

N° 4367.

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## JAPON ET SIAM

Traité d'amitié, de commerce et de navigation, et protocole final, signés à Bangkok, le 8 décembre 1937, et échange de notes y relatif de la même date.

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## JAPAN AND SIAM

Treaty of Friendship, Commerce and Navigation, and Final Protocol, signed at Bangkok, December 8th, 1937, and Exchange of Notes relating thereto of the same Date.

No. 4367. — TREATY <sup>1</sup> OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN JAPAN AND SIAM. SIGNED AT BANGKOK, DECEMBER 8TH, 1937.

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*English official text communicated by the Permanent Representative of Siam to the League of Nations.  
The registration of this Treaty took place June 14th, 1938.*

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HIS MAJESTY THE KING OF SIAM and HIS MAJESTY THE EMPEROR OF JAPAN, being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this can best be accomplished by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of reciprocity, equity and mutual benefit, and for that purpose have named as their Plenipotentiaries, that is to say :

HIS MAJESTY THE KING OF SIAM :

Luang Pradist MANUDHARM (Pridi Banomyong), Minister of Foreign Affairs ;

HIS MAJESTY THE EMPEROR OF JAPAN :

Kuramatsu MURAI, Jusii, Third Class of the Imperial Order of the Sacred Treasure,  
His Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of Siam ;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following Articles :

*Article 1.*

There shall be constant peace and perpetual friendship between Siam and Japan.

*Article 2.*

The subjects of each of the High Contracting Parties shall have full liberty to enter, travel, and reside in the territories of the other, and conforming themselves to the laws and regulations of the country :

1. Shall in all that relates to travel and residence, be placed in all respects on the same footing as native subjects.
  2. They shall have the right, equally with native subjects, to carry on their commerce and manufacture, and to trade in all kinds of merchandise of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native subjects.
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<sup>1</sup> The exchange of ratifications took place at Bangkok, March 7th, 1938.

<sup>1</sup> TRADUCTION. — TRANSLATION.

N<sup>o</sup> 4367. — TRAITÉ <sup>2</sup> D'AMITIÉ, DE COMMERCE ET DE NAVIGATION  
ENTRE LE JAPON ET LE SIAM. SIGNÉ A BANGKOK, LE  
8 DÉCEMBRE 1937.

*Texte officiel anglais communiqué par le représentant permanent du Siam près la Société des Nations.  
L'enregistrement de ce traité a eu lieu le 14 juin 1938.*

SA MAJESTÉ LE ROI DE SIAM et SA MAJESTÉ L'EMPEREUR DU JAPON, animés du désir de resserrer les liens d'amitié et de bonne entente déjà heureusement existants entre les deux États, et convaincus que cet objet ne saurait être mieux atteint que par la revision des traités en vigueur entre les deux pays, ont décidé de procéder à cette revision dans un esprit de réciprocité, d'équité et au bénéfice mutuel des deux Parties, et ont désigné à cet effet pour leurs plénipotentiaires, savoir :

SA MAJESTÉ LE ROI DE SIAM :

Luang Pradist MANUDHARM (Pridi Banomyong), ministre des Affaires étrangères ;

SA MAJESTÉ L'EMPEREUR DU JAPON :

Kuramatsu MURAI, Jusii, membre de troisième classe de l'Ordre impérial du Trésor sacré, son envoyé extraordinaire et ministre plénipotentiaire à la Cour de Sa Majesté le Roi de Siam ;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, reconnus en bonne et due forme, sont convenus des dispositions suivantes :

*Article premier.*

Il y aura paix constante et amitié perpétuelle entre le Siam et le Japon.

*Article 2.*

Les sujets de chacune des Hautes Parties contractantes auront pleine liberté d'entrer dans les territoires de l'autre Partie, d'y voyager et d'y résider, et, sous condition de se conformer aux lois et règlements en vigueur dans le pays :

1. Pour tout ce qui a trait aux voyages et à la résidence, ils seront à tous égards placés sur le même pied que les nationaux.

