

yarihan ng kabilang Panig bilang katumbas ng mga kati-bayang ginawa ng huli.

ARTIKULO VII

Ang mga tadhana ng kasunduang ito ay hindi pakakahuluganang humahadlang sa alin mang Panig na magpatibay at magpatral ng mga hakbanging kaugney ng:

- (a) katiwasayang pangmadla o tanggulang bansa o pagpapantili ng kopayapaan at katiwasayang pansabansan;
- (b) mga pananagap na pisyunable o mga pananagap na pinagkukunan ng mga ito;
- (k) pamilihang-bawal ng mga sandata, punglo at kagamitang pandigma at pamilihang-bawal ng mga ibang kalakel at pananagap na ginagawang tuwiran o di-tuwiran upang maghustos sa isang balayang na panghubo;
- (d) pagsasagulang sa pangmadlang kasamlingan, at ng buhay o kalusugan ng tao, hayop o halaman; at
- (e) kalakelan sa ginto o pilak.

ARTIKULO VIII

1. Ang bawat Panig ay magkakaloob ng maunawang pagpapalagay at magbibigay ng sapat na pagkakaon sa pagsasagunian hinggil sa kung ano ang mga pangangatwang maaaring gawin ng kabilang Panig tungod sa ano mang bagay na may kinalaman sa pagpapatal ng kasunduang ito.

2. Ang ano mang hidwaan ng mga Panig sa pakahulugan o pagpapatupad ng Kasunduang ito, na hindi maisasoy nang buong kasiyahan sa pamamagitan ng diplomasya, ay idinulog sa Hukumanang Pansabansaan ng Katungkulan, maliban kung ang mga Panig ay makasandong mag-ayos sa pamamagitan ng ibang pagsapang pamamaraan.

ARTIKULO IX

1. Ang Kasunduang ito ay pagtitibay/in, at ang mga kasulatan ng pagpapatibay ay pagpapalitnan sa Maynila sa loob ng tatlong madaling panahon.
2. Ang Kasunduang ito ay magstimulang magkabisal ang buwan pagkaraan ng araw ng pagpapalitan ng mga kasulatan ng pagpapatibay. Mananatiling umiiral ang Kasunduan nang tatlong taon at magpapalicy na umiiral pagkaraan ng panahong yaon hanggang vakasan ayon sa tinatahanang saknong 3 ng Artikulong ito.
3. Ang alin mang Panig, sa pamamagitan ng punnawang pasulat na may taling na anim na buwan sa kabilang Panig, ay maaaring magbigay-vakas sa Kasunduang ito sa katapusan ng unang tatlong taong buhay o sa alin mang panahon pagkaraan ng naturang tagal.

ARTIKULO X

Ang Kasunduang ito ay isinawikang Hapon, Pilipino at Ingles. Sekaling magkaroon ng pag-iiba ng pakahulugan, ang nasa Ingles ang siyang masusunod.

BILANG SAKSI NITO, ang mga lumakatawang lakanugay ay nagsilagda sa Kasundhang Ito at nagkapit ng kanilang mga tatak.

CINAWANG duplikado sa Tokyo, ngayong ikasiyam na araw ng ikalabindalawang buwan sa ikatatlumpit't limang taon ng Shova, katumbas ng ikasiyama na araw ng buwan ng Disyembre sa ikalabinihimang taon ng Kalayaan ng Republika ng Pilipinas at sa ikasiyam na araw ng Disyembre ng taon sanlibo siyamanaran at animapu.

SA HAPON:







SA REPUBLIKA NG PILIPINAS:



Parti de la France
Monsieur
Gandry / Paris.
Charles de Gaulle
Commissaire au Paving

H U G P O N G

Sa paglalagdaan sa Kasunduan sa Pag-unawaan, Pangangalakal at Pandaragatan ng Hapon at ng Republika ng Pilipinas (na sa banggit dito'y ang "Kasunduan") ang mga lakasngong nakalagda sa Ibabae, taglay ang kapangyarihang pakatawan ng kani-kanilang Pamahalaan, ay nagkasundo pa sa mga sumusunod na tadhana, na ibibiglaang na bahaglang kabuo ng Kasunduan:

1. Pinagkakamnavang ang lahat ng bagay na may kinalaman sa pahirat na magkamit ng panatilihang panintirahan ay labas sa Kasunduang ito.

