

AGREEMENT BETWEEN THE REPUBLIC OF
CHINA AND THE U.S.S.R. CONCERNING THE
CHINESE CHANGCHUN RAILWAY

The President of the Republic of China and the Presidium of the Supreme Soviet of the U.S.S.R., desiring to strengthen the friendly relations and economic bonds between the two countries on the basis of the full observation of the rights and interests of each other, have agreed as follows:

ARTICLE I

After the Japanese armed forces are driven out of the Three Eastern Provinces of China the main trunk line of the Chinese Eastern Railway and the South Manchurian Railway from Manchuli to Suifenho and from Harbin to Dairen and Port Arthur united into one railway under the name "Chinese Changchun Railway" shall be in joint ownership of the U.S.S.R. and of the Republic of China and shall be operated by them jointly.

There shall be joint ownership and operation only of those lands acquired and railway auxiliary lines built by the Chinese Eastern Railway during the time of Russian and joint Sino-Soviet administration and by the South Manchurian Railway during the time of Russian administration and which are designed for direct needs of these railways as well as the subsidiary enterprises built during the said periods and directly serving these railways. All the other railway branches subsidiary enterprises and lands shall be in the complete ownership of the Chinese Government.

The joint operation of the afore-mentioned Railway shall be undertaken by a single management under Chinese sovereignty and as a purely commercial transportation enterprise.

ARTICLE II

The High Contracting Parties agree that their joint ownership of the Railway shall be in equal shares and shall not be alienable in whole or in part.

ARTICLE III

The High Contracting Parties agree that for the joint operation of the said Railway a Sino-Soviet Company of the Chinese Changchun Railway shall be formed. The Company shall have a Board of Directors to be composed of ten members of whom five shall be appointed by the Chinese Government and five by the Soviet Government. The Board of Directors shall be in Changchun.

中華民國與蘇維埃社會
主義共和國聯邦關於
中國長春鐵路之協定

中華民國國民政府主席與蘇維埃社會主義共和國聯邦最高蘇維埃主席團，為願以充分尊重彼此之權益為基礎，加強兩國間之友好關係暨經濟聯繫起見，議定各條如左：

第一條

日本軍隊驅出東三省以後，中東鐵路及南滿鐵路由滿州里至綏芬河及由哈爾濱至大連旅順之幹線，合併成爲一鐵路定名爲中國長春鐵路，應歸中華民國及蘇維埃社會主義共和國聯邦共同所有，並共同經營。

共同所有與共同經營以中東鐵路在俄國及中蘇共同管理時期與南滿鐵路在俄國管理時期所置之土地及所築之鐵路輔助線而爲該兩鐵路之直接需要者以及在上開時期所建置並直接供該兩鐵路之用之附屬事業爲限，一切其他鐵路支線與附屬事業及土地應歸中國政府完全所有。

上開鐵路之共同經營，應在中國主權之下，由一單獨機構辦理，並爲一純粹商業性質之運輸事業。

第二條

締約國同意上開鐵路之共同所有權，應平均屬於兩方，並不得以其全部或一部轉讓。

第三條

締約國爲共同經營上開鐵路起見，同意組設中蘇合辦之中國長春鐵路公司，公司設理事會，由理事十人組織之，其中五人由中國政府派任，五人由蘇聯政府派任，理事會設在長春。

ARTICLE IV

The Chinese Government shall appoint one of the Chinese Directors as President of the Board of Directors and one as the Assistant President. The Soviet Government shall appoint one of the Soviet Directors as Vice-President of the Board of Directors and one as the Assistant Vice-President. Seven persons shall constitute a quorum.

When questions are decided by the Board, the vote of the President of the Board of Directors shall be counted as two votes.

Important questions on which the Board of Directors cannot reach an agreement shall be submitted to the Governments of the two High Contracting Parties for consideration and settlement in an equitable and friendly spirit.