2. Ils auront les mêmes droits que les nationaux d'exercer leur activité commerciale et industrielle, et de faire le commerce de toutes sortes de marchandises licites, soit personnellement, soit par l'intermédiaire d'agents, isolément ou en association avec des étrangers ou des nationaux.

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

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> L'échange des ratifications a eu lieu à Bangkok, le 7 mars 1938.

3. They shall be permitted, on the same footing as native subjects, to engage in religious, educational and charitable work.

4. They shall be permitted to own or lease and occupy houses, manufactories, warehouses and shops which may be necessary for them, and to lease land for residential, commercial, industrial, religious, charitable and other lawful purposes and for use as cemeteries in the same manner as native subjects.

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

6. They shall receive, in the territories of the other, the most constant protection and security for their persons and property and shall enjoy in this respect the same rights and privileges as are or may be granted to native subjects.

7. In all that relates to industrial pursuits, and to callings and professions as well as to educational studies, they shall, throughout the whole extent of the territories of the other, be placed in all respects on the same footing as the subjects or citizens of the most-favoured nation.

8. As regards the acquisition and possession of movable property, as well as the disposition of property rights of every description, they shall, in conformity with the laws and regulations in force in the country, enjoy the same treatment as accorded to native subjects.

9. And as regards the acquisition and possession of immovable property, they shall, in the whole extent of the territories of the other, enjoy, on condition of reciprocity, the most-favoured-nation treatment.

#### *Article 3.*

The subjects of each of the High Contracting Parties shall be exempt in the territories of the other from compulsory military service on land, on sea, or in the air, in the regular forces, or in the national guard, or in the militia ; from all contributions in money or in kind, imposed in lieu of personal military service, and from all forced loans or military contributions. They shall not be subjected, in time of peace or in time of war, to military requisitions except as imposed upon native subjects, and they shall reciprocally be entitled to compensation payable to native subjects by the laws and regulations in force in the respective countries. With regard to the foregoing provisions, the subjects of each of the High Contracting Parties shall not be treated in the territories of the other less favourably than the subjects or citizens of the most-favoured nation.

#### *Article 4.*

The subjects of each of the High Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws and regulations in force in the country, shall enjoy the right of private or public exercise of their worship.

#### *Article 5.*

The subjects of each of the High Contracting Parties shall have free access to the Courts of Justice of the other in pursuit and defence of their rights ; they shall be at liberty, equally with native subjects, and with the subjects or citizens of the most-favoured nation, to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts.

There shall be no conditions or requirements imposed upon the subjects of either of the High Contracting Parties in connection with such access to the Courts of Justice of the other, which do not apply to native subjects or to the subjects or citizens of the most-favoured nation.

*Article 6.*

The dwellings, warehouses, manufactories and shops and all other property of the subjects 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 and regulations for native subjects.

*Article 7.*

There shall be reciprocally full and entire freedom of commerce and navigation between the territories of the two High Contracting Parties.

The subjects of each of the High Contracting Parties shall have liberty freely to come with their ships and cargoes to all places, ports and rivers in the territories of the other which are or may be opened to foreign commerce and navigation, and, conforming themselves to the laws and regulations of the country to which they thus come, shall enjoy the same rights, privileges, liberties, favours, immunities and exemptions in matters of commerce and navigation as are or may be enjoyed by the subjects or citizens of the most-favoured nation.

*Article 8.*

Neither High Contracting Party shall establish or maintain prohibitions or restrictions on imports from or exports to the territories of the other Party which are not applied to the import and export of any like article originating in or destined for any other country.

