

APR 14 10:31

P. S. Res. No. 1269

16 APR 14 10:31

Introduced by Senator Antonio "Sonny" F. Trillanes IV

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY, SENATE COMMITTEE ON FOREIGN RELATIONS, AND OTHER RELEVANT COMMITTEES OF THE SENATE, TO INQUIRE, LOOK INTO, AND INVESTIGATE IN AID OF LEGISLATION, THE ALLEGED LAND RECLAMATION AND DREDGING OPERATIONS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA ON THE DISPUTED SPRATLY ISLAND GROUP; AND THE REPORTED DOWNGRADING OF THE PHILIPPINES' CLAIM OVER SABAH, WITH THE END IN VIEW OF PRESENTING AND ANALYZING NATIONAL SECURITY IMPLICATIONS; AND REVIEWING THE PHILIPPINES' COMPREHENSIVE NATIONAL DEFENSE AND FOREIGN RELATIONS PLAN, IN ORDER TO UPHOLD THE COUNTRY'S NATIONAL SOVEREIGNTY AND TERRITORIAL INTEGRITY.

WHEREAS, Section 7 Article II of the 1987 Constitution declares that "*[t]he State shall pursue an independent foreign policy. In its relations with other states, the paramount consideration shall be national sovereignty, territorial integrity, national interest, and the right to self-determination*";

WHEREAS, recent events in the international community, especially with regard to the maritime interests of different nation-states on the disputed areas in the West Philippine Sea (South China Sea), particularly the Spratly Islands, have posed a serious challenge to the aforementioned national policy declaration;

WHEREAS, the Spratly Islands (Spratlys) encompass over 750 islands, islets, reefs, and other features in the West Philippine Sea. Different areas of the Spratlys are claimed by Brunei, China, Malaysia, the Philippines, Taiwan, and Vietnam¹;

WHEREAS, on February of this year, it was reported that China has been earnestly conducting dredging activities at *Panganiban Reef (Mischief Reef)* — a Philippine-claimed area in the Spratlys, which Beijing occupied in the mid-1990s — similar to earlier reported land reclamation work in other areas of the Spratlys. It was reported that China had already undertaken reclamation work on six other reefs it occupies in the Spratlys, expanding land mass five-fold, as shown by various aerial surveillance photos.²;

WHEREAS, in response, the DFA has lodged a protest with China concerning the land reclamation activities at *Panganiban Reef*. This was included in the *note verbale* handed to Chinese Embassy Representatives which expressed the Philippines' strong objection to the stepped-up Chinese building activities at *Kagitingan Reef (Fiery Cross Reef)*, including the plan to build an airstrip on top of land dredged from around the area³;

¹ Shannon Tiezzi. May 15, 2014. *Philippines: China Building an Airstrip in Disputed Spratlys*. Information retrieved from <http://thediplomat.com/2014/05/philippines-china-building-an-airstrip-in-disputed-spratlys/>. Information retrieved on

² Redempto D. Anda. February 2, 2015. *China's mischief: Expansion, reclamation*. Information retrieved from <http://globalnation.inquirer.net/118415/chinas-mischief-expansion-reclamation/>

³ *Ibid.*

WHEREAS, as of March this year, surveillance photos of five reefs in the Spratlys, show an advanced stage of construction that clearly show a military facility being built there based on the configuration and the fixed structural design of the buildings; and the Philippine military believes that the intended purpose of China's reclamation, is clearly to support naval and air asset operations in the area⁴;

WHEREAS, even members of the US Senate have written the US Secretary of State and US Secretary of Defense on March of this year, to express apprehension at the scale and speed of China's land reclamation and said a formal US strategy was needed to slow or stop the work;⁵ while US President Barack Obama himself appeared to have accused China of "elbowing aside" its smaller neighbours, thereafter prompting China to defend its controversial policy of land reclamation saying it falls "within the scope of its sovereignty"⁶;

WHEREAS, further, to escalate the already brewing tension, just recently, Sultan Esmail Kiram II of the Sultanate of Sulu and North Borneo (SSNB) expressed alarm over news reports that the DFA, in a *note verbale* handed to representative of the Malaysian Embassy, offered to drop the *Sabah* claim in exchange for Malaysia's support against China in the West Philippine Sea (South China Sea) territorial dispute⁷;

WHEREAS, this was, however, refuted by DFA Spokesperson Charles Jose, who clarified that the *note verbale* from the Philippines to Malaysia was part of the two countries' "friendly bilateral relations" and that Sabah was not included in the issue⁸;

WHEREAS, in view of the foregoing developments, there is a pressing need for Congress to look into and review the relevant national policies and international agreements that are pertinent to the Philippines' claim over the Spratly Islands, as the aforesaid reclamation activities may have significantly changed the physical features of these disputed areas, which in turn, could bring larger geopolitical consequences such as providing a stronger basis for China's territorial claim, thereby diminishing the Philippines' assertion of sovereignty;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Philippine Senate, to direct the Senate Committee on National Defense and Security, Senate Committee on Foreign Relations, and other relevant committees of the Senate, to inquire, look into, and investigate in aid of legislation, the alleged land reclamation and dredging operations of the Government of the People's Republic of China on the disputed Spratly Island Group; and the reported downgrading of the Philippines' claim over Sabah, with the end in view of presenting and analyzing national security implications; and reviewing the Philippines' Comprehensive National Defense and Foreign Relations Plan, in order to uphold the country's national sovereignty and territorial integrity.

Adopted,


ANTONIO "SONNY" F. TRILLANES IV
Senator

⁴ Tessa Jamandre. March 11, 2015. *China's latest expansion to deny PH access to Ayungin shoal*. Information retrieved at <http://verafiles.org/chinas-latest-expansion-to-deny-ph-access-to-ayungin-shoal/#sthash.3Q7UgsUc.dpuf>

⁵ David Brunnstrom. *American senators seek US strategy to stop China's South China Sea reclamation*. Information retrieved from <http://www.gmanetwork.com/news/story/455725/news/nation/american-senators-seek-us-strategy-to-stop-china-s-south-china-sea-reclamation>

⁶ *China defends construction on disputed Spratly Islands*. Information retrieved from <http://www.telegraph.co.uk/news/worldnews/asia/china/11528435/China-defends-construction-on-disputed-Spratly-Islands.html>

⁷ Charissa M. Luci and Edd R. Usman. *House to probe Sabah claim downgrade*. Information retrieved from <http://www.rmb.com.ph/house-to-probe-sabah-claim-downgrade/>

⁸ *PH offers Sabah to win Malaysia's support for UN case vs China*. March 30, 2015. Information retrieved from <http://verafiles.org/ph-offers-sabah-to-win-malaysias-support-for-un-case-vs-china/>