SESSIONAL PAPER No. 47

our work is largely due. Permit me further to express on behalf of the Japanese Delegation our sincere appreciation of the unfailing spirit of generosity, of conciliation, and of ready co-operation shown by all of our colleagues and friends around this table.

Freed from suspicion by frankness, assured of peace by good will, we may devoutly give thanks for the opportunity given by the Washington Conference, which, we believe, ushers into a troubled world a new spirit of international friendship and good understanding.

APPENDIX No. 17

Siberia — Statements by the Japanese, American, and French Delegations as reported to the Conference at its sixth Plenary Session, Washington, February 4, 1922, by the Chairman, Mr. Hughes, in pursuance of the Resolution of the Committee on Pacific and Far Eastern Questions.

(Unrevised text)

The CHAIRMAN (*speaking in English*): I am directed by the Committee on Pacific and Far Eastern Affairs to report to the Conference that in the discussion of matters relating to Siberia the following statement was made to the Committee by Baron Shidehara on behalf of the Japanese Government. The statement is as follows:

JAPANESE STATEMENT

"The military expedition of Japan to Siberia was originally undertaken in common accord and in co-operation with the United States in 1918. It was primarily intended to render assistance to the Czecho-Slovak troops who in their homeward journey across Siberia from European Russia, found themselves in grave and pressing danger at the hands of hostile forces under German command. The Japanese and American expeditionary forces together with other allied troops fought their way from Vladivostok far into the region of the Amur and the Trans-Baikal Provinces to protect the railway lines which afforded the sole means of transportation of the Czecho-Slovak troops from the interior of Siberia to the port of Vladivostok. Difficulties which the Allied forces had to encounter in their operations in the severe cold winter of Siberia were immense.

"In January, 1920, the United States decided to terminate its military undertaking in Siberia, and ordered the withdrawal of its forces. For some time thereafter, Japanese troops continued alone to carry out the duty of guarding several points along the Trans-Siberian Railways in fulfilment of Inter-Allied arrangements, and of affording facilities to the returning Czecho-Slovaks.

"The last column of Czecho-Slovak troops safely embarked from Vladivostok in September, 1920. Ever since then, Japan has been looking forward to an early moment for the withdrawal of her troops from Siberia. The maintenance of such troops in a foreign land is for her a costly and thankless undertaking, and she will be only too happy to be relieved of such responsibility. In fact, the evacuation of the Trans-Baikal and the Amur Provinces was already complete in 1920. The only region which now remains to be evacuated is a southern portion of the Maritime Province around Vladivostok and Nikolsk.

"It will be appreciated that for Japan the question of the withdrawal of troops from Siberia is not quite as simple as it was for other Allied Powers. In the first place, there is a considerable number of Japanese residents who had lawfully and under guarantees of treaty established themselves in Siberia long before the Bolshevik eruption, and were there entirely welcomed. In 1917, prior to the joint American-Japanese military enterprise, the number of such residents was already no less than 9,717. In the actual situation prevailing there, those Japanese residents can hardly be expected to look for the protection of their lives and property to any other authorities than Japanese troops. Whatever districts those troops have evacuated in the past have fallen into disorder, and practically all Japaneses residents have had precipi-

SESSIONAL PAPER No. 47

tately to withdraw, to seek for their personal safety. In so withdrawing, they have been obliged to leave behind large portions of their property, abandoned and unprotected, and their homes and places of business have been destroyed. While the hardships and losses thus caused the Japanese in the Trans-Baikal and the Amur provinces have been serious enough, more extensive damages are likely to follow from the evacuation of Vladivostok, in which a large number of Japanese have always been resident and a greater amount of Japanese capital invested.

"There is another difficulty by which Japan is faced in proceeding to the recall of her troops from the Maritime Province. Due to geographical propinquity, the general situation in the districts around Vladivostok and Nikolsk is bound to affect the security of Korean frontier. In particular, it is known that these districts have long been the base of Korean conspiracies against Japan. Those hostile Koreans, joining hands with lawless elements in Russia, attempted in 1920 to invade Korea through the Chinese territory of Chienta. They set fire to the Japanese Consulate at Hunchun, and committed indiscriminate acts of murder and pillage. At the present time they are under the effective control of Japanese troops stationed in the Maritime Province, but they will no doubt renew the attempt to penetrate into Korea at the first favourable opportunity that may present itself.

"Having regard to those considerations, the Japanese Government have felt bound to exercise precaution in carrying out the contemplated evacuation of the Maritime Province. Should they take hasty action without adequate provision for the future they would be delinquent in their duty of affording protection to a large number of their nationals resident in the districts in question and of maintaining order and security in Korea.

"It should be made clear that no part of the Maritime Province is under Japan's military occupation. Japanese troops are still stationed in the southern portion of that Province, but they have not set up any civil or military administration to displace local authorities. Their activity is confined to measures of self-protection against the menace to their own safety and to the safety of their country and nationals. They are not in occupation of those districts any more than American or other Allied troops could be said to have been in occupation of the places in which they were formerly stationed.

"The Japanese Government are anxious to see an orderly and stable authority speedily re-established in the Far Eastern possessions of Russia. It was in this spirit that they manifested a keen interest in the patriotic but ill-fated struggle of Admiral Kolchak. They have shown readiness to lend their good offices for prompting the reconciliation of various political groups in Eastern Siberia. But they have carefully refrained from supporting one faction against another. It will be recalled, for instance, that they withheld all assistance from General Rozanow against the revolutionary movements which led to his overthrow in January, 1920. They maintained an attitude of strict neutrality, and refused to interfere in these movements, which it would have been quite easy for them to suppress, if they had so desired.

"In relation to this policy of nonintervention, it may be useful to refer briefly to the past relations between the Japanese authorities and Ataman Semenoff, which seem to have been a source of popular misgiving and speculation. It will be remembered that the growing rapprochement between the Germans and the Bolshevik Government in Russia in the early part of 1918 naturally gave rise to apprehensions in the Allied countries that a considerable quantity of munitions supplied by those countries and stored in Vladivostok might be removed by the Bolsheviks to European Russia, for the use of the Germans. Ataman Semenoff was then in Siberia and was organizing a movement to check such Bolshevik activities and to preserve order and stability in that region. It was in this situation that Japan, as well as some of the Allies, began to give support to the Cossack chief. After a few months, such support by the other Powers was discontinued; the Japanese were reluctant to abandon their friend, whose efforts in the Allied cause they had originally encouraged; and

they maintained for some time their connection with Ataman Semenoff. They had, however, no intention whatever of interfering in the domestic affairs of Russia, and when it was found that the assistance rendered to the Ataman was likely to complicate the internal situation in Siberia, they terminated all relations with him and no support of any kind has since been extended to him by the Japanese authorities.

"The Japanese Government are now seriously considering plans which would justify them in carrying out their decision of the complete withdrawal of Japanese troops from the Maritime Province, with reasonable precaution for the security of Japanese residents and of the Korean frontier regions. It is for this purpose that negotiations were opened some time ago at Dairen between the Japanese representatives and the agents of the Chita Government.

"Those negotiations at Dairen are in no way intended to secure for Japan any right or advantage of an exclusive nature. They have been solely actuated by a desire to adjust some of the more pressing questions with which Japan is confronted in relation to Siberia. They have essentially in view the conclusion of provisional commercial arrangements, the removal of the existing menace to the security of Japan and to the lives and property of Japanese residents in Eastern Siberia, the provision of guarantees for the freedom of lawful undertakings in that region and the prohibition of Bolshevik propaganda over the Siberian border. Should adequate provisions be arranged on the line indicated, the Japanese Government will at once proceed to the complete withdrawal of Japanese troops from the Maritime Province.

"The occupation of certain points in the Russian Province of Sakhalin is wholly different, both in nature and in origin, from the stationing of troops in the Maritime Province. History affords few instances similar to the incident of 1920 at Nikolaievsk, where more than seven hundred Japanese, including women and children, as well as the duly recognized Japanese Consul and his family and his official staff, were cruelly tortured and massacred. No nation worthy of respect will possibly remain forbearing under such a strain of provocation. Nor was it possible for the Japanese Government to disregard the just popular indignation aroused in Japan by the incident. Under the actual condition of things, Japan found no alternative but to occupy, as a measure of reprisal, certain points in the Russian Province of Sakhalin in which the outrage was committed, pending the establishment in Russia of a responsible authority with whom she can communicate in order to obtain due satisfaction.

"Nothing is further from the thought of the Japanese Government than to take advantage of the present helpless conditions of Russia for prosecuting selfish designs. Japan recalls with deep gratitude and appreciation the brilliant rôle which Russia played in the interest of civilization during the earlier stage of the Great War. The Japanese people have shown and will continue to show every sympathetic interest in the efforts of patriotic Russians aspiring to the unity and rehabilitation of their country. The military occupation of the Russian Province of Sakhalin is only a temporary measure, and will naturally come to an end as soon as a satisfactory settlement of the question shall have been arranged with an orderly Russian Government.

"In conclusion, the Japanese Delegation is authorized to declare that it is the fixed and settled policy of Japan to respect the territorial integrity of Russia and to observe the principle of nonintervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions."

I am also directed by the Committee on Pacific and Far Eastern Questions to present to the Conference for inclusion in its records the statement which I made in response to this statement by Baron Shidehara with respect to Siberia. This statement is made on behalf of the American Government:

SESSIONAL PAPER No. 47

AMERICAN STATEMENT

"The American Delegation has heard the statement by Baron Shidehara and has taken note of the assurance given on behalf of the Japanese Government with respect to the withdrawal of Japanese troops from the Maritime Province of Siberia and from the Province of Sakhalin. The American Delegation has also noted the assurance of Japan by her authorized spokesman that it is her fixed and settled policy to respect the territorial integrity of Russia, and to observe the principle of non-intervention in the internal affairs of that country, as well as the principle of equal opportunity for the commerce and industry of all nations in every part of the Russian possessions.

"These assurances are taken to mean that Japan does not seek, through her military operations in Siberia, to impair the rights of the Russian people in any respect, or to obtain any unfair commercial advantages, or to absorb for her own use the Siberian fisheries, or to set up an exclusive exploitation either of the resources of Sakhalin or of the Maritime Province.

"As Baron Shidehara pointed out, the military expedition of Japan to Siberia was originally undertaken in common accord and in co-operation with the United States. It will be recalled that public assurances were given at the outset by both Governments of a firm intention to respect the territorial integrity of Russia and to abstain from all interference in Russian internal politics. In view of the reference by Baron Shidehara to the participation of the American Government in the expedition of 1918, I should like to place upon our records for transmission to the Conference the purposes which were then clearly stated by both Governments.

"The American Government set forth its aims and policies publicly in July, 1918. The purposes of the expedition were said to be, first, to help the Czecho-Slovaks consolidate their forces; second, to steady any efforts at self-government or self-defence in which the Russians themselves might be willing to accept assistance; and, third, to guard the military stores at Vladivostok.

The American Government opposed the idea of a military intervention, but regarded military action as admissible at the time solely for the purpose of helping the Czecho-Slovaks consolidate their forces and get into successful co-operation with their Slavic kinsmen, and to steady any efforts at self-government or self-defence in which the Russians themselves might be willing to accept assistance. It was stated that the American Government proposed to ask all associated in this course of action to unite in assuring the people of Russia, in the most public and solemn manner, that none of the Governments uniting in action either in Siberia or in northern Russia contemplated any interference of any kind with the political sovereignty of Russia, any intervention in her internal affairs or any impairment of her territorial integrity either now or thereafter, but that each of the Associated Powers had the single object of affording such aid as should be acceptable, and only such aid as should be acceptable, to the Russian people in their endeavour to regain control of their own affairs, their own territory, and their own destiny.

"What I have just stated is found in the public statement of the American Government at that time.

"The Japanese Government, with the same purpose, set forth its position in a statement published by the Japanese Government on August 2, 1918, in which it was said:

"The Japanese Government, being anxious to fall in with the desires of the American Government and also to act in harmony with the Allies in this expedition, have decided to proceed at once to dispatch suitable forces for the proposed mission. A certain number of these troops will be sent forthwith to Vladivostok. In adopting this course, the Japanese Government remain unshaken in their constant desire to promote relations of enduring friendship with Russia and the Russian people, and

reaffirm their avowed policy of respecting the territorial integrity of Russia and of abstaining from all interference in her internal politics. They further declare that, upon the realization of the projects above indicated, they will immediately withdraw all Japanese troops from Russian territory and will leave wholly unimpaired the sovereignty of Russia in all its phases, whether political or military.'

"The United States of America withdrew its troops from Siberia in the spring of 1920, because it considered that the original purposes of the expedition had either been accomplished or would not longer be subserved by continued military activity in Siberia. The American Government then ceased to be a party to the expedition, but it remained a close observer of events in Eastern Siberia and has had an extended diplomatic correspondence upon this subject with the Government of Japan.

"It must be frankly avowed that this correspondence has not always disclosed an identity of views between the two Governments. The United States has not been unmindful of the direct exposure of Japan to bolshevism in Siberia and the special problems which the conditions existing there have created for the Japanese Government, but it has been strongly disposed to the belief that the public assurances given by the two Governments at the inception of the joint expedition nevertheless required the complete withdrawal of Japanese troops from all Russian territory—if not immediately after the departure of the Czecho-Slovak troops, then within a reasonable time.

"As to the occupation of Sakhalin in reprisal for the massacre of the Japanese at Nikolaievsk, the United States, not unimpressed by the serious character of that catastrophe, but, having in mind the conditions accepted by both governments at the outset of the joint expedition, of which the Nikolaievsk massacres must be considered an incident, it has regretted that Japan should deem necessary the occupation of Russian territory as a means of assuring a suitable adjustment with a future Russian Government.

"The general position of the American Government was set forth in a communication to Japan of May 31, 1921. In that communication appears the following statement:

"'The Government of the United States would be untrue to the spirit of co-operation which led it, in the summer of 1918, upon an understanding with the Government of Japan, to dispatch troops to Siberia, if it neglected to point out that, in its view, continued occupation of the strategic centres in Eastern Siberia—involving the indefinite possession of the port of Vladivostok, the stationing of troops at Habarovsk, Nikolaievsk, De Castries, Mago, Sophiesk, and other important points, the seizure of the Russian portion of Sakhalin, and the establishment of a civil administration, which inevitably lends itself to misconception and antagonism—tends rather to increase than to allay the unrest and disorder in that region.

"'The military occupation'—

"I am still reading from the note of May 31, 1921—

"'The military occupation in reprisal for the Nikolaievsk affair is not fundamentally a question of the validity of procedure under the recognized rules of international law.'

"The note goes on to say that 'the issue presented is that of the scrupulous fulfilment of the assurances given to the Russian people, which were a matter of frank exchanges and of apparently complete understanding between the Governments of the United States and of Japan. These assurances were intended by the Government of the United States to convey to the people of Russia a promise on the part of the two Governments not to use the joint expedition, or any incidents which might arise out of it, as an occasion to occupy territory, even temporarily, or to assume any military or administrative control over the people of Siberia.'

"Further, in the same note, the American Government stated its position as follows:

SESSIONAL PAPER No. 47

“In view of its conviction that the course followed by the Government of Japan brings into question the very definite understanding concluded at the time troops were sent to Siberia, the Government of the United States must in candour explain its position and say to the Japanese Government that the Government of the United States can neither now nor hereafter recognize as valid any claims or titles arising out of the present occupation and control, and that it can not acquiesce in any action taken by the Government of Japan which might impair existing treaty rights or the political or territorial integrity of Russia.

“The Government of Japan will appreciate that, in expressing its views, the Government of the United States has no desire to impute to the Government of Japan motives or purposes other than those which have heretofore been so frankly avowed. The purpose of this Government is to inform the Japanese Government of its own conviction that, in the present time of disorder in Russia, it is more than ever the duty of those who look forward to the tranquillization of the Russian people, and a restoration of normal conditions among them, to avoid all action which might keep alive their antagonism and distrust towards outside political agencies. Now, especially, it is incumbent upon the friends of Russia to hold aloof from the domestic contentions of the Russian people, to be scrupulous to avoid inflicting what might appear to them a vicarious penalty for sporadic acts of lawlessness, and, above all to abstain from even the temporary and conditional impairment by any foreign Power of the territorial status which, for them as for other peoples, is a matter of deep and sensitive national feeling transcending perhaps even the issues at stake among themselves.’

“To that American note the Japanese Government replied in July, 1921, setting forth in substance what Baron Shidehara has now stated to this Committee, pointing out the conditions under which Japan had taken the action to which reference was made, and giving the assurances, which have here been reiterated, with respect to its intention and policy.

“While the discussion of these matters has been attended with the friendliest feeling, it has naturally been the constant and earnest hope of the American Government—and of Japan as well, I am sure—that this occasion for divergence of views between the two Governments might be removed with the least possible delay. It has been with a feeling of special gratification, therefore, that the American Delegation has listened to the assurance given by their Japanese colleague, and it is with the greatest friendliness that they reiterate the hope that Japan will find it possible to carry out within the near future her expressed intention of terminating finally the Siberian expedition and of restoring Sakhalin to the Russian people.”

M. Sarraut addressed the committee as follows:

FRENCH STATEMENT

“He said he gave his full and unreserved adherence to this resolution. In giving this unreserved adherence, he liked to remember that France was the oldest ally, perhaps, of Russia, and in this respect it was with a particular feeling of gratification that he would state that he had listened with great pleasure to the exchange of views that had just taken place before the committee between the representatives of the United States and Japan. The French Government would hear with the same feelings the formal assurance given by Baron Shidehara of the intention of the Japanese Government concerning Siberia; of Japan’s desire to withdraw her troops from Russia as soon as possible; of its firm intention not to interfere in the domestic affairs of Russia; and of its firm purpose to respect the integrity of Russia.

“France had full trust in Japan, who had always proved a loyal and trustworthy friend. It was quite certain that this assurance would be carried out. France accepted this with all the more pleasure because it was exactly the program which the French Government had adopted in 1918 and which led them to interfere in

Siberia under the same conditions as those set forth so exactly by the Secretary of State of the United States. At this point he could not fail to restate quite clearly France's intention, like that of her Allies, to respect the integrity of Russia, and to have the integrity of Russia respected, and not to interfere in her internal policy.

"France remained faithful to the friendship of Russia, which she could not forget. She entertained feelings of gratitude to the Russian people, as she did to her other Allies. Russia had been her friend of the first hour, and she was loyal; she had stuck to her word until the Russian Government was betrayed in the way with which those present were familiar. France also remained faithful to the hope that the day would come when through the channel of a normal and regular government great Russia would be able to go ahead and fulfill her destiny. Then it would be good for her to find unimpaired the patrimony that had been kept for her by the honesty and loyalty of her Allies. It was with this feeling that the French Delegation with great pleasure concurred in the adoption of the present resolution."

The Chairman stated that it was recommended by the committee that these statements be spread upon the minutes of the Conference as a part of its permanent record. Do you desire to discuss the matter? Are you ready to act?

The United States of America assents.

Belgium?

BARON DE CARTIER: Assents.

THE CHAIRMAN: The British Empire?

MR. BALFOUR: Assents.

THE CHAIRMAN: China?

MR. SZE: Assents.

THE CHAIRMAN: France?

MR. SARRAUT: Assents.

THE CHAIRMAN: Italy?

SENATOR SCHANZER: Assents.

THE CHAIRMAN: Japan?

ADMIRAL BARON KATO: Assents.

THE CHAIRMAN: The Netherlands?

JONKHEER BEELAERTS VAN BLOKLAND: Assents.

THE CHAIRMAN: Portugal?

VISCOUNT D'ALTE: Assents.

THE CHAIRMAN: Unanimously adopted.

SESSIONAL PAPER No. 47

APPENDIX No. 18

Documents relative to Dominion Representation in the British Empire Delegation at the Washington Conference on the Limitation of Armament,**I. MINUTE OF COUNCIL OF OCTOBER 22, 1921, APPOINTING REPRESENTATIVE OF CANADA**

P.C. 3952

CERTIFIED COPY of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 22nd October, 1921.

The Committee of the Privy Council have had before them a report, dated 17th October, 1921, from the Right Honourable the Secretary of State for External Affairs, submitting that, as the result of telegraphic communication with the Prime Minister of the United Kingdom, it has been arranged that a representative of Canada should be appointed as a member of the Delegation which will represent the British Empire at the Conference on the Limitation of Armament and on Pacific and Far Eastern questions, summoned by the Government of the United States to meet at Washington on November 11th, 1921.

The Secretary of State for External Affairs accordingly recommends that the Right Honourable Sir Robert Laird Borden, G.C.M.G., be appointed as the representative of Canada for this purpose.

The Prime Minister of the United Kingdom having also proposed that an officer of the Canadian Government be appointed to attend the Conference as a member of the Secretariat of the British Empire Delegation, the Secretary of State for External Affairs recommends that Mr. Loring C. Christie, Legal Adviser of the Department of External Affairs, be appointed for the purpose.

The Secretary of State for External Affairs further recommends that the expenses incidental to such Canadian representation in the British Empire Delegation, including the expenses of such additional Canadian staff as may become necessary, be borne by the Canadian Government.

The Committee concur in the foregoing recommendation and submit the same for approval.

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

II. ORDER IN COUNCIL OF OCTOBER 27, 1921, AUTHORIZING ISSUANCE OF FULL-POWER TO REPRESENTATIVE OF CANADA

P.C. 4074

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of October, 1921.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council, on a report from the Acting Secretary of State for External Affairs, submitting that it is expedient, in connection with the forthcoming Conference on the Limitation of Armament and on Pacific and Far Eastern questions, summoned by the Government of the United States to meet

at Washington on November 11th, 1921, to invest fit person with full power to treat on the part of His Majesty the King in respect of the Dominion of Canada with persons similarly empowered on the part of other States, is pleased to order and doth hereby order that His Majesty the King be humbly moved to issue letters patent to the Right Honourable Sir Robert Laird Borden, a member of His Majesty's Most Honourable Privy Council, G.C.M.G., K.C., naming and appointing him as Commissioner and Plenipotentiary in respect of the Dominion of Canada with full power and authority to conclude with such Plenipotentiaries as may be vested with similar power and authority on the part of any powers or states, any treaties, conventions, or agreements in connection with the said Conference, and to sign for and in the name of His Majesty the King in respect of the Dominion of Canada everything so agreed upon and concluded and to transact all such other matters as may appertain thereto.

RODOLPHE BOUDREAU,

Clerk of the Privy Council.

III. FULL POWER ISSUED TO REPRESENTATIVE OF CANADA

[Sgd] GEORGE R.I.

GEORGE, by the Grace of God, of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, etc., etc., etc. To all and singular to whom these Presents shall come, Greeting!

