

**JAPON ET UNION DES
RÉPUBLIQUES SOVIÉTISTES
SOCIALISTES**

Convention comportant les principes fondamentaux applicables aux relations entre le Japon et l'Union des Républiques Soviétistes Socialistes, avec Protocoles A et B, Déclaration, Echange de notes, Note annexée et Protocole de signature. Pékin, le 20 janvier 1925.

**JAPAN AND UNION
OF SOVIET SOCIALIST
REPUBLICS**

Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics, together with Protocols A and B, Declaration, Exchange of Notes, Annexed Note and Protocol of Signature. Peking, January 20, 1925.

No. 866. — CONVENTION¹ EMBODYING BASIC RULES OF THE RELATIONS BETWEEN JAPAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS, SIGNED AT PEKING, JANUARY 20, 1925.

Texte officiel anglais communiqué par le Chef du Bureau du Japon à la Société des Nations. L'enregistrement de cette Convention a eu lieu le 20 mai 1925.

JAPAN and the UNION OF SOVIET SOCIALIST REPUBLICS, desiring to promote relations of good neighbourhood and economic co-operation between them, have resolved to conclude a Convention embodying basic rules in regulation of such relations and, to that end, have appointed as their Plenipotentiaries, that is to say :

HIS MAJESTY THE EMPEROR OF JAPAN :

Kenkichi YOSHIZAWA, Envoy Extraordinary and Minister Plenipotentiary to the Republic of China, Jushii, a member of the First Class of the Imperial Order of the Sacred Treasure ;

THE CENTRAL EXECUTIVE COMMITTEE OF THE UNION OF SOVIET SOCIALIST REPUBLICS :

Lev Mikhailovitch KARAKHAN, Ambassador to the Republic of China ;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows :

Article I.

The High Contracting Parties agree that, with the coming into force of the present Convention, diplomatic and consular relations shall be established between them.

Article II.

The Union of Soviet Socialist Republics agrees that the Treaty² of Portsmouth of September 5th, 1905, shall remain in full force.

It is agreed that the Treaties, Conventions and Agreements, other than the said Treaty of Portsmouth, which were concluded between Japan and Russia prior to November 7, 1917, shall be re-examined at a Conference to be subsequently held between the Governments of the High Contracting Parties and are liable to revision or annulment as altered circumstances may require.

¹ La communication des ratifications de cette Convention a eu lieu à Pékin, le 26 février 1925.

² De Martens, Nouveau Recueil Général de Traités, deuxième série, tome XXXIII, page 3.

Article III.

The Governments of the High Contracting Parties agree that, upon the coming into force of the present Convention, they shall proceed to the revision of the Fishery Convention of 1907, taking into consideration such changes as may have taken place in the general conditions since the conclusion of the said Fishery Convention.

Pending the conclusion of a convention so revised, the Government of the Union of Soviet Socialist Republics shall maintain the practices established in 1924 relating to the lease of fishery lots to Japanese subjects.

Article IV.

The Governments of the High Contracting Parties agree that, upon the coming into force of the present Convention, they shall proceed to the conclusion of a treaty of commerce and navigation in conformity with the principles hereunder mentioned, and that, pending the conclusion of such a treaty, the general intercourse between the two countries shall be regulated by those principles.

(1) The subjects or citizens of each of the High Contracting Parties shall, in accordance with the laws of the country : (a) have full liberty to enter, travel and reside in the territories of the other, and (b) enjoy constant and complete protection for the safety of their lives and property.

(2) Each of the High Contracting Parties shall, in accordance with the laws of the country, accord in its territories to the subjects or citizens of the other, to the widest possible extent and on condition of reciprocity, the right of private ownership and the liberty to engage in commerce, navigation, industries and other peaceful pursuits.

(3) Without prejudice to the right of each Contracting Party to regulate by its own laws the system of international trade in that country, it is understood that neither Contracting Party shall apply in discrimination against the other Party any measures of prohibition, restriction or impost which may serve to hamper the growth of the intercourse, economic or otherwise, between the two countries, it being the intention of both Parties to place the commerce, navigation and industry of each country, as far as possible, on the footing of the most-favoured nation.

The Governments of the High Contracting Parties further agree that they shall enter into negotiations, from time to time as circumstances may require, for the conclusion of special arrangements relative to commerce and navigation to adjust and to promote economic relations between the two countries.

Article V.