The preceding provisions are not, however, applicable to such prohibitions or restrictions as follows, provided that they are applicable to all countries where similar conditions prevail :

(1) Prohibitions, restrictions or regulations for the enforcement of laws and regulations for the protection of public security or public health, including laws and regulations prohibiting or restricting the importation, exportation, or sale of alcohol or alcoholic beverages or of opium, the coca leaf, their derivatives, and other narcotic drugs ;

(2) Prohibitions or restrictions on the trade or traffic in arms and munitions of war, and in exceptional circumstances other materials needed in war, it being agreed in this regard that either High Contracting Party may, in the event of its being engaged in war, enforce such import or export restrictions as may be required by the national interest ;

(3) Prohibitions or restrictions necessary for the protection of animal or plant life against disease, harmful pests or extinction ;

(4) Prohibitions or restrictions upon articles which, as regards production or trade, are or may hereafter be subject within the country to a monopoly exercised by or under the control of the State ;

(5) Prohibitions or restrictions with regard to articles similar to those domestic articles whose internal production, sale, or transport is forbidden or similarly restricted by the national law.

*Article 9.*

The High Contracting Parties agree not to obstruct mutual commerce between the two countries by any prohibition or restriction placed upon the transit of any article, subject to the

following exceptions which, however, shall be applicable to all countries alike or to those countries where similar conditions prevail :

- (1) Prohibitions or restrictions for reasons of public security or public health ;
- (2) Prohibitions or restrictions on the trade or traffic in arms and munitions of war under extraordinary circumstances ;
- (3) Prohibitions or restrictions necessary for the protection of animal or plant life against disease, harmful pests or extinction.

*Article 10.*

It is agreed that the Customs tariffs applicable to articles, the produce or manufacture of either of the High Contracting Parties imported into the territories of the other shall be regulated by the laws and regulations of the country of importation.

No other or higher duties shall be imposed on the importation into the territories of either of the High Contracting Parties of any article, the produce or manufacture of the territories of the other, from whatever place arriving, than on the like article produced or manufactured in any other foreign country, from whatever place arriving.

No other or higher duties, taxes or charges of any kind shall be imposed in the territories of either of the High Contracting Parties in respect of any article exported to the territories of the other, than such as are or may be payable in respect of the like article exported to any other foreign country.

*Article 11.*

No internal duties levied for the benefit of the State, local authorities, or corporations which affect, or may affect, the production, manufacture, or consumption of any article in the territories of either of the High Contracting Parties shall for any reason be a higher or more burdensome charge on articles, the produce or manufacture of the territories of the other, than on similar articles of native origin.

*Article 12.*

The subjects of each of the High Contracting Parties shall enjoy in the territories of the other a perfect equality of treatment with native subjects in all that relates to transit duties, warehousing, facilities, the examination and appraisement of merchandise and drawbacks.

*Article 13.*

Merchants and manufacturers, subjects of one of the High Contracting Parties, may, in the territories of the other, either personally or by means of commercial travellers, make purchases or collect orders, with or without samples, and such merchants, manufacturers, and their commercial travellers, while so making purchases and collecting orders, shall, in the matter of taxation and facilities, enjoy the most-favoured-nation treatment.

Articles imported as samples for the purposes above mentioned shall, in each country, be temporarily admitted free of duty on compliance with the Customs regulations and formalities established in order to assure their re-exportation or the payment of the prescribed charges if not re-exported within the period allowed by law. But the foregoing privilege shall not extend to articles which, owing to their quantity or value, cannot be considered as samples, or which, owing to their nature, could not be identified upon re-exportation. The determination of the question of qualification of samples for duty-free admission rests in all cases exclusively with the competent authorities of the place where the importation is effected.

*Article 14.*

Marks, stamps, or seals placed upon the samples mentioned in the preceding Article by the Customs authorities of either High Contracting Party at the time of exportation, and any officially attested list of such samples containing a full description thereof issued by them, shall be reciprocally accepted by the Customs officials of the other as establishing their character as samples and exempting them from inspection, except so far as may be necessary to establish that the samples produced are those enumerated in the list. The Customs authorities of either High Contracting Party may, however, affix a supplementary mark to such samples in special cases where they may think this precaution necessary.

*Article 15.*

Any authorities recognised in the territories of one of the High Contracting Parties as competent for the issue of such identity certificates as may be required for merchants, manufacturers and commercial travellers shall be accepted by the other as competent authorities in that regard.

