

# JUDICIAL DECISIONS

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## KNIGHTS OF RIZAL VS. DMCI HOMES, INC.

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G.R. No. 213948

April 18, 2017

KNIGHTS OF RIZAL, Petitioner

vs.

DMCI HOMES, INC., DMCI PROJECT DEVELOPERS,  
INC., CITY OF MANILA, NATIONAL COMMISSION  
FOR CULTURE AND THE ARTS, NATIONAL  
HISTORICAL COMMISSION OF THE PHILIPPINES,  
Respondents

### DECISION

CARPIO, *J.*:

#### **Facts**

This case is a Petition for Injunction filed by Petitioner Knights of Rizal seeking to enjoin the construction of Torre de Manila, a condominium development project by Respondent DMCI Homes. The Supreme Court later treated the petition as one for writ of mandamus. Among its various arguments, Petitioner claims that the project violated “the International Charter for the Conservation and Restoration of Monuments and Sites, otherwise known as the Venice Charter.” The Supreme Court ruled in the negative on this issue and the others raised by Petitioner, and dismissed the petition for lack of merit.

#### **Ruling**

“The Venice Charter is merely a codification of guiding principles for the preservation and restoration of ancient monuments, sites, and buildings. It brings together principles in the field of historical conservation and restoration that have

been developed, agreed upon, and laid down by experts over the years. Each country, however, remains ‘responsible for applying the plan within the framework of its own culture and traditions.’

The Venice Charter is not a treaty and therefore does not become enforceable as law. The Philippines is not legally bound to follow its directive, as in fact, these are not directives but mere guidelines – a set of the best practices and techniques that have been proven over the years to be the most effective in preserving and restoring historical monuments, sites and buildings.

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WHEREFORE, the petition for mandamus is DISMISSED for lack of merit. The Temporary Restraining Order issued by the Court on 16 June 2015 is LIFTED effective immediately.”

**MITSUBISHI CORPORATION-MANILA BRANCH VS.  
COMMISSIONER OF INTERNAL REVENUE**

FIRST DIVISION

G.R. No. 175772

June 5, 2017

MITSUBISHI CORPORATION - MANILA BRANCH, Petitioner

vs.

COMMISSIONER OF INTERNAL REVENUE, Respondent

D E C I S I O N

PERLAS-BERNABE, *J.*:

**Facts**

On 11 June 1987, the governments of Japan and the Philippines executed an Exchange of Notes, where the former, through the Overseas Economic Cooperation Fund (OECF), extended a ¥40,400,000,000 loan to the latter for the Calaca II Coal-Fired Thermal Power Plant Project. Under Paragraph 5(2) of the said agreement, “the Philippine Government, by itself or through its executing