

Republic of the Philippines  
Congress of the Philippines  
**Senate**

Manila City

Seventeenth Congress

Second Regular Session



RESOLUTION NO. 89

RESOLUTION CONCURRING IN THE ACCESSION TO  
THE CONVENTION ON CYBERCRIME

WHEREAS, the Constitution, Article VII, 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 Convention on Cybercrime (Convention) was signed on 23 November 2001 in Budapest, Hungary;

WHEREAS, to date, the Convention on Cybercrime remains the sole binding international legal mechanism

adopted by countries to address the threats posed by cybercrime;

WHEREAS, the Convention takes into account the existing Council of Europe conventions on co-operation in the penal field, as well as similar treaties which exist between Council of Europe Member States and other States, and stressing that the present Convention is intended to supplement those conventions in order to make criminal investigations and proceedings concerning criminal offences related to computer systems and data more effective, as well as to enable the more efficient collection of evidence in electronic form of a criminal offence;

WHEREAS, Article 37 (2) of Chapter IV of the Convention provides that, "In respect of any State acceding to the Convention under paragraph 1, the Convention shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of accession with the Secretary General of the Council of Europe";

WHEREAS, the President of the Philippines ratified the Convention on 9 December 2016 and submitted it to the Senate for concurrence, in accordance with the Constitution;

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 6 February 2018, the following government agencies endorsed the concurrence to the accession of the Convention:

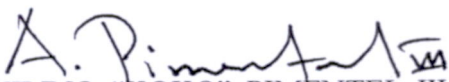
- 1) Department of Foreign Affairs;
- 2) Department of Justice;
- 3) Department of Information and Communication Technology;
- 4) National Bureau of Investigation; and
- 5) Philippine National Police:

Now, therefore, be it


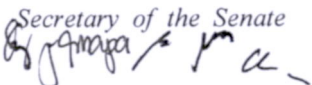
*Resolved*, That the Philippine Senate concur, as it hereby concurs, in the Philippine accession to the Convention on Cybercrime.

*Resolved, finally*, That the President of the Philippines may, with the concurrence of two-thirds of all the Members of the Senate, withdraw from the Convention.

Adopted,

  
AQUILINO "KOKO" PIMENTEL III  
*President of the Senate*

This Resolution was adopted by the Senate on February 19, 2018.

  
LUTGARDO B. BARBO  
*Secretary of the Senate*  


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