The High Contracting Parties solemnly affirm their desire and intention to live in peace and amity with each other, scrupulously to respect the undoubted right of a State to order its own life within its own jurisdiction in its own way, to refrain and restrain all persons in any governmental service for them, and all organisations in receipt of any financial assistance from them, from any act overt or covert liable in any way whatever to endanger the order and security in any part of the territories of Japan or the Union of Soviet Socialist Republics.

It is further agreed that neither Contracting Party shall permit the presence in the territories under its jurisdiction :

- (a) of organisations or groups pretending to be the Government for any part of the territories of the other Party, or
- (b) of alien subjects or citizens who may be found to be actually carrying on political activities for such organisations or groups.

Article VI.

In the interest of promoting economic relations between the two countries, and taking into consideration the needs of Japan with regard to natural resources, the Government of the Union of Soviet Socialist Republics is willing to grant to Japanese subjects, companies and associations concessions for the exploitation of minerals, forests and other natural resources in all the territories of the Union of Soviet Socialist Republics.

Article VII.

The present Convention shall be ratified.

Such ratification by each of the High Contracting Parties shall, with as little delay as possible, be communicated, through its diplomatic representative at Peking, to the Government of the other Party, and from the date of the later of such communications this Convention shall come into full force.

The formal exchange of the ratifications shall take place at Peking as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this twentieth day of January, One thousand nine hundred and twenty-five.

(L.S.) K. YOSHIZAWA.

(L. S.) L. KARAKHAN.

PROTOCOL (A).

Japan and the Union of Soviet Socialist Republics, in proceeding this day to the signature of the Convention embodying Basic Rules of the relations between them, have deemed it advisable to regulate certain questions in relation to the said Convention, and have, through their respective Plenipotentiaries, agreed upon the following stipulations :

Article I.

Each of the High Contracting Parties undertakes to place in the possession of the other Party the movable and immovable property belonging to the Embassy and Consulates of such other Party and actually existing within its own territories.

In case it is found that the land occupied by the former Russian Government at Tokio is so situated as to cause difficulties to the town planning of Tokio or to the service of the public purposes, the Government of the Union of Soviet Socialist Republics shall be willing to consider the proposals which may be made by the Japanese Government looking to the removal of such difficulties.

The Government of the Union of Soviet Socialist Republics shall accord to the Government of Japan all reasonable facilities in the selection of suitable sites and buildings for the Japanese Embassy and Consulates to be established in the territories of the Union of Soviet Socialist Republics.

Article II.

It is agreed that all questions of the debts due to the Government or subjects of Japan on account of public loans and treasury bills issued by the former Russian Governments, to wit by the Imperial Government of Russia and the Provisional Government which succeeded it, are reserved for adjustment at subsequent negotiations between the Government of Japan and the Government of the Union of Soviet Socialist Republics.

Provided that in the adjustment of such questions the Government or subjects of Japan shall not, all other conditions being equal, be placed in any position less favourable than that which the Government of the Union of Soviet Socialist Republics may accord to the Government or nationals of any other country on similar questions.

It is also agreed that all questions relating to claims of the Government of either Party to the Government of the other, or of the nationals of either Party to the Government of the other, are reserved for adjustment at subsequent negotiations between the Government of Japan and the Government of the Union of Soviet Socialist Republics.

Article III.

In view of climatic conditions in Northern Saghalien preventing the immediate homeward transportation of Japanese troops now stationed there, these troops shall be completely withdrawn from the said region by May 15, 1925.

Such withdrawal shall be commenced as soon as climatic conditions will permit it and any and all districts in Northern Saghalien so evacuated by Japanese troops shall immediately thereupon be restored in full sovereignty to the proper authorities of the Union of Soviet Socialist Republics.

The details pertaining to the transfer of administration and to the termination of the occupation shall be arranged at Alexandrovsk between the Commander of the Japanese Occupation Army and the Representatives of the Union of Soviet Socialist Republics.

Article IV.

The High Contracting Parties mutually declare that there actually exists no treaty or agreement of military alliance nor any other secret agreement which either of them has entered into with any third Party and which constitutes an infringement upon, or a menace to, the sovereignty, territorial rights or national safety of the other Contracting Party.

Article V.

The present Protocol is to be considered as ratified with the ratification of the Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics, signed under the same date.

In witness whereof the respective Plenipotentiaries have signed the present Protocol in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this twentieth day of January, One thousand nine hundred twenty-five.

(L. S.) K. YOSHIKAWA.

(L. S.) L. KARAKHAN.

PROTOCOL (B).

The High Contracting Parties have agreed upon the following as the basis for the Concession Contracts to be concluded within five months from the date of the complete evacuation of Northern Saghalien by Japanese troops, as provided for in Article 3 of Protocol (A), signed this day between the Plenipotentiaries of Japan and of the Union of Soviet Socialist Republics.

