

No. 12382

**BELGIUM, NETHERLANDS
and LUXEMBOURG (BENELUX),
and
PHILIPPINES**

Trade Agreement. Signed at Manila on 14 March 1967

*Authentic texts: English, Dutch, French and Filipino.
Registered by the Netherlands on 29 March 1973.*

**BELGIQUE, PAYS-BAS
et LUXEMBOURG (BENELUX),
et
PHILIPPINES**

Accord de commerce. Signé à Manille le 14 mars 1967

*Textes authentiques: anglais, néerlandais, français et philippin.
Enregistré par les Pays-Bas le 29 mars 1973.*

TRADE AGREEMENT¹ BETWEEN THE BENELUX ECONOMIC UNION AND THE REPUBLIC OF THE PHILIPPINES

The Kingdom of Belgium, acting in its own name and on behalf of the Grand Duchy of Luxembourg according to existing agreements, and,

The Kingdom of the Netherlands,

Acting together under the Treaty establishing the Benelux Economic Union, signed at The Hague on February 3, 1958,² on the one hand, and

The Republic of the Philippines, on the other,

Inspired by the wish to strengthen their traditional ties of friendship and to expand mutual trade by according each other unconditionally most-favored-nation treatment as a basis for their trade relations,

Have agreed as follows:

Article I. Both Contracting Parties shall, in accordance with their national legislations, encourage and facilitate mutual exchange of goods and services in order to bring it to the highest level that will be advantageous to both Contracting Parties.

Article II. (a) All advantages, privileges, immunities, or exemptions granted or to be granted by either Contracting Party to any product originating in or destined for any third country shall be accorded immediately and unconditionally to the similar product originating in or destined for the other Contracting Party. This provision shall apply to customs duties and charges of any kind imposed or which shall be imposed on importation, exportation, transit and bonding of goods, as well as to the application of customs obligations and formalities.

(b) Products originating in either Contracting Party and imported into the territory of the other Contracting Party, shall, in the importing country, not be subject to higher duties and charges of any kind nor to more onerous customs obligations or formalities, than those imposed or to be imposed on similar products originating in any third country.

(c) Products originating in either Contracting Party and exported to the territory of the other Contracting Party, shall, in the exporting country, not be subject to higher duties and charges of any kind nor to more onerous customs

¹ Came into force on 12 October 1972, i.e. on the date when the Contracting Parties had deposited their respective instruments of ratification with the Government of the Philippines, as indicated hereafter, in accordance with articles X and XII (a).

<i>State</i>	<i>Date of deposit</i>
Netherlands	7 February 1968
(For the Kingdom in Europe, Surinam and the Netherlands Antilles).	
Belgium	14 August 1969
(For Belgium and Luxembourg).	
Philippines	12 October 1972

² United Nations, *Treaty Series*, vol. 381, p. 165.

obligations or formalities, than those imposed or to be imposed on similar products destined for any third country.

Article III. (a) Products originating in either Contracting Party and imported into the territory of the other Contracting Party, shall, in the importing country, not be subject to the payment of higher internal duties or charges of any kind, nor to more onerous formalities, than those applicable to similar products, originating in any third country and imported under similar conditions.

(b) Conversely, products originating in either Contracting Party and exported to the territory of the other Contracting Party, shall, in the exporting country, not be subject to the payment of higher internal duties or charges of any kind, nor to more onerous formalities, than those applicable to exportation to any third Country.

Article IV. The provisions of articles II and III of this Agreement shall not apply to:

- (a) tariff preferences or other advantages accorded at present or to be accorded in the future by the Republic of the Philippines to the United States of America;
- (b) the advantages, privileges, immunities or exemptions accorded at present or to be accorded in the future by the Benelux countries for the importation of products originating either in the Democratic Republic of Congo, the Republic of Rwanda and the Kingdom of Burundi, or in the non-European parts of the Kingdom of the Netherlands; and
- (c) the advantages, privileges, immunities or exemptions accorded at present or to be accorded in the future by any government of the Benelux countries to neighboring countries in connection with frontier traffic.

Article V. No provision of the present Agreement shall be interpreted in such a manner as to prejudice measures that may be taken by any Government of the Contracting Parties on moral or humanitarian grounds or for reasons of public health and public security, or measures concerning the trade in weapons, ammunition and military equipment, the protection of animals and plants against diseases and epidemics, the preservation of the national artistic, historical or archeological heritage, and measures concerning the importation and exportation of gold and silver.

Article VI. The Governments of the Contracting Parties undertake to facilitate, in their territories and within the framework of their national legislations, the organization of economic and commercial exhibitions and displays in cases where the other Contracting Party so requests.

Article VII. (a) Both Contracting Parties shall consult each other, upon the request of either, in order to consider measures for expanding mutual trade or to facilitate the implementation of this Agreement.

(b) When the obligations arising from the Treaty establishing the European Economic Community¹ and concerning the progressive establishment of a common trade policy should make it necessary, negotiations shall be started within the shortest possible time on any appropriate amendments to the present Agreement.

(c) When the obligations arising from any regional arrangement entered into at present or to be entered into in the future by the Republic of the Philippines

¹ United Nations, *Treaty Series*, vol. 298, p. 3.

concerning the establishment of a common trade policy should necessitate amendments to the present Agreement, negotiations shall be started within the shortest possible time.

Article VIII. As far as possible, both Contracting Parties shall endeavor to provide each other with any information pertinent to their trade.

Article IX. Any dispute between the Government of the Republic of the Philippines and any of the Governments of the Benelux countries concerning the interpretation or application of the present Agreement, which cannot be solved satisfactorily through the diplomatic channel, shall, at the request of any party to the dispute, be referred to the International Court of Justice, unless the Governments concerned agree to settle the dispute in any other peaceful manner.

Article X. The present Agreement shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines.

Article XI. As regards the Kingdom of the Netherlands, the present Agreement shall apply to the territory of the Kingdom situated in Europe, to Surinam and to the Netherlands Antilles, unless the instrument of ratification of the Kingdom of the Netherlands provides otherwise.

Article XII. (a) The present Agreement shall enter into force on the date when the Contracting Parties shall have deposited their respective instruments of ratification.

(b) This Agreement shall remain effective for a period of one year from the date of its entry into force and shall be considered to be renewed by tacit agreement from one year to the next if neither of the Contracting Parties denounces it in writing three months prior to the limit date of validity.

(c) Notice of termination of the present Agreement by the Benelux Economic Union should be given simultaneously by the Belgian and Netherlands Governments to the Government of the Republic of the Philippines. Notice of termination of the present Agreement by the Government of the Republic of the Philippines shall be given simultaneously to the Belgian and Netherlands Governments.

(d) Subject to the periods mentioned in paragraph (b) of this article, the Government of the Kingdom of the Netherlands shall be able to terminate the application of the present Agreement separately in respect of Surinam or the Netherlands Antilles.

IN WITNESS WHEREOF, the undersigned representatives, duly authorized thereto, have signed the present Agreement.

DONE in triplicate in the English, Pilipino, Dutch and French languages at Manila this 14th day of March 1967. In case of divergence of interpretation, the English text shall prevail.

For the Benelux Economic Union:
J. VAN CALOEN
G. J. DISSEVELT

For the Republic of the Philippines:
NARCISO RAMOS