

Republic of the Philippines  
Congress of the Philippines

Senate

Manila City

Fifteenth Congress

Second Regular Session

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RESOLUTION NO. 57

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;

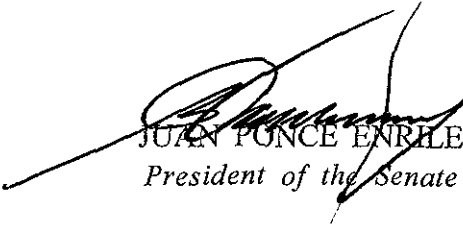
WHEREAS, the President of the Philippines has submitted the Rome Statute of the International Criminal Court to the Senate for concurrence in its ratification, in accordance with the Philippine Constitution;

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,



JUAN PONCE ENRILE  
*President of the Senate*

This Resolution was adopted by the Senate on August 23, 2011.



EMMA LIRIO-REYES  
*Secretary of the Senate*