

il entrera en vigueur à la date de l'échange des instruments de ratification. Les instruments de ratification seront échangés à La Havane.

EN FOI DE QUOI, les plénipotentiaires susmentionnés ont signé le présent traité et y ont apposé leurs sceaux.

FAIT à Ciudad-Trujillo, ce onzième jour du cinquième mois de l'an vingt-neuf de la République de Chine, soit le onze mai mil neuf cent quarante.

[SCEAU]

(Signé) TI-TSUN LI

[SCEAU]

(Signé) A. DESPRADEL

ARTICLE ADDITIONNEL<sup>1</sup> AU TRAITE D'AMITIE ENTRE LA REPUBLIQUE DE CHINE ET LA REPUBLIQUE DOMINICAINE. SIGNE A SAN-FRANCISCO, LE 8 JUIN 1945

Les soussignés,

Son Excellence T. V. Soong, Président du Yuan exécutif et Ministre des Affaires étrangères du Gouvernement national de la République de Chine, et

Son Excellence Manuel A. Peña Batlle, Secrétaire d'Etat aux Affaires étrangères de la République Dominicaine;

Dûment autorisés par Son Excellence le Président du Gouvernement national de la République de Chine et par Son Excellence le Président de la République Dominicaine, respectivement, sont convenus d'ajouter l'article suivant au Traité d'amitié entre la République de Chine et la République Dominicaine, signé le 11 mai 1940, à Ciudad-Trujillo:

Les ressortissants de chacune des Hautes Parties contractantes auront la liberté d'entrer sur le territoire de l'autre et d'en sortir, conformément aux lois, règlements et dispositions législatives en vigueur dans le pays et dans les mêmes conditions que les ressortissants de tout autre pays.

EN FOI DE QUOI, ils ont signé le présent accord et y ont apposé le sceau de leurs Gouvernements respectifs.

FAIT en double exemplaire à San-Francisco, le huit juin mil neuf cent quarante-cinq, soit le huitième jour du sixième mois de l'an trente-quatre de la République de Chine.

(Signé) T. V. SOONG

(Signé) Manuel A. PEÑA BATLLE

<sup>1</sup> Entré en vigueur le 2 mars 1946, par l'échange des instruments de ratification à Ciudad-Trujillo.

желая чтобы отношения между Советским Главнокомандующим и Китайской Администрацией после вступления советских войск на территорию Трех Восточных Провинций Китая в связи с настоящей совместной войной Китая и СССР против Японии, соответствовали духу дружбы и союзным отношениям, существующим между обеими странами, согласились о нижеследующем:

1. После того, как советские войска в результате военных действий вступят на территорию Трех Восточных Провинций Китая, верховная власть и ответственность в зоне военных действий во всех вопросах, касающихся ведения войны, на период времени, необходимый для операций, будет возложена на Главнокомандующего советских вооруженных сил.

2. Для возвращенной территории будут назначены Представитель Национального Правительства Китайской Республики и штат, которые будут:

а) учреждать и руководить, в соответствии с законами Китая, администрацией на территории, очищенной от противника;

в) оказывать помощь в установлении взаимодействия на возвращенных территориях между китайскими вооруженными силами, как регулярными, так и нерегулярными, и советскими вооруженными силами;

с) обеспечивать активное сотрудничество китайской администрации с Советским Главнокомандующим и, в частности, давать местным органам указания в этом смысле, руководствуясь потребностями и желаниями Советского Главнокомандующего.

3. Для обеспечения контакта между Советским Главнокомандующим и представителем Национального Правительства Китайской Республики при штабе Советского Главнокомандующего будет назначена китайская военная миссия.

4. В зонах, находящихся под верховной властью Советского Главнокомандующего, администрация Национального Правительства Китайской Республики для возвращенной территории будет поддерживать контакт с Советским Главнокомандующим через представителя Национального Правительства Китайской Республики.

5. Как только любая часть возвращенной территории перестанет быть зоной непосредственных военных действий, Национальное Правительство Китайской Республики будет принимать на себя всю власть по линии гражданских дел и будет оказывать Советскому Главнокомандующему всякую помощь и поддержку через посредство своих гражданских и военных органов.

