



THE ASEAN SECRETARIAT		
RECEIVED 20	FAK / MAIL	
DATE 10-6-03	TIME 10.30	
BY TC		
DESTINATION	ACTION	INFO
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COMMENT:		

No. 295.03

The Embassy of the Republic of the Philippines presents its compliments to the ASEAN Secretariat and has the honor to forward the following original *Instruments of Ratification* signed by H.E. President Gloria Macapagal-Arroyo and the Hon. Secretary of Foreign Affairs Blas F. Ople:

1. ASEAN Tourism Agreement
2. ASEAN Memorandum of Understanding (MOU) on Trans-ASEAN Gas Pipeline Project and
3. Protocol 9 (Dangerous Goods) to Implement the ASEAN Framework on the Facilitation of Goods in Transit.

The Embassy of the Republic of the Philippines avails itself of this opportunity to renew to the ASEAN Secretariat the assurances of its highest consideration.



Jakarta, 06 June 2003

Enclosures: as stated

MALACAÑANG
MANILA

INSTRUMENT OF RATIFICATION

**TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETINGS:**

KNOW YE, that whereas, the *ASEAN Memorandum of Understanding (MOU) on Trans-ASEAN Gas Pipeline Project*, was signed in Bali, Indonesia, on 5 July 2002;


WHEREAS, the *MOU*, consisting of eight (8) articles, aims to provide a broad framework for ASEAN Member Countries to cooperate towards the realization of the Trans-ASEAN Gas Pipeline Project to help ensure greater regional energy security;

WHEREAS, under the *MOU*, the ASEAN Member Countries shall, subject to, and consistent with, the national laws of each Member Country, take individual and collective initiatives to study, assess, and review national and regional legal and institutional frameworks for natural gas, cross border issues relative to commercial and economic feasibility, construction, financing, operation, and maintenance of the pipelines as well as the supply, transportation, and distribution of natural gas to Member Countries;

WHEREAS, under the *MOU*, the ASEAN Council on Petroleum (ASCOPE), being responsible for the effective implementation of the Trans-ASEAN Gas Pipeline Project, shall initiate the formation of an ASEAN Gas Consultative Council, to be composed of representatives from the ASEAN Member Countries, ASCOPE Members and the ASEAN Centre for Energy (ACE). This ASEAN Gas Consultative Council shall facilitate and assist ASCOPE in the implementation of this *MOU*;

WHEREAS, Paragraph 3, Article VIII of the *MOU* provides that *it shall enter into force upon deposit of Instruments of Ratification or Acceptance by all the Member Countries with the Secretary-General of the ASEAN*;





WHEREAS, The *MOU* is not one of those treaties and international agreements contemplated in Section 21, Article VII of the 1987 Constitution which requires the concurrence of the Senate, but an executive agreement which can be validly entered into by H.E. The President in the exercise of her treaty-making powers;

NOW, THEREFORE, be it known that I, **GLORIA MACAPAGAL-ARROYO**, President of the Republic of the Philippines, after having seen and considered the aforementioned *ASEAN Memorandum of Understanding on Trans-ASEAN Gas Pipeline Project*, do hereby ratify and confirm the same and each and every Article and Clause thereof.

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

GIVEN under my hand at the **City of Manila**, this 5TH day of MAY in the year of Our Lord two thousand and three.

BY THE PRESIDENT:



BLAS F. OPLE
Secretary of Foreign Affairs



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