

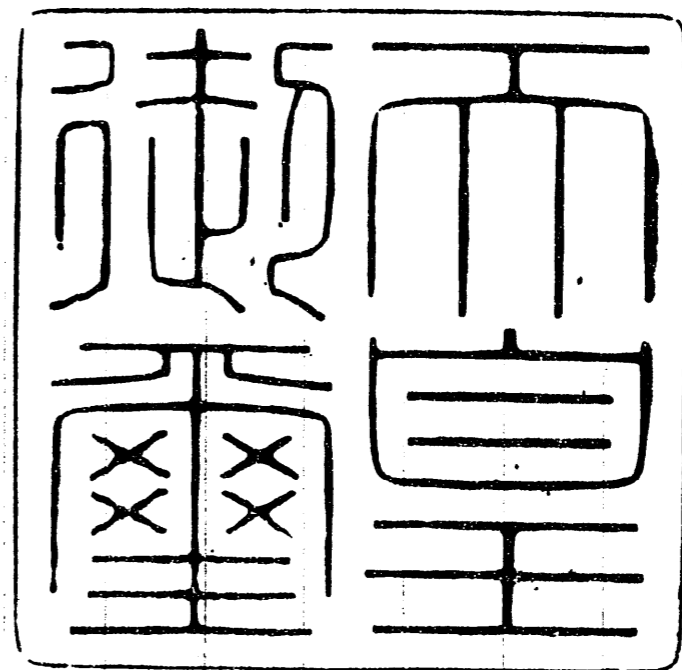
條約第五號

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ト共ニ之ヲ公布セシム

嘉加
裕仁



大正十四年二月二十七日

内閣總理大臣子爵加藤高明

外務大臣男爵幣原喜重郎

條約第五號

日本國及「ソヴィエト」社會主義共和國聯邦間ノ
關係ヲ律スル基本的法則ニ關スル條約

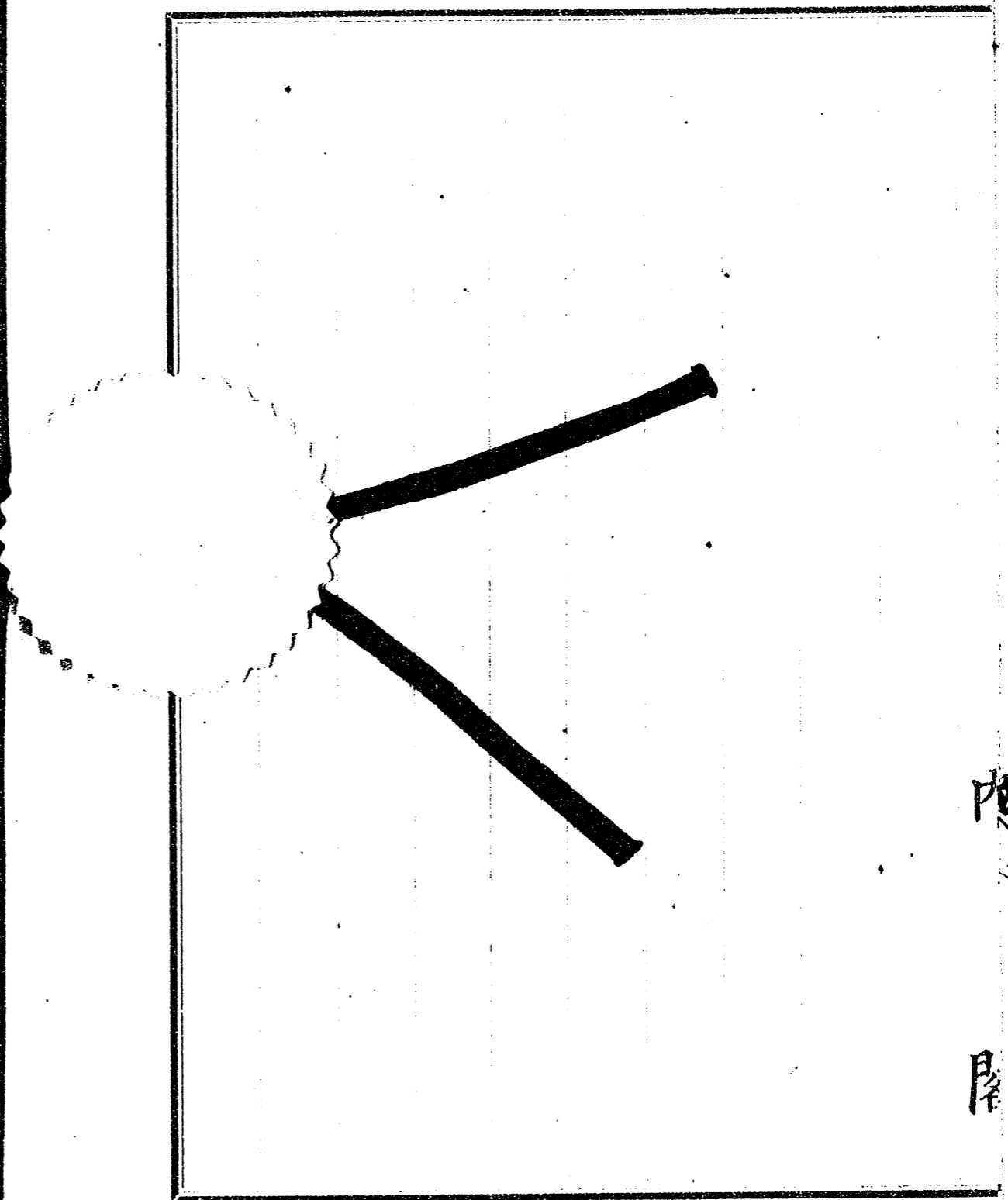
日本國及「ソヴィエト」社會主義共和國聯邦ハ兩國間ニ善隣及經濟的協力ノ關係ヲ促進セムコト
ヲ希望シ右關係ヲ律スル基本的法則ニ關スル條約ヲ締結スルコトニ決シ之カ爲左ノ如ク其ノ全權
委員ヲ任命セリ

