

1353

No. 7900

PHILIPPINES
and
HOLY SEE

Exchange of notes constituting an agreement concerning the establishment of a Military Vicariate in the Armed Forces of the Philippines. Manila, 20 September 1951, 28 March and 18 June 1952

Official text: English.

Registered by the Philippines on 20 August 1965.

PHILIPPINES
et
SAINT-SIÈGE

Échange de notes constituant un accord relatif à la création d'un vicariat aux armées auprès des forces armées des Philippines. Manille, 20 septembre 1951, 28 mars et 18 juin 1952

Texte officiel anglais.

Enregistré par les Philippines le 20 août 1965.

No. 7900. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE PHILIPPINES AND THE HOLY SEE CONCERNING THE ESTABLISHMENT OF A MILITARY VICARIATE IN THE ARMED FORCES OF THE PHILIPPINES. MANILA, 20 SEPTEMBER 1951, 28 MARCH AND 18 JUNE 1952

I

Manila, September 20, 1951

Honorable Sir :

Following on our previous conversations concerning the establishment of a Military Vicariate for the Philippine Armed Forces, I have the honor to submit hereinafter the final text of a proposed agreement between the Holy See and the Philippine Republic, regulating the appointments of the Military Vicar, of the Catholic Chief of Chaplains and of the Catholic Chaplains, as well as their position as Ecclesiastics of the Catholic Church as well as officers of the Philippine Armed Forces.

1. In order to provide more adequate and efficient spiritual care for the Catholic members of the Armed Forces of the Philippines, the Holy See has established a Military Vicariate.

2. The Holy See shall entrust the office of Military Vicar to a Filipino-born member of the Philippine Hierarchy, who will be freely chosen by the Holy See. However, before proceeding to his appointment, the Holy See shall communicate his name to the Philippine Government in order to ensure that there is no serious objection on the part of the Government. Should any such objection exist, it will be notified to the Apostolic Nunciature in Manila within a period of thirty days, after the expiration of which it will be understood that the Government has no objection to the appointment, and the Holy See may proceed to the publication of the same without further delay.

3. The Catholic Chief Chaplain shall be appointed by the Philippine Government upon designation by the Military Vicar. He shall receive from the Military Vicar the appointment as Military Delegate, with the authority and jurisdiction of a Vicar General.

4. The Catholic Military chaplains shall be appointed by the Philippine Government upon presentation by the Military Vicar.

5. The Catholic Chief Chaplain and chaplains shall receive the same financial remuneration as other Military Officers of the same rank.

6. The Catholic Military chaplains, in the exercise of their priestly functions, shall be under the exclusive jurisdiction of the Military Vicar and of the Military Delegate.

¹ Came into force on 18 June 1952 by the exchange of the said notes.

7. Should disciplinary action of exclusively military character be taken by the Military Authorities against a Catholic chaplain, the office of the Military Vicar shall be informed in due time, so that sanctions may be applied in the place and form proper for a priest. On the other hand, should the Military Vicar or, in his absence, the Military Delegate find it necessary to impose a temporary suspension or final dismissal of a Catholic chaplain, for canonical reasons and according to the norms of Canon Law, he shall notify his decision to the proper military authorities, who will act accordingly.

8. Any controversial issue which might arise concerning the work and duties of Catholic chaplains shall be settled amicably between the Department of National Defense and the Military Vicar.

9. The office of the Military Vicariate shall be located in the City of Manila. The Philippine Government shall provide adequate financial support for its functions.

10. The Philippine Government shall afford the Military Vicar, the Chief Chaplain, and the military chaplains all facilities for the discharge of their duties, granting them free access to all military posts.

I shall be deeply grateful if you will be so kind as to inform me whether the above text is agreeable to the Philippine Government.

Please accept, Mr. Undersecretary, the sentiments of my highest consideration.

Sincerely yours,

(Signed) Egidio VAGNOZZI
Archbishop of Myra
Apostolic Nuncio

The Honorable Felino Neri
Undersecretary of the Department of Foreign Affairs
Manila

II

Manila, March 28, 1952

Excellency :

Further reference is made to your Note No. 5588/51 dated September 20, 1951 and to the Department's reply of September 21, 1951 concerning the establishment of a Military Vicariate in the Armed Forces of the Philippines.

The Department suggests that the agreement on the Vicariate be as follows :

1. In order to provide more adequate and efficient spiritual care for the Catholic members of the Armed Forces of the Philippines, the Holy See has established a Military Vicariate.

2. The Holy See shall entrust the office of Military Vicar to a Filipino-born member of the Philippine Hierarchy. However, before proceeding to his appointment, the Holy See shall communicate his name to the Philippine Government in order to ensure that there is no objection on the part of the said Philippine Government.

3. The Chief of Catholic chaplains shall be appointed by the chief of staff upon nomination of the Military Vicar. He shall receive from the Military Vicar the appointment as Military Delegate, with the authority and jurisdiction of a Vicar General.

4. The Catholic Military chaplains shall be appointed by the Philippine Government upon presentation by the Military Vicar.

5. The Catholic military chaplains, in the exercise of their priestly functions, shall be under the exclusive jurisdiction of the Military Vicar and of the Military Delegate.

6. Should disciplinary action of exclusively military character be taken by the Military Authorities against a Catholic chaplain, the office of the Military Vicar shall be informed in due time, so that sanctions may be applied in the place and form proper for a priest. On the other hand, should the Military Vicar, or, in his absence, the Military Delegate find it necessary to impose a temporary suspension or final dismissal of a Catholic chaplain, for canonical reasons and according to the norms of Canon Law, he shall notify his decision to the proper military authorities, who will act accordingly.

7. Any controversial issue which might arise concerning the work and duties of Catholic chaplains shall be settled amicably between the Department of National Defense and the Military Vicar.

8. The office of the Military Vicariate shall be located in the City of Manila.

I wish to assure you that the Catholic military chaplains will receive the same financial remuneration as other military officers of the same rank.

Accept, Excellency, the renewed assurances of my highest consideration.

(Signed) J. M. ELIZALDE
Secretary

His Excellency Egidio Vagnozzi
Apostolic Nuncio
Manila

III

Manila, June 18, 1952

No. 6551/52

Your Excellency :

With reference to your Note of March 28, 1952, I have the honor to inform Your Excellency that the Holy See accedes to the agreement, as it has been proposed in the said Note, concerning the establishment of a Military Vicariate for the Armed Forces of the Philippines.

However, may I ask Your Excellency to consider favorably the request that an assurance be also given, at least in a note attached to the text of the agreement, that the Philippine Government shall afford the Military Vicar all the facilities necessary for the discharge of his duties among the members of the Armed Forces.

Please accept, Your Excellency, the expression of my highest consideration.

(*Signed*) Alfredo POLEDRINI
Chargé d'Affaires a.i. of the Holy See

His Excellency Joaquin Miguel Elizalde
Secretary of the Department of Foreign Affairs
Manila