

The First Protocol Agreement

(Signed December 16, 1911)¹

Chang Yin Tang Envoy Extraordinary and Minister Plenipotentiary from the Chinese Empire to the United Mexican States, and Manuel Calero, Secretary of Foreign Relations of the United Mexican States, have agreed to sign in the name of their respective Governments the following Protocol.

Whereas: Various Chinese subjects have suffered, within Mexican territory, damages in their persons and property, and in some instances in a cruel and inhuman manner, for which the Government of the United Mexican States has expressed its regret to the Government of the Chinese Empire, since it has considered these acts to be contrary to the spirit of friendship and benevolence which should be extended to all men, and especially toward citizens of a friendly nation;

Whereas: The Government of the United Mexican States, though maintaining the principle that the Nation is not and cannot be responsible for the acts of revolutionists or riotous mobs, except in such special cases as are established by International Law and among which the Government of the United Mexican States does not consider that the events to which allusion is made in the preceding paragraph are included, is nevertheless willing to voluntarily and graciously indemnify the Chinese subjects who² have sustained injuries, in accordance with the terms of this agreement, and without thereby establishing a precedent;

And whereas: The Chinese Government acknowledges the good will of the Mexican Government, it being the desire of both Governments to avoid by an amicable agreement any discussion or question which might arise from the events related in the foregoing paragraphs;

They have agreed upon the following stipulations;

Art. 1. The Mexican Government will deliver to the Chinese Government the sum of Three Million One Hundred Thousand Pesos (\$3,100,000.00) Mexican money, of the present standard of value.

Art. 2. The sum mentioned in the foregoing paragraph shall be received by the diplomatic representative of the Chinese Government duly accredited to Mexico, or by any other agents

¹ The English translation is from the signed copy held by the Taiwanese Ministry of Foreign Affairs Archives in Taipei.

² The English translation in the Taiwanese Ministry of Foreign Affairs Archives in Taipei has "to" instead of "who". The Diario Oficial, Tomo CXXV, No 9, March 11, 1913 has "who" (See p.87 of Diario Oficial, Tomo CXXV, Marzo y Abril [Mexico: Imprenta Del Gobierno Federal, 1913]).

of the said Government proving his authority, delivery to be made in this City of Mexico on or before the first of July, one thousand nine hundred and twelve.

Art. 3. It is expressly agreed by both Governments that in consequence of the delivery of the amount referred to in this agreement, neither the Chinese Government nor its subjects can make any claim of any character whatsoever against the Mexican Government or Mexican citizens for damages or injuries to property, personal injuries or losses of life which may have been suffered, directly or indirectly, by Chinese subjects in the Republic of Mexico, during the Revolution of 1910, or in consequence thereof and within the period of time from the 20th of November, 1910, to the date of the present agreement. Any claim which may have been drawn up or presented by Chinese subjects due to the said Revolution, will be terminated ipso-jure by virtue of the stipulation of this clause.

Art. 4. This Protocol shall be subject to the ratification required by the laws of both countries and the exchange of the ratifications will be effected in the Mexican Embassy in the City of Washington, United States of America, not later than the fifteenth of June, one thousand nine hundred and twelve.

In faith whereof, the respective Plenipotentiaries have signed this Protocol in the Spanish, Chinese and English languages and have hereunto affixed their seals. In the event of any doubt arising as to the precise meaning of any part of this Protocol, the English version shall govern.

Done in duplicate in the City of Mexico this sixteenth day of December, one thousand nine hundred and eleven.

(signed) Manuel Calero (L.S.)

(signed) Chang Yin Tang (L.S.)