2. Tungod sa Artikulo I, ang unawaan ay hindi maaaring maghabol ng kapakinabangan ang alin mang Panig sa mga kabilangang may kasugayan sa mga bagay-bagay na nahahinggil sa mga tulot-lakbay at tulot-pasok na nalipagkaloob na o lipagkaloob pa ng kabilang Panig sa mga teong-bansa ng alin mang pangatlong bansa sa bisa ng mga tangting kasunduang salig sa magkatugong pagbibigay.

3. Ayon sa pagkakagamit sa Kasunduan, ang talakay na "mga samahan" ay nangangahulugang mga korporasyon, bakasan, samahan at mga ibang kapisanang pangkalakal na ang hangad ay magtubo.

4. Bagay sa mga tadhana ng Artikulo II, saknong 1, na may kinalaman sa pagkagawad ng pakikitungong di-kulang sa pakikitungong ipinagkaloob sa alin mang pangatlong bansa, ang alin mang Panig ay maaaring magtakang ang naturang

pakiitungo ay isasalig sa makatugong pagbibigay ng tungod sa pagtatamasa ng mga karapatan sa ari-arian ng di-nati- nag at sa karapatang gumampan ng propesyon.

5. Walang ano mang tadana sa kasunduan ang maaaring pakahuluganang naggagawad o nagpapataw ng ano mang sagutin tungod sa karapatan sa sipi (copyright) at sa karapatan sa ari-arian ng industriyal.

6. Pinatutunayang ang mga ari-arian ng mga taong-bansa at samahan ng alin mang Panig, gayon din ang mga ari-arian ng pinagtataglayan ng tuwiran o di-tuwirang kapakanan ng mga naturang taong-bansa at samahan, ay hindi sasamsamin sa loob ng mga lupatng-sakop ng kabilang Panig maliban kung ukol sa isang leyunang pangmatala, at hindi rin maaaring samsamin ang nasabing ari-arian nang makatarungang gantibayad.

7. Maliban kung tungod sa paglapit sa mga hukumanang pangkatarungan at mga dilugang pampangasiwaan, ang mga tadana ng kasunduan ay hindi maaaring pakahuluganang nagdipti- pil sa alin mang Panig na magkati ng mga kaniitan ng kasun- duan sa alin mang samahan ng kabilang Panig na pinagtataglayan ng nakapanagdyaring kapakanang tuwiran o di-tuwiran sa pang- ngari o pamamatuagot ng mga taong-bansa ng alin mang pangatlong bansa o mga bansa.

8. Ang mga tadana ng Artikulo III, seksong 3, ay hindi humahadlang sa alin mang Panig na magkatala ng mga pagdipti- pil o pagbabawal na batay sa mga kinaugaliang samhi na may uring di-pangkatalakal o sa kapakanan ng pagharang sa mga mapanlin-

lang o mapagmamantalanang pamamaraan, sa pambaling ang mga naturang pagpipigil o pagbabawal ay hindi sa gayang nagtanggap laban sa pangangalakal ng kabilang Panig.

9. Ang mga Pamahalaan ng dalawang Panig ay umassang ang pagpapalawak ng pagkakalakalan ay magagampanang walang idadulot o ipagbabantang malubhang kapinsalaan sa mga produktor ng sariling bansa. Gayon man, kung may sapat na kinuwayan na ang ano mang niyaring-bagay ng alin mang Panig ay inaangkat na patungo sa mga lupatng-sakop ng kabilang Panig sa ilalim ng mga kalsagyang nagdadulot o nagbebanta ng malubhang kapinsalaan sa mga katutuhong produktor ng kanilad o tabasang kagaw na niyaring-bagay, ang Pamahalaan ng Panig na nagluwas, sa hiling ng Pamahalaan ng Panig na umaangkat, ay magdaros ng pakikipagsanggunian, at, sa loob ng gayong sanggunian, ang Pamahalaan ng Panig na nagluwas ay magtatukda ng mga sapat na pantunas na makakayang gayon upang mapigilan o malunasan ang kapinsalaan.

