

Republic of the Philippines
Congress of the Philippines

Senate

Pasay City

Seventeenth Congress

First Regular Session



RESOLUTION NO. 38

RESOLUTION CONCURRING IN THE RATIFICATION
OF THE AGREEMENT BETWEEN JAPAN AND
THE REPUBLIC OF THE PHILIPPINES ON
SOCIAL SECURITY

WHEREAS, Article VII, Section 21 of the Constitution states: "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 Agreement between Japan and the Republic of the Philippines on Social Security ("Agreement") was signed on 19 November 2015 in Manila, ratified by the

President of the Philippines on 12 January 2017, and submitted to the Senate for concurrence in accordance with the Constitution;

WHEREAS, the provisions of the Agreement are consistent with the State's policy to afford full protection to labor and with the right to social security protected in the Universal Declaration of Human Rights and International Labour Organization Conventions;

WHEREAS, the Philippines is a party to similar agreements with a number of countries including Austria, United Kingdom and Northern Ireland, Spain, France, Canada and Quebec, Switzerland, Belgium, Denmark, and the Netherlands;

WHEREAS, the Agreement seeks to reduce or eliminate the existing territorial or nationality-based access restrictions to social security benefits of the contracting parties' citizens;

WHEREAS, the Agreement guarantees the application of basic social security principles such as: Equality of Treatment, which entitles a covered person in one State, his or her family members and survivors, to social security benefits under the same conditions as national of the other State; Export of Benefits, which allows a covered person to continue receiving his or her social security pension whether he or she decides to reside in the Philippines or in Japan; and Totalization of Periods of Coverage, which allows the tacking of creditable periods of covered persons under the social security schemes of the Philippines and Japan, to determine eligibility to benefits;

WHEREAS, on the part of the Philippines, the Agreement shall be implemented in relation to Republic Act No. 8282 (Social Security Act of 1997), Republic Act No. 8291 (Government Service Insurance System Act of 1997) and Republic Act No. 7699 (Portability Law of 1994);

WHEREAS, the Agreement shall apply to the Japanese National Pension and Employees Pension Insurance;


WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 6 February 2017, the following government agencies endorsed the concurrence to the ratification of the Agreement:

1. Department of Foreign Affairs;
2. Department of Justice;
3. Department of Labor and Employment;
4. Social Security System Commission;
5. Government Service Insurance System;
6. Philippine Overseas Employment Administration;
and
7. Philippine Health Insurance Corporation:


Now, therefore, be it

Resolved, That the Senate of the Philippines concur, as it hereby concurs, in the Ratification of the Agreement between Japan and the Republic of the Philippines on Social Security.

Adopted,


AQUILINO "KOKO" PIMENTEL III
President of the Senate

This Resolution was adopted by the Senate on February 13, 2017.


LUTGARDO B. BARBO
Secretary of the Senate