

EDITOR'S NOTE

This volume includes four (4) papers. First, the paper of Judge Soliman M. Santos Jr., titled “The Constitutionality Petitions on the Anti-Terrorism Act of 2020: An Unfortunate Lack of International Law Discourse on Both Sides,” emphasizes that the crux of the constitutionality issues surrounding the Anti-Terrorism Law. The author points out that not many of the petitions invoke international law against the ATA. In his discussion, Judge Santos Jr. posits that international law can provide insight in arguing the constitutionality of the ATA.

Second, Ambassador J. Eduardo Malaya and Atty. Jillian Joyce De Dumo-Cornista, in their paper, “Implementation of International Agreements and the Self-Executing and Non-Self-Executing Dichotomy: The Case of Three HCCH Conventions,” discuss an essential issue in the transformation of international agreements into the domestic legal system. The authors examine the question of self-execution by looking at the Philippines' accession to the Inter-country Adoption, Apostille, and Service Conventions under the Hague Conference of Private International Law. The authors then recommend standards to determine whether an international agreement is self-executing or otherwise.

Third, Atty. Jilliane Joyce R. De Dumo-Cornista, in “The Search for Justice: Reparations in the International Criminal Court,” provides a discussion on the theory of reparation in the fields of international law and transitional justice. The paper further examines the ICC and Trust Fund for Victims' practices. In doing so, the author argues that the ICC plays a crucial role in developing a reparations framework. The paper provides recommendations on how the ICC can improve the handling of reparation claims, victim recognition, and engagement, among others.

Fourth, in “Domesticating International Law: Resolving the Uncertainty and Incongruence,” Prof. Rommel J. Casis analyzes the issues of the domestication of international law in the Philippine legal system. The paper also looks at how executive agreements are defined and construed vis-à-vis treaties and other international agreements and the absence of rules on the third class of sources of international law – General Principles of Law. Finally, the last part of the paper provides recommendations on resolving the identified

questions through legislative action, judicial construction, and executive correction.

This volume also includes the Report on the Preliminary Examination in the Philippines on Extrajudicial Killings issued by the Office of the Prosecutor of the International Criminal Court (Report). The Report touched upon preliminary jurisdiction issues following the Philippines' withdrawal from the ICC, subject-matter jurisdiction, and the admissibility assessment for the investigations. The Report also announced that the Office of the Prosecutor would decide whether to seek authorization to open an investigation in the Philippines.

This volume also includes a summary of 12 international treaties and agreements that entered into force for the Philippines in 2020. The treaties and agreements span the areas of criminal law, extradition, science and technology, trade, transportation, investments, safety, and health, among others. Among the notable multilateral treaties and agreements included are the ILO Convention 187 on the Promotional Framework for Occupational Safety and Health Convention, the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, and the Minamata Convention on Mercury.

This volume also includes six (6) judicial decisions wherein the Supreme Court had the occasion to address international law issues. These six cases are *Galapon v. Republic*, *Kondo v. Civil Registrar General*, *Joint Ship Manning Group Inc. v. SSS*, *Suzuki v. OSG*, *Zuneca v. Natrapharm*, and *Alanis v. Court of Appeals*. In addition, the DOJ opinions on the Marawi Compensation Bills and the DOF Loan with Australia are also included.

MERLIN M. MAGALLONA
Editor-in-Chief