

No. 3857

**UNITED STATES OF AMERICA
and
CHINA**

Exchange of notes constituting an agreement relating to the establishment of a United States Navy Medical Research Center at Taipei, Taiwan. Taipei, 30 March, 26 April and 14 October 1955

Exchange of notes constituting an agreement amending the above-mentioned Agreement. Taipei, 27 December 1956

Official texts: English and Chinese.

Registered by the United States of America on 27 May 1957.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHINE**

Échange de notes constituant un accord relatif à la création d'un centre de recherches médicales de la marine de guerre des États-Unis à Taïpeh (Taiwan). Taïpeh, 30 mars, 26 avril et 14 octobre 1955

Échange de notes constituant un accord modifiant l'Accord susmentionné. Taïpeh, 27 décembre 1956

Textes officiels anglais et chinois.

Enregistrés par les États-Unis d'Amérique le 27 mai 1957.

No. 3857. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CHINA RELATING TO THE ESTABLISHMENT OF A UNITED STATES NAVY MEDICAL RESEARCH CENTER AT TAIPEI, TAIWAN. TAIPEI, 30 MARCH, 26 APRIL AND 14 OCTOBER 1955

I

The American Ambassador to the Chinese Minister of Foreign Affairs

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 20

The Ambassador of the United States of America presents his compliments to the Minister of Foreign Affairs of the Republic of China and has the honor to refer to the subject of arrangements for the establishment of a United States Navy Medical Research Center at Taipei, Taiwan.

It is the understanding of the Government of the United States that the Government of the Republic of China is agreeable to the stationing of a United States Navy Medical Research Unit in Taipei for the purpose of conducting study and research on a long range basis in the field of diseases endemic and epidemic in the Far East. The Ambassador is informed that conversations to this effect have been held by Commander Robert A. Phillips, Medical Corps, United States Navy, and members of his staff with representatives of the Government of the Republic of China and Taiwan National University, particularly Dr. S. L. Chien, President of the University.

It is contemplated that, for the time being and until more permanent arrangements can be made between the two governments, the Navy Medical Research unit will operate as part of the Military Assistance Advisory Group, and it is requested that this unit and its personnel be accorded the same rights, privileges and immunities as are granted to other components of the Military Assistance Advisory Group by the Government of the Republic of China. The initial complement of the United States Navy Medical Research Unit will consist of two officers, two enlisted men and their families, who are expected to arrive in Taiwan the latter part of May 1955. It is planned to expand this group to a total of approximately twelve scientists and technicians when the research center reaches full operating status.

The Ambassador is pleased to inform the Minister that Lt. Commander John Richey, United States Navy, has been authorized to act on behalf of the

¹ Came into force on 14 October 1955 by the exchange of the said notes.

Government of the United States in making arrangements with representatives of the Government of the Republic of China for the leasing of facilities and areas necessary for the operation of the medical research center. The assistance of the Ministry is requested in enabling Commander Richey to make such arrangements with the appropriate officials of the Government of the Republic of China at the earliest opportunity.

It would be appreciated if the Minister would confirm the understanding of the Ambassador as to the matters set forth above and inform the Embassy of the name of the official authorized by the Government of the Republic of China to effect the detailed arrangements and to execute documents for the leasing of facilities and areas necessary for the operation of the medical research center.

American Embassy

Taipei, March 30, 1955

[TRANSLATION¹ — TRADUCTION²]

No. Wai(44)MEI/I-003937

MEMORANDUM

The Ministry of Foreign Affairs of the Republic of China presents its compliments to the United States Embassy and, referring to the Embassy's Memorandum No. 20 dated March 30, 1955, has the honor to state that the Chinese Government agrees, as requested by the United States Government, to the stationing in Taipei of a United States Navy Medical Research Unit consisting of not more than twelve officers and men for the purpose of establishing a United States Navy Medical Research Center to conduct study and research on a long range basis in the field of diseases endemic and epidemic in the Far East.

In agreeing to the request referred to above, the Chinese Government wishes also to confirm the understanding that a formal agreement on the detailed arrangements, similar to those made by the United States Government with governments of other countries where similar medical research units of the United States Navy operate, will be negotiated and concluded between the two Governments as soon as possible and that, pending the conclusion of and without prejudice to such an agreement, the said Unit will be considered provisionally as a part of the United States Military Assistance Advisory Group and its personnel as components of the MAAG.

The Chinese Government has designated Dr. S. L. Chien, President of the National Taiwan University, as its representative to negotiate for the aforesaid formal agreement.

The Embassy is also requested to notify the Ministry as far in advance as possible the actual date of arrival in Taipei of the personnel of the Unit.

[SEAL]

Ministry of Foreign Affairs
Taipei, April 26, 1955

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

III

The American Ambassador to the Chinese Acting Minister of Foreign Affairs

AMERICAN EMBASSY

No. 13

Taipei, October 14, 1955

Excellency :

I have the honor to refer to the Embassy's Note No. 20 of March 30, 1955, and to the Ministry's Memorandum No. 003937 of April 26, 1955 in reply, on the subject of the establishment in Taipei of a United States Navy Medical Research Unit.