10. (1) Walang ano mang tadhana sa kasunduan ang maaaring pakahuluganang nagbibigay-karapatan sa Hapon na mag-angkin ng kapakinabangan sa mga karapatan at bigay-tanging pasaringling ipinagkakaloob o ipagkakaloob pa ng Republika ng Pilipinas sa:

(a) mga taong-bansa at samahan ng Estados Unidos ng Amerika tungod sa kanilang pamamahala, sa loob ng mga lupatng-sakop ng Republika ng Pilipinas, ng mga gawing pangnegosyo gaya ng pagpapalakad ng mga utildad publiko at ng pagtatataga, explo-

tasyon, pagpapaligid at pagpapagamit ng mga likas na kakanang-yaman, o

(b) mga produkto ng Estados Unidos ng Amerika tungod sa mga buhay sa adwana at mga pabayarad, sa bisa ng Kasunduan ng Republika ng Pilipinas at ng Estados Unidos Hinggil sa Kalakalan at mga Kawagay na Bagay, na nilagdaan sa Maynila noong Hulyo 4, 1946, at binago sa Washington noong Setyembre 6, 1955, o ng ano mang ibang sang-ayunan, kasunduan, o kombensiyong idinaos ng nasebing dalawang bansa.

(2) Walang tadhana sa kasunduang ito ang maaari ring pakahuluganang nagbibigay-karapatan sa Republika ng Pilipinas na mag-angkin ng mga kapakinabangan sa mga karapatan at mga bigay-tanging pasariling ipinagkakaloob o ipagkakaloob pa sa:

(a) mga taong nagmula sa mga lupang pinagtalikdan ng Hapon ng lahat ng karapatan, titulo at pag-angkin ayon sa mga tadhana ng Artikulo 2 ng Kasunduan ng San Francisco noong Setyembre 8, 1951; o (b) mga ketutubong naniinahan at mga sasailang-dagat ng, at pakikipagkalakalan sa, alin mang pook na nakatala sa Artikulo 3 ng naturang Kasunduan sa pakikipagmayapa, hangga't ang kalagayang nakatala sa ikalawang pangunang natunang Artikulo ay patuloy tungod sa pangangasiwa, pamabatas at pagka-nakasasakop sa bayong pook.

BILANG SAKSI NITO, ang mga kumakatawang Lakanugo ay nagilagda sa huling ng kasunduang ito at nagsilapagkapit

ng Kanilang mga tatak.

GIYAWANG aplikado sa mga wikang Hapon, Pilipino at Ingles, sa Tokyo, ngayong ikasiyam na araw ng ikalabindalawang buwan sa ikatatlumpu't limang taon ng Showa, katumbas ng ikasiyam na araw ng buwan ng Disyembre sa ikalabinihang taon ng Kalayaan ng Republika ng Pilipinas at sa ikasiyam na araw ng Disyembre ng taon sanlibo siyamnaraan at animnapu. Sakaling magkaroon ng pag-iiba ng pakahulugan, ang nasa Ingles ang siyang masunod.

SA HAPON:



SA REPUBLIKA NG PILIPINAS



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The original
of the same
is being
sent to you
under separate
cover
James M. Davis

フィリピンとの友好通商航海条約

(訳文)

合意された議事録

日本国及びフィリピン共和国の全権委員は、本日署名された日本国とフィリピン共和国との間の友好通商航海条約（以下「条約」という。）の交渉において到達した次の了解を記録する。

- 1 いずれの一方の締約国の国民及び会社も、条約の第二条1の規定に基づき、会社の組織並びに支店、代理店その他の事務所の設置及び維持に関して、第三国の国民及び会社と与えられる待遇よりも不利でない待遇を享受する権利を有することが確認される。
- 2 条約の第三条1の規定は、いずれか一方の締約国が、すべての外国人及び外国会社に同様に適用される関係法令を採用し、及び施行することを妨げるものではないと了解される。

- 3 第三条3の規定に関しては、同規定に基づいて課することができ、輸入の制限又は禁止は、国内の生産者を保護するため、原産国と関係なく製品そのものに対して課する制限又は禁止を含むことが確認される。

- 4 条約の第五条の規定に関し、各締約国の権限のある当局は、いかなる資本又は技術の自国の領域内への導入が、自立を基礎

社会の組織、
支店の設置、
維持

外国の会社
及び外国人
に対する法

輸入制限
・禁止

資本の導入
・技術

Agreed Minutes

The Plenipotentiaries of Japan and of the Republic of the Philippines wish to record the following understanding which they have reached during the negotiations for the Treaty of Amity, Commerce and Navigation between Japan and the Republic of the Philippines (hereinafter referred to as "the Treaty") signed today:

1. It is confirmed that nationals and companies of either Party are entitled, under Article II, paragraph 1, of the Treaty, to treatment no less favorable than that accorded to nationals and companies of any third country with respect to the organization of companies and the establishment and maintenance of branches, agencies and other offices.

