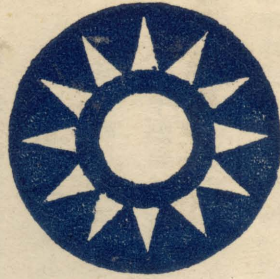


570

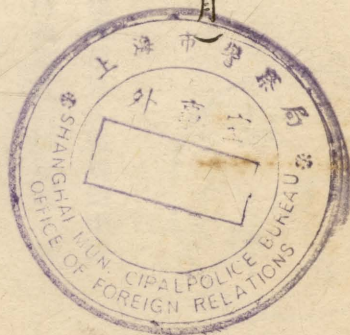


白皮書第一〇五號（三十七年九月）

中美關於設立中國農村復興委員會之換文

（中華民國三十七年八月五日起生效）

中華民國外交部編印



204004

上海图书馆藏书



A541 212 0012 8153B

中美關於設立中國農村復興委員會之換文

(甲)美國駐華大使致中國外交部部長照會

逕啓者：查美利堅合衆國政府制定之一九四八年援華法案（以下簡稱法案）第四〇七款，除其他事項外，並規定中國與美利堅合衆國締結一協定，以設立中國農村復興聯合委員會。茲依該法案尤其該法案第四〇七款所規定之一般原則，就該聯合委員會之組織及有關事項，提出左列建議：

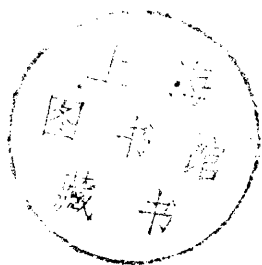
(一) 設立中國農村復興聯合委員會（以下簡稱委員會），由美利堅合衆國總統委派美利堅合衆國公民二人，中國總統委派中華民國公民三人組成之。該委員會應選中國委員一人爲主席。

(二) 委員會之職權，在該法案上述條款所規定之範圍內，應如左列：

(甲) 擬訂復興中國農村區域之配合計劃（以下簡稱計劃），並經由適當的中國政府機構及在中國之國際或私人機構，予以實施；

(乙) 與上項所稱之機構訂立辦法，以建立彼此合作之基礎；

(丙) 在該法案所規定之限度內，向美利堅合衆國政府及中國政府建議該計劃之資金及他項援助之撥與，並向中國政府



建議爲該計劃成功所認爲必需之其他資金及援助之撥與；

(丁)訂立實施該計劃之工作標準，包括該計劃中合作之各機構所用人員之資格，種類及數目在內，並在該計劃各方面保持經常督察，且有權建議對該計劃任何方面予以變更或停止；

(戊)任命委員會爲執行該計劃所認爲必要之執行官吏及行政人員；雙方了解：執行長應爲一中國公民。所有薪金、旅費以及委員會本身在行政職掌上所需之其他費用，應由該法案第四〇七款(乙)所供應之款項內撥付之。

(三)委員會得將左列各種工作包括於其計劃之內，與上開第(二)款(甲)項所稱之機構協議實施之；

(甲)在若干省內，選擇若干縣，創辦關於農業、家庭示範、衛生及教育之一配合而具有推廣性之計劃，包括與推行此一計劃之地區內環境相適應之若干輔助方案，如關於農業生產、銷售、信用、灌溉、家庭與鄉村工業、營養、衛生以及教育之方案，而其性質將促進凡所從事之一切方案之實施者；

(乙)與中國政府諮商關於逐步實施各項土地改革措施之途徑及方法；

(丙)在適當地點，實施關於研究、訓練及製造之輔助方案，藉以供給該計劃所需要之情報、人員及物資；

(丁)就任何上述方式之工作之得以較大規模健全發展者，製成方案，實施於較(甲)項所指之配合而具有推廣性計劃所包括地區爲尤大之地區，例如改良種籽之繁殖及分配，牲畜瘟疫之控制，灌溉及排水設備之建造以及衛生措施之

倡辦；

(戊)與該計劃一般目的相符之有關措施；

(己)在能使擇定之方案逐步發展之地區內及此項方案之發展對於達到該計劃之目的將作最有力貢獻之地區內，依照對於農村改良應予適當注意之原則，分配該計劃下之援助，但分配援助之原則，不受純屬比例性或地理性考慮之限制。