6. Все лица, принадлежащие к советским вооруженным силам на китайской территории, будут находиться под юрисдикцией Советского Главнокомандующего. Все лица китайского гражданства, как гражданские, так и военные будут находиться под китайской юрисдикцией. Эта юрисдикция будет также

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:

*Article 1*

The High Contracting Parties undertake jointly with the other United Nations to prosecute the war against Japan until final victory is achieved. The High Contracting Parties mutually undertake to afford one another all necessary military and other assistance and support in this war.

*Article 2*

The High Contracting Parties undertake not to enter into separate negotiations with Japan or conclude, except by mutual consent, any armistice or peace treaty either with the present Japanese Government or any other Government or authority set up in Japan that does not clearly renounce all aggressive intentions.

*Article 3*

On the conclusion of the war against Japan, the High Contracting Parties undertake to carry out jointly all the measures in their power to render impossible a repetition of aggression and violation of the peace by Japan.

Should either of the High Contracting Parties become involved in hostilities with Japan in consequence of an attack by the latter against that Party, the other High Contracting Party will at once render to the High Contracting Party so involved in hostility all the military and other support and assistance in its power.

This Article shall remain in force until such time as, at the request of both High Contracting Parties, responsibility for the prevention of further aggression by Japan is placed upon the "United Nations" Organization.

*Article 4*

Each High Contracting Party undertakes not to conclude any alliance and not to take part in any coalition directed against the other Contracting Party.

*Article 5*

The High Contracting Parties, having regard to the interests of the security and economic development of each of them, agree to work together in close and friendly collaboration after the re-establishment of peace and to act in accordance with the principles of mutual respect for each other's sovereignty and territorial integrity and non-intervention in each other's internal affairs.

*Article 6*

The High Contracting Parties agree to afford one another all possible economic assistance in the post-war period in order to facilitate and expedite the the rehabilitation of both countries and to make their contribution to the prosperity of the world.

*Article 7*

Nothing in this Treaty should be interpreted in such a way as to prejudice the rights and duties of the High Contracting Parties as Members of the Organization of the "United Nations".

*Article 8*

The present Treaty is subject to ratification in the shortest possible time. The instruments of ratification shall be exchanged in Chungking as soon as possible.

The Treaty comes into force immediately upon ratification, and shall remain in force for thirty years. Should neither of the High Contracting Parties make, one year before the date of the Treaty's expiry, a statement of its desire to denounce it, the Treaty will remain in force for an unlimited period, provided that each High Contracting Party may invalidate it by announcing its intention to do so to the other Contracting Party one year in advance.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Treaty and have affixed thereto their seals.

DONE in Moscow, the 14 August 1945 and the 14th day of the month of August in the year 34 of the Chinese Republic, in two copies, each copy in both Chinese and Russian, both texts being of equal validity.

By authority of the President of the  
National Government of the  
Chinese Republic

WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR

V. MOLOTOV

## EXCHANGE OF NOTES

## No. 1

*Note from the Peoples' Commissar for Foreign Affairs of the Union of Soviet Socialist Republics to Mr. Wang, Minister of Foreign Affairs of the National Government of the Chinese Republic*

Moscow, 14 August 1945

Sir,

In connexion with the signing on this date of the Treaty of Friendship and Alliance between China and the Union of Soviet Socialist Republics, I have the honour to place on record that the following provisions are understood by both Contracting Parties as follows:

(1) In accordance with the spirit of the above-mentioned Treaty and to implement its general idea and its purposes, the Soviet Government agrees to render China moral support and assist her with military supplies and other material resources, it being understood that this support and assistance will go exclusively to the National Government as the Central Government of China.

(2) During the negotiations on the ports of Dairen and Port Arthur and on the joint operation of the Chinese Changchun Railway, the Soviet Government regarded the Three Eastern Provinces as part of China and again affirmed its respect for the complete sovereignty of China over the Three Eastern Provinces and recognition of their territorial and administrative integrity.

(3) With regard to recent events in Sinkiang, the Soviet Government confirms that, as stated in Article 5 of the Treaty of Friendship and Alliance, it has no intention of interfering in the internal affairs of China.

Should you confirm your agreement with this understanding of the above-mentioned points, the present Note and your answer to it will form part of the above-mentioned Treaty of Friendship and Alliance.

I have the honour to be, etc.

