

N° 2351.

JAPON ET PÉROU

Traité d'amitié, de commerce et de navigation, signé à Lima, le 30 septembre 1924, et échange de notes y relatif, de la même date.

JAPAN AND PERU

Treaty of Amity, Commerce and Navigation, signed at Lima, September 30, 1924, and Exchange of Notes relating thereto of the same date.

No. 2351. — TREATY¹ OF AMITY, COMMERCE AND NAVIGATION BETWEEN JAPAN AND PERU. SIGNED AT LIMA, SEPTEMBER 30, 1924.

Textes officiels anglais et espagnol communiqués par le directeur du Bureau impérial du Japon à la Société des Nations. L'enregistrement de ce traité a eu lieu le 19 juin 1930.

HIS MAJESTY THE EMPEROR OF JAPAN and HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF PERU, being equally animated by a desire to strengthen the relations of amity and good understanding which happily exist between the two nations and to facilitate and extend the commercial relations between the two countries, have resolved to conclude a Treaty of Amity, Commerce and Navigation, and have for that purpose named their respective Plenipotentiaries, that is to say :

HIS MAJESTY THE EMPEROR OF JAPAN :

Seizaburo SHIMIZU, Jushii, a Member of the Third Class of the Imperial Order of the Rising Sun, His Imperial Majesty's Envoy Extraordinary and Minister Plenipotentiary at the seat of the Government of the Republic of Peru ; and

HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC OF PERU :

Doctor D. César A. Elguera, Minister for Foreign Affairs ;

Who, after having communicated to each other their respective Full Powers, and found them in good and due form, have agreed upon the following Articles :

Article I.

There shall be firm and perpetual peace and amity between the Empire of Japan and the Republic of Peru, and their respective subjects and citizens.

Article II.

Each of the two High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents in all the ports, cities and places of the other where similar consular officers of other nations are permitted to reside.

The Consuls-General, Consuls, Vice-Consuls, Pro-Consuls and Consular Agents may exercise all functions, and shall enjoy all privileges, exemptions and immunities which are, or may hereafter be, granted to consular officers of any European or North-American nation.

¹ L'échange des ratifications a eu lieu à Tokio, le 19 février 1930.

¹ TRADUCTION. — TRANSLATION.N^o 2351. — TRAITÉ ² D'AMITIÉ, DE COMMERCE ET DE NAVIGATION, ENTRE LE JAPON ET LE PÉROU. SIGNÉ A LIMA, LE 30 SEPTEMBRE 1924.

English and Spanish official texts communicated by the Director of the Imperial Japanese League of Nations Office. The registration of this Treaty took place June 19, 1930.

SA MAJESTÉ L'EMPEREUR DU JAPON et SON EXCELLENCE LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU, également animés du désir de resserrer les relations d'amitié et de bonne entente qui existent heureusement entre les deux nations et de faciliter et développer leurs relations commerciales entre les deux pays, ont résolu de conclure un traité d'amitié, de commerce et de navigation et ont, à cette fin, désigné pour leurs plénipotentiaires :

SA MAJESTÉ L'EMPEREUR DU JAPON :

M. Seyzaburo SHIMIZU, Jushii, dignitaire de 3^{me} classe de l'Ordre impérial du Soleil Levant, envoyé extraordinaire et ministre plénipotentiaire de Sa Majesté impériale au siège du Gouvernement de la République du Pérou ; et

SON EXCELLENCE LE PRÉSIDENT DE LA RÉPUBLIQUE DU PÉROU :

Le D^r D. César A. ELGUERA, ministre des Affaires étrangères ,

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des articles suivants :

Article premier.

Il y aura paix et amitié constantes et perpétuelles entre l'Empire du Japon et la République du Pérou, ainsi qu'entre leurs sujets et citoyens respectifs.

Article II.

Chacune des Hautes Parties contractantes pourra nommer des consuls généraux, consuls, vice-consuls, proconsuls et agents consulaires dans tous les ports, villes et places de l'autre Partie où sont autorisés à résider les officiers consulaires similaires d'autres nations.