日本國皇帝陛下

支那共和國駐劄特命全權公使從四位勳一等芳澤謙吉

「ソヴィエト」社會主義共和國聯邦ノ中央執行委員會

支那共和國駐劄大使「レフ、ミハイロヴィチ、カラハン」



陸

右各委員ハ互ニ其ノ全權委任狀ヲ示シ之カ良好妥當ナルコトヲ認メタル後左ノ如ク協定セリ

第一條

兩締約國ハ本條約ノ實施ト共ニ兩國間ニ外交及領事關係ノ確立セララルヘキコトヲ約ス

第二條

「ソヴィエト」社會主義共和國聯邦ハ千九百五年九月五日ノ「ボーツマス」條約カ完全ニ效力ヲ存續スルコトヲ約ス

千九百十七年十一月七日以前ニ於テ日本國ト露西亞國トノ間ニ締結セラレタル條約、協約及協定ニシテ右「ボーツマス」條約以外ノモノハ兩締約國ノ政府間ニ追テ開カルヘキ會議ニ於テ審査セララルヘク且變化シタル事態ノ要求スルコトアルヘキ所ニ從ヒ改訂又ハ廢棄セラレ得ヘキコトヲ約ス

第三條

兩締約國ノ政府ハ本條約實施ノ上ハ千九百十七年ノ漁業協約ノ締結以後一般事態ニ付發生シタルコトアルヘキ變化ヲ考量シ右漁業協約ノ改訂ヲ爲スヘキコトヲ約ス

右改訂協約ノ締結ニ至ル迄ノ間「ソヴィエト」社會主義共和國聯邦政府ハ日本國臣民ニ對スル漁區ノ貸下ニ關シ千九百二十四年ニ確立セラレタル實行方法ヲ維持スヘシ

第四條

兩締約國ノ政府ハ本條約實施ノ上ハ左記ノ原則ニ從ヒ通商航海條約ノ締結ヲ爲スヘク且右條約ノ締結ニ至ル迄ノ間兩國間ノ一般交通ハ右原則ニ依リ律セララルヘキコトヲ約ス

(一) 兩締約國ノ一方ノ臣民又ハ人民ハ他方ノ法令ニ從ヒイ其ノ領域内ニ到リ、旅行シ且居住スルノ完全ナル自由ヲ有スヘク(ロ)身體及財産ノ安全ニ對シ恆常完全ナル保護ヲ享有スヘシ

(二) 兩締約國ノ一方ハ私有財産權並通商、航海、産業及其ノ他ノ平和的業務ニ從事スルノ自由ヲ最廣キ範圍ニ於テ且相互條件ノ下ニ他方ノ臣民又ハ人民ニ對シ自國領域内ニ於テ自國ノ法令ニ從ヒ付與スヘシ