2. It is understood that the provisions of Article III, paragraph 1, of the Treaty do not preclude either Party from adopting and enforcing relevant laws and regulations which shall be applicable to all foreign nationals and companies alike.

3. With reference to Article III, paragraph 3, it is confirmed that import restrictions or prohibitions that may be applied thereunder include those applied, for the purpose of protecting domestic producers, to any manufactured goods as such, without reference to source.

4. With reference to Article V of the Treaty, it is understood that the competent authorities of each Party

とした自國經濟の健全なかつ均衡のとれた發展をもたらすことに役だつかどうかを無差別の原則に従つて決定するものと了解される。

5 条約において「商船」とは、漁船、娛樂用ヨット及び運動競技用舟艇を含まないことが確認される。
千九百六十年十二月九日に東京で

日本國のために

湯川 盛夫

フィリピン共和國のために

J. B. ラウレン

shall, in accordance with the principle of non-discrimination, determine whether or not the introduction of any capital of technology into its territories will contribute to the sound and balanced development of its national economy on a self-sustaining basis.
5. It is confirmed that the term "merchant vessels" as used in the Treaty does not include fishing boats, pleasure yachts and sporting boats.

FOR JAPAN:

FOR THE REPUBLIC OF
THE PHILIPPINES:

M. Yutawa

J. B. Laurel

Tokyo, December 9, 1960

フィリピンとの友好通商航海条約

(第一条に関する交換公文)

(日本側書簡)

(訳文)

書簡をもつて啓上いたします。本使は、日本国とフィリピン共和国との間の友好通商航海条約に署名するに当たつて、同条約第一条の規定に言及する光榮を有します。同規定によれば、いずれの一方の締約国の國民も、他方の締約国の領域への入国並びに同領域内における滞在、旅行及び居住に関するすべての事項について、いかなる第三国の國民に与えられる待遇よりも不利でない待遇を与えられることとなつております。

前記の待遇を具体的に定めることが實際上不可能であるので、本使は、前記の規定の適用に関し、いずれの一方の締約国の國民も他方の締約国の領域への入国及び同領域内における滞在に関してはこの書簡の附屬書に掲げる待遇を享受する權利を有するといふ本国政府の了解を閣下に通報いたします。いずれか一方の締約国の関係法令になんらかの改正が行なわれた場合には、両政府は必要あるときは、この書簡の附屬書に適當な修正を加えるものとします。

二〇

(Japanese Note)

Tokyo, December 9, 1960

Excellency:

On the occasion of signing the Treaty of Amity, Commerce and Navigation between Japan and the Republic of the Philippines, I have the honor to refer to the provisions of Article I of the Treaty, under which nationals of either Party are to be accorded treatment no less favorable than that accorded to nationals of any third country with respect to all matters relating to their entry into, sojourn, travel and residence within, the territories of the other Party.

It being practically impossible to set forth the above-mentioned treatment in concrete terms, I wish to inform Your Excellency of the understanding of my Government with respect to the application of the said provisions that nationals of either Party will be entitled to the treatment set forth in the annex to this Note, with respect to their entry into and sojourn within the territories of the other Party. In the event that applicable laws and regulations of either Party are revised in any manner, the two Governments will make appropriate amendments, if necessary, to the Annex to this Note.

日本側書簡

入国、滞在に関する待遇

本使は、さらに、閣下が前記の了解を貴国政府に代わつて確認されることを要請する光榮を有します。

本使は、以上を申し進めるに際し、ここに閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国駐在

日本国大使

湯川盛夫

フィリピン共和国全権委員団長 J・B・ラウレル・ジュニア閣下

I have further the honor to request Your Excellency to be good enough to confirm the foregoing understanding on behalf of Your Government.

Accept, Excellency, the assurances of my highest consideration.

(Signed) M. YUKAWA
Ambassador of Japan
to the Republic of the Philippines

His Excellency
Mr. J. B. Laurel, Jr.,
Chairman, Philippine Panel

附
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附 属 書

A いずれか一方の締約国の商用目的の一時入国者は、可能なときはいつでも、次に掲げる期間他方の締約国の領域内に在留することを認められる。

(1) 最初の期間として、入国の日から六箇月

(2) 追加の期間として、六箇月。ただし、この追加の期間の申請者がその最初の期間における在留資格を維持する場合に限る。

B いずれか一方の締約国の国民であつて、もつぱら、(a)主として両締約国の領域の間における貿易を営むこと、又は(b)当該国民が相当な額の資本を投下した企業若しくは当該国民が現に相当な額の資本を投下する過程にある企業を發展させ、若しくはその企業の運営を指揮するため他方の締約国の領域に入る者並びにその者の配偶者及び成年に達しない未婚の子は、当該他方の締約国の領域内に最初の三年の期間在留することを認められる。この最初の期間をこえる在留のための申請に対しては、できる限り好意的な考慮が払われるものとする。

Annex

A. Temporary visitors of either Party entering for business purpose shall be allowed, whenever possible, the following periods of stay within the territories of the other Party:

(1) An initial period of six months from the date of entry;

(2) An additional period of six months, so long as the applicant for such additional period maintains the status under which he stayed during the first period.

