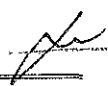


FOURTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
First Regular Session }

8 JUN 16 P4 7/8

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 82

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

Re: P.S. Res. No. 452, 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:

**“TREATY ON MUTUAL LEGAL ASSISTANCE IN CRIMINAL  
MATTERS BETWEEN THE REPUBLIC OF THE PHILIPPINES AND  
THE KINGDOM OF SPAIN”**

has considered the same and has the honor to report it back to the Senate  
with the recommendation that Proposed Senate Resolution No. 452,  
prepared by the Committee, entitled:


**“RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE TREATY ON  
MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS  
BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE  
KINGDOM OF SPAIN”**

be approved without amendment.

Respectfully submitted:

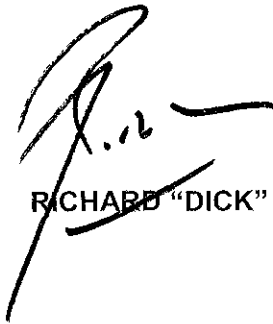
  
MIRIAM DEFENSOR SANTIAGO  
Chair

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

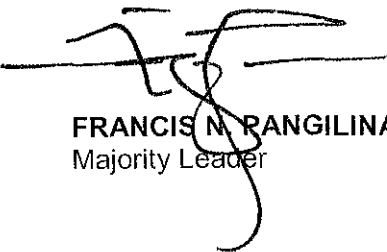
MAR ROXAS

ANTONIO "SONNY" F. TRILLANES IV

*Ex-Officio Members:*



**JINGGOY EJERCITO ESTRADA**  
President Pro-Tempore



**FRANCIS M. PANGILINAN**  
Majority Leader



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

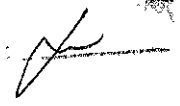
**MANNY VILLAR**  
President  
Senate of the Philippines  
Pasay City

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

8 JUN 16 P4:48

SENATE

P.S. RES. NO. 452

RECEIVED BY: 

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Prepared by the Committee on Foreign Relations

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**“RESOLUTION  
CONCURRING IN THE RATIFICATION OF THE TREATY ON  
MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS  
BETWEEN THE REPUBLIC OF THE PHILIPPINES AND THE  
KINGDOM OF SPAIN”**

**WHEREAS**, the *Treaty on Mutual Legal Assistance in Criminal Matters Between the Republic of The Philippines and The Kingdom Of Spain* was signed on 2 March 2004 in Manila;

**WHEREAS**, the Treaty seeks, among others, to improve the coordination and mutual legal assistance in criminal matters in general, in accordance with the Contracting Parties' national laws and regulations;

**WHEREAS**, under the Treaty, assistance shall be provided without regard as to whether the conduct, which is the subject of the investigation, prosecution, or proceeding in the Requesting State, would constitute an offense under the laws of the Requested State. However, when the assistance sought involves the execution of requests for searches and seizures or forfeiture of assets, restitution, and collection of fines, it shall be necessary that the conduct which is the subject of the investigation, prosecution, or proceeding in the Requesting State would constitute an offense under the laws of the Requested State;

**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 "*Treaty On Mutual Legal Assistance In Criminal Matters Between The Republic Of The Philippines And The Kingdom of Spain*".

Adopted,

  
MIRIAM DEFENSOR SANTIAGO  
Chair