

Title: Tañada et al. vs. Angara et al.: The Constitutionality of Philippine Participation in the World Trade Organization

Facts:

The controversy at the heart of the case stems from the Philippine Senate's concurrence in the ratification of the Agreement Establishing the World Trade Organization (WTO Agreement). Petitioners, comprised of members of the Philippine Senate and House of Representatives, taxpayers, and various non-governmental organizations, question the WTO Agreement's compatibility with Philippine sovereignty and economic self-determination as mandated by the 1987 Philippine Constitution.

The Philippines, represented by Secretary of the Department of Trade and Industry Rizalino Navarro, was a signatory to the Final Act of the Uruguay Round of Multilateral Trade Negotiations, the outcome of which included the WTO Agreement. President Fidel V. Ramos sought the Senate's approval of the WTO Agreement, stressing its potential for improving Philippine access to foreign markets and attracting investments, but without mentioning the possible downside to Philippine sovereignty and domestic industries.

The Senate, after deliberation, voted to concur with Ramos' ratification through Senate Resolution No. 97. Following this concurrence, petitioners filed this present action challenging the sufficiency and constitutionality of such concurrence and the WTO Agreement's impact on national sovereignty, legislative power, and judicial authority.

Issues:

1. Whether the case involved a justiciable controversy or a political question beyond the jurisdiction of the Court.
2. Whether the provisions of the WTO Agreement and its annexes contravene the nationalist economic provisions of the Philippine Constitution, namely Sections 19 of Article II, and Sections 10 and 12 of Article XII.
3. Whether the WTO Agreement impairs the legislative power granted by the Constitution to the Philippines' Congress.
4. Whether the WTO Agreement affects the judicial power of the Philippine Supreme Court, particularly concerning the Court's rule-making authority.
5. Whether the Senate's concurrence was valid, having only covered the WTO Agreement and not the Final Act, Ministerial Declarations and Decisions, and the Understanding on Commitments in Financial Services.

Court's Decision:

The Supreme Court dismisses the petition for lack of merit.

1. The Court holds it has jurisdiction over the controversy as it involves allegations of grave abuse of discretion by the Senate—an aspect duly reviewable by the judiciary to uphold the Constitution.
2. The Court finds no conflict between the WTO Agreement and the nationalist provisions of the Constitution, emphasizing the Constitution itself advocates for a balanced approach to nationalism which does not exclude global trade participation.
3. In terms of legislative power, the Court acknowledges that while sovereignty may be limited by international agreements, the WTO Agreement provides sufficient protection and benefits justifying such limitations.
4. Concerning judicial power, the Court sees no undue impairment but rather a logical alignment with existing Philippine laws on patents, particularly in relation to the burden of proof in intellectual property disputes.
5. The Senate's concurrence is deemed sufficient and valid as it was within the scope required by the Final Act, and the specificity of concurrence in the WTO Agreement does not signify a rejection of the other documents.

Doctrine:

The Court reiterates the doctrine that by entering international agreements, a state may consent to limit its sovereign rights in exchange for reciprocal commitments. The Constitution incorporates generally accepted principles of international law. Moreover, reciprocity is an inherent element in international agreements, and adherence to such agreements does not constitute an unqualified surrender of sovereignty.

Class Notes:

- Judicial review is pertinent to acts of legislative bodies claimed to infringe the Constitution.
- International agreements may limit aspects of state sovereignty.
- The constitutional provision of economic nationalism does not prohibit external trade but encourages competitiveness and engagement in global trade.
- Ratification of international treaties by the executive needs concurrence from the Senate to be binding and effective domestically.

Historical Background:

The case arises from the Philippines' involvement in the creation of the WTO. The WTO,

formed out of trade negotiations from the latter half of the twentieth century, seeks to foster global economic cooperation and trade liberalization. The Philippines' accession to the WTO signifies its commitment to integrate into the global economy, a step in line with the economic policies and constitutional principles of balance between national control and global interdependence.