Each of the High Contracting Parties will inform the other what are the competent authorities for the issue of these certificates as well as of the forms which are required.

*Article 16.*

The subjects of each of the High Contracting Parties shall have in the territories of the other the same rights as native subjects in regard to patents for inventions, trade-marks, trade-names, designs and copyright in literary and artistic works, upon fulfilment of the formalities prescribed by the laws and regulations in force in the country.

*Article 17.*

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

There shall be no conditions or requirements imposed upon companies and associations organized in accordance with the laws and regulations of either High Contracting Party in connection with such access to the Courts of Justice of the other which do not apply to such native companies and associations or those of the most-favoured nation.

As regards the acquisition and possession of movable property, as well as the disposition of property rights of every description, companies and associations above mentioned shall, in conformity with the laws and regulations in force in the country, enjoy the same treatment as accorded to native companies and associations. Furthermore as regards the acquisition and possession of immovable property, they shall, on condition of reciprocity, enjoy the most-favoured-nation treatment. It is also understood that, as regards the right to engage in various kinds of commerce and industry, the companies and associations in question shall, subject to the observance of the laws and regulations of public order, enjoy the same rights and privileges as are or may be granted to the like companies and associations of the most-favoured nation.

*Article 18.*

Each of the High Contracting Parties shall permit the importation or exportation of all merchandise which may be legally imported or exported, and also the carriage of passengers from or to their respective territories, upon the vessels of the other, and such vessels, their cargoes

and passengers shall enjoy the same privileges as, and shall not be subjected to any other or higher duties, charges or restrictions than national vessels and their cargoes and passengers, or the vessels, cargoes and passengers of the most-favoured nation.

*Article 19.*

In all that concerns the entering, clearing, stationing, loading and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the two countries, no privilege shall be granted to vessels of a third country which shall not equally be granted to vessels of the other country ; the intention of the High Contracting Parties being that in these respects the vessels of each shall receive the treatment accorded to vessels of the most-favoured nation.

*Article 20.*

No duties of tonnage, harbour, pilotage, lighthouse, quarantine or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind shall be imposed in the ports of the territories of either country upon the vessels of the other country, which shall not equally and under the same conditions be imposed in the like cases on the vessels of the most-favoured nation. Such equality of treatment shall apply reciprocally to the vessels of the respective countries, from whatever port or place they may arrive, and whatever may be their place of destination.

*Article 21.*

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 put to sea again, without paying any dues other than such as would be 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 give prompt notice of the occurrence to the Consular Officer residing in the district or to the nearest Consular Officer of the other country.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, 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 aforesaid property or proceeds from the sale thereof and the papers found on board the vessel shall be delivered to the proper Consular Officer of the High Contracting Party whose vessel is wrecked or stranded, provided that such Consular Officer shall make claim within the period fixed by the laws and regulations of the country in which the wreck or stranding occurred, 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 the wreck or stranding of a national vessel.

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

In the case of a ship or vessel belonging to the subjects of one of the High Contracting Parties being driven in by stress of weather, run aground or wrecked in the territories of the other, the proper Consular Officer of the High Contracting Party to which the vessel belongs, shall, if



the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the subjects of his State.

*Article 22.*

The vessels of war of each of the High Contracting Parties may enter, remain and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access ; they shall submit to the same regulations and enjoy the same honours, advantages, privileges and exemptions as are now, or may hereafter be, conceded to the vessels of war of any other nation.

*Article 23.*

Vessels charged with performance of regular scheduled postal service of one of the High Contracting Parties shall enjoy in the territorial waters of the other the same special facilities, privileges, and immunities as are granted to like vessels of the most-favoured nation.

*Article 24.*

The Consular Officers of each of the High Contracting Parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of the former Party.

It is understood that this stipulation shall not apply to the subjects of the country where the desertion takes place.

*Article 25.*

Each of the High Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls and other Consular Officers or Agents to reside in the towns and ports of the territories of the other where similar officers of other countries are permitted to reside.

