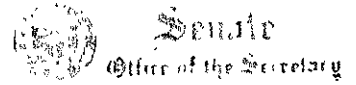



SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )



15 MAY 12 12:00

SENATE

P.S. RES. NO. 1334

RECEIVED BY: 

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Prepared by the Committee on Foreign Relations

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1 RESOLUTION  
2 CONCURRING IN THE RATIFICATION TO THE  
3 PROTOCOL RELATING TO AN AMENDMENT TO THE CONVENTION  
4 ON INTERNATIONAL CIVIL AVIATION (ARTICLE 3 *BIS*)

5 WHEREAS, the Constitution, Article 7, Section 21 states: "No treaty or international  
6 agreement shall be valid and effective unless concurred in by at least two-thirds of all the  
7 members of the Senate";

8 WHEREAS, the Protocol Relating to an Amendment to the Convention on  
9 International Civil Aviation (Article 3 *bis*) was adopted by consensus during the 25<sup>th</sup>  
10 Session of the International Civil Aviation Organization (ICAO) on 10 May 1984 in  
11 Montreal, Canada; to date, 144 countries have ratified the Protocol;

12 WHEREAS, the Protocol inserts an Article 3 *bis* to the original Convention, which  
13 relates to the use of weapons against civil aircraft in flight and interception of aircraft flying  
14 above a State's territory without authority;

15 WHEREAS, the Protocol, while recognizing the sovereignty of a State over its  
16 airspace, enjoins States from resorting to the use of weapons against civil aircraft so as not  
17 to endanger the safety of the aircraft and the lives of persons onboard;

18 WHEREAS, the Protocol enjoins Contracting Parties to take appropriate measures to  
19 prevent any aircraft from flying without authority over its territory to be used for any  
20 purpose inconsistent with the objectives of the Chicago Convention;

21 WHEREAS, the Protocol will contribute towards the vision of a comprehensive  
22 airspace security and will empower the Philippine government to prevent and prosecute the  
23 use of civil aircraft for unlawful purposes, subject to international laws;

24 WHEREAS, Article 3, Letter d, sub-paragraph 4 provides that it shall come into  
25 force in respect of the States which have ratified it on the date on which the one hundred and  
26 second instrument of ratification is deposited;

27 WHEREAS, the President of the Philippines ratified the Protocol on 5 May 2014 and  
28 has accordingly submitted it to the Senate for concurrence in its ratification, in accordance  
29 with the Constitution;

30 WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations  
31 on 5 March 2015, the following government agencies endorsed the concurrence in the

1 ratification to the Protocol:

- 2 1. Department of Foreign Affairs
- 3 2. Department of Transportation and Communications
- 4 3. Department of National Defense
- 5 4. Philippine National Police Aviation Security Group
- 6 5. Armed Forces of the Philippines

7 WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as  
8 it hereby concurs, in the ratification to the Protocol Relating to an Amendment to the  
9 Convention on International Civil Aviation (Article 3 *bis*).

Adopted,

  
MIRIAM DEFENSOR SANTIAGO  
Chair  
Committee on Foreign Relations