

TREATY OF FRIENDSHIP BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE REPUBLIC OF VIET-NAM

The Republic of the Philippines and the Republic of Viet-Nam, animated by the desire to strengthen and perpetuate the friendly relations happily existing between them, have resolved to conclude a Treaty of Friendship and, to that end, have appointed as their respective plenipotentiaries,

The President of the Philippines
His Excellency FELIXBERTO M. SERRANO,
Secretary of Foreign Affairs

The President of the Republic of Viet-nam
His Excellency VU VAN MAU,
Secretary of State for Foreign Affairs

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Article I

There shall be perpetual peace and everlasting amity between the Republic of the Philippines and the Republic of Viet-Nam and their peoples.

Article II

Should any dispute arise between the two High Contracting Parties which cannot satisfactorily be adjusted by diplomacy, or through mediation or arbitration, the Parties shall not use force for settlement, but shall refer the dispute to the International Court of Justice for final adjudication. This undertaking shall not apply to disputes relating to matters considered respectively by the Republic of the Philippines and the Republic of Viet-Nam as being essentially of their national competence, and shall not affect the application of the Charter of the United Nations.

Article III

Each of the High Contracting Parties shall accredit to the Other diplomatic representatives who, after having been recognized and accepted, shall enjoy during the term of their respective missions, on the basis of reciprocity, the rights, privileges

and immunities generally recognized under international law and usage.

Article IV

Each of the High Contracting Parties shall have the right to send to, and receive from, the Other, Consuls General, Consuls, Vice-Consuls, and Consular Agents, who, being duly provided with exequatur or any other mode of recognition, shall be permitted to reside in the territories of the Other in such places as may be agreed upon by the High Contracting Parties.

Consular officers of each of the High Contracting Parties shall, after entering upon their duties, enjoy reciprocally in the territory of the Other all the rights, privileges, exemptions and immunities which are accorded to officers of their status and rank in accordance with the generally accepted principles of international law and usage.

Article V

The nationals of each of the High Contracting Parties within the territories of the Other shall be permitted to enjoy, on condition of reciprocity, the right to acquire, possess and dispose of movable and immovable property, to travel, to reside and to engage in trade, industry and other peaceful and lawful pursuits, subject always to the Constitution, laws and regulations promulgated, or which may hereafter be promulgated, by the other. They shall enjoy, in matters of procedure, the same treatment as is accorded to the nationals of the Other, with respect to the protection and security of their persons and property and in regard to all judicial, administrative and other legal proceedings.

Article VI

This Treaty shall be subject to ratification by the High Contracting Parties in accordance with their respective constitutional procedures. It shall enter into force upon the exchange of ratifications, which shall take place at the City of Manila, Philippines, and shall thereafter remain in force unless and until terminated by one year's written notice.

IN FAITH WHEREOF, the Plenipotentiaries of the High Contracting Parties have signed the present Treaty and have hereunto affixed their seals.

DONE in duplicate, in the English and the Vietnamese languages, both texts being equally authoritative, in the City of Saigon, Republic of Viet-Nam, this 26th day of April in the

year one thousand nine hundred and fifty-nine, Anno Domini,
and of the Independence of the Philippines the thirteenth.

For the Republic of the Philippines:

(Sgd.) FELIXBERTO M. SERRANO
Secretary of Foreign Affairs

For the Republic of Viet-Nam:

(Sgd.) VU VAN MAU
Secretary of State for Foreign Affairs

FOURTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Second Session

P. S. R. No. 46

[SENATE RESOLUTION No. 26]

RESOLUTION EXPRESSING THE CONCURRENCE IN
AND APPROVAL OF THE SENATE OF THE PHILIP-
PINES OF THE TREATY OF FRIENDSHIP BETWEEN
THE REPUBLIC OF THE PHILIPPINES AND THE
REPUBLIC OF VIET-NAM.

WHEREAS, a Treaty of Friendship was signed at Saigon on
the 26th day of April, 1959, between the Republic of the
Philippines and the Republic of Viet-nam in the English and
Vietnamese languages, both text being equally authentic;

WHEREAS, the said Treaty provides, among others, that
there shall be perpetual peace and everlasting amity between
the Republic of the Philippines and the Republic of Viet-Nam
and their peoples, and should any dispute arise between them
which cannot be adjusted by diplomacy, or through mediation
or arbitration, the parties shall not use force for settlement,
but shall refer the dispute to the International Court of Justice
for final adjudication;

WHEREAS, the Treaty provides that it shall be subject to
ratification by the High Contracting Parties in accordance
with their respective constitutional procedures; and

WHEREAS, The President of the Philippines has found
it desirable to ratify the said Treaty and has accordingly
submitted the same to the Senate for its concurrence in accord-

ance with Paragraph 7, Section 10, Article VII of the Constitution of the Philippines; *Now, therefore, be it*

Resolved, That the Senate of the Philippines concur, as it hereby concurs, in the ratification of the Treaty of Friendship between the Republic of the Philippines and the Republic of Viet-Nam.

ADOPTED, May 21, 1959.

