

UNITED STATES OF AMERICA
and
PHILIPPINES

**Treaty of general relations and Protocol, signed at Manila, on
4 July 1946, and Exchange of Notes constituting an
interim Agreement, Manila, 10 and 12 July 1946**

Treaty and Protocol came into force on 22 October 1946, by the exchange of instruments of ratifications at Manila. Interim Agreement came into force on 12 July 1946, by the exchange of the said notes, and became effective as of 4 July 1946 in accordance with the terms thereof.

English official text communicated by the United States Representative to the United Nations. The registration took place on 11 August 1947.

ETATS-UNIS D'AMERIQUE
et
PHILIPPINES

**Traité de relations générales et Protocole, signés à Manille, le
4 juillet 1946, et échange de notes constituant un accord
provisoire, Manille, 10 et 12 juillet 1946**

Traité et Protocole entrés en vigueur le 22 octobre 1946, par échange des instruments de ratification, à Manille. Accord provisoire entré en vigueur le 12 juillet 1946, par l'échange desdites notes et, suivant ses termes, a produit effet au 4 juillet 1946.

Texte officiel anglais communiqué par le représentant des Etats-Unis auprès de l'Organisation des Nations Unies. L'enregistrement a eu lieu le 11 août 1947.

No. 88. TREATY OF GENERAL RELATIONS BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF THE PHILIPPINES. SIGNED AT MANILA, ON 4 JULY 1946

The United States of America and the Republic of the Philippines, 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, may deem necessary to retain for the mutual protection of the United States of America and of the Republic of the Philippines. 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 generally recognized 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 United States of America and the Republic of the Philippines 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 United States of America and the Republic of the Philippines 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 United States of America and the Republic of the Philippines shall be promptly adjusted and settled by mutual agreement, and all existing property rights of citizens and corporations of the United States of America in the Republic of the Philippines and of citizens and corporations of the Republic of the Philippines in the United States of America shall be acknowledged, respected and safeguarded to the same extent as property rights of citizens and corporations of the Republic of the Philippines and of the United States of America 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, 1898,¹ by which the Philippine Islands were ceded to the United States of America, and under the Treaty between the United States of America and Spain concluded at Washington on the 7th day of November, 1900.²

Article VIII

This Treaty shall enter into force on the exchange of instruments of ratification.

This Treaty shall be submitted for ratification in accordance with the constitutional procedures of the United States of America and of the Republic of the Philippines; and instruments of ratification shall be exchanged and deposited at Manila.

SIGNED at Manila this fourth day of July, one thousand nine hundred forty-six,

For the Government of the United States of America:

[SEAL]

Paul V. McNUTT

For the Government of the Republic of the Philippines:

[SEAL]

Manuel ROXAS

¹ United States *Treaty Series* 343; 30 Stat. 1754.

² United States *Treaty Series* 345; 31 Stat. 1942.

PROTOCOL TO ACCOMPANY THE TREATY OF GENERAL
RELATIONS BETWEEN THE UNITED STATES OF AMER-
ICA AND THE REPUBLIC OF THE PHILIPPINES, SIGNED
AT MANILA ON THE FOURTH DAY OF JULY 1946

It is understood and agreed by the High Contracting Parties that this Treaty is for the purpose of recognizing the independence of the Republic of the Philippines and for the maintenance of close and harmonious relations between the two Governments.

It is understood and agreed that this Treaty does not attempt to regulate the details of arrangements between the two Governments for their mutual defense; for the establishment, termination or regulation of the rights and duties of the two countries, each with respect to the other, in the settlement of claims, as to the ownership or control of real or personal property, or as to the carrying out of provisions of law of either country; or for the settlement of rights or claims of citizens or corporations of either country with respect to or against the other.

It is understood and agreed that the conclusion and entrance into force of this Treaty is not exclusive of further treaties and executive agreements providing for the specific regulation of matters broadly covered herein.

It is understood and agreed that pending final ratification of this Treaty, the provisions of Articles II and III shall be observed by executive agreement.¹

SIGNED at Manila this fourth day of July, one thousand nine hundred forty-six.

For the Government of the United States of America:

PAUL V. McNUTT

[SEAL]

For the Government of the Republic of the Philippines:

MANUEL ROXAS

[SEAL]

¹ See page 12, of this volume.

EXCHANGE OF NOTES

No. 1

*The Philippine Secretary of Foreign Affairs to the American Ambassador*OFFICE OF THE VICE PRESIDENT OF THE PHILIPPINES
MALACAÑAN

Excellency:

July 10, 1946

In accordance with the provisions of the Protocol accompanying the Treaty of General Relations between the United States of America and the Republic of the Philippines signed at Manila on the 4th day of July, 1946, I have the honor to inform you that the Republic of the Philippines shall observe the provisions of Articles II and III pending the final ratification of said Treaty effective as of July 4, 1946.

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

Elpidio QUIRINO

Vice-President and concurrently Secretary of Foreign Affairs

His Excellency Paul V. McNutt

American Ambassador

Manila

No. 2

The American Ambassador to the Philippine Secretary of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Excellency:

July 12, 1946

I have the honor to acknowledge the receipt of your note of July 10, 1946, confirming that, in accordance with the Protocol Accompanying the Treaty of General Relations Between the United States of America and the Republic of the Philippines signed at Manila on July 4, 1946, your Government will observe the provision of Articles II and III of the Treaty pending final ratification thereof.

In reply I have the honor to confirm to you that my Government intends similarly to observe the provisions of the above mentioned protocol.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Paul V. McNUTT

His Excellency Elpidio Quirino
Secretary of Foreign Affairs for the
Republic of the Philippines