

up with the interests of all civilised nations, with those of Japan and America as well as those of China and the other Members of the League.

The continuation of the discussion was adjourned to the next meeting.

NINTH MEETING (PUBLIC).

Held at Geneva on Tuesday October 13th, 1931, at 3.30 p.m.

Present: All the representatives of the Members of the Council, and the Secretary-General.

2948. Appeal from the Chinese Government under Article 11 of the Covenant (continuation).

M. YOSHIKAWA. — I have listened with great attention to the Chinese representative's statement. But, before answering him, I should like, in order to avoid any misunderstanding, to add a few observations to what the President has said.

He told us that, from the information at the Council's disposal, the Chinese Government had issued appeals and taken steps which, at any rate outside Manchuria, have avoided any loss of human life. The Chinese representative in his speech also emphasised the same point. It is happily true that no Japanese has been assassinated outside Manchuria recently as a result of the present agitation, so far at any rate as we know.

But the Council is aware, from the communications which it has received, of the indescribable treatment and molestation of Japanese nationals in China. In Chinese cities, our nationals are every day roughly handled, their property is stolen, food for their everyday needs is refused or even taken away from them in the open street. Women have been assaulted and injured by the crowd. The populace even molests children. During the last fortnight, there have been numerous cases of Japanese children being beaten or pelted with stones on their way to school. At Kowloon, in territory under British control, the Chinese have created serious disturbances by attacking Japanese, and several of the latter have been killed.

The danger to our nationals has been so pressing that a few naval units have had to be sent up the Yangtse (where numerous warships of the various Powers are normally stationed in peace time), to ensure the protection and evacuation of Japanese residents and even of some of our consulates. The Japanese residents of Hanchow and Chunchow with their women and children, and those of Nanking, Wuhu, Suchow, Ichang, and Chungking, have had to be evacuated. At Changsha, Swatow and Hong-Kong the Japanese residents have had to be concentrated in places of refuge. The consulates in the Yangtse cities may be withdrawn at any moment and that of Changchow has already been withdrawn.

The President spoke of a proposal of the Japanese Government with regard to the need for negotiations between the Chinese and Japanese Governments to settle all the questions on which the two Governments differ. That might give an inaccurate impression. The Chinese Minister at Tokio asked the Japanese Government to fix a date for the definitive withdrawal of the troops within the railway zone. The reply of the Minister for Foreign Affairs was to the effect that the Japanese Government desired the withdrawal to take place as soon as possible, but that the extremely dangerous atmosphere prevailing constituted a serious peril, and Japan accordingly proposed, in order to dispel this atmosphere of tension and restore calm, to come to an understanding with China on the re-establishment of normal conditions as a preliminary basis. It is not a question of the settlement of all the points at issue, but an understanding which would relieve the tension between the two peoples and so facilitate the rapid withdrawal of the troops.

The Chinese representative, if I rightly understood him, spoke not only of a withdrawal of the Japanese troops within the zone, but also of the evacuation of Manchuria altogether. That is a point which is outside the present discussion—a point on which the Japanese Government's opinion is already known.

The Chinese representative also referred, quoting documents in support of his argument, to the Chinese Government's intentions in regard to the attitude of the Chinese troops in Manchuria and of the Chinese population in general in relation to Japanese nationals. He said that orders had been given to the troops and advice given to the population. I am compelled, however, to note with regret that in spite of the excellence of these intentions they have not proved effective in the case of the troops; for as I have already informed the Council, the Japanese troops in Changshun alone have had 150 killed and wounded, while attacks are being made every day in Manchuria by uniformed soldiers on our nationals. As regards the protection of the life and property of Japanese nationals in China itself, I cannot but observe that there has developed an agitation of unparalleled violence since the beginning of the present incidents, directed by the

Chinese Nationalist Party which no one can dissociate from the Chinese Government. The anti-Japanese associations, students' clubs and Chambers of Commerce are endeavouring, with official encouragement, to bring about a complete severance of trade relations with Japanese nationals, who (as I have already said) have great difficulty even in procuring food. The anti-Japanese associations molest in every way Chinese who have relations with our nationals and endeavour to bring to a standstill the most legitimate economic activities of our people in China. It is extremely disquieting to note that the places in which this anti-Japanese agitation is most violent are precisely those which are under the direct control of the Chinese Government. General Chang-Kai-Shek even attended in person a meeting organised by the Nationalist Party at Nanking on September 22nd, which despatched a circular telegram all over China recommending that trade relations with Japan should be broken off.

On the other hand, I may say that, since the beginning of the present incidents, the Japanese Government has given instructions, which have been strictly carried out, that Chinese nationals should everywhere be protected and not be molested in any way.

