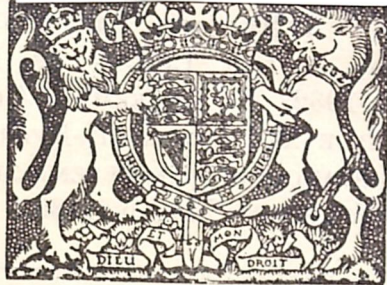


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China No. 1 (1932)

CESSATION OF HOSTILITIES IN SHANGHAI AND NEIGHBOURHOOD AND WITHDRAWAL OF JAPANESE FORCES

Resolution adopted by the Special Assembly of
the League of Nations

Geneva, April 30, 1932
and

Agreement concluded between the Chinese and
Japanese Representatives with the assistance of
Representatives of Friendly Powers

Shanghai, May 5, 1932

*Presented by the Secretary of State for Foreign Affairs
to Parliament by Command of His Majesty*

LONDON

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CESSATION OF HOSTILITIES IN SHANGHAI AND NEIGH-
BOURHOOD. RESOLUTION ADOPTED BY THE SPECIAL
ASSEMBLY OF THE LEAGUE OF NATIONS, GENEVA,
APRIL 30, 1932, AND AGREEMENT CONCLUDED BETWEEN
THE CHINESE AND JAPANESE REPRESENTATIVES WITH
THE ASSISTANCE OF REPRESENTATIVES OF FRIENDLY
POWERS, SHANGHAI, MAY 5, 1932.

No. 1.

*Resolution Adopted by the Special Assembly of the League of
Nations.*

Geneva, April 30, 1932.

THE Assembly,

1. Considering that its resolutions of the 4th and 11th March⁽¹⁾ recommended that negotiations should be entered into by the Chinese and Japanese representatives, with the assistance of the military, naval and civilian authorities of the Powers having special interests in the Shanghai Settlements, for the conclusion of arrangements which shall render definite the cessation of hostilities and regulate the withdrawal of the Japanese forces;

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

3. Considering that the negotiations should be pursued in accordance with the above-mentioned resolutions, no one of the parties being entitled to insist on conditions which would be incompatible with the said resolutions;

4. Having noted the articles of the draft armistice which have been communicated to the Committee of the Assembly and have been accepted by the two parties;

5. Considers that these articles conform to the spirit of the said resolutions;

6. Notes in particular that under Article 3 of the said draft, the Japanese Government undertakes to carry out the withdrawal of its

(1) See Cmd. 4040, pages 12 and 13.

forces to the International Settlement and the roads outside the Settlement in the Hongkew district as before the incident of the 28th January, 1932;

7. Declares that it is in accordance with the spirit of the resolutions of the 4th and 11th March, that this withdrawal should take place in the near future;

8. Declares that the resolution of the 4th March will only have been fully complied with when the Japanese forces have been entirely withdrawn;

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

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

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

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

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

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

No. 2.

Agreement Concluded between the Chinese and Japanese Representatives with the Assistance of Representatives of Friendly Powers.

Shanghai, May 5, 1932.

ARTICLE 1.

THE Japanese and Chinese authorities having already ordered the cease fire, it is agreed that the cessation of hostilities is rendered definite as from the 5th May, 1932; the forces of the two sides will so far as lies in their control cease around Shanghai all and every form of hostile act. In the event of doubts arising in regard to the cessation of hostilities, the situation in this respect will be ascertained by the representatives of the participating friendly Powers.

ARTICLE 2.

The Chinese troops will remain in their present positions pending later arrangements upon the re-establishment of normal conditions in the areas dealt with in this Agreement. The aforesaid positions are indicated in Annex 1 to this Agreement.

ARTICLE 3

The Japanese troops will withdraw to the International Settlement and the extra-settlement roads in the Hongkew district as before the incident of the 28th January, 1932. It is, however, understood, in view of the numbers of Japanese troops to be accommodated, some will have to be temporarily stationed in localities adjacent to the above-mentioned areas. The aforesaid localities are indicated in Annex 2 to this Agreement.

ARTICLE 4.

A joint commission, including members representing the participating friendly Powers, will be established to certify the actual withdrawal. This commission will also collaborate in arranging for the transfer from evacuating Japanese forces to the incoming Chinese police, who will take over as soon as the Japanese forces withdraw. The constitution and procedure of this commission will be as defined in Annex 3 to this Agreement.

