

LEAGUE OF NATIONS

ONE-HUNDREDTH SESSION OF THE COUNCIL

MINUTES

SIXTH MEETING (PRIVATE, THEN PUBLIC).

Held on Wednesday, February 2nd, 1938, at 12 noon.

President: M. ADLE.

The Members of the Council were represented as follows:

<i>Belgium:</i>	M. BOURQUIN.
<i>Bolivia:</i>	M. COSTA DU REIS.
<i>United Kingdom of Great Britain and Northern Ireland:</i>	VISCOUNT CRANBORNE.
<i>China:</i>	M. WELLINGTON KOO.
<i>Ecuador:</i>	M. QUEVEDO.
<i>France:</i>	M. DE TESSAN.
<i>Iran:</i>	M. ADLE.
<i>Italy:</i>	
<i>Latvia:</i>	M. FELDMANS.
<i>New Zealand:</i>	MR. JORDAN.
<i>Peru:</i>	M. GARCÍA CALDERÓN.
<i>Poland:</i>	M. KOMARNICKI.
<i>Roumania:</i>	M. CRUZESCO.
<i>Sweden:</i>	M. UNDÉN.
<i>Union of Soviet Socialist Republics:</i>	M. STEIN.

Secretary-General: M. J. AVENOL.

4013. — Appeal by the Chinese Government: Questions of Procedure.

THE PRESIDENT. — The Council has before it the draft resolution on the Chinese Government's appeal in regard to which it will be called upon to take a decision at the public meeting.¹ Are there any observations on procedure?

M. QUEVEDO. — In voting for the resolution, I propose to state briefly how I interpret its meaning.

M. KOMARNICKI. — I have to state that I propose to abstain from voting on the draft resolution, and to explain my abstention when I do so.

M. GARCÍA CALDERÓN. — I propose also to give a public explanation of my vote.

M. DE TESSAN. — I reserve the right to speak, though not at length, when I have heard what has to be said by those who make reservations on the subject.

¹ For the text of the draft resolution, see page 4.

M. COSTA DU REIS. — The question under discussion is a question of procedure; and I had ventured to make a suggestion as to the procedure. As no Rapporteur has been named, it would be possible to eliminate the anonymity of the text before us by stating that the draft resolution is submitted by the representatives of such-and-such States. That would leave those States which had no part in the elaboration of the resolution entirely free to submit any observations they may wish.

M. Wellington Koo. — I do not see the necessity of mentioning the authors of the draft resolution. It is not the usual practice of the Council to do so, except where a resolution is presented by a Rapporteur.

In any case, I do not deserve the honour of being cited as one of the authors of the resolution. The resolution is the result of certain exchanges of views, crystallised as a basis for discussion by the Council. I participated in the discussions, and, as I have said, I can accept the resolution, if I can accompany it with a declaration. But it falls far short of what my Government would like to see adopted by the Council. To include China among the "authors" of the resolution might convey the impression that China was one of the countries which advocated this resolution, and were satisfied with it, and insisted on its present terms. That would be an entirely false impression.

VISCOUNT CRANBORNE. — I quite agree. The representative of China is in a very difficult position; and it would not be fair to ask him to agree to China being cited as one of the authors of the resolution. In view of what has been said, perhaps, the representative of Bolivia will not press his proposal.

M. COSTA DU REIS. — I withdraw my proposal in order to enable the draft resolution to be adopted to-day without further difficulty.

(The Council went into public session.)

4014. — Appeal by the Chinese Government.

The PRESIDENT. — The following is the text of a draft resolution that has been prepared on this subject:¹

"The Council,

"Having taken into consideration the situation in the Far East:

"Notes with regret that hostilities in China continue and have been intensified since the last meeting of the Council;

"Deplores this deterioration in the situation the more in view of the efforts and achievements of the National Government of China in her political and economic reconstruction;

"Recalls that the Assembly, by its resolution of October 6th, 1937, has expressed its moral support for China and has recommended that Members of the League should refrain from taking any action which might have the effect of weakening China's power of resistance and thus of increasing her difficulties in the present conflict, and should also consider how far they can individually extend aid to China;

"Calls the most serious attention of the Members of the League to the terms of the above-mentioned resolution;

"Is confident that those States represented on the Council for whom the situation is of special interest, will lose no opportunity of examining, in consultation with other similarly interested Powers, the feasibility of any further steps which may contribute to a just settlement of the conflict in the Far East."

M. Wellington Koo. — Mr. President, before I express the views of the Chinese Government on the draft resolution before us, I trust you will permit me to present a statement of the developments that have taken place in the last few months and to express the views of the Chinese Government as to what the Council of the League could do in the circumstances, and what are our desiderata.

Since the eighteenth Assembly adopted its resolution of October 6th last relating to the appeal of the Chinese Government concerning Japan's armed aggressions against China, Japan has continued and intensified her ruthless invasion of Chinese territory. Her army in North China has since crossed the Yellow River and occupied Tsinan, capital of the sacred Province of Shantung, the birthplace of Confucius. In Central China, the Chinese defenders were compelled to withdraw from the Shanghai region in November 1937 after almost three months' gallant resistance against the most formidable attacks of Japan's combined land, naval and air forces. Nanking being thus threatened, the Chinese Government was obliged to remove the national capital to Chungking, about 1,000 miles from the sea coast. Persistent Japanese attacks on Hangchow as well as on Nanking in December last have resulted in their occupation of these two important cities and the richest and most populous region of the Yangtze Delta.