As regards the Chinchow incident, to which the Chinese representative referred as one of the reasons for the meeting of the Council, I have informed the Council of the circumstances in which this incident took place,¹ and I think it is in possession of full particulars on the subject.

In this connection, I should like to have read to the Council my Government's reply to the President's telegram dated October 9th.

The following communication from the Japanese Government was read.²

1. The Japanese Government, while pursuing from the outset of the present incidents the line of action which it had decided upon of preventing any aggravation of the situation and of bringing back its troops into the South Manchurian Railway zone as and when the safety of the railway and the protection of Japanese nationals and their property was effectively ensured, has always been convinced that a friendly solution of this incident could only be obtained by means of direct negotiations between Japan and China. It was in this spirit that Japan responded to the message of the President of the Council of the League of Nations and endorsed the resolution voted at the Council's last meeting.

2. The military operations in Manchuria have come to a standstill and the Japanese Government does not see that there has been any special development in the situation. Various facts could be regarded as creating a new state of affairs. For example, the Japanese troops have sometimes been obliged to go to the assistance of the numerous Koreans who have been victims of violent attacks on the part of Chinese soldiers and brigands in the neighbourhood of the railway line. These troops, after ensuring the protection of the Koreans and placing them in safety immediately returned to the Zone. Or again, aeroplanes, having set out on reconnaissance on hearing that the fugitive Chinese troops were reassembling in the neighbourhood of Chinchow and were preparing to disturb order along the South Manchurian Railway and having been assailed by the Chinese troops, retaliated by dropping bombs.

Nevertheless, it is superfluous to remark that the Japanese troops could not humanly be expected to leave our Korean nationals exposed without defence to such outrages. The Chinchow incident is easily explicable if the present circumstances of the situation are borne in mind. The atmosphere of over-excitement created by the measures of defence which the Japanese forces have been obliged to take in face of the provocative action of the Chinese troops in Manchuria has been in no way alleviated. It is clear that no state of war exists, but the Japanese troops are obliged to observe attentively the movements of the Chinese troops and to take meticulous measures of precaution. It is in such conditions that the Chinchow incident occurred. To regard such an event, which is the consequence of the existing circumstances, as constituting an aggravation of the situation is in the Japanese Government's opinion to show a wrong appreciation of the situation as a whole.

“ 3. It has also been stated that the situation was being aggravated by the fact that Japanese naval units were being sent to the Yangtse. The real facts are quite different. In face of the anti-Japanese agitation by which China herself is aggravating the position, Japan has uniformly adopted an attitude of patience and of calm. She has evacuated her consulates and her nationals from the danger zones of the Upper Yangtse. Naval vessels were sent to Shanghai at the time when a protest against anti-Japanese agitation was presented to the Chinese Government. The only object of this action was to dissipate the anxiety caused by the threats to the lives and property of our nationals and to ensure, if necessary their protection. It does not exceed the usual action taken by the Powers in similar circumstances.

“ 4. From the proceedings of the Council and from the resolution adopted there would appear to be a belief that, when the troops at present outside the railway zone are withdrawn, the Chinese authorities will be able to guarantee the maintenance of order in their stead. Unfortunately the situation is as has just been described above, and not only would it be impossible to ensure the maintenance of order locally in such a simple fashion but the fact

¹ See Annex 1334, Section XX, Communication No. 17.

² Document C.706.M.312.1931.VII (see Annex 1334, Section XIV).

that, at certain points in Chinese territory remote from the theatre of current events, threats against the lives and property of our nationals multiply daily and even call for the despatch of naval reinforcements, gives some idea of the obstacles hampering the execution of the plan of withdrawing entirely the Japanese forces within the railway zone.

"5. The Japanese Government considers that, in the existing circumstances, the most pressing necessity is to relieve the tension between the Japanese and Chinese peoples by mutual co-operation. To this end, it is essential to agree upon certain main principles to form a foundation for the maintenance of normal relations between the two countries. Once these principles have been laid down, the state of tension between the two nations will undoubtedly relax and the Japanese forces will be able to retire without apprehension within the South Manchurian railway zone. The Japanese Government is prepared to open negotiations with the responsible representatives of China on these fundamental points."

M. YOSHIZAWA, continuing, said.

I regret to see that the vigorous propaganda which has taken place in connection with current events has had the most unfortunate results on the international situation. By misrepresenting the facts and creating exaggerated alarm it has given rise to profound misunderstandings and an extreme nervousness which make it increasingly difficult to consider the situation calmly.