(四)關於委員會之任何決定，如委員會或其主席經徵獲中國委員之同意，認為必要時，在執行之前，應先得中國政府之核可。

(五)委員會依美利堅合衆國政府或中國政府任何一方所請求之方式及時間，應在中國發表詳細工作報告，包括關於所得資金、物資及服務之報告，送達兩國政府，並依兩國政府任何一方之請求，將有關工作之任何其他事項，報告兩國政府。中國政府對於該計劃之目的及範圍與委員會實施該計劃所獲進展，包括美利堅合衆國政府所供給之援助之性質及範圍，將使中國人民充分知悉。

(六)中國政府，於接到美利堅合衆國駐中國大使之有關通知後，對於委員會之美國委員及職員，將視為美利堅合衆國駐中國大使館之一部分，俾其享受該大使館及其同等職員所享受之優例及豁免。雙方了解：美利堅合衆國駐中國大使於發

出此項通知時，對於擬聲請給予充分外交優例及豁免之官員人數，儘可能允宜予以限制一層，將加以注意。雙方又了解：關於本項適用上之細節，必要時將由兩國政府舉行會商。

(七)爲該計劃使用而輸入中國之一切物資，應免除中國政府對於經由正常商務途徑輸入之類似物資所徵收之關稅、滯港捐及其他稅捐。

(八)美利堅合衆國政府與中國政府，將於兩國政府之任何一方認爲適當時，對於因解釋、實施及可能修改本換文所載協定條款而引起之問題，舉行會商。

(九)美利堅合衆國政府保留隨時終止或暫停本換文所規定之援助或其任何一部分之權。美利堅合衆國政府依照該法案第四〇七款及本換文所供給之援助，不能解釋爲美利堅合衆國政府明示或默示負有任何責任，對於實施該法案第四〇七款或本換文之目的，將另作任何貢獻。

(十)本照會與

貴部長代表中國政府接受上述建議之覆照，將構成該法案第四〇七款所指之兩國政府間協定。除受第(八)及第(九)兩款規定之限制外，本換文將繼續有效，直至一九四九年六月三十日爲止，或經任何一國政府之請求而其請求至少在一九四九年六月三十日之前兩個月送達於他方政府時，將繼續有效，直至一九四八年七月三日兩國政府所締結之經濟援

助協定終止之日爲止。

本大使順向

貴部長重表崇高之敬意。

此致

中華民國外交部部長王世杰閣下

公曆一九四八年八月五日於南京

司徒雷登
(簽字)

(乙) 中國外交部部長履美國駐華大使照會

逕覆者：接准

貴大使本日照會內開：

「逕啓者：查美利堅合衆國政府制定之一九四八年援華法案（以下簡稱法案）第四〇七款，除其他事項外，並規定中國與美利堅合衆國締結一協定，以設立中國農村復興聯合委員會。茲依該法案尤其該法案第四〇七款所規定之一般原則，就該聯合委員會之組織及有關事項，提出左列建議：

(一) 設立中國農村復興聯合委員會（以下簡稱委員會），由美利堅合衆國總統委派美利堅合衆國公民二人，中國總統委派中華民國公民三人組成之。該委員會應選中國委員一人爲主席。

(二) 委員會之職權，在該法案上述條款所規定之範圍內，應如左列：

(甲) 擬訂復興中國農村區域之配合計劃（以下簡稱計劃），並經由適當的中國政府機構及在中國之國際或私人機構，予以實施；

(乙) 與上項所稱之機構訂立辦法，以建立彼此合作之基礎；

(丙)在該法案所規定之限度內，向美利堅合衆國政府及中國政府建議該計劃之資金及他項援助之撥與，並向中國政府建議爲該計劃成功所認爲必需之其他資金及援助之撥與；

(丁)訂立實施該計劃之工作標準，包括該計劃中合作之各機構所用人員之資格，種類及數目在內，並在該計劃各方面保持經常督察，且有權建議對該計劃任何方面予以變更或停止；

(戊)任命委員會爲執行該計劃所認爲必要之執行官吏及行政人員；雙方了解：執行長應爲一中國公民。所有薪金、旅費以及委員會本身在行政職掌上所需之其他費用，應由該法案第四〇七款(乙)所供應之款項內撥付之。

