

FRIENDSHIP, COMMERCE, AND NAVIGATION

Treaty and protocol signed at Nanking November 4, 1946

Ratified by China November 11, 1946

*Senate advice and consent to ratification, with a reservation and understandings, June 2, 1948*¹

*Ratified by the President of the United States, with a reservation and understandings, November 8, 1948*¹

*Supplemented by exchanges of notes at Nanking November 29, 1948*²

Ratifications exchanged at Nanking November 30, 1948

Entered into force November 30, 1948

Proclaimed by the President of the United States January 12, 1949

*Modified by understanding of June 20 and July 28, 1951*³

63 Stat. 1299; Treaties and Other
International Acts Series 1871

TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA

The United States of America and the Republic of China, desirous of strengthening the bond of peace and the ties of friendship which have happily long prevailed between the two countries by arrangements designed to promote friendly intercourse between their respective territories through provisions responsive to the spiritual, cultural, economic and commercial aspira-

¹ The U.S. reservation and understandings read as follows:

"The Government of the United States of America does not accept Section 5 (c) of the Protocol relating to protection against translations of literary and artistic works, and with the understanding that United States interests in this respect will be interpreted in accordance with the provisions of the Treaty as to Commercial Relations signed at Shanghai, October 8, 1903 [TS 430, *ante*, p. 695], until further negotiations and agreement concerning translations are forthcoming. The United States stands ready to enter into immediate negotiations with China for further improvement in copyright relationships with particular emphasis upon the desire of the United States to afford protection of translations. The Senate is of the opinion that the protection of the author or literary and artistic property in the exclusive right to translate or authorize the translation of his works is of importance as a matter of justice to the author and is of equal importance as a means for assuring a true translation and faithful presentation for peoples who must receive it in a language other than the original. Under present day conditions, such protection is essential to promote effective diffusion of literary and artistic works and to encourage responsible industries engaged in the production of such works within a country.

"The Senate further understands that the Treaty does not obligate either party to extend most-favored-nation treatment with respect to copyright."

² TIAS 1871, *post*, p. 846.

³ Not printed. The Chinese Ambassador in his note of July 28, 1951 to the Secretary of State acquiesced in the application of controls by the United States Government to

Footnote continued on p. 762—