(三) 自國ニ於ケル國際貿易ノ制度ヲ自國ノ法令ヲ以テ定ムルノ各締約國ノ權利ヲ害スルコトナク、兩國ノ通商、航海及産業ヲ成ルヘク最惠國ノ地步ニ置クハ兩締約國ノ意圖ナルニ依リ兩締約國ハ兩國間ノ經濟上又ハ其ノ他ノ交通ノ増進ヲ妨クルニ至ルコトアルヘキ禁止、制限又

ハ課金ヲ他方締約國ニ對シ差別的ニ行フコトナカルヘキモノトス
又兩締約國ノ政府ハ兩國間ニ於ケル經濟上ノ關係ヲ調整シ且促進スル爲通商及航海ニ關聯スル特別ノ協定ヲ締結スルノ目的ヲ以テ事態ノ要求スルコトアルヘキ所ニ從ヒ隨時商議ヲ爲スコトヲ約ス

第五條

兩締約國ハ互ニ平和及友好ノ關係ヲ維持スルコト、自國ノ法權内ニ於テ自由ニ自國ノ生活ヲ律スル當然ナル國ノ權利ヲ充分ニ尊重スルコト、公然又ハ陰密ノ何等カノ行爲ニシテ苟モ日本國又ハ「ソヴェト」社會主義共和國聯邦ノ領域ノ何レカノ部分ニ於ケル秩序及安寧ヲ危殆ナラシムルコトアルヘキモノハ之ヲ爲サス且締約國ノ爲何等カノ政府ノ任務ニ在ル一切ノ人及締約國ヨリ何等カノ財的援助ヲ受クル一切ノ團體ヲシテ右ノ行爲ヲ爲サシメサルコトノ希望及意嚮ヲ嚴肅ニ確認ス
又締約國ハ其ノ法權内ニ在ル地域ニ於テイ他方ノ領域ノ何レカノ部分ニ對スル政府ナリト稱スル團體若ハ集團又ハ(ロ)右團體若ハ集團ノ爲政治上ノ活動ヲ現ニ行フモノト認メラルヘキ外國人タル臣民若ハ人民ノ存在ヲ許ササルヘキコトヲ約ス

第六條

兩國間ノ經濟上ノ關係ヲ促進スル爲又天然資源ニ關スル日本國ノ需要ヲ考査シ「ソヴェト」社會主義共和國聯邦政府ハ「ソヴェト」社會主義共和國聯邦ノ一切ノ領域内ニ於ケル鑛産、森林及其ノ他ノ天然資源ノ開發ニ對スル利權ヲ日本國ノ臣民、會社及組合ニ許與スルノ意嚮ヲ有ス

第七條

本條約ハ批准セラレヘシ
各締約國ノ右批准ハ成ルヘク速ニ其ノ北京駐劄外交代表者ニ由リ他方ノ政府ニ通知セラレヘク且本條約ハ右通知中後ニ爲サレタルモノノ日ヨリ完全ニ實施セラレヘシ
批准書ノ正式交換ハ成ルヘク速ニ北京ニ於テ行ハルヘシ

右證據トシテ各全權委員ハ英吉利語ヲ以テシタル本條約ニ通ニ署名調印セリ

千九百二十五年一月二十日北京ニ於テ作成ス

芳澤謙吉(印)
エル、カラハン(印)

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The Governments of the High Contracting Parties further agree that they shall enter into negotiations, from time to time as circumstances may require, for the conclusion of special arrangements relative to commerce and navigation to adjust and to promote economic relations between the two countries.

ARTICLE V.

The High Contracting Parties solemnly affirm their desire and intention to live in peace and amity with each other, scrupulously to respect the undoubted right of a State to order its own life within its own jurisdiction in its own way, to refrain and restrain all persons in any governmental service for them, and all organisations in receipt of any financial assistance from them, from any act overt or covert liable in any way whatever to endanger the order and security in any part of the territories of Japan or the Union of Soviet Socialist Republics.

It is further agreed that neither Contracting Party shall permit the presence in the territories under its jurisdiction—
(a) of organisations or groups pretending to be the Government for any part of the territories of the other Party, or
(b) of alien subjects or citizens who may be found to be actually carrying on political activities for such organisations or groups.

ARTICLE VI.

