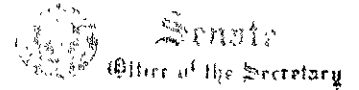


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



15 MAY 12 AM 1:50

SENATE

COMMITTEE REPORT NO. 134

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

Re : P.S. Res. No. 1331, 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:

**NAGOYA PROTOCOL ON ACCESS TO GENETIC RESOURCES AND THE
FAIR AND EQUITABLE SHARING OF BENEFITS ARISING FROM THEIR
UTILIZATION TO THE CONVENTION ON BIOLOGICAL DIVERSITY**

has considered the same and has the honor to report it back to the Senate with the recommendation that Proposed Senate Resolution No. 1331, prepared by the Committee, entitled:

**RESOLUTION
CONCURRING IN THE ACCESSION TO THE NAGOYA PROTOCOL ON
ACCESS TO GENETIC RESOURCES AND THE FAIR AND EQUITABLE
SHARING OF BENEFITS ARISING FROM THEIR UTILIZATION TO THE
CONVENTION ON BIOLOGICAL DIVERSITY**

be approved without amendment.

Respectfully submitted:

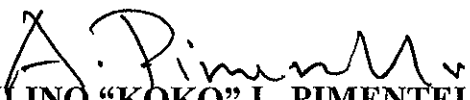

MIRIAM DEFENSOR SANTIAGO
Chair
Committee on Foreign Relations

Vice-Chair:


FERDINAND R. MARCOS JR.


SONNY M. ANGARA

Members:


AQUILINO "KOKO" L. PIMENTEL III


CYNTHIA A. VILLAR

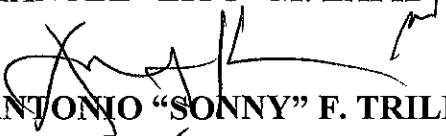

PIA S. CAYETANO

TEOFISTO L. GUINGONA III


LOREN B. LEGARDA


MANUEL "LITO" M. LAPID


RAMON BONG B. REVILLA JR.


ANTONIO "SONNY" F. TRILLANES IV

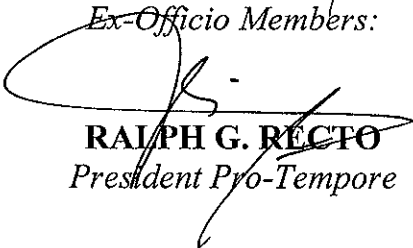

MARIA LOURDES NANCY S. BINAY


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

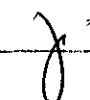

VICENTE C. SOTTO III
Acting Minority Leader

FRANKLIN M. DRILON
Senate President

'15 MAY 12 A11:50

SENATE

P.S. RES. NO. 1331

RECEIVED BY: 

Prepared by the Committee on Foreign Relations

RESOLUTION

CONCURRING IN THE ACCESSION TO THE NAGOYA PROTOCOL ON
ACCESS TO GENETIC RESOURCES AND THE FAIR AND EQUITABLE
SHARING OF BENEFITS ARISING FROM THEIR UTILIZATION TO THE
CONVENTION ON BIOLOGICAL DIVERSITY

WHEREAS, the Constitution, Article 7, Section 21 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 Nagoya Protocol on Access to the Genetic Resources and the Fair and Equitable sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity was adopted on 29 October 2010 in Nagoya, Japan; to date, 51 countries have ratified the Protocol;

WHEREAS, the Protocol strengthens the Convention on Biological Diversity (the Convention) signed on 5 June 1992 which promotes the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of benefits arising from utilization of genetic resources;

WHEREAS, under the Protocol, each Party shall take legislative, administrative or policy measures, as appropriate, with the aim of ensuring that the benefits arising from the utilization of genetic resources that are held by indigenous and local communities, in accordance with domestic legislation regarding the established rights of these indigenous and local communities over these genetic resources, are shared in a fair and equitable way with the communities concerned, based on the mutually agreed terms;

WHEREAS, the Protocol shall apply to the genetic resources within the scope of the Convention, Article 15, to the traditional knowledge associated with genetic resources within the scope of the Convention, and to the benefits arising from the utilization of such resources and knowledge;

WHEREAS, the Protocol enables biodiversity to ultimately contribute to development by providing incentives and rewards to promote the sustainable use of genetic resources and benefit-sharing when these resources are accessed and used; Through this mechanism, the Philippines can potentially obtain resources for the conservation of its remaining patches of biological diversity, and at the same time ensure the protection of the rights and well-being of its indigenous and local communities, and other stewards of biodiversity;

1

2 WHEREAS, the Protocol, Article 33 provides that it shall enter into force on the
3 ninetieth day after the date of deposit of the fiftieth instrument of ratification, acceptance,
4 approval or accession by States or regional economic integration organization that are
5 Parties to the Convention;


6 WHEREAS, the President of the Philippines acceded to the Nagoya Protocol on
7 Access to the Genetic Resources and the Fair and Equitable sharing of Benefits Arising
8 from their Utilization to the Convention on Biological Diversity on 5 May 2014 and has
9 accordingly submitted it to the Senate for concurrence in accordance with the Constitution;

10 WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations
11 on 5 March 2015, the following government agencies endorsed the concurrence in the
12 accession to the Protocol:

- 13 1. Department of Foreign Affairs
- 14 2. Department of Environment and Natural Resources
- 15 3. Department of Agriculture
- 16 4. National Commission on Indigenous Peoples

17 WHEREFORE, BE IT HEREBY RESOLVED, that the Philippine Senate concur, as
18 it hereby concurs, in the accession to the Nagoya Protocol on Access to Genetic Resources
19 and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the
20 Convention on Biological Diversity.

Adopted,


MIRIAM DEFENSOR SANTIAGO
Chair
Committee on Foreign Relations