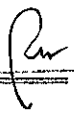


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



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SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 52

Submitted by the Committee on Foreign Relations on AUG 04 2011.

Re: P.S. Res. No. 546, prepared by the Committee

Recommending its approval without amendment.

Sponsors: Senators Miriam Defensor Santiago and Loren Legarda.

MR. PRESIDENT:

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


“ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT”

has considered the same and has the honor to report it back to the Senate with the recommendation that Proposed Senate Resolution No. 546, prepared by the Committee, entitled:


**“RESOLUTION
CONCURRING IN THE RATIFICATION OF THE ROME STATUTE OF THE
INTERNATIONAL CRIMINAL COURT”**

be approved without amendment.


Respectfully submitted:


MIRIAM DEFENSOR SANTIAGO
Chair
Subcommittee on the International
Criminal Court



LOREN LEGARDA
Chair
Committee on Foreign Relations


EDGARDO J. ANGARA
Vice-Chair
Committee on Foreign Relations

Members:


FRANCIS "CHIZ" G. ESCUDERO


TEOFISTO L. GUINGONA III


GREGORIO B. HONASAN II

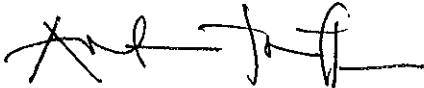

FERDINAND R. MARCOS JR.


RALPH G. RECTO


RAMON BONG REVILLA JR.


JUAN MIGUEL F. ZUBIRI

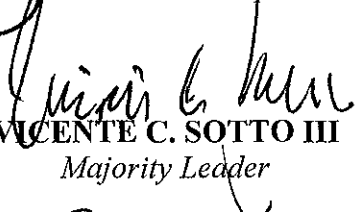

MANNY VILLAR


ANTONIO "SONNY" F. TRILLANES IV


MANUEL "LITO" M. LAPID

Ex-Officio Members:


JINGGOY EJERCITO ESTRADA
President Pro-Tempore


VICENTE C. SOTTO III
Majority Leader


ALLAN PETER "COMPANERO" S. CAYETANO
Minority Leader

JUAN PONCE ENRILE
Senate President

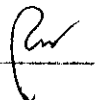
FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



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SENATE

P.S. RES. NO. 546

RECEIVED BY: 

Prepared by the Committee on Foreign Relations

**RESOLUTION
CONCURRING IN THE RATIFICATION OF THE ROME
STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

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

WHEREAS, the Rome Statute, consisting of one hundred twenty eight (128) articles, provides for the establishment of an International Criminal Court ("the Court"), a permanent institution that has the power to exercise its jurisdiction over persons for the most serious crimes of international concern, and is complementary to national criminal jurisdiction;

WHEREAS, the Court is the first permanent institution that has the power to exercise its jurisdiction over persons with respect to the following most serious crimes of international concern: (a) the crime of genocide; (b) crimes against humanity; (c) war crimes; and (d) the crime of aggression;

WHEREAS, the Rome Statute adopts the principle of complementarity, which recognizes a State's right to exercise jurisdiction over these crimes; the Court will only act if such State is unable or unwilling to carry out the investigation and prosecution of the crime;

WHEREAS, the Rome Statute adheres to the general principles of criminal law, such as *nullum crimen sine lege*; *nulla poena sine lege*; non-retroactivity *rationae personae*; and exclusion of jurisdiction over persons under eighteen;

WHEREAS, ratification of the Rome Statute signifies Philippine commitment to human rights and is our contribution to an effective international criminal justice system; it likewise complements Republic Act No. 9851, or the "Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity," which enables the Philippines, on its own, to prosecute international crimes and strengthen human rights enforcement in the Philippines;


WHEREAS, the President of the Philippines has submitted the Rome Statute of the International Criminal Court to the Senate for concurrence in its ratification, in accordance with the Philippine Constitution;

WHEREAS, in the hearing conducted by the Senate Subcommittee on the International Criminal Court of the Committee on Foreign Relations on 28 July 2011, the following agencies and organizations endorsed Senate concurrence in the ratification of the Rome Statute of the International Criminal Court:

1. Department of Foreign Affairs
2. Department of Justice
3. Department of National Defense
4. Commission on Human Rights
5. Armed Forces of the Philippines
6. Philippine National Police
7. National Security Council
8. Philippine Coalition for the International Criminal Court
9. Coalition for the International Criminal Court Asia Pacific
10. Philippine Alliance of Human Rights Advocates
11. Amnesty International Philippines

NOW, THEREFORE, be it resolved that the Senate of the Philippines concur, as it hereby concurs, in the ratification of the Rome Statute of the International Criminal Court.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Chair
Subcommittee on the International
Criminal Court


LOREN LEGARDA
Chair
Committee on Foreign Relations