

TREATY OF FRIENDSHIP BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE SPANISH STATE

Note: The Treaty was concurred in by the Senate, S.R. No. 47, April 14, 1948. The Philippine instrument of ratification was signed by the President, July 22, 1948. It entered into force, July 25, 1948 upon the exchange of ratification of the Parties. It was declared by the President, Proc. No. 112, g. 1949.

Reference: This Treaty is also published in I DFA TS No. 2, p. 184 and 70 UNTS, p. 133. The presidential proclamation of the Treaty is published in 45 O.G., p. 15.

The Republic of the Philippines and the Spanish State, animated by the desire to strengthen further the bond of friendship now happily existing between them in a manner befitting their historic and cultural ties, have decided to conclude a Treaty of Friendship and, for this purpose, have agreed upon the following provisions:

ARTICLE I

There shall be between the Philippines and Spain constant peace and perpetual friendship.

ARTICLE II

The High Contracting Parties shall settle by peaceful means any dispute or controversy of any nature whatsoever that might arise between them. Should such dispute or controversy not be possible of adjustment by ordinary diplomatic procedures, the High Contracting Parties shall submit it to a Permanent Conciliation Commission and, if this method of settlement still fails, to an Arbitration Court. The parties may, however, by mutual agreement, bring their dispute direct to the Arbitration Court.

This undertaking shall not apply to disputes relating to matters considered by the Philippines and Spain as being essentially of their national competence.

ARTICLE III

The Permanent Conciliation Commission referred to in the preceding article shall be composed of five members. Each of the High Contracting Parties shall be entitled to appoint one of the members and they shall, by common agreement, appoint the three other members from whom shall be elected the President. The last three members must not be nationals of either of the High Contracting Parties, be residents in the territory of any of them, be in the service of either of them, nor be with respect to each other of the same nationality. The members of the Commission shall hold their appointment for three years. The Commission shall be organized and constituted within the six months following the exchange of ratifications of this treaty.