ARTICLE 5.

The present Agreement shall come into force on the day of signature thereof.

The present Agreement is made in the Chinese and Japanese and English languages. In the event of there being any doubt as to the meaning or any difference of meaning between the

Chinese and Japanese and English texts, the English text shall be authoritative.

Done at Shanghai, this 5th day of May, 1932.

QUO TAI-CHI, *Vice-Minister for Foreign Affairs.*

TAI-CHI, *Lieutenant-General.*

HWANG CHIANG, *Lieutenant-General.*

K. UYEDA, *Lieutenant-General.*

M. SHIGEMITSU, *Envoy Extraordinary and Minister Plenipotentiary.*

S. SHIMADA, *Rear-Admiral.*

K. TASHIRO, *Major-General.*

In the presence of—

MILES W. LAMPSON, *His Britannic Majesty's Minister in China.*

NELSON TRUSLER JOHNSON, *American Minister in China.*

WILDEN, *Ministre de France en Chine.*

GALEAZZO CIANO, *Chargé d'Affaires for Italy in China.*

Representatives of the friendly Powers assisting in the negotiations in accordance with the resolution of the Assembly of the League of Nations of the 4th March, 1932.

ANNEX 1.

THE following are the positions of the Chinese troops as provided in article 2 of this agreement—

Reference: the attached postal map of the Shanghai district⁽²⁾; scale: 1/150,000.

From a point on the Soochow Creek due south of Anting Village north along the west bank of a creek. Immediately east of Anting Village to Wang-hieng-Ch'iao, thence north across a creek to a point 4 kilometres east of Shatow, and thence north-west up to and including Hu-pei-k'on on the Yangtze River.

In the event of doubts arising in regard thereto, the positions in question will, upon the request of the joint commission, be ascertained by the representatives of the participating friendly Powers, members of the joint commission.

ANNEX 2.

THE following are the localities as provided in article 3 of this agreement:—

The aforesaid localities are outlined on the attached maps⁽²⁾ marked "A," "B," "C" and "D." They are referred to as areas 1, 2, 3 and 4.

⁽²⁾ Not reproduced.

Area 1 is shown on map "A." It is agreed (1) that this area excludes Woosung Village, (2) that the Japanese will not interfere with operation of the Shanghai-Woosung Railway or its workshops.

Area 2 is shown on map "B." It is agreed that the Chinese cemetery, about 1 mile more or less to the north-east of the international race track, is excluded from the area to be used by the Japanese troops.

Area 3 is shown on map "C." It is agreed that this area excludes village Ts'ao-chia-chai and the Sanyu Cloth Factory.

Area 4 is shown on map "D." It is agreed that the area to be used includes the Japanese cemetery and eastward approaches thereto. In the event of doubts arising in regard thereto, the localities in question will, upon the request of the joint commission, be ascertained by the representatives of participating friendly Powers, members of the joint commission.

The withdrawal of the Japanese troops to the localities indicated above will be commenced within one week of the coming into force of the agreement and will be completed in four weeks from the commencement of the withdrawal.

The joint commission to be established under article 4 will make any necessary arrangements for the care and subsequent evacuation of any invalids or injured animals that cannot be withdrawn at the time of the evacuation. These may be detained at their positions, together with the necessary medical personnel. The Chinese authorities will give protection to the above.

ANNEX 3.

The joint commission will be composed of twelve members, namely, one civilian and one military representative of each of the following: The Chinese and Japanese Governments, and the American, British, French and Italian heads of mission in China, being the representatives of the friendly Powers assisting in the negotiations in accordance with the resolution of the Assembly of the League of Nations of the 4th March. The members of the joint commission will employ such numbers of assistants as they may from time to time find necessary in accordance with the decision of the commission. All matters of procedure will be left to the discretion of the commission, whose decisions will be taken by majority vote, the chairman having a casting vote. The chairman will be elected by the commission from amongst the members representing the participating friendly Powers.

The commission will, in accordance with its decisions, watch in such manner as it deems best the carrying out of articles 1, 2 and 3 of this agreement, and is authorised to call attention to any neglect in the carrying out of the provisions of any of the three articles mentioned above.