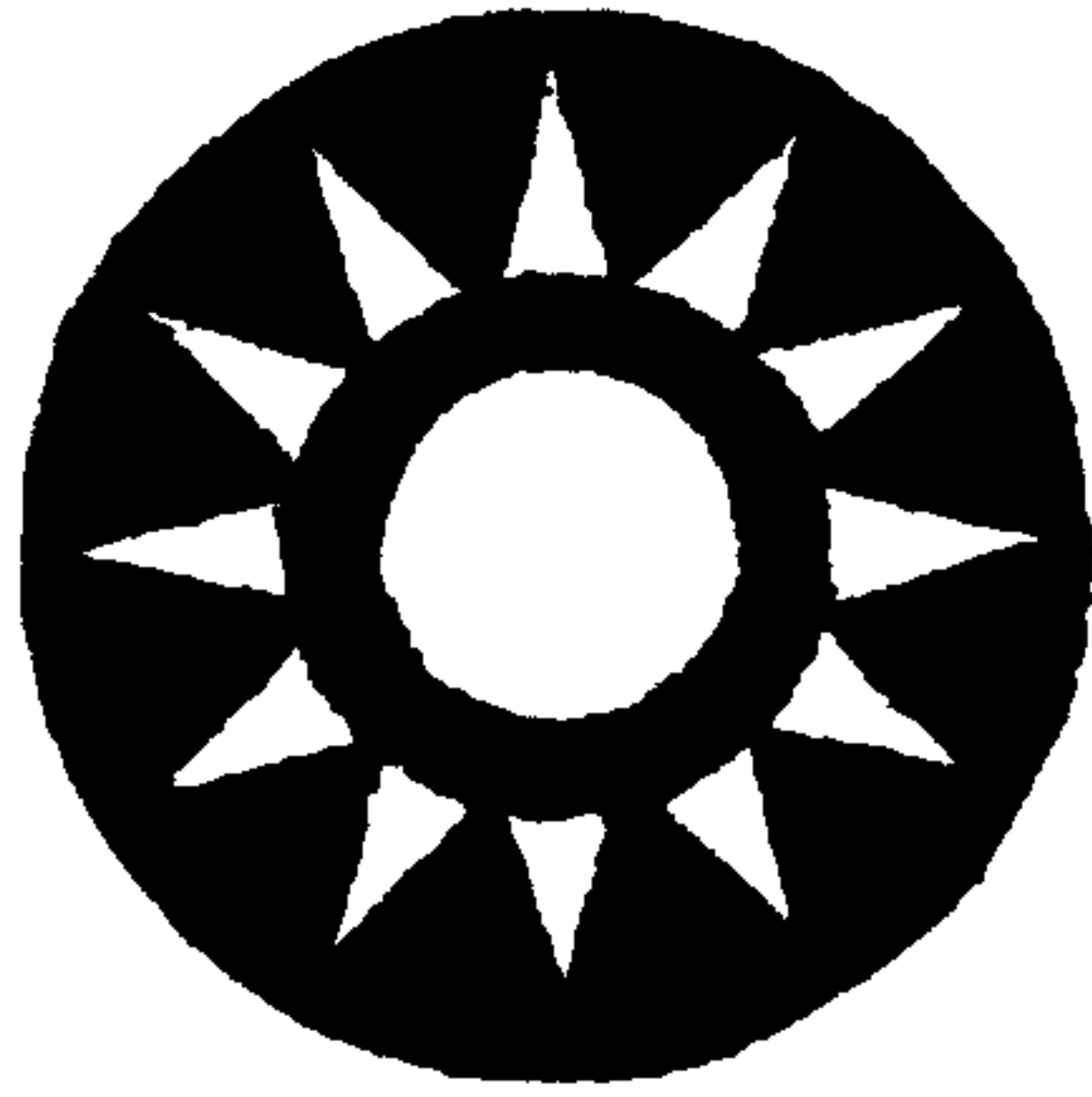


舊

白皮書第八十五號（三十七年一月）



中

暹

友

好

條

約

（中華民國三十五年一月二十三日簽字
中華民國三十五年三月二十八日互換批准書
中華民國三十五年三月二十八日生效）

中華民國國民政府外交部編印



由國家圖書館數位化、典藏

中華民國與暹羅王國友好條約

中華民國與暹羅王國為建立兩國親睦邦交增進兩國人民相互利益起見決定以平等及互尊主權之原則為基礎訂立友好條約為此簡派全權

代表如左

中華民國國民政府主席特派

駐伊朗國特命全權大使李鐵錚

暹羅王國國王特派