(Signed) V. MOLOTOV

Mr. Wang Shih-Chieh  
Minister of Foreign Affairs of the Chinese Republic  
Moscow

## No. 2

*Note from Mr. Wang Shih-Chieh, Minister of Foreign Affairs of the National Government of the Republic of China, in answer to Mr. Molotov, Peoples' Commissar for Foreign Affairs of the Union of Soviet Socialist Republics*

14 August of the 34th year  
of the Republic of China,  
corresponding to 14 August 1945

Sir,

I have the honour to acknowledge receipt of your Note of today's date reading as follows:

[See Note No. 1]

I have the honour to confirm the correctness of the above understanding.

I have the honour to be, etc.

(Signed) WANG SHIH-CHIEH

Mr. Molotov  
Peoples' Commissar for Foreign Affairs  
of the Union of Soviet Socialist Republics  
Moscow

## No. 3

*Note from Mr. Wang Shih-Chieh, Minister of Foreign Affairs of the National Government of the Republic of China, to Mr. Molotov, Peoples' Commissar for Foreign Affairs of the Union of Soviet Socialist Republics*

14 August of the 34th year  
of the Republic of China,  
corresponding to 14 August 1945

Sir,

In view of the frequently manifested desire for independence of the people of Outer Mongolia, the Chinese Government states that, after the defeat of Japan, if this desire is confirmed by a plebiscite of the people of Outer Mongolia, the Chinese Government will recognize the independence of Outer Mongolia within her existing frontiers.

The above statement will have binding force after the ratification of the Treaty of Friendship and Alliance signed by the Chinese Republic and the Union of Soviet Socialist Republics on 14 August 1945.

I have the honour to be, etc.

(Signed) WANG SHIH-CHIEH

Mr. Molotov  
Peoples' Commissar for Foreign Affairs  
of the Union of Soviet Socialist Republics  
Moscow

No. 4

*Note from Mr. Molotov, Peoples' Commissar for Foreign Affairs of the Union of Soviet Socialist Republics, in answer to a Note from Mr. Wang, Minister of Foreign Affairs of the National Government of the Chinese Republic.*

Moscow, 14 August 1945

Sir,

I hereby acknowledge the receipt of your Note informing me as follows:

[See Note No. 3]

It is with satisfaction that the Soviet Government takes note of the above statement by the Government of the Chinese Republic and affirms for its part that it will respect the political independence and territorial integrity of the Mongolian People's Republic (of Outer Mongolia).

I have the honour to be, etc.

(Signed) V. MOLOTOV

Mr. Wang Shih-Chieh  
Minister of Foreign Affairs of the Chinese Republic  
Moscow

## II

AGREEMENT<sup>1</sup> BETWEEN THE CHINESE REPUBLIC AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE CHINESE CHANGCHUN RAILWAY. SIGNED AT MOSCOW, ON 14 AUGUST 1945

The President of the National Government of the Republic of China and the Praesidium of the Supreme Soviet of the USSR, being desirous of strengthening on the basis of complete regard for the rights and interests of each of the two Parties, friendly relations and economic ties between the two countries have agreed as follows:

*Article 1*

After the expulsion of the Japanese armed forces from the Three Eastern Provinces of China, the main trunk lines of the Chinese Eastern Railway and the South Manchurian Railway leading from the station of Manchouli to the station of Pogranichnaya and from Harbin to Dairen and Port Arthur, shall be combined to form a single railway system to be known as "Chinese Changchun Railway", and shall become the joint property of the USSR and the Chinese Republic and be jointly exploited by them. Only such lands and branch lines shall become joint property and be jointly exploited as were constructed by the Chinese Eastern Railway while it was under Russian and joint Soviet-Chinese management and by the South Manchurian Railway while under Russian management, and which are intended to serve the direct needs of those railways. Ancillary undertakings directly serving the needs of those railways and constructed during the above-mentioned periods shall also be included. All other railway branch lines, ancillary undertakings and lands will be the exclusive property of the Chinese Government. The joint exploitation of the above-mentioned railways shall be effected by a single administration under Chinese sovereignty as a purely commercial transport undertaking.

*Article 2*

The Contracting Parties agree that ownership of the above-mentioned railway shall be vested equally in both Parties, and shall not be transferable either in part or in whole.

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<sup>1</sup> Came into force on 24 August 1945, by ratification, in accordance with Article 18.

*Article 3*

For the purpose of jointly exploiting the above-mentioned railway, the Contracting Parties agree to establish a Sino-Soviet Chinese Changchun Railway Company. The company shall have a Board of Directors consisting of ten members, five of whom will be appointed by the Chinese Government and five by the Soviet Government. The Head Office shall be at Changchun.