The party which, by spreading sensational and tendentious news, has thus misled public opinion incurs a very grave responsibility not only in relation to its own country but also in relation to the League of Nations and the whole world. The Japanese Government for its part, conscious of its responsibilities and actuated by the desire to preserve in the Council's discussions that atmosphere of serenity which is alone worthy of the Council and, at the same time, best fitted for a rapid solution of the question, would have felt that it was lacking in due respect to the Council, to China and to the public opinion of the world, if it had submitted information which was not strictly checked. The Japanese Government has also refrained from drawing attention to the attitude of the Chinese authorities in regard to Japan, which has led to the present events.

I regret that, in view of the situation thus created, I am compelled to insist on certain facts in connection with Chinese policy in relation to Japan, particularly in Manchuria.

The incidents in Manchuria have been the occasion of a variety of opinions and judgments, and I confess that I have not seldom been struck by the unfairness of many of them. It appears to me that the picture given of the relations of Japan and Manchuria is not an accurate one. It is essential that the Council should be informed on this question, and I desire with its permission to give here as briefly as possible certain fundamental elements of the position.

I begin with the historical facts.

In 1894, Chinese intrigues in Korea had become extremely threatening for Japan, and the latter was forced to have recourse to war. At the peace, China ceded to Japan, under the Treaty of Shimonoseki, the southern portion of the Liao-tung peninsula. The collective intervention of France, Russia and Germany on the ground that the possession of Liao-tung was a threat to Peking and to the general peace compelled Japan to forego the possession of this territory. In the following year (1896), China concluded a secret treaty of alliance with Russia directed specifically against Japan, under which she opened up Manchuria to Russia, giving the latter special privileges and the right to construct a railway across the Amur and Kirin provinces. In 1898, China of her own initiative gave Russia a lease of the territory of which the latter had previously deprived Japan, together with the right to build a new line in South Manchuria. Relying on the complaisant attitude of China, Russia continued to lay hands on Manchuria and, taking advantage of the Boxer disturbances, installed Russian troops in the province. That constituted a mortal threat to Japan, and the Japanese Government accordingly entered into negotiations with Russia to obtain consideration for Japanese interests. The records of these negotiations show that Russia regarded the possession of Manchuria as an established fact. That Japan could not admit, for it would have meant acquiescence in her own loss. Acting in ignorance of the secret Russo-Chinese treaty and relying on the Chinese declaration of neutrality Japan thrust Russia out of Manchuria by an exhausting war of eighteen months and, while assuring her own security at the same time safeguarded the integrity of this part of Chinese territory. Under the Portsmouth Peace Treaty Russia ceded to Japan the lease of Liao-tung and the Russian rights to the railway line south of Changshun. China recognised these cessions by the Treaty of Peking of December 22nd, 1905.

The Japanese nation had twice risked its very existence to avert imminent peril in Korea and Manchuria, and it regards these regions as being closely associated with its destiny. All matters relating to them touch a particularly sensitive chord of Japanese national feeling. These factors cannot be left out of account in considering the Manchurian question.

The Japanese nation has no territorial ambitions in Manchuria, but it has vital political and economic interests there. It is the champion in Manchuria of the principle of equal opportunity and the open door for the economic activities of all nations. Foreign trade has increased ten times over since the arrival of Japan in Manchuria.

China also has derived immense advantages from the development of these provinces. Whereas no new railway of any importance has been built in China itself for the last twenty years, a thousand kilometres of railway have now been laid down in the three provinces. Each year hundreds of thousands of Chinese came to settle there. In twenty years, the population has

doubled. The riches of the soil yield the inhabitants large profits. Industry has developed, and schools, hospitals and experimental stations have been erected. Cities have been built, communications have been improved. Manchuria is on the way to become an important factor in the economic life of China and the world.

It is not astonishing that Japan, after sacrificing so many lives and so much money in her struggles to safeguard her own security should devote great efforts to the development of Manchuria. The first factor of such development is the maintenance of order. For a number of years past, armed bandits have been ravaging the countryside and levying contributions on the towns. The presence of Japanese forces has contributed immensely to increase the sense of security in these parts. The firmness of Japanese policy has prevented the civil wars which have devastated China for the last twenty years from interfering with the peaceful and laborious activities of Manchuria.

The Japanese people have invested large amounts of capital—more than two milliards of yen, or five milliards of Swiss francs—in these provinces. By treaties and by hard work, it has acquired rights and interests which are of primary importance alike for its economic and for its national existence. The Japanese nation is convinced that any attack on these rights and interests is an attack on its very existence and it appears to me that the Japanese demand to be able to live and work freely in Manchuria, side by side with the Chinese, is at once legitimate and moderate.

For some years past, however, those who are responsible for the government of China have sought, it would seem, to ignore the past history of the question to which I have referred, and the rights and interests of Japan have been the object of innumerable attacks. Not only have the Japanese been subjected to indescribable vexations, but essential treaty rights have been openly violated.