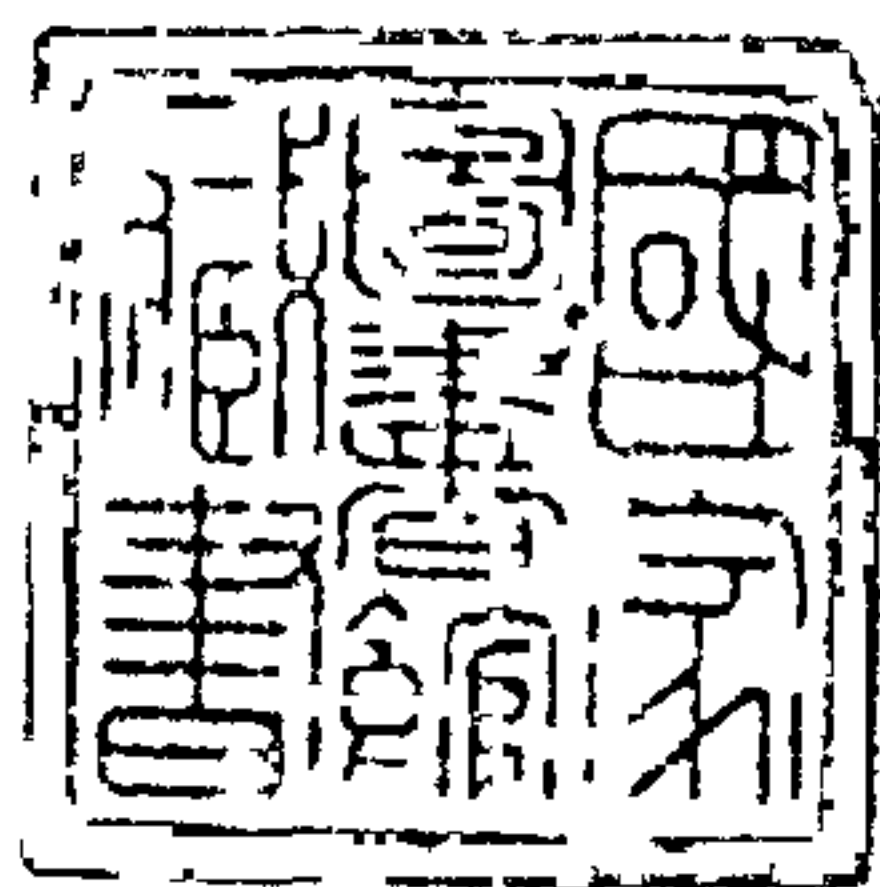
國務總理兼外交部部長蒙納洽王賽尼卜拉摩

兩全權代表將所奉全權證書互相校閱均屬妥善議定條款如左

第一條

中華民國與暹羅王國及兩國人民間應永敦和好歷久不渝

第二條



二
兩締約國有相互派遣正式外交代表之權此項代表在所駐國應享受國際公法通常承認之一切權利優例及豁免

第三條

此締約國於彼締約國領土內共同商定之地方有派駐總領事領事副領事代理領事之權此項領事官員應行使國際通例通常承認之職務並享受國際通例通常承認之待遇兩締約國領事官員於就職之前應向所駐國政府取得執行職務證書但此項證書得由所駐國政府撤回

