

DEPARTMENT OF STATE
CENTRAL TRANSLATING DIVISION

Ex. 47

[TRANSLATION]

TC No. 17544

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PEACE AGREEMENT BETWEEN FRANCE
AND THAILAND

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CENTRAL TRANSLATING DIVISION

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TC No. 17544

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AND THAILAND

The French Chief of State and His Majesty the King
of Thailand,

Having accepted the mediation of the Government of
Japan with a view to bringing about a final settlement
of the armed conflict which has arisen on the border of
French Indochina and Thailand,

Recognizing the need for proceeding to the readjust-
ment of the present boundary of French Indochina and
Thailand, with a view to preventing the return of con-
flicts on the said border, and to reaching an understand-
ing on the means of preserving tranquility in the frontier
zone,

Wishing fully to re-establish the traditional rela-
tions of friendship between France and Thailand,

Have decided, for this purpose, to conclude an
Agreement and have appointed as their Plenipotentiaries,
to wit:

The Chief of the French State:

Mr. Charles Arsène-Henry, Ambassador Extraor-
dinary and Plenipotentiary of France to
Japan;

Mr. René Robin, Honorary Governor-General of
the Colonies; and

His Majesty the King of Thailand:

His Highness Prince Varnvaidyakara,
Counselor

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Counselor of the Office of the President of the Council and of the Ministry of Foreign Affairs;

Phya Sri Sena, Envoy Extraordinary and Minister Plenipotentiary of H.M. the King of Thailand to Japan;

Colonel Phra Silpa Sastrakom, Chief of the General Staff of Thailand;

Nai Vanich Panananda, Director of the Department of Commerce;

Who, after having communicated their full powers, found in good and due form, have agreed on the following articles:

Article 1

Friendly relations shall be re-established between France and Thailand on the fundamental basis of the Treaty of Friendship, Commerce and Navigation of December 7, 1937.

Accordingly, direct diplomatic negotiations shall be entered into as soon as possible at Bangkok for the settlement of all question pending as a result of the conflict.

Article 2

The boundary between French Indochina and Thailand shall be readjusted as follows:

Starting in the north, the boundary shall follow the Mekong River from the point of junction of the boundaries of French Indochina, Thailand and Burma, to the point where the Mekong crosses the 15th degree of latitude. (Map of the Geographic Service of Indochina - Scale of 1:500,000.)

Throughout

Throughout this part, the median line of the principal channel of navigation shall constitute the boundary. Nevertheless, it is expressly agreed that the Island of Khong shall remain territory of French Indochina, while the Island of Whone shall be assigned to Thailand.

The boundary shall thereafter follow, westwards, the 15th degree of latitude, then, southwards, the meridian which passes through the terminal point at the Tonle Sap of the present boundary line of the provinces of Siem Reap and Battambang (mouth of the Stung Kambot).

Throughout this part, the Boundary Commission provided for in Article 4 shall, if necessary, endeavor to have the boundary follow natural lines or administrative boundaries near the line defined above, so as to avoid, as far as possible, subsequent practical difficulties.

On the Tonle Sap, an arc of a circle with a radius of twenty kilometers joining the terminal point at the Tonle Sap of the present boundary of the provinces of Siem Reap and Battambang (mouth of the Stung Kambot) to the terminal point at the Tonle Sap of the present boundary of the provinces of Battambang and Pursat (mouth of the Stung Dontri), shall constitute the border.

Through the whole extent of the Tonle Sap, navigation and fishing shall be free for the nationals of both High Contracting Parties, subject to respect for fixed fishing installations along the shore. It is understood that, in this spirit, the High Contracting Parties shall draw up, as soon as possible, common police, navigation and fishing regulations for the waters of the Tonle Sap.

From

from the mouth of the Stung Sreng, the new boundary shall follow, southwestwards, the present boundary-line of the provinces of Battambang and Pursat, to the point at which the said boundary-line meets the present boundary of French Indochina and Thailand (Shao Soug), which it shall follow thereafter, without change, to the sea.