Since the assumption of power by the Nationalist Government, even responsible statesmen have permitted themselves to make public pronouncements of a regrettable character in favour of the total abolition of our rights in Manchuria. To quote one example alone, the former Chinese Foreign Minister did not hesitate at a meeting on February 2nd last to say with regard to the railway guards on the South Manchurian Railway that, if Japan was not prepared to withdraw them, China would be compelled to resort to force, and that her military preparations would be sufficient to compel Japan to give way.

The campaign of insult and contempt of Japan has not failed to have its effect in Manchuria, and the attitude of the authorities in the north-east in relation to the South Manchurian Company and in relation to Japanese and Korean nationals has for some time past been singularly provocative. The latter are not only subjected to threats and arbitrary imprisonment, but their very lives and property are the object of attack, making it impossible for them to stay in Manchuria. Recently we have had occasion to deplore the massacre of a number of Koreans living in the district of Wanpaoshan.

The assassination of Captain Nakamura by Chinese troops is another instance of the insolent attitude of the Chinese in relation to us.

Acts of provocation in connection with the railway guards have also become frequent. The following are some examples of this. On July 14th last, a Japanese railway guard was arrested by the Chinese police within the railway zone itself. On August 5th, another Japanese guard was seriously wounded by a Chinaman to the south of Hai-Cheng station. On August 17th, the railway guard at Kuochiatien was forced to repel an attack of Chinese who endeavoured to prevent the passage of the tram. On September 13th, the telegraph line was cut near Laokukoo station.

In face of these provocations, the Japanese Government adopted a patient and conciliatory attitude, but it was inevitable that the political atmosphere should be overcast, and that the Japanese nation should be animated by feelings of the liveliest indignation in the face of such proceedings. In Manchuria, however, the Chinese authorities, taking advantage of the Japanese Government's conciliatory attitude, became more and more arrogant and vexatious, and the tension became such that any new incident was capable of leading to a catastrophe. It was in these circumstances that the attempt by Chinese troops on the South Manchurian Railway took place on September 18th last.

The attack itself throws a singular light on the state of mind of the Chinese authorities. Up to that time, attacks by bandits on the railway line or in the zone had been frequent; but action by Chinese troops in uniform had never yet taken place.

The origins of the present events are therefore deeply rooted in the past, and the Japanese people cannot admit that these events should be treated as an isolated or fortuitous act, without referring to the sources of the trouble in the hope of improving matters in the future. The Japanese Government ardently hopes that China will appreciate the seriousness of the present situation and be prepared to modify her past attitude and enter on a new course of rational and constructive co-operation with a view to eliminating all causes of future conflicts between our two nations.

I have also to draw the Council's attention to another point. I have repeated more than once that the Japanese Government was perfectly ready to enter upon direct negotiations with China. Up to the present, we have not found it possible to realise this aspiration, which is that of the Council itself. I think that the delay is due in part to the internal political situation in China, which is extremely confused. Negotiations are taking place between the Nanking and Canton Governments in the north Chang-Hsueh-Liang is endeavouring to maintain his position, while Feng-Yoo-Siang and Sung-Chuang-Fan appear to be making common cause.

I have given this account to the Council of the history of the problem, its importance for us, and the attitude of the Chinese authorities, as well as the possible solution. I apologise for the claims I have made on your patience, but I have been compelled to dwell at length on all these points, for the interest at issue is a vital interest, for the safeguarding of which the Japanese

people has not hesitated to make the heaviest sacrifices in all the history of its existence as a nation. The complexity and importance of the problem now before the Council make its task particularly delicate.

In face of the situation created by the systematically vexatious manner in which the Chinese authorities deal with our essential rights and interests, the command of the Japanese troops considered it indispensable, after the incident of September 18th, to take legitimate defensive action with a view to averting at any cost the imminent danger which threatened the very existence of the Japanese in Manchuria. It is from this point of view that the operations undertaken by our troops over a relatively wide radius should be considered.

I have already stated on behalf of my Government that it is firmly resolved to withdraw its troops within the railway zone in proportion as the security and protection of our nationals is effectively assured. There is no change in my Government's view on this fundamental point.