(三)委員會得將左列各種工作包括於其計劃之內，與上開第(二)款(甲)項所稱之機構協議實施之；

(甲)在若干省內，選擇若干縣，創辦關於農業、家庭示範、衛生及教育之一配合而具有推廣性之計劃，包括與推行此一計劃之地區內環境相適應之若干輔助方案，如關於農業生產、銷售、信用、灌溉、家庭與鄉村工業、營養、衛生以及教育之方案，而其性質將促進凡所從事之一切方案之實施者；

(乙)與中國政府諮商關於逐步實施各項土地改革措施之途徑及方法；

(丙)在適當地點，實施關於研究、訓練及製造之輔助方案，藉以供給該計劃所需要之情報、人員及物資；

(丁)就任何上述方式之工作之得以較大規模健全發展者，製成方案，實施於較(甲)項所指之配合而具有推廣性計

劃所包括地區爲尤大之地區，例如改良種籽之繁殖及分配，牲畜瘟疫之控制，灌溉及排水設備之建造以及衛生措施之倡辦；

(戊)與該計劃一般目的相符之有關措施；

(己)在能使擇定之方案逐步發展之地區內及此項方案之發展對於達到該計劃之目的將作最有力貢獻之地區內，依照對於農村改良應予適當注意之原則，分配該計劃下之援助，但分配援助之原則，不受純屬比例性或地理性考慮之限制。

(四)關於委員會之任何決定，如委員會或其主席經徵獲中國委員之同意，認爲必要時，在執行之前，應先得中國政府之核可。

(五)委員會依美利堅合衆國政府或中國政府任何一方所請求之方式及時間，應在中國發表詳細工作報告，包括關於所得資金、物資及服務之報告，送達兩國政府，並依兩國政府任何一方之請求，將有關工作之任何其他事項，報告兩國政府。中國政府對於該計劃之目的及範圍與委員會實施該計劃所獲進展，包括美利堅合衆國政府所供給之援助之性質及範圍，將使中國人民充分知悉。

(六)中國政府，於接到美利堅合衆國駐中國大使之有關通知後，對於委員會之美國委員及職員，將視爲美利堅合衆國

駐中國大使館之一部分，俾其享受該大使館及其同等職員所享受之優例及豁免。雙方了解：美利堅合衆國駐中國大使於發出此項通知時，對於擬聲請給予充分外交優例及豁免之官員人數，儘可能允宜予以限制一層，將加以注意。雙方又了解：關於本項適用上之細節，必要時將由兩國政府舉行會商。

(七) 爲該計劃使用而輸入中國之一切物資，應免除中國政府對於經由正常商務途徑輸入之類似物資所徵收之關稅、濬捐及其他稅捐。

(八) 美利堅合衆國政府與中國政府，將於兩國政府之任何一方認爲適當時，對於因解釋、實施及可能修改本換文所載協定條款而引起之問題，舉行會商。

(九) 美利堅合衆國政府保留隨時終止或暫停本換文所規定之援助或其任何一部分之權。美利堅合衆國政府依照該法案第四〇七款及本換文所供給之援助，不能解釋爲美利堅合衆國政府明示或默示負有任何責任，對於實施該法案第四〇七款或本換文之目的，將另作任何貢獻。

(十) 本照會與

貴部長代表中國政府接受上述建議之覆照，將構成該法案第四〇七款所指之兩國政府間協定。除受第(八)及第(九)兩款規定之限制外，本換文將繼續有效，直至一九四九年六月三十日爲止，或經任何一國政府之請求而其請

求至少在一九四九年六月三十日之前兩個月送達於他方政府時，將繼續有效，直至一九四八年七月三日兩國政府所締結之經濟援助協定終止之日為止。」

等由；本部長茲代表中國政府接受上開照會內所載之建議。

鑒於該計劃至關重要，因其為達到一九四八年七月三日中國政府與美利堅合衆國政府所締結之經濟援助協定內兩國政府共同期求之目標的主要方法之一，中國政府承允對於該計劃之執行，予以充分支持，並令知中國政府合作之機構，包括有關地方官吏，給予爲使該計劃成功所必需之援助及便利。

本部長順向

貴大使重表崇高之敬意。

此致

美利堅合衆國駐中華民國特命全權大使司徒雷登閣下

王世杰（簽字）

中華民國三十七年八月五日於南京

SINO-AMERICAN AGREEMENT PROVIDING FOR
THE ESTABLISHMENT OF THE RURAL RECON-
STRUCTION COMMISSION IN CHINA

EXCHANGE OF NOTES

(I) NOTE FROM THE AMERICAN AMBASSADOR
TO THE CHINESE MINISTER FOR FOREIGN
AFFAIRS

American Embassy,
Nanking, August 5, 1948

Excellency:

I have the honor to refer to Section 407 of the China Aid Act of 1948 enacted by the Government of the United States of America (hereinafter referred to as the Act), which provides, among other things, for the conclusion of an agreement between China and the United States of America establishing a Joint Commission on Rural Reconstruction in China. In pursuance of the general principles laid down in the Act, and in particular Section 407 thereof, I have the honor to bring forward the following proposals regarding the organization of the Joint Commission and related matters:

- (1) There shall be established a Joint Commission on Rural Reconstruction in China (hereinafter referred to as the Commission), to be composed of two citizens of the United States of America appointed by the President of the United States of America and three citizens of the Republic of China to be

His Excellency

Dr. Wang Shih-chieh,
Minister for Foreign Affairs,
Ministry of Foreign Affairs,
NANKING.

appointed by the President of China. The Commission shall elect one of the Chinese members as Chairman.

- (2) The functions and authority of the Commission shall, subject to the provisions of the above-mentioned Section of the Act, be as follows:
- (a) To formulate and carry out through appropriate Chinese Government agencies, and international or private agencies in China a coordinated program for reconstruction in rural areas of China (hereinafter referred to as the Program);
 - (b) To conclude arrangements with the agencies referred to in the preceding paragraph establishing a basis for their cooperation;
 - (c) To recommend to the Governments of the United States of America and of China, within the limits prescribed by the Act, the allocation of funds and other assistance to the Program, and to recommend to the Government of China the allocation of such other funds and assistance as are deemed essential to the success of the Program;
 - (d) To establish standards of performance for implementation of the Program, including the qualifications, type and number of personnel to be used by cooperating agencies in the Program, and to maintain a constant supervision of all phases of the Program, with authority to recommend changes in or stoppage of any phase of the Program;
 - (e) To appoint such executive officers and administrative staff as the Commission deems necessary to carry out the Program, it being understood that the chief executive officer shall be a citizen of China. Salaries, expenses of travel and other expenses incident to the administrative functions of the Commission

itself shall be paid from funds made available under Section 407 (b) of the Act.

- (3) In its Program the Commission may include the following types of activity to be carried out in agreement with the agencies referred to in paragraph (2) (a):
- (a) A coordinated extension-type program in agriculture, home demonstration, health and education, for initiation in a selected group of hsien in several provinces to include a limited number of subsidiary projects suited to conditions in the areas where the program is developed, in such fields as agricultural production, marketing, credit, irrigation, home and community industries, nutrition, sanitation, and education of a nature which will facilitate the promotion of all projects being undertaken;
 - (b) Consultation with the Chinese Government concerning ways and means of progressively carrying out land reform measures;
 - (c) Subsidiary projects in research, training and manufacturing, to be carried out in suitable locations to provide information, personnel and materials required by the Program;
 - (d) Projects to put into effect over a wider area than provided for in the coordinated extension-type program specified in (a), any of the above lines of activity which can be developed soundly on a larger scale, of which examples might be the multiplication and distribution of improved seeds, the control of rinderpest of cattle, the construction of irrigation and drainage facilities, and the introduction of health and sanitation measures;
 - (e) Related measures, in line with the general objectives of this Program;
 - (f) The distribution of the assistance in this Program, on the principle of giving due atten-

tion to strengthening rural improvement in areas where selected projects can be progressively developed and where their development will contribute most effectively to the achievement of purposes for which this Program is undertaken, but that the principle of distributing aid will not be controlled by proportionate or geographical consideration per se.

- (4) In respect of any decision of the Commission, the approval of the Government of China shall be obtained prior to its execution if the Commission or its Chairman, with the concurrence of the Chinese members, deems it necessary.
- (5) The Commission shall publish in China and transmit to the Government of the United States of America and the Government of China, in such form and at such times as may be requested by either of the two Governments, full statements of operations, including a statement on the use of funds, supplies and services received, and will transmit to the two Governments any other matter pertinent to operations as requested by either of the two Governments. The Government of China will keep the people of China fully informed of the intended purpose and scope of the Program and of the progress achieved by the Commission in implementing the Program, including the nature and extent of the assistance furnished by the Government of the United States of America.
- (6) The Government of China will upon appropriate notification of the Ambassador of the United States of America in China consider the United States members and personnel of the Commission as part of the Embassy of the United States of America in China for the purpose of enjoying the privileges and immunities accorded to that Embassy and its personnel of comparable rank. It is understood that the Ambassador of the United States of America in China in making the notification will

bear in mind the desirability of restricting, so far as practicable, the number of officials for whom full diplomatic privileges and immunities would be requested. It is also understood that the detailed application of this paragraph would, when necessary, be a subject of inter-governmental discussion.