*Article 4*

The Chinese Government shall appoint from among the Chinese Directors a President and a Vice-President of the Board of Directors. The Soviet Government shall appoint from among the Soviet Directors a Deputy President and a Deputy Vice-President of the Board of Directors.

When decisions are made at board meetings the vote of the President of the Board of Directors shall count as two votes. Seven members of the Board shall form a legal quorum.

Any important question on which the Board of Directors is unable to reach agreement shall be submitted for the consideration of the Governments of the Contracting Parties for a just and friendly settlement.

*Article 5*

The Company shall establish a Supervisory Committee consisting of six members, three of whom shall be appointed by the Chinese Government and three by the Soviet Government. The Chairman of the Supervisory Committee shall be chosen from among the members of Soviet nationality and the Vice-Chairman from among the members of Chinese nationality. In deciding upon matters in the Supervisory Committee, the Chairman's vote shall count as two votes. Five members of the Committee shall form a legal quorum.

*Article 6*

For conducting the routine business, the Board of Directors shall appoint one of its Soviet members as Manager and one of its Chinese members as Deputy Manager of the Chinese Changchun Railway.

*Article 7*

The Supervisory Committee shall appoint a Chief Auditor and a Deputy Chief Auditor. The Chief Auditor shall be a Chinese citizen and his deputy a Soviet.

*Article 8*

The Chiefs and Deputy Chiefs of the Services and Departments and the Station Masters of the more important stations shall be appointed by the Board of Directors. The Manager of the Railway has the right to suggest candidates for the posts mentioned. Individual members of the Board of Directors may also suggest such candidates by agreement with the Manager of the Railway.

When the Chief of a Service or Department is a Chinese citizen, the Deputy Chief must be a Soviet citizen. When the Chief of a Service or Department is a Soviet citizen, the Deputy Chief must be a Chinese citizen.

Chinese and Soviet citizens shall be appointed Chiefs of Services and Departments, Deputy Chiefs and station masters on the principle of equal representation.

*Article 9*

The Chinese Government shall be responsible for the security of the railway. For the purpose of protecting the railway premises, equipment and other property, and to prevent goods in transit being destroyed, lost or stolen, the Chinese Government shall create and control a railway police force. In addition, the railway police shall maintain normal order on the railway. As to the duties of the police as provided in this Article such duties shall be determined by the Chinese Government in consultation with the Soviet Government.

*Article 10*

The railway shall be employed for the transport of Soviet troops only during hostilities against Japan.

The Soviet Government shall have the right to employ the railway for transporting without Customs inspection and in sealed wagons, military property in transit, such property to be protected by the railway police, and the Soviet Government shall not provide it with any armed escort of its own.

*Article 11*

Goods in transit from one Soviet station to another and goods passing in either direction between Soviet territory and the ports of Dairen and Port Arthur shall be exempt from any duties or any other kind of taxes or levies imposed by

the Chinese Government. Upon arrival in Chinese territory such goods shall be liable to Customs inspection.

*Article 12*

The Chinese Government undertakes to supply the railway's entire requirement in coal under a special agreement.

*Article 13*

The railway shall be subject to Chinese Government taxes on the same footing as the Chinese State Railways.

*Article 14*

The Contracting Parties agree to make available to the management of the Chinese Changchun Railway the working capital stipulated in the Railway's Articles of Association.

Any profit or loss resulting from the operation of the line shall be shared equally between the Parties.

*Article 15*

During the month following the signing of this Agreement, the Contracting Parties will each appoint three representatives who shall in Chungking draw up the Memorandum and Articles of Association relating to the joint operation of the line. The Memorandum and Articles of Association shall be completed in two months, after which they will be submitted for the approval of both Governments.

*Article 16*

A Commission to be established and which shall be composed of three representatives of each Government, shall determine the assets that shall become the joint property of the USSR and the Chinese Republic and shall be jointly exploited in pursuance of Article 1 of this Agreement. The said Commission shall be established at Chungking within a month following the signing of this present Agreement and shall finish its work and submit its proposals for the approval of both Governments not later than three months after the commencement of the joint operation of the line.

*Article 17*

The present Agreement shall remain in force for a period of thirty years. Thereafter the full ownership of the Chinese Changchun Railway and all its assets shall revert without charge to the Chinese Republic.