B. Nationals of either Party entering the territories of the other Party (a) solely to carry on trade principally between the territories of the two Parties or (b) solely to develop and direct the operations of an enterprise in which they have invested, or in which they are actively in the process of investing, a substantial amount of capital, and their spouses and their unmarried children who have not attained their majority, shall be allowed an initial three-year period of stay within the territories of the other Party, applications for stay beyond such initial period being given as favorable a consideration as possible.

フィリピン側書簡

(訳文)

(フィリピン側書簡)

書簡をもつて啓上いたします。本全権委員は、本日付けの閣下の次の書簡を受領したことを確認する光栄を有します。

(日本側書簡)

前記の書簡の附属書は、この書簡に添付されております。

本全権委員は、さらに、閣下の書簡に述べられた了解をフィリピン共和国政府に代わつて確認する光栄を有します。

本全権委員は、以上を申し進めるに際し、ここに閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国全権委員団長

J. B. ラウレル・ジュニア

フィリピン共和国駐在

日本國特命全權大使

湯川盛夫閣下

フィリピンとの友好通商航海条約

(Philippine Note)

Tokyo, December 9, 1960

Excellency:

I have the honor to acknowledge receipt of Your Excellency's Note of today's date which read as follows:

"(Japanese Note)"

The Annex to the Note reproduced above is hereto attached.

I have further the honor to confirm the understanding stated in Your Excellency's Note on behalf of the Government of the Republic of the Philippines.

Accept, Excellency, the assurances of my highest consideration.

(Signed) J. B. Laurel, Jr.

Chairman
Philippine Panel

His Excellency
Mr. Morio Yukawa,
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of the Philippines

フィリピンとの友好通商航海条約

(現行貿易協定の終了に関する交換公文)

(日本側書簡)

(訳文)

日本側書簡
現行貿易協定の終了

書簡をもつて啓上いたします。本使は、日本国とフィリピン共和国との間の友好通商航海条約に署名するに当たつて、千九百五十八年一月七日付けの交換公文に盛られた貿易関係に関する両政府間の協定を同協定の4の規定にかかわらず前記の条約の効力発生の日に終了させることを提案する光榮を有します。

本使は、さらに、閣下が前記の提案を貴国政府に代わつて受諾されることを要請する光榮を有します。

本使は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国駐在

日本国大使 湯川盛夫

フィリピン共和国全権委員団長

J・B・ラウレル・ジュニア閣下

六二四

(Japanese Note)

Tokyo, December 9, 1960

Excellency:

On the occasion of signing the Treaty of Amity, Commerce and Navigation between Japan and the Republic of the Philippines, I have the honor to propose that the Agreement between our two Governments concerning trade relations, which is embodied in an Exchange of Notes dated January 7, 1958, be terminated on the date of the entry into force of the said Treaty, notwithstanding the provisions of paragraph 4 of the said Agreement.

I have further the honor to request Your Excellency to be good enough to accept the foregoing proposal on behalf of Your Government.

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

(Signed) M. Yukawa

Ambassador of Japan
to the Republic of the Philippines

His Excellency
Mr. J. B. Laurel, Jr.,
Chairman, Philippine Panel

訳文

(フィリピン側書簡)

書簡をもつて啓上いたします。本全権委員は、本日付けの閣下の次の書簡を受領したことを確認する光榮を有します。

(日本側書簡)

本全権委員は、さらに、閣下の書簡に述べられた提案をフィリピン共和国政府に代わつて受諾する光榮を有します。

本全権委員は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国全権委員団長

J・B・ラウレル・ジュニア

フィリピン共和国駐在

日本国特命全権大使 湯川盛夫閣下

フィリピンとの友好通商航海条約

(Philippine Note)

Tokyo, December 9, 1960

Excellency:

I have the honor to acknowledge receipt of Your Excellency's Note of today's date which reads as follows:

"(Japanese Note)"

I have further the honor to accept the proposal stated in Your Excellency's Note on behalf of the Government of the Republic of the Philippines.

