



中
菲
友
好
條
約

白皮書第九十五號（三十七年一月）

（中華民國三十六年四月十八日簽字
中華民國三十六年十月廿四日互換批准書）
中華民國三十六年十月廿四日生效

中華民國國民政府外交部編印

中華民國菲律賓共和國友好條約

中華民國與菲律賓共和國為加強並永保兩國固有親睦邦交起見決定訂立友好條約為此議定條款如左

第一條

中華民國與菲律賓共和國及兩國人民間應永敦和好歷久不渝

第二條

兩締約國間如發生任何爭議不能依外交途徑或經由調解或仲裁圓滿解決時兩國不得使用武力以求解決應將爭議提交國際法庭作最後裁判

第三條

締約此方有向彼方派遣及自彼方接受外交代表之權此等外交代表在締約彼方領土內應享受通常承認之國際法原則及國際慣例所給予之權利優例及豁免

第四條

締約此方有向彼方派遣及自彼方接受總領事領事副領事及代理領事之權凡經給予執行職務證書之總領事領事副領事及代理領事應許其在締約彼方領土內雙方所同意之地方駐紮此等領事代表應依照通常承認之國際法原則及國際慣例行使其職務並享受所給予職級相同官員之優例及豁免

第五條

締約此方之國民得在與任何第三國國民同樣條件之下依照彼方之法律規章自由出入旅行或居住於彼方領土

第六條

締約此方之國民得在彼方領土內在與任何第三國國民同樣條件之下依照彼方之法律規章享有設立學校教育其子女之自由暨和平集會及結社出版祀典及信仰埋葬及營墓之自由

締約此方之國民得在彼方領土全境內在與任何第三國國民同樣條件之下依照彼方之憲法法律規章享有取得繼承持有租賃估用及以出售遺囑贈與或其他方法處分任何種類之動產或不動產之權利暨經營貿易及其他和平與合法事業之權利

第七條

締約此方之國民在彼方領土內關於其身體財產之保護及安全應與彼方國民享受同樣之待遇

締約此方之國民在彼方領土內關於各項法律手續司法事件之處理及租稅之徵收應享受不低於所給予彼方國民之待遇

第八條

兩締約國同意儘速另訂一通商航海條約

第九條

本約規定不適用於菲律賓共和國現在或將來給予美利堅合眾國或其國民之優例

第十條

兩締約國應各依本國憲法所規定之手續批准本約自互換批准書之日起發生效力批准書應在菲律賓馬尼刺城互換
爲此兩全權代表將本約簽字蓋印以昭信守

本約用中文英文各繕兩份中文本與英文本有同等效力

中華民國三十六年四月十八日即公曆一千九百四十七年

菲律賓獨立第一一年四月十八日訂於菲律賓共和國馬尼刺城

中華民國

陳質平

(簽字)

菲律賓共和國

羅哈斯

(簽字)

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TREATY OF AMITY
BETWEEN
THE REPUBLIC OF CHINA
AND
THE REPUBLIC OF THE PHILIPPINES

The Republic of China and the Republic of the Philippines, animated by the desire to strengthen and perpetuate the friendly relations so happily existing between them, have resolved to conclude a Treaty of Amity and to that end have agreed upon the following articles:

ARTICLE I

There shall be perpetual peace and everlasting amity between the Republic of China and the Republic of the Philippines 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.

ARTICLE III

Each of the High Contracting Parties shall have the right to send to, and receive from, the Other, diplomatic representatives. Such diplomatic representatives shall enjoy in the territories of the Other the rights, privileges, exemptions and immunities accorded under generally recognized principles of 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, shall be permitted to reside in the territories of the Other in such places as may be agreed upon by the High Contracting Parties. Such consular representatives shall exercise their functions

and enjoy the privileges and immunities 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 shall be at liberty to enter or leave, to travel or reside in the territories of the Other upon the same terms as the nationals of any third country in accordance with the laws and regulations of the Other.

ARTICLE VI

The nationals of each of the High Contracting Parties shall be accorded, in the territories of the Other, the liberty to establish schools for the education of their children, and shall enjoy freedom of peaceful assembly and association, of publication, of worship and religion, of burial and building cemeteries, upon the same terms as the nationals of any third country in accordance with the laws and regulations of the Other.

The nationals of each of the High Contracting Parties shall have the right to acquire, inherit, possess, lease, occupy and dispose of by sale, testament, donation or otherwise, any kind of movable or immovable property and to engage in trade and other peaceful and lawful pursuits throughout the whole extent of the territories of the Other upon the same terms as the nationals of any third country in accordance with the constitution, laws and regulations of the Other.

ARTICLE VII

The nationals of each of the High Contracting Parties shall be accorded, in the territories of the Other, the same treatment with respect to the protection and security of their persons and property as is accorded to the nationals of the Other.

The nationals of each of the High Contracting Parties shall receive in the territories of the Other in regard to all legal proceedings and in matters relating to the

administration of justice and the levying of taxes treatment no less favorable than that accorded to the nationals of the Other.

ARTICLE VIII

The High Contracting Parties agree to conclude as soon as practicable a Treaty of Commerce and Navigation.

ARTICLE IX

The stipulations of this Treaty do not extend to advantages which are now accorded or which may hereafter be accorded by the Republic of the Philippines to the United States of America or its nationals.

ARTICLE X

The High Contracting Parties shall ratify this treaty in conformity with their respective constitutional procedures, and it shall enter into force on the day on which the exchange of ratifications takes place. The instruments of ratification shall be exchanged in the City of Manila, Philippines.

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

DONE in duplicate in the Chinese and English languages, both texts being authoritative, in the City of Manila, Republic of the Philippines, this eighteenth day of the fourth month of the thirty-sixth year of the Republic of China, corresponding to the eighteenth day of April in the year one thousand nine hundred and forty-seven, Anno Domini, and of the Independence of the Philippines the first.

For the Republic of China:

(Signed) CHEN Chih-ping

For the Republic of the Philippines:

(Signed) Manual ROXAS

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