

## **TREATY OF GENERAL RELATIONS BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES OF AMERICA**

Note: The Agreement was concurred in by the Senate, S.R. No. 11, August 5, 1946. The instrument of ratification was signed by the President, September 30, 1946. It entered into force, October 22, 1946 upon exchange of ratification by the parties. It was declared by the President, Proc. No. 11, s. 1946.

Reference: This agreement is also published in I DFA TS No. I, p. 5 and 7 UNTS, p. 3. The presidential proclamation of the agreement is published in 43 O.G., p. 2355 (Oct. 1946). The Republic of the Philippines and the United States of America, being animated by the desire to cement the relations of close and long friendship existing between the two countries, and to provide for the recognition of the independence of the Republic of the Philippines as of July 4, 1946 and the relinquishment of American sovereignty over the Philippine Islands, have agreed upon the following articles:

### **ARTICLE I**

The United States of America agrees to withdraw and surrender, and does hereby withdraw and surrender, all right of possession, supervision, jurisdiction, control or sovereignty existing and exercised by the United States of America in and over the territory and the people of the Philippine Islands, except the use of such bases, necessary appurtenances to such bases, and the rights incident thereto, as the United States of America, by agreement with the Republic of the Philippines and of the United States of America. The United States of America further agrees to recognize, and does hereby recognize, the independence of the Republic of the Philippines as a separate self-governing nation and to acknowledge, and does hereby acknowledge, the authority and control over the same of the Government instituted by the people thereof, under the Constitution of the Republic of the Philippines.

### **ARTICLE II**

The diplomatic representatives of each country shall enjoy in the territories of the other the privileges and immunities derived from general recognised international law and usage. The consular representatives of each country, duly provided with exequatur, will be permitted to reside in the territories of the other in the places wherein consular representatives are by local laws permitted to reside; they shall enjoy the honorary privileges and the immunities accorded to such officers by general international usage; and they shall not be treated in a manner less favorable than similar officers of any other foreign country.

### **ARTICLE III**

Pending the final establishment of the requisite Philippine Foreign Service establishments abroad, the Republic of the Philippines and the United States of America agree that at the request of the Republic of the Philippines the United

States of America will endeavor, in so far as it may be practicable, to represent through its Foreign Service the interests of the Republic of the Philippines in countries where there is no Philippine representation. The two countries further agree that any such arrangements are to be subject to termination when in the judgment of either country such arrangements are no longer necessary.

#### **ARTICLE IV**

The Republic of the Philippines agrees to assume, and does hereby assume, all the debts and liabilities of the Philippine Islands, its provinces, cities, municipalities and instrumentalities, which shall be valid and subsisting on the date hereof. The Republic of the Philippines will make adequate provision for the necessary funds for the payment of interest on and principal of bonds issued prior to May 1, 1934 under authority of an Act of Congress of the United States of America by the Philippine Islands, or any province, city or municipality therein, and such obligations shall be a first lien on the taxes collected in the Philippines.

#### **ARTICLE V**

The Republic of the Philippines and the United States of America agree that all cases at law concerning the Government and people of the Philippines which, in accordance with Section 7 (6) of the Independence Act of 1934, are pending before the Supreme Court of the United States of America at the date of the granting of the independence of the Republic of the Philippines shall continue to be subject to the review of the Supreme Court of the United States of America for such period of time after independence as may be necessary to effectuate the disposition of the cases at hand. The contracting parties also agree that following the disposition of such cases the Supreme Court of the United States of America will cease to have the right of review of cases originating in the Philippine Islands.

#### **ARTICLE VI**

In so far as they are not covered by existing legislation, all claims of the Government of the United States of America or its nationals against the Government of the Republic of the Philippines and all claims of the Government of the Republic of the Philippines and its nationals against the Government of the United States of America shall be promptly adjusted and settled. The property rights of the Republic of the Philippines and the United States of America shall be promptly adjusted and settled by mutual agreement, and all existing property rights of citizens and corporations of the Republic of the Philippines in the United States of America and of citizens and corporations of the United States of America in the Republic of the Philippines shall be acknowledged, respected and safeguarded to the same extent as property rights of citizens and corporations of the United States of America and of the Republic of the Philippines respectively. Both Governments shall designate representatives who may in concert agree on measures best calculated to effect a satisfactory and expeditious disposal of such claims as may not be covered by existing legislation.

#### **ARTICLE VII**

The Republic of the Philippines agrees to assume all continuing obligations assumed by the United States of America under the Treaty of Peace between the United States of America and Spain concluded at Paris on the 10th day of December, 1898, by which the Philippine Islands were ceded to the United States of America, and