兩締約國不得任命經營工商業人民爲領事官員

第四條

此締約國人民得在與任何第三國人民同樣條件之下依照彼締約國適用於一切外人之法律章程自由出入彼締約國領土

第五條

此締約國人民於彼締約國領土內關於其身體財產應享受最經常之保護與安全並在遵守同樣法律章程之條件下與彼締約國人民享有同樣之權利與優例

此締約國人民於彼締約國領土內關於各項法律手續司法事件之處理及各種租稅之徵收與其有關事項應享受不低於所給予彼締約國人民之待遇

第六條

此締約國人民於彼締約國領土全境內得在與任何第三國人民同樣條件之下依照彼締約國之法律章程享有旅行居住與從事各種職業及經營工商業之權利並在互惠條件之下享有取得繼承占有租用或轉讓任何種類之動產與不動產之權利

此締約國人民得依照彼締約國之法律章程享有設立學校教育其子女之自由暨集會結社出版禮典信仰之自由

第七條

兩締約國間之其他關係應以國際公法原則為基礎

第八條

兩締約國同意於最短期間內另訂通商航海條約

第九條

本條約分繕中文暹文與英文各二份遇有解釋不同應以英文為準

第十條

本條約應由兩締約國各依本國法定手續於最短期間內批准自互換批准之日起發生效力並將繼續保持效力但閱十年之後任何



一方得以十二個月前之通知宣告廢止之批准文件應在重慶或南京互換

爲此兩全權代表將本條約簽字蓋章以昭信守

佛 曆二千四百八十九年一月二十三日

中華民國三十五年一月二十三日訂於曼谷

公 曆一千九百四十六年一月二十三日

李

鐵

錚

(簽

字)

蒙納洽王賽尼卜拉摩

(簽

字)



換文（譯文）

（一）暹羅國務總理兼外交部部長致中國訪暹代表團團長照會

逕啓者：關於暹羅與中國間本日所簽訂之友好條約，本部長茲謹代表暹羅政府，證實本部長與

貴大使間業已獲致如左之諒解：

一、該約內各規定，絕不影響、替代或變更凡在締約任何一國領土內現行或將來可能制定之有關歸化、移民或公共秩序之任何法律章程，但此項法律章程以並不構成專對彼締約國人民有所歧視之措施者爲限。

二、關於土地所有權，締約任何一國人民在彼締約國領土內於本約開始生效時依照該領土內之法律章程所業已取得之上述權利，應予以尊重。遇有土地徵收時，則將付以不低於對彼締約國本國人民或對任何他國人民所給付之賠償。

相應照請

查照爲荷。

本部長順向

貴大使重表敬意。

此致

中國訪暹代表團團長李鐵錚大使閣下

公曆一千九百四十六年一月二十三日

暹羅國務總理兼外交部部長：

蒙納洽王賽尼卜拉摩

(簽字)



(二) 中國訪暹代表團團長致暹羅國務總理兼外交部部長照會

逕啓者：關於中國與暹羅間本日所簽訂之友好條約，本團長茲謹代表中國政府，證實本團長與貴總理間業已獲致如左之諒解：

一、該約內各規定，絕不影響、替代或變更凡在締約任何一國領土內現行或將來可能制定之有關歸化、移民或公共秩序之任何法律章程，但此項法律章程以並不構成專對彼締約國人民有所歧視之措施者爲限。

二、關於土地所有權，締約任何一國人民在彼締約國領土內於本約開始生效時依照該領土內之法律章程所業已取得之上述權利，應予以尊重。遇有土地徵收時，則將付以不低於對彼締約國本國人民或對任何他國人民所給付之賠償。