Such Consular Officers and Agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled, on condition of reciprocity, to exercise all the powers and enjoy all the honours, privileges, exemptions and immunities of every kind which are, or may be, accorded to Consular Officers of the most-favoured nation.

*Article 26.*

In case of the death of a subject of one of the High Contracting Parties in the territories of the other without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest Consular Officer of the nation to which the deceased belonged, in order that necessary information may be immediately forwarded to parties interested.

In case of the death of a subject of one of the High Contracting Parties in the territories of the other, without leaving at the place of his decease any person entitled by the laws and regulations of his country to take charge of and administer the estate, the competent Consular Officer of the State to which the deceased belonged shall upon fulfilment of the necessary formalities, be empowered to take custody of and administer the estate in the manner and under the limitations prescribed by the laws and regulations of the country in which the property of the deceased is situated.

The foregoing provision shall also apply in case of a subject of one of the High Contracting Parties dying outside the territories of the other, but possessing property therein, without leaving any person there entitled to take charge of and administer the estate.

*Article 27.*

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 and regulations of Siam and Japan respectively. It is, however, understood that the subjects and vessels of either High Contracting Party shall enjoy in this respect most-favoured-nation treatment in the territories of the other.

Siamese and Japanese vessels may, nevertheless, proceed from one port to another, either for the purpose of landing the whole or part of their passengers or cargoes brought from abroad, or of taking on board the whole or part of their passengers or cargoes for a foreign destination.

It is also understood that, in the event of the coasting trade of either Party being exclusively reserved to national vessels, the vessels of the other Party, if engaged in trade to or from places not within the limits of the coasting trade so reserved, shall not be prohibited from the carriage between two ports of the territories of the former Party of passengers holding through tickets, or merchandise consigned on through bills of lading to or from places not within the above-mentioned limits, and while engaged in such carriage these vessels and their cargoes shall enjoy the full privileges of this Treaty.

*Article 28.*

The provisions of the present Treaty as regards the most-favoured-nation treatment do not apply to :

(1) Favours, advantages and privileges which are or may be granted by either of the High Contracting Parties to an adjoining State with the object of facilitating frontier traffic within a limited zone on each side of the frontier ;

(2) Favours, advantages and privileges granted or to be granted hereafter to a third State in virtue of a Customs Union ;

(3) Favours, advantages and privileges contractually granted or to be granted to a third State for the avoidance of double taxation ;

(4) Favours, advantages and privileges granted or to be granted hereafter to an adjoining State with regard to the navigation on or use of boundary waterways not navigable from the sea ;

(5) The treatment which is or may be accorded to the produce of the national fisheries of the High Contracting Parties or the special tariff favours granted by either of the High Contracting Parties in regard to fish and other aquatic products taken in the foreign waters in the vicinity of that Party.

*Article 29.*

The stipulations of the present Treaty shall be applicable to all the territories and possessions belonging to or administered by either of the High Contracting Parties.

*Article 30.*

The present Treaty shall remain in force for five years from the date on which it comes into effect.

In case neither of the High Contracting Parties shall have notified twelve months before the expiration of the said period the intention of terminating it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it.

*Article 31.*

The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Bangkok as soon as possible, and the said Treaty shall come into force on the date of the exchange of ratifications.

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

Done in duplicate, in the English language, at Bangkok, this eighth day of the ninth month in the two thousand four hundred and eightieth year of the Buddhist Era, corresponding to the eighth day of the twelfth month in the twelfth year of Syōwa, and the eighth day of December in the nineteen hundred and thirty-seventh year of the Christian Era.

Certified true copy :  
Phya Rajawangsan,

(L. S.) Luang Pradist MANUDHARM.

(L. S.) K. MURAI.

*Permanent Representative  
accredited to the League of Nations.*  
Geneva, 14th June, 1938.

#### FINAL PROTOCOL.

At the moment of proceeding this day to the signature of the Treaty of Friendship, Commerce and Navigation between Siam and Japan, the Plenipotentiaries of the two High Contracting Parties have agreed as follows :

1. The stipulations contained in this Treaty do not in any way affect, supersede or modify any of the laws and regulations with regard to naturalization, immigration and public order, which are in force or which may be enacted in either of the two countries, provided that they do not constitute measures of discrimination particularly directed against the subjects of the other.

