

I shall be much obliged if Your Excellency will confirm the foregoing."

I have the honour to confirm the understanding as set forth in your letter under reply.

Accept, Excellency, the assurance of my highest consideration.

(Signed) YU Tsune-chi

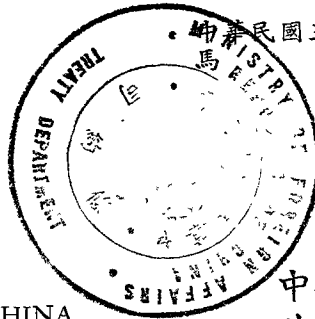
His Excellency
Count Carlo Sforza
Minister for Foreign Affairs
ROME

上述了解，如荷
貴大使惠予證實，本部長至深感幸
○」
等由，本大使對於
貴部長來照所述之了解，願予證實。
本大使順向
貴部長表示敬意。

此致

義大利共和國外交部長史佛卓伯爵
閣下

于峻吉 (簽字)



中華民國義大利
共和國友好條約

TREATY OF AMITY
BETWEEN THE REPUBLIC OF CHINA
AND THE REPUBLIC OF ITALY

Signed on April 22, 1949;
Ratifications not yet exchanged.

三十八年四月二十二日簽訂
尚未互換批准書

The Republic of China and the Republic of Italy, Being equally desirous of further strengthening the friendly relations that so happily exist between the two countries and promoting the mutual interests of their peoples,

中華民國義大利共和國為加強兩國
固有親睦邦交及增進兩國人民相互
利益起見，決定以平等及互尊重主權
之原則為基礎，訂立友好條約，為
此各派全權代表如左：

Have decided to conclude a Treaty of Amity based on the principles of equality and mutual respect of sovereignty and have, for this purpose, appointed as their Plenipotentiaries:

The Acting President of the Republic of China:

中華民國代總統特派：

Dr. Yeh Kung-chao, Political Vice-Minister for Foreign Affairs in charge, Ministry of Foreign Affairs,

中華民國外交部政務次長代理部務
葉公超博士；

The President of the Republic of Italy:

義大利共和國總統特派：

Dr. Sergio Fenoaltea, Ambassador Extraordinary and Plenipotentiary of the Republic of Italy to China,

義大利共和國駐中華民國特命全權
大使馮雅德博士；

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

兩全權代表，各將所奉全權證書，
互相校閱，均屬妥善，特議定條款
如左：

ARTICLE I

There shall be perpetual peace and everlasting amity between the Republic of China and the Republic of Italy as well as between their peoples.

ARTICLE II

The High Contracting Parties declare their firm determination to work in close and friendly collaboration for the establishment and maintenance of world peace based on principles of justice and for the promotion of economic prosperity of both peoples.

ARTICLE III

The High Contracting Parties shall have the right reciprocally to send duly accredited diplomatic representatives, who shall enjoy, in the country to the Government of which they are accredited, all the rights, privileges, immunities and exemptions generally recognized by international law.

ARTICLE IV

Each of the High Contracting Parties shall have the right to send Consuls-General, Consuls, Vice-Consuls and other consular officers to such localities within the territory of the other High Contracting Party as shall be determined by common accord. Such consular officers shall exercise the functions and enjoy the treatment generally recognized by international practice or, subject to reciprocity, that which is accorded to consular officers of any third country. Prior to their assumption of office, they shall obtain from the Government of the country to which they are sent, exequaturs which are subject to withdrawal by the said Government.

The High Contracting Parties shall not appoint persons engaged in industry or commerce as their consular officers, honorary consuls being excepted.

ARTICLE V

The nationals of each of the High Contracting Parties shall be at liberty to enter or leave the territory of the other High Contracting Party, upon the same terms as the nationals of any third country, in accordance with the laws and regulations of such other High Contracting Party applied to all aliens.

