

Republic of the Philippines  
Congress of the Philippines

Senate

Manila City

Fifteenth Congress

Second Regular Session



RESOLUTION NO. 78

RESOLUTION CONCURRING IN THE ACCESSION  
TO THE OPTIONAL PROTOCOL TO THE  
CONVENTION AGAINST TORTURE AND OTHER  
CRUEL, INHUMAN OR DEGRADING  
TREATMENT OR PUNISHMENT

WHEREAS, the Constitution, Article VII, 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 Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was adopted on 18 December 2002 at the fifty-seventh session of the General Assembly of the United Nations by Resolution A/RES/57/199;

WHEREAS, the International Covenant on Civil and Political Rights (ICCPR) to which the Philippines is a State Party provides that no one shall be subjected to torture or to cruel inhuman or degrading treatment or punishment;

WHEREAS, the Philippines is also a State Party to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) having ratified the same on June 18, 1986;

WHEREAS, the Optional Protocol places emphasis on preventing violations and introduces a new system of monitoring compliance to the UNCAT by establishing international and national mechanisms that will conduct regular and periodic visits to places of detention for the purpose of monitoring the situation, proposing recommendations and working constructively with State Parties for their implementation;

WHEREAS, the Optional Protocol would also enable State Parties to benefit from the assistance that the international mechanism will offer such as advisory, technical and financial assistance in addressing institutional problems;

WHEREAS, the President of the Philippines acceded to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and has, accordingly submitted it to the Senate for concurrence:

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 16 February 2011, the following agencies and organizations endorsed the concurrence in the accession of the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment:

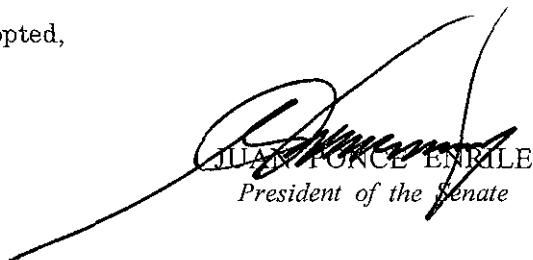
1. Department of Foreign Affairs (DFA);
2. Department of Justice (DOJ);
3. Department of the Interior and Local Government (DILG);
4. Presidential Human Rights Committee (PHRC);
5. Commission on Human Rights (CHR);

6. Armed Forces of the Philippines (AFP);
7. Philippine National Police (PNP);
8. Bureau of Jail Management and Penology (BJMP);
9. Philippine Drug Enforcement Agency (PDEA);
10. Balay Rehabilitation Center;
11. Philippine Alliance of Human Rights Advocates (PAHRA);
12. Medical Action Group (MAG);
13. Ateneo Human Rights Center; and
14. Amnesty International.

Now, therefore, be it

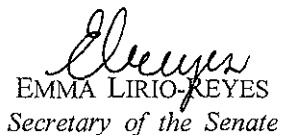
*Resolved by the Senate, To concur, as it hereby concurs, in the accession to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.*

Adopted,



JUAN PONCE ENRILE  
*President of the Senate*

This Resolution was adopted by the Senate on March 6, 2012.



EMMA LIRIO REYES  
*Secretary of the Senate*