

Republic of the Philippines
Congress of the Philippines
Senate
Pasay City

Fourteenth Congress

Second Regular Session



RESOLUTION NO. 127

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,


MANNY VILLAR
President of the Senate

This Resolution was adopted by the Senate on October 6, 2008.


EDWIN B. BELLEN
Acting Senate Secretary
