

No. 3496

**UNITED STATES OF AMERICA
and
CHINA**

Mutual Defense Treaty. Signed at Washington, on 2 December 1954

Exchange of notes constituting an agreement relating to the above-mentioned Treaty. Washington, 10 December 1954

Official texts: English and Chinese.

Registered by the United States of America on 28 August 1956.

**ÉTATS-UNIS D'AMÉRIQUE
et
CHINE**

Traité de défense mutuelle. Signé à Washington, le 2 décembre 1954

Échange de notes constituant un accord relatif au Traité susmentionné. Washington, 10 décembre 1954

Textes officiels anglais et chinois.

Enregistrés par les États-Unis d'Amérique le 28 août 1956.

No. 3496. MUTUAL DEFENSE TREATY¹ BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF CHINA. SIGNED AT WASHINGTON, ON 2 DECEMBER 1954

The Parties to this Treaty,

Reaffirming their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and desiring to strengthen the fabric of peace in the West Pacific Area,

Recalling with mutual pride the relationship which brought their two peoples together in a common bond of sympathy and mutual ideals to fight side by side against imperialist aggression during the last war,

Desiring to declare publicly and formally their sense of unity and their common determination to defend themselves against external armed attack, so that no potential aggressor could be under the illusion that either of them stands alone in the West Pacific Area, and

Desiring further to strengthen their present efforts for collective defense for the preservation of peace and security pending the development of a more comprehensive system of regional security in the West Pacific Area,

Have agreed as follows :

Article I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace, security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Article II

In order more effectively to achieve the objective of this Treaty, the Parties separately and jointly by self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and communist subversive activities directed from without against their territorial integrity and political stability.

¹ Came into force on 3 March 1955 by the exchange of the instruments of ratification at Taipei, in accordance with article IX.

Article III

The Parties undertake to strengthen their free institutions and to cooperate with each other in the development of economic progress and social well-being and to further their individual and collective efforts toward these ends.

Article IV

The Parties, through their Foreign Ministers or their deputies, will consult together from time to time regarding the implementation of this Treaty.

Article V

Each Party recognizes that an armed attack in the West Pacific Area directed against the territories of either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.

Article VI

For the purposes of Articles II and V, the terms "territorial" and "territories" shall mean in respect of the Republic of China, Taiwan and the Pescadores; and in respect of the United States of America, the island territories in the West Pacific under its jurisdiction. The provisions of Articles II and V will be applicable to such other territories as may be determined by mutual agreement.

Article VII

The Government of the Republic of China grants, and the Government of the United States of America accepts, the right to dispose such United States land, air and sea forces in and about Taiwan and the Pescadores as may be required for their defense, as determined by mutual agreement.

Article VIII

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security.

Article IX

This Treaty shall be ratified by the United States of America and the Republic of China in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at Taipei.

Article X

This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Treaty.

DONE in duplicate, in the English and Chinese languages, at Washington on this second day of December of the Year One Thousand Nine Hundred and Fifty-four, corresponding to the second day of the twelfth month of the Forty-third year of the Republic of China.

For the United States of America :

John Foster DULLES

For the Republic of China :

George K. C. YEH

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA AND
THE REPUBLIC OF CHINA RELATING TO THE MUTUAL
DEFENSE TREATY OF 2 DECEMBER 1954.¹ WASHING-
TON, 10 DECEMBER 1954

I

The Secretary of State to the Chinese Minister of Foreign Affairs

DEPARTMENT OF STATE
WASHINGTON

December 10, 1954

Excellency :

I have the honor to refer to recent conversations between representatives of our two Governments and to confirm the understandings reached as a result of those conversations, as follows :

The Republic of China effectively controls both the territory described in Article VI of the Treaty of Mutual Defense between the Republic of China and the United States of America signed on December 2, 1954,¹ at Washington and other territory. It possesses with respect to all territory now and hereafter under its control the inherent right of self-defense. In view of the obligations of the two Parties under the said Treaty and of the fact that the use of force from either of these areas by either of the Parties affects the other, it is agreed that such use of force will be a matter of joint agreement, subject to action of an emergency character which is clearly an exercise of the inherent right of self-defense. Military elements which are a product of joint effort and contribution by the two Parties will not be removed from the territories described in Article VI to a degree which would substantially diminish the defensibility of such territories without mutual agreement.

Accept, Excellency, the assurances of my highest consideration.

John Foster DULLES
Secretary of State of the United States of America

His Excellency George K. C. Yeh
Minister of Foreign Affairs of the Republic of China

¹ See p. 214 of this volume.

[ENGLISH TEXT OF NOTE II]

December 10, 1954

Excellency :

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date, which reads as follows :

[See note I]

I have the honor to confirm, on behalf of my Government, the understanding set forth in Your Excellency's Note under reply.

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

George K. C. YEH
Minister for Foreign Affairs
of the Republic of China

His Excellency John Foster Dulles
Secretary of State of the United States of America