

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

[TRANSLATION]

TC No. 17544

PROTOCOL BETWEEN FRANCE AND JAPAN
CONCERNING THE GUARANTEE AND
THE POLITICAL UNDERSTANDING.

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PROTOCOL BETWEEN FRANCE AND JAPAN
CONCERNING THE GUARANTEE AND
THE POLITICAL UNDERSTANDING.

The French Government and the Japanese Government
equally desirous of maintaining peace in the Far East.

Inspired by the pacific and friendly spirit which
prevailed at the drawing up of the agreement brought in-
to being by the notes exchanged on August 30, 1940, and
likewise prompted by the sincere desire to adhere to such
course.

Anxious to assure the stabilization of the friendly
relations recently established between France and Thailand,
have on the following:

1. The Japanese Government guarantees to the French
Government the final and irrevocable character of the
settlement of the conflict between France and Thailand,
such as it ensued, in consequence of the mediation of
the Japanese Government, from the Peace Agreement of
May 9, 1941 between France and Thailand and the annexed
documents.

2. The French Government accepts the above-mentioned
guarantee of the Japanese Government. It will exert itself
in the maintenance of peace in the Far East, and in particu-
lar in the establishment of friendly good neighbour relations,
as well as in the development of close economic relations
between French Indochina and Japan.

Moreover

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between French Indochina and Japan.

Moreover

Moreover the French Government declares that it does not intend to conclude, with regard to the French Indochina, any agreement or understanding with a third power, which may provide for political, economic or military cooperation of a nature directly or indirectly opposing Japan.

3. The present Protocol shall be ratified and the ratifications shall be exchanged at Tokyo within two months following the date of signature. In case of need, the French Government may substitute its instrument of ratification by a written notice of ratification; in such case the French Government shall send its instrument of ratification to the Japanese Government as soon as possible.

The present Protocol shall come into force on the day of the exchange of ratification.

In faith whereof, the undersigned, having been duly authorized by their respective Governments have signed this Protocol and thereunto affixed their seals.

Done in duplicate in the French and Japanese languages, at Tokyo on May 9, 1941, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era.

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TC No. 17544

Enclosure No. 3a to despatch No. 5613
dated May 23, 1941, from the Embassy
at Tokyo

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Amba-
sador at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the instruments of ratification of the ^{Pact of} non-aggres-
sion concluded on June 12, 1940 between Thailand and France
must be exchanged at Bangkok within two months following
the exchange of ratifications of the Peace Agreement which
we have just signed.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
consideration.

(Signed): VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry,
Ambassador Extraordinary and
Plenipotentiary of France in
Japan.

TOKYO.

Enclosure No. 3(b) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Amba-
sador at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the principle of opening Consulates of Thailand
at Hanoi, Phnom Penh and Vientiane and of establishing
a Consulate of France at Battambang has been mutually
accepted.

It is likewise understood that the former Consulates
of France in Thailand can be re-established, as has stipu-
lated at the time of the conclusion of the treaty of 1937.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very
high consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsène-Henry
Ambassador Extraordinary
and Plenipotentiary of France
in Japan.

TOKYO.

Enclosure No. 3(c) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaidya,
Chief of the Thai Commission for the negotiation of
the Thai-French Indochinese agreement, to the French
Ambassador at Tokyo, M. Charles Arsène-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which it will be recommended to the Commission for the
delimitation of the new boundary to take into account, on
the basis of the stipulations of Article 2, 6 of the Peace
Agreement, the desire of the French Government to retain
the temple of BANTEAL SREI, as forming part of the Angkor
group.

It is agreed that the Boundary Commission shall, if
necessary provide, in tracing the new boundary, a ter-
ritorial compensation of equal area in favor of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very
high consideration.

Signed: VARNVAIDYA.

His Excellency
Mr. Charles Arsène-Henry,
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TOKYO.

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Tokyo, May 9, 1941.

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I avail myself of this opportunity, Mr. Ambassador,
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Signed: VARNVAIDYA.

His Excellency
Mr. Charles Arsène-Henry,
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TOKYO.

Enclosure No. 3(d) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

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Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Amba-
sador at Tokyo, M. Charles Arsene-Henry.

Tokyo, May 9, 1941.

Mr. Ambassador,

I have the honor to confirm to Your Excellency the verbal agreement already reached by us, under the terms of which it is desirable that following the readjustment of the boundaries, direct negotiations between the competent authorities of Thailand and Indochina be initiated as soon as possible, with regard to the carrying out of the provisions of the Commercial and Customs Agreement of December 9, 1937, and for a new definition of the duties of the Mekong High Commission.

It is likewise agreed that the competent authorities of Thailand and Indochina shall come into contact, as soon as possible, in order to work out common regulations for the Border Police.

I avail myself of this opportunity, Mr. Ambassador, to renew to Your Excellency the assurance of my very high consideration.

Signed: VARNVAIDYA

His Excellency
Mr. Charles Arsene-Henry,
Ambassador Extraordinary
and Plenipotentiary of France
to Japan.

TOKYO.

Enclosure No. 3(e) to despatch
No. 5613 dated May 23, 1941,
from the Embassy at Tokyo.

Copy of communication addressed by Prince Varnvaitya,
Chief of the Thai Commission for the negotiation of the
Thai-French Indochinese agreement, to the French Amba-
sador at Tokyo, M. Charles Arsene-Henry.

Tokyo, May 9, 1941

Mr. Ambassador,

I have the honor to confirm to Your Excellency the
verbal agreement already reached by us, under the terms
of which the equality of treatment, as regards entry,
establishment and enterprises, provided for in Article 5,
2 of the Agreement which we have just signed, must be
interpreted as equality of treatment in all respects,
with the following two exceptions:

1 - French nationals shall not benefit from the
equal treatment with respect to the acquisition of real
property of the public domain. They shall be subject
in this respect to the provisions of the Treaty of Friend-
ship, Commerce and Navigation of December 7, 1937 and its
Annexes.

2 - French nationals who were not domiciled in the
ceded territories at the time of the transfer of sovereignty
and who enter the ceded territories shall be subject to the
provisions of the Immigration Law of Thailand.

I avail myself of this opportunity, Mr. Ambassador,
to renew to Your Excellency the assurance of my very high
consideration.

Signed: VARNVAITYA

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