

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

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Note: The Agreement was concurred in by the Senate, S.R. No. 26, May 21, 1959. The Philippine instrument of ratification was signed by the President, December 18, 1959. The Agreement entered into force, January 21, 1960 upon the exchange of ratification between the parties. It was proclaimed by the President, Proc. No. 654, S. 1960.

Reference; This Agreement is also published in III DFA TS No. 3, p. 10.

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 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 the Vietnamese languages, both tests 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;

For the Republic of Viet-Nam:

FELIXBERTO M. SERRANO

VU VAN MAU

Secretary of Foreign Affairs

Secretary of State for Foreign Affairs

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