

No. 2368

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**UNITED STATES OF AMERICA**  
**and**  
**PHILIPPINES**

**Exchange of notes constituting an agreement relating to  
mutual security. Manila, 4 and 7 January 1952**

*D. Indur*  
*Official text: English.*

*Registered by the United States of America on 14 November 1953.*

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**ÉTATS-UNIS D'AMÉRIQUE**  
**et**  
**PHILIPPINES**

**Échange de notes constituant un accord relatif à la sécurité  
mutuelle. Manille, 4 et 7 janvier 1952**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 14 novembre 1953.*

No. 2368. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND THE PHILIPPINES RELATING TO MUTUAL SECURITY. MANILA, 4 AND 7 JANUARY 1952

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I

*The American Chargé d'Affaires ad interim to the Philippine Under Secretary of Foreign Affairs*

EMBASSY OF THE UNITED STATES OF AMERICA

No. 819

Manila, January 4, 1952

Excellency :

I have the honor to refer to the conversations which have recently taken place between representatives of our Governments relating to the effect of the enactment by the Congress of the United States of the Mutual Security Act of 1951 (P. L. 165—82nd Congress)<sup>2</sup> upon furnishing assistance under the Economic and Technical Cooperation Agreement signed on April 27, 1951<sup>3</sup> and the agreement on Military assistance signed on March 21, 1947 supplemented and extended by exchange of notes signed February 24 and March 11 and 13, 1950<sup>4</sup> between the Government of the United States of America and the Government of the Philippines. I also have the honor to confirm the understandings reached as a result of these conversations, as follows :

1. The Government of the Philippines hereby confirms that it has agreed to
  - (1) join in promoting international understanding and good will, and maintaining world peace;
  - (2) take such action as may be mutually agreed upon to eliminate causes of International tension;
  - (3) fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party;
  - (4) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;

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<sup>1</sup> Came into force on 7 January 1952 by the exchange of the said notes.

<sup>2</sup> United States of America : 65 Stat. 373.

<sup>3</sup> United Nations, *Treaty Series*, Vol. 174, p. 251.

<sup>4</sup> United Nations, *Treaty Series*, Vol. 45, p. 47, and Vol. 82, p. 332.

(5) take all reasonable measures which may be needed to develop its defense capacities; and

(6) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

2. The two Governments will establish procedures under which equipment and materials furnished by the Government of the United States under the Mutual Defense Assistance Act of 1949, as amended,<sup>1</sup> other than equipment or materials furnished under terms requiring reimbursement, and no longer required for the purposes for which originally made available will be offered for return to the Government of the United States for appropriate disposition, delivered to the United States Government without cost at a place in the territories of the Republic of the Philippines designated by the United States Government.

3. The two Governments will establish procedures whereby the Government of the Philippines will so deposit, segregate, or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States so that such funds shall not be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organization or government, when in the opinion of the Government of the United States any such legal process would interfere with the attainment of the objectives of said program of assistance.

Upon receipt of a Note from your Government indicating that the foregoing provisions are acceptable to the Government of the Philippines the Government of the United States of America will consider that this Note and your reply thereto constitute an agreement between the two Governments on this subject which shall enter into force on the date of your Note in reply.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Julian F. HARRINGTON  
Chargé d'Affaires a. i.

His Excellency Felino Neri  
Undersecretary of Foreign Affairs  
Republic of the Philippines

<sup>1</sup> United States of America : 63 Stat. 714; 22 U.S.C. §§ 1571-1604.

## II

*The Philippine Under Secretary of Foreign Affairs to the American  
Chargé d'Affaires ad interim*

REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FOREIGN AFFAIRS

Manila, January 7, 1952

Sir :

I have the honor to refer to your note No. 819, of January 4, 1952, which is as follows :

[*See note I*]

and to state, in behalf of the Government of the Philippines, that the understandings between your Government and mine as stated in your above quoted note are correct and are hereby confirmed.

Accept, Sir, the renewed assurances of my high consideration.

Felino NERI  
Undersecretary

The Honorable Julian F. Harrington  
Chargé d'Affaires a. i. of the  
United States of America