Whereas, for the better treating of and arranging certain matters which are now in discussion, or which may come into discussion, between Us and other Powers and States to be represented at the Conference which is shortly to assemble at Washington to consider the limitation of armaments and other questions of international importance. We have judged it expedient to invest a fit person with Full Power to conduct the said discussion on Our part, in respect of Our Dominion of Canada: Know ye, therefore, that We, reposing especial Trust and Confidence in the Wisdom, Loyalty, Diligence, and Circumspection of Our Right Trusty and Well-beloved Councillor Sir Robert Laird Borden, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, one of Our Counsel learned in the Law, etc., etc., etc., Member of the Parliament of Canada, have named, made, constituted and appointed, as We do by these Presents name, make, constitute and appoint him Our undoubted Commissioner, Procurator, and Plenipotentiary, in respect of Our Dominion of Canada: Giving to him all manner of Power and Authority to treat, adjust, and conclude with such Ministers, Commissioners or Plenipotentiaries as may be vested with similar Power and Authority on the part of any Powers or States as aforesaid, any Treaties, Conventions or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us, and in Our name in respect of Our Dominion of Canada, everything so agreed upon and concluded, and to do and transact all such other matters as may appertain thereto, in as ample manner and form, and with equal force and efficacy, as We Ourselves could do, if personally present: Engaging and Promising, upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said Commissioner, Procurator, and Plenipotentiary, in respect of Our Dominion of Canada, shall, subject if necessary to Our Approval and Ratification, be agreed to, acknowledged and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power.

SESSIONAL PAPER No. 47

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court of Saint James the Twenty-fourth day of October in the Year of Our Lord, One Thousand Nine hundred and Twenty-one and in the Twelfth Year of Our Reign.

[L.S.]

IV. CORRESPONDENCE BETWEEN THE SECRETARY GENERAL TO THE BRITISH EMPIRE DELEGATION AND THE SECRETARY GENERAL TO THE CONFERENCE RELATING TO THE DEPOSIT OF THE FULL-POWERS.

BRITISH EMPIRE DELEGATION,
FRANKLIN SQUARE HOTEL,
WASHINGTON, 11th November, 1921.

SIR,—I am directed by Mr. Balfour to enclose herewith Full Powers for the following Representatives of His Britannic Majesty's Government at the Washington Conference on the Limitation of Armaments:—

The Right Honourable D. Lloyd George, O.M., M.P.

The Right Honourable A. J. Balfour, O.M., M.P.

The Right Honourable Lord Lee of Fareham, G.B.E., K.C.B.

The Right Honourable Sir Auckland Geddes, K.C.B.

The Full Powers for the Delegates of the Dominions and India have not yet been received as they await the completion of certain formalities in the Dominions and India, but these Full Powers will be forwarded to you immediately they are received.

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) M. P. A. HANKEY,
Secretary, British Empire Delegation.

The Secretary-General,

Washington Conference on the Limitation of Armament.

BRITISH EMPIRE DELEGATION,
FRANKLIN SQUARE HOTEL,
WASHINGTON, 1st December, 1921.

SIR,—With reference to my letter of November 11th, forwarding the Full Powers of Mr. Lloyd George, Mr. Balfour, Lord Lee of Fareham and Sir Auckland Geddes, I have the honour to transmit to you herewith the Full Powers of the Right Honourable Sir Robert Borden, in respect of the Dominion of Canada, of the Honourable George Foster Pearce, in respect of the Commonwealth of Australia, of Sir John William Salmond, in respect of the Dominion of New Zealand, and of the Right Honourable Srinivasa Sastri, in respect of India.

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) M. P. A. HANKEY,
Secretary, British Empire Delegation.

The Secretary General to the Conference on Limitation of Armament.

Navy Building, Washington.

12 GEORGE V, A. 1922

CONFERENCE ON THE LIMITATION OF ARMAMENT

OFFICE OF THE GENERAL SECRETARY,

December 3, 1921.

SIR,—Referring to your letter of December 1, 1921, I have the honour to acknowledge the receipt of the Full Powers of the Right Honourable Sir Robert Borden, in respect of the Dominion of Canada, of the Honourable George Foster Pearce, in respect of the Commonwealth of Australia, of Sir John William Salmond, in respect of the Dominion of New Zealand, and of the Right Honourable Srinivasa Sastri, in respect of India. The originals of these Full Powers will be deposited in the archives of the Secretariat.

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) J. W. GARRETT,

Secretary General.

Lieut.-Col. SIR MAURICE P. A. HANKEY, *G.C.B.*,
Secretary of the British Empire Delegation,
Hotel Lafayette, Washington, D.C.

V. OFFICIAL LIST OF BRITISH EMPIRE DELEGATION AND STAFF

BRITISH EMPIRE

DELEGATES.

Great Britain—

The Right Honourable A. J. Balfour, O.M., M.P., Lord President of the Council.

The Right Honourable Lord Lee of Fareham, G.B.E., K.C.B., First Lord of the Admiralty.

The Right Honourable Sir Auckland Geddes, K.C.B., British Ambassador to the United States.

Canada—

The Right Honourable Sir Robert Borden, G.C.M.G., K.C.

Australia—

Senator the Right Honourable G. F. Pearce, Australian Minister for Defense.

New Zealand—

The Honourable Sir John Salmond, Judge of the Supreme Court of New Zealand.

India—

The Right Honourable Srinivasa Sastri, member of the Indian Council of State.

FOREIGN AFFAIRS SECTION.

Mr. R. A. C. Sperling, C.M.G., Counsellor in His Majesty's diplomatic service, Assistant Secretary in charge of American department, Foreign Office.

The Right Honourable Sir John Jordan, G.C.I.E., K.C.B., G.C.M.G., formerly His Majesty's Minister at Peking.

Mr. M. W. Lampson, M.V.O., Counsellor in His Majesty's diplomatic service, attached to Far East Department of Foreign Office.

SESSIONAL PAPER No. 47

- Mr. H. W. Malkin, C.M.G., Assistant Legal Adviser of the Foreign Office.
 Mr. M. D. Peterson, First Secretary in His Majesty's diplomatic service, Private Secretary to Mr. Balfour.
 Mr. F. Ashton-Gwatkin, Second Secretary in His Majesty's diplomatic service.
 Mr. H. V. Tennant, Private Secretary to Sir Auckland Geddes.
 Mr. H. H. Quarmby, O.B.E., Establishment and Accounts Officer.

NAVAL SECTION.

- Admiral of the Fleet Earl Beatty, O.M., G.C.B., C.V.O., D.S.O., First Sea Lord of the Admiralty.
 Paymaster Captain F. T. Spickernell, C.B., D.S.O., Private Secretary to Earl Beatty.
 Rear Admiral Sir Ernle Chatfield, K.C.M.G., C.B., C.V.O., Assistant Chief of Naval Staff, Admiralty.
 Captain B. E. Domville, C.M.G., Director of Plans Division, Admiralty.
 Captain J. C. Little, C.B., Director of Trade Division, Admiralty.
 Commander J. G. Bower, D.S.O., Plans Division, Admiralty.
 Instructor-Commander G. V. Rayment, C.B.E., Naval Intelligence Division, Admiralty.
 Mr. A. Flint, C.B., Principal Staff, Assistant Secretary, Admiralty.
 Mr. A. W. Street, M.C., Private Secretary to First Lord of the Admiralty.

MILITARY SECTION.

- General the Earl of Cavan, K.P., G.C.M.G., K.C.B., M.V.O., G.O.C., Aldershot Command.
 Lieutenant E. H. Gage, M.C., Aide-de-Camp to Lord Cavan.
 Colonel W. H. Bartholomew, C.B., C.M.G., D.S.O., Deputy Director of Military Intelligence.
 Colonel C. A. Ker, C.M.G., O.B.E., D.S.O., Military Intelligence Directorate, War Office.
 Lieutenant-Colonel D. Forster, C.M.G., D.S.O., Military Operations Directorate, War Office.
 Lieutenant-Colonel F. S. G. Piggott, D.S.O., Military Attaché at Tokyo.
 Lieutenant-Colonel M. F. Day, M.C., Staff Duties Directorate, War Office.

AIR SECTION.

- Air Vice Marshal J. F. A. Higgins, C.B., D.S.O., A.F.C., Attached to Directorate of Operations and Intelligence, Air Ministry.
 Group Captain J. A. Chamier, C.M.G., D.S.O., O.B.E., Deputy Director, Directorate of Operations and Intelligence, Air Ministry.
 Flight Lieutenant A. R. Arnold, D.S.O., D.F.C., Assistant to Air Vice Marshal Higgins.
 Flight Lieutenant R. Gambier Parry, Directorate of Operations and Intelligence, Air Ministry.

ECONOMIC SECTION.

- Sir H. Llewellyn Smith, G.C.B., Economic Adviser to His Majesty's Government.
 Mr. W. Carter, Assistant to Sir H. Llewellyn Smith.

CANADIAN SECTION.

Mr. L. C. Christie, Legal Adviser to Department of External Affairs, Canada, and Secretary for Canada.

Mr. A. W. Merriam, Private Secretary to Sir Robert Borden.

AUSTRALIAN SECTION.

Mr. G. S. Knowles, O.B.E., Secretary for Australia.

Mr. E. L. Piesse, Expert on Pacific questions.

Mr. G. B. Cooke, Staff of Australian Commissioner, New York.

Mr. D. H. R. Reid, Private Secretary to Senator Pearce.

NEW ZEALAND SECTION.

Mr. E. O. Mousley, Publicity Officer and Secretary for New Zealand.

Mr. J. M. Gamble, Private Secretary to Sir John Salmond.

INDIAN SECTION.

Colonel K. Wigram, C.B., C.S.I., C.B.E., D.S.O.

Mr. G. L. Corbett, I.C.S.

Mr. G. S. Bajpai, I.C.S., Private Secretary to Mr. Sastri, and Secretary for India.

PUBLICITY SECTION.

Sir Arthur Willert, K.B.E.

Mr. Robert Wilberforce, Assistant.

SECRETARIAT.

Lieutenant-Colonel Sir Maurice Hankey, G.C.B., Secretary-General to the British Empire Delegation.

Mr. L. C. Christie, Secretary for Canada.

Mr. G. S. Knowles, O.B.E., Secretary for Australia.

Mr. E. O. Mousley, Secretary for New Zealand.

Mr. G. S. Bajpai, I.C.S., Secretary for India.

CABINET SECRETARIAT.

Mr. C. Longhurst, C.B., Assistant Secretary.

Mr. L. F. Burgis, Assistant Secretary.

Commander H. R. Moore, D.S.O.

Lieutenant F. W. Rawlins, M.B.E., Chief Clerk.

APPENDIX No. 19

Statement by Mr. Balfour on behalf of the British Empire Delegation at the sixth Plenary Session, Conference on the Limitation of Armament, Washington, February 4, 1922.

(Unrevised text)

MR. BALFOUR (*speaking in English*): Mr. Chairman, Ladies, and Gentlemen:

On Saturday, the 12th of November, exactly 12 weeks ago, the President of the United States, in an eloquent speech with which he inaugurated our meetings, asked us to approach our labours with the full consciousness that we were working in the service of mankind, and that the spirit that should animate us was the spirit of simplicity, honour, and honesty.

Looking back over that 12 weeks, I think we may say, without undue self-esteem, that that advice, so nobly tendered by the head of the State under whose hospitality our meetings have been carried on, has been taken, and that we have had the consciousness that we were working in the service of mankind; that we have had the consciousness that if that service was to be of any avail, it must be carried out in the spirit, to use the President's words, of simplicity, honesty, and honour.

You have listened at this Plenary Conference to the record of our work; and I can well believe that the mass of treaties, of resolutions, of statements put on record may almost produce in the minds of the auditors a feeling of confusion, as if the mass of work turned out was indeed formidable in quantity, but that there was no underlying idea regulating its character; that it was a mighty mass of which the plan was by no means obvious. I think that those who have been engaged in the work themselves, as well as those who will have an opportunity of calmly considering it as a whole, will see the great results we have attained, as well as the extraordinary mass of detail with which we have had to deal. We have had to travel over the globe and we have dealt both with things most trifling, apparently, and with things of the deepest importance. We have spent much time over discussing a traffic manager of a small railway in the Far East; and connected with that are the great moral questions which under Mr. Root's guidance we have attempted to deal with; and if we have touched upon post offices in China, so also we have travelled over the immense area of the Pacific, and have dealt with questions which touch not merely the Pacific, but the whole interests of all the civilized world. If you would really estimate the magnitude of our accomplishment, and the method by which our results have been achieved, may I ask you to cast your memories back only a few months ago, when a spirit of deep anxiety overshadowed the minds of every man who contemplated the state of public feeling in the great Pacific area. You will remember that at that time, although the world was still bleeding from recent wounds, although every nation was groaning under the pressure of taxation, nevertheless men who profess to have the gift of foresight talked glibly about inevitable naval wars, and when the greatest maritime powers in the world felt that they were almost committed to that fatal rivalry of shipbuilding, which meant not only ruin to the finances of the world, but was a standing menace to its peace. I am not talking about ancient history. I am talking about a state of things which was prevalent within the last 12 months, and indeed up to a time more recent than a year ago.

May we not see in the changed feelings of men that already the work of this Conference has produced beneficent results? Already this feeling of mutual suspicion,

of mutual fear, has given way to a spirit of very different character. Confidence has taken the place of mistrust. All those who either from the financial or the moral side looked with horror upon this competitive building in armaments now feel that by the labours of this Conference, by the spirit it has shown, by the decisions to which it has come, a new era has really begun over the whole world, but more than anywhere else over that part of the world in which the great maritime powers are most intimately and deeply concerned.

Now, if you think for a moment, you will see how closely all the apparently infinitely varied labours that we have undertaken combine to co-operate with those great results that we are happy to proclaim to-day.

The centre of our troubles has been the peculiar problems to which the special conditions of China have given rise during the last quarter of a century. Through the whole of that quarter of a century the relations between China and foreign Powers—and still more between foreign Powers themselves in relation to China—have given endless cause of anxiety and preoccupation to statesmen. I do not say that difficulties arising in the Far East are forever at an end. It is impossible to apply to China the simple formulæ which content us when we are dealing with western nations. That great and ancient civilization does not easily fit into our more recent schemes of political thought, and China suffers under sources of weakness which we citizens of western countries do not find it always easy to understand, while she certainly enjoys sources of strength which all of us would be happy to share. But we have to recognize, in the first place, that China must work out her own destiny in accordance with the changes of a changing world; that all we can do is to help her along her path; that she has little to gain from our advice; and that it is upon sources of strength drawn from within herself, and upon these alone, in the last resort, that she must rely. Nevertheless, the great commercial nations that trade with China have suffered in the relations between themselves owing to the peculiarities of the Chinese problem which I have vaguely indicated, and for these many years past it has been found very difficult to reconcile, not merely the difficulties arising between China and this or that Power, but between all the Powers in their common relations to the great empire of the Far East.

I hope—I do more than hope, I believe—that the greatest step in regularizing those relations has been taken by this Conference, under the leadership of the United States. I firmly believe that though difficulties may arise in the future, people will never have to go further back than the date of this Conference. Here it is that we have endeavoured to lay deep and solid the foundations of honest dealings between one another and between ourselves and the Chinese Empire; and if any nation hereafter deliberately separates itself from the collective action that we have taken in Washington in this year of grace, that nation will not be able to plead ignorance, it will not be able to discuss private arrangements which it may have made with this or that Chinese government. We shall all feel that we belong to the comity of nations in our dealings with China, that China is one of ourselves, and that as we owe her duties, so we owe corresponding duties to every one of those other nations which have commercial or treaty relations with the Far East.

If the Far Eastern difficulties were the beginning of the trouble, if it was from them that this brood of suspicions arose, how were the difficulties thus arising to be dealt with? Those difficulties were aggravated by a grouping of naval powers in the Pacific which had indeed a very solid justification in the historic past, although it had no relevance to the existing situation, and the first thing therefore to do was to clear away that which, while it had no present value for any purpose I know of, was nevertheless the cause, rightly or wrongly, of unhappy suspicions and discussions as to what would occur should this or that serious international contingency arise, and these suspicions thus aroused made the most fatal contribution to the destruction of that peace and international amity which is the foundation of all prosperity,

SESSIONAL PAPER No. 47

either East or West. Those causes of misunderstandings have been removed; and now, under the quadruple arrangement, all the great maritime Powers of the Pacific have entered into a formal and public undertaking which, as far as I can see, must remove all further causes of international offense. That, you will notice, is the second stage of the proceedings. I regard the Chinese problem as the root, as the first stage. I regard the quadruple arrangement as the second stage; and the third stage of this great policy of peace and disarmament is the diminution of fleets and the cessation of rival building between the great maritime Powers.

These are all interconnecting; one can not be understood without the other. The effect of one can not be estimated unless the effect of all the others is taken into account. Thus we come to the crown and summit of the great effort that has been made in favour of the diminution of armaments, and with the diminution of armaments a great diminution in the likelihood of their being ever required. It is to the genius and inspiration of those who have directed the policy of the United States in this matter that this stage stands out unique in history, so far as I know; unique in history as a great and successful effort to diminish the burdens of peace, and to render more remote the horrors of war. If the United States had not had the courage, the boldness of conception which enabled them to announce on that fateful Saturday, the 12th of November, what their view of disarmament was, all the rest of our labours would have lost half, and I think much more than half, the value that they now possess. Everything turned upon that first day, everything turned upon the first announcement of their policy. From that moment I had little doubt that we should achieve great results. I remember speaking strongly about this subject on the first opportunity I had. I think it was on the Tuesday following our chairman's speech. I expressed my views on this subject, and every consideration which I have since been able to give to the subject, every result which I have seen flowing from it, has strengthened my conviction that on this everything depended, and that it was the admirable inspiration of this policy which has given to an expectant world all that anybody possibly could hope for, and far more than experienced statesmen ever dared to expect.

Let no one think that this abandonment of rivalry in shipbuilding, this diminution of fleets, this scrapping of great weapons of war, carries with it anything in the nature of a diminution of security on the part of any nation. I do not think we need have feared that no matter what supplementary arrangements had been made; but we have been fortunate enough to make a supplementary arrangement that puts the question beyond doubt or cavil. I do not think any clause in any treaty is more happily conceived to deal with the special peculiarities and difficulties of the Pacific situation than that which limits and fixes the places where the great naval Powers are permitted to extend and increase their naval bases. I do not say that is a necessary part of the policy. I do say it is a most happy and fortunate addition to it; that with this clause in the treaty we can say with absolute assurance that this diminution of weapons of war has been accompanied by great augmentation in the sense of national security.

Can anything be more happy? Can anything be more pregnant of good results for the future of the world? Can anything more surely allay those suspicions which make peace intolerable and war probable?

To that great consummation all have contributed; but in particular I can not insist too repeatedly, or with greater earnestness, that it was the inspired moment of November 12 on which all the greatness of this great transaction really depends. Yet I think I must add something more, or I should do but scanty justice to the character and labours of my colleagues. It is difficult to exaggerate the magnitude of the work that has been accomplished, let me assure you that probably nobody except those who have had intimate personal acquaintance with such matters know how difficult the machinery of an international conference inevitably is. Its difficulties are inevitable for this simple reason, that a conference does not work by

majorities. One recalcitrant Power can stop the whole machine. If one Power refuses its assent, the best laid devices for securing the felicity of mankind are brought to naught. Unanimity is obligatory; and when we remember that there are nine Powers concerned in one set of treaties, and no less than five Powers concerned in another, and that each of them, from the nature of the case, approaches every separate question from the angle of its own country, looks at it first from the point of view of its own national interests, and secondarily sees that the interests of every country here are really bound up with the interests of the whole—when you remember that this is the method under which we work, I think you will agree with me that we could never have attained the results we have, if the statesmen collected around this table had not shown themselves sympathetic, clear of comprehension, unselfish in their views, and anxious above all to see that we should work by common means toward a great and common end.

We have been blessed indeed—thrice blessed—in our chairman; but even his skill, his clearness of thought, his invariable courtesy, his unworried patience would have been insufficient to bring us to this happy conclusion of which we shall see the final act on Monday, had he not had for his assistants a body of men who I think have shown themselves possessed of all the highest qualities of statesmanship. If the countries which they represent are fortunate enough in the future to be guided by wisdom like theirs, I almost feel that perhaps the treaty is less necessary than I believe it to be.

Now, ladies and gentlemen, so far I have ventured to speak for myself, and I hope with the approval of the British Delegation. I am now happy to carry out a duty which has been entrusted to me by all my colleagues sitting around this table. I have to express on their behalf our gratitude for the labours which the General Secretariat of this Conference have carried out, for the unwearying zeal and inexhaustible patience and industry, the courtesy, the ability, and the good-will which they have brought to their most difficult task. Only those who have had an opportunity of seeing the inside working of the machine know how much of its success has depended upon the labours of Mr. Garrett and those who have worked with him. I am proud to have been entrusted with the duty of expressing to him and to all his colleagues our high sense of what they have done for us.

One word and one word more only must I say. I think we should all feel that, if we separated without expressing our thanks to Mr. Camerlynck, the translator, who has served us so faithfully, we should be accounted among the most ungrateful of mankind. Mr. Camerlynck has an absolute genius for the work he has undertaken. I do not know whether to admire most the skill with which he translates English into French or the skill with which he translates, when necessity arises, French into English. I do not know what my French colleagues think when they hear their speeches translated into the English tongue. I know what I always think when I hear my speeches translated into the French tongue, which is that it is a matter of most agreeable surprise to think that I have lapsed into such unusual felicity in the effort to express my ideas.

If all my colleagues around this table entertain the same views that I do—and I believe they do—they will thank me for setting myself up as their mouthpiece and giving to our friend, Mr. Camerlynck, our warmest tribute of thanks and admiration.

(The foregoing remarks of Mr. Balfour, with the exception of the last two paragraphs, were thereupon rendered in French by the official interpreter.)

APPENDIX No. 20

Address by the President of the United States at the seventh (final) Plenary Session, Conference on the Limitation of Armament, February 6, 1922.

PRESIDENT HARDING (*speaking in English*): Mr. Chairman and members of the Conference:

Nearly three months ago it was my privilege to utter to you sincerest words of welcome to the Capital of our Republic, to suggest the spirit in which you were invited, and to intimate the atmosphere in which you were asked to confer. In a very general way, perhaps, I ventured to express a hope for the things toward which our aspirations led us.

To-day it is my greater privilege, and an even greater pleasure, to come to make acknowledgment. It is one of the supreme satisfactions and compensations of life to contemplate a worth-while accomplishment.

It cannot be other than seemly for me, as the only Chief of Government so circumstanced as to be able to address the Conference, to speak congratulations, and to offer the thanks of our Nation and our people; perhaps I dare volunteer to utter them for the world. My own gratification is beyond my capacity to express.

This Conference has wrought a truly great achievement. It is hazardous sometimes to speak in superlatives, and I will be restrained. But I will say, with every confidence, that the faith plighted here to-day, kept in national honour, will mark the beginning of a new and better epoch in human affairs.

Stripped to the simplest fact, what is the spectacle which has inspired a new hope for the world? Gathered about this table nine great nations of the earth—not all, to be sure, but those most directly concerned with the problems at hand—have met and conferred on questions of great import and common concern, on problems menacing their peaceful relationship, on burdens threatening a common peril. In the revealing light of the public opinion of the world, without surrender of sovereignty, without impaired nationality or affronted national pride, a solution has been found in unanimity, and to-day's adjournment is marked by rejoicing in the things accomplished. If the world has hungered for a new assurance, it may feast at the banquet which this Conference has spread.

I am sure the people of the United States are supremely gratified and yet there is scant appreciation how marvelously you have wrought. When the days were dragging and agreements were delayed, when there were obstacles within and hindrances without, few stopped to realize that here was a Conference of sovereign powers where only unanimous agreement could be made the rule. Majorities could not decide without impinging on national rights. There were no victors to command, no vanquished to yield. All had voluntarily to agree in translating the conscience of our civilization and give concrete expression to world opinion.