*Article 18*

The present Agreement shall come into force on the day of its ratification.

DONE at Moscow on 14 August 1945, corresponding to the 14th day of the month of August of the year 34 of the Chinese Republic, in two copies, each in the Chinese and Russian languages, both texts being equally authentic.

By authority of the President of the  
National Government of the  
Chinese Republic

WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR

V. MOLOTOV

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III

AGREEMENT<sup>1</sup> ON THE PORT OF DAIREN. SIGNED AT MOSCOW,  
ON 14 AUGUST 1945

Whereas a Treaty of Friendship and Alliance has been concluded between the Chinese Republic and the Union of Soviet Socialist Republics, and whereas the USSR has guaranteed to respect the sovereignty of China over the Three Eastern Provinces as an inalienable part of China, the Chinese Republic, in order to protect the interests of the Union of Soviet Socialist Republics in Dairen as a port for the import and export of goods, hereby agrees:

1. To proclaim Dairen a free port, open to the trade and shipping of all countries.
2. The Chinese Government agrees to allocate docks and warehouse accommodation in the said free port to be leased to the USSR under a separate agreement.

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<sup>1</sup> Came into force on 24 August 1945, by ratification, in accordance with paragraph 7.

3. The administration in Dairen will be Chinese.

The Harbour Master shall be a Soviet citizen to be appointed by the Manager of the Chinese Changchun Railway by agreement with the Mayor of the town of Dairen. The Assistant Harbour Master shall be a Chinese citizen appointed by the same procedure.

4. In peacetime, the Regulations governing the naval base as provided in the Agreement on Port Arthur of 14 August 1945 shall not apply to Dairen and it shall come under the military regime to be established in that zone only in the event of war with Japan.

5. Goods entering the said free port from abroad and proceeding via the Chinese Changchun Railway directly into the territory of the USSR, goods leaving the USSR via the same railway and entering the free port for export, and materials and equipment sent from the USSR for the construction of harbour installations shall be exempt from customs duties. The said goods must be conveyed in sealed wagons.

Goods entering China through the free port shall be subject to Chinese import duties. Goods exported from other parts of China and entering the free port will be subject to export duties for as long as such duties continue to be levied in China.

6. The present Agreement shall remain in force for a period of 30 years.

7. The present Agreement shall come in force on the day of its ratification.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed the present Agreement and have affixed their seals thereto.

DONE at MOSCOW on 14 August 1945, corresponding to the 14th day of the month of August of the year 34 of the Chinese Republic, in two copies, each in the Chinese and Russian languages, both texts being equally authentic.

By authority of the President of the  
National Government of the  
Chinese Republic  
WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR  
V. MOLOTOV

## PROTOCOL

1. The Government of China when requested to do so by the Soviet Union shall grant the Soviet Union, freely and without consideration, a 30 years' lease of one-half of all harbour installations and equipment, the other half of the harbour installations and equipment remaining the property of China.

Any extension and improvement of the harbour facilities shall be carried out by agreement between China and the USSR.

2. It is agreed that all sections of the Chinese Changchun Railway located within the boundaries of the Port Arthur naval base area and connecting Dairen with Mukden will not be subject to any kind of military supervision or control established in that area.

By authority of the President of the  
National Government of the  
Chinese Republic

WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR

V. MOLOTOV

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#### IV

### AGREEMENT<sup>1</sup> ON PORT ARTHUR. SIGNED AT MOSCOW, ON 14 AUGUST 1945

In accordance with the Sino-Soviet Treaty of Friendship and Alliance and as an addition thereto, both Contracting Parties have agreed on the following:

1. In order to strengthen the security of China and the USSR and prevent a repetition of aggression on the part of Japan, the Government of the Chinese Republic agrees to the joint use by both Contracting Parties of Port Arthur as a naval base.

2. The exact bounds of the area of the naval base referred to in the foregoing paragraph are established in the description and map hereto annexed<sup>2</sup> (cf. Annex).

3. The Contracting Parties have agreed to make Port Arthur a naval base only, to be used and be made available to the warships and commercial vessels of China and the USSR only.

A Sino-Soviet Military Commission, consisting of two Chinese and three Soviet representatives will be established to deal with questions arising in connexion with the joint use of the aforementioned naval base. The chairman of the Commission shall be appointed by the Soviet authorities and the vice-chairman by the Chinese authorities.