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

(Signed) J. B. Laurel, Jr.

Chairman
Philippine Panel

His Excellency
Mr. Morio Yukawa,
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of the Philippines

フィリピンとの友好通商航海条約

(現行の入国・滞在手続の簡易化に関する暫定取極の終了に関する交換公文)

(日本側書簡)

訳文

日本側書簡
書簡をもつて啓上いたします。本使は、日本国とフィリピン共和国との間の友好通商航海条約に署名するに当たつて、千九百五十八年七月二十四日付けの交換公文に盛られたいずれか一方の国の国民の他方の国の領域への入国及び同領域内における滞在に関する両政府間の暫定取極を前記の条約の効力発生の日に終了させることを提案する光榮を有します。

本使は、さらに、閣下が前記の提案を貴国政府に代わつて受諾されることを要請する光榮を有します。

本使は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国駐在

日本国大使 湯川盛夫

フィリピン共和国全権委員団長

J・B・ラウレル・ジュニア閣下

六二六

(Japanese Note)

Tokyo, December 9, 1960

Excellency:

On the occasion of signing the Treaty of Amity, Commerce and Navigation between Japan and the Republic of the Philippines, I have the honor to propose that the Provisional Agreement between our two Governments concerning the entry of nationals of either country into the territory of the other and their sojourn therein, which is embodied in an Exchange of Notes dated July 24, 1958, be terminated on the date of the entry into force of the said Treaty.

I have further the honor to request Your Excellency to be good enough to accept the foregoing proposal on behalf of Your Government.

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

(Signed) M. Yukawa

Ambassador of Japan
to the Republic of the Philippines

His Excellency
Mr. J. B. Laurel, Jr.,
Chairman, Philippine Panel

(訳文)

(フィリピン側書簡)

書簡をもつて啓上いたします。本全権委員は、本日付けの閣下の次の書簡を受領したことを確認する光榮を有します。

(日本側書簡)

本全権委員は、さらに、閣下の書簡に述べられた提案をフィリピン共和国政府に代わつて受諾する光榮を有します。

本全権委員は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国全権委員団長

J・B・ラウレル・ジュニア

フィリピン共和国駐在

日本国特命全権大使 湯川盛夫閣下

フィリピンとの友好通商航海条約

(Philippine Note)

Tokyo, December 9, 1960

Excellency:

I have the honor to acknowledge receipt of Your Excellency's Note of today's date which reads as follows:

"(Japanese Note)"

I have further the honor to accept the proposal stated in Your Excellency's Note on behalf of the Government of the Republic of the Philippines.

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

(Signed) J. B. Laurel, Jr.

Chairman
Philippine Panel

His Excellency

Mr. Morio Yukawa,
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of the Philippines

フィリピンとの友好通商航海条約

六二八

(訳文)

日本国とフィリピン共和国との間の貿易に関する合意なら
た議事録

日本国政府(以下「日本国政府」という。)及びフィリピン共
和国政府(以下「フィリピン政府」という。)の代表者の間に
ける両国間の友好通商航海条約(以下「条約」という。)の署名
に至る交渉において、日本国政府及びフィリピン政府は、条約の
実施に関連して、それぞれの憲法上の権能の範囲内で実施される
べき次の了解に到達した。

1 両政府は、近年、通常の市場経路を通じ、かつ、商業的条件
で、日本国とフィリピン共和国との間に高水準の貿易が行なわ
れていることを了知する。両政府は、将来においてもこのよう
な高水準の貿易が維持され、かつ、さらに拡大されることを期
待する。

2 条約第三条4及び議定書10(2)の規定を留保して、

(1) 日本国政府は、フィリピン共和国に対し、糖みつ、含みつ
糖、分みつ糖、葉たばこ、葉巻、バナナ及びパイナップルの
外国為替制当総額について競争する機会を与えるものとする。

Agreed Minutes concerning the trade between Japan and the Republic of the Philippines

During the negotiations between the representatives
of the Government of Japan (hereinafter referred to as
"the Japanese Government") and the Government of the
Republic of the Philippines (hereinafter referred to
as "the Philippine Government") leading to the signing
of the Treaty of Amity, Commerce and Navigation between
the two countries (hereinafter referred to as "the
Treaty"), the Japanese Government and the Philippine
Government have reached, in connection with the implemen-
tation of the Treaty, the following understanding which

will be carried out within their constitutional authority:

1. Both Governments take note of the high level of trade
between Japan and the Republic of the Philippines in recent
years through normal market channels and on commercial
terms. It is the expectation of both Governments that such
level of trade will not only be maintained but also ex-
panded in the future.

