

No. 98

**CHINA
and
COSTA RICA**

Treaty of Friendship. Signed at San José, on 5 May 1944

Chinese and Spanish 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.

**CHINE
et
COSTA-RICA**

Traité d'amitié. Signé à San-José, le 5 mai 1944

Textes officiels chinois et espagnol 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.

TRANSLATION — TRADUCTION

No. 98. TREATY¹ OF FRIENDSHIP BETWEEN THE REPUBLIC OF CHINA AND THE REPUBLIC OF COSTA RICA. SIGNED AT SAN JOSÉ, ON 5 MAY 1944

The Republic of China and the Republic of Costa Rica, being both desirous of strengthening the bonds of friendship which so happily prevail between the two countries and of promoting the interests of their peoples, have resolved to conclude a Treaty of Friendship based on the principles of equality and the mutual respect of their sovereignties and have for this purpose appointed as their plenipotentiaries:

His Excellency the President of the National Government of the Republic of China:

Dr. Tu Yuen-Tan, Envoy Extraordinary and Minister Plenipotentiary of the Republic of China to Costa Rica; and

His Excellency the President of the Republic of Costa Rica:

Don Fernando Soto Harrison, Secretary of State for Home 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 constant friendship between the Republic of China and the Republic of Costa Rica and between their peoples.

Article II

The High Contracting Parties declare their firm determination to work in close and friendly co-operation for the establishment and maintenance of a universal peace based on principles of justice and for the promotion of the economic prosperity of both peoples.

Article III

The High Contracting Parties shall have the right reciprocally to send duly accredited diplomatic representatives who shall enjoy, in the country to the

¹ Came into force on 15 June 1945, upon the exchange of the instruments of ratification at San José, in accordance with article X.

Government of which they are accredited, all the rights, privileges, immunities and exemptions generally recognized by public international law.

Article IV

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 agreement between them. These consular officers shall exercise their functions and enjoy the treatment generally accorded to them by international practice. Before entering upon their duties they shall obtain from the Government of the country to which they are sent the requisite exequaturs, subject to cancellation by the said Government.

The High Contracting Parties shall not appoint persons engaged in industry or commerce as consular officers.

Article V

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 applicable to all aliens.

Article VI

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 localities where the nationals of any other country are allowed to do so, 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 freedom of assembly and association, freedom of publication, conscience and worship, 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 contain discriminatory provisions against the nationals of the other.

Article VII

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

Article VIII

The High Contracting Parties agree to conclude, as soon as possible, a treaty of commerce and navigation.

Article IX

The present treaty has been drawn up in duplicate in Chinese and Spanish, both texts being equally authentic.

Article X

The present treaty shall be ratified by the High Contracting Parties, as soon as possible, in accordance with their respective constitutional procedures, and shall enter into force on the date of the exchange of ratifications. The instruments of ratification shall be exchanged at the city of San José.

IN FAITH WHEREOF the above-mentioned plenipotentiaries have signed the present treaty and have affixed thereto their respective seals in the city of San José, Costa Rica, on the fifth day of the fifth month of the thirty-third year of the Republic of China, corresponding to the fifth day of May, one thousand nine hundred and forty-four.

For the National Government of the Republic of
China:

TU YUEN-TAN

Envoy Extraordinary and Minister
Plenipotentiary of the Republic of
China

For the Government of the Republic of Costa Rica:

Fernando SOTO HARRISON

Secretary of State for Home Affairs