And you have agreed in spite of all difficulties, and the agreements are proclaimed to the world. No new standards of national honour have been sought, but the indictments of national dishonour have been drawn, and the world is ready to proclaim the odiousness of perfidy or infamy.

It is not pretended that the pursuit of peace and the limitation of armament are new conceits, or that the Conference is a new conception either in settlement of war or in writing the conscience of international relationship. Indeed, it is not new

to have met in the realization of war's supreme penalties. The Hague conventions are examples of the one, the conferences of Vienna, of Berlin, of Versailles are outstanding instances of the other.

The Hague conventions were defeated by the antagonism of one strong power whose indisposition to co-operate and sustain led it to one of the supreme tragedies which have come to national eminence. Vienna and Berlin sought peace founded on the injustices of war and sowed the seeds of future conflict, and hatred was armed where confidence was stifled.

It is fair to say that human progress, the grown intimacy of international relationship, developed communication and transportation, attended by a directing world opinion, have set the stage more favourably here. You have met in that calm deliberation and that determined resolution which have made a just peace, in righteous relationship, its own best guaranty.

It has been the fortune of this Conference to sit in a day far enough removed from war's bitterness, yet near enough to war's horrors, to gain the benefit of both the hatred of war and the yearning for peace. Too often, heretofore, the decades following such gatherings have been marked by the difficult undoing of their decisions. But your achievement is supreme because no seed of conflict has been sown; no reaction in regret or resentment ever can justify resort to arms.

It little matters what we appraise as the outstanding accomplishment. Any one of them alone would have justified this Conference. But the whole achievement has so cleared the atmosphere that it will seem like breathing the refreshing air of a new morn of promise.

You, gentlemen of the Conference, have written the first deliberate and effective expression of great powers, in the consciousness of peace, of war's utter futility, and challenged the sanity of competitive preparation for each other's destruction. You have halted folly and lifted burdens, and revealed to the world that the one sure way to recover from the sorrow and ruin and staggering obligations of a world war is to end the strife in preparation for more of it, and turn human energies to the constructiveness of peace.

Not all the world is yet tranquilized. But here is the example, to imbue with new hope all who dwell in apprehension. At this table came understanding, and understanding brands armed conflict as abominable in the eyes of an enlightened civilization.

I once believed in armed preparedness. I advocated it. But I have come now to believe there is a better preparedness in a public mind and a world opinion made ready to grant justice precisely as it exacts it. And justice is better served in conferences of peace than in conflicts at arms.

How simple it all has been. When you met here twelve weeks ago there was not a commitment, not an obligation except that which each delegation owed to the Government commissioning it. But human service was calling, world conscience was impelling, and world opinion directing.

No intrigue, no offensive or defensive alliances, no involvements have wrought your agreements, but reasoning with each other to common understanding has made new relationships among Governments and peoples, new securities for peace, and new opportunities for achievement and its attending happiness.

Here have been established the contacts of reason, here have come the inevitable understandings of face-to-face exchanges when passion does not inflame. The very atmosphere shamed national selfishness into retreat. Viewpoints were exchanged, differences composed, and you came to understand how common, after all, are human aspirations; how alike, indeed, and how easily reconcilable, are our national aspirations; how sane and simple and satisfying to seek the relationships of peace and security.

When you first met I told you of our America's thought to seek less of armament and none of war; that we sought nothing which is another's, that we were unafraid,

SESSIONAL PAPER No. 47

but that we wished to join you in doing that finer and nobler thing which no nation can do alone. We rejoice in the accomplishment.

It may be that the naval holiday here contracted will expire with the treaties, but I do not believe it. Those of us who live another decade are more likely to witness a growth of public opinion strengthened by the new experience, which will make nations more concerned with living to the fulfilment of God's high intent than with agencies of warfare and destruction. Since this Conference of Nations has pointed with unanimity to the way of peace to-day like conferences in the future, under appropriate conditions and with aims both well conceived and definite, may illumine the highways and byways of human activity. The torches of understanding have been lighted, and they ought to glow and encircle the globe.

Again, gentlemen of the Conference, congratulations and the gratitude of the United States. To Belgium, to the British Empire, to China, to France, to Italy, to Japan, to The Netherlands, and to Portugal—I can wish no more than the same feeling, which we experience, of honourable and honoured contribution to happy human advancement, and a new sense of security in the righteous pursuits of peace and all attending good fortune.

From our own delegates I have known from time to time of your activities, and of the spirit of conciliation and adjustment, and the cheering readiness of all of you to strive for that unanimity so essential to accomplishment. Without it there would have been failure; with it you have heartened the world.

I know our guests will pardon me while I make grateful acknowledgement to the American delegation—to you, Mr. Secretary Hughes; to you Senator Lodge; to you, Senator Underwood; to you, Mr. Root, to all of you for your able and splendid and highly purposed and untiring endeavours in behalf of our Government and our people and the great cause; and to our excellent Advisory Committee which gave to you so dependable a reflex of that American public opinion which charts the course of this Republic.

It is all so fine, so gratifying, so reassuring, so full of promise, that above the murmurings of a world sorrow not yet silenced; above the groans which come of excessive burdens not yet lifted but soon to be lightened; above the discouragements of a world yet struggling to find itself after surpassing upheaval, there is the note of rejoicing which is not alone ours or yours or of all of us, but comes from the hearts of men of all the world.

APPENDIX No. 21

CONFERENCE ON THE LIMITATION OF ARMAMENT, WASHINGTON,
NOVEMBER 12, 1921, TO FEBRUARY 6, 1922

TREATIES AND RESOLUTIONS

Treaties concluded by the Conference:

I. A Treaty between the United States of America, the British Empire, France, Italy, and Japan, for the limitation of naval armament, signed February 6, 1922;

II. A Treaty between the United States of America, the British Empire, France, Italy, and Japan, to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals, signed February 6, 1922;

III. A Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, to stabilize conditions in the Far East, signed February 6, 1922. (Far Eastern Treaty).

IV. A Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, relating to the Chinese customs tariff, signed February 6, 1922.

Treaties concluded during the Conference and formally communicated thereto by the Powers concerned:

V. A Treaty between the United States of America, the British Empire, France, and Japan, for the preservation of the general peace and the maintenance of their rights in the region of the Pacific Ocean, signed December 13, 1921. (Quadruple Pacific Treaty).

VI. A Declaration by the United States of America, the British Empire, France, and Japan, signed December 13, 1921, accompanying the above-mentioned Quadruple Pacific Treaty of December 13, 1921.

VII. An Agreement between the United States of America, the British Empire, France, and Japan, signed February 6, 1922, supplementary to the above-mentioned Quadruple Pacific Treaty of December 13, 1921.

Resolutions adopted by the Conference:

I. A Resolution to constitute a Commission to consider the rules of international law respecting new agencies of warfare, adopted February 4, 1922.

II. A Resolution to exclude the said Commission from reviewing the rules already adopted by the Conference relating to submarines or the use of noxious gases and chemicals, adopted February 4, 1922.

III. A Resolution to establish in China a Board of Reference in connection with the execution of the Far Eastern Treaty, adopted February 4, 1922.

IV. A Resolution to establish a Commission to inquire into the present practice of extraterritorial jurisdiction and the administration of justice in China, with a supplementary Declaration by China, adopted December 10, 1921.

V. A Resolution to provide for the abandonment of foreign postal agencies in China, adopted February 1, 1922.

SESSIONAL PAPER No. 47

VI. A Resolution to provide for an inquiry by the diplomatic representatives of the Powers in China concerning the presence of foreign armed forces, adopted February 1, 1922.

VII. A Resolution to limit the use and maintenance of foreign radio stations in China, with supplementary Declarations by the Powers other than China and by China, adopted February 1, 1922.

VIII. A Resolution relating to the unification of railways in China, with a supplementary Declaration by China, adopted February 1, 1922.

IX. A Resolution relating to the reduction of Chinese military forces and expenditures, adopted February 1, 1922.

X. A Resolution to provide for full publicity with respect to the political and other international obligations of China and of the several Powers in relation to China, adopted February 1, 1922.

XI. A Resolution relating to the preservation of the Chinese Eastern Railway, adopted February 4, 1922.

XII. A Resolution relating to the responsibility of China towards the foreign stockholders, bondholders, and creditors of the Chinese Eastern Railway Company, adopted (by the Powers other than China) February 4, 1922.

TREATIES

I. Treaty between the United States of America, the British Empire, France, Italy, and Japan, for the Limitation of Naval Armament.

Signed at Washington, February 6, 1922

Les Etats-Unis d'Amérique, l'Empire Britannique, la France, l'Italie et le Japon;

Désireux de contribuer au maintien de la paix générale et de réduire le fardeau imposé par la compétition en matière d'armement;

Ont résolu, pour atteindre ce but, de conclure un traité limitant leur armement naval.

A cet effet, les Puissances Contractantes ont désigné pour leurs Plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

Charles Evans Hughes,
Henry Cabot Lodge,
Oscar W. Underwood,
Elihu Root,
citoyens des Etats-Unis;

Sa Majesté le Roi du Royaume-Uni de Grande Bretagne et d'Irlande et des Territoires britanniques au delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O. M., M. P., Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G. B. E., K. C. B., Premier Lord de l'Amirauté.

Le Très-Honorable Sir Auckland Campbell Geddes, K. C. B., Son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

et

pour le Dominion du Canada:

Le Très-Honorable Sir Robert Laird Borden, G. C. M. G., K. C.;

pour le Commonwealth d'Australie:

Le Très-Honorable George Foster Pearce, Sénateur, Ministre de l'Intérieur et des Territoires;

The United States of America, the British Empire, France, Italy and Japan;

Desiring to contribute to the maintenance of the general peace, and to reduce the burdens of competition in armament;

Have resolved, with a view to accomplishing these purposes, to conclude a treaty to limit their respective naval armament, and to that end have appointed as their 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 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 Plenipotentiary to the United States of America;

and

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;

SESSIONAL PAPER No. 47

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir John William Salmond, K. C., Juge à la Cour Suprême de Nouvelle-Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O. M., M. P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République Française:

M. Albert Sarraut, Député, Ministre des Colonies;

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des Etats Unis d'Amérique, Grand Croix de l'Ordre National de la Légion d'Honneur;

Sa Majesté le Roi d'Italie:

L'Honorable Carlo Schanzer, Sénateur du Royaume;

L'Honorable Vittorio Rolandi Ricci, Sénateur du Royaume, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

L'Honorable Luigi Albertini, Sénateur du Royaume;

Sa Majesté l'Empereur du Japon:

Le Baron Tomosaburo Kato, Ministre de la Marine, Junii, Membre de la Première classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

lesquels, après avoir échangé leurs pleins pouvoirs, reconnus en bonne et due forme, ont convenu des dispositions suivantes:

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 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, Joshii, 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;

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

12 GEORGE V, A. 1922

CHAPITRE I

CHAPTER I

DISPOSITIONS GÉNÉRALES RELATIVES À LA
LIMITATION DE L'ARMEMENT NAVAL.GENERAL PROVISIONS RELATING TO THE
LIMITATION OF NAVAL ARMAMENT

ARTICLE I

ARTICLE I

Les Puissances Contractantes conviennent de limiter leur armement naval ainsi qu'il est prévu au présent traité.

The Contracting Powers agree to limit their respective naval armament as provided in the present Treaty.

ARTICLE II

ARTICLE II

Les Puissances Contractantes pourront conserver respectivement les navires de ligne énumérés au chapitre II, partie I. A la mise en vigueur du présent Traité et sous réserve des dispositions ci-dessous du présent article, il sera disposé comme il est prescrit au chapitre II, partie 2, de tous les autres navires de ligne des Etats-Unis, de l'Empire Britannique et du Japon, construits ou en construction.

The Contracting Powers may retain respectively the capital ships which are specified in Chapter II, Part 1. On the coming into force of the present Treaty, but subject to the following provisions of this Article, all other capital ships, built or building, of the United States, the British Empire and Japan shall be disposed of as prescribed in Chapter II, Part 2.

En sus des navires de ligne énumérés au chapitre II, partie 1, les Etats-Unis pourront achever et conserver deux navires actuellement en construction de la classe *West Virginia*. A l'achèvement de ces deux navires, il sera disposé du *North Dakota* et du *Delaware* comme il est prescrit au chapitre II, partie 2.

In addition to the capital ships specified in Chapter II, Part 1, the United States may complete and retain two ships of the *West Virginia* class now under construction. On the completion of these two ships the *North Dakota* and *Delaware* shall be disposed of as prescribed in Chapter II, Part 2.

L'Empire Britannique pourra, conformément au tableau de remplacement du chapitre II, partie 3, construire deux nouveaux navires de ligne ayant chacun un déplacement type maximum de 35,000 tonnes (35,560 tonnes métriques). A l'achèvement de ces deux navires, il sera disposé du *Thunderer*, du *King George V*, de l'*Ajax* et du *Centurion* comme il est prescrit au chapitre II, partie 2.

The British Empire may, in accordance with the replacement table in Chapter II, Part 3, construct two new capital ships not exceeding 35,000 tons (35,560 metric tons) standard displacement each. On the completion of the said two ships the *Thunderer*, *King George V*, *Ajax* and *Centurion* shall be disposed of as prescribed in Chapter II, Part 2.

ARTICLE III

ARTICLE III

Sous réserve des dispositions de l'article II, les Puissances Contractantes abandonneront leur programme de construction de navires de ligne et ne construiront ou n'acquerront aucun nouveau navire de ligne, à l'exception du tonnage de remplacement qui pourra être construit ou acquis comme il est spécifié au chapitre II, partie 3.

Subject to the provisions of Article II, the Contracting Powers shall abandon their respective capital ship building programs, and no new capital ships shall be constructed or acquired by any of the Contracting Powers except replacement tonnage which may be constructed or acquired as specified in Chapter II, Part 3.

Il sera disposé selon les prescriptions du chapitre II, partie 2, des navires remplacés conformément au chapitre II, partie 3.

Ships which are replaced in accordance with Chapter II, Part 3, shall be disposed of as prescribed in Part 2 of that Chapter.

SESSIONAL PAPER No. 47

ARTICLE IV

Le tonnage total des navires de ligne de remplacement, calculé d'après le déplacement type, ne dépassera pas, pour chacune des Puissances Contractantes, savoir: pour les Etats-Unis, 525,000 tonnes (533,400 tonnes métriques); pour l'Empire Britannique 525,000 tonnes (533,400 tonnes métriques); pour la France 175,000 tonnes (177,800 tonnes métriques); pour l'Italie 175,000 tonnes (177,800 tonnes métriques); pour le Japon 315,000 tonnes (320,040 tonnes métriques).

ARTICLE V

Les Puissances Contractantes s'engagent à ne pas acquérir, à ne pas construire et à ne pas faire construire de navire de ligne d'un déplacement type supérieur à 35,000 tonnes (35,560 tonnes métriques), et à ne pas en permettre la construction dans le ressort de leur autorité.

ARTICLE VI

Aucun navire de ligne de l'une quelconque des Puissances Contractantes ne portera de canon d'un calibre supérieur à 16 pouces (406 millimètres).

ARTICLE VII

Le tonnage total des navires porte-aéronefs, calculé d'après le déplacement type, ne dépassera pas, pour chacune des Puissances Contractantes, savoir: pour les Etats-Unis 135,000 tonnes (137,160 tonnes métriques); pour l'Empire Britannique 135,000 tonnes (137,160 tonnes métriques); pour la France 60,000 tonnes (60,960 tonnes métriques); pour l'Italie 60,000 tonnes (60,960 tonnes métriques); pour le Japon 81,000 tonnes (82,296 tonnes métriques).

ARTICLE VIII

Le remplacement des navires porte-aéronefs n'aura lieu que selon les prescriptions du Chapitre II, partie 3; toutefois il est entendu que tous les navires porte-aéronefs construits ou en construction à la date du 12 novembre 1921 sont considérés comme navires d'expérience et pourront être remplacés, quel que soit leur âge, dans les limites de tonnage total prévues à l'article VII.

ARTICLE IV

The total capital ship replacement tonnage of each of the Contracting Powers shall not exceed in standard displacement, for the United States 525,000 tons (533,400 metric tons); for the British Empire 525,000 tons (533,400 metric tons); for France 175,000 tons (177,800 metric tons); for Italy 175,000 tons (177,800 metric tons); for Japan 315,000 tons (320,040 metric tons).

ARTICLE V

No capital ship exceeding 35,000 tons (35,560 metric tons) standard displacement shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers.

ARTICLE VI

No capital ship of any of the Contracting Powers shall carry a gun with a calibre in excess of 16 inches (406 millimetres).

ARTICLE VII

The total tonnage for aircraft carriers of each of the Contracting Powers shall not exceed in standard displacement, for the United States 135,000 tons (137,160 metric tons); for the British Empire 135,000 tons (137,160 metric tons); for France 60,000 tons (60,960 metric tons); for Italy 60,000 tons (60,960 metric tons); for Japan 81,000 tons (82,296 metric tons).

ARTICLE VIII

The replacement of aircraft carriers shall be effected only as prescribed in Chapter II, Part 3, provided, however, that all aircraft carrier tonnage in existence or building on November 12, 1921, shall be considered experimental, and may be replaced, within the total tonnage limit prescribed in Article VII, without regard to its age.

ARTICLE IX

Les Puissances Contractantes s'engagent à ne pas acquérir, à ne pas construire et à ne pas faire construire de navire porte-aéronefs, d'un déplacement type supérieur à 27,000 tonnes (27,432 tonnes métriques), et à ne pas en permettre la construction dans le ressort de leur autorité.

Toutefois chacune des Puissances Contractantes pourra, pourvu qu'elle ne dépasse pas son tonnage total alloué de navires porte-aéronefs, construire au plus deux navires porte-aéronefs, chacun d'un déplacement type maximum de 33,000 tonnes (33,528 tonnes métriques); à cet effet et pour des raisons d'économie, chacune des Puissances Contractantes pourra utiliser deux de ses navires, terminés ou non terminés, pris à son choix parmi ceux qui, sans cela, devraient être mis hors d'état de servir pour le combat aux termes de l'article II. L'armement d'un navire porte-aéronefs ayant un déplacement type supérieur à 27,000 tonnes (27,432 tonnes métriques) sera soumis aux dispositions de l'article X, avec cette restriction que, si cet armement comporte un seul canon d'un calibre supérieur à 6 pouces (152 millimètres), le nombre total des canons ne pourra dépasser huit, non compris les canons contre aéronefs et les canons d'un calibre ne dépassant pas 5 pouces (127 millimètres).

ARTICLE X

Aucun navire porte-aéronefs de l'une quelconque des Puissances Contractantes ne portera de canon d'un calibre supérieur à 8 pouces (203 millimètres). Sous réserve de l'exception prévue à l'article IX, si l'armement comprend des canons d'un calibre supérieur à 6 pouces (152 millimètres), le nombre total des canons pourra être de dix au maximum, non compris les canons contre aéronefs et les canons d'un calibre ne dépassant pas 5 pouces (127 millimètres). Si, au contraire, l'armement ne comprend pas de canon d'un calibre supérieur à 6 pouces (152 millimètres), le nombre des canons n'est pas limité. Dans les deux cas, le nombre des canons contre aéronefs et des canons d'un calibre ne dépassant pas 5 pouces (127 millimètres) n'est pas limité.

ARTICLE IX

No aircraft carrier exceeding 27,000 tons (27,432 metric tons) standard displacement shall be acquired by, or constructed by, for or within the jurisdiction of, any of the Contracting Powers.

However, any of the Contracting Powers may, provided that its total tonnage allowance of aircraft carriers is not thereby exceeded, build not more than two aircraft carriers, each of a tonnage of not more than 33,000 tons (33,528 metric tons) standard displacement, and in order to effect economy any of the Contracting Powers may use for this purpose any two of their ships, whether constructed or in course of construction, which would otherwise be scrapped under the provisions of Article II. The armament of any aircraft carriers exceeding 27,000 tons (27,432 metric tons) standard displacement shall be in accordance with the requirements of Article X, except that the total number of guns to be carried in case any of such guns be of a calibre exceeding 6 inches (152 millimetres), except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed eight.

ARTICLE X

No aircraft carrier of any of the Contracting Powers shall carry a gun with a calibre in excess of 8 inches (203 millimetres). Without prejudice to the provisions of Article IX, if the armament carried includes guns exceeding 6 inches (152 millimetres) in calibre the total number of guns carried, except anti-aircraft guns and guns not exceeding 5 inches (127 millimetres), shall not exceed ten. If alternatively the armament contains no guns exceeding 6 inches (152 millimetres) in calibre, the number of guns is not limited. In either case the number of anti-aircraft guns and of guns not exceeding 5 inches (127 millimetres) is not limited.

SESSIONAL PAPER No. 47

ARTICLE XI

Les Puissances Contractantes s'engagent à ne pas acquérir, à ne pas construire et à ne pas faire construire, en dehors des navires de ligne ou des navires porte-aéronefs, de navires de combat d'un déplacement type supérieur à 10,000 tonnes (10,160 tonnes métriques), et à ne pas en permettre la construction dans le ressort de leur autorité. Ne sont pas soumis aux limitations du présent article les bâtiments employés soit à des services de la flotte, soit à des transports de troupes, soit à toute autre participation à des hostilités qui ne serait pas celle d'un navire combattant, pourvu qu'ils ne soient pas spécifiquement construits comme navires combattants ou placés en temps de paix sous l'autorité du Gouvernement dans un but de combat.

ARTICLE XII

En dehors des navires de ligne, aucun navire de combat de l'une quelconque des Puissances Contractantes, mis en chantier à l'avenir, ne portera de canon d'un calibre supérieur à 8 pouces (203 millimètres).

ARTICLE XIII

Sous réserve de l'exception prévue à l'article IX, aucun navire à déclasser par application du présent Traité ne pourra redevenir navire de guerre.

ARTICLE XIV

Il ne sera fait, en temps de paix, aucune installation préparatoire sur les navires de commerce en vue de les armer pour les convertir en navire de guerre; toutefois, il sera permis de renforcer les ponts pour pouvoir y monter des canons d'un calibre ne dépassant pas 6 pouces (152 millimètres).

ARTICLE XV

Aucun navire de guerre construit pour une Puissance non contractante dans le ressort de l'autorité d'une Puissance Contractante ne devra dépasser les limites de déplacement et d'armement prévues au présent Traité pour les navires similaires à construire par ou pour les Puissances Con-

ARTICLE XI

No vessel of war exceeding 10,000 tons (10,160 metric tons) standard displacement, other than a capital ship or aircraft carrier, shall be acquired by, or constructed by, for, or within the jurisdiction of, any of the Contracting Powers. Vessels not specifically built as fighting ships nor taken in time of peace under government control for fighting purposes, which are employed on fleet duties or as troop transports or in some other way for the purpose of assisting in the prosecution of hostilities otherwise than as fighting ships, shall not be within the limitations of this Article.

ARTICLE XII

No vessel of war of any of the Contracting Powers, hereafter laid down, other than a capital ship, shall carry a gun with a calibre in excess of 8 inches (203 millimetres).

ARTICLE XIII

Except as provided in Article IX, no ship designated in the present Treaty to be scrapped may be reconverted into a vessel of war.