Les consuls généraux, consuls, vice-consuls, proconsuls et agents consulaires pourront exercer toutes les fonctions et jouiront de tous les privilèges, exemptions et immunités qui sont ou pourront être ultérieurement accordés aux officiers consulaires d'une autre nation européenne ou nord-américaine.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

² The exchange of ratifications took place at Tokio, February 19, 1930.

Article III.

There shall be between the territories of the High Contracting Parties reciprocal freedom of commerce and navigation.

The subjects and citizens, respectively, of each of the High Contracting Parties shall have the right to come freely and securely with or without their ships and cargoes to all places, ports, exclusively national rivers, and straits in the territories of the other, where subjects or citizens of any European or North-American nation are permitted so to come; they may remain and reside at all the places or ports where subjects or citizens of any European or North-American nation are permitted to remain and reside. They may there hire and occupy houses, manufactories, warehouses, shops and premises, and may there lease land for residential, commercial, industrial and other lawful purposes; and they may there carry on their commerce and manufacture, and may there trade by wholesale or retail in all kinds of products, manufactures and merchandise of lawful commerce.

They shall in all that relates to the pursuit of their industries, callings, professions and educational studies be placed in all respects upon the same footing as the subjects or citizens of any European or North-American nation.

They shall be at full liberty to acquire and possess every description of property, movable or immovable, which the laws of the country permit or shall permit the subjects or citizens of any European or North-American nation to acquire and possess, subject always to the conditions and limitations prescribed in such laws. They may dispose of the same by sale, exchange, gift, marriage, testament, or in any other manner, under the same conditions which are or shall be established with regard to native subjects or citizens. They shall also be permitted, on compliance with the laws of the country, freely to export the proceeds of the sale of their property and their goods in general without being subjected as foreigners to other or higher duties than those to which the subjects or citizens of the country would be liable under similar circumstances.

Article IV.

The dwellings, warehouses, manufactories and shops of the subjects or citizens of each of the High Contracting Parties in the territories of the other, and all premises appertaining thereto used for lawful purposes, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers or accounts, except under the conditions and with the forms prescribed by the laws for native subjects or citizens.

Article V.

No other or higher duties shall be imposed on the importation into Peru of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of Peru, from whatever place arriving, than on the like article produced or manufactured in any European or North-American country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any European or North-American country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

Article VI.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any European or North-American country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any European or North-American country.

Article VII.

In all that relates to transit, warehousing, bounties, facilities, drawbacks, re-exports and transit duties, the subjects, citizens, merchandise and shipping of each of the High Contracting Parties, shall, in the territories of the other, be placed in all respects upon the same footing as the subjects, citizens, merchandise and shipping of European or North-American nations.

Article VIII.

Limited liability and other companies and associations, commercial, industrial and financial, already or hereafter to be organized in accordance with the laws of either High Contracting Party, and registered in the territories of such Party, are authorised, in the territories of the other, to exercise their rights and appear in the Courts either as plaintiffs or defendants, subject, to the laws of such other Party.

With regard to the admission for exercising their commerce and industry in the territories of the other High Contracting Party, those companies and associations shall enjoy the same rights which are, or may hereafter be, accorded to the companies and associations legally recognized by any European or North-American country.

Article IX.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in Peruvian vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and reciprocally, all articles which are or may be legally imported into the ports of Peru in Peruvian vessels may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Peruvian vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed in the territories of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in Peruvian vessels, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

Article X.

No other or higher duties or charges on account of tonnage, light or harbour dues, pilotage, quarantine, salvage in case of damage, or any other similar or corresponding duties or charges

of whatever nature or under whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations or establishments, shall be imposed in any of the ports, rivers or straits of Japan on vessels of the Republic of Peru, or in any of the ports, rivers or straits of the Republic of Peru on vessels of Japan, than are or may hereafter be payable in like cases in the same ports, rivers and straits on vessels of European or North-American nations.