ARTICLE VI

The nationals of each of the High Contracting Parties shall receive, in the territory of the other High

第一條

中華民國與義大利共和國及兩國人民間，應永敦和好，歷久不渝。

第二條

締約雙方聲明彼此具有堅強決心，親密協作，以樹立並維持基於正義之世界和平及促進雙方人民之經濟繁榮。

第三條

締約雙方應有相互派遣正式外交代表之權利。此等代表在所駐國應享有國際法通常承認之一切權利優例及豁免。

第四條

締約一方在締約他方領土內共同商定之地方，應有派駐總領事，領事，副領事及其他領事官之權利。此等領事官應行使國際慣例通常承認之職務，並享受國際慣例通常承認之待遇，或在互惠原則下，享受所給予任何第三國領事官之待遇，締約雙方領事官於就職之前，應向所駐國政府取得執行職務證書，但此項證書，得由所駐國政府撤回。

締約雙方不得任命經營工商業之人為其領事官，但名譽領事不在此限。

第五條

締約一方之國民，應與任何第三國國民在同樣條件之下，依照締約他方適用於一切外人之法律規章，自由出入締約他方之領土。

第六條

締約一方之國民，在締約他方領土內，關於其身體及財產，應享

Contracting Party, the most constant protection and security for their persons and property, and shall enjoy in this respect the same rights and privileges as the nationals of such other High Contracting Party, subject to their compliance with the same laws and regulations. In the event of expropriation, an indemnity will be paid upon terms not less favourable than those upon which the nationals of such other High Contracting Party are to be paid in such an event.

The nationals of each of the High Contracting Parties shall also receive, in the territory of the other High Contracting Party, in regard to all legal proceeding and in matters relating to the administration or justice and the levying of taxes and requirements in connection therewith treatment not less favourable than that accorded to the nationals of such other High Contracting Party.

In regard to real property the rights legally acquired by the nationals of either High Contracting Party in the territory of the other High Contracting Party prior to the coming into force of the present Treaty shall be respected.

With respect to all matters contained in this Article, the nationals of either High Contracting Party shall in no case be treated in the territory of the other High Contracting Party less favourably than the nationals of any third country.

ARTICLE VII

The nationals of each of the High Contracting Parties shall have the right to travel, to reside, to carry on all kinds of professions and occupations, including religious, cultural and philanthropic activities, to engage in industries and trade and, subject to reciprocity, to acquire, inherit, own, possess, lease, occupy and dispose of any kind of movable or immovable property, throughout the whole extent of the territory of the other High Contracting Party, upon the same terms as the nationals of any third country, and in accordance with the laws and regulations of such other High Contracting Party.

The nationals of each of the High Contracting Parties shall also have, in the territory of the other High Contracting Party, the liberty to establish schools for the education of their children in whatever language they may choose, and shall enjoy therein the liberty of assembly and association, of publication, of worship and religion, of burial and of building cemeteries, in accordance with the laws and regulations of such other High Contracting Party.

受最經常之保護及安全；關於此點，並應在遵守同樣法律規章之條件下，與該締約他方之國民享有同樣之權利及優例。如遇徵收財產之情形，則將在不低於遇有同樣情形時所償付與該締約他方國民之條件下，付與償金。

締約一方之國民，在締約他方領土內，關於各項法律手續，司法事件之處理及各種租稅之徵收與其有關事項，亦應享受不低於所給予該締約他方國民之待遇。

關於不動產，締約一方之國民，在締約他方領土內，於本條約生效以前依法所取得之權利，應予尊重。

關於本條所包含之一切事項，締約一方之國民，在締約他方領土內，無論如何，應享受不低於任何第三國國民所享受之待遇。

第七條

締約一方之國民，在締約他方領土全境內，應與任何第三國國民在同樣條件之下，依照該締約他方之法律規章，有旅行，居住，從事各種職業及工作，包括宗教，文化及慈善事業，及經營工商業之權利，並在互惠條件之下，有取得，繼承，所有、持有、租賃、占用及處分任何種類之動產或不動產之權利。

締約一方之國民，在締約他方領土內，並應依照該締約他方之法律規章，有設立學校，以其所選擇之任何語文，教育其子女之自由，暨在該領土內享有集會及結社、出版、祀典及信仰與埋葬及營墓之自由。

ARTICLE VIII

Other relations between the two High Contracting Parties shall be based on the principles of international law.

