



SENATE

P. S. Res. No. 1146

PREPARED BY THE COMMITTEE ON FOREIGN RELATIONS

RESOLUTION CONCURRING IN THE RATIFICATION
OF THE TREATY BETWEEN THE GOVERNMENT
OF THE REPUBLIC OF THE PHILIPPINES AND
THE GOVERNMENT OF CANADA ON THE
TRANSFER OF SENTENCED PERSONS AND ON
COOPERATION IN THE ENFORCEMENT OF
PENAL SENTENCES

1 WHEREAS, Article VII, Section 21 of the Philippine
2 Constitution states that, “No treaty or international
3 agreement shall be valid and effective unless concurred in
4 by at least two-thirds of all the Members of the Senate”;

5 WHEREAS, the Treaty between the Government of the
6 Republic of the Philippines and the Government of Canada
7 on the Transfer of Sentenced Persons and on Cooperation
8 in the Enforcement of Penal Sentences (Treaty) was signed
9 on 22 May 2003 in Manila, Philippines;

1 WHEREAS, the Treaty, consisting of fifteen (15)
2 articles, provides for the conditions and procedure by
3 which a person sentenced in the territory of one State may
4 be transferred to the territory of another State of which he
5 or she is a citizen in order to serve therein the sentence
6 imposed by the transferring State;

7 WHEREAS, the Treaty designates the Department of
8 Justice (DOJ) as the Central Authority for the Philippines
9 and the Solicitor General of Canada as the Central
10 Authority for Canada;

11 WHEREAS, the Treaty provides that a sentenced
12 person may be transferred when the act or omission on
13 account of which the sentence has been imposed, would
14 constitute a criminal offense according to the law of the
15 receiving State, or would constitute a criminal offense if
16 committed in its territory;

17 WHEREAS, the Treaty likewise provides that the
18 transferring State shall retain exclusive jurisdiction over
19 the judgments of its courts, the sentences imposed by

1 them, as well as any procedure for the revision,
2 modification, or cancellation of said judgments and
3 sentences;

4 WHEREAS, the Treaty further provides that it shall
5 enter into force on the date of the later written notification
6 by either of the Parties, through diplomatic channels,
7 indicating that the domestic requirements for its entry into
8 force have been complied with;

9 WHEREAS, the President of the Philippines ratified
10 the Treaty on 24 January 2023 and has submitted it to the
11 Senate for concurrence, in accordance with the
12 Constitution of the Philippines;

13 WHEREAS, in the hearing conducted by the Senate
14 Committee on Foreign Relations on 16 April 2024, the
15 following government agencies endorsed the concurrence to
16 the ratification of the Treaty:

17 (1) Department of Foreign Affairs;

18 (2) Department of Justice; and

19 (3) Commission on Human Rights;

1 Now, therefore, be it

2 *Resolved by the Senate of the Philippines, To concur*
3 in the Philippine ratification of the Treaty between the
4 Government of the Republic of the Philippines and the
5 Government of Canada on the Transfer of Sentenced
6 Persons and on Cooperation in the Enforcement of Penal
7 Sentences.

8 *Resolved, finally, That the President of the*
9 Philippines may, with the concurrence of the Senate,
10 withdraw from the Treaty.

Adopted,