

No. 10129

**UNITED STATES OF AMERICA
and
PHILIPPINES**

**Exchange of notes constituting an agreement concerning
relinquishment of certain United States base lands in
the Philippines. Manila, 30 April 1968**

Authentic text: English.

Registered by the United States of America on 5 January 1970.

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

**Échange de notes constituant un accord portant renonciation
par les États-Unis à leurs droits sur le terrain de certaines
bases américaines aux Philippines. Manille, 30 avril 1968**

Texte authentique: anglais.

Enregistré par les États-Unis d'Amérique le 5 janvier 1970.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND
THE REPUBLIC OF THE PHILIPPINES CONCERNING
RELINQUISHMENT OF CERTAIN UNITED STATES
BASE LANDS IN THE PHILIPPINES

I

No. 830

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines and has the honor to refer to the Military Bases Agreement of 1947, as amended,² and the Agreement of December 22, 1965,³ between the United States and the Republic of the Philippines concerning relinquishment by the United States to the Republic of the Philippines of the use of certain base lands in the Philippines

The Embassy has the further honor to propose that the United States Government relinquish to the Government of the Republic of the Philippines any and all rights to the use of the Bataan Pol Terminal at Kitang Point, Limay, Province of Bataan, as shown on Map #1 attached to the Agreement of December 22, 1965, and all improvements, equipment, and facilities thereon owned by the United States Government, in accordance with Article XVII of the Military Bases Agreement of 1947. The Agreement of December 22, 1965, specifically excluded the Bataan Pol Terminal.

The Embassy has the further honor to propose that the Government of the Republic of the Philippines will, beginning May 1 1968, assume responsibility for the continuation of payment of rentals to the owners of property within the Terminal area under leases to which the United States Government is a party on the date of relinquishment until the Government of the Republic of the Philippines acquires rights to the use of this private property.

Finally, the Embassy has the honor to propose that the Government of the Republic of the Philippines will hold the United States Government harmless from any and all actions and claims arising from obligations undertaken in the aforementioned leases including any claims for restoration of privately owned

¹ Came into force on 30 April 1968, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 43, p. 271, and annex A in volumes 68, 185, 213, 229, 325, 564, 591 and 649.

³ *Ibid.*, vol. 649, p. 306.

property, which may arise upon termination of such leases and relinquishment of its present rights to the use of the Bataan Pol Terminal.

If the foregoing is acceptable to the Government of the Republic of the Philippines, the Embassy has the honor to propose that this note and the Department's reply indicating such acceptance shall constitute an agreement between the two Governments which will enter into force on the date of the Department's reply.

The Embassy of the United States avails itself of this opportunity to renew to the Department of Foreign Affairs the assurances of its highest consideration.

JMW

Embassy of the United States of America

Manila, April 30, 1968

II

No. 12331

The Department of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to refer to the latter's Note No. 830, dated April 30, 1968, reading as follows :

[*See note I*]

The Department wishes to inform the Embassy that the Embassy's above-quoted note is acceptable to the Government of the Republic of the Philippines and that the Embassy's note hereinabove quoted and this reply note shall constitute an agreement between the two Governments which will enter into force on the date of this note.

The Department of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the United States of America the assurances of its highest consideration.

N R

Manila, April 30, 1968