ARTICLE XIV

No preparations shall be made in merchant ships in time of peace for the installation of warlike armaments for the purpose of converting such ships into vessels of war, other than the necessary stiffening of decks for the mounting of guns not exceeding 6 inch (152 millimetres) calibre.

ARTICLE XV

No vessel of war constructed within the jurisdiction of any of the Contracting Powers for a non-Contracting Power shall exceed the limitations as to displacement and armament prescribed by the present Treaty for vessels of a similar type which may be constructed by or for any of the

tractantes. Toutefois la limite du déplacement type des navires porte-aéronefs construits pour une Puissance non contractante ne devra en aucun cas dépasser 27,000 tonnes (27,432 tonnes métriques).

ARTICLE XVI

Si un navire de guerre, quel qu'il soit, est mis en construction pour le compte d'une Puissance non Contractante dans le ressort de l'autorité d'une Puissance Contractante, cette dernière fera connaître, aussi rapidement que possible, aux autres Puissances Contractantes la date de signature du contrat de construction et celle de mise sur cale du navire; elle leur communiquera également les caractéristiques du navire, en se conformant au Chapitre II, partie 3, section I (b), (4) et (5).

ARTICLE XVII

Si l'une des Puissances Contractantes vient à être engagée dans une guerre, elle n'emploiera pas comme tels les navires de guerre quels qu'ils soient, en construction ou construits mais non livrés, dans le ressort de son autorité, pour le compte de toute autre Puissance.

ARTICLE XVIII

Les Puissances Contractantes s'engagent à ne disposer ni à titre gratuit, ni à titre onéreux, ni autrement, de leurs navires de guerre, quels qu'ils soient, dans des conditions permettant à une Puissance étrangère de les employer comme tels.

ARTICLE XIX

Les Etats-Unis, l'Empire Britannique et le Japon conviennent de maintenir, en matière de fortifications et de bases navales, le statu quo tel qu'il existe au jour de la signature du présent Traité dans leurs territoires et possessions respectifs ci-après désignés:

(1) Les possessions insulaires, soit actuelles, soit futures, des Etats-Unis dans l'Océan Pacifique, à l'exception: (a) de celles avoisinant la côte des Etats-Unis, de l'Alaska et de la zone du Canal de Panama, non compris les Iles Aléoutiennes; (b) des Iles Hawaï;

Contracting Powers; provided, however, that the displacement for aircraft carriers constructed for a non-Contracting Power shall in no case exceed 27,000 tons (27,432 metric tons) standard displacement.

ARTICLE XVI

If the construction of any vessel of war for a non-Contracting Power is undertaken within the jurisdiction of any of the Contracting Powers, such Power shall promptly inform the other Contracting Powers of the date of the signing of the contract and the date on which the keel of the ship is laid; and shall also communicate to them the particulars relating to the ship prescribed in Chapter II, Part 3, Section I (b), (4) and (5).

ARTICLE XVII

In the event of a Contracting Power being engaged in war, such Power shall not use as a vessel of war any vessel of war which may be under construction within its jurisdiction for any other Power, or which may have been constructed within its jurisdiction for another Power and not delivered.

ARTICLE XVIII

Each of the Contracting Powers undertakes not to dispose by gift, sale or any mode of transfer of any vessel of war in such a manner that such vessel may become a vessel of war in the Navy of any foreign Power.

ARTICLE XIX

The United States, the British Empire and Japan agree that the status quo at the time of the signing of the present Treaty, with regard to fortifications and naval bases, shall be maintained in their respective territories and possessions specified hereunder:

(1) The insular possessions which the United States now holds or may hereafter acquire in the Pacific Ocean, except (a) those adjacent to the coast of the United States, Alaska and the Panama Canal Zone, not including the Aleutian Islands, and (b) the Hawaiian Islands;

SESSIONAL PAPER No. 47

(2) Hong-Kong et les possessions insulaires, soit actuelles, soit futures, de l'Empire Britannique dans l'Océan Pacifique, situées à l'est du méridien de 110° est de Greenwich à l'exception: (a) de celles avoisinant la côte du Canada; (b) du Commonwealth d'Australie et de ses Territoires; (c) de la Nouvelle-Zélande;

(3) Les territoires et possessions insulaires du Japon dans l'Océan Pacifique, ci-après désignés: Iles Kouriles, Iles Bonin, Amami-Oshima, Iles Liou-Kiou, Formose et Pescadores, ainsi que tous territoires ou possessions insulaires futurs du Japon dans l'Océan Pacifique.

Le maintien du statu quo visé ci-dessus implique:

qu'il ne sera établi dans les territoires et possessions ci-dessus visés ni bases navales, ni fortifications nouvelles; qu'il ne sera pris aucune mesure de nature à accroître les ressources navales existant actuellement pour la réparation et l'entretien des forces navales; et qu'il ne sera procédé à aucun renforcement des défenses côtières des territoires et possessions ci-dessus visés. Toutefois, cette restriction n'empêchera pas la réparation et le remplacement de l'armement et des installations détériorés, selon la pratique des établissements navals et militaires en temps de paix.

ARTICLE XX

Les règles de détermination du déplacement, telles qu'elles sont posées au Chapitre II, partie 4, s'appliqueront aux navires de chacune des Puissances Contractantes.

CHAPITRE II

RÈGLES CONCERNANT L'EXÉCUTION DU TRAITÉ
DÉFINITION DES TERMES EMPLOYÉS

PARTIE I

NAVIRES DE LIGNE QUI PEUVENT ÊTRE CONSERVÉS PAR LES PUISSANCES CONTRACTANTES

Pourront être conservés par chacune des Puissances Contractantes, conformément à l'article II, les navires énumérés dans la présente partie.

(2) Hongkong and the insular possessions which the British Empire now holds or may hereafter acquire in the Pacific Ocean, east of the meridian of 110° east longitude, except (a) those adjacent to the coast of Canada, (b) the Commonwealth of Australia and its Territories, and (c) New Zealand;

(3) The following insular territories and possessions of Japan in the Pacific Ocean, to wit: the Kurile Islands, the Bonin Islands, Amami-Oshima, the Loochoo Islands, Formosa and the Pescadores, and any insular territories or possessions in the Pacific Ocean which Japan may hereafter acquire.

The maintenance of the status quo under the foregoing provisions implies that no new fortifications or naval bases shall be established in the territories and possessions specified; that no measures shall be taken to increase the existing naval facilities for the repair and maintenance of naval forces, and that no increase shall be made in the coast defences of the territories and possessions above specified. This restriction, however, does not preclude such repair and replacement of wornout weapons and equipment as is customary in naval and military establishments in time of peace.

ARTICLE XX

The rules for determining tonnage displacement prescribed in Chapter II, Part 4, shall apply to the ships of each of the Contracting Powers.

CHAPTER II

RULES RELATING TO THE EXECUTION OF THE
TREATY—DEFINITION OF TERMS

PART 1

CAPITAL SHIPS WHICH MAY BE RETAINED BY
THE CONTRACTING POWERS

In accordance with Article II ships may be retained by each of the Contracting Powers as specified in this Part.

12 GEORGE V, A. 1922

Navires qui peuvent être conservés par les Etats-Unis

Nom :	Tonnage
Maryland..	32,600
California..	32,300
Tennessee..	32,300
Idaho..	32,000
New Mexico..	32,000
Mississippi..	32,000
Arizona..	31,400
Pennsylvania..	31,400
Oklahoma..	27,500
Nevada..	27,500
New York..	27,000
Texas..	27,000
Arkansas..	26,000
Wyoming..	26,000
Florida..	21,825
Utah..	21,825
North Dakota..	20,000
Delaware..	20,000
Tonnage total..	500,650

Quand les deux unités de la classe *West Virginia* seront achevées et quand le *North Dakota* et le *Delaware* seront déclassés, ainsi qu'il est indiqué à l'article II, le tonnage total à conserver par les Etats-Unis sera de 525,850 tonnes.

Ships which may be retained by the United States

Name :	Tonnage
Maryland..	32,600
California..	32,300
Tennessee..	32,300
Idaho..	32,000
New Mexico..	32,000
Mississippi..	32,000
Arizona..	31,400
Pennsylvania..	31,400
Oklahoma..	27,500
Nevada..	27,500
New York..	27,000
Texas..	27,000
Arkansas..	26,000
Wyoming..	26,000
Florida..	21,825
Utah..	21,825
North Dakota..	20,000
Delaware..	20,000
Total tonnage..	500,650

On the completion of the two ships of the *West Virginia* class and the scrapping of the *North Dakota* and *Delaware* as provided in Article II, the total tonnage to be retained by the United States will be 525,850 tons.

Navires qui peuvent être conservés par l'Empire Britannique

Nom :	Tonnage
Royal Sovereign..	25,750
Royal Oak..	25,750
Revenge..	25,750
Resolution..	25,750
Ramillies..	25,750
Malaya..	27,500
Valiant..	27,500
Barham..	27,500
Queen Elizabeth..	27,500
Warspite..	27,500
Benbow..	25,000
Emperor of India..	25,000
Iron Duke..	25,000
Marlborough..	25,000
Hood..	41,200
Renown..	26,500
Repulse..	26,500
Tiger..	28,500
Thunderer..	22,500
King George V..	23,000
Ajax..	23,000
Centurion..	23,000
Tonnage total..	580,450

Quand les deux unités nouvelles à construire seront achevées, et quand le *Thunderer*, le *King George V*, l'*Ajax* et le *Centurion* seront déclassés, ainsi qu'il est indiqué à l'article II, le tonnage total à conserver par l'Empire Britannique sera de 558,950 tonnes.

Ships which may be retained by the British Empire

Name :	Tonnage
Royal Sovereign..	25,750
Royal Oak..	25,750
Revenge..	25,750
Resolution..	25,750
Ramillies..	25,750
Malaya..	27,500
Valiant..	27,500
Barham..	27,500
Queen Elizabeth..	27,500
Warspite..	27,500
Benbow..	25,000
Emperor of India..	25,000
Iron Duke..	25,000
Marlborough..	25,000
Hood..	41,200
Renown..	26,500
Repulse..	26,500
Tiger..	28,500
Thunderer..	22,500
King George V..	23,000
Ajax..	23,000
Centurion..	23,000
Total tonnage..	580,450

On the completion of the two new ships to be constructed and the scrapping of the *Thunderer*, *King George V*, *Ajax* and *Centurion*, as provided in Article II, the total tonnage to be retained by the British Empire will be 558,950 tons.

SESSIONAL PAPER No. 47

Navires qui peuvent être conservés par la France

Nom:	Tonnage (tonnes métriques)
<i>Bretagne</i>	23,500
<i>Lorraine</i>	23,500
<i>Provence</i>	23,500
<i>Paris</i>	23,500
<i>France</i>	23,500
<i>Jean Bart</i>	23,500
<i>Courbet</i>	23,500
<i>Condorcet</i>	18,890
<i>Diderot</i>	18,890
<i>Voltaire</i>	18,890
Tonnage total	221,170

La France pourra mettre en chantier des navires neufs en 1927, 1929 et 1931, ainsi qu'il est prévu à la partie 3, section II.

Ships which may be retained by France

Name:	Tonnage (metric tons)
<i>Bretagne</i>	23,500
<i>Lorraine</i>	23,500
<i>Provence</i>	23,500
<i>Paris</i>	23,500
<i>France</i>	23,500
<i>Jean Bart</i>	23,500
<i>Courbet</i>	23,500
<i>Condorcet</i>	18,890
<i>Diderot</i>	18,890
<i>Voltaire</i>	18,890
Total tonnage	221,170

France may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Navires qui peuvent être conservés par l'Italie

Nom:	Tonnage (tonnes métriques)
<i>Andrea Doria</i>	22,700
<i>Caio Duilio</i>	22,700
<i>Conte Di Cavour</i>	22,500
<i>Giulio Cesare</i>	22,500
<i>Leonardo Da Vinci</i>	22,500
<i>Dante Alighieri</i>	19,500
<i>Roma</i>	12,600
<i>Napoli</i>	12,600
<i>Vittorio Emanuele</i>	12,600
<i>Regina Elena</i>	12,600
Tonnage total	182,800

L'Italie pourra mettre en chantier des navires neufs en 1927, 1929 et 1931, ainsi qu'il est prévu à la partie 3, section II.

Ships which may be retained by Italy

Name:	Tonnage (metric tons)
<i>Andrea Doria</i>	22,700
<i>Caio Duilio</i>	22,700
<i>Conte Di Cavour</i>	22,500
<i>Giulio Cesare</i>	22,500
<i>Leonardo Da Vinci</i>	22,500
<i>Dante Alighieri</i>	19,500
<i>Roma</i>	12,600
<i>Napoli</i>	12,600
<i>Vittorio Emanuele</i>	12,600
<i>Regina Elena</i>	12,600
Total tonnage	182,800

Italy may lay down new tonnage in the years 1927, 1929, and 1931, as provided in Part 3, Section II.

Navires qui peuvent être conservés par le Japon

Nom:	Tonnage
<i>Mutsu</i>	33,800
<i>Nagato</i>	33,800
<i>Hanga</i>	31,260
<i>Ise</i>	31,260
<i>Yamashiro</i>	30,600
<i>Fu-so</i>	30,600
<i>Kirishima</i>	27,500
<i>Haruna</i>	27,500
<i>Hiyet</i>	27,500
<i>Kongo</i>	27,500
Tonnage total	301,320

Ships which may be retained by Japan

Name:	Tonnage
<i>Mutsu</i>	33,800
<i>Nagato</i>	33,800
<i>Hanga</i>	31,260
<i>Ise</i>	31,260
<i>Yamashiro</i>	30,600
<i>Fu-so</i>	30,600
<i>Kirishima</i>	27,500
<i>Haruna</i>	27,500
<i>Hiyet</i>	27,500
<i>Kongo</i>	27,500
Total tonnage	301,320

PARTIE 2

PART 2

RÈGLES APPLICABLES AU DÉCLASSEMENT DES
NAVIRES DE GUERRE

Les règles suivantes devront être observées pour le déclassement des navires de guerre dont on doit disposer comme il est prescrit aux articles II et III.

- I. Un navire pour être déclassé doit être mis hors d'état de servir pour le combat.
- II. Pour obtenir ce résultat d'une manière définitive, on devra employer l'un des moyens suivants:
 - (a) submersion du navire sans possibilité de renflouement;
 - (b) démolition. Cette opération devra toujours comprendre la destruction ou l'enlèvement de toutes machines, chaudières, cuirasses, ainsi que de tout le bordé de pont, de flanc et de fond;
 - (c) transformation pour l'usage exclusif de cible. Dans ce cas, on devra observer au préalable toutes les dispositions du paragraphe III de la présente partie, à l'exception du sous-paragraphe (6), (dans la mesure nécessaire pour utiliser le navire comme cible mobile), et du sous-paragraphe (7). Aucune des Puissances Contractantes ne pourra conserver, pour s'en servir comme de cible, plus d'un navire de ligne à la fois.
 - (d) Parmi les navires de ligne arrivant à partir de 1931 à l'époque de leur déclassement, la France et l'Italie sont autorisées à conserver chacune deux bâtiments navigants, qui seront affectés exclusivement aux écoles de canonage ou de torpilles. Pour la France, ces deux navires seront du type *Jean Bart*. Pour l'Italie, l'un d'eux sera le *Dante Alighieri*, le second sera du type *Giulio Cesare*. La France et l'Italie s'engagent à ne plus utiliser comme navires de guerre les navires ainsi conservés

RULES FOR SCRAPPING VESSELS OF WAR

The following rules shall be observed for the scrapping of vessels of war which are to be disposed of in accordance with Articles II and III.

- I. A vessel to be scrapped must be placed in such condition that it cannot be put to combatant use.
- II. This result must be finally effected in any one of the following ways.
 - (a) Permanent sinking of the vessel;
 - (b) Breaking the vessel up. This shall always involve the destruction or removal of all machinery, boilers and armour, and all deck, side and bottom plating;
 - (c) Converting the vessel to target use exclusively. In such case all the provisions of paragraph III of this Part, except subparagraph (6), in so far as may be necessary to enable the ship to be used as a mobile target, and except subparagraph (7), must be previously complied with. Not more than one capital ship may be retained for this purpose at one time by any of the Contracting Powers.
 - (d) Of the capital ships which would otherwise be scrapped under the present Treaty in or after the year 1931, France and Italy may each retain two sea-going vessels for training purposes exclusively, that is, as gunnery or torpedo schools. The two vessels retained by France shall be of the *Jean Bart* class, and of those retained by Italy one shall be the *Dante Alighieri*, the other of the *Giulio Cesare* class. On retaining these ships for the purpose above stated, France and Italy respectively un-

SESSIONAL PAPER No. 47

dont les blockhaus devront alors être enlevés et détruits.

III. (a) Sous réserve des exceptions spéciales de l'article IX, quand un navire doit être déclassé, la première opération du déclassement, qui consiste à mettre la navire hors d'état de remplir ultérieurement un service de combat, doit être immédiatement commencée.

(b) Un navire sera considéré comme mis hors d'état de remplir ultérieurement un service de combat quand on aura enlevé et mis à terre ou détruit à bord du navire:

(1) tous les canons et parties essentielles de canons, les hunes de direction de tir et les parties tournantes de toutes les tourelles barbettes et fermées;

(2) toute la machinerie hydraulique ou électrique de manœuvre des affûts;

(3) tous les instruments et les télémètres de direction de tir;

(4) toutes les munitions, les explosifs et les mines;

(5) toutes les torpilles, cônes de charge et tubes lance-torpilles;

(6) toutes les installations de télégraphie sans fil;

(7) le blockhaus et toute la cuirasse de flanc, ou, si l'on préfère, tout l'appareil moteur principal;

(8) toutes les plateformes d'atterrissage et d'envol et tous autres accessoires d'aviation.

IV. Les délais dans lesquels les opérations de déclassement des navires devront être accomplies sont les suivants:

(a) S'il s'agit de navires à déclasser d'après le premier alinéa de l'article II, les opérations nécessaires pour mettre ces navires hors d'état de remplir ultérieurement un service de combat, en observant les

undertake to remove and destroy their conning towers, and not to use the said ships as vessels of war.

III. (a) Subject to the special exceptions contained in Article IX, when a vessel is due for scrapping, the first stage of scrapping, which consists in rendering a ship incapable of further warlike service, shall be immediately undertaken.

(b) A vessel shall be considered incapable of further warlike service when there shall have been removed and landed, or else destroyed in the ship:

(1) All guns and essential portions of guns, fire-control tops and revolving parts of all barbetstes and turrets;

(2) All machinery for working hydraulic or electric mountings;

(3) All fire-control instruments and range-finders;

(4) All ammunition, explosives and mines;

(5) All torpedoes, war-heads and torpedo tubes;

(6) All wireless telegraphy installations;

(7) The conning tower and all side armour, or alternatively all main propelling machinery; and

(8) All landing and flying-off platforms and all other aviation accessories.

IV. The periods in which scrapping of vessels is to be effected are as follows:

(a) In the case of vessels to be scrapped under the first paragraph of Article II, the work of rendering the vessels incapable of further warlike service, in accordance with paragraph III of this Part,

prescriptions du paragraphe III de la présente Partie, devront être achevés dans un délai de six mois et le déclassement devra être complètement terminé dans un délai de dix-huit mois, l'un et l'autre à dater de la mise en vigueur du présent traité.

- (b) S'il s'agit de navires à déclasser d'après les alinéas 2 et 3 de l'article II ou d'après l'article III, les opérations nécessaires pour mettre chacun de ces navires hors d'état de remplir ultérieurement un service de combat, en observant les prescriptions du paragraphe III de la présente Partie, devront être commencées au plus tard à la date de l'achèvement du navire de remplacement et devront être terminées dans les six mois qui suivront cette date. Le déclassement, opéré conformément au paragraphe II de la présente Partie, devra être terminé dans les dix-huit mois qui suivront l'achèvement du navire de remplacement. Si, cependant, l'achèvement du nouveau navire est retardé, on devra commencer, au plus tard quatre ans après sa mise sur cale, les opérations nécessaires pour mettre le vieux navire hors d'état de remplir ultérieurement un service de combat, conformément au paragraphe III de la présente Partie, et ce travail devra être terminé en six mois. Le vieux navire devra être définitivement déclassé, dans les conditions du paragraphe II de la présente Partie, dix-huit mois après le commencement des travaux de ladite mise hors d'état.

shall be completed within six months from the coming into force of the present Treaty, and and the scrapping shall be finally effected within eighteen months from such coming into force.

- (b) In the case of vessels to be scrapped under the second and third paragraphs of Article II, or under Article III, the work of rendering the vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced not later than the date of completion of its successor, and shall be finished within six months from the date of such completion. The vessel shall be finally scrapped, in accordance with paragraph II of this Part, within eighteen months from the date of completion of its successor. If, however, the completion of the new vessel be delayed, then the work of rendering the old vessel incapable of further warlike service in accordance with paragraph III of this Part shall be commenced within four years from the laying of the keel of the new vessel, and shall be finished within six months from the date on which such work was commenced, and the old vessel shall be finally scrapped in accordance with paragraph II of this Part within eighteen months from the date when the work of rendering it incapable of further warlike service was commenced.

SESSIONAL PAPER No. 47

PARTIE 3

PART 3

REPLACEMENTS

REPLACEMENT

Le remplacement des navires de ligne et des navires porte-aéronefs se fera selon les règles de la section I et des tableaux de la section II de la présente Partie.

The replacement of capital ships and aircraft carriers shall take place according to the rules in Section I and the tables in Section II of this Part.

SECTION I

SECTION I

RÈGLES DE REMPLACEMENT

RULES FOR REPLACEMENT

(a) Sous réserve des cas prévus à l'article VIII et aux tableaux de la section II de la présente partie, les navires de ligne et les navires porte-aéronefs pourront être remplacés, vingt ans après le jour de leur achèvement, par des constructions neuves, mais seulement dans les limites prévues aux articles IV et VII. Sous réserve des exceptions prévues à l'article VIII et aux tableaux de la section II de la présente partie, les nouveaux navires ne pourront être mis sur cale que dix-sept ans après l'achèvement de l'unité à remplacer. Toutefois il est entendu qu'à l'exception des navires visés au troisième alinéa de l'article II et à l'exception du tonnage de remplacement spécifié à la section II de la présente partie, aucun navire de ligne ne sera mis sur cale avant l'expiration d'une période de dix ans à partir du 12 novembre 1921.

(a) Capital ships and aircraft carriers twenty years after the date of their completion may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be replaced by new construction, but within the limits prescribed in Article IV and Article VII. The keels of such new construction may, except as otherwise provided in Article VIII and in the tables in Section II of this Part, be laid down not earlier than seventeen years from the date of completion of the tonnage to be replaced, provided, however, that no capital ship tonnage, with the exception of the ships referred to in the third paragraph of Article II, and the replacement tonnage specifically mentioned in Section II of this Part, shall be laid down until ten years from November 12, 1921.

