



No. 17-2017

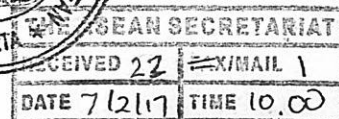
The Permanent Mission of the Republic of the Philippines to ASEAN presents its compliments to the ASEAN Secretariat and has the honor to refer to the Air Transport Agreement between the Governments of the Member States of the Association of Southeast Asian Nations and the Government of the People's Republic of China, signed on 12 November 2010 and its Protocol 1 on Unlimited Third and Fourth Freedom Traffic Rights between any Points in Contracting Parties, signed on 12 November 2010.

The Permanent Mission of the Republic of the Philippines to ASEAN has further the honor to convey pursuant to paragraph 2 of Article 25 and paragraph 2 of Article 3 of the above-mentioned Agreement and its Protocol 1 respectively, to the Secretary-General of ASEAN, the Philippines' submission of the Instrument of Ratification of the said Agreement and its Protocol 1.

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

Jakarta, 27 January 2017

The ASEAN Secretariat  
Jakarta



MALACAÑAN  
MANILA

**INSTRUMENT OF RATIFICATION**

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

**KNOW YE**, that whereas, the *Air Transport Agreement between the Governments of the Member States of the Association of Southeast Asian Nations and the Government of the People's Republic of China and its Protocol 1* were signed on 12 November 2010;

**WHEREAS**, the Agreement provides that each Contracting Party grants to the other Contracting Parties the right to fly across its territory without landing, and to make stops in its territory for non-traffic purposes;

**WHEREAS**, the Agreement also provides that each Contracting Party shall have the right to designate in writing one or more airlines to operate the agreed services in accordance with this Agreement and to withdraw or alter such designation;

**WHEREAS**, Protocol 1 provides that the designated airline(s) of each ASEAN Member State shall be allowed to operate scheduled air passenger and/or cargo services from any point in its territory with an international airport to any point in the territory of China with an international airport and vice versa with full third and fourth freedom traffic rights;

**WHEREAS**, Protocol 1 further provides that the designated airline(s) of China shall be allowed to operate scheduled air passenger and/or cargo services from any point in its territory with an international airport to any point in the territory of an ASEAN Member State with an international airport and vice versa with full third and fourth freedom traffic rights;

**WHEREAS**, the Agreement and its Protocol 1 shall enter into force on the date of deposit with the Depositary of the written notifications from China and at least two ASEAN Member States whichever date is later, and shall enter into force only among the Contracting Parties that have deposited their written notifications;

**NOW, THEREFORE**, be it known that **I, BENIGNO S. AQUINO III**, President of the Philippines, after having seen and considered the *Air Transport Agreement between the Governments of the Member States of the Association of Southeast Asian Nations and the Government of the People's Republic of China and its Protocol 1*, do hereby ratify and confirm the same and each and every article and clause thereof.



Office of the President of the Philippines



PNOY004158



**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 21st day of December in the year of our Lord two thousand and eleven.

**BY THE PRESIDENT:**



*Albert F. Del Rosario*

**ALBERT F. DEL ROSARIO**  
Secretary of Foreign Affairs