In seeking a solution for a question of this range, too great importance cannot and should not be attached to theoretical arguments and possibilities. It is essential to take the widest views of the practical and political realities of the situation. Any proposal which is not based on the vital realities of the international situation cannot be successful. The present situation is greatly disturbed by the violent anti-Japanese agitation which is redoubling its strength throughout China, and by the acts of cruelty to which numbers of Koreans and Japanese have fallen victims during the last few days. Under these conditions, the essential and most useful task of the Council appears to me to look first of all for means of calming the minds of the public and creating a moral disarmament between the two nations. The public opinion of my country excited beyond measure by the proceedings of the Chinese authorities, cannot be calmed until it is convinced that the perpetual menace to our rights and opportunities in Manchuria has ceased. Conscious as it is of these apprehensions, and inspired by a lively desire for a relaxation of the prevailing tension, my Government has not ceased to inform the Council and the Chinese Government of the desirability of inaugurating negotiations in the spirit of the Council's resolution of September 30th. For the same reason, my Government immediately took the opportunity offered by the Chinese Government's Note of October 4th to inform it once more (by its reply of October 9th) of its attitude in the matter.

If the Chinese Government were to make serious efforts to check the anti-Japanese agitation and to arrive, in common accord with us, at a preliminary basis for the re-establishment of normal relations between the two countries, it would do much (I am convinced) to promote the relaxation and pacification which is so much desired, thus removing the most serious obstacle to the withdrawal of our troops. The withdrawal of our troops is not conditional on the realisation of such an understanding. It is, I repeat, conditional on the security and protection of our nationals. That would, in practice, be assured by the procedure which my Government has not ceased to advocate. By all these measures and arguments taken together, we can give effect to the principles of the Council's resolution by establishing a good understanding between the two nations, as Article II of the Covenant says.

M. SZE. — I have followed carefully the Japanese representative's statement. He has dealt with a number of points which, in my opinion, and I am sure in your opinion, are irrelevant to the issue before you. He spoke about past history. I had the honour ten years ago to discuss, with the representatives of Japan in Washington, many of the points to which he has referred, and the stand I took then I take to-day. On many other points also I do not agree with him.

I must clear up one allegation he made with reference to a speech by Dr. C. T. Wang in February last at Ning-po. On that occasion a member of the Chinese Foreign Office explained to the Japanese Legation that the speech had been incorrectly reported. The explanation was accepted, and the allegation can therefore be dismissed without further discussion.

The Japanese representative referred to a number of other irrelevant points. I need not deal with them at length. I wish, however, to reply to them briefly. He mentioned anti-Japanese feelings and referred in particular to Hong-Kong and Kowloon, which are British possessions. I do not wish to conceal from you that there is still intense feeling in China, and that it has potentialities of danger, but the important point is to find out what caused this feeling. It has been said of philosophers that they kick up a dust and then complain that they cannot see. Is the situation not somewhat similar when the Japanese complain of the anti-Japanese feeling which exists in China? We must ascertain the reason for the continued occupation of a large part of China for almost a month and for the sufferings of the Chinese people.

Even after the Japanese representative had promised in this room that there should be no aggravation of the situation, the town of Chunchow was bombed by twelve aeroplanes and handbills were dropped. It has been said that these aeroplanes went to Chunchow to reconnoitre, but is it usual to send twelve bombers to reconnoitre and to drop bombs on a civilian population? I need not remind the Japanese representative of the importance attached to the appearance over a country of foreign aeroplanes. Only last summer two American aviators who were making a scientific tour round the world were detained when passing over Japan for reasons which were stated. And these were not armed aeroplanes. In speaking of anti-Japanese feelings, I would

remind you that a *communiqué* sent to the Council by the Japanese representative himself states that no Japanese have been killed in China proper.

I notice that one of the *communiqués* issued by the Japanese representative complains that Chinese subjects are being compelled to break their contracts with Japanese subjects. But here we have contractual obligations, and the Chinese courts are open to Japanese subjects who can sue for civil damages.

Seeing, however, that China has been subject for so long to foreign occupation and that the people have suffered greatly they cannot be blamed for entertaining feelings of resentment. Indeed, it is surprising that these feelings have been kept within such reasonable limits by pacific means only. These anti-Japanese feelings are spontaneous movements on the part of the people themselves. I know of no accepted principle of international law whereby a Government, however strong, powerful or autocratic, can compel its people to buy from persons whom they do not like. The newspapers contain a report of anti-Japanese demonstrations in Canton two days ago. The citizens of Canton began to burn goods which they believed to be Japanese. Whenever they went beyond the law the Chinese police had no hesitation in firing on their own people. That is to say the authorities did not hesitate to take extreme measures in order to preserve peace, property and life.

I said that I would not dwell on the historical aspect of this question, but in order that my silence may not be misunderstood, I repeat that I do not accept the allegations made by the Japanese representative, but maintain the position I adopted at the Washington Conference.