(b) Chacune des Puissances Contractantes communiquera aussi rapidement que possible aux autres les informations suivantes:

(b) Each of the Contracting Powers shall communicate promptly to each of the other Contracting Powers the following information:

- (1) les noms des navires de ligne et des navires porte-aéronefs qui doivent être remplacés par des constructions neuves;
- (2) la date de l'autorisation gouvernementale donnée pour la construction des navires de remplacement;
- (3) la date de mise sur cale de chaque navire de remplacement;
- (4) le déplacement type en tonnes et en tonnes métriques de chaque unité nouvelle à mettre sur cale ainsi que

- (1) The names of the capital ships and aircraft carriers to be replaced by new construction;
- (2) The date of governmental authorization of replacement tonnage;
- (3) The date of laying the keels of replacement tonnage;
- (4) The standard displacement in tons and metric tons of each new ship to be laid down, and the principal

12 GEORGE V, A. 1922

ses principales dimensions, à savoir: longueur à la flottaison; largeur maximum à ou sous la ligne de flottaison; tirant d'eau moyen correspondant au déplacement type;

- (5) la date d'achèvement de chaque nouvelle unité et son déplacement type en tonnes et en tonnes métriques, ainsi que ses principales dimensions à l'époque de l'achèvement, à savoir: longueur à la ligne de flottaison; largeur maximum à ou sous la flottaison; tirant d'eau moyen correspondant au déplacement type.

(c) Les navires de ligne et les navires porte-aéronefs pourront, en cas de perte ou de destruction accidentelle, être remplacés immédiatement, dans les limites de tonnage spécifiées aux articles IV et VII, par des constructions neuves effectuées conformément aux dispositions du présent Traité; le programme de remplacement prévu pour la Puissance intéressée sera considéré comme ayant été avancé en ce qui concerne le navire perdu ou détruit.

(d) La seule refonte autorisée pour les navires de ligne et les navires porte-aéronefs conservés consistera à munir ces unités de moyens de défense contre les attaques aériennes et sous-marines dans les conditions suivantes: les Puissances Contractantes pourront, dans ce but, ajouter aux navires existants des soufflages et caissons, ainsi que des ponts de protection contre les attaques aériennes, pourvu que l'augmentation de déplacement qui en résultera pour les navires ne dépasse pas 3,000 tonnes (3,048 tonnes métriques) pour chaque navire. Sera interdit tout changement dans la cuirasse de flanc, le calibre et le nombre des canons de l'armement principal, ainsi que tout changement dans son plan général d'installation. Il est fait exception:

- (1) pour la France et l'Italie, qui pourront, dans les limites de l'augmentation de déplacement accordée pour le soufflage, accroître les cuirassements de protection ainsi que le calibre des canons portés par leurs navires de ligne existants, à la condition que ce calibre ne dépasse pas 16 pouces (406 millimètres);

dimensions, namely, length at water-line, extreme beam at or below water-line, mean draft at standard displacement;

- (5) The date of completion of each new ship and its standard displacement in tons and metric tons, and the principal dimensions, namely, length at water-line, extreme beam at or below waterline, mean draft at standard displacement, at time of completion.

(c) In case of loss or accidental destruction of capital ships or aircraft carriers, they may immediately be replaced by new construction subject to the tonnage limits prescribed in Articles IV and VII and in conformity with the other provisions of the present Treaty, the regular replacement program being deemed to be advanced to that extent.

(d) No retained capital ships or aircraft carriers shall be reconstructed except for the purpose of providing means of defense against air and submarine attack, and subject to the following rules: The Contracting Powers may, for that purpose, equip existing tonnage with bulge or blister or anti-air attack deck protection, providing the increase of displacement thus effected does not exceed 3,000 tons (3,048 metric tons) displacement for each ship. No alterations in side armour, in calibre, number or general type of mounting of main armament shall be permitted except:

- (1) in the case of France and Italy, which countries within the limits allowed for bulge may increase their armour protection and the calibre of the guns now carried on their existing capital ships so as not to exceed 16 inches (406 millimeters) and

SESSIONAL PAPER No. 47

(2) pour l'Empire Britannique, qui sera autorisé à achever sur le *Renown*, les modifications de cuirassement déjà commencées et provisoirement arrêtées.

(2) the British Empire shall be permitted to complete, in the case of the *Renown*, the alterations to armour that have already been commenced but temporarily suspended.

SECTION II

REMPLACEMENT ET DECLASSEMENT DES NAVIRES DE LIGNE
ETATS-UNIS

Année	Navires mis sur cale	Navires achevés	Navires à déclasser (âge entre parenthèse)	Navires con- servés. Nombre total	
				Pre- Jutland	Post- Jutland
			Maine (20), Missouri (20), Virginia (17), Nebraska (17), Georgia (17), New Jersey (17), Rhode Is- land (17), Connecticut (17), Louisiana (17), Ver- mont (16), Kansas (16), Minnesota (16), New Hampshire (15), South Carolina (13), Michigan (13), Washington (0), South Dakota (0), Indi- ana (0) Montana (0), North Carolina (0), Iowa (0), Massachusetts (0), Lexington (0), Constitu- tion (0), Constellation (0), Saratoga (0), Ranger (0), United States (0).*	17	1
1922.....		A, B. †....	Delaware (12), North Dakota (12).....	15	3
1923.....				15	3
1924.....				15	3
1925.....				15	3
1926.....				15	3
1927.....				15	3
1928.....				15	3
1929.....				15	3
1930.....				15	3
1931.....	C, D.....			15	3
1932.....	E, F.....			15	3
1933.....	G.....			15	3
1934.....	H, I.....	C, D.....	Florida (23), Utah (23), Wyoming (22).....	12	5
1935.....	J.....	E, F.....	Arkansas (23), Texas (21), New York (21).....	9	7
1936.....	K, L.....	G.....	Nevada (20), Oklahoma (20).....	7	8
1937.....	M.....	H, I.....	Arizona (21), Pennsylvania (21).....	5	10
1938.....	N, O.....	J.....	Mississippi (21).....	4	11
1939.....	P, Q.....	K, L.....	New Mexico (21), Idaho (20).....	2	13
1940.....		M.....	Tennessee (20).....	1	14
1941.....		N, O.....	California (20), Maryland (20).....	0	15
1942.....		P, Q.....	2 Navires de la classe "West Virginia".....	0	15

*Les Etats-Unis pourront conserver l'Oregon et l'Illinois pour des destinations autres que le combat en se conformant aux dispositions de la Partie 2, III, (b).
†2 de la classe "West Virginia".

NOTE.— Les lettres A, B, C, D, etc., représentent chacune un navire de ligne de 35,000 tonnes de dépla- cement type, mis sur cale et achevé dans les années indiquées.

SESSIONAL PAPER No. 47

SECTION II

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS

UNITED STATES

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained. Summary	
				Pre- Jutland	Post-
			Maine (20), Missouri (20), Virginia (17), Nebraska (17), Georgia (17), New Jersey (17), Rhode Island (17), Connecticut (17), Louisiana (17), Vermont (16), Kansas (16), Minnesota (16), New Hampshire (15), South Carolina (13), Michigan (13), Washington (0), South Dakota (0), Indiana (0), Montana (0), North Carolina (0), Iowa (0), Massachusetts (0), Lexington (0), Constitution (0), Constellation (0), Saratoga (0), Ranger (0), United States (0).*	17	1
1922.....		A, B.†.....	Delaware (12), North Dakota (12).....	15	3
1923.....				15	3
1924.....				15	3
1925.....				15	3
1926.....				15	3
1927.....				15	3
1928.....				15	3
1929.....				15	3
1930.....				15	3
1931.....	C, D.....			15	3
1932.....	E, F.....			15	3
1933.....	G.....			15	3
1934.....	H, I.....	C, D.....	Florida (23), Utah (23), Wyoming (22).....	12	5
1935.....	J.....	E, F.....	Arkansas (23), Texas (21), New York (21).....	9	7
1936.....	K, L.....	G.....	Nevada (20), Oklahoma (20).....	7	8
1937.....	M.....	H, I.....	Arizona (21), Pennsylvania (21).....	5	10
1938.....	N, O.....	J.....	Mississippi (21).....	4	11
1939.....	P, Q.....	K, L.....	New Mexico (21), Idaho (20).....	2	13
1940.....		M.....	Tennessee (20).....	1	14
1941.....		N, O.....	California (20), Maryland (20).....	0	15
1942.....		P, Q.....	2 ships West Virginia class.....	0	15

*The United States may retain the *Oregon* and *Illinois*, for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

†Two West Virginia class.

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

REMPLACEMENT ET DÉCLASSEMENT DES NAVIRES DE LIGNE

EMPIRE BRITANNIQUE

Année	Navires mis sur cale	Navires achevés	Navires à déclasser (âge entre parenthèse)	Navires conservés. Nombre total	
				Pre-Jutland	Post-Jutland
			Commonwealth (16), Agamemnon (13), Dreadnought (15), Bellerophon (12), St. Vincent (11), Inflexible (13), Superb (12), Neptune (10), Hercules (10), Indomitable (13), Temeraire (12), New Zealand (9), Lion (9), Princess Royal (9), Conquerer (9), Monarch (9), Orion (9), Australia (8), Agincourt (7), Erin (7), 4 en construction ou en projet.*	21	1
1922.....	A, B.†			21	1
1923.....				21	1
1924.....				21	1
1925.....		A, B.....	King George V (13), Ajax (12), Centurion (12), Thunderer (13).	17	3
1926.....				17	3
1927.....				17	3
1928.....				17	3
1929.....				17	
1930.....				17	
1931.....	C, D.....			17	
1932.....	E, F.....			17	3
1933.....	G.....			17	3
1934.....	H, I.....	C, D.....	Iron Duke (20), Marlborough (20), Emperor of India (20), Benbow (20).	13	5
1935.....	J.....	E, F.....	Tiger (21), Queen Elizabeth (20), Warspite (20), Barham (20).	9	7
1936.....	K, L.....	G.....	Malaya (20), Royal Sovereign (20).....	7	8
1937.....	M.....	H, I.....	Revenge (21), Resolution (21).....	5	10
1938.....	N, O.....	J.....	Royal Oak (22).....	4	11
1939.....	P, Q.....	K, L.....	Valiant (23), Repulse (23).....	2	13
1940.....		M.....	Renown (24).....	1	14
1941.....		N, O.....	Ramillies (24), Hood (21).....	0	15
1942.....		P, Q.....	A (17), B (17).....	0	15

*L'Empire Britannique pourra conserver le *Colossus* et le *Collingwood* pour des destinations autres que le combat en se conformant aux dispositions de la Partie 2, III, (b).

†2 navires de 35,000 tonnes de déplacement type.

NOTE.—Les lettres A, B, C, D, etc., représentent chacune un navire de ligne de 35,000 tonnes de déplacement type, mis sur cale et achevé dans les années indiquées.

SESSIONAL PAPER No. 47

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS

BRITISH EMPIRE

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained. Summary	
				Pre- Jutland	Post- Jutland
			Commonwealth (16), Agamemnon (13), Dreadnought (15), Bellerophon (12), St. Vincent (11), Inflexible (13), Superb (12), Neptune (10), Hercules (10), Indomitable (13), Temeraire (12), New Zealand (9), Lion (9), Princess Royal (9), Conqueror (9), Monarch (9), Orion (9), Australia (8), Agincourt (7), Erin (7), 4 building or projected.*	21	1
1922.....	A, B†.....			21	1
1923.....				21	1
1924.....				21	1
1925.....		A, B.....	King George V (13), Ajax (12), Centurion (12), Thunderer (13).	17	3
1926.....				17	3
1927.....				17	3
1928.....				17	3
1929.....				17	3
1930.....				17	3
1931.....	C, D.....			17	3
1932.....	E, F.....			17	3
1933.....	G.....			17	3
1934.....	H, I.....	C, D.....	Iron Duke (20), Marlborough (20), Emperor of India (20), Benbow (20).	13	5
1935.....	J.....	E, F.....	Tiger (21), Queen Elizabeth (20), Warspite (20), Barham (20).	9	7
1936.....	K, L.....	G.....	Malaya (20), Royal Sovereign (20).....	7	8
1937.....	M.....	H, I.....	Revenge (21), Resolution (21).....	5	10
1938.....	N, O.....	J.....	Royal Oak (22).....	4	11
1939.....	P, Q.....	K, L.....	Valiant (23), Repulse (23).....	2	13
1940.....		M.....	Renown (24).....	1	14
1941.....		N, O.....	Ramillies (24), Hood (21).....	0	15
1942.....		P, Q.....	A (17), B (17).....	0	15

*The British Empire may retain the *Colossus* and *Collingwood* for noncombatant purposes, after complying with the provisions of Part 2, III, (b).

†Two 35,000-ton ships, standard displacement.

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement laid down and completed in the years specified.

REMPLACEMENT ET DECLASSEMENT DES NAVIRES DE LIGNE
FRANCE

Année	Navires mis sur cale	Navires achevés	Navires à déclasser (âge entre parenthèse)	Navires con- servés. Nombre total	
				Pre- Jutland	Post- Jutland
1922				7	0
1923				7	0
1924				7	0
1925				7	0
1926				7	0
1927	35,000 tonnes			7	0
1928				7	0
1929	35,000 tonnes			7	0
1930		35,000 tonnes	Jean Bart (17), Courbet (17).....	5	(*)
1931	35,000 tonnes			5	(*)
1932	35,000 tonnes	35,000 tonnes	France (18).....	4	(*)
1933	35,000 tonnes			4	(*)
1934		35,000 tonnes	Paris (20), Bretagne (20).....	2	(*)
1935		35,000 tonnes	Provence (20).....	1	(*)
1936		35,000 tonnes	Lorraine (20).....	0	(*)
1937				0	(*)
1938				0	(*)
1939				0	(*)
1940				0	(*)
1941				0	(*)
1942				0	(*)

*Dans les limites du tonnage total; nombre non fixé.

NOTE.—La France réserve expressément son droit d'employer son allocation de tonnage de navires de ligne comme elle le jugera bon, pourvu que le déplacement de chaque navire ne dépasse pas 35,000 tonnes et que le tonnage total de navires de ligne reste dans les limites imposées par le présent Traité.

SESSIONAL PAPER No. 47

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS
FRANCE

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained- Summary.	
				Pre-	Post-
				Jutland	
1922.....				7	0
1923.....				7	0
1924.....				7	0
1925.....				7	0
1926.....				7	0
1927.....	35,000 tons.			7	0
1928.....				7	0
1929.....	35,000 tons.			7	0
1930.....		35,000 tons.	Jean Bart (17), Courbet (17).....	5	(*)
1931.....	35,000 tons.			5	(*)
1932.....	35,000 tons.	35,000 tons.	France (18).....	4	(*)
1933.....	35,000 tons.			4	(*)
1934.....		35,000 tons.	Paris (20), Bretagne (20).....	2	(*)
1935.....		35,000 tons.	Provence (20).....	1	(*)
1936.....		35,000 tons.	Lorraine (20).....	0	(*)
1937.....				0	(*)
1938.....				0	(*)
1939.....				0	(*)
1940.....				0	(*)
1941.....				0	(*)
1942.....				0	(*)

*Within tonnage limitations; number not fixed.

NOTE.—France expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and that the total capital ship tonnage should keep within the limits imposed by the present Treaty.

REMPLACEMENT ET DÉCLASSEMENT DES NAVIRES DE LIGNE
ITALIE

Année	Navires mis sur cale	Navires achevés	Navires à déclasser (âge entre parenthèse)	Navires conservés. Nombre total	
				Pre-	Post-
				Jutland	
1922				6	0
1923				6	0
1924				6	0
1925				6	0
1926				6	0
1927	35,000 tonnes.			6	0
1928				6	0
1929	35,000 tonnes.			6	0
1930				6	0
1931	35,000 tonnes.	35,000 tonnes.	Dante Alighieri (19).....	5	(*)
1932	45,000 tonnes.			5	(*)
1933	25,000 tonnes.	35,000 tonnes.	Leonardo da Vinci (19).....	4	(*)
1934				4	(*)
1935		35,000 tonnes.	Giulio Cesare (21).....	3	(*)
1936		45,000 tonnes.	Conte di Cavour (21), Duilio (21).....	1	(*)
1937		25,000 tonnes.	Andrea Doria (21).....	0	(*)

*Dans les limites du tonnage total; nombre non fixé.

NOTE.—L'Italie réserve expressément son droit d'employer son allocation de tonnage de navires de ligne comme elle le jugera bon, pourvu que le déplacement de chaque navire ne dépasse pas 35,000 tonnes, et que le tonnage total de navires de ligne reste dans les limites imposées par le présent Traité

SESSIONAL PAPER No. 47

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS

ITALY

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained- Summary.	
				Pre-	Post-
				Jutland	
1922.....				6	0
1923.....				6	0
1924.....				6	0
1925.....				6	0
1926.....				6	0
1927.....	35,000 tons.			6	0
1928.....				6	0
1929.....	35,000 tons.			6	0
1930.....				6	0
1931.....	35,000 tons.	35,000 tons.	Dante Alighieri (19).....	5	(*)
1932.....	45,000 tons.			5	(*)
1933.....	25,000 tons.	35,000 tons.	Leonardo da Vinci (19).....	4	(*)
1934.....				4	(*)
1935.....		35,000 tons.	Giulio Cesare (21).....	3	(*)
1936.....		45,000 tons.	Conte di Cavour (21), Duilio (21).....	1	(*)
1937.....		25,000 tons.	Andrea Doria (21).....	0	(*)

*Within tonnage limitations, number not fixed.

NOTE.—Italy expressly reserves the right of employing the capital ship tonnage allotment as she may consider advisable, subject solely to the limitations that the displacement of individual ships should not surpass 35,000 tons, and the total capital ship tonnage should keep within the limits imposed by the present Treaty.

REMPLACEMENT ET DÉCLASSEMENT DES NAVIRES DE LIGNE
 JAPON

Année	Navires mis sur cale	Navires achevés	Navires à déclasser (âge entre parenthèse)	Navires conservés. Nombre total	
				Pre-	Post-
				Jutland	
			Hizen (20), Mikasa (20), Kashima (16), Katori (16), Satsuma (12), Aki (11), Settsu (10), Ikoma (14), Ibuki (12), Kurama (11), Amagi (0), Akagi (0), Kaga (0), Tosa (0), Takao (0), Atago (0), Projet de programme 8 navires non sur cale.*	8	2
1922				8	2
1923				8	2
1924				8	2
1925				8	2
1926				8	2
1927				8	2
1928				8	2
1929				8	2
1930				8	2
1931	A.			8	2
1932	B.			8	2
1933	C.			8	2
1934	D.	A.	Kongo (21)	7	3
1935	E.	B.	Hiyei (21), Haruna (20)	5	4
1936	F.	C.	Kirishima (21)	4	5
1937	G.	D.	Fuso (22)	3	6
1938	H.	E.	Yamashiro (21)	2	7
1939	I.	F.	Ise (22)	1	8
1940		G.	Hiuga (22)	0	9
1941		H.	Nagato (21)	0	9
1942		I.	Mutsu (21)	0	9

*Le Japon pourra conserver le *Shikishima* et l'*Asahi* pour des destinations autres que le combat, en se conformant aux dispositions de la partie 2, III, (b).

NOTE.—Les lettres A, B, C, D, etc., représentent chacune un navire de ligne de 35,000 tonnes de déplacement type, mis sur cale et achevé dans les années indiquées.

SESSIONAL PAPER No. 47

REPLACEMENT AND SCRAPPING OF CAPITAL SHIPS

JAPAN

Year	Ships laid down	Ships completed	Ships scrapped (age in parentheses)	Ships retained- Summary.	
				Pre-	Post-
				Jutland	
			Hizen (20), Mikasa (20), Kashima (16), Katori (16), Satsuma (12), Aki (11), Settsu (10), Ikoma (14), Ibuki (12), Kurama (11), Amagi (0), Akagi (0), Kaga (0), Tosa (0), Takao (0), Atago (0), Projected program 8 ships not laid down.*	8	2
1922.....				8	2
1923.....				8	2
1924.....				8	2
1925.....				8	2
1926.....				8	2
1927.....				8	2
1928.....				8	2
1929.....				8	2
1930.....				8	2
1931.....	A.....			8	2
1932.....	B.....			8	2
1933.....	C.....			8	2
1934.....	D.....	A.....	Kongo (21).....	7	3
1935.....	E.....	B.....	Hiyei (21), Haruna (20).....	5	4
1936.....	F.....	C.....	Kirishima (21).....	4	5
1937.....	G.....	D.....	Fuso (22).....	3	6
1938.....	H.....	E.....	Yamashiro (21).....	2	7
1939.....	I.....	F.....	Ise (22).....	1	8
1940.....		G.....	Hiuga (22).....	0	9
1941.....		H.....	Nagato (21).....	0	9
1942.....		I.....	Mutsu (21).....	0	9

*Japan may retain the *Shikishima* and *Asahi* for noncombatant purposes, after complying with the provisions of Part 2, III, (b.)

NOTE.—A, B, C, D, etc., represent individual capital ships of 35,000 tons standard displacement, laid down and completed in the years specified.

NOTE VISANT TOUS LES TABLEAUX DE LA
SECTION II

Dans les tableaux précédents, l'ordre suivant lequel sont inscrits les navires à déclasser est celui de leur âge. Il est entendu que, quand les remplacements commenceront conformément aux dits tableaux, l'ordre de déclassement des navires de chaque Puissance Contractante pourra être changé au gré de cette Puissance, pourvu qu'elle décline chaque année le nombre de navires indiqué par ces tableaux.

PARTIE 4.

DEFINITIONS.

Dans le présent Traité, les expressions suivantes doivent s'entendre respectivement avec le sens ci-après.

NAVIRE DE LIGNE

Un navire de ligne, en ce qui concerne les navires à construire dans l'avenir, est un navire de guerre autre qu'un navire porte-aéronefs, dont le déplacement type est supérieur à 10.000 tonnes (10.160 tonnes métriques), ou qui porte un canon d'un calibre supérieur à 8 pouces (203 millimètres).

NAVIRE PORTE-AERONEFS.

Un navire porte-aéronefs est un navire de guerre d'un déplacement type supérieur à 10.000 tonnes (10.160 tonnes métriques), spécifiquement et exclusivement destiné à porter des aéronefs. Il doit être construit de manière qu'un aéronef puisse y prendre son vol ou s'y poser. Son plan et sa construction ne doivent pas lui permettre de porter un armement plus puissant que celui autorisé soit par l'article IX, soit par l'article X, selon le cas.

DEPLACEMENT TYPE.

Le déplacement type d'un navire est le déplacement du navire achevé, avec son équipage complet, ses machines et chaudières, prêt à prendre la mer, ayant tout son armement et toutes ses munitions, ses installations, équipements, vivres, eau douce pour l'équipage, approvisionnements divers, outillages et rechanges de toute na-

NOTE APPLICABLE TO ALL THE TABLES IN
SECTION II.

The order above prescribed in which ships are to be scrapped is in accordance with their age. It is understood that when replacement begins according to the above tables the order of scrapping in the case of the ships of each of the Contracting Powers may be varied at its option; provided, however, that such Power shall scrap in each year the number of ships above stated.

PART 4.

DEFINITIONS

For the purposes of the present Treaty, the following expressions are to be understood in the sense defined in this Part.

CAPITAL SHIP

A capital ship, in the case of ships hereafter built, is defined as a vessel of war, not an aircraft carrier, whose displacement exceeds 10,000 tons (10,160 metric tons) standard displacement, or which carries a gun with a calibre exceeding 8 inches (203 millimetres).

AIRCRAFT CARRIER

An aircraft carrier is defined as a vessel of war with a displacement in excess of 10,000 tons (10,160 metric tons) standard displacement designed for the specific and exclusive purpose of carrying aircraft. It must be so constructed that aircraft can be launched therefrom and landed thereon, and not designed and constructed for carrying a more powerful armament than that allowed to it under Article IX or Article X as the case may be.

