

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT BETWEEN THE REPUBLIC OF THE PHILIPPINES AND JAPAN CONCERNING THE SIMPLIFICATION OF ENTRY AND SOJOURN PROCEDURES

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Note; The Agreement entered into force, July 24, 1958.

Reference; This Agreement is also published in III DFA TS No. 2, p. 26 and 325 UNTS, p. 103.

I

Manila, July 24, 1958

Excellency:

I have the honor to refer to the exchange of views which has taken place between the representatives of the Government of Japan and the Government of the Republic of the Philippines concerning the need for a *modus vivendi* that will govern on a reciprocal basis the entry of nationals of either country into the territory of the other country and their sojourn therein until a more permanent arrangement is concluded between the two Governments, and which has resulted in a mutual understanding between our two Governments, as follows:

1. Subject to the supervision of the Chief of Mission and the numerical limitation, referred to in paragraph 3, the consular officer of either country will be authorized by his government to issue visas under as simplified procedures as possible to persons qualifying under either of the following categories, namely: {a) tourists; {b) temporary visitors for business; (c) persons in transit; (d) representatives of information media; and (e) spouses and unmarried children under twenty-one years of age of any of the above-mentioned persons,
2. The respective governments will also give as favorable consideration as possible to applications for visas of technicians including prearranged employees, students and persons belonging to categories other than those referred to in paragraph 1, on the basis of their individual merit.
3. Visas will be issued under this Agreement so long as the aggregate number of nationals of either country staying in the other country at a given time will not exceed 350; provided that entrants under government agreements (for instance, persons engaged in salvage work of sunken vessels), technicians including prearranged employees, persons in transit, seamen and airmen, representatives of information media, spouses and unmarried children under twenty-one years of age of persons who are permitted to enter the country under paragraphs 1 and 2 are excluded from the numerical limitation referred to above. Nationals of either country who are directly connected with conferences, meetings, games, contests, exhibitions, or shows which are under the auspices of, or supported by, the government of the other country, are also excluded from the numerical limitation, provided that their stay does not exceed 30 days.
4. Visas may not be issued to undesirable persons, as defined in the laws and regulations of the respective country.
5. Entrants of either country, excluding tourists, seamen and airmen, and persons in transit, will be permitted to

stay in the other country at the first instance, whenever possible, for six months. The application for the extension to stay up to one year by nationals of either country will be considered as favorably as possible within the limits prescribed by existing laws and regulations of the other country, provided that the applicants concerned maintain the original status in which they were admitted. The period of stay of prearranged employees in either country shall be determined in accordance with the laws and regulations of that country applicable thereto.

6. Nationals of either country will be accorded, within the territory of the other country, treatment not less favorable than that accorded to nationals of any third country in matters of travel facilities and customs inspection within the limits permitted by the laws and regulations of the other country.

7. All the foregoing stipulations are without prejudice to the application and enforcement of all existing treaties, agreements, laws and regulations of either country governing the entry, sojourn and exit of aliens.

8. Each government shall accord sympathetic consideration to, and shall afford adequate opportunity for consultation regarding, such representations as the other government may make with respect to any matter affecting the application of this agreement.

9. The provisions of paragraphs 3 and 5 of this Agreement shall not apply to the entry into and sojourn in either country of holders of valid diplomatic, official, or special passports, issued by the government of the other country, and the issuance of visas to holders of those passports shall be facilitated as provided for in paragraph 1.

On behalf of the Government of Japan, I have further the honor to propose that this Note and Your Excellency's confirmatory reply thereto, on behalf of the Government of the Republic of the Philippines, shall be regarded as constituting a provisional agreement between our two Governments in this matter which shall become effective as of August 1, 1958.

Accept, Excellency, the assurances of my highest consideration.

MORIO YUKAWA

Ambassador of Japan to the Philippines

His Excellency FELIXBERTO M. SERRANO

Secretary of Foreign Affairs

of the Republic of the Philippines

Manila

II

Manila, July 24, 1958

No. 2345-58

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of July 24, 1958, which reads as follows:

[See Note I]

I have further the honor to inform Your Excellency that the proposals set forth in the above-quoted Note are acceptable to my Government and that my Government agrees that Your Excellency's Note together with this Note shall be regarded as constituting a provisional agreement reached between our two Governments in this matter.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

FELIXBERTO M. SERRANO

Secretary of Foreign Affairs

His Excellency MORIO YUKAWA

Ambassador of Japan to the Philippines

Manila

III

Manila, July 24, 1958

Excellency:

With reference to the Agreement embodied in the exchange of Notes of today's date, I have the honor to state, on behalf of the Government of Japan, that

it is the understanding of my Government that the Agreement shall not apply to those native inhabitants of the islands which are under the administration of the Government of the United States of America in accordance with Article 3 of the Treaty of Peace with Japan signed at San Francisco on September 8, 1951, who have no valid passports issued by the Government of Japan.

It is the hope of my Government that Your Excellency's Government will concur in the above understanding of the Government of Japan.

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

MORIO YUKAWA

Ambassador of Japan to the Philippines

His Excellency FELIXBERTO M. SERRANO

Secretary of Foreign Affairs

of the Republic of the Philippines Manila

IV

Manila, July 24, 1958

No. 2346-58

Excellency:

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date in which Your Excellency has informed me as follows:

[SEE NOTE III]

I have further the honor to inform Your Excellency of the concurrence of my Government in the above understanding of the Government of Japan.

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

FELIXBERTO M. SERRANO

Secretary of Foreign Affairs

His Excellency MORIO YUKAWA
Ambassador of Japan to the Philippines
Manila

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