相應照請

查照爲荷

本團長順向

貴總理重表敬意。

此致

暹羅國務總理兼外交部部長蒙納洽王賽尼卜拉摩閣下

公曆一千九百四十六年一月二十三日

中國訪暹代表團團長：

李鐵錚（簽字）



暹羅政府外交部部長聲明(譯文)

茲爲闡明暹羅國王陛下政府對於暹羅與中國間本日所簽訂條約適用上若干事項之意旨，並顯示暹羅對於中國之善意及友好態度起見，本部長願以暹羅國王陛下政府之名義，聲明如左：

一、關於締約任何一國人民在彼締約國領土內居住及從事各種職業之權利，該約第六條業已規定最惠國待遇。因此，在暹羅之中國僑民在暹羅全境內將與任何他國人民享有同樣經營各種商務、貿易或工業及居住之權利。

二、關於締約任何一國人民在彼締約國領土內設立學校以教育其子女之權利(爲同條第二款所規定者)，在暹羅之中國學校亦將享受不低於對任何他國國籍之學校所給予之待遇。查初等教育在暹羅係屬強迫性質，在初等教育之學校內，所有兒童均應學習暹羅文，但在該項學校內給予適當機會及必要之鐘點，以教授一種外國文，亦同屬暹羅國王陛下政府之意旨。在中學校內教授各種外國文，則暹羅國王陛下政府並無加以任何限制之意。

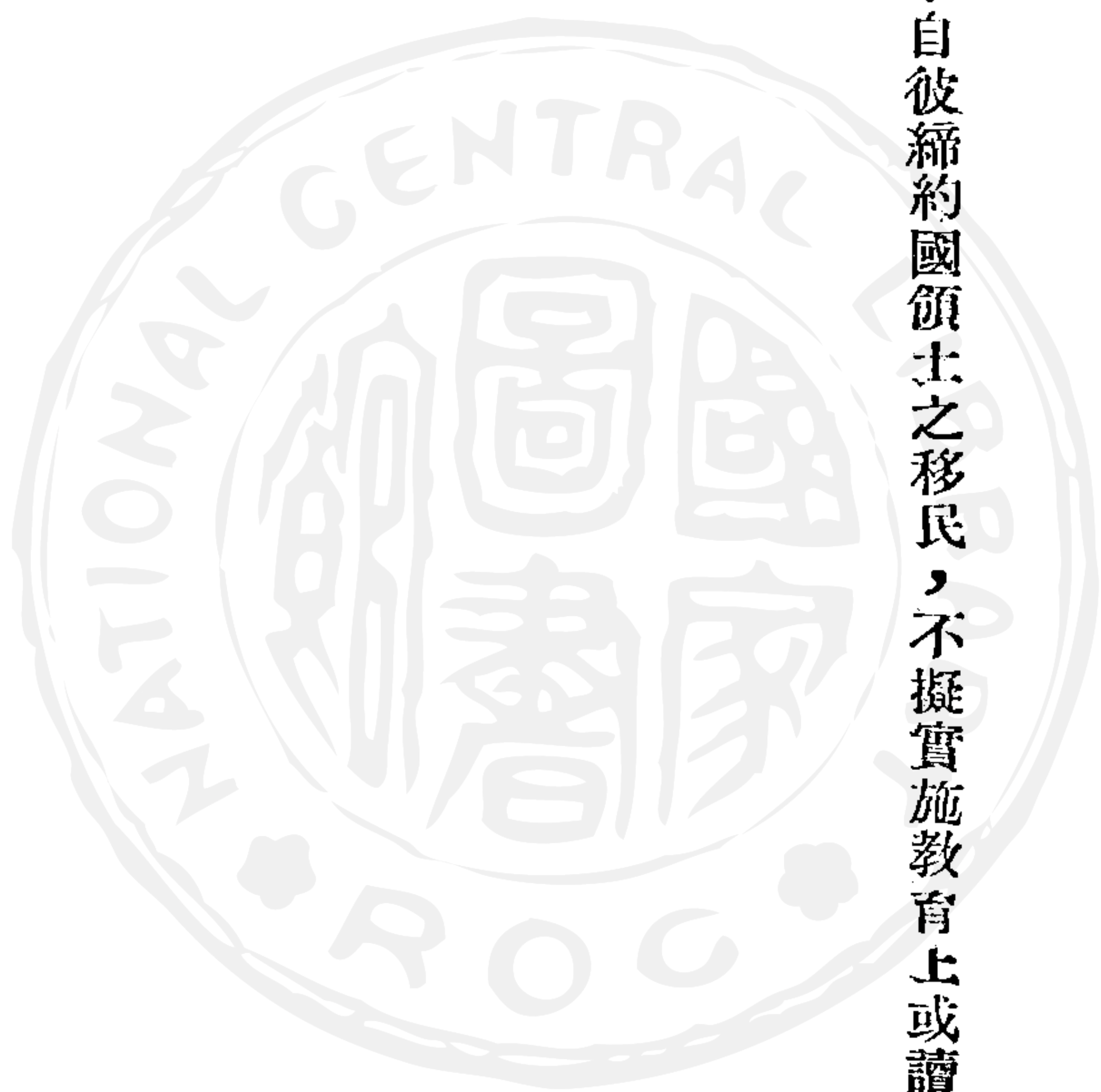
三、於該約簽訂時隨同互換之文件內，已載明該約內各規定，並不影響有關歸化、移民及公共秩序之法律章程。爲避免對於移民問題有所誤解起見，暹羅國王陛下政府願闡明其意旨如左：

