

INSTRUMENT OF RATIFICATION

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

KNOW YE, that whereas, the *ASEAN Memorandum of Understanding on Air Freight Services*, was signed in Jakarta, Indonesia, on 20 September 2002;

WHEREAS, the *ASEAN Memorandum of Understanding on Air Freight Services*, consisting of nine (9) articles, aims to facilitate and enhance air freight services and its related activities, to complement the other transport facilitation and liberalisation efforts in ASEAN;

WHEREAS, the *MOU* further aims to remove restrictions, on a gradual basis, so as to achieve greater flexibility and capacity in the operations of air freight services in ASEAN;

WHEREAS, under the *MOU*, the designated airline(s) of each Contracting Party shall be allowed to operate all-cargo services up to 100 tons weekly in each direction, with no limitations on frequency and aircraft type from its territory to each of the other Contracting Parties' territory and vice-versa;

WHEREAS, under the *MOU*, the designated airline(s) of each Contracting Party shall be allowed to exercise third and fourth freedom traffic rights in operating the agreed services;

WHEREAS, the *MOU* further provides that in operating air services on the agreed routes, the designated airline(s) of any Contracting Party may enter into bilateral code sharing agreement with any other designated airline(s) from the other Contracting Party which holds the appropriate route and traffic rights from both Contracting Parties.

WHEREAS, capacity offered by a designated airline as the marketing airline, on services operated by other airlines, will not be



counted against any capacity entitlements of the Contracting Party designating the marketing airline. When a designated airline performs services under cooperative arrangements as the operating airline, the total capacity operated will be counted against the capacity entitlements of the Contracting Party designating that airline;

WHEREAS, the *MOU* shall be in addition to the existing bilateral and/or plurilateral Air Services Agreements or amendments thereto, between or among ASEAN Member Countries so far as all-cargo services are concerned. The *MOU* shall not prejudice any other provisions in the said Agreements.

WHEREAS, Paragraph 2, Article 9 of the *MOU* provides that *it shall enter into force upon deposit of the Diplomatic Notes by all the Contracting Parties with the Secretary-General of ASEAN which shall be done not later than 20 December 2002.*

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 Air Services*, 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 06 day of JAN in the year of Our Lord two thousand and three.

BY THE PRESIDENT:



BLAS F. OPLE
Secretary of Foreign Affairs