While we were sitting here this morning and again while we are sitting here this afternoon, Japanese army aeroplanes continue to drop bombs on open cities in Manchuria, and with your permission I beg to read to you two telegrams I have received. The first is dated October 13th, 9.40 a.m., and reads as follows:

“ Japanese aeroplane opened machine-gun fire and dropped five bombs on Tausan, 130 kilometres west of Mukden, Peiping-Mukden Railway ”

The second, dated October 13th, 3.45 p.m., reads as follows:

“ Three Japanese aeroplanes bombed Koupangtze, 172 kilometres west of Mukden, Peiping-Mukden Railway ”

The Japanese representative spoke of the security of Japanese nationals in China. A few days ago, before the city of Chinchow was bombed, the Japanese and Korean residents asked the local authorities to escort them to places of safety. Forty-four persons were so escorted. The Chinese authorities will fulfil their duty to protect Japanese nationals and escort them unmolested wherever they desire to go.

I have a cablegram which may be of interest to the Members of the Council. It was addressed to me by an American, Mr. Sherwood Eddy who has devoted his entire life to the promotion of goodwill and a better understanding among the nations of the world.

This cablegram, which is dated October 12th, reads.

I was present at capture Mukden. Evidence of many witnesses interviewed at time and on spot points to premeditated carefully prepared offensive plan of Japanese army without provocation of any Chinese attack producing bitter resentment when China suffering with flood disaster and world preoccupied. Japanese troops not withdrawn but all strategic points Southern Manchuria still held by Japanese and Chinchow bombed. I have testified, under oath sent Nanking and Geneva, to evidence of efforts to establish puppet independence Governments Manchuria under Japanese military control. I have forwarded sworn statement of interviews with Chinese leaders Manchuria who testify to repeated pressure of Japanese to induce them to head independence governments. Universal indignation in China taking form economic boycott which government cannot control. Efforts of Nanking Governments still peaceful non-resistance which imperil Government if pacific settlement fails. Situation critical grave developments imminent. All Orient looking to League of Nations and Kellogg Pact signatories for action. Asia believe League and Pact are on trial as well as Japan and China. Notable turning towards Soviet Russia as an ally and Communism is developing threatening widespread anarchy if League and Pact fail in this supreme crisis and menace of war. — SHERWOOD EDDY ”

The Japanese representative spoke of measures of legitimate defence. I think we have already heard about that in this very room. Lord Cecil dealt clearly with the point and also called the attention of the Japanese representative to the Minutes of a previous meeting in Paris, which was presided over by M. Briand.

With these few words, I propose to reserve my case until a subsequent occasion, when I may take the opportunity of replying to the Japanese representative at greater length.

I would merely add one word with regard to the direct negotiations to which the Japanese representative has referred. Japan's demand that China should resort to direct negotiations for the settlement of the present controversy is futile, for China will never agree to such a course so long as Japanese troops are illegally upon her soil and while satisfactory arrangements have not been made for compensating China for the wrongs done to her since September 18th.

Resort to direct negotiations between the Governments of China and Japan for determining the responsibilities of the two Governments for the events beginning on the night of September 18th and settling the reparations due from one country to the other cannot be entertained by the Chinese Government. Because of its conviction that such negotiations could not be expected to lead to satisfactory results, the Chinese Government placed the whole matter in the hands of the League.

Indeed, Japan herself first rejected direct negotiations. After the occurrences of September 18th, she did not limit her action to meeting the precise local condition (whatever that was) by localised action, and dealing with the immediate need for defence (if there was such a need). Without waiting for direct negotiations, she sent large numbers of troops into China, established military occupation in important places over a wide area of China, and carried on military operations which resulted in the loss of many Chinese lives and the destruction of much Chinese property. Thus Japan herself abandoned any possible resort to direct negotiations and made it necessary for China to appeal to the League to prevent further acts of violence and to help her to obtain relief and reparation for the injuries already committed. Surely it is not now right or reasonable for Japan to claim that the adjustment of the whole controversy should be effected through direct negotiations.

In referring to the bombardment of the open town of Chunchow where many lives were lost, I hesitated to read the whole document describing the real intention of the Japanese reconnaissance, but, with your permission, I will read a part of that handbill, omitting that part which is not suitable for reading in public:

The Imperial [Japanese] Army which, in accordance with the principles of justice, is endeavouring to safeguard its interests and to protect the masses, will never recognise the Provisional Government of Chang Hsueh-Liang at Chunchow and therefore it is obliged to take drastic measures to suppress such a Government. The people of Chunchow should submit to the kindness and power of the army of the Great Japanese Empire and should oppose and prevent the establishment of Chang Hsueh-Liang's Government, otherwise they will be considered as decidedly opposing the army of the Great Japanese Empire, in which case the army will ruthlessly destroy Chunchow."¹

I would add one word with reference to the Japanese representative's historical survey. He did not mention the treaties of May 1915, resulting from the "Twenty-One Demands" which his country addressed to China.