In order more specifically to provide for the functional operation of the research unit referred to above, the Government of the United States proposes that the following terms shall constitute the operating agreement for the United States Navy Medical Research Unit, hereinafter designated "NAMRU—2":

1. The Government of the United States of America is negotiating a lease with the National Taiwan University, which is acting in this case on behalf and with the approval of the Government of the Republic of China, of the premises commonly known as the Nursing School in the National Taiwan University Hospital compound at Taipei, Taiwan. Upon execution of the lease the Government of the United States, through its Navy Department, will repair these premises and make suitable alterations and installations to provide adequate working facilities for NAMRU—2.

2. It is the intention of NAMRU—2 to devote a separate space in the premises to wards where patients can be observed and treated. Further, the U.S. Navy Bureau of Medicine and Surgery will provide equipment and supplies to the extent of its considered ability, to enable such treatment, observation and the conduct of medical research work to be carried out.

3. The Bureau of Medicine and Surgery will provide personnel and be responsible for the administration of NAMRU—2 and will provide an adequate scientific staff to carry out its medical research mission. It is contemplated that the complement of NAMRU—2 at the end of the first year of operation will be approximately six scientists and six technicians. If necessary, this complement may be expanded upon mutual agreement of the two Governments.

4. The Government of the Republic of China will make necessary provisions for NAMRU—2 to draw upon the national and provincial government hospitals for clinical material available and suitable for conducting the proposed medical research.

5. The Government of the Republic of China will provide without cost to the Government of the United States a consultant physician and such qualified

assistants as are needed, to facilitate the clinical operation of the wards in order to comply with the existing Chinese laws which require that medical treatment be conducted by physicians licensed by the Chinese Government; and will provide qualified assistants in the various departments such as bacteriology, biochemistry, etc.

6. NAMRU—2 will provide facilities and opportunities for a suitable number of properly qualified Chinese guest investigators to participate in the medical research projects of the unit. In this regard the Chinese research personnel shall be entitled to participate in conferences designed to determine research projects. The Government of the Republic of China may also provide when it so desires, and at no cost to the United States, qualified scientific personnel to serve as members of field medical research teams for both domestic and foreign research conducted under the supervision of NAMRU—2 (it being the responsibility of the Chinese Government to provide appropriate travel documentation for such personnel when required).

7. Facilities and opportunities may also be provided at the discretion of the commanding officer of NAMRU—2, and with the approval of the Chinese Government, for certain properly qualified non-Chinese investigators.

8. NAMRU—2 will provide, when requested by the designated agency of the Chinese Government, research material collected by the unit, such as cultures, pathological specimens, stained slides of tissues and similar results of research which the Government of the Republic of China may desire. Copies of reports published by NAMRU—2 will also be furnished to the Government of the Republic of China or its designated agency.

9. In its research and clinical work NAMRU—2 will follow accepted academic procedures; hence the training and experience of the guest investigator and the extent of the research program undertaken by him will determine the research responsibility of each guest investigator. The responsibility of the guest investigator and the degree of his participation in any particular problem will, of course, determine authorship seniority in published reports.

10. Any disputes not of a purely technical nature that may arise out of the operation of NAMRU—2 shall be settled by the two Governments through diplomatic channels.

In connection with the specific proposals stated above, it is the understanding of the Government of the United States that, although it is impossible to predict the exact scope of the work of NAMRU—2 or the annual expenditure for equipment, supplies and personnel, the United States Navy Bureau of Medicine and Surgery has estimated that the level of financial support extended by the United States to NAMRU—2 will eventually be between US\$200,000 and \$300,000 per year. In connection with the building for which a lease is being negotiated between the two Governments, it is estimated that the space to be devoted to

wards will be sufficient for the accommodation of 30 patients. However, in the absence of large scale epidemics, it is planned that much fewer than this number will be lodged in these wards; this will enable patients to be well separated thus facilitating treatment, nursing care, and maintenance of isolation techniques.

It is the understanding of the Government of the United States that, unless extended by mutual agreement or unless the NAMRU—2 research project is abandoned by the United States or discontinued by mutual agreement, the present arrangements shall remain in effect for a period of 20 years from the date of this note.

It is the further understanding of the Government of the United States that, upon completion of the pending negotiation between that Government and the Government of the Republic of China for an agreement governing the status of United States armed forces in Taiwan and Penghu, NAMRU—2 and personnel assigned or attached to that unit shall be governed by the provisions of any agreements or arrangements reached as a result of such negotiations and shall no longer be considered a part of the Military Assistance Advisory Group as previously stipulated in the third paragraph of the Embassy's Note No. 20 of March 30, 1955.