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<sup>1</sup> Came into force on 24 August 1945, by ratification, in accordance with paragraph 9.

<sup>2</sup> See insert between pages 334 and 335 of this volume.

4. The defence of the aforementioned naval base shall be entrusted by the Government of China to the Government of the USSR. For purposes of such defence of the naval base, the Government of the USSR shall erect there the necessary installations, the expense of which shall be borne by the Government of the USSR.

5. The civil administration in the area concerned will be Chinese, but the interests of the USSR will be taken into account when appointments to responsible positions in the said area are made by the Chinese Government. The civil administration in the town of Port Arthur shall be appointed and dismissed by the Chinese Government in agreement with the Soviet Military Command.

Suggestions designed to ensure security and defence, which the Soviet Military Command in this area may make to the Chinese civil administration, shall be carried out by the said administration. In controversial cases the questions shall be submitted for consideration and decision to the Sino-Soviet Military Commission.

6. The Government of the USSR has the right to maintain its own military, naval and air forces in the area mentioned in Article 2 and to determine their disposition.

7. At the same time the Soviet Government shall be responsible for the placing or establishment and maintenance of lights, signals and other equipment necessary for the safety of shipping in the area concerned.

8. On the expiry of the present Agreement all equipment and public property placed by the USSR in the area concerned shall be transferred freely and without consideration to Chinese Government ownership.

9. The present Agreement shall remain in force for a period of thirty years.

The Agreement shall come into force on the day of its ratification.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed the present Agreement and have affixed their seals thereto.

DONE at MOSCOW on 14 August 1945, corresponding to the 14th day of the month of August of the year 34 of the Chinese Republic, in two copies, each in the Chinese and Russian languages, both texts being equally authentic.

By authority of the President of the  
National Government of the  
Chinese Republic

WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR

V. MOLOTOV

## ANNEX

The territory of the naval base zone, as provided in Article 2 of the Agreement on Port Arthur, lies to the south of a line beginning on the west coast of the Liaotung Peninsula south of Hou-san-tao-wan and running in a generally easterly direction through the station Shih-ho and point Tsou-chia-chu-tzu to the east coast of the peninsula, but excluding the town of Dalny (Dairen).

All islands in the waters adjoining the western seacoast of the area on the Liaotung Peninsula defined by the Agreement, and to the south of a line passing through the points whose latitude is north  $39^{\circ}$  and longitude east  $120^{\circ} 49'$  and latitude north  $39^{\circ} 20'$  and longitude east  $121^{\circ} 31'$  respectively, thence in a generally north-easterly direction along the central line of the fairway leading to the port of P'u-lan-tien and to land point of beginning, shall be included in the area of the naval base.

All islands in the waters adjoining the eastern seacoast of the area on the Liaotung Peninsula and south of a line running east from the final land point to a point whose latitude is north  $39^{\circ} 20'$ , longitude east  $123^{\circ} 08'$ , thence southeast through a point whose latitude is north  $39^{\circ}$  and longitude east  $123^{\circ} 16'$  shall be included in the area. (Reference: accompanying map<sup>1</sup>; scale 1:500,000.)

The metes and bounds of the area shall be demarcated on the spot by a mixed Sino-Soviet Commission. The Commission shall place boundary marks in the water; plant stakes when necessary; draw up a detailed description of such a boundary line; delineate it on a topographic map drawn to a scale of 1:25,000; and trace the boundary line across the surrounding waters on a naval chart on the scale of 1:300,000.

The date on which the Commission shall commence its work shall be fixed by a special agreement between the Parties.

The descriptions of the boundary line of the area drawn up by the aforesaid Commission and the maps of this line shall be subject to confirmation by both Governments.

WANG SHIH-CHIEH

V. MOLOTOV

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<sup>1</sup> See insert between pages 334 et 335 of this volume.