In the interest of promoting economic relations between the two countries, and taking into consideration the needs of

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Japan with regard to natural resources, the Government of the Union of Soviet Socialist Republics, is willing to grant to Japanese subjects, companies and associations concessions for the exploitation of minerals, forests and other natural resources in all the territories of the Union of Soviet Socialist Republics.

ARTICLE VII.

The present Convention shall be ratified.

Such ratification by each of the High Contracting Parties shall, with as little delay as possible, be communicated, through its diplomatic representative at Peking, to the Government of the other Party, and from the date of the later of such communications this Convention shall come into full force.

The formal exchange of the ratifications shall take place at Peking as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this twentieth Day of January, One Thousand Nine Hundred and Twenty-Five.

K. Yoshizawa.
(L. S.)

L. Karakhan.
(L. S.)

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ARTICLE II.

The Union of Soviet Socialist Republics agrees that the Treaty of Portsmouth of September 5th, 1905, shall remain in full force.

It is agreed that the Treaties, Conventions and Agreements, other than the said Treaty of Portsmouth, which were concluded between Japan and Russia prior to November 7, 1917, shall be re-examined at a Conference to be subsequently held between the Governments of the High Contracting Parties and are liable to revision or annulment as altered circumstances may require.

ARTICLE III.

The Governments of the High Contracting Parties agree that upon the coming into force of the present Convention, they shall proceed to the revision of the Fishery Convention of 1907, taking into consideration such changes as may have taken place in the general conditions since the conclusion of the said Fishery Convention.

Pending the conclusion of a convention so revised, the Government of the Union of Soviet Socialist Republics shall maintain the practices established in 1924 relating to the lease of fishery lots to Japanese subjects.

ARTICLE IV.

The Governments of the High Contracting Parties agree that upon the coming into force of the present Convention,

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they shall proceed to the conclusion of a treaty of commerce and navigation in conformity with the principles hereunder mentioned, and that pending the conclusion of such a treaty, the general intercourse between the two countries shall be regulated by those principles.

(1) The subjects or citizens of each of the High Contracting Parties shall in accordance with the laws of the country: a/ have full liberty to enter, travel and reside in the territories of the other, and b/ enjoy constant and complete protection for the safety of their lives and property.

(2) Each of the High Contracting Parties shall in accordance with the laws of the country accord in its territories to the subjects or citizens of the other, to the widest possible extent and on condition of reciprocity, the right of private ownership and the liberty to engage in commerce, navigation, industries, and other peaceful pursuits.

(3) Without prejudice to the right of each Contracting Party to regulate by its own laws the system of international trade in that country, it is understood that neither Contracting Party shall apply in discrimination against the other Party any measures of prohibition, restriction or impost which may serve to hamper the growth of the intercourse, economic or otherwise, between the two countries, it being the intention of both Parties to place the commerce, navigation and industry of each country, as far as possible, on the footing of the most favoured nation.

右英文左ノ如シ

THE CONVENTION EMBODYING BASIC RULES OF THE RELATIONS BETWEEN JAPAN AND THE UNION OF SOVIET SOCIALIST REPUBLICS.

Japan and the Union of Soviet Socialist Republics, desiring to promote relations of good neighbourhood and economic cooperation between them, have resolved to conclude a convention embodying basic rules in regulation of such relations and, to that end, have appointed as their Plenipotentiaries, that is to say:

- His Majesty the Emperor of Japan: Kenkichi Yoshizawa, Envoy Extraordinary and Minister Plenipotentiary to the Republic of China, Jushii, a member of the First Class of the Imperial Order of the Sacred Treasure;
- The Central Executive Committee of the Union of Soviet Socialist Republics: Lev Mikhailovitch Karakhan, Ambassador to the Republic of China;

Who, having communicated to each other their respective full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

The High Contracting Parties agree that with the coming into force of the present Convention, diplomatic and consular relations shall be established between them.

