

**No. 102**

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**CHINA AND ECUADOR**

**Treaty of amity. Signed at Quito, on 6 January 1946**

Came into force on 19 April 1947, by the exchange of instruments of ratification at Quito, in accordance with article IX.

*Chinese, Spanish and English official texts communicated by the Director of the Chinese Delegation to the United Nations. The registration took place on 28 August 1947.*

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**CHINE ET EQUATEUR**

**Traité d'amitié. Signé à Quito, le 6 janvier 1946**

Entré en vigueur le 19 avril 1947, par l'échange des instruments de ratification à Quito, conformément aux dispositions de l'article IX.

*Textes officiels chinois, espagnol et anglais communiqués par le directeur de la délégation chinoise auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 28 août 1947.*

No. 102. TREATY OF AMITY BETWEEN THE REPUBLIC OF CHINA AND THE REPUBLIC OF ECUADOR. SIGNED AT QUITO ON JANUARY 6, 1946

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The Republic of China and the Republic of Ecuador, being equally desirous of establishing amicable relations between the two countries and 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 China: His Excellency Mr. Chun-Jien Pao, Ambassador Extraordinary and Plenipotentiary of the Republic of China to Ecuador, in special mission;

His Excellency the President of Ecuador: His Excellency Doctor José Vicente Trujillo, Minister for 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 Republic of Ecuador 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 and Consular Agents to the localities within their respective territories which shall be determined by common accord. Such consular officers shall exercise the function 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, honorary consuls being excepted.

*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 in the territory of the other shall enjoy the full protection of the laws and regulations of the country, as regards their persons and property.

They shall have the right to travel, reside, work and engage in industries and trade in all the localities where the nationals of any other country might do the same, subject, however, to 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 liberty of assembly and association, of publication, of worship and religion, in accordance with the laws and regulations of the country.

With regard to this article, the laws and regulations of each of the High Contracting Parties shall not establish discriminatory provisions against the nationals of the other.

*Article VI*

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

*Article VII*

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

*Article VIII*

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

*Article IX*

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 which the exchange of the ratifications takes place. The instrument of ratification shall be exchanged at Quito.

IN FAITH WHEREOF, the above mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE at Quito this sixth day of the first month of the thirty-fifth year of the Republic of China, corresponding to the sixth day of January, one thousand nine hundred and forty-six.

CHUN-JIEN PAO

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José Vicente TRUJILLO

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