Article XI.

In all that regards the stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours or rivers of the territories of the two countries, no privilege shall be granted to national vessels, which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

Article XII.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of Japan and of Peru, respectively.

A Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of Peru and a Peruvian vessel laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries.

Article XIII.

All vessels which, according to Japanese law, are to be deemed Japanese vessels, and all vessels which, according to Peruvian law, are to be deemed Peruvian vessels, shall, for the purpose of this Treaty, be deemed Japanese and Peruvian vessels, respectively.

Article XIV.

Any ship-of-war or merchant-vessel of either of the High Contracting Parties, which may be compelled by stress of weather or, by reason of any other distress to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies and to put to sea again, paying only those dues payable by national vessels. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship-of-war or merchant-vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the district of the occurrence, or if there be no such consular officers, they shall inform the Consul-General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels wrecked or cast on shore in the territorial waters of Peru shall take place in accordance with the laws of Peru; and, reciprocally, all measures of salvage relative to Peruvian vessels wrecked or cast on shore in

the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furnitures and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls-General, Consuls, Vice-Consuls or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such consular officers, owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of a wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a ship or vessel belonging to the subjects or citizens of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls-General, Consuls, Vice-Consuls and Consular Agents shall be authorized, in case the owner or master or other agent of the owner is not present, to lend their official assistance in order to afford the necessary assistance to the subjects or citizens of the respective States. The same rule shall apply in case the owner, master or other agent is present, but requires such assistance to be given.

Article XV.

His Imperial Majesty's subjects and Japanese merchant-vessels resorting to Peru or, to the territorial waters thereof shall, so long as they there remain, be subject to the laws and jurisdiction of Peru ; and, in the same manner, citizens of the Republic of Peru as well as Peruvian merchant-vessels resorting to Japan or to the territorial waters thereof shall be subject to the laws of Japan and to the jurisdiction of His Imperial Majesty's Courts. It is understood, however, that the provisions of this Article do not extend to matters relating exclusively to the internal discipline of the merchant-vessels of either Contracting Party in the ports or territorial waters of the other.

Article XVI.

The subjects and citizens of each of the High Contracting Parties shall, in the territories of the other, reciprocally receive and enjoy the same full and perfect protection for their persons and property that is granted to native subjects or citizens, and they shall have free and open access to the Courts of Justice in said countries, respectively, for the prosecution and defence of their just rights ; and they shall, equally, with native subjects or citizens, be at liberty to employ advocates, attorneys or agents to represent them before such Courts of Justice.

They shall not be compelled under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be, paid by native subjects or citizens.

Article XVII.

The subjects or citizens of each of the High Contracting Parties in the territories of the other shall be exempted from all compulsory military services, whether in the army, navy, national guard or militia ; from all contributions imposed in lieu of personal service ; and from all forced loans and military requisitions or contributions unless imposed on them equally with native subjects or citizens as owners, lessees or occupiers of immovable property.

In the above respects the subjects or citizens of each of the High Contracting Parties shall not be accorded in the territories of the other less favourable treatment than that which is or may be accorded to subjects or citizens of any European or North-American nation.

Article XVIII.

The subjects or citizens of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects or citizens in regard to patents, trademarks and designs, upon fulfilment of the formalities prescribed by law.

Article XIX.

The High Contracting Parties hereby agree that any favour, privilege or immunity whatever in matters relating to commerce, navigation or industry, and to entry, travel or residence in their territories which either Contracting Party has actually granted, or may hereafter grant to the subjects or citizens of any European or North-American nation, shall be extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favour of that European or North-American nation shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional, it being their intention that the economical relations of the High Contracting Parties shall be placed in all respects on the equitable and reciprocal footing.

Article XX.

