

**No. 2407**

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**UNITED STATES OF AMERICA  
and  
CHINA**

**Exchange of notes constituting an agreement relating to  
assurances under the Mutual Security Act of 1951.  
Taipei, 29 December 1951 and 2 January 1952**

*D. J. Indef*

*Official texts: English and Chinese.*

*Registered by the United States of America on 1 December 1953*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
CHINE**

**Échange de notes constituant un accord relatif aux garanties  
prévues par la loi relative à la sécurité mutuelle de 1951.  
Taïpeh, 29 décembre 1951 et 2 janvier 1952**

*Textes officiels anglais et chinois.*

*Enregistré par les États-Unis d'Amérique le 1<sup>er</sup> décembre 1953.*

No. 2407. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND CHINA RELATING TO ASSURANCES UNDER THE MUTUAL SECURITY ACT OF 1951. TAIPEI, 29 DECEMBER 1951 AND 2 JANUARY 1952

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I

*The American Chargé d'Affaires ad interim to the Chinese Minister of Foreign Affairs*

AMERICAN EMBASSY

Taipei, December 29, 1951

No. 114

Excellency :

I have the honor to refer to the conversations which have recently taken place between representatives of our Governments relating to the effect of the enactment by the Congress of the Mutual Security Act of 1951 (P. L. 165, 82nd Congress)<sup>2</sup> upon furnishing assistance under the Economic Aid Agreement signed on July 3, 1948, as heretofore amended,<sup>3</sup> and the exchange of notes dated January 30 and February 9, 1951 respectively,<sup>4</sup> between the American Chargé d'Affaires, ad interim, and the Minister of Foreign Affairs of the Republic of China, regarding the extension of military aid to China by the United States. I also have the honor to confirm the understandings reached as a result of these conversations, as follows :

1. The Government of the Republic of China hereby confirms that it has agreed to
  - (1) join in promoting international understanding and good will, and maintaining world peace ;
  - (2) take such action as may be mutually agreed upon to eliminate causes of international tension ;
  - (3) fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party ;
  - (4) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world ;
  - (5) take all reasonable measures which may be needed to develop its defense capacities ; and

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<sup>1</sup> Came into force on 2 January 1952 by the exchange of the said notes.

<sup>2</sup> United States of America : 65 Stat. 373.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 17, p. 119 ; Vol. 45, p. 326, and Vol. 76, p. 245.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 132, p. 273.

(6) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

2. The two Governments will establish procedures to ensure that equipment and materials furnished by the Government of the United States under the Mutual Defense Assistance Act of 1949, as amended,<sup>1</sup> or by either Government under the Mutual Defense Assistance Agreement of 1951, other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available will be offered for return to the Government which furnished such assistance for appropriate disposition.

3. The two Governments will establish procedures whereby the Government of the Republic of China will so deposit, segregate, or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States to ensure that such funds shall not be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organization or Government, when in the opinion of the Government of the United States any such legal process would interfere with the attainment of the objectives of the said program of assistance.

4. Paragraph 5 of Article V of the Economic Aid Agreement of July 3, 1948, shall include expenditures for military production, construction, equipment and materiel.

5. Whenever reference is made in the Economic Aid Agreement to the China Aid Act of 1948,<sup>2</sup> such reference shall be construed as meaning also the Mutual Security Act of 1951 and the applicable provisions of the Economic Cooperation Act of 1948, as amended.

Upon receipt of a Note from your Government indicating that the foregoing provisions are acceptable to the Government of the Republic of China the Government of the United States of America will consider that this Note and your reply thereto constitute an agreement between the two Governments on this subject which shall enter into force on the date of your Note in reply.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

K. L. RANKIN

His Excellency George K. C. Yeh  
Minister of Foreign Affairs  
Republic of China

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<sup>1</sup> United States of America : 63 Stat. 714 ; 22 U.S.C. §§1571-1604.

<sup>2</sup> United States of America : 62 Stat. 158.

[TRANSLATION<sup>1</sup> — TRADUCTION<sup>2</sup>]

MINISTRY OF FOREIGN AFFAIRS

Taipei, January 2, 1952

Monsieur le Chargé d'Affaires :

I have the honor to acknowledge receipt of your Note No. 114, dated December 29, 1951, which reads as follows :

[*See note I*]

In reply, I have the honor to accept on behalf of the Government of the Republic of China the arrangements set forth in your Note under reference and to state that it is also the understanding of the Chinese Government that your Note and this reply shall be regarded as constituting an agreement between our respective Governments and that such agreement shall enter into force as from to-day's date.

Please accept, Monsieur le Chargé d'Affaires, the assurances of my high consideration.

G. K. C. Y.

Mr. Karl L. Rankin  
Chargé d'Affaires, a. i.  
American Embassy  
Taipei, Taiwan

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<sup>1</sup> Translation by the Government of the United States of America.

<sup>2</sup> Traduction du Gouvernement des États-Unis d'Amérique.