

MALACANAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

Proclamation No. 28 ✓

MAKING PUBLIC THE DECLARATION ON THE PART OF THE REPUBLIC OF THE PHILIPPINES RECOGNIZING AS COMPULSORY IPSO FACTO THE JURISDICTION OF THE INTERNATIONAL COURT OF JUSTICE IN ALL DISPUTES MENTIONED IN PARAGRAPH 2, ARTICLE 36 OF THE STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

WHEREAS, the Government of the Republic of the Philippines, as a signatory to the Charter of the United Nations Organization, has also subscribed to the Statute of the International Court of Justice;

WHEREAS, Article 36 of the Statute provides as follows:

"1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

"2. The states parties to the present Statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

"a. the interpretation of a treaty;

"b. any question of international law;

"c. the existence of any fact which, if established, would constitute a breach of an international obligation;

"d. the nature or extent of the reparation to be made for the breach of an international obligation.

"3. The declarations referred to above may be made unconditional or on condition of reciprocity on the part of several or certain states, or for a certain time.

"4. Such declaration shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

"5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

"6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court."

WHEREAS, the President of the Philippines, having seen and considered the aforesaid provision of the International Court of Justice, proposed to make a declaration on behalf of the Republic of the Philippines in accordance therewith;

WHEREAS, the Senate of the Republic of the Philippines by its Resolution No. 33 of May 22, 1947, did concur in the above proposal of the President of the Philippines;

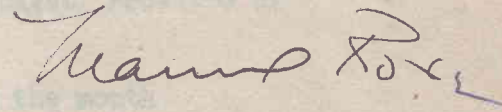
WHEREAS, the President of the Philippines, having secured the concurrence of the Senate of the Philippines in accordance with constitutional procedure, made a declaration that the Republic of the Philippines recognizes as compulsory ipso facto, and without special agreement in relation to any other state accepting the same obligation, and on condition of reciprocity, the jurisdiction of the International Court of Justice in all disputes mentioned in paragraph 2, Article 36 of the Statute, for a period of ten years from July fourth, nineteen hundred and forty-six, and thereafter to continue until notification of abrogation is made by the Philippine Government;

NOW, THEREFORE, be it known that I, MANUEL ROXAS, President of the Philippines, do hereby proclaim and make public

the declaration of the President of the Philippines to the end that the same and every clause thereof may be observed and fulfilled with good faith by the Republic of the Philippines and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done at the City of Manila, Philippines, this 12th day of July, in the year of Our Lord nineteen hundred and forty-seven, and of the Independence of the Philippines, the second.



By the President:



EMILIO ABELLO
Chief of the Executive Office