

February 24, 1950

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT
SUPPLEMENTING AND EXTENDING FOR THE PURPOSE OF
MUTUAL DEFENSE THE AGREEMENT BETWEEN THE PHILIPPINES
AND THE UNITED STATES ON MILITARY ASSISTANCE TO THE
PHILIPPINES OF 21 MARCH 1947**

Note: The Agreement entered Into force March 13, 1950.

Reference: This Agreement Is also published In 82 UNTS, p. 332.

**I
THE AMERICAN AMBASSADOR TO THE PHILIPPINE SECRETARY OF FOREIGN
AFFAIRS
EMBASSY OF THE UNITED STATES OF AMERICA**

No. 0207

Manila, February 24, 1950

Excellency:

I have the honor to refer to the conversations which recently have taken place between our two Governments concerning the future provision of military assistance by my government to the Republic of the Philippines; the desire of our two Governments to foster international peace and security, within the framework of the Charter of the United Nations through measures which will further the ability of nations dedicated to the purposes and principles of the Charter to develop effective measures for self defense in support of those purposes and principles, and without prejudice to continued exertion of maximum efforts to obtain agreements to provide the United Nations with armed forces as provided by its Charter, and to obtain agreement among member nations upon universal regulations and reduction of armaments under adequate and dependable guarantee against violation; the recognition by our two Governments that measures to eliminate insecurity caused by fear of aggression will enhance the progress of economic development; and to confirm the understandings reached as a result of those conversations as follows:

1. The Agreement between our two Governments signed at Manila March 21, 1947, remains in effect in all its terms except as it has been agreed to modify it to take account of the coming into force of the United States Mutual Defense Assistance Act of 1949. Hereafter the Government of the United States will furnish such military assistance as it may authorize to the Republic of the Philippines under the provisions and subject to all of the terms, conditions and termination provisions of that act, existing agreements and such other applicable United States laws as are now in effect or may hereafter come into effect.
2. The Government of the Republic of the Philippines undertakes to make effective use of military assistance furnished to it for the purposes for which such assistance was furnished, and will not, without prior consent of the Government of the United States, devote assistance so furnished to purposes other than for which it was furnished.

3. In fulfillment of the principle of mutual aid to which both Governments subscribe, the Government of the Republic of the Philippines will facilitate the production, transport, export and transfer to the Government of the United States for such period of time, in such quantities and upon such terms and conditions as may be agreed upon, of raw and semi-processed materials required by the United States as a result of raw material deficiencies in its own resources, and which may be available in the Republic of the Philippines. Arrangements for such transfers shall give due regard to reasonable requirements for domestic use and commercial export of the Republic of the Philippines.

4. The two Governments will, upon request of either of them, negotiate appropriate arrangements between them respecting responsibility for patent or similiar claims based on the use of devices, processes, technological information or other forms of property protected by law in connection with equipment materials or services furnished pursuant to this Agreement. In such negotiations, consideration shall be given to including an undertaking whereby each Government will assume the responsibility for all such claims of its nationals and such claims arising in its jurisdiction of nationals of any country not a party to this agreement.

5. The Government of the Republic of the Philippines will, except as otherwise agreed to, grant duty free treatment and exemption from internal taxation upon importation or exportation to products, property, materials or equipment imported into its territory under the terms of the March 21, 1947 Agreement and this exchange of notes.

6. The Republic of the Philippines will take appropriate measures consistent with security to keep the public informed of operations under this Agreement.

7. The Ambassador of the United States accredited to the Republic of the Philippines will be responsible for the direction of the program of the United States military assistance to the Republic of the Philippines.

8. Upon appropriate notification to the Government of the Republic of the Philippines such United States personnel as are made available to the Ambassador of the United States for the responsibility described above will be considered part of the Embassy of the United States in the Republic of the Philippines and shall enjoy the privileges and immunities accorded to accredited United States personnel of that Embassy. The Government of the Republic of the Philippines shall accord to the authorized representatives of the Government of the United States facilities to observe the utilization of assistance furnished pursuant to this exchange of notes.

9. Subject to the provision of the necessary appropriation the Government of the Republic of the Philippines undertakes to make available to the Government of the United States pesos for use of latter Government for Its administrative expenditures within the Philippines in connection with carrying out this exchange of notes. The two Governments will forthwith initiate discussions with a view to determining the amount of such pesos and agree upon the arrangement for the payment of such pesos.

10. The agreement between the Governments signed at Manila March 21, 1947, is hereby extended for a further period of two years and shall terminate July 4, 1953.

11. This note and the reply of the Government of the Republic of the Philippines shall be registered with the Secretariat of the United Nations in accordance with