- (7) All supplies imported into China for use in the Program shall be free of Customs duties, Conservancy dues and other charges imposed by the Government of China on similar supplies which are imported through regular commercial channels.
- (8) The Government of the United States of America and the Government of China will consult with respect to problems incident to the interpretation, implementation and possible amendment of the terms of the agreement embodied in this exchange of notes whenever either of the two Governments considers such action appropriate.
- (9) The Government of the United States of America reserves the right at any time to terminate or suspend its assistance, or any part thereof, provided under this exchange of notes. Assistance furnished by the Government of the United States of America under Section 407 of the Act and pursuant to this exchange of notes shall not be construed as an express or implied assumption by the Government of the United States of America of any responsibility for making any further contributions to carry out the purposes of Section 407 of the Act or of this exchange of notes.
- (10) This note and Your Excellency's reply accepting the above proposals on behalf of the Government of China will constitute an agreement between the two Governments in the sense of Section 407 of the Act. Subject to the provisions of paragraphs (8) and (9), this exchange of notes will remain in force until June 30, 1949, or, upon the request of either Government transmitted to the other Government at least two months before June 30,

1949, until the date of termination of the Economic Aid Agreement between the two Governments concluded on July 3, 1948.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) J. Leighton STUART

(II) NOTE FROM THE CHINESE MINISTER FOR
FOREIGN AFFAIRS TO THE AMERICAN
AMBASSADOR

Nanking, August 5, 1948

Excellency:

I have the honor to acknowledge receipt of your note of today's date which reads as follows:

"I have the honor to refer to Section 407 of the China Aid Act of 1948 enacted by the Government of the United States of America (hereinafter referred to as the Act), which provides, among other things, for the conclusion of an agreement between China and the United States of America establishing a Joint Commission on Rural Reconstruction in China. In pursuance of the general principles laid down in the Act, and in particular Section 407 thereof, I have the honor to bring forward the following proposals regarding the organization of the Joint Commission and related matters:

- (1) There shall be established a Joint Commission on Rural Reconstruction in China (hereinafter referred to as the Commission), to be composed of two citizens of the United States of America appointed by the President of the United States of America and three citizens of the Republic of China to be appointed by the President of China. The Commission shall elect one of the Chinese members as Chairman.
- (2) The functions and authority of the Commission shall, subject to the provisions of the above-mentioned Section of the Act, be as follows:

His Excellency

J. Leighton Stuart,

Ambassador of the United States of America to
China,

NANKING.

- (a) To formulate and carry out through appropriate Chinese Government agencies, and international or private agencies in China a coordinated program for reconstruction in rural areas of China (hereinafter referred to as the Program);
 - (b) To conclude arrangements with the agencies referred to in the preceding paragraph establishing a basis for their cooperation;
 - (c) To recommend to the Governments of the United States of America and of China, within the limits prescribed by the Act, the allocation of funds and other assistance to the Program, and to recommend to the Government of China the allocation of such other funds and assistance as are deemed essential to the success of the Program;
 - (d) To establish standards of performance for implementation of the Program, including the qualifications, type and number of personnel to be used by cooperating agencies in the Program, and to maintain a constant supervision of all phases of the Program, with authority to recommend changes in or stoppage of any phase of the Program;
 - (e) To appoint such executive officers and administrative staff as the Commission deems necessary to carry out the Program, it being understood that the chief executive officer shall be a citizen of China. Salaries, expenses of travel and other expenses incident to the administrative functions of the Commission itself shall be paid from funds made available under Section 407 (b) of the Act.
- (3) In its Program the Commission may include the following types of activity to be carried out in

agreement with the agencies referred to in paragraph (2) (a):

