

No. 175

CHINA AND THE PHILIPPINES

Treaty of Amity. Signed at Manila, on 18 April 1947

Chinese and English official texts communicated by the Director of the Chinese delegation to the United Nations. The registration took place on 19 December 1947.

CHINE ET PHILIPPINES

Traité d'amitié. Signé à Manille, le 18 avril 1947

Textes officiels chinois et anglais communiqués par le Directeur de la délégation chinoise auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 19 décembre 1947.

No. 175. TREATY¹ OF AMITY BETWEEN THE REPUBLIC OF CHINA AND THE REPUBLIC OF THE PHILIPPINES. SIGNED AT MANILA ON 18 APRIL 1947

The Republic of China and the Republic of the Philippines, 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 China and the Republic of the Philippines 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

¹ Came into force on 24 October 1947, upon the exchange of the instruments of ratification at Manila, in accordance with article X.

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 nationals 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 third 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.

IN FAITH WHEREOF, the Plenipotentiaries of the High Contracting Parties have signed this present Treaty and have hereunto affixed their seals.

DONE in duplicate in the Chinese and English languages, both texts being authoritative, in the City of Manila, Republic of the Philippines, this eighteenth day of the fourth month of the thirty-sixth year of the Republic of China, corresponding to the eighteenth day of April in the year one thousand nine hundred and forty-seven, Anno Domini, and of the Independence of the Philippines the first.

For the Republic of China:

(Signed) CHEN CHIH-PING

For the Republic of the Philippines:

(Signed) Manuel ROXAS