The present Treaty shall go into operation immediately after the exchange of ratifications, and shall continue in force for five years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other twelve months before the expiration of the said period, of its intention to terminate the Treaty, it shall continue operative until the expiration of one year from the date on which either of the High Contracting Parties shall, have denounced it.

Article XXI.

The present Treaty shall be signed in quadruplicate in the Spanish¹ and English languages and in case there should be found any discrepancy between the two texts, it will be decided in conformity with the English text, which is binding upon both Governments.

Article XXII.

The present Treaty shall be ratified by His Majesty the Emperor of Japan and by His Excellency the President of Peru, in accordance with the Constitution of each country and the ratifications shall be exchanged either at Tokio or Lima, as soon as possible.

In witness whereof the respective Plenipotentiaries have signed this Treaty and hereunto affixed their respective seals.

Done in quadruplicate at Lima this thirtieth day of the ninth month of the thirteenth year of Taisho, corresponding to the thirtieth day of September of the year one thousand nine hundred and twenty-four.

(L. S.) S. SHIMIZU.

(L. S.) César A. ELGUERA.

¹ Seul, le texte anglais a été envoyé au Secrétariat de la Société des Nations.

En ce qui concerne les obligations indiquées ci-dessus, les sujets ou citoyens de chacune des Hautes Parties contractantes ne devront pas être soumis, dans les territoires de l'autre Partie, à un traitement moins favorable que celui dont bénéficient ou pourront bénéficier ultérieurement les sujets ou citoyens de toute nation européenne ou nord-américaine.

Article XVIII.

Les sujets ou citoyens de chacune des Hautes Parties contractantes jouiront, dans les territoires de l'autre Partie, de la même protection que les sujets ou citoyens de celle-ci en ce qui concerne les brevets d'invention, marques de commerce et dessins, à condition d'accomplir les formalités prescrites par la loi.

Article XIX.

Les Hautes Parties contractantes conviennent que pour ce qui concerne le commerce, la navigation ou l'industrie, ainsi que l'entrée, la circulation ou le séjour dans leurs territoires, tous les privilèges, faveurs ou immunités que l'une des deux Parties contractantes a effectivement accordés ou pourrait ultérieurement accorder aux sujets ou citoyens d'une nation européenne ou nord-américaine, seront étendus aux sujets ou citoyens de l'autre Partie contractante, à titre gratuit, si la concession en a été faite gratuitement à cette nation européenne ou nord-américaine, et aux mêmes conditions ou à des conditions équivalentes, si cette concession a été faite à titre conditionnel, les deux Parties désirant que leurs relations économiques soient soumises à tous égards à un régime d'égalité réciproque.

Article XX.

Le présent traité prendra effet dès qu'auront été échangés les ratifications, et restera ensuite en vigueur pendant cinq ans. Au cas où l'une des Hautes Parties contractantes n'aurait pas signifié à l'autre, douze mois avant l'expiration de ladite période son intention d'y mettre fin, il restera applicable jusqu'à l'expiration d'une année à partir de la date à laquelle l'une des Hautes Parties contractantes l'aura dénoncé.

Article XXI.

Le présent traité sera signé en quatre exemplaires, rédigés en langues espagnole¹ et anglaise ; toute divergence constatée entre les deux textes, sera réglée d'après le texte anglais qui fera obligatoirement foi pour les deux Etats.

Article XXII.

Le présent traité sera ratifié par Sa Majesté l'Empereur du Japon et par Son Excellence le Président du Pérou, conformément à la constitution de chacun des deux pays, et les ratifications seront échangées à Tokio ou à Lima, dès que faire se pourra.

En foi de quoi les plénipotentiaires respectifs ont signé le présent traité et y ont apposé leur sceau.

Fait en quatre exemplaires à Lima ce trentième jour du neuvième mois de la treizième année de Taisho, correspondant au trente septembre mil neuf cent vingt-quatre.

(L. S.) S. SHIMIZU.

(L. S.) César A. ELGUERA.

¹ The English text only has been sent to the Secretariat of the League of Nations.