The Japanese navy has seized a large number of Chinese islands along the coast of Fukien and Kwangtung Provinces and has been making repeated attempts to invade Canton and South China.

¹ Document C.59.1938.VII.

The Japanese air arm has been continuing its indiscriminate bombardment of open towns and perpetrating mass murder of Chinese civilian population in defiance of the universal chorus of condemnation. Extensive and repeated air raids have been inflicted upon populous centres in no fewer than seventeen Provinces, as far inland as Kansu Province, in the North West, and Kwangsi Province, in the South West, levying an appalling toll of deaths, mostly amongst women and children.

In addition, the cruel and barbarous conduct in the occupied areas of Japanese soldiery, which used to pride itself on its good discipline, has added to the sufferings and hardships of a war-stricken people and has shocked the sense of decency and humanity. So many cases of it have been reported by neutral eyewitnesses and published in the foreign Press that it is hardly necessary to cite evidence here. Suffice it, as an illustration, to quote a description by the correspondent of the *New York Times*, reported in the *The Times* of London of December 20th, 1937, of the scene of horror in Nanking following the capture of the city by the Japanese; these are his succinct words: " Wholesale looting, violation of women, murder of civilians, eviction of Chinese from their homes, mass executions of war prisoners, and the impressing of able-bodied men."

Another authentic account of the atrocities perpetrated by Japanese soldiers at Nanking and Hangchow based on the reports and letters of American professors and missionaries is to be found in the *Daily Telegraph and Morning Post* of January 28th, 1938. The number of Chinese civilians slaughtered at Nanking by Japanese was estimated at 20,000, while thousands of women, including young girls, were outraged. The American Chairman of the Emergency Committee of Nanking University, writing to the Japanese Embassy on December 14th, 1937, stated in part: " We urge you, for the sake of the reputation of the Japanese Army and Empire, and for the sake of your own wives, daughters and sisters, to protect the families of Nanking from the violence of your soldiers". The correspondent added that " in spite of this appeal, the atrocities continued unchecked".

In all the occupied areas, the Japanese militarists, while professing to entertain no territorial designs, have invariably carried out their preconceived plan of setting up various local regimes with puppets of their own choice, culminating in the installation at Peiping on December 14th, 1937, of the so-called " Provisional Government of the Republic of China ". In connection with this latter event, it is significant to note that General Terauchi, the Japanese Commander-in-Chief in North China, issued a proclamation on December 17th calling on the Chinese people to obey the orders of the Japanese Army. Equally striking is the declaration of the Tokyo Government on January 16th, 1938, purporting to refuse to have further dealings with the Chinese National Government and undertaking the responsibility to build up a so-called " rejuvenated China" in co-operation with a new Chinese regime. One could not find a more direct proof of Japan's sinister intention to destroy Chinese independence and sovereignty.

In addition to the appalling loss of Chinese life and property which the Japanese aggression has occasioned, it has likewise seriously affected the legitimate rights and interests of foreign Powers and foreign nationals in China. Thus, it was stated in the declaration of the Brussels Conference of November 15th, 1937, that:

" It cannot be denied that the present hostilities between Japan and China adversely affect not only the rights of all nations but also the material interests of nearly all nations. These hostilities have brought to some nationals of third countries death, to many nationals of third countries great peril, to property of nationals of third countries widespread destruction, to international communications disruption, to international trade disturbance and loss, to the peoples of all nations a sense of horror and indignation, to all the world feelings of uncertainty and apprehension."

Since that statement was made, there have occurred several grave incidents resulting from unprovoked and deliberate attacks by Japanese military, naval and air forces upon the diplomatic representatives, private citizens, and public property of third Powers, notably the sinking of the American gunboat *Panay*, the firing on the British gunboat *Ladybird* and several other British and American ships, the assault on a member of the American Embassy at Nanking, as well as cases of insult to the national flags of several Western Powers.

The occurrence of these incidents is not only symbolic of Japan's contempt for Western Powers as shown in her policy of " outrage, apology and outrage ", but has also raised a number of grave issues involving, as they must, the very existence of vital European and American interests in the Far East. It has indeed violently and painfully opened the eyes of the world to the significance of Japan's declaration to assure " respect for neutral rights and interests".

For one thing, as a result of the Japanese occupation of the surrounding territories, Shanghai, the pride of Sino-foreign enterprise in the Far East and one of the greatest commercial metropolises in the world, has come under Japanese domination, and its very future now seems to be in the balance. The interference by the Japanese military authorities with the Chinese Maritime Customs in that port, their proclamation of a censorship over the postal and telegraphic communications and over the Press, their insistence upon meddling in the municipal administration of the International Settlement, their forcible intervention in the maintenance of law and order therein, their menace to the safety of life and property by arbitrary arrests and search, and their threat