No. 2819

AUSTRALIA, FRANCE, NEW ZEALAND, PAKISTAN, PHILIPPINES, THAILAND, UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND and UNITED STATES OF AMERICA

Pacific Charter. Proclaimed at Manila, on 8 September 1954

Southeast Asia Collective Defense Treaty (with Protocol). Signed at Manila, on 8 September 1954

Official texts: English and French.

Registered by the Philippines on 13 April 1955.

AUSTRALIE, FRANCE, NOUVELLE-ZÉLANDE, PAKISTAN, PHILIPPINES, THAÏLANDE, ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD et ÉTATS-UNIS D'AMÉRIQUE

Charte du Pacifique. Faite à Manille, le 8 septembre 1954

Traité de défense collective pour l'Asie du Sud-Est (avec Protocole). Signé à Manille, le 8 septembre 1954

Textes officiels anglais et français.

Enregistrés par les Philippines le 13 avril 1955.

No. 2819. PACIFIC CHARTER.[1] PROCLAIMED AT MANILA, ON 8 SEPTEMBER 1954

The Delegates of Australia, France, New Zealand, Pakistan, the Republic of the Philippines, the Kingdom of Thailand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

DESIRING to establish a firm basis for common action to maintain peace and security in Southeast Asia and the Southwest Pacific,

CONVINCED that common action to this end, in order to be worthy and effective, must be inspired by the highest principles of justice and liberty,

DO HEREBY PROCLAIM :

First, in accordance with the provisions of the United Nations Charter, they uphold the principle of equal rights and self-determination of peoples and they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities;

Second, they are each prepared to continue taking effective practical measures to ensure conditions favorable to the orderly achievement of the foregoing purposes in accordance with their constitutional processes;

Third, they will continue to cooperate in the economic, social and cultural fields in order to promote higher living standards, economic progress and social well-being in this region;

Fourth, as declared in the Southeast Asia Collective Defense Treaty,[2] they are determined to prevent or counter by appropriate means any attempt in the treaty area to subvert their freedom or to destroy their sovereignty or territorial integrity.

PROCLAIMED at Manila, this eighth day of September, 1954.

R. G. C.
Delegate of Australia

[1] The Governments of Australia, France, New Zealand and United Kingdom of Great Britain and Northern Ireland, whose respective representatives initialed the Charter, have given their acceptance or confirmation on 10 December 1954, 10 November 1954, 29 October 1954 and 8 October 1954, respectively. The Government of Pakistan has accepted the Charter on 17 February 1955.

[2] See p. 28 of this volume.

G. L. C.
Delegate of France

C. W.
Delegate of New Zeland

Zafrulla KHAN
Delegate of Pakistan

Carlos P. GARCÍA
Francisco A. DELGADO
Tomás L. CABILI
Lorenzo M. TAÑADA
Cornelio T. VILLAREAL
Delegates of the Republic of the Philippines

WAN WAITHAYAKON KROMMÜN NARADHIP BONGSPROBANDH
Delegate of the Kingdom of Thailand

Ad referendum
R.
Delegate of the United Kingdom of Great Britain and Northern Ireland

John Foster DULLES
H. Alexander SMITH
Michael J. MANSFIELD
Delegates of the United States of America

SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY.[1] SIGNED AT MANILA, ON 8 SEPTEMBER 1954

The Parties to this Treaty,

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations, they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

Intending to declare publicly and formally their sense of unity, so that any potential aggressor will appreciate that the Parties stand together in the area, and

Desiring further to coordinate their efforts for collective defense for the preservation of peace and security,

Therefore agree as follows:

Article I

The Parties undertake, as set forth in the Charter of the United Nations, to settle any international disputes in which they may be involved by peaceful means in such a manner that international peace and security and justice are not endangered, and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations.

Article II

In order more effectively to achieve the objectives of this Treaty, the Parties,

[1] In accordance with article IX, para. 3, the Treaty came into force on 19 February 1955 between the following States, on behalf of which the instruments of ratification were deposited with the Government of the Republic of the Philippines on the dates indicated:

Thailand	2 December 1954
Australia	19 February 1955
France	19 February 1955
New Zealand	19 February 1955
Philippines	19 February 1955
United States of America	19 February 1955
United Kingdom of Great Britain and Northern Ireland	19 February 1955

separately and jointly, by means of continuous and effective self-help and mutual aid will maintain and develop their individual and collective capacity to resist armed attack and to prevent and counter subversive activities directed from without against their territorial integrity and political stability.

Article III

The Parties undertake to strengthen their free institutions and to cooperate with one another in the further development of economic measures, including technical assistance, designed both to promote economic progress and social well-being and to further the individual and collective efforts of governments toward these ends.

Article IV

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the Government concerned.

Article V

The Parties hereby establish a Council, on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall provide for consultation with regard to military and any other planning as the situation obtaining in the treaty area may from time to time require. The Council shall be so organized as to be able to meet at any time.