If the foregoing understandings meet with the approval of the Government of the Republic of China, I shall be pleased to consider this note and Your Excellency's note in reply as constituting an operating agreement between the two Governments for the United States Naval Medical Research Unit No. 2 in Taipei.

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

Karl L. RANKIN

His Excellency Shen Chang-huan
Acting Minister of Foreign Affairs
Government of the Republic of China

[TRANSLATION¹ — TRADUCTION²]

MINISTRY OF FOREIGN AFFAIRS

No. Wai(44)MEI/I-010064

Taipei, October 14, 1955

Excellency :

I have the honor to acknowledge receipt of your note No. 13, of today's date reading as follows :

[*See note III*]

In reply, I have the honor to confirm, on behalf of the Government of the Republic of China, the above understandings.

Please accept, Excellency, the renewed assurances of my highest consideration.

SHEN CHANG-HUAN

His Excellency Karl L. Rankin
Ambassador Extraordinary and Plenipotentiary
of the United States of America
to the Republic of China
Taipei

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
CHINA AMENDING THE AGREEMENT OF 30 MARCH,
26 APRIL AND 14 OCTOBER 1955 RELATING TO THE
ESTABLISHMENT OF A UNITED STATES NAVY ME-
DICAL RESEARCH CENTER AT TAIPEI, TAIWAN.
TAIPEI, 27 DECEMBER 1956

I

The American Ambassador to the Chinese Acting Foreign Minister

AMERICAN EMBASSY

No. 35

Taipei, December 27, 1956

Excellency :

I have the honor to refer to the note of the Embassy of the United States of America, Number 13, of October 14, 1955,² and the note Number Wai(44) MEI/I—010064³ of the same date from the Acting Minister of Foreign Affairs, in reply, on the subject of establishment in Taipei of a United States Navy Medical Research Unit, to be known as NAMRU—2, and in particular to paragraph 3 of the said notes in which it was agreed that the initial complement of six scientists and six technicians might be expanded upon mutual agreement of the two Governments.

I have the honor to inform you that the Government of the United States, believing that the need now exists for the additional staff contemplated for the operation of the research unit, proposes that the Government of the Republic of China grant its permission for an increase of the staff of NAMRU—2, over the next two years of operation, to a total of up to twenty-five American scientists and forty American technicians.

If this proposal is agreeable to the Government of the Republic of China, I shall be pleased to consider this note and Your Excellency's note in reply as constituting an agreement between the two Governments amending the agreement embodied in the exchange of notes of October 14, 1955, referred to above.

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

K. L. RANKIN

Dr. Shen Ch'ang-huan
Acting Foreign Minister
Ministry of Foreign Affairs
Government of the Republic of China
Taipei

¹ Came into force on 27 December 1956 by the exchange of the said notes.

² See p. 170 of this volume.

³ See p. 176 of this volume.

II

The Chinese Acting Foreign Minister to the American Ambassador

[CHINESE TEXT — TEXTE CHINOIS]

照 會

外(45)美一

014613

接准

貴大使本年十二月二十七日第三十五號照會內開：

“查在台北設立美國海軍醫學研究所即第二海醫所一事，前經美國大使館一九五五年十月十四日第十三號照會及外交部代部長同日外(44)美一字第〇一〇〇六四號復照協定在案；至關於其初期研究人員六名及技術人員六名之員額得經雙方政府同意予以增加一節，並經於該兩照會第三節內協議在案。

“本大使茲奉告

閣下：美國政府認爲此項原爲該研究所推進業務所預籌之增擴員額現已確有需要，特提請中華民國政府准許該第二海醫所之員額在今後推進業務兩年內，增至美籍研究人員二十五名，美籍技術人員四十名。

“此項提議如荷中華民國政府同意，則本大使當認本照會及閣下之復照即構成兩國政府間之協定，用以修正上述一九五五年十月十四日換文所包含之協定。”

等由。

本代部長茲特證實中華民國政府對於上述

閣下來照建議一節可予同意；並認上述

閣下來照及本復照即構成兩國政府間之協定，用以修正上述一九五五年十月十四日換文所包含之協定。

[TRANSLATION¹ — TRADUCTION²]

Taipei, December 27, 1956

No. Wai(45)MEI/I-014613

Excellency.

I have the honor to acknowledge receipt of Your Excellency's note No. 35, of today's date reading as follows :

[*See note I*]

In reply, I have the honor to confirm that the proposal set forth in Your Excellency's note under reference is agreeable to the Government of the Republic of China and that Your Excellency's note under reference and this note in reply shall be considered as constituting an agreement between the two Governments, amending the agreement embodied in the exchange of notes of October 14, 1955, referred to above.

Accept, Excellency, the renewed assurances of my highest consideration.

SHEN CHANG-HUAN

[SEAL]

His Excellency Karl L. Rankin
Ambassador of the United States of America
Taipei

¹ Translation by the Government of the United States of America.

² Traduction du Gouvernement des États-Unis d'Amérique.