2. The terms of the treatment of the most-favoured nation in this Treaty are to be interpreted as immediate and unconditional unless otherwise expressly provided.

3. The national fisheries of each of the High Contracting Parties shall be regulated according to the laws and regulations of that Party. It is understood, however, that the subjects of either of the High Contracting Parties in the territories of the other shall enjoy in this respect the same rights and privileges as may be granted to the subjects or citizens of any other country.

4. In all that concerns the provisions of Article 2 of the Treaty, the subjects of either of the High Contracting Parties shall not be treated by the other less favourably than the subjects or citizens of any other country.

5. In the event of any form of quantitative limitation being established for the importation or exportation of articles, each of the High Contracting Parties agrees to grant for the importation from or exportation to the territories of the other Party an equitable apportionment of the quantity of restricted articles which may be authorized for importation or exportation.

6. Articles, the produce or manufacture of the territories of either of the High Contracting Parties, passing in transit through the territories of the other, shall be free from transit duties as provided for in the Convention<sup>1</sup> and Statute on Freedom of Transit concluded at Barcelona, April 20th, 1921.

7. The provisions of Article 11 of the Treaty shall not be deemed to prevent either of the High Contracting Parties from charging different rates in the collection of sale licence fees between imported spirituous liquors and those manufactured by or under licence from the State.

<sup>1</sup> Vol. VII, page 11 ; Vol. XI, page 407 ; Vol. XV, page 305 ; Vol. XIX, page 279 ; Vol. XXIV, page 155 ; Vol. XXXI, page 245 ; Vol. XXXV, page 299 ; Vol. XXXIX, page 166 ; Vol. LIX, page 344 ; Vol. LXIX, page 70 ; Vol. LXXXIII, page 373 ; Vol. XCII, page 363 ; Vol. XCVI, page 181 ; Vol. CIV, page 495 ; Vol. CXXXIV, page 393 ; and Vol. CXLII, page 340, of this Series.

8. It is understood that the provisions prescribing most-favoured-nation treatment in this Treaty do not apply to favours, advantages and privileges in regard to Customs tariffs which may be granted by Japan to articles produced or manufactured in Manchoukuo.

The present Protocol is to be deemed ratified by the ratification of the Treaty of Friendship, Commerce and Navigation signed this day and shall have the same duration as that Treaty.

In witness whereof the undersigned Plenipotentiaries have hereunto signed their names and affixed their seals.

Done at Bangkok, in duplicate, this eighth day of the ninth month in the two thousand four hundred and eightieth year of the Buddhist Era, corresponding to the eighth day of the twelfth month in the twelfth year of Syōwa, and the eighth day of December in the nineteen hundred and thirty-seventh year of the Christian Era.

(L. S.) Luang Pradist MANUDHARM.

(L. S.) K. MURAI.

Certified true copy.

Phya Rajawangsan,

*Permanent Representative  
accredited to the League of Nations.*

Geneva, 14th June, 1938.

#### EXCHANGE OF NOTES.

##### I.

FOREIGN OFFICE.

BANGKOK, *December 8th, 1937.*

MONSIEUR LE MINISTRE,

With reference to Article 2 of the Treaty of Friendship, Commerce and Navigation signed this day between Siam and Japan, I have the honour to request that you will be good enough to confirm, on behalf of the Japanese Government, my understanding that the term "conforming themselves to the laws and regulations of the country" in the first paragraph of the said Article applies to each of the subsequent paragraphs of the same Article.

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

(Signed) Luang Pradist MANUDHARM,  
*Minister of Foreign Affairs.*

His Excellency Monsieur K. Murai,  
His Imperial Japanese Majesty's  
Envoy Extraordinary and Minister Plenipotentiary,  
Bangkok.

##### II.

JAPANESE LEGATION.