Article 3

The territories included between the present boundary of French Indochina and Thailand and the new boundary-line defined in Article 2, shall be evacuated and transferred in conformity with the modalities provided for in the Protocol annexed to the present Agreement. (Annex I)

Article 4

The work of delimiting the boundary of French Indochina and Thailand, as defined in Article 2, shall be performed, as regards both the land and the river portions of the said boundary, by a Boundary Commission, which shall be instituted within the week following the putting into force of the present Agreement and which shall complete its work within the period of one year.

The institution and procedure of the said Commission shall form the subject of the Protocol annexed to the present Agreement. (Annex II)

Article 5

The territories transferred shall be incorporated into Thailand under the following conditions:

1. They shall be demilitarized throughout their extent, with the exception of the territories bordering on the Mekong, which were formerly a part of French Laos.

2. As

2. As regards entry, establishment and enterprises, French nationals (French citizens, subjects and protected persons) shall enjoy, throughout the said territories, absolutely the same treatment as that granted to nationals of Thailand.

It is understood that, as regards French nationals, vested interests resulting from concessions, leases and permits obtained on or before March 11, 1941, shall be respected throughout the territories transferred.

3. The Government of Thailand shall assure full respect to the royal tombs which are on the right bank of the Mekong opposite Luang Prabang and shall give every facility to the Royal Family of Luang Prabang and to the Court Officials, for the preservation and visiting of the said tombs.

Article 6

Under the conditions provided for in the Protocol annexed to the present Agreement (Annex III), the following principles shall be applied to the demilitarized zone established under Number 1 of the preceding Article:

1. In the demilitarized zone, Thailand may not keep armed forces other than the police forces necessary for the maintenance of security and public order.

Thailand, however, reserves the right to reinforce her police forces temporarily to the extent that extraordinary police operations might render it necessary. She reserves likewise the power to effect on her territory, across the demilitarized zone, the transportation of troops and matériel required for police operations in the neighboring districts or for military operations against third powers.

Lastly,

Lastly, Thailand shall be authorized to have unarmed military aircraft stationed in the demilitarized zone at any time.

2. Neither fortified places, nor military establishments, nor airfields for the exclusive use of the Army, nor stores of arms, munitions or war matériel, with the exception of stores of matériel or fuel currently needed by the unarmed military aircraft, shall exist in the demilitarized zone.

The various barracks of the police forces may have the defensive organization normally necessary for their security.

Article 7

The High Contracting Parties are in agreement to eliminate the demilitarized zones on either bank of the Mekong in the portion of the course of the said River where it forms the boundary between French Laos and Thailand.

Article 8

As soon as the transfer of sovereignty over the territories ceded to Thailand becomes definitive, Thai nationality shall be automatically acquired by French nationals established in the said territories.

Nevertheless, during the year following the definitive transfer of sovereignty, French nationals shall have the right to choose French nationality.

This option shall be exercised as follows:

1. As regards French citizens, by a declaration made before the competent administrative authority;

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This option shall be exercised as follows:

1. As regards French citizens, by a declaration made before the competent administrative authority;

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2. As regards French subjects and protected persons, by a transfer of domicile to French territory.

No obstacle shall be raised by Thailand, for whatever reason, to any evacuation or return of such French subjects and protected persons. Especially, they may, before their departure, dispose freely of their real and personal property. They shall have the right to carry away with them or to have transported, duty-free, their personal property of any character, cattle, agricultural products, coins or banknotes. In any case, they may retain, in the territories incorporated into Thailand, ownership of their real property.

Article 9

France and Thailand agree to renounce definitively any claim of a financial character, between the two States, resulting from the transfer of territories provided for in Article 2, upon payment to France by Thailand of the amount of six million Indochinese piastres. The payment of this amount shall be distributed, in equal portions, over six years counting from the putting into force of the present Agreement.

In order to assure the application of the preceding paragraph, as well as to regulate all the monetary questions and questions of the transfer of securities which may arise from the cession of territories that forms the subject of the present Agreement, the competent administrative offices of French Indochina and of Thailand shall enter into negotiations as soon as possible.

