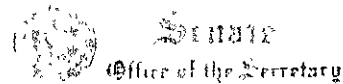


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'15 MAY 12 P12:00

SENATE

RECORDED

COMMITTEE REPORT NO. 137

Submitted by the Committee on Foreign Relations on MAY 12 2015.

Re : P.S. Res. No. 1334, prepared by the Committee

Recommending its approval without amendment.

Sponsor : Senator Miriam Defensor Santiago

MR. PRESIDENT:

The Committee on Foreign Relations, to which was referred the Agreement, entitled:

**PROTOCOL
RELATING TO AN AMENDMENT TO THE CONVENTION ON
INTERNATIONAL CIVIL AVIATION (ARTICLE 3 BIS)**

has considered the same and has the honor to report it back to the Senate with the recommendation that Proposed Senate Resolution No. 1334, prepared by the Committee, entitled:

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

be approved without amendment.

Respectfully submitted:


MIRIAM DEFENSOR SANTIAGO
Chair
Committee on Foreign Relations



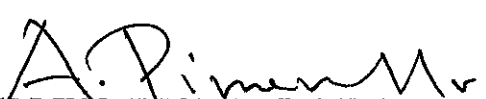
FERDINAND R. MARCOS JR.

Vice-Chair:



SONNY M. ANGARA

Members:



AQUILINO "KOKO" L. PIMENTEL III



CYNTHIA A. VILLAR

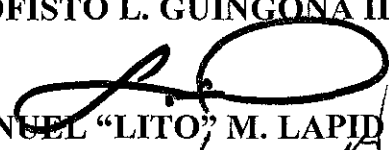


PIA S. CAYETANO

TEOFISTO L. GUINGONA III




LOREN B. LEGARDA



MANUEL "LITO" M. LAPID



RAMON BONG B. REVILLA JR.



ANTONIO "SONNY" F. TRILLANES IV



MARIA LOURDES NANCY S. BINAY



JOSEPH VICTOR G. EJERCITO



JINGGOY EJERCITO ESTRADA



GREGORIO B. HONASAN II

Ex-Officio Members:



RALPH G. RECTO
President Pro-Tempore

ALAN PETER S. CAYETANO
Majority Leader

JUAN PONCE ENRILE
Minority Leader




VICENTE C. SOTTO III
Acting Minority Leader

FRANKLIN M. DRILON
Senate President

'15 MAY 12 P12 :00

SENATE

P.S. RES. NO. 1334

RECEIVED BY: 

Prepared by the Committee on Foreign Relations

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 25th
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