(甲)如締約任何一國爲制定移民章程而實施限額制時，其爲確定每年屬於彼締約國人民之移民限額所採取之基準，將

爲其他國家爲同樣目的所通常採取之基準，例如對於彼締約國人民在有關國家內所有之人口數額，應予顧及。

(乙) 凡移民所應繳納之入境費用，應按其字義確屬一種費用，不得使其在實質上成爲一種捐稅，亦不應許其含有寓禁於征之性質。凡非屬移民之彼締約國人民，於其並無在此締約國內居住之意而進入時，則不得對其要求繳納入境費用。

(丙) 締約任何一國政府對於來自彼締約國領土之移民，不擬實施教育上或讀寫能力上之測驗。



immigration, His Majesty's Government wish to make their intentions clear:

a) In the event of a quota system being enforced by either High Contracting Party for the regulation of immigration, the basis to be adopted for fixing the annual quota of immigrants, being nationals of the other High Contracting Party, will be that which is usually adopted for the same purpose in other countries, for instance, by taking into account the size of the population constituted by the nationals of the other High Contracting Party in the country concerned.

b) The entrance fee to be paid by immigrants is to be a fee in the true sense of the word. It will not be made substantially a tax nor will it be allowed to become prohibitive. Non-immigrants, being nationals of the other High Contracting Party, who come into the country without the intention of establishing themselves therein, will not be required to pay the entrance fee.

c) It is not contemplated by the Government of either High Contracting Party to apply the educational or literacy test to immigrants from the territory of the other.

DECLARATION OF H. E. THE MINISTER OF
FOREIGN AFFAIRS OF THE SIAMESE
GOVERNMENT

For the purpose of clarifying the intentions of His Majesty's Government in certain matters concerning the application of the Treaty signed today between Siam and China, and also with a view to showing our goodwill and friendly attitude toward that country, I wish to make the following declaration in the name of His Majesty's Government:

1) Concerning the right of the nationals of either High Contracting Party to reside and carry on professions and occupations in the territory of the other, most favoured nation treatment has been provided for in Article 6 of the Treaty. Chinese residents in Siam will therefore have the right to carry on any kind of commerce, trade or industry and to reside throughout the country in the same manner as the nationals of any other country.