ARTICLE IX

The High Contracting Parties agree to conclude as soon as possible a Treaty of Commerce and Navigation. They also agree to conclude, as soon as possible, a Consular Convention for the purpose of defining the rights and functions of their respective consular officers.

ARTICLE X

The present Treaty is drawn up in duplicate in the Chinese, Italian and English languages. In case of any divergence of interpretation, the English text shall be authoritative.

ARTICLE XI

The present Treaty shall be ratified as soon as possible by the High Contracting Parties in accordance with their respective constitutional requirements and the instruments of ratification shall be exchanged at Rome.

The present Treaty shall come into force on the day of the exchange of ratifications.

IN FAITH WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals, at Nanking on this twenty-second day of the fourth month of the thirty-eighth year of the Republic of China corresponding to the twenty-second day of April, 1949.

(L. S.) Yeh Kung-chao

(L. S.) Sergio Fenoaltea

EXCHANGE OF NOTES

(I)

Nanking, April 22, 1949

Excellency,

In connection with the Treaty of Amity signed today between the Republic of Italy and the Republic of China, I have the honour to state that it is

第八條

締約雙方間之其他關係，應以國際法原則為基礎。

第九條

締約雙方同意儘速訂立一通商航海條約，締約雙方並同意儘速另訂一領事專約，以規定其各本國領事官之權利及職務。

第十條

本條約分繕中文，義大利文及英文各兩份。遇有解釋不同時，應以英文本為準。

第十一條

本條約應由締約雙方各依其本國憲法之規定，儘速予以批准。批准書應在羅馬互換。

本條約自互換批准書之日起發生效力。

上開兩全權代表，爰於本條約簽字蓋印，以昭信守。
中華民國三十八年四月二十二日即公曆一千九百四十九年四月二十二日訂於南京

葉公超（簽字）

馮雅德（簽字）

換文

(一)

關於義大利共和國與中華民國間本日所簽訂之友好條約，本代表茲謹聲述雙方了解，該條約中所用

mutually understood that, in so far as the term "nationals of each of the High Contracting Parties" where used in the said Treaty is applicable in relation to property, it shall be construed to include corporations, associations and institutions which have been or may hereafter be created or organized under the applicable laws and regulations of such High Contracting Party.

I should be glad if Your Excellency would confirm the foregoing.

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

(Signed) Sergio Fenoaltea

His Excellency
Dr. Yeh Kung-chao
Political Vice-Minister for
Foreign Affairs in charge,
Ministry of Foreign Affairs

(II)

Nanking, April 22, 1949

Excellency,

In connection with the Treaty of Amity signed today between the Republic of China and the Republic of Italy, I have the honour to acknowledge the receipt of Your Excellency's Note of today's date and to confirm that it is mutually understood that, in so far as the term "nationals of each of the High Contracting Parties" where used in the said Treaty is applicable in relation to property, it shall be construed to include corporations, associations and institutions which have or may hereafter be created or organized under the applicable laws and regulations of such High Contracting Party.

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

(Signed) Yeh Kung-chao

His Excellency
Dr. Sergio Fenoaltea
Ambassador Extraordinary and
Plenipotentiary of the
Republic of Italy to China

「締約一方之國民」字樣，凡涉及財產時，應解釋為包括依照該締約一方所適用之法律規章業已或將來所創設或組織之法人及團體。

上開了解，如荷
貴代表惠予證實，本代表至深感幸。

本代表順向
貴代表表示崇高之敬意。

此致

中華民國外交部政務次長代理部務
葉公超博士閣下。

公曆一千九百四十九年四月二十二
日於南京。

馮雅德（簽字）

(二)

關於中華民國與義大利共和國
間本日所簽訂之友好條約，接准
貴代表本日來照，本代表茲謹證實
：雙方了解，該條約中所用「締約
一方之國民」字樣，凡涉及財產時
，應解釋為包括依照該締約一方所
適用之法律規章業已或將來所創設
或組織之法人及團體。

本代表順向
貴代表表示崇高之敬意。

此致

義大利共和國駐中華民國特命全權
大使馮雅德博士閣下。

中華民國三十八年四月二十二日於
南京。

葉公超（簽字）