

in all circumstances in virtue of the formal engagements contained in the Pact of Paris.

The anxiety felt by the Lithuanian delegation is also due to its own experience of ten years ago.

The members of this Assembly will certainly remember the occupation of the territory of Vilna by Polish armed forces — an occupation censured by the League at the outset with a vigour and clearness which did it honour. This *coup de force* was described by the President of the Council as a flagrant violation by Poland of her formal engagements. The Members of the League will perhaps remember also the subsequent developments of the question before the League — developments which put a severe strain upon its prestige. The procedure of conciliation, vitiated in its origin by toleration of the *fait accompli*, was unsuccessful, and recourse was then had to the system of the so-called final recommendation on the basis of Article 15, paragraph 4. The League subsequently dropped the whole question as if it had done its duty. The aggressor then enjoyed the results of the *fait accompli* for which it had been responsible, in contempt of all right and all justice. The outcome was a paradoxical situation which, although in accordance with the letter of Article 15, paragraph 4, none the less remains an open sore and a bar to peace and good understanding between the nations.

This experience has been too painful for our country for us to omit, on this occasion, to recall it to the Members of the League.

At a time when we are about to decide on the recommendation submitted to us by our Committee, it is important that we should not complicate a future solution in our immediate anxiety to accomplish an act the importance of which I should be the last to deny.

The remarks I have ventured to make have but one object — to draw the attention of the Members of the League, who are at the same time parties to the Paris Pact, to the imperative necessity — in the interests of peace both in the East and in the West — that the League of Nations, after accepting the recommendation, should not wash its hands of this question, as it did in the case of Vilna.

「19人委員会」報告
書の採択

The President :

Translation : There are no more speakers on the list, and I accordingly declare the discussion closed. We will now proceed to vote on the report. I will read you paragraphs 4, 5, 6, 7 and 10 of Article 15 of the Covenant, which refer to the vote on the report :

“ 4. If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

“ 5. Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

“ 6. If a report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

“ 7. If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one

or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

“ 10. In any case referred to the Assembly, all the provisions of this article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the representatives of one or more of the parties to the dispute.”

The parties may thus take part in the vote, but their votes will not count in deciding the question of unanimity; and, in the Assembly, unanimity means a unanimous vote of the States represented on the Council and a majority of the other States represented in the Assembly.

We will now proceed to take a vote by roll-call.

(The vote was taken by roll-call.)

The following States voted for the report : United Kingdom, Czechoslovakia, France, Germany, Guatemala, Irish Free State, Italy, United States of Mexico, Norway, Panama, Poland, Spain (Members of the Council) ; Union of South Africa, Albania, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Denmark, Estonia, Finland, Greece, Haiti, Hungary, India, Latvia, Lithuania, Luxembourg, Netherlands, New Zealand, Persia, Portugal, Roumania, Sweden, Switzerland, Turkey, Uruguay, Venezuela and Yugoslavia.

China, a party to the dispute, voted for the report.

Japan, a party to the dispute, voted against the report.

Siam abstained from voting.

The President :

Translation : The result of the voting is as follows :

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| Number of States voting | 44 |
| Number of votes in favour of the report | 42 |

The Members of the Council other than the parties to the dispute — that is, twelve Members — all voted for the report.

One State abstained from voting. It is regarded, under the Rules of Procedure, as not present.

As regards the parties to the dispute one, China, voted for the report and the other, Japan, voted against it.

I therefore declare the report *unanimously adopted*.

The Assembly, having duly observed all the formalities prescribed in the Covenant, has unanimously adopted the report of its Committee provided for under Article 15, paragraph 4, of the Covenant.

This vote is an act of grave import, carried out in circumstances which are both painful and disturbing. I need not dwell upon the juridical effects of the vote, but would simply remind you that Article 15, paragraph 6, of the Covenant provides as follows :

“ If a report by the Council (or the Assembly) is unanimously agreed to by the members

thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.”

Article 12 provides further that Members of the League agree “in no case to resort to war until three months after . . . the report by the Council (or the Assembly)”.

Having thus reminded you of the legal significance of the vote, I desire now to stress its political import.

The recommendations which we have formulated, and which the Assembly has unanimously approved, do not possess the executive force of an arbitral award: they stand as an offer of collaboration in the settlement of the dispute, an offer extended in all good faith and goodwill to the two nations parties to the dispute by the other nations with which they have entered into a voluntary association.

To-day our recommendations have been rejected by one of the parties, which is tempted to retire into isolation and to pursue its policy without considering the opinion of the other States.

I have not abandoned the hope that a day will come when our offer will be accepted by both the parties. I trust also that neither of them will be guilty of any irreparable act. The use of force, far from hastening or facilitating a solution of the dispute, can only prolong and aggravate it. Finally, the world fully realises that some day an international settlement will have to be reached and that the nations will have to continue to seek a solution for the present dispute.

Such a solution — which must be equitable and must reconcile the rights and interests of two great nations — is necessary for the progress of mankind, for the moral and material development of the East.

As for the League, the League is working and will continue to work amidst the tumult of passions, intent on carrying out the mission, assigned to it by the authors of the Covenant, of bringing into being, in a world profoundly divided by dissent and rivalry, by prejudice and misunderstanding, an international order under which justice and concord shall draw the peoples together and constitute a guarantee of peace.

M. Matsuoka, delegate of Japan, will address the Assembly.

M. Matsuoka (Japan). — On behalf of my Government, I wish to make a declaration.

It is a source of profound regret and disappointment to the Japanese delegation and to the Japanese

Government that the draft report has now been adopted by this Assembly.

Japan has been a Member of the League of Nations since its inception. Our delegates to the Versailles Conference of 1919 took part in the drafting of the Covenant. We have been proud to be a Member of the League, associated with the leading nations of the world in one of the grandest purposes in which humanity could unite. It has always been our sincere wish and pleasure to co-operate with the fellow-Members of the League in attaining the great aim held in common and long cherished by humanity. I deeply deplore the situation we are now confronting, for I do not doubt that the same aim, the desire to see a lasting peace established, is animating all of us in our deliberations and our actions.

It is a matter of common knowledge that Japan's policy is fundamentally inspired by a genuine desire to guarantee peace in the Far East and to contribute to the maintenance of peace throughout the world. Japan, however, finds it impossible to accept the report adopted by the Assembly, and, in particular, she has taken pains to point out that the recommendations contained therein could not be considered such as would secure peace in that part of the world.

The Japanese Government now finds itself compelled to conclude that Japan and the other Members of the League entertain different views on the manner of achieving peace in the Far East, and the Japanese Government is obliged to feel that it has now reached the limit of its endeavours to co-operate with the League of Nations in regard to the Sino-Japanese differences.

The Japanese Government will, however, make the utmost efforts for the establishment of peace in the Far East and for the maintenance and strengthening of good and cordial relations with other Powers. I need hardly add that the Japanese Government persists in its desire to contribute to human welfare and will continue its policy of co-operating in all sincerity in the work dedicated to world peace, in so far as such co-operation is possible in the circumstances created by the unfortunate adoption of the report.

On behalf of the Japanese delegation, before leaving the room, let me tender its sincerest appreciation of the efforts ungrudgingly made to find a solution of the Sino-Japanese dispute before you, for the past seventeen months, by the President and Members of the Council, as well as by the President and Members of the General Assembly to whom we offer our sincere thanks.

(The Japanese delegation withdrew.)

The Assembly rose at 1.50 p.m.

松岡洋右外務大臣 國際連盟訣別演説