BILATERAL

TRADE AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE FEDERAL REPUBLIC OF GERMANY

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Note: The Agreement is pending ratification.

The Government of the Republic of the Philippines and the Government of the Federal Republic of Germany, inspired by their common resolve to strengthen the friendly relations existing between their two countries through the promotion of economic relations, and desirous to enhance and diversify world-wide exchange of goods and services envisioned by international organizations of which both countries are members, have agreed as follows:

ARTICLE I

The Government of the Republic of the Philippines and the Government of the Federal Republic of Germany shall, in accordance with their laws, encourage and facilitate mutual exchange of goods and services in order to bring ¦, it to ihe highest level advantageous to both countries.

ARTICLE II

Both countries shall, in accordance with their constitutional and statutory requirements, and subject to their respective international commitments, abstain from any discriminatory treatment with regard to the exchange between them nf goods, services, and payments therefor.

If the obligations of either party to other countries make it necessary, immediate negotiations shall at the instance of either party, be opened without delay with a view to making such amendments to the present Agreement as may be appropriate under the circumstances.

ARTICLE III

German goods shall be deemed for the purposes of the present Agreement to be such goods as are produced or manufactured in the Federal Republic of Germany or underwent therein their last economically justifiable processing which has substantially changed their character. Philippine goods shall be deemed for the purposes of the present Agreement to be such goods as are produced or manufactured in the Republic of the Philippines or underwent therein their last economically justifiable processing which has substantially changed their character.

Both Governments reserve the right to subject the importation of certain goods to the presentation of a certificate of origin.

ARTICLE IV

The appropriate authorities of both Governments shall provide each other with pertinent information on the mutual exchange of goods, services, capital, and payments.

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ARTICLE V

A mixed government committee shall be created and convened at the request of either Contracting Party as often as circumstances may require. Within the framework of this Agreement, the committee shall study any difficulty that may arise between the Contracting Parties and propose solutions for approval by their respective Governments.

The Governments of the two Parties expect that the expansion of mutual trade will be achieved without serious injury being caused or threatened to their domestic producers. If, nevertheless, there is reasonable evidence that any manufactured goods of either Party are being imported into the territories of the other Party under such conditions as to cause or threaten serious injury to any domestic industry, the Government of the importing Party may adopt adequate measures within its power to prevent or remedy the injury.

ARTICLE VI

The present Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Republic of the Philippines within three months from the date of signature of the present Agreement.

ARTICLE VII

This Agreement shall enter into force one month from the date on which the Government of the Republic of the Philippines shall have informed the Government of the Federal Republic of Germany that the internal legal requirements for such entry into force have been fulfilled. It shall remain in force for a period of one year after coming into effect and shall thereafter be automatically renewed from year to year, unless notice to the contrary is given by either Government six months before the yearly date of expiration. However, this Agreement may be revised, amended or modified with the approval of both Governments as indicated and effected through an "Exchange of Notes1' between the Governments.

IN WITNESS WHEREOF the undersigned duly authorized representatives have signed this Agreement at Manila this 28th day of February, 1964. DONE in four originals, two each in the English and German languages, all four texts being equally authentic.

For the Government of the
Republic of the Philippines:

For the Government of the
Federal Republic of Germany:

LIBRADO D. CAYCO
Acting Secretary of
Foreign Affaires of the
Republic of the Philippines

FRANZ FERRING
Charge d'Affaires a.i.
of the Federal Republic of
Germany

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DR. KURT DANIEL
Minis terialdirigent in the
Federal Ministry of Economic Affairs
and Chairman of the
German Delegation

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