EXCHANGED NOTES

RELATIVE TO THE TREATY OF AMITY, COMMERCE
AND NAVIGATION BETWEEN JAPAN AND PERU.

I.

LIMA, 30th September, 1924.

MONSIEUR LE MINISTRE,

With reference to paragraph 3 of Article 3 of the Treaty of Amity, Commerce and Navigation signed this day between Japan and Peru, I have the honour, on behalf of my Government, to communicate to Your Excellency, in order to avoid any possible misunderstanding in the future that any facilities granted or to be granted by either High Contracting Party to the subjects or citizens of any other country with regard to the exercise of professions by virtue of any special agreements which may provide for the mutual recognition of the validity of any titles or certificates conferred by the countries concerned, such as the "Convention on mutual recognition of validity of Academic Titles and Certificates of Studies between Peru and Spain" signed April 9th, 1904, and the "Convention relative to the Free Exercise of the Medical Profession between Japan and Mexico" signed April 26th, 1917, shall not be included in the privileges to be extended to the subjects or citizens of the High Contracting Parties "upon the same footing as the subjects or citizens of any European or North-American nation", stipulated in the said article.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

S. SHIMIZU.

His Excellency

Monsieur César A. Elguera,
Minister for Foreign Affairs,
Lima.

ÉCHANGE DE NOTES

RELATIF AU TRAITÉ D'AMITIÉ, DE COMMERCE ET
DE NAVIGATION ENTRE LE JAPON ET LE PÉROU.

I.

LIMA, le 30 septembre 1924.

MONSIEUR LE MINISTRE,

Me référant au troisième alinéa de l'article 3 du traité d'amitié, de commerce et de navigation conclu ce jour entre le Japon et le Pérou, j'ai l'honneur, au nom de mon gouvernement, de faire connaître à Votre Excellence, en vue d'éviter, dans l'avenir, tout malentendu possible, que les facilités qui ont été ou seront ultérieurement accordées par chacune des Hautes Parties contractantes aux sujets ou citoyens de tout autre pays, quant à l'exercice de professions en vertu de conventions spéciales instituant la reconnaissance réciproque de la validité de titres ou diplômes conférés par les pays en question telles que la « Convention concernant la reconnaissance réciproque de la validité des titres académiques et des diplômes d'études entre le Pérou et l'Espagne », signée le 9 avril 1904, et la « Convention relative au libre exercice de la profession médicale entre le Japon et le Mexique » signée le 26 avril 1917, ne seront pas comprises dans les privilèges qui doivent s'étendre aux sujets ou citoyens des Hautes Parties contractantes placés « sur le même pied que les sujets ou citoyens de toute nation européenne ou nord-américaine », et qui se trouvent stipulés dans ledit article.

Je saisis cette occasion, etc.

S. SHIMIZU.

A Son Excellence

Monsieur Cesar A. Elguera,
Ministre des Affaires étrangères,
Lima.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

II.

TEXTE ESPAGNOL. — SPANISH TEXT.

SEÑOR MINISTRO :

LIMA, 30 de Setiembre de 1924.

Tengo la honra de avisar a Vuestra Excelencia recibo de su atenta nota de hoy, en la que a nombre de su Gobierno y con referencia al párrafo 3 del artículo 3º del Tratado de Amistad, Comercio y Navegacion, suscrito en la fecha entre el Perú y el Japon, se sirve comunicarme que, con el propósito de evitar futuros malentendidos, queda establecido que cualquiera clase de facilidades concedidas o por concederse con relación al ejercicio de profesiones por cualquiera de las Altas Partes Contratantes a los súbditos o ciudadanos de algún otro país, en virtud de acuerdos o convenios especiales que estipulen el reconocimiento mutuo de los títulos o certificados académicos otorgados por los países interesados como son la « Convención sobre el reconocimiento mutuo de validez de Títulos Académicos y Certificados de estudios », suscrita entre el Peru y España el 9 de Abril de 1904, y la « Convencion relativa al libre ejercicio de la profesión de Medicina », suscrita entre el Japon y México el 26 de Abril de 1917, no se considerarán incluidas en los privilegios que se conceden a los ciudadanos o súbditos de las Altas Partes Contractantes « sobre la misma base en que están comprendidos los súbditos y ciudadanos de las naciones europeas y norteamericana » y que han sido estipulados en dicho artículo.