STANDARD DISPLACEMENT

The standard displacement of a ship is the displacement of the ship complete, fully manned, engined, and equipped ready for sea, including all armament and ammunition, equipment, outfit, provisions and fresh water for crew, miscellaneous stores and implements of every description that are intended to be carried in war, but

SESSIONAL PAPER No. 47

ture qu'il doit emporter en temps de guerre, mais sans combustible et sans eau de réserve pour l'alimentation des machines et chaudières.

Le mot tonne employé dans le présent traité sans la qualification de "métrique" désigne une tonne de 2,240 lbs. ou 1,016 kilogrammes.

Les navires actuellement achevés continueront à figurer avec le déplacement qui leur est attribué selon leur système national d'évaluation. Toutefois, lorsqu'une Puissance compte le déplacement de ses navires en tonnes métriques, elle sera considérée, pour l'application du présent Traité, comme ne possédant que le tonnage équivalent en tonnes de 2,240 lbs.

Les navires achevés par la suite seront comptés pour leur déplacement type tel qu'il est défini au 1er alinéa de la présente définition.

CHAPITRE III

DISPOSITIONS DIVERSES

ARTICLE XXI

Si, pendant la durée du présent Traité, une Puissance contractante estime que les exigences de sa sécurité nationale, en ce qui touche la défense navale, se trouvent matériellement affectées par des circonstances nouvelles, les Puissances Contractantes se réuniront en Conférence sur sa demande pour examiner à nouveau les dispositions du présent Traité et s'entendre sur les amendements à y apporter.

En raison des possibilités de progrès dans l'ordre technique et scientifique, les Etats-Unis provoqueront la réunion d'une Conférence de toutes les Puissances Contractantes après les avoir consultées. Cette Conférence se tiendra aussitôt que possible après l'expiration d'une période de huit ans à dater de la mise en vigueur du présent Traité et examinera les changements à y apporter, s'il y a lieu, pour faire face à ces progrès.

ARTICLE XXII

Si l'une des Puissances Contractantes se trouve engagée dans une guerre qui, mise aux représentants diplomatiques à Washington des autres Puissances Con-

without fuel or reserve feed water on board.

The word "ton" in the present Treaty, except in the expression "metric tons," shall be understood to mean the ton of 2,240 pounds (1,016 kilos).

Vessels now completed shall retain their present ratings of displacement tonnage in accordance with their national system of measurement. However, a Power expressing displacement in metric tons shall be considered for the application of the present Treaty as owning only the equivalent displacement in tons of 2,240 pounds.

A vessel completed hereafter shall be rated at its displacement tonnage when in the standard condition defined herein.

CHAPTER III

MISCELLANEOUS PROVISIONS

ARTICLE XXI

If during the term of the present Treaty the requirements of the national security of any Contracting Power in respect of naval defence are, in the opinion of that Power, materially affected by any change of circumstances, the Contracting Powers will, at the request of such Power, meet in conference with a view to the reconsideration of the provisions of the Treaty and its amendment by mutual agreement.

In view of possible technical and scientific developments, the United States, after consultation with the other Contracting Powers, shall arrange for a conference of all the Contracting Powers which shall convene as soon as possible after the expiration of eight years from the coming into force of the present Treaty to consider what changes, if any, in the Treaty may be necessary to meet such developments.

ARTICLE XXII

Whenever any Contracting Power shall become engaged in a war which in its representatives at Washington of the other Contracting Powers, and the notice shall

dans son opinion, affecte sa sécurité nationale du côté de la mer, cette Puissance pourra, sur avis préalable donné aux autres Puissances Contractantes, se dégager, pour la durée des hostilités, de ses obligations résultants du présent traité, à l'exception de celles qui sont prévues aux articles XIII et XVII. Toutefois, cette Puissance devra notifier aux autres Puissances Contractantes que la situation est d'un caractère assez critique pour exiger cette mesure.

Dans ce cas, les autres Puissances Contractantes échangeront leurs vues pour arriver à un accord sur les dérogations temporaires que l'exécution du Traité devrait comporter, s'il y a lieu, en ce qui les concerne. Si cet échange de vues ne conduit pas à un accord, conclu régulièrement selon les procédures constitutionnelles auxquelles elles sont respectivement tenues, chacune d'entre elles pourra, après en avoir donné notification aux autres, se dégager, pour la durée des hostilités, des obligations résultant du présent Traité, à l'exception de celles qui sont prévues aux articles XIII et XVII.

A la cessation des hostilités les Puissances Contractantes se réuniront en Conférence pour examiner les modifications à apporter, s'il y a lieu, au présent Traité.

ARTICLE XXIII

Le présent Traité restera en vigueur jusqu'au 31 décembre 1936. S'il n'est fait notification deux ans avant cette date par aucune des Puissances Contractantes de son intention de mettre fin au Traité, ce dernier restera en vigueur jusqu'à l'expiration d'un délai de deux ans à dater du jour où l'une des Puissances Contractantes notifiera son intention de mettre fin au Traité. En ce cas le Traité prendra fin pour toutes les Puissances Contractantes. La notification devra être faite par écrit au Gouvernement des Etats-Unis, qui devra immédiatement en transmettre aux autres Puissances une copie authentique avec l'indication de la date de réception. La notification sera considérée comme faite à cette date, à partir de laquelle elle produira son effet. Dans le cas où le Gouvernement des Etats-Unis notifierait son intention de mettre fin au Traité, cette notification sera re-

opinion affects the naval defence of its national security, such Power may after notice to the other Contracting Powers suspend for the period of hostilities its obligations under the present Treaty other than those under Articles XIII and XVII, provided that such Power shall notify the other Contracting Powers that the emergency is of such a character as to require such suspension.

The remaining Contracting Powers shall in such case consult together with a view to agreement as to what temporary modifications if any should be made in the Treaty as between themselves. Should such consultation not produce agreement, duly made in accordance with the constitutional methods of the respective Powers, any one of said Contracting Powers may, by giving notice to the other Contracting Powers, suspend for the period of hostilities its obligations under the present Treaty, other than those under Articles XIII and XVII.

On the cessation of hostilities the Contracting Powers will meet in conference to consider what modifications, if any, should be made in the provisions of the present Treaty.

ARTICLE XXIII

The present Treaty shall remain in force until December 31st, 1936, and in case none of the Contracting Powers shall have given notice two years before that date of its intention to terminate the Treaty, it shall continue in force until the expiration of two years from the date on which notice of termination shall be given by one of the Contracting Powers, whereupon the Treaty shall terminate as regards all the Contracting Powers. Such notice shall be communicated in writing to the Government of the United States, which shall immediately transmit a certified copy of the notification to the other Powers and inform them of the date on which it was received. The notice shall be deemed to have been given and shall take effect on that date. In the event of notice of termination being given by the Government of the United States, such notice shall be given to the diplomatic

SESSIONAL PAPER No. 47

tractantes; la notification sera considérée comme faite et prendra effet à la date de la communication auxdits représentants diplomatiques.

Toutes les Puissances Contractantes devront se réunir en Conférence dans le délai d'un an à partir de la date à laquelle aura pris effet la notification, par une des Puissances, de son intention de mettre fin au Traité.

ARTICLE XXIV

Le présent traité sera ratifié par les Puissances Contractantes selon les procédures constitutionnelles auxquelles elles sont respectivement tenues. Il prendra effet à la date du dépôt de toutes les ratifications, dépôt qui sera effectué à Washington, le plus tôt qu'il sera possible. Le Gouvernement des Etats-Unis remettra aux autres Puissances Contractantes une copie authentique du procès verbal de dépôt des ratifications.

Le présent Traité, dont les textes français et anglais feront foi, restera déposé dans les archives du Gouvernement des Etats-Unis; des expéditions authentiques en seront remises par ce Gouvernement aux autres Puissances Contractantes.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent Traité.

Fait à Washington le six février mil-neuf-cent-vingt-deux.

be deemed to have been given and shall take effect on the date of the communication made to the said diplomatic representatives.

Within one year of the date on which a notice of termination by any Power has taken effect, all the Contracting Powers shall meet in conference.

ARTICLE XXIV

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 procès-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.

[L. S.] CHARLES EVANS HUGHES

[L. S.] HENRY CABOT LODGE

[L. S.] OSCAR W UNDERWOOD

[L. S.] ELIHU ROOT

[L. S.] ARTHUR JAMES BALFOUR

[L. S.] LEE OF FAREHAM

[L. S.] A. C. GEDDES

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.]

A SARRAUT

[L. S.]

JUSSERAND

[L. S.]

CARLO SCHANZER

[L. S.]

[L. S.] V. ROLANDI RICCI

[L. S.] LUIGI ALBERTINI

[L. S.] T. KATO

[L. S.] K. SHIDEHARA

[L. S.] M. HANIHARA

II. Treaty between the United States of America, the British Empire, France, Italy, and Japan, to protect neutrals and non-combatants at sea in time of war and to prevent the use in war of noxious gases and chemicals.

Signed at Washington, February 6, 1922

Les Etats-Unis d'Amérique, l'Empire Britannique, la France, l'Italie et le Japon, ci-après désignés les Puissances Signataires, désireux de rendre plus efficaces les règles adoptées par les nations civilisées pour la protection de la vie des neutres et des non-combattants sur la mer en temps de guerre et d'empêcher l'emploi dans la guerre des gaz et des produits chimiques nuisibles, ont décidé de conclure un traité à cet effet et ont nommé pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique:

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

citoyens des Etats-Unis;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des Territoires britanniques au-delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O.M., M.P., Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G.B.E., K.C.B., Premier Lord de l'Amirauté.

Le Très-Honorable Sir Auckland Campbell Geddes, K.C.B., Son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

et

pour le Dominion du Canada:

Le Très-Honorable Sir Robert Laird Borden, G.C.M.G., K.C.;

pour le Commonwealth d'Australie:

Le Très-Honorable George Foster Pearce, Sénateur, Ministre de l'Intérieur et des Territoires;

The United States of America, the British Empire, France, Italy and Japan, hereinafter referred to as the Signatory Powers, desiring to make more effective the rules adopted by civilized nations for the protection of the lives of neutrals and non-combatants at sea in time of war, and to prevent the use in war of noxious gases and chemicals, have determined to conclude a Treaty to this effect, and have appointed as their 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 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 Plenipotentiary to the United States of America; and

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;

SESSIONAL PAPER No. 47

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir John William Salmond, K.C., Juge à la Cour Suprême de Nouvelle-Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O.M., M.P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République française:

M. Albert Sarraut, Député, Ministre des Colonies;

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des Etats-Unis d'Amérique, Grand Croix de l'Ordre National de la Légion d'Honneur;

Sa Majesté le Roi d'Italie:

L'Honorable Carlo Schanzer, Sénateur du Royaume;

L'Honorable Vittorio Rolandi Ricci, Sénateur du Royaume, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

L'Honorable Luigi Albertini, Sénateur du Royaume;

Sa Majesté l'Empereur du Japon:

Le Baron Tomosaburo Kato, Ministre de la Marine, Junii, Membre de la Première Classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions Suivantes:

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 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, Joshii, 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;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

ARTICLE I

Les Puissances signataires déclarent qu'au nombre des règles adoptées par les nations civilisées pour la protection de la vie des neutres et des non combattants en mer, en temps de guerre, les règles suivantes doivent être considérées comme faisant déjà partie du droit international:

(1) Un navire de commerce ne peut être saisi avant d'avoir reçu l'ordre, en vue de déterminer son caractère, de se soumettre à la visite et à la perquisition.

Un navire de commerce ne peut être attaqué que si, après mise en demeure, il refuse de s'arrêter pour se soumettre à la visite et à la perquisition, ou si, après saisie, il refuse de suivre la route qui lui est indiquée.

Un navire de commerce ne peut être détruit que lorsque l'équipage et les passagers ont été préalablement mis en sûreté.

(2) Les sous-marins belligérants ne sont, en aucune circonstance, dispensés des règles universelles ci-dessus rappelées; au cas où un sous-marin ne serait pas en mesure de capturer un navire de commerce en respectant lesdites règles, il doit d'après le droit des gens reconnu, renoncer à l'attaque ainsi qu'à la saisie et laisser le navire de commerce continuer sa route sans être molesté.

ARTICLE II

Les Puissances signataires invitent toutes les autres Puissances civilisées à adhérer à la reconnaissance de ce droit établi, de sorte qu'il y ait une entente publique universelle bien définie quant aux règles de conduite selon lesquelles l'opinion publique du monde jugera les belligérants de l'avenir.

ARTICLE III

Les Puissances signataires, désireuses d'assurer l'exécution des lois d'humanité déjà reconnues et confirmées par elles relativement à l'attaque, à la saisie et à la destruction des navires de commerce, déclarent en outre que tout individu au service de quelque puissance que ce soit, agissant ou non sur l'ordre d'un supérieur hiérarchique, qui violera l'une ou l'autre des

ARTICLE I

The Signatory Powers declare that among the rules adopted by civilized nations for the protection of the lives of neutrals and noncombatants at sea in time of war, the following are to be deemed an established part of international law;

(1) A merchant vessel must be ordered to submit to visit and search to determine its character before it can be seized.

A merchant vessel must not be attacked unless it refuse to submit to visit and search after warning, or to proceed as directed after seizure.

A merchant vessel must not be destroyed unless the crew and passengers have been first placed in safety.

(2) Belligerent submarines are not under any circumstances exempt from the universal rules above stated; and if a submarine can not capture a merchant vessel in conformity with these rules the existing law of nations requires it to desist from attack and from seizure and to permit the merchant vessel to proceed unmolested.

ARTICLE II

The Signatory Powers invite all other civilized Powers to express their assent to the foregoing statement of established law so that there may be a clear public understanding throughout the world of the standards of conduct by which the public opinion of the world is to pass judgment upon future belligerents.

ARTICLE III

The Signatory Powers, desiring to insure the enforcement of the humane rules of existing law declared by them with respect to attacks upon and the seizure and destruction of merchant ships, further declare that any person in the service of any Power who shall violate any of those rules, whether or not such person is under orders of a governmental superior, shall be deemed to have

SESSIONAL PAPER No. 47

dites règles, sera réputé avoir violé les lois de la guerre et sera susceptible d'être jugé et puni comme s'il avait commis un acte de piraterie. Il pourra être mis en jugement devant les autorités civiles et militaires de toute Puissance dans le ressort de l'autorité de laquelle il sera trouvé.

ARTICLE IV

Les Puissances signataires reconnaissent qu'il est pratiquement impossible d'utiliser les sous-marins à la destruction du commerce sans violer, ainsi qu'il a été fait au cours de la guerre de 1914-1918, les principes universellement acceptés par les nations civilisées pour la protection de la vie des neutres et des non combattants, et, dans le dessein de faire universellement reconnaître comme incorporée au droit des gens l'interdiction d'employer les sous-marins à la destruction du commerce, conviennent de se considérer comme liées désormais entre elles par cette interdiction et invitent toutes les autres nations à adhérer au présent accord.

ARTICLE V

L'emploi en temps de guerre des gaz asphyxiants, toxiques ou similaires, ainsi que de tous liquides, matières ou procédés analogues, ayant été condamné à juste titre par l'opinion universelle du monde civilisé, et l'interdiction de cet emploi ayant été formulée dans des traités auxquels le plus grand nombre des Puissances civilisées sont parties :

Les Puissances signataires, dans le dessein de faire universellement reconnaître comme incorporée au droit des gens cette interdiction, qui s'impose également à la conscience et à la pratique des nations, déclarent reconnaître cette prohibition, conviennent de se considérer comme liées entre elles à cet égard et invitent toutes les autres nations civilisées à adhérer au présent accord.

ARTICLE VI

Le présent Traité sera ratifié aussitôt que possible par les Puissances signataires selon les procédures constitutionnelles auxquelles elles sont respectivement tenues. Il prendra effet à la date du dépôt de toutes les ratifications, dépôt qui sera effectué à

violated the laws of war and shall be liable to trial and punishment as if for an act of piracy and may be brought to trial before the civil or military authorities of any Power within the jurisdiction of which he may be found.

ARTICLE IV

The Signatory Powers recognize the practical impossibility of using submarines as commerce destroyers without violating, as they were violated in the recent war of 1914-1918, the requirements universally accepted by civilized nations for the protection of the lives of neutrals and noncombatants, and to the end that the prohibition of the use of submarines as commerce destroyers shall be universally accepted as a part of the law of nations they now accept that prohibition as henceforth binding as between themselves and they invite all other nations to adhere thereto.

ARTICLE V

The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized Powers are parties,

The Signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, agree to be bound thereby as between themselves and invite all other civilized nations to adhere thereto.

ARTICLE VI

The present Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the Signatory Powers and shall take effect on the deposit of all the ratifications, which shall take place at Washington.

Washington. Le Gouvernement des Etats-Unis remettra à toutes les Puissances signataires une expédition authentique du procès-verbal de dépôt des ratifications.

Le présent Traité, dont les textes français et anglais feront foi, restera déposé dans les archives du Gouvernement des Etats-Unis; des expéditions authentiques en seront remises par ce Gouvernement à chacune des Puissances signataires.

ARTICLE VII

Le Gouvernement des Etats-Unis fera parvenir ultérieurement à toutes les Puissances non signataires une expédition authentique du présent Traité et les invitera à y donner leur adhésion.

Toute Puissance non signataire pourra adhérer au présent Traité en faisant parvenir l'Instrument portant adhésion au Gouvernement des Etats-Unis, qui en transmettra une expédition authentique à chacune des Puissances signataires ou adhérentes.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent traité.

Fait à Washington, le six février mil neuf cent vingt-deux.

The Government of the United States will transmit to all the Signatory Powers a certified copy of the procès-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 will be transmitted by that Government to each of the Signatory Powers.

ARTICLE VII

The Government of the United States will further transmit to each of the Non-Signatory Powers a duly certified copy of the present Treaty and invite its adherence thereto.

Any Non-Signatory Power may adhere to the present Treaty by communicating an Instrument of Adherence to the Government of the United States, which will thereupon transmit to each of the Signatory and Adhering Powers a certified copy of each Instrument of Adherence.

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.

[L. s.] CHARLES EVANS HUGHES

[L. s.] HENRY CABOT LODGE

[L. s.] OSCAR W UNDERWOOD

[L. s.] ELIHU ROOT

[L. s.] ARTHUR JAMES BALFOUR

[L. s.] LEE OF FAREHAM

[L. s.] A. C. GEDDES

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.]

A SARRAUT

[L. s.]

JUSSERAND

[L. s.]

CARLO SCHANZER

[L. s.]

[L. s.] V. ROLANDI RICCI

[L. s.] LUIGI ALBERTINI

[L. s.] T. KATO

[L. s.] K. SHIDEHARA

[L. s.] M. HANIHARA

SESSIONAL PAPER No. 47

III. Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, to stabilize conditions in the Far East.

Signed at Washington, February 6, 1922

Les Etats-Unis d'Amérique, la Belgique, l'Empire Britannique, la Chine, la France, l'Italie, le Japon, les Pays-Bas et le Portugal:

Désireux d'adopter une politique de nature à stabiliser les conditions de l'Extrême Orient, à sauvegarder les droits et intérêts de la Chine et à développer les relations entre la Chine et les autres Puissances sur la base de l'égalité des chances;

Ont décidé de conclure un traité à cet effet et ont désigné pour leurs plénipotentiaires respectifs.

Le Président des Etats-Unis d'Amérique:

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

citoyens des Etats-Unis;

Sa Majesté le Roi des Belges:

Le baron de Cartier de Marchienne, Commandeur de l'Ordre de Léopold et de l'Ordre de la Couronne, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O.M., M.P., Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G.B.E., K.C.B., Premier Lord de l'Amirauté.

Le Très-Honorable Sir Auckland Campbell Geddes, K.C.B., Son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

et

pour le Dominion du Canada:

Le Très-Honorable Sir Robert Laird Borden, G.C.M.G., K.C.;

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 Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G.C.M.G., K.C.;

pour le Commonwealth d'Australie:

Le Très-Honorable George Foster Pearce, Sénateur, Ministre de l'Intérieur et des Territoires;

pour le Dominion de la Nouvelle-Zélande:

L'Honorable Sir John William Salmond, K.C., Juge à la Cour Suprême de Nouvelle-Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O.M., M.P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République Chinoise:

M. Sao-Ke Alfred Sze, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. V. K. Wellington Koo, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres;

M. Chung-Hui Wang, Ancien Ministre de la Justice;

Le Président de la République Française:

M. Albert Sarraut, Député, Ministre des Colonies;

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des Etats-Unis d'Amérique, Grand Croix de l'Ordre National de la Légion d'Honneur;

Sa Majesté le Roi d'Italie:

L'Honorable Carlo Schanzer, Sénateur du Royaume;

L'Honorable Vittorio Rolandi Ricci, Sénateur du Royaume, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

L'Honorable Luigi Albertini, Sénateur du Royaume;

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;

SESSIONAL PAPER No. 47

Sa Majesté l'Empereur du Japon:

Le Baron Tomosaburo Kato, Ministre de la Marine, Junii, Membre de la Première Classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères. Joshii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Sa Majesté la Reine des Pays-Bas:

Le Jonkheer Frans Beelaerts van Blokland, Son Envoyé Extraordinaire et Ministre Plénipotentiaire;

Le Jonkheer Willem Hendrik de Beaufort, Ministre Plénipotentiaire, Chargé d'Affaires à Washington;

Le Président de la République Portugaise:

M. José Francisco de Horta Machado da Franca, Vicomte d'Alte, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. Ernesto Julio de Carvalho e Vasconcelos, Capitaine de Vaisseau, Directeur Technique du Ministère des Colonies.

lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

ARTICLE I

Les Puissances Contractantes, autres que la Chine, conviennent:

1) de respecter la souveraineté et l'indépendance ainsi que l'intégrité territoriale et administrative de la Chine;

2) d'offrir à la Chine, de la manière la plus complète et la plus libre d'entraves, la possibilité de s'assurer les avantages permanents d'un Gouvernement stable et efficace;

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

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Joshii, 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 Minister 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'Alte, 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) d'user de leur influence en vue d'établir effectivement et de maintenir en application sur tout le territoire de la Chine le principe de la chance égale pour le commerce et l'industrie de toutes les nations;

4) de s'abstenir de tirer avantage des circonstances en Chine pour rechercher des droits ou privilèges spéciaux susceptibles de porter atteinte aux droits des ressortissants d'Etats amis; elles s'abstiendront également de favoriser toute action constituant une menace pour la sécurité des dits Etats amis.

(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

Les Puissances Contractantes conviennent de ne participer à aucun traité, accord, arrangement ou entente soit conclus entre elles, soit conclus séparément ou collectivement avec une ou plusieurs Puissances, qui porterait atteinte ou contreviendrait aux principes déclarés dans l'Article I.