Article VI

This Treaty does not affect and shall not be interpreted as affecting in any

way the rights and obligations of any of the Parties under the Charter of the United Nations or the responsibility of the United Nations for the maintenance of international peace and security. Each Party declares that none of the international engagements now in force between it and any other of the Parties or any third party is in conflict with the provisions of this Treaty, and undertakes not to enter into any international engagement in conflict with this Treaty.

Article VII

Any other State in a position to further the objectives of this Treaty and to contribute to the security of the area may, by unanimous agreement of the Parties, be invited to accede to this Treaty. Any State so invited may become a Party to the Treaty by depositing its instrument of accession with the Government of the Republic of the Philippines. The Government of the Republic of the Philippines shall inform each of the Parties of the deposit of each such instrument of accession.

Article VIII

As used in this Treaty, the "treaty area" is the general area of Southeast Asia, including also the entire territories of the Asian Parties, and the general area of the Southwest Pacific not including the Pacific area north of 21 degrees 30 minutes north latitude. The Parties may, by unanimous agreement, amend this Article to include within the treaty area the territory of any State acceding to this Treaty in accordance with Article VII or otherwise to change the treaty area.

Article IX

1. This Treaty shall be deposited in the archives of the Government of the Republic of the Philippines. Duly certified copies thereof shall be transmitted by that Government to the other signatories.

2. The Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the Republic of the Philippines, which shall notify all of the other signatories of such deposit.

3. The Treaty shall enter into force between the States which have ratified it as soon as the instruments of ratification of a majority of the signatories shall have been deposited, and shall come into effect with respect to each other State on the date of the deposit of its instrument of ratification.

Article X

This Treaty shall remain in force indefinitely, but any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the Republic of the Philippines, which shall inform the Governments of the other Parties of the deposit of each notice of denunciation.

Article XI

The English text of this Treaty is binding on the Parties, but when the Parties have agreed to the French text thereof and have so notified the Government of the Republic of the Philippines, the French text[1] shall be equally authentic and binding on the Parties.

UNDERSTANDING OF THE UNITED STATES OF AMERICA

The United States of America in executing the present Treaty does so with the understanding that its recognition of the effect of aggression and armed attack and its agreement with reference thereto in Article IV, paragraph 1, apply only to communist aggression but affirms that in the event of other aggression or armed attack it will consult under the provisions of Article IV, paragraph 2.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Treaty.

DONE at Manila, this eighth day of September, 1954.

For Australia :
R. G. CASEY
For France :
G. LA CHAMBRE
For New Zealand :
T. Clifton WEBB
For Pakistan :
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan
Zafrulla KHAN
For the Republic of the Philippines :
Carlos P. GARCÍA
Francisco A. DELGADO
Tomás A. CABILI
Lorenzo M. TAÑADA
Cornelio T. VILLAREAL
For the Kingdom of Thailand :
WAN WAITHAYAKON KROMMÜN NARADHIP BONGSPRABANDH
For the United Kingdom of Great Britain and Northern Ireland :
READING
For the United States of America :
John Foster DULLES
H. Alexander SMITH
Michael J. MANSFIELD

[1] The French text of the Pacific Charter, of the Southeast Asia Collective Defense Treaty and of the Protocol, as reproduced herein, was agreed upon by the signatory Governments on 14 April 1955 at Paris and later revised by agreement between those Governments. A certified copy of the above-mentioned revised French text was transmitted by the Government of the Republic of the Philippines.

PROTOCOL[1] TO THE SOUTHEAST ASIA COLLECTIVE DEFENSE TREATY. SIGNED AT MANILA, ON 8 SEPTEMBER 1954

DESIGNATION OF STATES AND TERRITORY AS TO WHICH PROVISIONS OF ARTICLE IV AND ARTICLE III ARE TO BE APPLICABLE

The Parties to the Southeast Asia Collective Defense Treaty unanimously designate for the purposes of Article IV of the Treaty the States of Cambodia and Laos and the free territory under the jurisdiction of the State of Vietnam.

The Parties further agree that the above-mentioned states and territory shall be eligible in respect of the economic measures contemplated by Article III.

This Protocol shall enter into force simultaneously with the coming into force of the Treaty.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol to the Southeast Asia Collective Defense Treaty.

DONE at Manila, this eighth day of September, 1954.

For Australia :
R. G. CASEY
For France :
G. LA CHAMBRE
For New Zealand :
T. Clifton WEBB
For Pakistan :
Signed for transmission to my Government for its consideration and action in accordance with the Constitution of Pakistan
Zafrulla KHAN
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Cornelio T. VILLAREAL
For the Kingdom of Thailand
WAN WAITHAYAKON KROMMÜN NARADHIP BONGSPRABANDH
For the United Kingdom of Great Britain and Northern Ireland :
READING
For the United States of America :
John Foster DULLES
H. Alexander SMITH
Michael J. MANSFIELD

[1] Came into force on 19 February 1955, in accordance with its third paragraph.