(正) 號用紙

天 祐 ヲ 保 有 シ 萬 世 一 系 ノ 帝 統 ヲ 繼 ぐ ノ ル
 日 本 國 皇 帝 (御 名) 此 ノ 書 ヲ 見 ル 有 来 ニ 宣 示 ス
 朕 大 正 十 四 年 一 月 二 十 日 支 那 國 北 京 ニ 於 テ 帝 國 全 權 委 員 カ 「 ソ ヴ ィ
 エ ト 」 社 會 主 義 共 和 國 聯 邦 全 權 委 員 ト 共 ニ 署 名 調 印 シ タ ル 日 本 國 及
 「 ソ ヴ ィ エ ト 」 社 會 主 義 共 和 國 聯 邦 間 ノ 關 係 ヲ 律 ス ル 基 本 的 法 則 ニ
 關 ス ル 條 約 ヲ 閱 覽 點 檢 シ 之 ヲ 嘉 納 批 准 ス
 神 武 天 皇 即 位 紀 元 二 千 五 百 八 十 五 年 大 正 十 四 年 二 月 二 十 五 日 東 京 宮
 城 ニ 於 テ 親 王 名 ヲ 署 シ 蓋 ヲ 鈐 セ シ ム

御 名 國 璽

攝 政 名

外 務 大 臣 男 爵 幣 原 喜 重 郎

外 務 省

ルヘキ日本國大使館及領事館ニ對スル相當ノ敷地及建物ノ選定ニ付一切ノ適當ナル便益ヲ日本國政府ニ與フヘシ

第二條

前露西亞國政府即チ露西亞帝國政府及之ヲ繼承シタル臨時政府ノ發行シタル公債及國庫證券ニ依リ日本國ノ政府又ハ臣民ニ對シテ負ヘル債務ニ關スル一切ノ問題ハ日本國政府ト「ソヴィエト」社會主義共和國聯邦政府トノ間ノ將來ノ商議ニ於ケル調整ニ留保セラルルコトヲ約ス
尤モ右問題ノ調整ニ當リ日本國ノ政府又ハ臣民ハ一切ノ他ノ條件ニシテ均シキニ於テハ「ソヴィエト」社會主義共和國聯邦政府カ同様ノ問題ニ付他ノ何レノ國ノ政府又ハ國民ニ與フルコトアルヘキモノヨリモ不利益ナル地位ニ置カルルコトナカルヘシ
又締約國ノ一方ノ政府ノ他方ノ政府ニ對スル請求權又ハ締約國ノ一方ノ國民ノ他方ノ政府ニ對スル請求權ニ關スル一切ノ問題ハ日本國政府ト「ソヴィエト」社會主義共和國聯邦政府トノ間ノ將來ノ商議ニ於ケル調整ニ留保セラルルコトヲ約ス

第三條

北「サガレン」ニ於ケル氣候ノ狀態カ現ニ同地方ニ駐屯スル日本國軍隊ノ即時本國輸送ヲ妨クル

ニ鑑ミ右軍隊ハ千九百二十五年五月十五日迄ニ同地方ヨリ完全ニ撤退セラルヘシ

右撤退ハ氣候ノ狀態カ之ヲ許スニ至ラハ直ニ開始セラルヘク且日本國軍隊ノ撤退シタル北「サガレン」ノ總テノ地方ハ直ニ「ソヴィエト」社會主義共和國聯邦ノ當該官憲ニ完全ナル主權ニ於テ還付セラルヘシ

行政ノ引渡及占領ノ終了ニ關スル細目ハ「アレクサンドロウスタ」ニ於テ日本國占領軍司令官ト「ソヴィエト」社會主義共和國聯邦代表者トノ間ニ協定セラルヘシ

第四條

兩締約國ハ其ノ一方カ何レカノ第三國ト結ヒタル軍事同盟ノ條約若ハ協定又ハ其ノ他ノ祕密協定ニシテ他方締約國ノ主權、領土權又ハ國家的安全ニ對スル侵害又ハ脅威ト成ルヘキモノノ現ニ存在セサルコトヲ互ニ聲明ス

第五條

本議定書ハ同日附ヲ以テ署名セラレタル日本國及「ソヴィエト」社會主義共和國聯邦間ノ關係ヲ律スル基本的法則ニ關スル條約ノ批准ト共ニ批准セラレタルモノト看做サルヘシ

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Thousand Nine Hundred Twenty-Five.

K. Yoshizawa.
(L. S.)

L. Karakhan.
(L. S.)

右證據トシテ各全權委員ハ英吉利語ヲ以テシタル本議定書ニ通ニ署名調印セリ
千九百二十五年一月二十日北京ニ於テ作成ス

芳澤謙吉 (印)
エル、カラハン (印)

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ARTICLE II.

It is agreed that all questions of the debts due to the Government or subjects of Japan on account of public loans and treasury bills issued by the former Russian Governments, to wit by the Imperial Government of Russia and the Provisional Government which succeeded it, are reserved for adjustment at subsequent negotiations between the Government of Japan and the Government of the Union of Soviet Socialist Republics.