(1) The Government of the Union of Soviet Socialist Republics agrees to grant to Japanese concerns recommended by the Government of Japan the concession for the exploitation of 50 per cent, in area, of each of the oilfields in Northern Saghalien which are mentioned in the Memorandum submitted to the Representative of the Union by the Japanese Representative on August 29, 1924. For the purpose of determining the area to be leased to the Japanese concerns for such exploitation, each of the said oilfields shall be divided into checker-board squares of from fifteen to forty dessiatines each, and a number of these squares, representing 50 per cent of the whole area, shall be allotted to the Japanese, it being understood that the squares to be so leased to the Japanese are, as a rule, to be non-contiguous to one another, but shall include all the wells now being drilled or worked by the Japanese. With regard to the remaining unleased lots of the oilfields mentioned in the said Memorandum, it is agreed that, should the Government of the Union of Soviet Socialist Republics decide to offer such lots, wholly or in part, for foreign concession, Japanese concerns shall be afforded equal opportunity in the matter of such concession.

(2) The Government of the Union of Soviet Socialist Republics also agrees to authorise Japanese concerns recommended by the Government of Japan to prospect oilfields, for a period of from five to ten years, on the Eastern coast of Northern Saghalien over an area of one thousand square versts to be selected within one year after the conclusion of the Concession Contracts, and in case oilfields shall have been established in consequence of such prospecting by the Japanese, the concession for the exploitation of 50 per cent, in area, of the oilfields so established shall be granted to the Japanese.

(3) The Government of the Union of Soviet Socialist Republics agrees to grant to Japanese concerns recommended by the Government of Japan the concession for the exploitation of coal fields on the western coast of Northern Saghalien over a specific area which shall be determined in the Concession Contracts. The Government of the Union of Soviet Socialist Republics further agrees to grant to such Japanese concerns the concession regarding coal fields in the Doue district over a specific area to be determined in the Concession Contracts. With regard to the coal fields outside the specific area mentioned in the preceding two paragraphs, it is also agreed that, should the Government of the Union of Soviet Socialist Republics decide to offer them for foreign concession, Japanese concerns shall be afforded equal opportunity in the matter of such concession.

(4) The period of the concessions for the exploitation of oil and coal fields stipulated in the preceding paragraphs shall be from forty to fifty years.

(5) As royalty for the said concessions, the Japanese concessionnaires shall make over annually to the Government of the Union of Soviet Socialist Republics, in case of coal fields, from 5 to 8 per cent of their gross output, and, in case of oilfields, from 5 to 15 per cent of their gross output : provided that in the case of a gusher, the royalty may be raised up to 45 per cent of its gross output.

The percentage of output thus to be made over as royalty shall be definitively fixed in the Concession Contracts and it may be graduated according to the scale of annual output in a manner to be defined in such contracts.

(6) The said Japanese concerns shall be permitted to fell trees needed for purpose of the enterprises and to set up various undertakings with a view to facilitating communication and transportation of materials and products. Details connected therewith shall be arranged in the Concession Contracts.

(7) In consideration of the royalty above-mentioned, and taking also into account the disadvantages under which the enterprises are to be placed by reason of the geographical position and other general conditions of the districts affected, it is agreed that the importation and exportation of any articles, materials or products needed for or obtained from such enterprises shall be permitted free of duty, and that the enterprises shall not be subjected to any such taxation or restriction as may in fact render their remunerative working impossible.

(8) The Government of the Union of Soviet Socialist Republics shall accord all reasonable protection and facilities to the said enterprises.

(9) Details connected with the foregoing articles shall be arranged in the Concession Contracts.

The present Protocol is to be considered as ratified with the ratification of the Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics, signed under the same date.

In witness whereof the respective Plenipotentiaries have signed the present Protocol in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this twentieth day of January, One thousand nine hundred and twenty-five.

(L. S.) K. YOSHIKAWA.

(L. S.) L. KARAKHAN.

DECLARATION.

In proceeding this day to the signature of the Convention embodying the Basic Rules of the Relations between the Union of Soviet Socialist Republics and Japan, the undersigned Plenipotentiary of the Union of Soviet Socialist Republics has the honour to declare that the recognition by his Government of the validity of the Treaty of Portsmouth of September 5, 1905, does not in any way signify that the Government of the Union shares with the former Tsarist Government the political responsibility for the conclusion of the said Treaty.

(L. S.) L. KARAKHAN.