2) Concerning the right of the nationals of either High Contracting Party in the territory of the other to establish schools for the education of their children—as provided for in paragraph 2 of the same Article—Chinese schools in Siam will likewise receive treatment not less favourable than that given to schools of any other nationality. In schools for primary education, which is compulsory in Siam, all children have to learn the Siamese language; it is however the intention of His Majesty's Government to afford appropriate opportunity and the necessary number of hours for the teaching of a foreign language in such schools. His Majesty's Government have no intention of imposing restrictions on the teaching of foreign languages in secondary schools.

3) It is provided in letters exchanged simultaneously with the signing of the Treaty that its stipulations will not affect the laws and regulations with regard to naturalisation, immigration and public security. In order to avoid any misunderstanding on the subject of

(II) NOTE FROM H. E. THE CHIEF OF CHINESE
MISSION TO SIAM TO H. E. THE PRESIDENT
OF THE COUNCIL OF MINISTERS AND
MINISTER OF FOREIGN AFFAIRS

Bangkok, 23rd January, 1946.

Monsieur le Président,

With reference to the Treaty of Amity signed this day between China and Siam, I have the honour to confirm, on behalf of the Chinese Government, the understanding reached between us as follows:—

1. The stipulations contained in the said Treaty do not in any way affect, supersede or modify any of the laws and regulations with regard to naturalisation, immigration and public order which are in force or which may be enacted in the territories of either High Contracting Party, provided they do not constitute measures of discrimination particularly directed against the nationals of the other Party.

2. In regard to land-ownership, the rights already acquired by nationals of either High Contracting Party in the territory of the other, in accordance with the laws and regulations in such territory, at the coming into force of this Treaty shall be respected. In the event of expropriation, an indemnity will be paid, not less favourable than that paid to the nationals of the other Party or the nationals of any other country.

I avail myself of this opportunity, Monsieur le Président, to renew to Your Excellency the assurance of my highest consideration.

(Signed) LI Tieh-tseng
Chief of Chinese Mission to Siam.

His Excellency

Mom Rachawong Seni Pramoj,

President of the Council of Ministers
and Minister of Foreign Affairs,

BANGKOK.

assurance of my highest consideration.

(Signed) M. R. Seni PRAMOJ

President of the Council of Ministers
and Minister of Foreign Affairs.

His Excellency

Monsieur Li Tieh-tseng,

Chief of Chinese Mission to Siam,

BANGKOK.



EXCHANGE OF NOTES

(I) NOTE FROM H. E. THE PRESIDENT OF THE COUNCIL OF MINISTERS AND MINISTER OF FOREIGN AFFAIRS TO H. E. THE CHIEF OF CHINESE MISSION TO SIAM

Ministry of Foreign Affairs,
Saranrom Palace,
23rd January, 1946.

Monsieur l'Ambassadeur,

With reference to the Treaty of Amity signed this day between Siam and China, I have the honour to confirm, on behalf of the Siamese Government, the understanding reached between us as follows:-

1. The stipulations contained in the said Treaty do not in any way affect, supersede or modify any of the laws and regulations with regard to naturalisation, immigration and public order which are in force or which may be enacted in the territories of either High Contracting Party, provided they do not constitute measures of discrimination particularly directed against the nationals of the other Party.

2. In regard to land-ownership, the rights already acquired by nationals of either High Contracting Party in the territory of the other, in accordance with the laws and regulations in such territory, at the coming into force of this Treaty shall be respected. In the event of expropriation, an indemnity will be paid, not less favourable than that paid to the nationals of the other Party or the nationals of any other country.