Provided that in the adjustment of such questions, the Government or subjects of Japan shall not, all other conditions being equal, be placed in any position less favourable than that which the Government of the Union of Soviet Socialist Republics may accord to the Government or nationals of any other country on similar questions.

It is also agreed that all questions relating to claims of the Government of either Party to the Government of the other, or of the nationals of either Party to the Government of the other, are reserved for adjustment at subsequent negotiations between the Government of Japan and the Government of the Union of Soviet Socialist Republics.

ARTICLE III.

In view of climatic conditions in Northern Saghalien preventing the immediate homeward transportation of Japanese troops now stationed there, these troops shall be completely withdrawn from the said region by May 15, 1925.

Such withdrawal shall be commenced as soon as climatic

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conditions will permit it and any and all districts in Northern Saghalien so evacuated by Japanese troops shall immediately thereupon be restored in full sovereignty to the proper authorities of the Union of Soviet Socialist Republics.

The details pertaining to the transfer of administration and to the termination of the occupation shall be arranged at Alexandrovsk between the Commander of the Japanese Occupation Army and the Representatives of the Union of Soviet Socialist Republics.

ARTICLE IV.

The High Contracting Parties mutually declare that there actually exists no treaty or agreement of military alliance nor any other secret agreement which either of them has entered into with any third Party and which constitutes an infringement upon, or a menace to, the sovereignty, territorial rights or national safety of the other Contracting Party.

ARTICLE V.

The present Protocol is to be considered as ratified with the ratification of the Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics, signed under the same date.

In witness whereof the respective Plenipotentiaries have signed the present Protocol in duplicate in the English language, and have affixed thereto their seals.

Done at Peking, this Twentieth Day of January, One

右集文左如レ

PROTOCOL (A)

Japan and the Union of Soviet Socialist Republics, in proceeding this day to the signature of the Convention embodying Basic Rules of the relations between them, have deemed it advisable to regulate certain questions in relation to the said Convention, and have, through their respective Plenipotentiaries, agreed upon the following stipulations:

ARTICLE I.

Each of the High Contracting Parties undertakes to place in the possession of the other Party the movable and immovable property belonging to the Embassy and Consulates of such other Party and actually existing within its own territories.

In case it is found that the land occupied by the former Russian Government at Tokyo is so situated as to cause difficulties to the town planning of Tokyo or to the service of the public purposes, the Government of the Union of Soviet Socialist Republics shall be willing to consider the proposals which may be made by the Japanese Government looking to the removal of such difficulties.

The Government of the Union of Soviet Socialist Republics shall accord to the Government of Japan all reasonable facilities in the selection of suitable sites and buildings for the Japanese Embassy and Consulates to be established in the territories of the Union of Soviet Socialist Republics.

議 定 書 (乙)

兩締約國ハ日本國ト「ソヴィエト」社會主義共和國聯邦トノ全權委員間ニ本日署名セラレタル議定書(甲)第三條ニ規定セラレタル所ニ從ヒ日本國軍隊カ北「サガレン」ヨリ完全ニ撤退シタル日ヨリ五月内ニ締結セラルヘキ利權契約ニ對スル基礎トシテ左ノ如ク協定セリ

一 「ソヴィエト」社會主義共和國聯邦政府ハ日本國代表者ニ依リ千九百二十四年八月二十九日聯邦ノ代表者ニ交付セラレタル覺書ニ記載セララルル北「サガレン」ニ於ケル油田ノ各ノ地積五割ノ開發ニ對スル利權ヲ日本國政府ノ推薦スル日本國當業者ニ許與スルコトヲ約ス右開發ノ爲日本國當業者ニ貸付セラルヘキ地積ヲ決定スルノ目的ヲ以テ右油田ノ各ハ各十五乃至四十「デシァティン」ノ非盤目方形ニ區分セラルヘク且全地積ノ五割ニ相當スル右方形ノ數ハ日本國當業者ニ貸付セララルヘキ地積ハ原則トシテ相隣接スヘカラサルモ日本人ノ現ニ掘鑿又ハ作業中ナル一切ノ坑井ヲ包含スヘキモノトス右覺書ニ記載セララル油田中貸付セラレサル殘餘ノ地區ニ關シテハ「ソヴィエト」社會主義共和國聯邦政府カ右地區

