

Republic of the Philippines
Congress of the Philippines
Senate
Pasay City

Fourteenth Congress

Second Regular Session



RESOLUTION NO. 126

RESOLUTION CONCURRING IN THE RATIFICATION OF THE
ASEAN TREATY ON MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS

WHEREAS, the *ASEAN Treaty on Mutual Legal Assistance in Criminal Matters* was signed on 29 November 2004 in Kuala Lumpur, Malaysia;

WHEREAS, the Treaty seeks to improve the effectiveness of the law enforcement authorities of the ASEAN Member Countries that are signatories thereto in the prevention, investigation and prosecution of offenses through cooperation and mutual legal assistance in criminal matters;


WHEREAS, at present, the Philippines has no existing bilateral agreement on mutual legal assistance with any of the eight (8) other ASEAN Member Countries, all of which are Parties to the Treaty. Considering that the evidence needed in criminal investigations and proceedings are sometimes located outside of national borders, the Treaty will be an effective tool for seeking and rendering assistance on cross border evidence gathering;

WHEREAS, in a hearing conducted by the Committee on Foreign Relations on 8 May 2008, representatives of the Department of Foreign Affairs (DFA), Department of Justice (DOJ), National Bureau of Investigation (NBI), Directory for Intelligence of the Philippine National Police (PNP), and the Integrated Bar of the Philippines (IBP) endorsed the concurrence in the ratification of the Treaty;


WHEREAS, pursuant to the Constitution, Article 7, Section 21, "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": Now, therefore, be it

Resolved, That the Senate of the Philippines concur, as it hereby concurs, in the ratification of the "*ASEAN Treaty on Mutual Legal Assistance in Criminal Matters*".

Adopted,


MANNY VILLAR
President of the Senate

This Resolution was adopted by the Senate on October 6, 2008.


EMMA LIRIO REYES
Secretary of the Senate