En respuesta, cúmpleme manifestar a Vuestra Excelencia la perfecta conformidad de mi Gobierno con la aclaración que se hace por medio de estas notas.

Aprovecho la oportunidad para reiterar a Vuestra Excelencia las seguridades de mi alta y distinguida consideración.

César A. ELGUERA.

Al Excelentísimo
Señor Seizaburo Shimizu,
Enviado Extraordinario
y Ministro Plenipotenciario
del Japon,
Ciudad.

¹ TRADUCTION.

LIMA, le 30 septembre 1924.

MONSIEUR LE MINISTRE,

J'ai l'honneur d'accuser réception à Votre Excellence de votre note en date de ce jour par laquelle, au nom de votre gouvernement et en vous référant au troisième alinéa de l'article 3 du Traité d'amitié, de commerce et de navigation conclu ce jour entre le Pérou et le Japon,

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ TRANSLATION.

LIMA, September 30, 1924.

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your Note of to-day in which, on behalf of your Government and with reference to paragraph 3 of Article 3 of the Treaty of Amity, Commerce and Navigation signed this day between Peru and Japan, you inform me that,

¹ Translated by the Secretariat of the League of Nations, for information.

vous avez bien voulu me faire connaître, en vue d'éviter, dans l'avenir tout malentendu, qu'il est convenu que toutes facilités qui ont été ou seront ultérieurement accordées par chacune des Hautes Parties contractantes aux sujets ou citoyens de tout autre pays, quant à l'exercice de professions en vertu de Conventions spéciales instituant la reconnaissance réciproque de la validité de tous titres ou diplômes conférés par les pays en question, — telles que la « Convention concernant la reconnaissance réciproque de la validité des titres académiques et des diplômes d'études entre le Pérou et l'Espagne », signée le 9 avril 1904, et la « Convention relative au libre exercice de la profession médicale entre le Japon et le Mexique », signée le 26 avril 1917, — ne seront pas comprises dans les privilèges qui doivent s'étendre aux sujets ou citoyens des Hautes Parties contractantes placés « sur le même pied que les sujets ou citoyens de toute nation européenne ou nord-américaine », et qui se trouvent stipulés dans ledit article.

En réponse, j'ai l'honneur de faire connaître à Votre Excellence que mon gouvernement est entièrement d'accord quant à la déclaration formulée dans ladite note.

Je saisis cette occasion, etc.

César A. ELGUERA.

Son Excellence
Monsieur Seizaburo Shimizu,
Envoyé extraordinaire et Ministre
plénipotentiaire du Japon,
Lima.

in order to avoid any possible misunderstanding in the future, any facilities granted or to be granted by either High Contracting Party to the subjects or citizens of any other country with regard to the exercise of professions, by virtue of any special agreements which may provide for the mutual recognition of the validity of academic titles or certificates conferred by the countries concerned, such as the "Convention on Mutual Recognition of Validity of Academic Titles and Certificates of Studies" between Peru and Spain, signed April 9, 1904, and the "Convention relative to the Free Exercise of the Medical Profession" between Japan and Mexico, signed April 26, 1917, shall not be included in the privileges to be extended to the citizens or subjects of the High Contracting Parties "upon the same footing as the subjects or citizens of any European or North American nation" stipulated in the said Article.

In reply I have the honour to inform Your Excellency that my Government is entirely in agreement with the explanation given in these Notes.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

César A. ELGUERA.

His Excellency
Señor Seizaburo Shimizu,
Envoy Extraordinary and
Minister Plenipotentiary
of Japan,
Lima.