M. YOSHIZAWA. — It is my duty to reply to the Chinese representative point by point.

I considered it necessary to explain the history of Manchuria in order to give you an idea of our position in regard to China. I know that the Chinese representative was present at the Washington Conference and explained China's attitude on that occasion, but I do not wish to enter into the details of the discussions which took place at that time. The results embodied in the treaties, protocols and Minutes confirm the views I have expressed.

The Chinese representative refuted my statement with regard to the speech made by Dr. C. T. Wang, ex-Chinese Minister for Foreign Affairs. That statement was based upon a telegram from the Minister for Foreign Affairs in Tokio, and I am convinced that I have not been misinformed.

He then referred to the anti-Japanese movement in China. In this connection, I intended to point out that the orders given by the Chinese Government, or the leaders of the Government, have not been faithfully observed. I have already communicated certain information to the Council in document C.703.M.309.1931.VII, and, in addition to that information, we have been informed of many cases of maltreatment of Japanese residents in China by the Chinese population.

Prior to the incident of September 18th, we had for some years past been subjected to much ill-treatment and outrage. I will give one example relating to Japanese merchant vessels and warships fired upon by Chinese soldiers. During the year March 1930 to February 1931, merchant vessels and warships were fired upon 145 times by Chinese soldiers. That is a single case, which I take the opportunity of mentioning here, but if necessary I can at a later date give my colleagues information regarding other cases of outrages committed upon our nationals in China. I would

¹ Document C.694.M.299.1931.VII.

See Annex 1334, Section XX, Communication No. 16.

further mention that stones were thrown at Japanese school-children in Shanghai. Ninety-six such cases have occurred since September 18th.

The Chinese representative then dealt with the Chinchow incident. The circumstances have been fully explained in the note which I addressed to the President of the Council and I need not therefore go further into details. My note fully explains my Government's attitude. I wish, however, to add one word. The Japanese army which is outnumbered, is very sensitive to any attack made by the Chinese army and the incident in question arose from the fact that the Chinese army sent many soldiers east of Chinchow clandestinely to make contact with troops east of the South Manchuria railway. Moreover, Japanese aeroplanes were fired upon by the Chinese army and found it necessary to drop bombs.

The Chinese representative also referred to a new incident reported to have taken place at Koupangtze. I have not yet been informed of this incident.

He stated that the Japanese consuls expressed their thanks for the protection of Japanese residents in Chinchow. If those residents have been protected, our consuls ought to express their thanks which, of course, I fully endorse.

I would point out that, although our nationals in China are being subjected to maltreatment, Chinese nationals living in Japan are protected, as I stated in my last statement, and I presume that the Chinese Minister in Tokio will have expressed his thanks for that protection.

The Chinese representative referred to the calamity caused by the flood. I may say that the Japanese population—not only Government officials, but the entire nation—expressed its most cordial sympathy in a concrete manner. Government officials, including the higher officials of the Foreign Office, made contributions, and relief associations sent a delegation to China with an enormous amount of material and money. They were unable to get into touch with the proper quarters, however, and were obliged to return to Japan.

The Chinese representative referred to direct negotiations. As I informed the Council at its last meeting in September, we have been and shall be faithful to the principle of direct negotiations. In the proposal contained in the reply addressed to the President of the Council, my Government suggests that it is essential to reach agreement on certain principal points as a basis for negotiation. My Government's intention is that these negotiations shall not include details relating to the settlement of the conditions resulting from the incident of September 18th, but shall only deal with the bases of negotiation, with a view to reaching agreement with China on the matter of evacuation, and so on. Without such preliminary negotiation, it is impossible for us to withdraw our troops into the railway zone in view of past experience in analogous cases. For instance, as the representative of China well knows, on the occasion of the Washington Conference Baron Shidehara, Minister for Foreign Affairs, made an arrangement with the Chinese delegate for the evacuation of our troops from the Province of Shantung. About three years ago when we had withdrawn our troops from Tsinan, I myself negotiated with Dr. C. T. Wang, and a detailed programme for evacuation was agreed upon between us, which, at the request of the Chinese Government, was not carried out. A little later on, in conformity with a request made by the Chinese Government, we scrupulously withdrew our troops from the territory in which they were stationed. In view of this experience, my Government finds it necessary to come to some arrangement as a preliminary to the complete withdrawal of our troops.

M. SZE. — The representative of Japan has been good enough to tell us that the Japanese army is very sensitive to criticism. But that sensitiveness is not a monopoly of the Japanese army.

With reference to the Chinchow incident, he said that Chinese soldiers fired upon Japanese aeroplanes, which were forced to drop bombs. I wonder whether he would produce before the Council evidence of that attack. As I have already said, there are no anti-aircraft guns in the possession of the Chinese Army at Chinchow or at the railway station.