## V

AGREEMENT<sup>1</sup> ON RELATIONS BETWEEN THE SOVIET COMMANDER-IN-CHIEF AND THE CHINESE ADMINISTRATION FOLLOWING THE ENTRY OF SOVIET FORCES INTO THE TERRITORY OF THE THREE EASTERN PROVINCES OF CHINA IN CONNECTION WITH THE PRESENT JOINT WAR AGAINST JAPAN. SIGNED AT MOSCOW, ON 14 AUGUST 1945

The President of the National Government of the Chinese Republic and the Praesidium of the Supreme Soviet of the Union of Soviet Socialist Republics, being desirous that after the entry of Soviet forces into the territory of the Three Eastern Provinces of China in connexion with the present joint war of China and the USSR against Japan, relations between the Soviet Commander-in-Chief and the Chinese administration conform with the spirit of friendship and alliance existing between both countries, have agreed on the following:

1. After the entry, as a result of military operations, of Soviet troops into the territory of the Three Eastern Provinces of China, the supreme authority and responsibility in the zone of military activity in all matters relating to the conduct of the war shall, during the period necessary for conducting such operations, be vested in the Commander-in-Chief of the Soviet Armed Forces.

2. A representative of the National Government of the Chinese Republic and a staff shall be appointed in any recaptured territory, who shall:

(a) Organize and control, in accordance with the laws of China, the administration on the territory freed from the enemy;

(b) Assist in establishing co-operation in restored territories between the Chinese armed forces, whether regular or irregular, and the Soviet armed forces;

(c) Ensure the active collaboration of the Chinese administration with the Soviet Commander-in-Chief and, in particular, issue corresponding instructions to the local authorities, being guided by the requirements and desires of the Soviet Commander-in-Chief.

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<sup>1</sup> Came into force on 24 August 1945, upon the ratification of the Treaty of Friendship and Alliance, in accordance with paragraph 8 of the Agreement.

3. A Chinese Military Mission shall be appointed to the Headquarters of the Soviet Commander-in-Chief for the purpose of maintaining contact between the Soviet Commander-in-Chief and the representative of the National Government of the Chinese Republic.

4. In zones that are under the supreme authority of the Soviet Commander-in-Chief, the administration of the National Government of the Chinese Republic for restored territories shall maintain contact with the Soviet Commander-in-Chief through a representative of the National Government of the Chinese Republic.

5. As soon as any part of a recaptured territory ceases to be a zone of direct military operations, the National Government of the Chinese Republic shall assume complete power in respect of civil affairs and shall render the Soviet Commander-in-Chief all assistance and support through its civil and military organs.

6. All members of the Soviet armed forces on Chinese territory shall be under the jurisdiction of the Soviet Commander-in-Chief. All Chinese citizens, whether civil or military, shall be under Chinese jurisdiction. This jurisdiction will also extend to the civilian population in Chinese territory, even in cases involving criminal acts and misdemeanours committed against the Soviet armed forces, except when criminal acts and misdemeanours are committed in the zone of military operations and are subject to the jurisdiction of the Soviet Commander-in-Chief. In controversial cases, the matter shall be decided by mutual agreement between the Soviet Commander-in-Chief and the Representative of the National Government of the Chinese Republic.

7. A separate agreement shall be concluded relating to financial questions arising out of the entry of Soviet forces into the territory of the Three Eastern Provinces of China.

8. The present Agreement shall come into force immediately upon ratification of the Treaty of Friendship and Alliance between China and the USSR which was signed this day.

DONE at Moscow on 14 August 1945, corresponding to the 14th day of the month of August of the year 34 of the Chinese Republic, in two copies, each in the Chinese and Russian languages, both texts being equally authentic.

By authority of the President of the  
National Government of the  
Chinese Republic

WANG SHIH-CHIEH

By Authority of the  
Praesidium of the Supreme  
Soviet of the USSR

V. MOLOTOV

## MINUTES

At the fifth meeting between Generalissimo Stalin and Mr. T. V. Soong, President of the Executive Yuan, which took place on 11 July 1945, the question of the evacuation of Soviet forces from Chinese territory after participation of the USSR in the war against Japan was discussed. Generalissimo Stalin declined to include in the Agreement on the Entry of Soviet Forces into the Territory of the Three Eastern Provinces any provision for the evacuation of Soviet troops within three months following the defeat of Japan. Generalissimo Stalin stated, however, that the Soviet forces would begin to be withdrawn within three weeks after the capitulation of Japan.

Mr. T. V. Soong asked how much time would be required to complete the evacuation. Generalissimo Stalin stated that in his opinion the evacuation of troops could be completed within a period of not exceeding two months. Mr. T. V. Soong again asked whether the evacuation would really be completed within three months. Generalissimo Stalin stated that three months would be a maximum period sufficient for the completion of the withdrawal of troops.

WANG SHIH-CHIEH

V. MOLOTOV