ノ全部又ハ一部ヲ外國人ノ利権ニ提供スルコトニ決スルトキハ日本國當業者ハ右利権ニ關スル事項ニ付均等ノ機會ヲ與ヘラルヘキコトヲ約ス

二 又「ソヴェト」社會主義共和國聯邦政府ハ利権契約締結ノ後一年內ニ選定セラルヘキ一千平方「ヴェルスト」ノ地積ニ互リ北「サガレン」ノ東海岸ニ於テ五年乃至十年ノ期間油田ヲ調査試掘スルコトヲ日本國政府ノ推薦スル日本國當業者ニ許可スルコトヲ約ス又油田カ日本人ニ依ル右調査試掘ノ結果確定セラレタル場合ニ於テハ右確定セラレタル油田ノ地積五割ノ開發ニ對スル利権ハ日本人ニ許與セラルヘシ

三 「ソヴェト」社會主義共和國聯邦政府ハ利権契約ニ於テ決定セラルヘキ特定ノ地積ニ互リ北「サガレン」ノ西海岸ニ於テ炭田ノ開發ニ對スル利権ヲ日本國政府ノ推薦スル日本國當業者ニ許與スルコトヲ約ス又「ソヴェト」社會主義共和國聯邦政府ハ利権契約ニ於テ決定セラルヘキ特定ノ地積ニ互リ「ドローエ」地方ニ於ケル炭田ニ關スル利権ヲ右日本國當業者ニ許與スルコトヲ約ス又前二項ニ掲ケラルル特定ノ地積以外ノ炭田ニ關シテハ「ソヴェト」社會主義共和國聯邦政府カ之ヲ外國人ノ利権ニ提供スルコトニ決スルトキハ日本國當業者ハ右利権ニ關スル事項ニ付均等ノ機會ヲ與ヘラルヘキコトヲ約ス

四 前諸號ニ規定セラルル油田及炭田ノ開發ニ對スル利権ノ期間ハ四十年乃至五十年タルヘシ

五 日本人タル利権取得者ハ右利権ニ對スル報償トシテ炭田ノ場合ニ於テハ其ノ總産額ノ五分乃至八分ヲ又油田ノ場合ニ於テハ其ノ總産額ノ五分乃至一分五分ヲ「ソヴェト」社會主義共和國聯邦政府ニ對シ毎年提供スヘシ但シ自噴油井ノ場合ニ於テハ右報償ハ其ノ總産額ノ四分五分迄之ヲ増加スルコトヲ得

報償トシテ提供セラルヘキ産額ノ割合ハ利権契約ニ於テ確定的ニ定メラルヘク且右契約中ニ定メラルヘキ方法ニ依リ年産額ノ率ニ應ジ等差ヲ設ケラルヘシ

六 右日本國當業者ハ企業ノ目的ニ要スル木材ヲ伐採スルコトヲ且交通並物資及生産物ノ運轉ヲ容易ナラシムル爲諸般ノ施設ヲ爲スコトヲ許サルヘシ右ニ關スル細目ハ利権契約ニ於テ定メラルヘシ

七 前記ノ報償ニ鑑ミ又企業カ當該地區ノ地理上ノ位置及其ノ他ノ一般状態ニ依リ受クヘキ不利益ヲ考量シ右企業ニ要スル又ハ之ヨリ得タル何等カノ物件、物資又ハ生産物ノ輸入及輸出ハ無税ニテ許可セラルヘク且右企業ハ其ノ收益的經營ヲ事實上不可能ナラシムルコトアルヘキ如何ナル課税又ハ制限ヲモ加ヘラルルコトナカルヘキコトヲ約ス

enterprises shall not be subjected to any such taxation or restriction as may in fact render their remunerative working impossible.

8. The Government of the Union of Soviet Socialist Republics shall accord all reasonable protection and facilities to the said enterprises.

9. Details connected with the foregoing Articles shall be arranged in the Concession Contracts.

The present Protocol is to be considered as ratified with the ratification of the Convention embodying Basic Rules of the Relations between Japan and the Union of Soviet Socialist Republics, signed under the same date.

In witness whereof the respective Plenipotentiaries have signed the present Protocol in duplicate in the English Language, and have affixed thereto their seals.

Done at Peking, this Twentieth Day of January, One Thousand Nine Hundred Twenty-Five.