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

En vue d'appliquer avec plus d'efficacité les principes de la porte ouverte ou de la chance égale pour le commerce et l'industrie de toutes les nations en Chine, les Puissances Contractantes autres que la Chine, conviennent de ne pas rechercher, ni aider leurs ressortissants à rechercher:

a) la conclusion d'accords qui tendraient à établir en faveur de leurs intérêts des droits généraux supérieurs à ceux des autres touchant le développement commercial ou économique dans une région déterminée de la Chine;

b) l'obtention de monopoles ou traitements préférentiels de nature à priver les ressortissants d'autres puissances du droit d'entreprendre en Chine toute forme légitime de commerce ou d'industrie, ou de participer, soit avec le Gouvernement chinois, soit avec des autorités locales, à toute catégorie d'entreprises ayant un caractère public, ou de monopoles ou traitements préférentiels qui, en raison de leur portée, de leur durée ou de leur étendue territoriale, seraient de nature à constituer en pratique une violation du principe de la chance égale.

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

SESSIONAL PAPER No. 47

Toutefois le présent accord ne devra pas être interprété come interdisant l'acquisition de tels biens ou droits qui pourraient être nécessaires soit à la conduite d'entreprises particulières commerciales, industrielles ou financières, soit à l'encouragement des inventions et recherches.

La Chine s'engage à adopter les principes ci-dessus comme guides en ce qui concerne la suite à donner aux demandes de droits et privilèges économiques de la part de Gouvernements ou ressortissants de tous pays étrangers, qu'ils soient ou non parties au présent Traité.

ARTICLE IV

Les Puissances Contractantes conviennent de ne pas donner leur appui à des accords qui seraient conclus entre leurs ressortissants respectifs avec l'intention d'établir au profit de ces derniers des sphères d'influence ou de leur assurer des avantages exclusifs dans des régions déterminées du territoire chinois.

ARTICLE V

La Chine s'engage à n'appliquer ni permettre, sur aucun chemin de fer chinois, aucune discrimination injuste d'aucune sorte. En particulier il ne devra pas y avoir de discrimination directe ou indirecte, quelle qu'elle soit, en matière de tarifs ou de facilités de transports, qui soit basée:

soit sur la nationalité des voyageurs, soit sur le pays dont ils viennent, soit sur celui de leur destination, soit sur l'origine des marchandises, le caractère des propriétaires, ou le pays de provenance ou de destination;

soit sur la nationalité du navire ou sur le caractère du propriétaire du navire ou de tout autre moyen de transport à l'usage des voyageurs ou des marchandises, employé avant ou après le transport par un chemin de fer chinois.

Les autres Puissances Contractantes prennent de leur côté un engagement similaire concernant les lignes chinoises de chemin de fer sur lesquelles soit elles-mêmes, soit leurs ressortissants seraient en mesure d'exercer le contrôle en vertu d'une concession, d'un accord spécial ou autrement

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

Les Puissances Contractantes, autres que la Chine, conviennent de respecter pleinement, au cours des guerres auxquelles la Chine ne participerait pas, les droits de cette dernière en tant que puissance neutre; la Chine, d'autre part, déclare que lorsqu'elle sera neutre, elle observera les règles de la neutralité.

ARTICLE VII

Les Puissances Contractantes conviennent que, dans le cas où une situation se produirait qui, dans l'opinion de l'une ou l'autre d'entre elles, comporterait l'application des stipulations du présent Traité et en rendrait la discussion désirable, les Puissances Contractantes en cause échangeront à cet égard de franches et complètes communications.

ARTICLE VIII

Les Puissances non-signataires au présent traité, dont le Gouvernement est reconnu par les Puissances signataires et qui ont des relations par traités avec la Chine, seront invitées à adhérer audit présent traité. Dans ce but le Gouvernement des Etats-Unis fera aux Puissances non-signataires les communications nécessaires; il informera les Puissances Contractantes des réponses reçues. L'adhésion de toute Puissance deviendra effective dès réception des notifications faites à cet égard par le Gouvernement des Etats-Unis.

ARTICLE IX

Le présent Traité sera ratifié par les Puissances Contractantes selon les procédures constitutionnelles auxquelles elles sont respectivement tenues. Il prendra effet à la date du dépôt de toutes les ratifications, dépôt qui sera effectué à Washington, le plus tôt qu'il sera possible. Le Gouvernement des Etats-Unis remettra aux autres Puissances Contractantes une copie authentique du procès-verbal de dépôt des ratifications.

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 procès-verbal of the deposit of ratifications.

SESSIONAL PAPER No. 47

Le présent Traité, dont les textes français et anglais feront foi, restera déposé dans les archives du Gouvernement des Etats-Unis; des expéditions authentiques en seront remises par ce Gouvernement aux autres Puissances Contractantes.

En foi de quoi, les Plénipotentiaires sus-nommés ont signé le présent Traité.

Fait à Washington le six février mil neuf cent vingt-deux.

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 MARCHIENNE	[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.]	V. K. WELLINGTON KOO	
[L. S.]	CHUNG-HUI WANG	
[L. S.]	A. SARRAUT	
[L. S.]	JUSSERAND	
[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.]

IV. Treaty between the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal, relating to the Chinese customs tariff.

Signed at Washington, February 6, 1922

Les Etats-Unis d'Amérique, la Belgique, l'Empire Britannique, la Chine, la France, l'Italie, le Japon, les Pays-Bas et le Portugal:

Dans le but d'accroître les revenus du Gouvernement Chinois, ont convenu de conclure un traité touchant la revision du tarif des douanes chinoises et autres matières connexes, et ont désigné pour leurs plénipotentiaires:

Le Président des Etats-Unis d'Amérique:

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

citoyens des Etats-Unis;

Sa Majesté le Roi des Belges:

Le Baron de Cartier de Marchienne,
Commandeur de l'Ordre de Léopold
et de l'Ordre de la Couronne, Son
Ambassadeur Extraordinaire et Plé-
nipotentiaire à Washington;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O.M., M.P., Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G.B.E., K.C.B., Premier Lord de l'Amirauté;

Le Très-Honorable Sir Auckland Campbell Geddes, K.C.B., Son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

et

pour le Dominion du Canada:

Le Très-Honorable Sir Robert Laird Borden, G.C.M.G., K.C.;

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

With a view to increasing the revenues of the Chinese Government, have resolved to conclude a treaty relating to the revision of the Chinese customs tariff and cognate matters, and to that end have appointed as their 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 Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Sir Robert Laird Borden, G.C.M.G., K.C.;

SESSIONAL PAPER No. 47

pour le Commonwealth d'Australie:

Le Très-Honorable George Foster Pearce, Sénateur, Ministre de l'Intérieur et des Territoires;

pour la Dominion de la Nouvelle Zélande:

L'Honorable Sir John William Salmond, K.C., Juge à la Cour Suprême de Nouvelle-Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O.M., M.P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République Chinoise:

M. Sao-Ke Alfred Sze, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. V. K. Wellington Koo, Envoyé Extraordinaire et Ministre Plénipotentiaire à Londres;

M. Chung-Hui Wang, ancien Ministre de la Justice;

Le Président de la République Française:

M. Albert Sarraut, Député, Ministre des Colonies;

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des Etats-Unis d'Amérique, Grand Croix de l'Ordre National de la Légion d'Honneur;

Sa Majesté le Roi d'Italie:

L'Honorable Carlo Schanzer, Sénateur du Royaume;

L'Honorable Vittorio Rolandi Ricci, Sénateur du Royaume, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington;

L'Honorable Luigi Albertini, Sénateur du Royaume;

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;

Sa Majesté l'Empereur du Japon:

Le Baron Tomosaburo Kato, Ministre de la Marine, Junii, Membre de la Première Classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Joshii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Sa Majesté la Reine des Pays-Bas:

Le Jonkheer Frans Beelaerts van Blokland, Son Envoyé Extraordinaire et Ministre Plénipotentiaire;

Le Jonkheer Willem Hendrik de Beaufort, Ministre Plénipotentiaire Chargé d'Affaires à Washington;

Le Président de la République Portugaise:

M. José Francisco de Horta Machado da Franca, Vicomte d'Alte, Envoyé Extraordinaire et Ministre Plénipotentiaire à Washington;

M. Ernesto Julio de Carvalho e Vasconcelos, Capitaine de Vaisseau, Directeur Technique du Ministère des Colonies;

lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

ARTICLE I.

Les représentants des Puissances Contractantes ayant adopté le 4 février 1922 à Washington la résolution annexée au présent article au sujet de la revision du tarif des douanes chinoises, afin que le taux des droits soit équivalent à 5% effectif *ad valorem*, comme il est prévu dans les traités existant entre la Chine et les autres pays, les Puissances Contractantes déclarent confirmer ladite résolution et

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

Mr. Masanao Hanihara, Vice Minister for Foreign Affairs, Joshii, 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 Minister 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'Alte, 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 representatives of the Contracting Powers having adopted, on the fourth day of February, 1922, in the City of Washington, a Resolution, which is appended as an Annex to this Article, with respect to the revision of Chinese Customs duties, for the purpose of making such duties equivalent to an effective 5 per centum *ad valorem*, in accordance with existing treaties concluded by China with other

SESSIONAL PAPER No. 47

s'engagent à accepter les taux résultant de cette revision qui entreront en vigueur aussitôt que possible après l'expiration d'un délai de deux mois après leur publication.

ANNEXE

En vue de créer des revenus additionnels destinés à faire face aux besoins du Gouvernement chinois, les Puissances représentées à la Conférence, à savoir: les Etats-Unis d'Amérique, la Belgique, l'Empire Britannique, la Chine, la France, l'Italie, le Japon, les Pays-Bas et le Portugal sont convenues de ce qui suit:

Le tarif des droits de douane à l'importation en Chine adopté le 19 décembre 1918 à Shanghai par la Commission de Revision du Tarif sera immédiatement révisé afin que le taux des droits soit équivalent à 5% effectif ad valorem, comme il est prévu dans divers traités commerciaux auxquels la Chine est partie.

Une Commission de revision se réunira à Shanghai à une date aussi rapprochée que possible pour effectuer cette revision sans retard et suivant les lignes générales de la dernière revision.

Cette Commission se composera de représentants des Puissances précitées et de représentants de toutes autres Puissances désirant siéger dans cette Commission dont le Gouvernement est actuellement reconnu par les Puissances participant à la présente Conférence et dont les traités avec la Chine comportent un tarif d'importation et d'exportation ne devant pas dépasser 5% ad valorem.

La revision se fera aussi rapidement que possible de manière à être terminée dans les quatre mois qui suivront la date de l'adoption de la dite résolution par la Conférence de Washington.

Le tarif révisé entrera en vigueur aussitôt que possible après l'expiration d'un délai de deux mois consécutifs à la publication dudit tarif par la Commission de Revision.

Le Gouvernement des Etats-Unis qui a convoqué la présente Conférence est invité en cette qualité à communiquer immédia-

nations, the Contracting Powers hereby confirm the said Resolution and undertake to accept the tariff rates fixed as a result of such revision. The said tariff rates shall become effective as soon as possible but not earlier than two months after publication thereof.

ANNEX

With a view to providing additional revenue to meet the needs of the Chinese Government, the Powers represented at this Conference, namely the United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands, and Portugal agree:

That the customs schedule of duties on imports into China adopted by the Tariff Revision Commission at Shanghai on December 19, 1918, shall forthwith be revised so that the rates of duty shall be equivalent to 5 per cent effective, as provided for in the several commercial treaties to which China is a party.

A Revision Commission shall meet at Shanghai, at the earliest practicable date, to effect this revision forthwith and on the general lines of the last revision.

This Commission shall be composed of representatives of the Powers above named and of representatives of any additional Powers having Governments at present recognized by the Powers represented at this Conference and who have treaties with China providing for a tariff on imports and exports not to exceed 5 per cent ad valorem and who desire to participate therein.

The revision shall proceed as rapidly as possible with a view to its completion within four months from the date of the adoption of this Resolution by the Conference on the Limitation of Armament and Pacific and Far Eastern Questions.

The revised tariff shall become effective as soon as possible but not earlier than two months after its publication by the Revision Commission.

The Government of the United States, as convener of the present Conference, is requested forthwith to communicate the terms of this Resolution to the Governments of Powers not represented at this

tement les termes de la présente résolution aux Gouvernements des Puissances qui, quoique non représentées à la dite Conférence, ont participé à la revision du tarif de 1918.

ARTICLE II

Une Conférence spéciale sera chargée de prendre immédiatement les mesures nécessaires en vue de préparer l'abolition, dans le plus bref délai, des likins, ainsi que la réalisation des autres conditions mises par l'article VIII du traité entre la Grande-Bretagne et la Chine du 5 septembre 1902 et par les articles IV et V du traité du 8 octobre 1903 entre les Etats-Unis et la Chine et par l'article I du traité supplémentaire du 8 octobre 1903 entre le Japon et la Chine, à la perception des surtaxes prévues auxdits articles.

La Conférence spéciale sera composée de représentants tant des Puissances signataires que de celles qui, désirant participer aux travaux de cette Conférence, adhèreraient au présent Traité conformément aux dispositions de l'article VIII en temps utile pour que leurs représentants soient en mesure de prendre part à ces travaux. Elle se réunira en Chine dans les trois mois après l'entrée en vigueur du présent Traité, au lieu et à la date qui seront fixés par le Gouvernement chinois.

ARTICLE III

La Conférence spéciale prévue à l'article II étudiera les dispositions provisoires à appliquer jusqu'à l'abolition des likins et la réalisation des autres conditions stipulées aux articles des traités mentionnés à l'article II; elle autorisera la perception d'une surtaxe sur les importations soumises aux droits. La Conférence décidera à partir de quelle date, pour quelles destinations et dans quelles conditions cette surtaxe sera perçue.

La surtaxe sera fixée à un taux uniforme de 2½% *ad valorem*, sauf pour certains articles de luxe susceptibles, d'après la Conférence spéciale, de supporter sans que cela constitue une entrave sérieuse au commerce

Conference but who participated in the Revision of 1918, aforesaid.

ARTICLE II

Immediate steps shall be taken, through a Special Conference, to prepare the way for the speedy abolition of likin and for the fulfilment of the other conditions laid down in Article VIII of the Treaty of September 5th, 1902, between Great Britain and China, in Articles IV and V of the Treaty of October 8, 1903, between the United States and China, and in Article I of the Supplementary Treaty of October 8th, 1903, between Japan and China, with a view to levying the surtaxes provided for in those articles.

The Special Conference shall be composed of representatives of the Signatory Powers, and of such other Powers as may desire to participate and may adhere to the present Treaty, in accordance with the provisions of Article VIII, in sufficient time to allow their representatives to take part. It shall meet in China within three months after the coming into force of the present Treaty, on a day and at a place to be designated by the Chinese Government.

ARTICLE III

The Special Conference provided for in Article II shall consider the interim provisions to be applied prior to the abolition of likin and the fulfilment of the other conditions laid down in the articles of the treaties mentioned in Article II; and it shall authorize the levying of a surtax on dutiable imports as from such date, for such purposes, and subject to such conditions as it may determine.

The surtax shall be at a uniform rate of 2½ per centum *ad valorem*, provided, that in case of certain articles of luxury which, in the opinion of the Special Conference, can bear a greater increase without unduly impeding trade, the total surtax may be

SESSIONAL PAPER No. 47

une augmentation plus élevée. Dans ce dernier cas, la surtaxe pourra être plus élevée sans dépasser toutefois 5% *ad valorem*.

ARTICLE IV

La révision immédiate du tarif des droits de douane à l'importation en Chine, prévue à l'article I sera suivie d'une nouvelle révision qui portera effet à l'expiration d'une période de 4 années à partir de l'achèvement de la révision immédiate prévue ci-dessus, de façon à assurer que les droits de douane correspondront effectivement aux taux *ad valorem* fixés par la Conférence spéciale prévue à l'article II.

Après cette nouvelle révision et dans le même but défini ci-dessus, des révisions périodiques du tarif des droits de douane à l'importation en Chine auront lieu tous les sept ans. Ces révisions remplaceront les révisions décennales prévues par les traités actuels avec la Chine.

En vue d'éviter des retards, les révisions prévues au présent article seront effectuées selon des règles à déterminer par la Conférence spéciale de l'article II.

ARTICLE V

Pour toutes questions relatives aux droits de douane, il y aura égalité absolue de traitement et de chances pour toutes les Puissances Contractantes.

ARTICLE VI

Le principe de l'uniformité des droits de douane perçus sur toutes les frontières terrestres ou maritimes de la Chine est reconnu. La Conférence spéciale prévue à l'article II sera chargée d'arrêter les dispositions nécessaires à la mise en application de ce principe. Elle aura le pouvoir d'autoriser tels ajustements qui paraîtraient équitables dans les cas où le droit préférentiel à abolir avait été consenti comme contrepartie de quelque avantage économique se référant à des considérations locales.

Dans l'intervalle tous relèvements du taux des droits de douane ou surtaxes imposées à l'avenir en application du présent

increased but may not exceed 5 per centum *ad valorem*.

ARTICLE IV

Following the immediate revision of the customs schedule of duties on imports into China, mentioned in Article I, there shall be a further revision thereof to take effect at the expiration of four years following the completion of the aforesaid immediate revision, in order to ensure that the customs duties shall correspond to the *ad valorem* rates fixed by the Special Conference provided for in Article II.

Following this further revision there shall be, for the same purpose, periodical revisions of the customs schedule of duties on imports into China every seven years, in lieu of the decennial revision authorized by existing treaties with China.

In order to prevent delay, any revision made in pursuance of this Article shall be effected in accordance with rules to be prescribed by the Special Conference provided for in Article II.

ARTICLE V

In all matters relating to customs duties there shall be effective equality of treatment and of opportunity for all the Contracting Powers.

ARTICLE VI

The principle of uniformity in the rates of customs duties levied at all the land and maritime frontiers of China is hereby recognized. The Special Conference provided for in Article II shall make arrangements to give practical effect to this principle; and it is authorized to make equitable adjustments in those case in which a customs privilege to be abolished was granted in return for some local economic advantage.

In the meantime, any increase in the rates of customs duties resulting from tariff revision, or any surtax hereafter imposed in pursuance of the present Treaty, shall be levied at a uniform rate *ad*

traité, seront perçus à un taux uniforme *ad valorem* sur toutes frontières terrestres ou maritimes de la Chine.

valorem at all land and maritime frontiers of China.

ARTICLE VII

Jusqu'au moment où les mesures visées à l'article II seront entrées en vigueur, le taux des permis de transit sera fixé à 2½% *ad valorem*.

The charge for transit passes shall be at the rate of 2½ per centum *ad valorem* until the arrangements provided for by Article II come into force.

ARTICLE VIII

Les Puissances non signataires au présent Traité, dont le Gouvernement est actuellement reconnu par les Puissances signataires et dont les traités actuels avec la Chine prévoient un tarif à l'importation et à l'exportation ne dépassant pas 5% *ad valorem*, seront invités à adhérer au dit traité.

Le Gouvernement des Etats-Unis s'engage à faire les communications nécessaires à cet effet et à informer les Gouvernements des Puissances Contractantes des réponses reçues. L'adhésion des Puissances deviendra effective dès réception des notifications par le Gouvernement des Etats-Unis.

ARTICLE VIII

Powers not signatory to the present Treaty whose Governments are at present recognized by the Signatory Powers, and whose present treaties with China provide for a tariff on imports and exports not to exceed 5 per centum *ad valorem*, shall be invited to adhere to the present Treaty.

The Government of the United States undertakes to make the necessary communications for this purpose and to inform the Governments of 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

Les dispositions du présent traité prévaudront sur toutes stipulations contraires des traités entre la Chine et les Puissances Contractantes, à l'exception des stipulations comportant le bénéfice du traitement de la nation la plus favorisée.

ARTICLE IX

The provisions of the present Treaty shall override all stipulations of treaties between China and the respective Contracting Powers which are inconsistent therewith, other than stipulations according most favoured nation treatment.

ARTICLE X

Le présent traité sera ratifié par les Puissances Contractantes selon les procédures constitutionnelles auxquelles elles sont respectivement tenues. Il prendra effet à la date du dépôt de toutes les ratifications, dépôt qui sera effectué à Washington le plus tôt qu'il sera possible. Le Gouvernement des Etats-Unis remettra aux autres Puissances Contractantes une copie authentique du procès verbal de dépôt des ratifications.

Le présent traité, dont les textes français et anglais feront foi, restera déposé

ARTICLE X

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 procès-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

SESSIONAL PAPER No. 47

dans les archives du Gouvernement des Etats-Unis; des expéditions authentiques en seront remises par ce Gouvernement aux autres Puissances Contractantes.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent Traité.

Fait à Washington le six février mil neuf cent vingt-deux.

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 MARCHIENNE	[L. S.]
[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	
	Sao-Ke Alfred Sze	[L. S.]
	V. K. WELLINGTON KOO	[L. S.]
	CHUNG-HUI WANG	[L. S.]
	A SARRAUT	[L. S.]
	JUSSERAND	[L. S.]
	CARLO SCHANZER	[L. S.]
	V. ROLANDI RICCI	[L. S.]
	LUIGI ALBERTINI	[L. S.]
[L. S.]	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	

V. Treaty between the United States of America, the British Empire, France, and Japan, for the preservation of the general peace and the maintenance of their rights in the region of the Pacific Ocean.

Signed at Washington on December 13, 1921

Les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon.

En vue de préserver la paix générale et de maintenir leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique,

Ont décidé de conclure un traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood,

Elihu Root, citoyens des Etats-Unis;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au-delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O.M.; M.P.; Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G.B.E., K.C.B., Premier Lord de l'Amirauté;

Le Très-Honorable Sir Auckland Campbell Geddes, K.C.B., son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

Et

pour le Dominion du Canada:

Le Très-Honorable Robert Laird Borden, G.C.M.G., K.C.;

pour le Commonwealth d'Australie:

L'Honorable George Foster Pearce, Ministre de la Défense;

pour le Dominion de la Nouvelle-Zélande:

Sir John William Salmond, K.C., Juge à la Cour Suprême de Nouvelle-Zélande;

The United States of America, the British Empire, France and Japan,

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,

Henry Cabot Lodge,

Oscar W. Underwood and

Elihu Root, citizens of the United States;

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 Plenipotentiary to the United States of America;

and

for the Dominion of Canada:

The Right Honourable Robert Laird Borden, G.C.M.G., K.C.;

for the Commonwealth of Australia:

The Honourable George Foster Pearce, Minister of Defence;

for the Dominion of New Zealand:

Sir John William Salmond, K.C., Judge of the Supreme Court of New Zealand;

SESSIONAL PAPER No. 47

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur James Balfour, O.M., M.P.;

pour l'Inde:

Le Très-Honorable Valingman Sankaranarayana Srinivasa Sastri, Membre du Conseil d'Etat de l'Inde;

Le Président de la République française:

M. René Viviani, Député, ancien Président du Conseil des Ministres,

M. Albert Sarraut, Député, Ministre des Colonies,

M. Jules J. Jusserand, Ambassadeur Extraordinaire et Plénipotentiaire près le Président des Etats-Unis d'Amérique, Grand Croix de l'Ordre National de la Légion d'honneur;

Sa Majesté l'Empereur du Japon:

Le Baron Tomosaburo Kato, Ministre de la Marine, Junii, Membre de la Première Classe de l'Ordre Impérial du Grand Cordon du Soleil Levant avec la Fleur de Paulonia;

Le Baron Kijuro Shidehara, Son Ambassadeur Extraordinaire et Plénipotentiaire à Washington, Joshii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

Le Prince Iyesato Tokugawa, Junii, Membre de la Première Classe de l'Ordre Impérial du Soleil Levant;

M. Masanao Hanihara, Vice-Ministre des Affaires Etrangères, Jushii, Membre de la Seconde Classe de l'Ordre Impérial du Soleil Levant;

Lesquels, après avoir échangé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

I

Les Hautes Parties Contractantes conviennent, en ce qui les concerne, de respecter leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique.

