

No. 94

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**CHINA**  
**and**  
**BRAZIL**

**Treaty of Amity. Signed at Rio de Janeiro, on 20 August 1943**

*Chinese, English and Portuguese official texts communicated by the Director of the Office of the Permanent Chinese Delegation to the United Nations. The filing and recording took place on 5 April 1948.*

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**CHINE**  
**et**  
**BRESIL**

**Traité d'amitié. Signé à Rio-de-Janeiro, le 20 août 1943**

*Textes officiels chinois, anglais et portugais, communiqués par le Directeur du bureau de la délégation permanente chinoise auprès de l'Organisation des Nations Unies. Le classement et l'inscription au répertoire ont eu lieu le 5 avril 1948.*

No. 94. TREATY<sup>1</sup> OF AMITY BETWEEN THE REPUBLIC OF CHINA AND THE REPUBLIC OF THE UNITED STATES OF BRAZIL. SIGNED AT RIO DE JANEIRO, ON 20 AUGUST 1943

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The Acting President of the National Government of the Republic of China and the President of the Republic of the United States of Brazil, desirous of strengthening the bonds of friendship which have long united their respective Peoples and Governments, have resolved to conclude a Treaty of Amity, based on the generally accepted principles of international law to replace the Treaty of Amity, Commerce and Navigation between the two High Contracting Parties signed at Tientsin on the third of October, 1881<sup>2</sup>, and have, for this purpose, appointed as their Plenipotentiaries:

His Excellency the Acting President of the National Government of the Republic of China, Doctor Shao Hwa Tan, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to Brazil; and

His Excellency the President of the Republic of the United States of Brazil, Doctor Oswaldo Aranha, Minister for Foreign Affairs of Brazil;

Who, after having exchanged their full powers, found to be in good and due form, have agreed upon the following articles:

*Article I*

The High Contracting Parties reaffirm the purposes of peace and amity which have always animated their respective Peoples and Governments in their mutual relations.

*Article II*

The diplomatic and consular agents of each of the High Contracting Parties shall receive in the territory of the other, on terms of reciprocity, the same treatment generally accorded by international law.

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<sup>1</sup> Came into force on 9 May 1945, in accordance with Article VI, the instruments of ratification having been exchanged on 9 April 1945 at Rio de Janeiro.

<sup>2</sup> De Martens, *Nouveau Recueil général de Traités, deuxième série*, tome XII, page 549.

*Article III*

The nationals of each of the High Contracting Parties, as well as their properties, in the territory of the other, shall be subject to the laws and regulations of the latter and to the jurisdiction of its law courts.

*Article IV*

Each of the High Contracting Parties agrees to accord to nationals of the other within its territory the rights to travel, reside and carry on commerce throughout the whole extent of that territory according to its laws and on the same terms as the nationals of any third country.

Each of the High Contracting Parties will endeavour to accord in its territory to the nationals of the other treatment not less favourable than that accorded to its own nationals with reference to all legal proceedings, to matters relating to the administration of justice and the levying of taxes and formalities in connection therewith.

*Article V*

The High Contracting Parties agree to enter into negotiations in the near future for the conclusion of a new and comprehensive Treaty of Commerce and Navigation which will regulate the conditions of their commercial intercourse.

The Treaty to be thus negotiated shall be based upon the principles of international law and international practice.

*Article VI*

The present Treaty shall be ratified and shall come into force one month after the exchange of ratifications, which shall be effected in Rio de Janeiro as soon as possible.

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

IN WITNESS WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty and affixed thereto their respective seals in Rio de Janeiro this twentieth Day of the eighth Month of the Thirty-second Year of the Republic of China, corresponding to the twentieth Day of August of 1943.

(Signed) SHAO HWA TAN

(Signed) Oswaldo ARANHA