

JURISDICTION OVER CRIMINAL OFFENSES  
COMMITTED BY MEMBERS OF  
ARMED FORCES

*Exchange of notes at Chungking May 21, 1943*  
*Entered into force May 21, 1943*  
*Expired October 28, 1952*<sup>1</sup>

57 Stat. 1248; Executive Agreement Series 360

*The American Chargé d'Affaires ad interim to the Political Vice Minister  
in Charge of Ministerial Affairs*

EMBASSY OF THE  
UNITED STATES OF AMERICA  
*Chungking, May 21, 1943*

EXCELLENCY:

Confirming the understanding reached in the conversations which have taken place in Chungking between representatives of our two Governments, I have the honor to inform Your Excellency that it is the desire of the Government of the United States that the service courts and authorities of its military and naval forces shall during the continuance of the present conflict against our common enemies exercise exclusive jurisdiction over criminal offenses which may be committed in China by members of such forces.

If cases arise in which for special reasons the service authorities of the Government of the United States may prefer not to exercise the above jurisdiction, it is proposed that in any such case a written statement to that effect shall be sent to the Chinese Government through diplomatic channels, in which event it would be open to the Chinese authorities to assume jurisdiction.

Assurance is given that the service courts and authorities of the United States forces in China will be willing and able to try, and on conviction to punish, all criminal offenses which members of the United States forces may be alleged on sufficient evidence to have committed in China and that the United States authorities will be willing in principle to investigate and

---

<sup>1</sup> Six months after entry into force of treaty of peace with Japan (3 UST 3169; TIAS 2490).