

Note 66/2010



THE ASEAN SECRETARIAT		
RECEIVED 13	PAR/MAIL 10	
DATE 26/5/10	TIME 14 <sup>00</sup>	
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SECTION	ACTION	INFO
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The Permanent Mission of the Philippines to ASEAN presents its compliments to the ASEAN Secretariat and has the honor to transmit the original letter dated 12 May 2010 from Honorable Victoria S. Bataclan, Director-General of ASEAN-Philippines, together with the original Instruments of Ratification by the Philippines on ASEAN Transport Agreements as follows:

1. ASEAN Multilateral Agreement on the Full Liberalization of Air Freight Services;
2. Protocol 1 on Unlimited Third, Fourth, and Fifth Freedom Traffic Rights Among Designated Points in ASEAN;
3. Protocol 2 Unlimited Third, Fourth, and Fifth Freedom Traffic Rights Among All Points with International Airports in ASEAN;
4. ASEAN Multilateral Agreement on Air Services;
5. Protocol 1 on Unlimited Third and Fourth Freedom Traffic Rights Within the ASEAN Sub-region;
6. Protocol 2 on Unlimited Fifth Freedom Traffic Rights Within the ASEAN Sub-region;
7. Protocol 3 on Unlimited Third and Fourth Freedom Traffic Rights Between the ASEAN Sub-regions; and
8. Protocol 4 on Unlimited Fifth Freedom Traffic Rights Between the ASEAN Sub-regions.

The Permanent Mission of the Philippines would appreciate it if the ASEAN Secretariat could acknowledge receipt of the above-mentioned documents.

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







**EXTREMELY URGENT**

**14152**

**ASEAN-PHILIPPINES NATIONAL SECRETARIAT**

Our ref. no. : Div3- 386 -VSB-2010  
Subject : Instruments of Ratification for ASEAN Transport Agreements  
Date : 12 May 2010

Dear Secretary-General Pitsuwan,

I am pleased to transmit the **Instruments of Ratification** for the following ASEAN Transport Agreements:

- a. ASEAN Multilateral Agreement on the Full Liberalisation of Air Freight Services;
- b. Protocol 1 on Unlimited Third, Fourth, and Fifth Freedom Traffic Rights Among Designated Points in ASEAN;
- c. Protocol 2 on Unlimited Third, Fourth, and Fifth Freedom Traffic Rights Among All Points with International Airports in ASEAN;
- d. ASEAN Multilateral Agreement on Air Services;
- e. Protocol 1 on Unlimited Third and Fourth Freedom Traffic Rights Within the ASEAN Sub-region;
- f. Protocol 2 on Unlimited Fifth Freedom Traffic Rights Within the ASEAN Sub-region;
- g. Protocol 3 on Unlimited Third and Fourth Freedom Traffic Rights Between the ASEAN Sub-regions; and
- h. Protocol 4 on Unlimited Fifth Freedom Traffic Rights Between the ASEAN Sub-regions.

With our cordial best wishes.

Sincerely yours,

  
**VICTORIA S. BATACLAN**  
Director-General

**H.E. DR. SURIN PITSUWAN**  
Secretary-General of ASEAN  
ASEAN Secretariat  
70 A Jalan Sisingamangaraja, Jakarta  
12110 Indonesia

**Thru Permanent Mission of the Philippines to ASEAN**





MALACAÑANG  
MANILA

**INSTRUMENT OF RATIFICATION**

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

**KNOW YE**, that whereas the Protocol 2 on Unlimited Third, Fourth and Fifth Freedom Traffic Rights Among All Points With International Airports in ASEAN was signed on 20 May 2009 in Manila, implementing the ASEAN Multilateral Agreement on the Full Liberalisation of Air Freight Services;

**WHEREAS**, the Protocol provides that the designated airline(s) of each Contracting Party shall be allowed to operate international air freight services among all points with international airports with full third (3<sup>rd</sup>), fourth (4<sup>th</sup>) and fifth (5<sup>th</sup>) freedom traffic rights by 31 December 2008;

**WHEREAS**, the Protocol also provides that the right to take on board or put down, in the territory of any other Contracting Party, cargo or mail carried for remuneration and destined for or coming from points in the territory of any non-Contracting Party or non-ASEAN Member States, shall be subject to agreement between the aeronautical authorities of the Contracting Parties concerned;

**WHEREAS**, the Protocol as well provides that there shall be no limitation on capacity, frequency and aircraft type with regard to air freight services operated under it;

**WHEREAS**, Article 6 paragraph 2 of the Protocol provides that it shall enter into force on the date of the deposit of the third (3<sup>rd</sup>) Instrument of Ratification or Acceptance with the Secretary-General of ASAN and shall become effective only among the Contracting Parties that have ratified or accepted it. For each Contracting Party ratifying or accepting the Protocol after the deposit of the third (3<sup>rd</sup>) Instrument of Ratification or Acceptance, the Protocol shall enter into force on the date of deposit by such Contracting Party of its Instrument of Ratification or Acceptance.

**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, 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 19<sup>th</sup> day of April in the year of our Lord two thousand and ten.

**BY THE PRESIDENT:**

*Gloria M. Arroyo*

*Erlinda F. Basilio*  
**ERLINDA F. BASILIO**

Acting Secretary of Foreign Affairs