ARTICLE V

The Company shall establish a Board of Auditors which shall be composed of six members of whom three are appointed by the Chinese Government and three appointed by the Soviet Government. The Chairman of the Board of Auditors shall be elected from among the Soviet Auditors, and Vice-Chairman from among the Chinese Auditors. When questions are decided by the Board the vote of the Chairman shall be counted as two votes. Five persons shall constitute a quorum.

ARTICLE VI

For the administration of current affairs the Board of Directors shall appoint a Manager of the Chinese Changchun Railway from among Soviet citizens and an Assistant Manager from among Chinese citizens.

ARTICLE VII

The Board of Auditors shall appoint a General-Comptroller from among Chinese citizens and an Assistant General Comptroller from among Soviet citizens.

ARTICLE VIII

The chiefs and assistant chiefs of the various departments, chiefs of sections, station masters at important stations of the Railway shall be appointed by the Board of Directors. The Manager of the Railway has the right to recommend candidates for the above-mentioned posts. Individual members of the Board of Directors may also recommend such candidates in agreement with the Manager. If the chief of a department is a national of China, the assistant chief

第四條

中國政府應在華籍理事中指派一人為理事長，一人為助理理事長，蘇聯政府應在蘇籍理事中指派一人為副理事長，一人為助理副理事長，理事會表決時，理事長所投之票作兩票計算，理事會之法定人數為七人。

理事會不能獲得協議之各項重要問題，應提請兩締約國政府予以考慮，並以公平與友好之精神解決之。

第五條

公司設監事會，由監事六人組織之。其中三人由中國政府派任，三人由蘇聯政府派任，監事長應在蘇籍監事中推選，副監事長應在華籍監事中推選，監事會表決時監事長所投之票作兩票計算，監事會之法定人數為五人。

第六條

為管理經常事務起見，理事會委派中國長春鐵路局局長一人，由蘇籍人員中遴選，副局長一人由華籍人員中遴選。

第七條

監事會應委派總稽核副總稽核各一人，總稽核由華籍人員中遴選，副總稽核由蘇籍人員中遴選。

第八條

上開鐵路各處處長、副處長、科長及重要車站之站長，應由理事會委派。鐵路局長有權推薦上項職位之人選，理事會各理事亦得於微得局長之同意時，推薦上項人選，處長為華籍時，副處長應為蘇籍；處長為蘇籍時，副處長應為華籍。

shall be a national of the Soviet Union, and vice versa. The appointment of the chiefs and assistant chiefs of departments and chiefs of sections and station masters shall be made in accordance with the principle of equal representation between the nationals of China and nationals of the Soviet Union.

ARTICLE IX

The Chinese Government will bear the responsibility for the protection of the said Railway.

The Chinese Government will also organize and supervise the railway guards who shall protect the railway buildings, installations and other properties and freight from destruction, loss and robbery, and shall maintain the normal order on the Railway. As regards the duties of the guards in execution of this Article, they will be determined by the Chinese Government in consultation with the Soviet Government.

ARTICLE X

Only during the time of war against Japan the Railway may be used for the transportation of Soviet troops. The Soviet Government has the right to transport by the above-mentioned Railway for transit purpose military goods in sealed cars without customs inspection. The guarding of such military goods shall be undertaken by the railway guards and the Soviet Union shall not send any armed escort.

ARTICLE XI

Goods for through transit and transported by the Chinese Changchun Railway and also from Soviet territory to the ports of Dairen and Port Arthur or vice versa shall be free from Chinese customs duties or any other taxes and dues, but on entering Chinese territory such goods shall be subject to Chinese customs inspection and verification.

ARTICLE XII

The Chinese Government will ensure, on the basis of a separate agreement, that the supply of coal for the operation of the Railway will be fully secured.

ARTICLE XIII

The Railway shall pay the same taxes to the Government of the Republic of China as are paid by the Chinese state railways.

