

Republic of the Philippines  
Congress of the Philippines  
**Senate**

Manila City

Fifteenth Congress

Second Regular Session



RESOLUTION No. 77

RESOLUTION CONCURRING IN THE  
RATIFICATION OF THE PROTOCOL  
ADDITIONAL TO THE GENEVA CONVENTION  
OF 12 AUGUST 1949, AND RELATING TO  
THE PROTECTION OF VICTIMS OF  
INTERNATIONAL ARMED CONFLICTS  
(PROTOCOL I)

WHEREAS, the Constitution, Article VII, Section 21, states that "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";

WHEREAS, the Philippines has been a party to the Four Geneva Conventions of 12 August 1949 since 6 October 1952, to the Additional Protocol II, and to the Additional Protocol

III of the same Geneva Conventions since 11 December 1986 and 22 August 2006, respectively;

WHEREAS, Protocol I and Protocol II supplement the Four Geneva Conventions in providing the civilian population protection from the direct effects of hostilities, and are gaining acceptance from the international community as part of customary international law;

WHEREAS, the Philippines signed Protocol I in 1977, but remains one of the few remaining States that have yet to ratify it;

WHEREAS, the President of the Philippines ratified the Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I) on 23<sup>rd</sup> December 2010, and has, accordingly, submitted it to the Senate for concurrence, with the following understandings:

a) The application of Protocol I, particularly Articles 1(4), 4 and 96(3) shall not affect the legal status of the Parties to the conflict, nor the legal status of the concerned territory; as such, no claim of status of belligerency may be invoked therefrom;

b) The application of Protocol I may in no case be invoked in internal armed conflicts within sovereign states;

c) The terms "armed conflict" and "conflict" do not include the commission of ordinary crimes, whether collected or isolated;

WHEREAS, in the hearing conducted by the Senate Committee on Foreign Relations on 25 May 2011, the following agencies and organizations endorsed the concurrence in the ratification of the Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I):

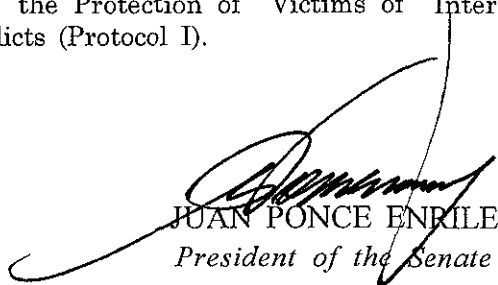
1. Department of Foreign Affairs (DFA);
2. Department of Justice (DOJ);

3. Department of the Interior and Local Government (DILG);
4. Department of Health (DOH);
5. Department of National Defense (DND);
6. National Bureau of Investigation (NBI);
7. Armed Forces of the Philippines (AFP);
8. Philippine National Police (PNP);
9. Presidential Human Rights Committee (PHRC);
10. International Committee of the Red Cross (ICRC);
11. Philippine Red Cross (PRC);
12. Philippine Nurses Association (PNA);
13. Philippine Medical Association (PMA); and
14. Medical Action Group (MAG).

Now, therefore, be it


*Resolved*, That the Senate of the Philippines concur, as it hereby concurs, in the ratification of the Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I).

Adopted,



JUAN PONCE ENRILE  
*President of the Senate*

This Resolution was adopted by the Senate on March 6, 2012.



EMMA LIRIO-REYES  
*Secretary of the Senate*