PEKING, *January 20, 1925.*

EXCHANGE OF NOTES.

PEKING, *January 20th, 1925.*

MONSIEUR LE MINISTRE,

I have the honour, on behalf of my Government, to declare that the Government of the Union of Soviet Socialist Republics agrees that the work which is now being carried on by the Japanese in Northern Saghalien both in the oil and the coal fields, as stated in the Memorandum handed

to the Plenipotentiary of the Union of Soviet Socialist Republics by the Japanese Plenipotentiary on August 29th, 1924, be continued until the conclusion of the Concession Contracts to be effected within five months from the date of the complete evacuation of Northern Saghalien by the Japanese troops, provided the following conditions be abided by by the Japanese :

(1) The work must be continued in strict accordance with the data of the said Memorandum of August 29th, 1924, as regards the area, the number of workers and experts employed, the machinery and other conditions provided in the Memorandum.

(2) The produce, such as oil and coal, cannot be exported or sold and may only be applied to the use of the staff and equipment connected with the said work.

(3) The permission granted by the Government of the Union of Soviet Socialist Republics for the continuation of the work shall in no way affect the stipulations of the future concession contract.

(4) The question of operation of the Japanese wireless stations in Northern Saghalien is reserved for future arrangement, and will be adjusted in a manner consistent with the existing laws of the Union of Soviet Socialist Republics prohibiting private and foreign establishment of the wireless stations.

I avail myself of this opportunity to convey to you, Monsieur le Ministre, the assurances of my highest consideration.

(Signed) L. KARAKHAN.

His Excellency
Mr. Kenkichi YOSHIZAWA,
Envoy Extraordinary and
Minister Plenipotentiary of Japan.

PEKING, *January 20th, 1925.*

MONSIEUR L'AMBASSADEUR,

I have the honour to acknowledge the receipt of the following Note from Your Excellency, under this date :

“ Monsieur le Ministre,

“ I have the honour, on behalf of my Government, to declare that the Government of the Union of Soviet Socialist Republics agrees that the work which is now being carried on by the Japanese in Northern Saghalien both in the oil and the coal fields, as stated in the Memorandum handed to the Plenipotentiary of the Union of Soviet Socialist Republics by the Japanese Plenipotentiary on August 29th, 1924, be continued until the conclusion of the Concession Contracts to be effected within five months from the date of the complete evacuation of Northern Saghalien by the Japanese troops, provided the following conditions be abided by by the Japanese :

“ (1) The work must be continued in strict accordance with the data of the said Memorandum of August 29th, 1924, as regards the area, the number of workers and experts employed, the machinery and other conditions provided in the Memorandum.

“ (2) The produce, such as oil and coal, cannot be exported or sold and may only be applied to the use of the staff and equipment connected with the said work.

“(3) The permission granted by the Government of the Union of Soviet Socialist Republics for the continuation of the work shall in no way affect the stipulations of the future Concession Contract.

“(4) The question of operation of the Japanese wireless stations in Northern Saghalien is reserved for future arrangement, and will be adjusted in a manner consistent with the existing laws of the Union of Soviet Socialist Republics prohibiting private and foreign establishment of wireless stations.”

On behalf of my Government, I have the honour to state that the Japanese Imperial Government agrees entirely with the said Note.

I avail myself of this opportunity to convey to you, Monsieur l'Ambassadeur, the assurances of my highest consideration.

(Signed) K. YOSHIKAWA.

His Excellency

Mr. Lev Mikhailovitch KARAKHAN,
Ambassador of the Union of
Soviet Socialist Republics.

ANNEXED NOTE.

In proceeding this day to the signature of the Convention embodying Basic Rules of the Relations between the Union of Soviet Socialist Republics and Japan, the undersigned Plenipotentiary of the Union of Soviet Socialist Republics has the honour to tender hereby to the Government of Japan an expression of sincere regrets for the Nikolaievsk incident of 1920.

(L. S.) L. KARAKHAN.

PEKING, *January* 20th, 1925.

PROTOCOL OF SIGNATURE.

Kenkichi YOSHIKAWA, His Imperial Japanese Majesty's Envoy Extraordinary and Minister Plenipotentiary to China, and Lev Mikhailovitch KARAKHAN, Ambassador of the Union of Soviet Socialist Republics to China, authorised under their respective full powers, found in due and good form, met this day at Peking, and closely examined the following documents :

- (1) A Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics.
- (2) Two Protocols.
- (3) One Declaration.
- (4) One set of Notes.
- (5) One annexed Note.