2. Subject to the provisions of Article III, paragraph
4, of the Treaty and of Protocol 10, (2):

(1) The Japanese Government undertakes to accord
to the Republic of the Philippines the opportu-
nity of competing for the total foreign
exchange allocation for molasses, muscovado
sugar, centrifugal sugar, leaf tobacco, cigars,

貿易の
持、拡
大

特定産
品の
取扱い

(2) 日本国政府は、日本国の全般的な貿易及び外国為替に関する政策に従うことを条件として、フィリピン共和国が日本国への輸出につき相当な関心を有する産品を自動承認製品目表に選定しておくものとする。

3 両政府は、第一次産品輸出国が直面する国際商品貿易の障害及び不安定性並びにこれらの困難が前記の国の経済的安定に及ぼす影響を考慮して、第一次産品の国際貿易に一層大きな安定性及び予見可能性を生み出すための方法を見出す緊急の必要があることに同意する。したがって、両政府は、いずれか一方の国に直接利害関係のある第一次産品の国際貿易の状況を改善することを目的とする国際的な措置に対し、好意的考慮を払うものとする。

千九百六十年十二月九日に東京で

日本国のために

湯川盛夫

フィリピン共和国のために

J. B. ラウレル・ジュニア

フィリピンとの友好通商航海条約

bananas and pineapples.

(2) The Japanese Government undertakes, subject to Japan's overall trade and foreign exchange policy, to retain on the Automatic Approval List any products in the exportation to Japan of which the Republic of the Philippines has a substantial interest.

3. In considering the obstacles and uncertainties in international commodity trade which confront primary exporting countries and the effects of these difficulties upon their economic stability, both Governments agree that there is an urgent need to find means of producing a greater degree of stability and predictability in international trade in primary products. Both Governments will, therefore, give sympathetic consideration to international action designed to improve the conditions of international trade in primary products of direct interest to either country.

FOR JAPAN:

FOR THE REPUBLIC OF
THE PHILIPPINES:

M. Yukawa

J. B. Laurel, Jr.

Tokyo, December 9, 1960

フィリピンとの友好通商航海条約

(民間航空運送協定並びに二重課税の回避及び脱税の防止のための条約の締結の交渉開始に関する交換公文)

(フィリピン側書簡)

(訳文)

書簡をもつて啓上いたします。本全権委員は、フィリピン共和国と日本国との間の友好通商航海条約に署名するに当たつて、両政府が、フィリピン共和国と日本国との間の友好通商航海条約の署名後の最も早い実行可能な日に、本国政府の提案による民間航空運送協定の締結並びに貴国政府の提案による所得に対する租税に関する二重課税の回避及び脱税の防止のための条約の締結のための交渉を開始することを合意したというフィリピン共和国政府の了解を閣下に通報する光栄を有します。

二協定の
交渉開始

フィリピン側書簡

本全権委員は、さらに、閣下が前記の了解を貴国政府に代わつて確認されることを要請する光栄を有します。

本全権委員は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

六三〇

(Philippine Note)

Tokyo, December 9, 1960

Excellency:

On the occasion of signing the Treaty of Amity, Commerce and Navigation between the Republic of the Philippines and Japan, I have the honor to inform Your Excellency of the understanding of the Government of the Republic of the Philippines that our two Governments have agreed to enter into negotiations for the conclusion of a Civil Air Transport Agreement which has been proposed by my Government and a Convention for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income which has been proposed by Your Government, at the earliest practicable date after the signing of the Treaty of Amity, Commerce and Navigation between the Republic of the Philippines and Japan.

I have further the honor to request Your Excellency to be good enough to confirm the foregoing understanding on behalf of Your Government.

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

フィリピン共和国全権委員団長

J・B・ラウレル・ジュニア

フィリピン共和国駐在

日本国特命全権大使

湯川盛夫閣下

フィリピンとの友好通商航海条約

(Signed) J. B. Laurel, Jr.

