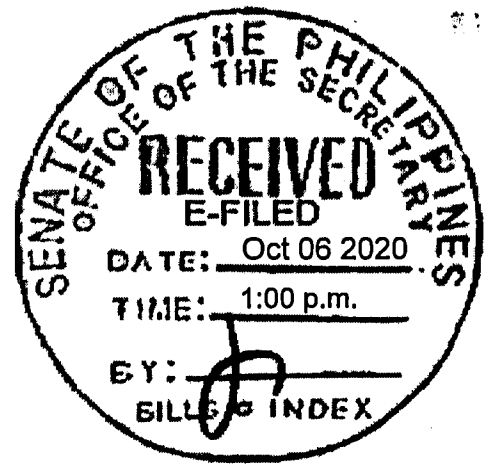


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE

P.S. Res. No. 535

Introduced by SENATOR LEILA M. DE LIMA

RESOLUTION
URGING THE PRESIDENT AND CONGRESS OF THE PHILIPPINES TO
TERMINATE ALL PRESENT EFFORTS TO SELL PROPERTIES OF THE
REPUBLIC OF THE PHILIPPINES IN JAPAN AND PRESERVE THE
SAME AS LEGACY FOR FUTURE FILIPINOS

1 WHEREAS, on 9 May 1956, the Philippines and Japan entered into a
2 Reparations Agreement following World War II;

3 WHEREAS, as part of the agreement, the Philippines acquired several
4 properties in Japan, namely: the Roppongi and the Nampeidai property in Tokyo and
5 a commercial and a residential property in Kobe;

6 WHEREAS, on 28 September 2020, President Rodrigo Duterte revealed the
7 plan of his government to sell the said assets to raise funds for Philippine Health
8 Insurance Corp. (PhilHealth);¹

9 WHEREAS, President Duterte has justified the need to sell the country's assets
10 in Tokyo and Kobe, citing the Philippines' need to raise money as a stopgap measure
11 to prevent the PhilHealth from going bankrupt;²

12 WHEREAS, according to President Duterte, the graft-ridden state insurer
13 might end up cash-strapped if it would not be given interventions;³

¹ Valente, Catherine. 30 September 2020. *Palace bats for new law to abolish PhilHealth, sell PH properties to boost funds*. Retrieved from: <https://www.manilatimes.net/2020/09/30/news/latest-stories/palace-bats-for-new-law-to-abolish-philhealth-sell-ph-properties-to-boost-funds/774164/>

² Mendez, Christina. 30 September 2020. *Philippines selling Japan properties to raise funds for PhilHealth*. Retrieved from: <https://www.philstar.com/headlines/2020/09/30/2046108/philippines-selling-japan-properties-raise-funds-philhealth>

³ *Ibid.*

1 WHEREAS, President Duterte only bared his plans after Department of Foreign
2 Affairs Secretary Teodoro Locsin Jr. said that there are plans to use the proceeds from
3 the proposed sale as a “retirement fund of last resort” for some government officials
4 “who’ve run through the budgets of their own agencies;”⁴

5 WHEREAS, Sec. Locsin was quoted saying “I will never agree to the sale of our
6 properties in Japan for any reason. Sell the properties of the departments of budget,
7 treasury, health above all for its lousy response to COVID;”⁵

8 WHEREAS, Senate President Vicente Sotto, III himself opposed the proposed
9 sale of the properties saying, “It’s impractical to sell those. They are symbols of our
10 diplomatic ties with Japan. Besides, there are many other government properties in
11 the Philippines that we can sell instead;”⁶

12 WHEREAS, Senator Koko Pimentel stressed that the war reparations belong to
13 the public domain and should not be sold, noting that “there is no clamor or even
14 sentiment from the people to sell these;”⁷

15 WHEREAS, in the case of *Laurel v. Garcia* (G.R. No. 92013, 25 July 1990), the
16 Supreme Court ruled that, “[i]t is not for the President to convey valuable real property
17 of the government on his or her own sole will. Any such conveyance must be authorized
18 and approved by a law enacted by the Congress. It requires executive and legislative
19 concurrence;”

20 WHEREAS, the Supreme Court added that “[i]t is indeed true that the
21 Roppongi property is valuable not so much because of the inflated prices fetched by
22 real property in Tokyo but more so because of its symbolic value to all Filipinos —
23 veterans and civilians alike. Whether or not the Roppongi and related properties will
24 eventually be sold is a policy determination where both the President and Congress
25 must concur. Considering the properties’ importance and value, the laws on
26 conversion and disposition of property of public dominion must be faithfully followed;”

27 WHEREAS, we have seen during this time of pandemic that funds can be raised
28 in many other ways in order to protect our economy and our people against the ravages

⁴ *Ibid.*

⁵ *Ibid.*

⁶ Terrazola, Vanne Elaine. 2 October 2020. *Sotto nixes PH plan to sell Japan assets to fund PhilHealth*. Retrieved from: <https://mb.com.ph/2020/10/02/sotto-nixes-ph-plan-to-sell-japan-assets-to-fund-philhealth/>

⁷ Santos, Eimor. 2 October 2020. *Senators oppose sale of PH properties in Japan*. Retrieved from: <https://www.cnn.ph/news/2020/10/2/Senators-oppose-sale-philippines-properties-japan.html>

1 of COVID-19 without disposing of properties that have both symbolic and material
2 significance for our country;

3 WHEREAS, to insist on selling the Japan properties first before resorting to
4 other properties of the Philippine government speaks more of the interests of those
5 pushing to buy the said properties more than that of the Filipino people;

6 WHEREAS, the sale of these properties would diminish the historical
7 significance of the same and rid our future generations of yet another reminder of the
8 bravery of our forefathers in defending our country against seemingly insurmountable
9 forces during World War II;

10 WHEREAS, the President and Congress must resist any efforts to sell these
11 properties and preserve the same for our future generations to celebrate and enjoy;

12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, to urge the
13 President and Congress of the Philippines to resist and/or terminate all present efforts
14 to sell properties of the Republic of the Philippines in Japan and preserve the same as
15 legacy for future Filipinos.

Adopted,


LEILA M. DE LIMA