

TERMINATING THE STATE OF WAR WITH GERMANY

PROCLAMATION NO. 264, July 09, 1951

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WHEREAS, on December 11, 1941 the United States of America declared that a state of war existed between the United States and Germany;

WHEREAS, by virtue of the relationship existing between the Commonwealth of the Philippines and the United States of America the Philippines acquired a belligerent status at the moment the state of war was declared between the United States and Germany;

WHEREAS, before December 11, 1941, the Philippine Army was inducted into the service of the Armed Forces of the United States of America;

WHEREAS, on June 14, 1942, the Philippines became a signatory to the Declaration by the United Nations, otherwise known as the Allied War Pact, and thereby pledged to employ its full resources, military or economic, against the common enemies and promised not to make separate peace or armistice with any of them;

WHEREAS, the three Western Occupying Powers, namely, the United States, the United Kingdom and France agreed in September, 1950 to proceed with domestic measures required to terminate the state of war with Germany and expressed the hope that other countries will take similar action;

WHEREAS, the aforementioned occupying Powers have 'suggested that the Philippine Government, if it is still at war with Germany and agrees to the desirability of terminating the state of war with that country, might wish to coordinate its timing of such action with those of the three occupying Powers;

WHEREAS, the three occupying Powers, in agreeing to proceed with domestic measures to terminate the state of war between themselves and Germany have assumed that:

(1) Neither the Occupation nor the supreme authority in Germany of the occupying Powers is dependent upon the continuance of a state of war; their status in Germany rests upon the complete defeat of Germany and the assumption of supreme authority rather than upon the rights of belligerents occupying enemy territory in time of war;

(2) Termination of a state of war should not be given a form such that it might be interpreted as a separate peace settlement with Western Germany; termination by domestic action in no way prejudices a peace settlement;

(3) Domestic measures by France, the United States and the United Kingdom terminating a state of war will apply to the whole of Germany and to all German nationals.

WHEREAS, recent developments in world affairs have made it desirable that the state of war with Germany should be terminated in order to integrate the German people into the community of the peace-loving peoples of the world;

NOW, THEREFORE, I, Elpidio Quirino, President of the Philippines, upon the recommendation of the Secretary of Foreign Affairs, have, on this date and in coordination with the action of the Allied Powers, sent a message to

the Congress of the Philippines recommending the approval of a resolution terminating, for domestic purposes, the state of war between the Philippines and Germany as of July 9, 1951, without prejudice to the conclusion hereafter of a formal peace settlement with Germany. In view hereof, all administrative agencies of this government are hereby enjoined to refrain from any action which might impair the projected termination of the war as of this date, pending appropriate action by the Congress of the Philippines.

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 9th day of July, in the year of Our Lord, nineteen hundred and fifty one, and of the Independence of the Republic of the Philippines, the sixth.

ELPIDIO QUIRINO

President of the Philippines

By the President:

MARCIANO ROQUE

Acting Assistant Executive Secretary

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