CARLOS P. GARCIA
President of the Philippines

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

WHEREAS, a Treaty of Friendship between the Republic of the Philippines and the Republic of Viet-Nam was concluded and signed by their respective Plenipotentiaries in the City of Saigon, Republic of Viet-Nam, on the twenty-sixth day of April, one thousand nine hundred and fifty-nine, a true copy of which Treaty in the English language is word for word as follows:

The Republic of the Philippines and the Republic of Viet-Nam, animated by the desires to strengthen and perpetuate the friendly relations happily existing between them, have resolved to conclude a Treaty of Friendship and, to that end, have appointed as their respective plenipotentiaries,

The President of the Philippines

His Excellency FELIXBERTO M. SERRANO,
Secretary of Foreign Affairs

The President of the Republic of Viet-Nam

His Excellency VU VAN MAU,
Secretary of State for Foreign Affairs

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Article I

There shall be perpetual peace and everlasting amity between the Republic of the Philippines and the Republic of Viet-Nam and their peoples.

Article II

Should any dispute arise between the two high Contracting Parties which cannot satisfactorily be adjusted by diplomacy, or through mediation or arbitration, the Parties shall not use force for settlement, but shall refer the dispute to the International Court of Justice for final adjudication. This undertaking shall not apply to disputes relating to matters considered respectively by the Republic of the Philippines and the Republic of Viet-Nam as being essentially of their national competence, and shall not affect the application of the Charter of the United Nations.

Article III

Each of the High Contracting Parties shall accredit to the Other diplomatic representatives who, after having been recognized and accepted, shall enjoy during the term of their respective missions, on the basis of reciprocity, the rights, privileges and immunities generally recognized under international law and usage.

Article IV

Each of the High Contracting Parties shall have the right to send to, and receive from, the Other, Consuls General, Consuls, Vice-Consuls, and Consular Agents, who, being duly provided with exequatur or any other mode of recognition, shall be permitted to reside in the territories of the Other in such places as may be agreed upon by the High Contracting Parties.

Consular officers of each of the High Contracting Parties shall, after entering upon their duties, enjoy reciprocally in the territory of the Other all the rights, privileges, exemptions and immunities which are accorded to officers of their status and rank in accordance with the generally accepted principles of international law and usage.

Article V

The nationals of each of the High Contracting Parties within the territories of the Other shall be permitted to enjoy, on condition of reciprocity, the right to acquire, possess and dispose of movable and immovable property, to travel, to reside and to engage in trade, industry and

other peaceful and lawful pursuits, subject always to the Constitution, laws and regulations promulgated, or which may hereafter be promulgated, by the Other. They shall enjoy, in matters of procedure, the same treatment as is accorded to the nationals of the Other, with respect to the protection and security of their persons and property and in regard to all judicial, administrative and other legal proceedings.

Article VI

This Treaty shall be subject to ratification by the High Contracting Parties in accordance with their respective constitutional procedures. It shall enter into force upon the exchange of ratifications, which shall take place at the City of Manila (Philippines), and shall thereafter remain in force unless and until terminated by one year's written notice.

IN FAITH WHEREOF, the Plenipotentiaries of the High Contracting Parties have signed the present Treaty and have here-unto affixed their seals.

DONE, in duplicate, in the English and Vietnamese languages, both texts being equally authoritative, in the City of Saigon, Republic of Viet-Nam, this 26th day of April in the year one thousand nine hundred and fifty-nine, Anno Domini, and of the Independence of the Philippines the thirteenth.

For the Republic of the Philippines:

(Sgd.) FELIXBERTO M. SERRANO
Secretary of Foreign Affairs

For the Republic of Viet-Nam:

(Sgd.) VU VAN MAU
Secretary of State for Foreign Affairs

AND WHEREAS, the Senate of the Philippines, by its Resolution No. 26, adopted on May 21, 1959, did concur in the ratification of the aforesaid Treaty in accordance with the Constitutional procedure of the Philippines;

NOW, THEREFORE, be it known that I, CARLOS P. GARCIA, President of the Philippines, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid concurrence of the Senate of the Philippines, ratify and confirm the same and every article and clause thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

DONE at the City of Manila, this *eighteenth* day of December, in the year of Our Lord, nineteen hundred and fifty-nine, and of the Independence of the Philippines, the fourteenth.

By the President:

(Sgd.) FELIXBERTO M. SERRANO
Secretary of Foreign Affairs

PROTOCOL OF EXCHANGE

The undersigned, FELIXBERTO M. SERRANO, Secretary of Foreign Affairs of the Republic of the Philippines, and CAO THAI BAO, Chargé d'Affaires *ad interim* of the Republic of Viet-Nam, duly authorized by their respective Governments, having met together for the purpose of exchanging the instruments of ratification of the Treaty of Friendship between the Republic of the Philippines and the Republic of Viet-Nam, signed in the City of Saigon, Republic of Viet-Nam, on the 26th day of April, 1959, and, having carefully compared their instruments of ratification of the Treaty of Friendship, found to be in due form, have on this date exchanged the said instruments of ratification.

IN WITNESS WHEREOF, they have signed the present Protocol of Exchange and have affixed thereto their seals.

DONE at Manila, Philippines, in duplicate, in the English language, this 21st day of January, 1960.

For the Government of the Republic of the Philippines:

(Sgd.) FELIXBERTO M. SERRANO

For the Government of the Republic of Viet-Nam:

(Sgd.) CAO THAI BAO