

No. 2400

**CHINA
and
SPAIN**

Treaty of Amity. Signed at Madrid, on 19 February 1953

D. 1 n. 14.

Official texts: Chinese, English and Spanish.

Registered by China on 30 November 1953.

**CHINE
et
ESPAGNE**

Traité d'amitié. Signé à Madrid, le 19 février 1953

Textes officiels chinois, anglais et espagnol.

Enregistré par la Chine le 30 novembre 1953.

No. 2400. TREATY¹ OF AMITY BETWEEN THE REPUBLIC OF CHINA AND SPAIN. SIGNED AT MADRID, ON 19 FEBRUARY 1953

The Republic of China and Spain, being equally desirous of strengthening the bonds of friendship between the two countries and promoting the mutual interests of their peoples, have decided to conclude a Treaty of Amity, and have, for this purpose, appointed as their Plenipotentiaries :

His Excellency the President of the Republic of China : His Excellency Doctor Yü Tsune-chi, Ambassador Extraordinary and Plenipotentiary to Spain, and

His Excellency the Chief of the Spanish State : His Excellency Don Alberto Martín Artajo, Minister of 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 Spain as well as between their respective peoples.

Article II

The High Contracting Parties declare their firm determination to collaborate for the peace of the world and to base their relations on principles of justice.

Article III

Each of the High Contracting Parties shall have the right to send to the Other diplomatic representatives, who shall enjoy in the territories of the Other all the rights, privileges, immunities and exemptions generally recognized by international law.

Article IV

The High Contracting Parties shall settle by pacific means all differences and disputes which may arise between them. If settlement cannot be attained through ordinary diplomatic channels such differences and disputes shall be referred to a commission of arbitration to be appointed according to the usual rules of international law, and if this commission fails in its purpose or no agreement

¹ Came into force on 21 September 1953 by the exchange of the instruments of ratification at Taipei, in accordance with article XI.

can be reached as to its constitution, the Permanent Court of Arbitration at The Hague shall be qualified to solve such differences and disputes.

Article V

The nationals of either High Contracting Party shall enjoy in the territories of the Other, subject to its laws and regulations, under conditions not less favorable than the nationals of any third country and on basis of reciprocity, the rights of free entry and exit, traveling, choice of residence, the rights of property—movable, immovable and intellectual and the rights to engage in industrial, commercial and all other kinds of activities.

Either High Contracting Party shall respect, subject to its laws and regulations, the rights duly acquired in its territories by nationals of the Other before the conclusion of the present Treaty.

Article VI

The nationals of each of the High Contracting Parties shall receive in the territories of the Other in regard to all legal proceedings and in matters relating to the administration of justice treatment not less favorable than that accorded to the nationals of the Other.

In matters relating to the levying of taxes the principle of reciprocity shall apply.

Article VII

Each of the High Contracting Parties shall have the right to send to the Other consuls-general, consuls and vice-consuls, and to appoint within territories of the Other consular agents and honorary consuls, and such consular officers shall be accorded such privileges and courtesies as are generally recognized by international practice.

The High Contracting Parties agree to negotiate, after the coming into force of the present Treaty, for the conclusion of treaties or agreements relating to extradition, commerce, navigation, consular rights and cultural relations between the two countries.

Article VIII

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

Article IX

The High Contracting Parties agree that the Preliminary Treaty of Amity and Commerce between the Republic of China and Spain signed at Nanking on December 27, 1928 and all the documents attached thereto shall be deemed to lose its validity as from the day of the coming into force of the present Treaty.

Article X

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

Article XI

The present Treaty shall be ratified as soon as possible by the High Contracting Parties in accordance with their respective constitutional requirements and it shall come into force as from the day of the exchange of ratifications, which shall be effected at Taipei.

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

DONE in duplicate at Madrid, this Nineteenth day of the Second month of the Forty Second year of the Republic of China, corresponding to the Nineteenth day of February of the year One Thousand Nine Hundred and Fifty Three.

For the Republic of China :

Yŭ TSUNE-CHI

For Spain :

Alberto MARTÍN ARTAJO