

FOURTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
First Regular Session }

8 JUN 16 P4:42

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 81

Submitted by the Committee on Foreign Relations  
on JUN 16 2008.

Re: P.S. Res. No. 451, prepared by the Committee.

Recommending its approval without amendment.

Sponsor: Senator Defensor Santiago.

**MR. PRESIDENT:**

The Committee on Foreign Relations, to which was referred the Treaty,  
entitled:

**“ASEAN TREATY ON MUTUAL LEGAL ASSISTANCE IN  
CRIMINAL MATTERS”**

has considered the same and has the honor to report it back to the Senate  
with the recommendation that Proposed Senate Resolution No. 451,  
prepared by the Committee, entitled:

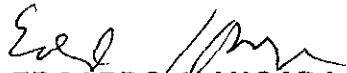
**“RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE ASEAN  
TREATY ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL  
MATTERS”**

be approved without amendment.

Respectfully submitted:

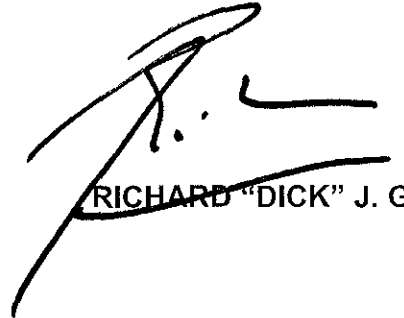
  
MIRIAM DEFENSOR SANTIAGO  
Chair

Members:

  
EDGARDO J. ANGARA

JOKER P. ARROYO

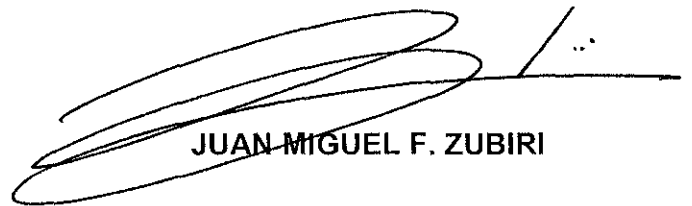
JUAN PONCE ENRILE

  
RICHARD "DICK" J. GORDON

GREGORIO B. HONASAN II

MANUEL "LITO" M. LAPID

RAMON "BONG" REVILLA JR.

  
JUAN MIGUEL F. ZUBIRI

  
RODOLFO G. BIAZON

  
LOREN LEGARDA

  
M.A. MADRIGAL


MAR ROXAS

ANTONIO "SONNY" F. TRILLANES IV


*Ex-Officio Members:*



**JINGGOY EJERCITO ESTRADA**  
President Pro-Tempore



**FRANCIS N. PANGILINAN**  
Majority Leader



**AQUILINO Q. PIMENTEL JR.**  
Minority Leader

**MANNY VILLAR**  
President  
Senate of the Philippines  
Pasay City

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P.S. RES. NO. 451

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Prepared by the Committee on Foreign Relations

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**“RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE ASEAN  
TREATY ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL  
MATTERS”**

**WHEREAS**, the ASEAN *Treaty on Mutual Legal Assistance in Criminal Matters* was signed on 29 November 2004 in Kuala Lumpur, Malaysia;

**WHEREAS**, the Treaty seeks to improve the effectiveness of the law enforcement authorities of the ASEAN Member Countries that are signatories thereto in the prevention, investigation and prosecution of offenses through cooperation and mutual legal assistance in criminal matters;

**WHEREAS**, at present, the Philippines has no existing bilateral agreement on mutual legal assistance with any of the eight (8) other ASEAN Member Countries, all of which are Parties to the Treaty. Considering that the evidence needed in criminal investigations and proceedings are sometimes located outside of national borders, the Treaty will be an effective tool for seeking and rendering assistance on cross border evidence gathering;

**WHEREAS**, in a hearing conducted by the Committee on Foreign Relations on 8 May 2008, representatives of the Department of Foreign Affairs (DFA), Department of Justice (DOJ), National Bureau of Investigation (NBI), Directory for Intelligence of the Philippine National Police (PNP); and the Integrated Bar of the Philippines (IBP) endorsed the concurrence in the ratification of the Treaty;

**WHEREAS**, pursuant to the Constitution, Article 7, Section 21, "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";

**NOW, THEREFORE,** be it resolved that the Senate of the Philippines concur as it hereby concurs in the ratification of the "*ASEAN Treaty on Mutual Legal Assistance in Criminal Matters*".

Adopted,

  
MIRIAM DEFENSOR SANTIAGO  
Chair