



SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

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SENATE

RECEIVED BY: \_\_\_\_\_

P.S. Res No. 289

Introduced by Senators Franklin M. Drilon, Sonny M. Angara, Paolo Benigno "Bam" Aquino IV, Leila M. De Lima, Joseph Victor G. Ejercito, Gregorio B. Honasan II, Risa Hontiveros, Panfilo M. Lacson, Loren B. Legarda, Francis "Kiko" Pangilinan, Ralph G. Recto, Vicente C. Sotto III, Joel Villanueva, and Juan Miguel "Migz" F. Zubiri

**RESOLUTION EXPRESSING THE SENSE OF THE SENATE  
THAT TERMINATION OF, OR WITHDRAWAL FROM, TREATIES AND  
INTERNATIONAL AGREEMENTS CONCURRED IN BY THE SENATE  
SHALL BE VALID AND EFFECTIVE ONLY UPON CONCURRENCE BY  
THE SENATE**

1 WHEREAS, Article VII, Section 21 of the Constitution provides: "No treaty or  
2 international agreement shall be valid and effective unless concurred in by at least  
3 two-thirds of all the Members of the Senate.";

4 WHEREAS, Article II, Section 2 of the Constitution provides, in part, that the  
5 Philippines adopts the generally accepted principles of international law as part of  
6 the law of the land;

7 WHEREAS, Article 14 of Republic Act No. 386, otherwise known as the Civil  
8 Code of the Philippines, provides: "Penal laws and those of public security and safety  
9 shall be obligatory upon all who live or sojourn in the Philippine territory, subject to  
10 the principles of public international law and to treaty stipulations.";

11 WHEREAS, the power to bind the Philippines by treaty or international  
12 agreement is vested jointly by the Constitution in the President and the Senate;


13 WHEREAS, a treaty or international agreement ratified by the President and  
14 concurred in by the Senate becomes part of the law of the land and may not be  
15 undone without the shared power that put it into effect;

16 WHEREAS, the principle of checks and balances, historical precedent and  
17 practice accepted as law in most jurisdictions, and the Constitution's dictate for a  
18 shared treaty-making power require that a termination, withdrawal, abrogation or  
19 renunciation of a treaty or international agreement can only be done with the same  
20 authority that gave it effect – executive ratification with Senate concurrence: *Now,*  
21 *therefore, be it*


1 RESOLVED BY THE SENATE, to express its sense that termination of, or  
2 withdrawal from, treaties and international agreements concurred in by the Senate  
3 shall be valid and effective only upon concurrence by the Senate.

Adopted,

  
FRANKLIN M. DRILON  
Senator

  
PAOLO BENIGNO "BAM" AQUINO IV  
Senator

  
LEILA M. DE LIMA  
Senator

  
RISA HONTIVEROS  
Senator

  
PANFILO M. LACSON  
Senator

  
LOREN B. LEGARDA  
Senator

  
FRANCIS N. PANGILINAN  
Senator

  
JUAN MIGUEL "MIGZ" F. ZUBIRI  
Senator

  
GREGORIO B. HONASAN  
Senator

  
JOSEPH VICTOR G. EJERCITO  
Senator

  
VICENTE C. SOTTO III  
Senator

  
SONNY M. ANGARA  
Senator

  
RALPH C. RECTO  
Senator

  
JOEL VILLANUEVA  
Senator