Chairman

Philippine Panel

His Excellency
Mr. Norio Yukawa,
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of the Philippines

フィリピンとの友好通商航海条約

六三二

(日本側書簡)

(訳文)

書簡をもつて啓上いたします。本使は、本日付けの閣下の次の書簡を受領したことを確認する光栄を有します。

(フィリピン側書簡)

本使は、さらに、閣下の書簡に述べられた了解を本国政府に代わつて確認する光栄を有します。

本使は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国駐在
日本国大使 湯川盛夫

フィリピン共和国全権委員団長 J. B. ラウレル・ジュニア閣下

(Japanese Note)

Tokyo, December 9, 1960

Excellency:

I have the honor to acknowledge receipt of Your Excellency's Note of today's date which reads as follows:

"(Philippine Note)"

I have further the honor to confirm the understanding stated in Your Excellency's Note on behalf of my Government.

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

(Signed) M. Yukawa
Ambassador of Japan
to the Republic of the Philippines

His Excellency
Mr. J. B. Laurel, Jr.,
Chairman, Philippine Panel

(日本船舶の船員名簿の査証手続免除に関する交換公文)

(日本側書簡)

(訳文)

書簡をもつて啓上いたします。本使は、日本国とフィリピン共和国との友好通商航海条約に署名するに当たつて、日本船舶の船員が船員名簿の領事査証なしではフィリピンの港に上陸することを許可されていない事実について、閣下の注意を喚起する光榮を有します。

この点に関し、本使は、日本国の港に寄港するフィリピンの船舶の船員がなんらの査証手続なしで上陸許可書を与えられてゐることを閣下に通報するとともに、本国政府の訓令に基づき、フィリピン共和国政府が同国の港に寄港する日本船舶の船員の上陸に関する査証手続を免除することに同意することができるかどうかに ついて照会いたしたいと思ひます。

本使は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピンとの友好通商航海条約

(Japanese Note)

Tokyo, December 9, 1960

Excellency:

On the occasion of signing the Treaty of Amity, Commerce and Navigation between Japan and the Republic of the Philippines, I have the honor to invite Your Excellency's attention to the fact that crewmen of Japanese vessels are not permitted to land at Philippine ports without a consular visa being affixed on the crew-list.

I wish to inform Your Excellency in this regard that crewmen of Philippine vessels calling at Japanese ports are granted shore passes without any visa requirements, and also to inquire, under instructions from my Government, if it is agreeable to the Government of the Republic of the Philippines to waive visa requirements with respect to the landing of crewmen of Japanese vessels calling at Philippine ports.

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

フィリピンとの友好通商航海条約

フィリピン共和国駐在

日本国大使

湯川盛夫

フィリピン共和国全権委員団長

J. B. Laurel, Jr.

閣下

六三四

(Signed) M. Yukawa

Ambassador of Japan

to the Republic of the Philippines

His Excellency

Mr. J. B. Laurel, Jr.,

Chairman, Philippine Panel

(訳文)

(フィリピン側書簡)

書簡をもつて啓上いたします。本全権委員は、日本船舶の船員の上陸に関する査証手続に関する千九百六十年十二月九日付けの閣下の書簡を受領したことを確認する光榮を有します。

本全権委員は、回答として、フィリピン共和国政府が、フィリピンの港に寄港する日本船舶の船員の上陸に関する査証手続を免除する意思を有し、この免除をできる限りすみやかに実施するため必要な措置を執ることを閣下に通報いたしたと思ひます。

本全権委員は、以上を申し進めるに際し、ここに重ねて閣下に向かつて敬意を表します。

千九百六十年十二月九日に東京で

フィリピン共和国全権委員団長

J. B. ラウレル・ジュニア

フィリピン共和国駐在
日本国特命全権大使 湯川盛夫閣下

フィリピンとの友好通商航海条約

(Philippine Note)

Tokyo, December 9, 1960

Excellency:

I have the honor to acknowledge receipt of Your Excellency's Note dated December 9, 1960, concerning visa requirements with respect to the landing of crewmen of Japanese vessels.

In reply, I wish to inform Your Excellency that the Government of the Republic of the Philippines is willing to waive visa requirements with respect to the landing of crewmen of Japanese vessels calling at Philippine ports, and will take necessary steps to give effect to such waiver as soon as possible.

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

(Signed) J. B. Laurel, Jr.

Chairman

Philippine Panel

His Excellency
Mr. Morio Yukawa,
Ambassador Extraordinary
and Plenipotentiary of Japan
to the Republic of the Philippines

(参 考)

この条約は、日本国とフィリピン共和国との間に出入国、事業及び職業活動、関税、海運等に関する待遇について定めたものである。