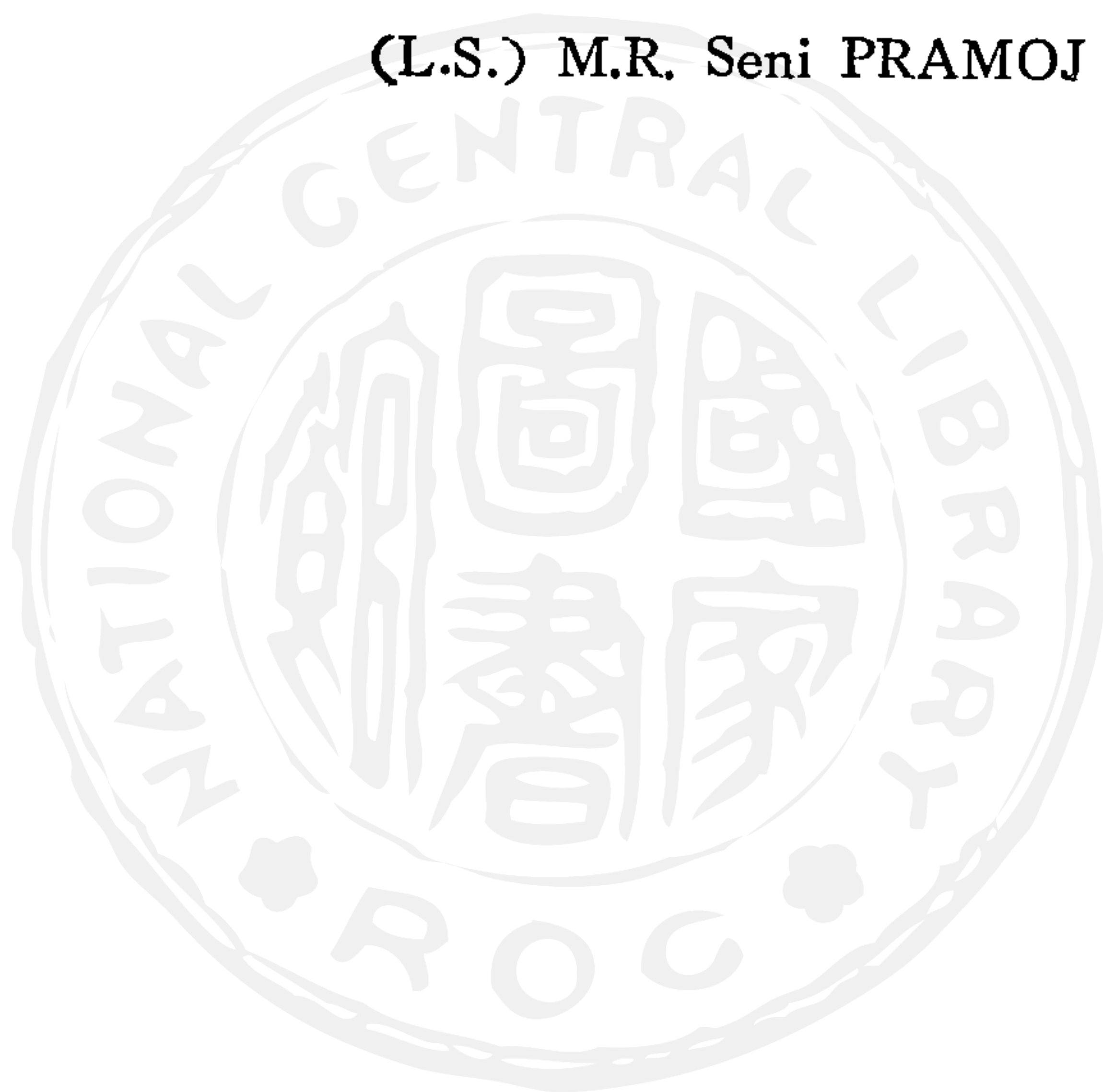
I avail myself of this opportunity, Monsieur l'Ambassadeur, to renew to Your Excellency the

In faith whereof, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE at Bangkok this Twenty-third Day of the First Month of the Thirty-fifth Year of the Republic of China, corresponding to the Twenty-third Day of the First Month of the Two thousand four hundred and eighty-ninth Year of the Buddhist Era and the Twenty-third Day of January of the One thousand nine hundred and forty-sixth Year of the Christian Era.