BANGKOK, *December 8th, 12 Syōwa (1937).*

MONSIEUR LE MINISTRE,

In reply to your letter of the 8th instant with reference to Article 2 of the Treaty of Friendship, Commerce and Navigation signed this day between Japan and Siam, I have the honour to confirm, on behalf of my Government, your understanding that the term "conforming

themselves to the laws and regulations of the country " in the first paragraph of the said Article applies to each of the subsequent paragraphs of the same Article.

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

(Signed) K. MURAI,  
*Japanese Minister.*

His Excellency Luang Pradist Manudharm,  
Minister of Foreign Affairs,  
Bangkok.

### III.

JAPANESE LEGATION.

BANGKOK, *December 8th, 12 Syōwa (1937).*

MONSIEUR LE MINISTRE,

In proceeding this day to the signature of the Treaty of Friendship, Commerce and Navigation between Japan and Siam, I have the honour, under instructions from my Government, to request information in regard to the right of Japanese subjects to own land in Siam, and I shall be greatly obliged if Your Excellency will be so good as to furnish me with a reply to my inquiry for communication to my Government.

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

(Signed) K. MURAI,  
*Japanese Minister.*

His Excellency Luang Pradist Manudharm,  
Minister of Foreign Affairs,  
Bangkok.

### IV.

FOREIGN OFFICE.

BANGKOK, *December 8th, 1937.*

MONSIEUR LE MINISTRE,

In reply to your inquiry of the 8th instant as to the right of Japanese subjects to own land in Siam, I have the honour to inform Your Excellency, for communication to your Government, that it is the intention of the Siamese Government to grant to foreigners, including Japanese subjects, the right to acquire immovable property necessary for residential, commercial, industrial, religious and charitable purposes as well as for use as cemeteries, while the acquisition of lands of the public domain will be reserved for the subjects of Siam without prejudice however to the rights already acquired according to the laws and regulations at the coming into force of the new Treaty.

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

(Signed) Luang Pradist MANUDHARM,  
*Minister of Foreign Affairs.*

His Excellency Monsieur K. Murai,  
His Imperial Japanese Majesty's  
Envoy Extraordinary and Minister Plenipotentiary,  
Bangkok.

## V.

JAPANESE LEGATION.

BANGKOK, *December 8th, 12 Syōwa (1937).*

MONSIEUR LE MINISTRE,

I have the honour to inform you that, referring to the Protocol<sup>1</sup> between Japan and Siam signed at Bangkok on the 10th March, 1924, my Government agree as follows :

From the date of the coming into force of the Treaty of Friendship, Commerce and Navigation signed this day, the Protocol signed at Bangkok on March 10th, 1924, concerning cases in which a Japanese subject or a person, corporation, company or association entitled to the protection of Japan is involved, shall cease to be binding.

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

(Signed) K. MURAI,  
*Japanese Minister.*

His Excellency Luang Pradist Manudharm,  
Minister of Foreign Affairs,  
Bangkok.

## VI.

FOREIGN OFFICE.

BANGKOK, *December 8th, 1937.*

MONSIEUR LE MINISTRE,

I have the honour to acknowledge the receipt of your Note of today's date referring to the Protocol between Siam and Japan signed at Bangkok on the 10th March, 1924, in which you inform me that your Government agree as follows :

From the date of the coming into force of the Treaty of Friendship, Commerce and Navigation signed this day, the Protocol signed at Bangkok on March 10th, 1924, concerning cases in which a Japanese subject or a person, corporation, company or association entitled to the protection of Japan is involved, shall cease to be binding.

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

(Signed) Luang Pradist MANUDHARM,  
*Minister of Foreign Affairs.*

His Excellency Monsieur K. Murai,  
His Imperial Japanese Majesty's  
Envoy Extraordinary and Minister Plenipotentiary,  
Bangkok.

Certified true copy :

Phya Rajawangsan,

*Permanent Representative  
accredited to the League of Nations.*

Geneva, 14th June, 1938.

<sup>1</sup> Vol. XXXI, page 200, of this Series.