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 French Republic:

Mr. René Viviani, Deputy, Former President of the Council of Ministers;

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

Prince Iyesato Tokugawa, Junii, 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;

Who, having communicated their Full Powers, found in good and due form, have agreed as follows:

I

The High Contracting Parties agree as between themselves to respect their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean.

S'il venait à surgir entre certaines des Hautes Parties Contractantes un différend issu d'une question quelconque concernant le Pacifique et mettant en cause leurs droits ci-dessus visés, différend qui ne serait pas réglé d'une façon satisfaisante par la voie diplomatique et qui risquerait de compromettre l'heureuse harmonie existant actuellement entre elles, ces Puissances devront inviter les autres Parties Contractantes à se réunir dans une Conférence qui sera saisie de l'ensemble de la question aux fins d'examen et de règlement.

II

Au cas où les droits ci-dessus visés seraient menacés par la conduite agressive de toute autre Puissance, les Hautes Parties Contractantes devront entrer en communication entre elles de la manière la plus complète et la plus franche, afin d'arriver à une entente sur les mesures les plus efficaces à prendre, conjointement ou séparément, pour faire face aux nécessités de la situation.

III.

Le présent Traité produira ses effets pendant une durée de dix années à dater du jour de sa mise en vigueur, et, à l'expiration de la dite période, continuera à produire ses effets sous réserve du droit de chacune des Hautes Parties Contractantes d'y mettre fin sur préavis de douze mois.

IV.

Le présent Traité sera ratifié aussitôt que faire se pourra, conformément aux méthodes constitutionnelles des Hautes Parties contractantes; il entrera en vigueur dès le dépôt des ratifications qui sera effectué à Washington; sur quoi, la Convention entre la Grande Bretagne et le Japon, conclu à Londres le 13 Juillet 1911, prendra fin. Le Gouvernement des Etats-Unis remettra à chacune des Puissances signataires une copie certifiée conforme du procès-verbal de dépôt des ratifications.

Le présent Traité, en français et en anglais, restera déposé dans les archives du

If there should develop between any of the High Contracting Parties a controversy arising out of any Pacific question and involving their said rights which is not satisfactorily settled by diplomacy and is likely to affect the harmonious accord now happily subsisting between them, they shall invite the other High Contracting Parties to a joint conference to which the whole subject will be referred for consideration and adjustment.

II

If the said rights are threatened by the aggressive action of any other Power, the High Contracting Parties shall communicate with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

III

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

IV

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the

SESSIONAL PAPER No. 47

Gouvernement des Etats-Unis et des copies certifiées conformes en seront remises par ce Gouvernement à chacune des Puissances Signataires.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent Traité.

Fait à Washington, le treize Décembre mil neuf cent vingt et un.

Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

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

Done at the City of Washington, the thirteenth day of December, One Thousand Nine Hundred and Twenty-One.

	CHARLES EVANS HUGHES	[L. s.]
	HENRY CABOT LODGE	[L. s.]
	OSCAR W. UNDERWOOD	[L. s.]
	ELIHU ROOT	[L. s.]
	ARTHUR JAMES BALFOUR	[L. s.]
	LEE OF FAREHAM.	[L. s.]
	A. C. GEDDES	[L. s.]
[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.]	RENÉ VIVIANI	
[L. s.]	A. SARRAUT	
[L. s.]	JUSSERAND	
[L. s.]	T. KATO	
[L. s.]	K. SHIDEHARA	
[L. s.]	TOKUGAWA IYESATO	
[L. s.]	M. HANIHARA	

VI. Declaration by the United States of America, the British Empire, France, and Japan, accompanying the Quadruple Pacific Treaty of December 13, 1921.

Signed at Washington, December 13, 1921

Il est déclaré, au moment de signer ce jour le traité entre les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon, que c'est la volonté et l'intention des Puissances signataires :

1. Que le traité s'appliquera aux Iles sous mandat situées dans l'Océan Pacifique; sous réserve cependant que la conclusion du traité ne pourra être considérée comme impliquant l'assentiment, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion, entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux Iles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

Washington, le treize décembre, dix-neuf cent vingt et un.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D.C., December 13, 1921.

CHARLES EVANS HUGHES
HENRY CABOT LODGE
OSCAR W UNDERWOOD
ELIHU ROOT
ARTHUR JAMES BALFOUR
LEE OF FAREHAM.
A. C. GEDDES
R. L. BORDEN.
G. F. PEARCE
JOHN W SALMOND
ARTHUR JAMES BALFOUR
V S SRINIVASA SASTRI
RENÉ VIVIANI
A SARRAUT
JUSSERAND
T. KATO
K. SHIDEHARA
TOKUGAWA IYESATO
M. HANIHARA

SESSIONAL PAPER No. 47

VII. Agreement between the United States of America, the British Empire, France, and Japan, supplementary to the Quadruple Pacific Treaty of December 13, 1921.

Signed at Washington, February 6, 1922

Les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon ont convenu, par l'entremise de leurs Plénipotentiaires respectifs, d'ajouter la clause suivante au Traité signé entre les quatre Puissances à Washington le 13 décembre 1921.

Les expressions "possessions insulaires" et "dominions insulaires" employées dans le dit Traité ne s'appliquera, en ce qui concerne le Japon, qu'au Karafuto (c'est-à-dire à la partie sud de l'île de Sakhaline), à Formose et aux Pescadores, ainsi qu'aux îles placées sous le mandat du Japon.

Le présent accord aura même force et valeur que le dit Traité dont il forme une clause supplémentaire.

Les dispositions touchant les ratifications, contenues dans l'article IV du dit Traité du 13 décembre 1921, seront applicables au présent accord. Le texte, rédigé en français et en anglais, restera déposé dans les archives du Gouvernement des Etats-Unis. Une expédition authentique en sera remise par ce Gouvernement à chacune des autres Puissances Contractantes.

En foi de quoi, les Plénipotentiaires des Puissances susnommées ont signé au présent accord.

Fait à Washington le six février, mil neuf cent vingt-deux.

The United States of America, the British Empire, France and Japan have, through their respective Plenipotentiaries, agreed upon the following stipulations supplementary to the Quadruple Treaty signed at Washington on December 13, 1921:

The term "insular possessions and insular dominions" used in the aforesaid Treaty shall, in its application to Japan, include only Karafuto (or the Southern portion of the island of Sakhalin), Formosa and the Pescadores, and the islands under the mandate of Japan.

The present agreement shall have the same force and effect as the said Treaty to which it is supplementary.

The provisions of Article IV of the aforesaid Treaty of December 13, 1921, relating to ratification shall be applicable to the present Agreement, which in French and English 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 each of the other Contracting Powers.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.

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.]

[L. S.] ELIHU ROOT

[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

A SARRAUT [L. S.]

JUSSERAND [L. S.]

T. KATO [L. S.]

K. SHIDEHARA [L. S.]

M. HANIHARA [L. S.]

RESOLUTIONS

I. Resolution to constitute a Commission to consider the rules of international law respecting new agencies of warfare.

Adopted at the Sixth Plenary Session, Conference on the Limitation of Armament, Washington, February 4, 1922

The United States of America, the British Empire, France, Italy and Japan have agreed:—

- I. That a Commission composed of not more than two members representing each of the above-mentioned Powers shall be constituted to consider the following questions:—
 - (a) Do existing rules of International Law adequately cover new methods of attack or defence resulting from the introduction or development, since the Hague Conference of 1907, of new agencies of warfare?
 - (b) If not so, what changes in the existing rules ought to be adopted in consequence thereof as a part of the law of nations?
- II. That notices of appointment of the members of the Commission shall be transmitted to the Government of the United States of America within three months after the adjournment of the present Conference, which after consultation with the Powers concerned will fix the day and place for the meeting of the Commission.
- III. That the Commission shall be at liberty to request assistance and advice from experts in International Law and in land, naval and aerial warfare.
- IV. That the Commission shall report its conclusions to each of the Powers represented in its membership.

Those Powers shall thereupon confer as to the acceptance of the report and the course to be followed to secure the consideration of its recommendations by the other civilized Powers.

II. Resolution to exclude the said Commission from reviewing the rules already adopted by the Conference relating to submarines or the use of noxious gases and chemicals.

Adopted at the Sixth Plenary Session, Conference on the Limitation of Armament, Washington, February 4, 1922

Resolved, That it is not the intention of the Powers agreeing to the appointment of a Commission to consider and report upon the rules of International Law respecting new agencies of warfare that the Commission shall review or report upon the rules or declarations relating to submarines or the use of noxious gases and chemicals already adopted by the Powers in this conference.

SESSIONAL PAPER No. 47

III. Resolution to establish in China a Board of Reference in connection with the execution of the Far Eastern Treaty.

Adopted at the Sixth Plenary Session, Conference on the Limitation of Armament, Washington, February 4, 1922

The representatives of the Powers assembled at the present Conference at Washington, to wit;

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

Desiring to provide a procedure for dealing with questions that may arise in connection with the execution of the provisions of Articles III and V of the Treaty to be signed at Washington on February 6th, 1922, with reference to their general 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;

Resolve that there shall be established in China a Board of Reference to which any questions arising in connection with the execution of the aforesaid Articles may be referred for investigation and report.

The Special Conference provided for in Article II of the Treaty to be signed at Washington on February 6th, 1922, with reference to the Chinese Customs Tariff, shall formulate for the approval of the Powers concerned a detailed plan for the constitution of the Board.

IV. Resolution to establish a Commission to inquire into the present practice of extraterritorial jurisdiction and the administration of justice in China, with supplementary Declaration by China.

Adopted at the Fourth Plenary Session, Conference on the Limitation of Armament, Washington, December 10, 1921

The representatives of the Powers hereinafter named, participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands, and Portugal,—

Having taken note of the fact that in the Treaty between Great Britain and China dated September 5, 1902, in the Treaty between the United States of America and China dated October 8, 1903, and in the Treaty between Japan and China dated October 8, 1903, these several Powers have agreed to give every assistance towards the attainment by the Chinese Government of its expressed desire to reform its judicial system and to bring it into accord with that of Western nations, and have declared that they are also “prepared to relinquish extraterritorial rights when satisfied that the state of the Chinese laws, the arrangements for their administration, and other considerations warrant” them in so doing;

Being sympathetically disposed towards furthering in this regard the aspiration to which the Chinese delegation gave expression on November 16, 1921, to the effect that “immediately, or as soon as circumstances will permit, existing limitations upon China’s political, jurisdictional and administrative freedom of action are to be removed”;

Considering that any determination in regard to such action as might be appropriate to this end must depend upon the ascertainment and appreciation of compli-

ated states of fact in regard to the laws and the judicial system and the methods of judicial administration of China, which this Conference is not in a position to determine;

Have resolved

That the Governments of the Powers above named shall establish a Commission (to which each of such Governments shall appoint one member) to inquire into the present practice of extraterritorial jurisdiction in China, and into the laws and the judicial system and the methods of judicial administration of China, with a view to reporting to the Governments of the several Powers above named their findings of fact in regard to these matters, and their recommendations as to such means as they may find suitable to improve the existing conditions of the administration of justice in China, and to assist and further the efforts of the Chinese Government to effect such legislation and judicial reforms as would warrant the several Powers in relinquishing, either progressively or otherwise, their respective rights of extraterritoriality;

That the Commission herein contemplated shall be constituted within three months after the adjournment of the Conference in accordance with detailed arrangements to be hereafter agreed upon by the Governments of the Powers above named, and shall be instructed to submit its report and recommendations within one year after the first meeting of the Commission;

That each of the Powers above named shall be deemed free to accept or to reject all or any portion of the recommendations of the Commission herein contemplated, but that in no case shall any of the said Powers make its acceptance of all or any portion of such recommendations either directly or indirectly dependent on the granting by China of any special concession, favour, benefit or immunity, whether political or economic.

ADDITIONAL RESOLUTION

That the non-signatory Powers, having by treaty extraterritorial rights in China, may accede to the resolution affecting extraterritoriality and the administration of justice in China by depositing within three months after the adjournment of the Conference a written notice of accession with the Government of the United States for communication by it to each of the signatory Powers.

ADDITIONAL RESOLUTION

That China, having taken note of the resolutions affecting the establishment of a Commission to investigate and report upon extraterritoriality and the administration of justice in China, expresses its satisfaction with the sympathetic disposition of the Powers hereinbefore named in regard to the aspiration of the Chinese Government to secure the abolition of extraterritoriality in China, and declares its intention to appoint a representative who shall have the right to sit as a member of the said Commission, it being understood that China shall be deemed free to accept or to reject any or all of the recommendations of the Commission. Furthermore, China is prepared to co-operate in the work of this Commission and to afford to it every possible facility for the successful accomplishment of its tasks.

SESSIONAL PAPER No. 47

V. Resolution to provide for the abandonment of foreign postal agencies in China.

Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922

A. Recognizing the justice of the desire expressed by the Chinese Government to secure the abolition of foreign postal agencies in China, save or except in leased territories or as otherwise specifically provided by treaty, it is resolved:

- (1) The four Powers having such postal agencies agree to their abandonment subject to the following conditions:
 - (a) That an efficient Chinese postal service is maintained;
 - (b) That an assurance is given by the Chinese Government that they contemplate no change in the present postal administration so far as the status of the foreign Co-Director General is concerned.
- (2) To enable China and the Powers concerned to make the necessary dispositions, this arrangement shall come into force and effect not later than January 1, 1923.

B. Pending the complete withdrawal of foreign postal agencies, the four Powers concerned severally undertake to afford full facilities to the Chinese customs authorities to examine in those agencies all postal matter (excepting ordinary letters, whether registered or not, which upon external examination appear plainly to contain only written matter) passing through them, with a view to ascertaining whether they contain articles which are dutiable or contraband or which otherwise contravene the customs regulations or laws of China.

VI. Resolution to provide for an inquiry by the diplomatic representatives of the Powers in China concerning the presence of foreign armed forces.

Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922.

Whereas

The Powers have from time to time stationed armed forces, including police and railway guards, in China to protect the lives and property of foreigners lawfully in China;

And whereas

It appears that certain of these armed forces are maintained in China without the authority of any treaty or agreement;

And whereas

The Powers have declared their intention to withdraw their armed forces now on duty in China without the authority of any treaty or agreement, whenever China shall assure the protection of the lives and property of foreigners in China;

And whereas

China has declared her intention and capacity to assure the protection of the lives and property of foreigners in China;

Now

To the end that there may be clear understanding of the conditions upon which in each case the practical execution of those intentions must depend;

It is resolved:

That the Diplomatic Representatives in Peking of the Powers now in Conference at Washington, to wit, the United States of America, Belgium, the British Empire, France, Italy, Japan, The Netherlands and Portugal, will be instructed by their respective Governments, whenever China shall so request, to associate themselves with three representatives of the Chinese Government to conduct collectively a full and impartial inquiry into the issues raised by the foregoing declarations of intention made by the Powers and by China and shall thereafter prepare a full and comprehensive report setting out without reservation their findings of fact and their opinion with regard to the matter hereby referred for inquiry, and shall furnish a copy of their report to each of the nine Governments concerned which shall severally make public the report with such comment as each may deem appropriate. The representatives of any of the Powers may make or join in minority reports stating their differences, if any, from the majority report.

That each of the Powers above named shall be deemed free to accept or reject all or any of the findings of fact or opinions expressed in the report but that in no case shall any of the said Powers make its acceptance of all or any of the findings of fact or opinions either directly or indirectly dependent on the granting by China of any special concession, favour, benefit or immunity, whether political or economic.

VII. Resolution to limit the use and maintenance of foreign radio stations in China, with supplementary Declarations by the Powers other than China and by China.

Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922.

The representatives of the Powers hereinafter named participating in the discussion of Pacific and Far Eastern questions in the Conference on the Limitation of Armament—to wit: The United States of America, Belgium, the British Empire, China, France, Italy, Japan, The Netherlands and Portugal.

Have resolved

1. That all radio stations in China whether maintained under the provisions of the international protocol of September 7, 1901, or in fact maintained in the grounds of any of the foreign legations in China, shall be limited in their use to sending and receiving government messages and shall not receive or send commercial or personal or unofficial messages, including press matter: Provided, however, that in case all other telegraphic communication is interrupted, then, upon official notification accompanied by proof of such interruption to the Chinese Ministry of Communications, such stations may afford temporary facilities for commercial, personal or unofficial messages, including press matter, until the Chinese Government has given notice of the termination of the interruption.

2. All radio stations operated within the territory of China by a foreign government or the citizens or subjects thereof under treaties or concessions of the Government of China, shall limit the messages sent and received by the terms of the treaties or concessions under which the respective stations are maintained;

3. In case there be any radio station maintained in the territory of China by a foreign government or citizens or subjects thereof without the authority of the Chinese Government, such station and all the plant, apparatus and material thereof shall be transferred to and taken over by the Government of China, to be operated under the direction of the Chinese Ministry of Communications upon fair and full

SESSIONAL PAPER No. 47

compensation to the owners for the value of the installation, as soon as the Chinese Ministry of Communications is prepared to operate the same effectively for the general public benefit;

4. If any questions shall arise as to the radio stations in leased territories, in the South Manchurian Railway Zone or in the French Concession at Shanghai, they shall be regarded as matters for discussion between the Chinese Government and the Governments concerned.

5. The owners or managers of all radio stations maintained in the territory of China by foreign powers or citizens or subjects thereof shall confer with the Chinese Ministry of Communications for the purpose of seeking a common arrangement to avoid interference in the use of wave lengths by wireless stations in China, subject to such general arrangements as may be made by an international conference convened for the revision of the rules established by the International Radio Telegraph Convention signed at London, July 5, 1912.

DECLARATION CONCERNING THE RESOLUTION ON RADIO STATIONS IN CHINA OF
DECEMBER 7, 1921 [*i.e., the above Resolution*]

The Powers other than China declare that nothing in paragraphs 3 or 4 of the Resolutions of 7th December, 1921, is to be deemed to be an expression of opinion by the Conference as to whether the stations referred to therein are or are not authorized by China.

They further give notice that the result of any discussion arising under paragraph 4 must, if it is not to be subject to objection by them, conform with the principles of the Open Door or equality of opportunity approved by the Conference.

CHINESE DECLARATION CONCERNING RESOLUTION OF DECEMBER 7TH REGARDING RADIO

STATIONS IN CHINA

The Chinese Delegation takes this occasion formally to declare that the Chinese Government does not recognize or concede the right of any foreign Power or of the nationals thereof to install or operate, without its express consent, radio stations in legation grounds, settlements, concessions, leased territories, railway areas or other similar areas.

VIII. Resolution relating to the unification of railways in China, with a supplementary Declaration by China.

*Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament,
Washington, February 1, 1922.*

The Powers represented in this Conference record their hope that to the utmost 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 Chinese control, with such foreign financial and technical assistance as may prove necessary in the interests of that system.

STATEMENT REGARDING CHINESE RAILWAYS MADE ON JANUARY 19, 1922, BY THE CHINESE
DELEGATION

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 needed 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 of China, now existing or to be built, under its effective and unified control and operation.

IX. Resolution relating to the reduction of Chinese military forces and expenditures.

Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922.

Whereas the Powers attending this Conference have been deeply impressed with the severe drain on the public revenue of China through the maintenance in various parts of the country, of military forces, excessive in number and controlled by the military chiefs of the provinces without co-ordination.

And whereas the continued maintenance of these forces appears to be mainly responsible for China's present unsettled political conditions,

And whereas it is felt that large and prompt reductions of these forces will not only advance the cause of China's political unity and economic development but will hasten her financial rehabilitation;

Therefore, without any intention to interfere in the internal problems of China, but animated by the sincere desire to see China develop and maintain for herself an effective and stable government alike in her own interest and in the general interest of trade;

And being inspired by the spirit of this Conference whose aim is to reduce, through the limitation of armament, the enormous disbursements which manifestly constitute the greater part of the encumbrance upon enterprise and national prosperity;

It is resolved: That this Conference express to China the earnest hope that immediate and effective steps may be taken by the Chinese Government to reduce the aforesaid military forces and expenditures.

X. Resolution to provide for full publicity with respect to the political and other international obligations of China and of the several Powers in relation to China.

Adopted at the Fifth Plenary Session, Conference on the Limitation of Armament, Washington, February 1, 1922

The Powers represented in this Conference, considering it desirable that there should hereafter be full publicity with respect to all matters affecting the political and other international obligations of China and of the several Powers in relation to China, are agreed as follows:

SESSIONAL PAPER No. 47

I. The several Powers other than China will at their earliest convenience file with the Secretariat General of the Conference for transmission to the participating Powers, a list of all treaties, conventions, exchange of notes, or other international agreements which they may have with China, or with any other Power or Powers in relation to China, which they deem to be still in force and upon which they may desire to rely. In each case, citations will be given to any official or other publication in which an authoritative text of the documents may be found. In any case in which the document may not have been published, a copy of the text (in its original language or languages) will be filed with the Secretariat General of the Conference.

Every Treaty or other international agreement of the character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days of its conclusion to the Powers who are signatories of or adherents to this agreement.

II. The several Powers other than China will file with the Secretariat General of the Conference at their earliest convenience for transmission to the participating Powers a list, as nearly complete as may be possible, of all those contracts between their nationals, of the one part, and the Chinese Government or any of its administrative subdivisions or local authorities, of the other part, which involve any concession, franchise, option or preference with respect to railway construction, mining, forestry, navigation, river conservancy, harbour works, reclamation, electrical communications, or other public works or public services, or for the sale of arms or ammunition, or which involve a lien upon any of the public revenues or properties of the Chinese Government or of any of its administrative subdivisions. There shall be, in the case of each document so listed, either a citation to a published text, or a copy of the text itself.

Every contract of the public character described which may be concluded hereafter shall be notified by the Governments concerned within sixty (60) days after the receipt of information of its conclusion to the Powers who are signatories of or adherents to this agreement.

III. The Chinese Government agrees to notify in the conditions laid down in this agreement every treaty agreement or contract of the character indicated herein which has been or may hereafter be concluded by that Government or by any local authority in China with any foreign Power or the nationals of any foreign Power whether party to this agreement or not, so far as the information is in its possession.

IV. The Governments of Powers having treaty relations with China, which are not represented at the present Conference, shall be invited to adhere to this agreement.

The United States Government, as convenor of the Conference, undertakes to communicate this agreement to the Governments of the said Powers, with a view to obtaining their adherence thereto as soon as possible.

XI. Resolution relating to the preservation of the Chinese Eastern Railway.

*Adopted at the Sixth Plenary Session, Conference on the Limitation of Armament,
Washington, February 4, 1922*

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.

XII. Resolution relating to the responsibility of China towards the foreign stockholders, bondholders, and creditors of the Chinese Eastern Railway Company.

*Adopted at the Sixth Plenary Session, Conference on the Limitation of Armament,
Washington, February 4, 1922*

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 towards the foreign stockholders, bondholders and creditors of the Chinese Eastern Railway Company which the powers deem to result from the contracts under which the railroad was built and the action of China thereunder 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 railroad.

UTL AT DOWNSVIEW



D RANGE BAY SHLF POS ITEM C
39 15 15 23 06 021 4