Article 10

Any conflict which may arise between the two High Contracting Parties with regard to the interpretation
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Any conflict which may arise between the two High Contracting Parties with regard to the interpretation
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If the conflict cannot be thus settled, it shall be submitted to the mediation of the Government of Japan.

Article 11

All provisions of the Treaties, Conventions and Agreements existing between France and Thailand that are not incompatible with the provisions of the present Agreement, shall be continued in force.

Article 12

The present Agreement shall be ratified and the ratifications shall be exchanged at Tokyo within two months following the date of signature. The French Government may, if necessary, substitute for its instrument of ratification a written notice of ratification; in that case, the French Government shall send its instrument of ratification to the Government of Thailand as soon as feasible.

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

In faith whereof, the respective Plenipotentiaries have signed the present Agreement and thereunto affixed their seals.

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo, on the ninth of May one thousand nine hundred and forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era, and to the ninth day of the fifth month of the two thousand four hundred and eighty-fourth year of the Buddhist Era.

(Annex I)

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(Annex I)

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Protocol Concerning the Modalities of Evacuation and
Transfer of the Territories

The French Government and the Government of Thailand
agree as follows:

I. Transfer of Public Real Property

The French Government shall deliver to the Government of Thailand, within twenty days after the exchange of ratifications, an inventory of the public real property in the ceded territories, as well a list of the French Delegates charged with the transfer operations.

The Government of Thailand shall deliver to the French Government, within the same period, a list of the persons in charge of taking possession of the said real property. The Delegates of the two Governments shall be divided into five groups corresponding to the districts of Pak Lay, Bassac, Kompong Thom, Siem Reap and Battambang.

The Delegates of Thailand shall present themselves on a date which shall be fixed by common accord, at Pak Lay, Bassac, Cheom Ksan, Samrong and Poipet, where they shall be received by the French Delegates.

II. Transfer of the Archives

The communal and provincial archives, the archives of the courts and other State organs, as well as the cadastral plans deposited in the ceded territories, shall be transferred to the Thailand Authorities. As regards the plans, registers and other cadastral documents deposited outside the said territories, certified copies shall be delivered to the Thailand Government.

The

The transfer shall be completed within two months after the exchange of ratifications.

III. Evacuation of the Territories

The territories forming the subject of the present Protocol shall be evacuated by French military units and occupied by police forces or military units of Thailand in conformity with the following principles:

a) The French military units stationed between the present boundary and the new boundary-line shall set out on the twentieth day after the exchange of ratifications, and must be on the French side of the new boundary-line seven days thereafter, at the latest. They shall be preceded by the French gendarmes, police and administrative authorities (with the exception of those that will participate in the work of transfer stipulated in Parts I and II above) which are in the aforesaid territories.

b) The police forces and the military units which the Thailand Government might intend to send into the aforesaid territories shall set out on the day after the day on which the French units began evacuation and may arrive at the new boundary line at the earliest, seven days thereafter. They may be followed by the administrative authorities of Thailand appointed to posts in the aforesaid territories.

c) The police forces or military units of Thailand shall regulate their march so as to maintain a uniform distance from the French units.

d) Military units of Thailand in the demilitarized zone mentioned in Article 5 of the Agreement, shall be evacuated within a period of one month from the transfer of the territories.

IV. Practical

IV. Practical Measures

The Governments of both Parties shall take any necessary/^{practical} measures in order that the evacuation and transfer operations provided for in the present Protocol may be effected in good order and without incident:

a) The military units evacuated may leave behind neither irregular military forces nor individuals provided with firearms. Likewise, the occupying police forces or military units may have neither irregular military forces nor individuals provided with firearms precede them.

b) Both Governments shall, respectively, give their military units and police strict orders to abstain from any act of pillage.

The present Protocol shall be ratified by France and Thailand simultaneously with the Agreement.

The present Protocol shall come into force simultaneously with the agreement.

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

Done in triplicate, in the French, Japanese and Thai languages, at Tokyo, on the ninth of May one thousand nine hundred and forty-one, corresponding to the ninth day of the fifth month of the sixteenth year of the Showa Era, and to the ninth day of the fifth month of the two thousand four hundred and eighty-fourth year of the Buddhist Era.