ARTICLE XIV

Both High Contracting Parties agree to provide the Board of Directors of the Chinese Changchun

各處處長副處處長科長站長應依照中蘇兩國人員平均充任之原則任用。

第九條

中國政府擔任上開鐵路之保護。

中國政府應組織及監督鐵路警察以保護鐵路之房屋設備暨其他產業與貨運，使免受毀壞損失與搶劫，該鐵路警察並應維持鐵路之正常秩序，關於鐵路警察執行本條規定之職務，由中國政府諮商蘇聯政府決定之。

第十條

上開鐵路僅得於對日本作戰時期供運輸蘇聯軍隊之用，蘇聯政府有權在上開鐵路用加封車輛運輸過境之軍需品，免除海關查驗。該項軍需品之保衛工作，由鐵路警察擔任，蘇聯不派武裝護送人員。

第十一條

經上開鐵路由一蘇聯車站至另一蘇聯車站過境運輸，以及由蘇聯領土至大連旅順二港口往返直運之貨物，應免中國關稅或其他任何捐稅，此項貨物在入中國領土時，應受中國海關之查驗。

第十二條

中國政府依照另訂之協定，對上開鐵路業務上所需燃煤之供應，擔任充分之保證。

第十三條

上開鐵路應與中國政府國營鐵路，向中國政府同樣繳納稅捐。

第十四條

締約國同意供給中國長春鐵路理事會以流動資金，其數額由鐵路

Railway with working capital the amount of which will be determined by the Statutes of the Railway.

Profits and losses in the operation of the Railway shall be equally divided between the two Parties.

ARTICLE XV

For the working out in Chungking of the Statutes of joint operation of the Railway each of the High Contracting Parties undertakes, within one month of the signing of the present Agreement, to appoint three representatives. The Statutes shall be worked out within two months and reported to the two Governments for their approval.

ARTICLE XVI

The determination, in accordance with the provisions in Article I, of the properties to be included in the joint ownership and operation of the Railway by China and U. S. S. R. shall be made by a Commission to be composed of three representatives each of the two Governments. The Commission shall be constituted in Chungking within one month after the signing of the present Agreement and shall terminate its work within three months after the joint operation of the Railway shall have begun. The decisions of the Commission shall be reported to the two Governments for their approval.

ARTICLE XVII

The term of the present Agreement shall be thirty years. After the expiration of the term of the present Agreement, the Chinese Changchun Railway with all its properties shall be transferred without compensation to the ownership of the Republic of China.

ARTICLE XVIII

The present Agreement shall come into force from the date of its ratification.

DONE at Moscow, this Fourteenth day of the Eighth month of the Thirty-fourth year of the Republic of China, corresponding to the Fourteenth day of August, 1945, in duplicate, in the Chinese and Russian languages, both texts being equally authoritative.

The Plenipotentiary of the President of the National Government of the Republic of China

(Signed) Wang Shih-chieh

The Plenipotentiary of the Presidium of the Supreme Soviet of the U.S.S.R.

(Signed) V. Molotov

章程規定之。

經營上開鐵路之盈虧，由雙方平均分配之。

第十五條

締約國應在本協定簽字後一個月內各派代表三人在重慶會同擬訂共同經營上開鐵路之章程。該項章程應於兩個月擬訂完畢，呈報兩國政府核准。

第十六條

依照本協定第一條規定，應歸中蘇共同所有與共同經營之資產，應由兩國政府各派代表三人組織委員會議定之。該委員會應於本協定簽字後一個月在重慶組織成立，並於上開鐵路開始共同經營後三個月內完成其工作，該委員會之議定事項應呈報兩國政府核准。

第十七條

本協定期限定為三十年，期滿之後，中國長春鐵路連同該鐵路之一切財產，均應無償移轉中華民國所有。

第十八條

本協定自批准之日生效。

中華民國三十四年八月十四日即一九四五年八月十四日訂於莫斯科。中文俄文各繕二份。中文俄文有同等效力。

中華民國國民政府主席全權代表

王世杰 (簽字)

蘇維埃社會主義共和國聯邦最高蘇維埃主席團全權代表

莫洛托夫 (簽字)