(L.S.) LI Tieh-tseng

(L.S.) M.R. Seni PRAMOJ



industries and trade and, subject to reciprocity, to acquire, inherit, possess, lease, occupy and dispose of any kind of movable or immovable property, throughout the whole extent of the territories of the other, under the same conditions as the nationals of any third country, in accordance with the laws and regulations of the country.

They shall also have the liberty to establish schools for the education of their children, and shall enjoy the freedom of assembly and association, of publication, of worship and religion, in accordance with the laws and regulations of the country.

ARTICLE VII

Other relations between the two High Contracting Parties shall be based on the principles of international law.

ARTICLE VIII

The High Contracting Parties agree to conclude as soon as possible a Treaty of Commerce and Navigation.

ARTICLE IX

The present Treaty is drawn up in duplicate in the Chinese, Siamese and English languages. In case of any divergence of interpretation the English text shall be authoritative.

ARTICLE X

The present Treaty shall be ratified as soon as possible by the High Contracting Parties in accordance with their respective constitutional requirements, and shall enter into force on the day on which the exchange of the ratifications takes place. It shall remain in force continuously thereafter. Twelve months' notice of termination may however be given by either High Contracting Party after the lapse of ten years.

The instruments of ratifications shall be exchanged at Chungking or Nanking.

and Consular Agents to the localities within the territories of the other which shall be determined by common accord. Such consular officers shall exercise the functions and enjoy the treatment generally recognized by international practice. Prior to their assumption of office, they shall obtain from the Government of the country to which they are sent, exequaturs which are subject to withdrawal by the said Government.

The High Contracting Parties shall not appoint persons engaged in industry or commerce as their consular officers.

ARTICLE IV

The nationals of each of the High Contracting Parties shall be at liberty to enter or leave the territory of the other under the same conditions as the nationals of any third country, in accordance with the laws and regulations of the country applied to all aliens.

ARTICLE V

The nationals of each of the High Contracting Parties shall receive in the territory of the other, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as the nationals of the other High Contracting Party, subject to their compliance with the same laws and regulations.

The nationals of each of the High Contracting Parties shall receive in the territory of the other in regard to all legal proceedings and in matters relating to the administration of justice and the levying of taxes and requirements in connection therewith treatment not less favourable than that accorded to nationals of the other High Contracting Party.

ARTICLE VI

The nationals of each of the High Contracting Parties shall have the right to travel, to reside, to carry on all kinds of professions and occupations, to engage in

TREATY OF AMITY BETWEEN THE REPUBLIC OF CHINA AND THE KINGDOM OF SIAM

The Republic of China and the Kingdom of Siam being equally desirous of establishing friendly relations between the two countries and further promoting the mutual interests of their peoples, have decided to conclude a Treaty of Amity, based on the principles of equality and mutual respect of sovereignty, and have, for this purpose, appointed as their Plenipotentiaries:

His Excellency the President of the National Government of the Republic of China:

His Excellency Monsieur Li Tieh-tseng, Ambassador Extraordinary and Plenipotentiary to Iran;

His Majesty the King of Siam:

His Excellency Mom Rachawong Seni Pramoj, President of the Council of Ministers and Minister of Foreign Affairs;

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

ARTICLE I

There shall be perpetual peace and everlasting amity between the Republic of China and the Kingdom of Siam as well as between their peoples.

ARTICLE II

The High Contracting Parties shall have the right reciprocally to send duly accredited diplomatic representatives, who shall enjoy, in the country to the Government of which they are accredited, all the rights, privileges, immunities and exemptions generally recognized by public international law.

ARTICLE III

Each of the High Contracting Parties shall have the right to send Consuls-General, Consuls, Vice-Consuls

國家圖書館



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TREATY OF AMITY
BETWEEN
THE REPUBLIC OF CHINA
AND
THE KINGDOM OF SIAM



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