

June 18, 1957

**EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN
THE REPUBLIC OF THE PHILIPPINES AND THE UNITED STATES
OF AMERICA RELATING TO THE USE OF MANILA AIR STATION**

Note: The Agreement entered into force, June 18, 1957. The Station was relinquished by exchange of notes, January 27, 1958.

Reference: This Agreement is also published in 289 UNTS, p. 289.

The American Ambassador to the Philippine Acting Secretary of Foreign Affairs

I

EMBASSY OF THE UNITED STATES OF AMERICA

No. 1348

Manila, June 18, 1957

Excellency:

I have the honor to refer to your Note No. 3246 of November 15, 1956, enclosing a letter from the Commissioner of Customs, concerning the use of Pier 3 and the adjacent quay side area at the Manila Air Station and to the subsequent discussions between the authorities of our two governments in this regard. The United States recognizes that the present handling of commercial traffic at the Port of Manila would be facilitated through the use of Pier 3 and the adjoining quay area lying southeast of the pier within the Manila Air Station. Accordingly the United States agrees to make available these portions of the Manila Air Station for immediate joint use by the Philippine Bureau of Customs in accordance with the procedures set forth in Annex A, as well as such other arrangements as may be concluded between the Commander of the Manila Air Station and the Commissioner of Customs, pending the release of the Manila Air Station by the United States.

It is understood that the Philippine Government will hold the United States Government harmless from any claims which may arise from, the use of these areas by others than the United States, except for those meritorious claims paid by the United States in accordance with its claims legislation, arising out of the activities of any official, employee, or agent of the United States. In addition, it is believed that the earliest practical release of the Manila Air Station by the United States, compatible with efficient fulfillment of the military requirement for the uninterrupted logistic support of the United States Forces in the Philippines, could be accomplished by making appropriate arrangements for handling military traffic, presently handled through the Manila Air Station facilities, through commercial arrangements with private firms or Philippine Government agencies at the Port of Manila. With respect to military ship' menrs of ammunition and explosives, the United States Government hereby assures the Philippine Government that no such shipments are currently being handled through the Manila Air Station and that no such shipments through the Port of Manila are intended in the future. It is understood that the Philippine

Government would have no objection to such continued commercial use on this basis by the United States of the Port of Manila.

Accordingly, the United States Government agrees to relinquish the Manila Air Station of the Philippine Government within one year after satisfactory arrangements for the continued use of the Port of Manila on a commercial basis have been concluded with private firms or appropriate Philippine Government agencies. The period of up to one year following the conclusion of such commercial arrangements is necessary for the United States military authorities to complete an orderly conclusion of their present activities.

If the foregoing is acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's reply- indicating concurrence shall constitute an agreement between the two governments on this matter.

Accept, Excellency, the renewed assurances of my highest consideration.

C. E. BOHLEN

His Excellency **RAUL S. MANGLAPUS**

Acting Secretary of Foreign Affairs

Republic of the Philippines

ANNEX A

The Philippine Bureau of Customs will assist in facilitating the dispatch of vessels carrying United States military cargo and personnel in accordance with the following procedures:

A. The appropriate military authority of the United States will notify the Bureau of Customs in writing daily by 1400 hours of the scheduled arrival at and departure from Manila harbor of United States military vessels and vessels carrying United States military cargo or personnel which require pier facilities. B. When not needed for United States military cargo or personnel, pier No. 3 may be designated by the Bureau of Customs as a berthing place for other than said vessels.

C. At no time will there be simultaneous handling of military and commercial cargo to or from ocean-going vessels berthed at Pier No. 3.

D. Whenever a vessel is berthed at Pier No. 3 for the loading or unloading of both military and commercial cargo, the vessel shall be required first to load or unload to or from Pier No. 3 either all military or all commercial cargo in order to preclude comingling.

E. Neither military nor commercial cargo shall be stored or assembled on Pier No. 3, but shall be moved directly to or from vessels berthed at said pier.

F. All cargo discharged at Pier No. 3, which is exempt from customs and other duties and so certified by United States authorities, shall be forthwith released by the Bureau of Customs.

G. Security of United States military cargo loaded or unloaded at Pier No. 3 shall be the responsibility of the United States. Upon request the