He referred to the flood. When I first addressed the Assembly I gave due recognition to Japan for her assistance. As regards subsequent events, I had the honour to circulate two telegrams, one from the people who were starving in Hankow and one from the Chairman of the Flood Relief Commission, and there is therefore no need for me to go into the matter further.

The representative of Japan also referred to experience of previous direct negotiations for the withdrawal of troops. In one case, I had the honour of negotiating with Baron Shidehara in Washington, and in another the Japanese representative himself negotiated with the Chinese Minister for Foreign Affairs, but the present case is not analogous to those two previous cases. Had they been similar cases, China, as a loyal Member of the League, would have asked the League to examine them.

Moreover, in referring to what might be expected, in the light of previous experience, from direct negotiations, the Japanese representative omitted to refer to the results for China of the direct negotiations carried on with Japan after the latter had presented its "Twenty-One Demands" in 1915.

M. YOSHIKAWA. — It is unnecessary for me to make any further observations at the moment. I would merely say that I disagree with the representative of China on certain points.

Lord READING. — With reference to the two telegrams read by the Chinese representative regarding bombing operations, I hope that the Japanese representative will obtain full information for us, and will present it to the Council without delay

M. YOSHIZAWA. — I shall not fail to ask my Government for full information.

The PRESIDENT. — We have heard the very complete explanations of the parties to this dispute. We note that Japan repeats the assurance, given at a previous meeting, that she has no ulterior motive and is ready to evacuate the places which her forces have occupied, provided, and this is her only reservation, she feels that the security of the persons and property of her nationals is guaranteed. The representative of China has told us that his country has no intention whatever of resorting to reprisals, and that, in spite of the excited state of her people, China is refraining from anything which might lead her nationals to commit serious acts.

To my mind, at least, that is a situation which—seeing that it exists between two Members of the League of Nations, both of whom, by exceptional good fortune, are Members of the Council—gives reason to hope that this dispute, though already serious, will not assume the proportions of a catastrophe. That is my impression after hearing the Japanese representative's statement that, as regards guarantees and conversations for the purpose of obtaining them, he has not in mind negotiations on the situation as a whole, but simply the possibility of conversations on questions relating directly to the problem of the occupation. It is also my impression after hearing the affirmation of the Chinese Government's intention to protect the lives and property of Japanese nationals. I cannot, then, believe that a dispute of this kind will lead to an irremediable situation.

The Council is faced with one of the most important and difficult duties which the League of Nations could be called upon to perform. It will perform that duty with the necessary firmness when it has obtained full information as to the causes and extent of the dispute, and the means of settling it.

I have been confronted in the past with similar—though not identical—cases, and I can say that what enabled the League of Nations and the Council to discharge their duty was the confidence which both parties placed in the League.

The representative of China has just told us—and I am not surprised—that the situation with which his country is faced naturally causes irritation, and may lead to serious events. The Japanese representative has said that certain military acts have been carried through under the influence of anxiety. Soldiers readily feel such anxiety and when they do so they act. That I understand. But I want to distinguish between facts capable of explanation, which do not create an irremediable situation and those which may place us before such a situation. The League of Nations has been able to act effectively and to settle disputes because the parties, trusting in the League, have been prepared to do everything in their power to facilitate its task.

I therefore ask for an assurance that pending a solution the situation shall not become worse, that no new incidents shall render our task more troublesome and the settlement more difficult. I know our colleagues; I know that the two great nations they represent here realise what a terrible responsibility would rest on the nation which, at so grave a time, brought about a catastrophe that would be felt throughout the world.

I am sure our colleagues will advise their Governments to have confidence and patience, and to avoid anything which might render the situation more serious and complicate the Council's task, which is already so heavy. I am convinced that we shall then achieve the object we all desire.

Let us not go into details to discover which points are strictly accurate and which not quite so accurate, but let us look at the situation as a whole. Two nations opposed to each other as a result of a serious misunderstanding are still in touch, they have not broken off relations and their representatives are even sitting at the same table and are able to discuss matters calmly coolly and courteously as we have heard them do to-day. What a lesson for those who say that the League of Nations is not worthy of the confidence which the nations have placed in it!

The confidence in the League shown by both parties must continue. It must be accompanied by patience if we are to do our share. We can assure the two parties that we shall not fail in our duty. We shall discharge it resolutely with the means—unfortunately limited—at our disposal. Nevertheless we shall fulfil it. I am sure that if you will help us—and I do not doubt that that is your intention—we shall achieve the aim we all desire.

The next meeting will take place at a later date, of which I will inform the Members of the Council.