Having agreed upon every term and stipulation contained therein, the Plenipotentiaries have officially signed and sealed the respective documents.

The two Plenipotentiaries further agreed that there should be apposed to the present Protocol the Memorandum, handed by the Japanese Plenipotentiary to the Plenipotentiary of the Union of Soviet Socialist Republics on August 29th, 1924, and embodying a statement on the conditions of oil and coal fields worked by the Japanese in Northern Saghalien.

In faith whereof, the respective Plenipotentiaries of the two High Contracting Parties have signed the present Protocol in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this twentieth day of January, One thousand nine hundred and twenty-five.

(L. S.) K. YOSHIKAWA.

(L. S.) L. KARAKHAN.

MEMORANDUM SUBMITTED TO THE
REPRESENTATIVE OF THE UNION BY THE JAPANESE REPRESENTATIVE ON AUGUST 29TH, 1924.

OIL EXPLORATION OPERATIONS.

I. The exploration operations are being conducted by the Hokushinkai and Co. on behalf of the Government.

II Operations	Locations	Areas	Test boring	
			Oil	No oil
Oha	Two and a-half miles west of Urkt Bay, in the valley of the River Oha.	2500 acres	4	7
Ehabi	One mile west of Ehabi Bay.	1600 acres	None	3
Pilutun	Six miles south-west of Kyakr Bay, along the River Pilutun.	1200 acres	None	3
Nutovo	Fives miles west from the mouth of the River Nutovo.	2500 acres	1	2
Chaivo	Three miles west of Chaivo Bay along the Boatasin River.	1200 acres	1	1
Nuivo	Seven miles west of Nuivo Bay, in the valley of Nogric River (a branch of the Tuimi River).	1600 acres	1	1
Vuigrektui	Three miles south of the mouth of the River Tuimi along the valley of that River.	800 acres	None	2
Katangli	On the shore of Lake Katangli north of Nabilisky Bay.	1600 acres	1	4

III. Experts employed. 20 }
Workers 400 } in summer time.

IV. Machinery :

Hydraulic Rotary system	3	} for deep boring.
Standard cable system	5	
Diamond Boring system	2	} for shallow boring.
Spring Boring system (worked by man-power) . . .	10	

V. Outfit.

- (a) For communication : Telephone lines connecting the several operations, wireless stations at Oha and Chaivo.
 (b) For transportation : One small steamer and several motor boats which are used in summer time for connecting the several operations, besides a dozen lighters and junks.
 (c) Establishment :

	Oha	Ehabi	Pilutun	Nutovo	Chaivo	Nuivo	Vuigrektui	Katangli
Houses for personnel and workers	30	1	2	7	8	6	1	15
Boring rigs.	11	3	3	3	1	2	2	5
Boiler houses.	6	0	0	1	0	0	0	1
Oil reservoir (earthen)	3	0	0	0	0	0	0	0
Fuel oil tank (steel).	4	0	0	0	0	0	0	0

VI. Light railway : none.

A trolley line extending for two and a-half miles between Urkt Bay and works at Oha, and another trolley line extending for about three miles between Katangli and Nabil.

VII. Exportation of oil : none.

COLLIERY WORKS.

I. Exploiters.

Doue Mine: The Mitsubishi and Co. is working it on behalf of the occupation army.

Rogatui Mine is worked by the Staheeff and Co. and Mitsubishi as a joint enterprise.

II. Location of the mines.

Doue Mine: About six miles south of the harbour of Alexandrovsk, in the valley of Postvaya, close to the sea. There are two level pits now in operation, but no shaft. The output for 1923 was about 50,000 tons.

Rogatui Mine: About ten miles south of Alexandrovsk harbour toward the sea. Two pits now in operation. No shaft. The output for 1923 was about 30,000 tons.

III. The number of experts and workers.

	Experts	Workers
Doue Mine	5	about 200
Rogatui Mine	3	about 150

(The numbers are those in summer time.)

IV. Machinery.

At Doue mine small locomotives are used for the purpose of transportation of coal. In Rogatui mine no machinery is used, both digging and transportations being carried on by man-power and on horseback.

V. Establishments.

No special establishments for colliery purpose except a little more than a mile of trolley line leading from the Doue Mine to the seashore, and another trolley line, less than a quarter-mile, at Rogatui.

VI. Exportation.

The output of the Doue mine is consumed by the occupation army and the people residing within the occupation area, no part of it being taken out of the island.

About 30,000 tons of the output of the Rogatui mine is said to have been exported in 1923 by Mitsubishi and Staheeff.

(Signed) K. YOSHIKAWA.