



THE ASEAN SECRETARIAT		
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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, *Protocol 9 (Dangerous Goods) to Implement the ASEAN Framework Agreement on the Facilitation of Goods in Transit*, was signed in Jakarta, Indonesia, on 20 September 2002;

**WHEREAS**, *Protocol 9*, consisting of seven (7) articles, applies to the movement of dangerous goods in transit transport on designated road (or inter-state highway) transit transport routes as specified in Protocol 1 of the Framework Agreement;

**WHEREAS**, *Protocol 9* provides that transit transport of any goods which falls within any category or classification as stated in Article 3 shall not be carried out by any transit transport operators unless a permit for such purpose has been issued by the relevant authorities of the Contracting Parties across whose territory the transit transport passes;

**WHEREAS**, *Protocol 9* further provides that the application for the said permit shall be made to the National Transit Transport Coordinating Committee of the relevant Contracting Party;

**WHEREAS**, *Protocol 9* states that the ASEAN Senior Transport Officials Meeting shall be the responsible body for the monitoring, review, coordination and supervision of all aspects relating to the effective implementation of this *Protocol*;







**WHEREAS**, Paragraph 4, Article 7 of *Protocol 9* provides that *it shall enter into force upon deposit of Instruments of Ratification or Acceptance by all Contracting Parties with the Secretary-General of ASEAN;*

**WHEREAS**, *Protocol 9* 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 *Protocol 9 (Dangerous Goods) to Implement the ASEAN Framework Agreement on the Facilitation of Goods in Transit*, 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 5<sup>TH</sup> day of MAY in the year of Our Lord two thousand and three.

**BY THE PRESIDENT:**



**BLAS F. OPLE**  
Secretary of Foreign Affairs

