



No. 075.03

The Embassy of the Republic of the Philippines presents its compliments to the ASEAN Secretariat and has the honor to forward the following:

1. cover letter dated 28 January 2003 addressed to H.E. Ong Keng Yong, Secretary General of ASEAN, from Hon. Farita A. Aguilucho-Ong, Deputy Director-General of ASEAN-Philippines National Secretariat and
2. original *Instruments of Ratification* of the “ASEAN Memorandum of Understanding on Air Freight Services” and the “Protocol to Implement the Third Package of Commitments under the ASEAN Framework Agreement”, signed by H.E. President Gloria Macapagal-Arroyo and Hon. Secretary of Foreign Affairs Blas F. Ople.

It would be appreciated if the enclosed letter and documents could be forwarded to its esteemed addressee.

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 February 2003



**INSTRUMENT OF RATIFICATION**

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

**KNOW YE**, that whereas, the *Protocol to Implement the Third Package of Commitments Under the ASEAN Framework Agreement on Services* was signed on 31 December 2001;

**WHEREAS**, the *Protocol*, consisting of six (6) articles, has taken note of the *ASEAN Framework Agreement on Services* signed on 15 December 1995 in Bangkok, Thailand, which seeks to enhance cooperation in services amongst Member States, eliminate substantially restrictions to trade amongst Member States and expand the depth and scope of liberalization beyond those undertaken by Member States under the General Agreement on Trade in Services (GATS) of the World Trade Organization (WTO);

**WHEREAS**, under the *Protocol*, Member States have agreed on the following, to wit:

1. Member States who are WTO Members shall continue to extend their specific commitments under GATS to ASEAN Member States who are non-WTO Member States.
2. Member States shall extend to all other Member States preferential treatment in trade in services as set forth in the Schedules of Specific Commitments annexed to this *Protocol*.
3. The Annexes to this *Protocol* shall consist of the Horizontal Commitments, Schedules of Specific Commitments and the List of Most-Favoured Nation Exemptions.
4. This *Protocol* and its Annexes shall form an integral part of the *ASEAN Framework Agreement on Services*.





**WHEREAS**, this *Protocol* 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 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 *Protocol to Implement the Third Package of Commitments Under the ASEAN Framework Agreement on 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 13<sup>th</sup> day of January, in the year of Our Lord two thousand and two.

**BY THE PRESIDENT:**



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

