

**No. 5763**

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**PHILIPPINES  
and  
INDONESIA**

**Agreement on Immigration. Signed at Djakarta, on 4 July  
1956**

*Official texts : English and Indonesian.*

*Registered by the Philippines on 20 July 1961.*

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**PHILIPPINES  
et  
INDONÉSIE**

**Accord relatif à l'immigration. Signé à Djakarta, le  
4 juillet 1956**

*Textes officiels anglais et indonésien.*

*Enregistré par les Philippines le 20 juillet 1961.*

No. 5763. AGREEMENT ON IMMIGRATION<sup>1</sup> BETWEEN THE  
REPUBLIC OF THE PHILIPPINES AND THE REPUBLIC  
OF INDONESIA. SIGNED AT DJAKARTA, ON 4 JULY  
1956

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The Republic of the Philippines and the Republic of Indonesia, in furtherance of the friendly relations existing between them and desiring to conclude an Agreement providing for the treatment which shall be accorded the nationals of each Contracting Party who are illegally in the territory of the other, and establishing, on a reciprocal basis, a more expeditious and simplified system of control for the entry and exit of the nationals of each of the Contracting Parties living within the specified Border Area of such Contracting Party and intending to make visits of limited duration to the corresponding Border Area of the other Contracting Party, have designated for this purpose the undersigned Plenipotentiaries who, after communicating to each other their respective full powers, found in good and due form, have agreed as follows:

*Article I*

Except as hereinafter provided, each of the Contracting Parties shall repatriate its nationals who are now or may hereafter be found in the territory of the other after it shall have been determined by the competent authorities of the latter that such nationals of the Contracting Party concerned have entered illegally the territory of the other Contracting Party. This undertaking shall include all expenses for their subsistence and medical treatment while under detention, pending repatriation which expenses shall accrue from the moment of notification of their detention in such place as may be designated by the Contracting Parties, and in returning them to their country.

*Article II*

In consideration of the undertaking of each Contracting Party provided in Article I the following classes of persons shall be exempt from the application of the said Article I upon legalization of their permanent residence status.

1. The nationals of each of the Contracting Parties who had illegally entered the territory of the other before January 1, 1946 and have continuously resided therein,

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<sup>1</sup> Came into force on 1 February 1961, upon the exchange of the instruments of ratification at Manila, in accordance with article XIV.

including their minor children born in the said territory, provided that they are admissible and not subject to deportation under the laws of the Contracting Party in whose territory they are found except for the fact that they had entered illegally.

2. The nationals of each of the Contracting Parties who entered illegally and who are residing illegally in the territory of the other and who, before January 1, 1954, had contracted valid marriage with the nationals of the Contracting Party in whose territory they are residing as shown in official registry records.

### *Article III*

Each of the Contracting Parties shall, at the date of this agreement, communicate to the other a binding official estimate of the number of nationals of the other Contracting Party illegally within its territory as of October 29, 1954. All illegal entries after October 29, 1954, shall be treated as future entries and shall be summarily repatriated under the provisions of Article I.

### *Article IV*

Application for legalization of permanent residence under the provisions of subparagraphs 1 or 2 of Article II hereof must be filed in due form with the competent authorities of the Contracting Party concerned by the applicant within a period of three (3) months from the date this Agreement takes effect, extendible for another period not exceeding three (3) months upon the written request of either of the Contracting Parties; Provided, however, that any person failing to comply with the provisions of this Article shall be deemed illegally residing in the country where he is found and shall forthwith be repatriated under the provisions of Article I of this Agreement.

### *Article V*

The nationals of each of the Contracting Parties claiming the privilege of legalizing their permanent residence on the basis of subparagraphs 1 or 2 of Article II of this Agreement must in every case present evidence that they fall under any of the two exempted class above-mentioned, satisfactory to the competent authorities of the Contracting Party within whose territory they reside, and subject, in case of appeal by the persons concerned to judicial review by its courts.

Each of the Contracting Parties shall charge for the legalization and alien registration under the provisions of this Article a fee of the equivalent in legal tender of fifty Philippine pesos for each person: Provided, however, that persons of 14 years of age or below shall be exempt from such charges; and Provided, further, that, in the case of Indonesian nationals, the Government of the Republic of Indonesia shall

pay all amounts due under this Article to the Government of the Republic of the Philippines in two installments, the first of which shall be paid on the date this Agreement takes effect and the second within twelve months thereafter.

#### *Article VI*

The Contracting Parties agree to establish a system of border crossing control whereby nationals of each of the Contracting Parties residing in the specified Border Area may freely enter into and travel within the corresponding Border Area of the other solely for purposes of business and/or visit of relatives and/or for religious worship and/or pleasure, subject to the laws and regulations existing therein provided that they are *bona fide* holders of Border Crossing Cards which shall be issued by each of the Contracting Parties in accordance with the provisions of this Agreement.

#### *Article VII*

For purposes of this Agreement, the Border Areas are:

Philippines:

1. Balut-Sarangani Island Group
2. Sibutu Island Group
3. Simanul Island
4. Manuk Manka Island

Indonesia:

1. Talaud-Sangi Island Group
2. Miangas Island Group
3. Kawio Island Group
4. Nunukan Island

#### *Article VIII*

Border Crossing Cards, valid for presentation within a period of thirty (30) days from date of issuance thereof and for a stay of not exceeding fifty-nine (59) days, may be issued upon payment of the equivalent in legal tender of the sum of ten Philippine pesos as service charge in any number of not more than six hundred (600) annually by the authorized border crossing authorities of each of the Contracting Parties to any national of the other Contracting Party, possessing all of the following qualifications:

1. The applicant must have resided in the specified Border Area for at least five years preceding the date of application;
2. The applicant must be otherwise admissible under the immigration laws of the Contracting Party within whose Border Area he intends to travel.

#### *Article IX*

Border Crossing Cards containing the English, Tagalog and Indonesian texts shall be good only for single entry. Each card shall indicate the date and place of issue, and an adequate personal description of the holder including his photograph, signature and fingerprints, as well as the destination, purpose of travel to the Border Area, and the border crossing station through which entry and exit is to be effected.

#### *Article X*

Each of the Contracting Parties shall, after mutual consultations and consent, establish border crossing card-issuing stations in the Border Area of the other as well as border crossing entry and exit stations in its Border Area. In the same manner, the sites of such border crossing stations may be changed by the Contracting Parties.

#### *Article XI*

Each of the Contracting Parties shall repatriate in accordance with the provisions of this Agreement any of nationals to whom a Border Crossing Card has been issued violating any of the terms or conditions under which he was admitted into the territory of the other.

#### *Article XII*

The passport, visa and immigration regulations in effect in the territory of each of the Contracting Parties shall be applicable to all other cases of travel not covered by the present Agreement.

#### *Article XIII*

This Agreement shall be in force for a period of five (5) years from the date of its effectivity. At the expiration of said period, the Agreement shall be subject to review by the Contracting Parties and may thereafter be modified, and/or extended, or abrogated.

*Article XIV*

This Agreement shall be effective upon the exchange of the instruments of ratification which shall take place in Manila.

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

DONE in duplicate in the English and Indonesian languages, of which the English text shall prevail in case of dispute, in Djakarta this 4th day of July in the year one thousand nine hundred fifty-six, Anno Domini.

For the Republic  
of Indonesia:

Soekardjo WIRJOPRANOTO  
Ambassador Extraordinary  
and Plenipotentiary

For the Republic  
of the Philippines:

José FUENTEBELLA  
Ambassador Extraordinary  
and Plenipotentiary