- (a) A coordinated extension-type program in agriculture, home demonstration, health and education, for initiation in a selected group of hsien in several provinces to include a limited number of subsidiary projects suited to conditions in the areas where the program is developed, in such fields as agricultural production, marketing, credit, irrigation, home and community industries, nutrition, sanitation, and education of a nature which will facilitate the promotion of all projects being undertaken;
- (b) Consultation with the Chinese Government concerning ways and means of progressively carrying out land reform measures;
- (c) Subsidiary projects in research, training and manufacturing, to be carried out in suitable locations to provide information, personnel and materials required by the Program;
- (d) Projects to put into effect over a wider area than provided for in the coordinated extension-type program specified in (a), any of the above lines of activity which can be developed soundly on a larger scale, of which examples might be the multiplication and distribution of improved seeds, the control of rinderpest of cattle, the construction of irrigation and drainage facilities, and the introduction of health and sanitation measures;
- (e) Related measures, in line with the general objectives of this Program;
- (f) The distribution of the assistance in this Program, on the principle of giving due attention to strengthening rural improve-

ment in areas where selected projects can be progressively developed and where their development will contribute most effectively to the achievement of purposes for which this Program is undertaken, but that the principle of distributing aid will not be controlled by proportionate or geographical consideration per se.

- (4) In respect of any decision of the Commission, the approval of the Government of China shall be obtained prior to its execution if the Commission or its Chairman, with the concurrence of the Chinese members, deems it necessary.
- (5) The Commission shall publish in China and transmit to the Government of the United States of America and the Government of China, in such form and at such times as may be requested by either of the two Governments, full statements of operations, including a statement on the use of funds, supplies and services received, and will transmit to the two Governments any other matter pertinent to operations as requested by either of the two Governments. The Government of China will keep the people of China fully informed of the intended purpose and scope of the Program and of the progress achieved by the Commission in implementing the Program, including the nature and extent of the assistance furnished by the Government of the United States of America.
- (6) The Government of China will upon appropriate notification of the Ambassador of the United States of America in China consider the United States members and personnel of the Commission as part of the Embassy of the United States of America in China for the purpose of enjoying the privileges and immunities accorded to that Embassy and its personnel of comparable rank. It is understood that the Ambassador of the United States of America in China in making

the notification will bear in mind the desirability of restricting, so far as practicable, the number of officials for whom full diplomatic privileges and immunities would be requested. It is also understood that the detailed application of this paragraph would, when necessary, be a subject of inter-governmental discussion.

- (7) All supplies imported into China for use in the Program shall be free of Customs duties, Conservancy dues and other charges imposed by the Government of China on similar supplies which are imported through regular commercial channels.
- (8) The Government of the United States of America and the Government of China will consult with respect to problems incident to the interpretation, implementation and possible amendment of the terms of the agreement embodied in this exchange of notes whenever either of the two Governments considers such action appropriate.
- (9) The Government of the United States of America reserves the right at any time to terminate or suspend its assistance, or any part thereof, provided under this exchange of notes. Assistance furnished by the Government of the United States of America under Section 407 of the Act and pursuant to this exchange of notes shall not be construed as an express or implied assumption by the Government of the United States of America of any responsibility for making any further contributions to carry out the purposes of Section 407 of the Act or of this exchange of notes.
- (10) This note and Your Excellency's reply accepting the above proposals on behalf of the Government of China will constitute an agreement between the two Governments in the sense of Section 407 of the Act. Subject to the provisions of paragraphs (8) and (9), this exchange of notes

will remain in force until June 30, 1949, or, upon the request of either Government transmitted to the other Government at least two months before June 30, 1949, until the date of termination of the Economic Aid Agreement between the two Governments concluded on July 3, 1948."

On behalf of the Government of China, I have the honor to accept the proposals contained in the note quoted above.

In recognition of the importance of the Program as one of the essential means of achieving the objectives in which the Governments of China and of the United States of America unite in seeking under the Economic Aid Agreement between the two Governments concluded on July 3, 1948, the Government of China undertakes to afford to the execution of the Program the full weight of its support and to direct cooperating agencies of the Government of China, including the local officials concerned, to give such assistance and facilities as are essential to the success of their undertakings under the Program.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

(Signed) WANG Shih-chieh.

上海图书馆藏书



A541 212 0012 0153B

SINO-AMERICAN AGREEMENT
PROVIDING FOR THE
ESTABLISHMENT OF THE RURAL
RECONSTRUCTION COMMISSION
IN CHINA

EXCHANGE OF NOTES