

N° 3236.

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**ÉTATS-UNIS D'AMÉRIQUE  
ET CHINE**

Traité d'arbitrage. Signé à Wash-  
ington, le 27 juin 1930.

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**UNITED STATES OF AMERICA  
AND CHINA**

Arbitration Treaty. Signed at Wash-  
ington, June 27, 1930.

No. 3236. — ARBITRATION TREATY<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND CHINA. SIGNED AT WASHINGTON, JUNE 27, 1930.

*Textes officiels anglais, français et chinois communiqués par le ministre des Affaires étrangères de la République de Chine. L'enregistrement de ce traité a eu lieu le 8 août 1933. Ce traité a été transmis au Secrétariat par le " Department of State " du Gouvernement des Etats-Unis d'Amérique, le 25 février 1933.*

THE REPUBLIC OF CHINA and THE UNITED STATES OF AMERICA,  
Determined to prevent so far as in their power lies any interruption in the peaceful relations now happily existing between the two nations ;

Desirous of reaffirming their adherence to the policy of submitting to impartial decision all justiciable controversies that may arise between them ; and

Eager by their example not only to demonstrate their condemnation of war as an instrument of national policy in their mutual relations, but also to hasten the time when the perfection of international arrangements for the pacific settlement of international disputes shall have eliminated forever the possibility of war among any of the powers of the world ;

Have decided to conclude a treaty of arbitration and for that purpose they have appointed as their respective Plenipotentiaries :

THE PRESIDENT OF THE NATIONAL GOVERNMENT OF THE REPUBLIC OF CHINA :

Mr. Chao-Chu WU, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to the United States of America ; and

THE PRESIDENT OF THE UNITED STATES OF AMERICA :

Mr. Henry L. STIMSON, Secretary of State of the United States of America ;

Who, having communicated to one another their full powers found to be in good and due form, have agreed upon and concluded the following articles :

*Article I.*

All differences relating to international matters in which the High Contracting Parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the Permanent International Commission constituted pursuant to the Treaty<sup>2</sup> signed at Washington September 15, 1914, and which are justiciable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague by the Convention<sup>3</sup> of October 18, 1907, or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide, if necessary, for the organization of such tribunal, shall define its powers, shall state the question or questions at issue, and shall settle the terms of reference.

<sup>1</sup> L'échange des ratifications a eu lieu à Washington, le 15 décembre 1932.

<sup>2</sup> DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome IX, page 372.

<sup>3</sup> DE MARTENS, *Nouveau Recueil général de Traités*, troisième série, tome III, page 360.

The special agreement in each case shall be made on the part of China in accordance with its constitutional law, and on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof.

*Article II.*

The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which :

- (a) Is within the domestic jurisdiction of either of the High Contracting Parties ;
- (b) Involves the interests of third Parties ;
- (c) Depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine ;
- (d) Depends upon or involves the observance of the obligations of China in accordance with the Covenant of the League of Nations.

*Article III.*

The present treaty, in Chinese, English and French, shall be ratified by the National Government of the Republic of China in accordance with Chinese constitutional law and by the President of the United States of America, by and with the advice and consent of the Senate thereof. The Chinese and English texts shall have equal force, but in case of divergence the French text shall prevail.

The ratifications shall be exchanged at Washington as soon as possible, and the treaty shall take effect on the date of the exchange of ratifications. It shall thereafter remain in force continuously unless and until terminated by one year's written notice given by either High Contracting Party to the other.

In faith whereof, the respective Plenipotentiaries have signed this treaty, in duplicate, in the Chinese, English and French languages, and hereunto affixed their seals.

Done at Washington this 27th day of the sixth month of the nineteenth year of the Republic of China, corresponding to the 27th day of June, one thousand nine hundred and thirty.

(Signed) Chao-Chu Wu.

(Signed) Henry L. STIMSON.

Certified as a true copy.



(丁) 屬於或涉及中國依照國際聯合會盟約應盡義務之履行者

第三條 本約用中文英文法文繕寫由中國國民政府依照中國憲法批准之並由美國總統得美國參議院之協贊允許而批准之中文英文有同等之效力但遇有歧異時以法文爲準

批准文件應於最短期間在華盛頓交換自交換批准文件之日起本約發生效力此後本約繼續有效至此締約國以書面通知廢止於彼締約國後一年爲止

兩全權代表特此署名蓋印於中文英文法文之條約兩份以昭信守

中華民國十九年六月二十七日

一千九百三十年六月二十七日

在華盛頓訂立

伍朝樞 (印)

史添臣 (印)