

April 18, 1947

TREATY OF AMITY BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE REPUBLIC OF CHINA

Note: The Agreement was concurred in by the Senate, S.R. No. 32, May 15, 1947. The Philippine instrument of ratification was signed by the President, September 2, 1947. It entered into force, October 24, 1947 upon the exchange of ratifications of the Parties. It was proclaimed by the President, Proc. No. 109, s. 1955.

Reference: The Agreement is also published in I DFA TS No. 2, p. 168 and 11 UNTS, p. 361. The Presidential proclamation of the Agreement is published in 51 O. G., p. 598.

The Republic of the Philippines and the Republic of China, animated by the desire to strengthen and perpetuate the friendly relations so happily existing between them, have resolved to conclude a Treaty of Amity and to that end have agreed upon the following articles:

ARTICLE I

There shall be perpetual peace and everlasting amity between the Republic of the Philippines and the Republic of China and their peoples.

ARTICLE II

Should any dispute arise between the two High Contracting Parties which cannot satisfactorily be adjusted by diplomacy, or through mediation or arbitration, the Parties shall not use force for settlement, but shall refer the dispute to the International Court of Justice for final adjudication.

ARTICLE III

Each of the High Contracting Parties shall have the right to send to, and receive from, the Other, diplomatic representatives. Such diplomatic representatives shall enjoy in the territories of the Other the rights, privileges, exemptions and immunities accorded under generally recognized principles of international law and usage.

ARTICLE IV

Each of the High Contracting Parties shall have the right to send to, and receive from, the Other, Consuls-General, Consuls, Vice-Consuls and Consular Agents, who, being duly provided with exequatur, shall be permitted to reside in the territories of the Other in such places as may be agreed upon by the High Contracting Parties. Such consular representatives shall exercise their functions and enjoy the privileges and immunities accorded to officers of their status and rank in accordance with the generally accepted principles of international law and usage.

ARTICLE V

The nationals of each of the High Contracting Parties shall be at liberty to enter or leave, to travel or reside in the territories of the Other upon the same terms as the national of any third country in accordance with the laws and regulations of the Other.

ARTICLE VI

The nationals of each of the High Contracting Parties shall be accorded, in the territories of the Other, the liberty to establish schools for the education of their children, and shall enjoy freedom of peaceful assembly and association, of publication, of worship and religion, of burial and building cemeteries, upon the same terms as the nationals of any third country in accordance with the laws and regulations of the Other.

The nationals of each of the High Contracting Parties shall have the right to acquire, inherit, possess, lease, occupy and dispose of by sale, testament, donation or otherwise, any kind of movable or immovable property and to engage in trade and other peaceful and lawful pursuits throughout the whole extent of the territories of the Other upon the same terms as the nationals of any other country in accordance with the constitution, laws and regulations of the Other.

ARTICLE VII

The nationals of each of the High Contracting Parties shall be accorded in the territories of the Other, the same treatment with respect to the protection and security of their persons and property as is accorded to the nationals of the Other.

The nationals of each of the High Contracting Parties shall receive in the territories of the Other in regard to all legal proceedings and in matters relating to the administration of justice and the levying of taxes treatment no less favorable than that accorded to the nationals of the Other.

ARTICLE VIII

The High Contracting Parties agree to conclude as soon as practicable a Treaty of Commerce and Navigation.

ARTICLE IX

The stipulations of this Treaty do not extend to advantages which are now accorded or which may hereafter be accorded by the Republic of the Philippines to the United States of America or its nationals.

ARTICLE X

The High Contracting Parties shall ratify this treaty in conformity with their respective constitutional procedures, and it shall enter into force on the day on which the exchange of ratifications takes place. The instruments of ratification shall be exchanged in the City of Manila, Philippines.