K. Yoshizawa.
(L. S.)

L. Karakhan.
(L. S.)

八 「ソヴェト」 社會主義共和國聯邦政府ハ右企業ニ對シ一切ノ適當ナル保護及便益ヲ與フヘシ

九 前諸號ニ關聯スル細目ハ利權契約ニ於テ協定セラルヘシ

本議定書ハ同日附ヲ以テ署名セラレタル日本國及「ソヴェト」社會主義共和國聯邦間ノ關係ヲ律スル基本的方法ニ關スル條約ノ批准ト共ニ批准セラレタルモノト看做サルヘシ

右證據トシテ各全權委員ハ英吉利語ヲ以テシタル本議定書二通ニ署名調印セリ

千九百二十五年一月二十日北京ニ於テ作成ス

芳澤謙吉 (印)
エル、カラハン (印)

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should the Government of the Union of Soviet Socialist Republics decide to offer such lots, wholly or in part, for foreign concession, Japanese concerns shall be afforded equal opportunity in the matter of such concession.

2. The Government of the Union of Soviet Socialist Republics also agrees to authorize Japanese concerns recommended by the Government of Japan to prospect oil fields, for a period of from five to ten years, on the Eastern coast of Northern Saghalien over an area of one thousand square versts to be selected within one year after the conclusion of the Concession Contracts, and in case oil fields shall have been established in consequence of such prospecting by the Japanese, the Concession for the exploitation of 50% in area, of the oil fields so established shall be granted to the Japanese.

3. The Government of the Union of Soviet Socialist Republics agrees to grant to Japanese concerns recommended by the Government of Japan the concession for the exploitation of coal fields on the Western coast of Northern Saghalien over a specific area which shall be determined in the Concession Contracts. The Government of the Union of Soviet Socialist Republics further agrees to grant to such Japanese concerns the concession regarding coal fields in the Doue district over a specific area to be determined in the Concession Contracts. With regard to the coal fields outside the specific area mentioned in the preceding two paragraphs, it is also agreed that should the Government of the Union of Soviet Socialist Republics decide to offer them for foreign concession,

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Japanese concerns shall be afforded equal opportunity in the matter of such concession.

4. The period of the concessions for the exploitation of oil and coal fields stipulated in the preceding paragraphs shall be from forty to fifty years.

5. As royalty for the said concessions, the Japanese concessionnaires shall make over annually to the Government of the Union of Soviet Socialist Republics, in case of coal fields, from 5 to 8 percent of their gross output, and, in case of oil fields, from 5 to 15 percent of their gross output: provided that in the case of a gusher, the royalty may be raised up to 45 percent of its gross output.

The percentage of output thus to be made over as royalty shall be definitively fixed in the Concession Contracts and it may be graduated according to the scale of annual output in a manner to be defined in such Contracts.

6. The said Japanese concerns shall be permitted to fell trees needed for purpose of the enterprises and to set up various undertakings with a view to facilitating communication and transportation of materials and products. Details connected therewith shall be arranged in the Concession Contracts.

7. In consideration of the royalty abovementioned and taking also into account the disadvantages under which the enterprises are to be placed by reason of the geographical position and other general conditions of the districts affected it is agreed that the importation and exportation of any articles, materials or products needed for or obtained from such enterprises shall be permitted free of duty, and that the

右英文左如記

PROTOCOL (B)

The High Contracting Parties have agreed upon the following as the basis for the Concession Contracts to be concluded within five months from the date of the complete evacuation of Northern Saghalien by Japanese troops, as provided for in Article 3 of Protocol (A) signed this day between the Plenipotentiaries of Japan and of the Union of Soviet Socialist Republics.

1. The Government of the Union of Soviet Socialist Republics agrees to grant to Japanese concerns recommended by the Government of Japan the concession for the exploitation of 50% in area, of each of the oil fields in Northern Saghalien which are mentioned in the Memorandum submitted to the Representative of the Union by the Japanese Representative on August 29th, 1924. For the purpose of determining the area to be leased to the Japanese concerns for such exploitation, each of the said oil fields shall be divided into checker-board squares of from fifteen to forty dessiatines each, and a number of these squares representing 50% of the whole area shall be allotted to the Japanese, it being understood that the squares to be so leased to the Japanese are, as a rule, to be non-contiguous to one another, but shall include all the wells now being drilled or worked by the Japanese. With regard to the remaining unleased lots of the oil fields mentioned in the said Memorandum, it is agreed that