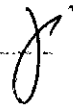




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SENATE  
P. S. R. No. 1287

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID  
OF LEGISLATION, ON THE REPORT THAT CHINA’S RECLAMATION AND  
CONSTRUCTION IN THE SOUTH CHINA SEA MIGHT HAVE CHANGED THE PRESENT  
SITUATION IN THE DEBATED REGIONAL WATERS

WHEREAS, the Constitution, Article 1 states that:

The national territory comprises the Philippine archipelago, with all the  
islands and waters embraced therein, and all other territories over which the  
Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial and  
aerial domains, including its territorial sea, the seabed, the subsoil, the insular  
shelves, and other submarine areas. The waters around, between, and connecting  
the islands of the archipelago, regardless of their breadth and dimensions, form  
part of the internal waters of the Philippines.

WHEREAS, the Constitution, Article 12, Section 2 further states that: “The State shall  
protect the nation’s marine wealth in its archipelagic waters, territorial sea, and exclusive  
economic zone, and reserve its use and enjoyment exclusively to Filipino citizens”;

WHEREAS, the *Philippine Daily Inquirer* on 15 March 2015 reported that China’s land  
reclamation in four of the Philippine-claimed islands and reefs in the West Philippine Sea area of  
the South China Sea is estimated to have reached more than 60 hectares;

WHEREAS, alleged aerial photos of Mischief Reef taken last January 29 and 30 showed  
that dredging activities have begun in the area;

WHEREAS, a source claimed that the dredging in Mischief Reef is the most unsettling of  
all because it is only 41 kilometers from Ayungin Shoal;

1           WHEREAS, the *Inquirer* reportedly learned that the Chinese had reclaimed some 24  
2   hectares of land on Calderon Reef, the biggest of the artificial islands in the disputed waters,  
3   where the Chinese have built a massive building surrounded by several smaller structures;

4           WHEREAS, China has allegedly reclaimed 12.14 hectares of land on Mabini Reef, some  
5   10.9 hectares on Gaven Reef, and 8.09 hectares on Kennan Reef; it reportedly looked like a  
6   small city if all those structures were put together;

7           WHEREAS, Magdalo Representative and former military pilot Francisco Ashley  
8   Acedillo claimed that upon the completion of China's reclamation activities, the reefs and shoals  
9   would be physically altered to habitable islands and would be able to host structures for military  
10   and other personnel, as well as support naval and aircraft operations;

11          WHEREAS, Acedillo alleged that the Philippines could lose Ayungin Shoal (Second  
12   Thomas Shoal) to China in a year's time or two, when China steps up air and navy patrols based  
13   in Panganiban Reef (Mischief Reef);

14          WHEREAS, the Philippines reportedly had control of Mischief Reef until 1995 when  
15   China began putting up what it claimed was a shelter for Chinese fishermen, and eventually  
16   claimed the reef as theirs;

17          WHEREAS, alarmed Philippine authorities allegedly moved to guard the neighboring  
18   Ayungin Shoal, allowing an empty hospital ship to run aground on the shoal;

19          WHEREAS, Acedillo reportedly warned that within two to three years after China takes  
20   Ayungin Shoal, the Scarborough Shoal, or the Bajo de Masinloc, coast of Zambales province,  
21   would be next; thus, this could result in the forced relocation of the residents of Pagasa; Pagasa is  
22   a part of the Palawan province, and the country's second largest island in the Spratly group;

23          WHEREAS, Acedillo claimed that these Chinese-built territories functioned as forward  
24   operating island bases that could sustain 24/7 naval and air patrols, virtually allowing China to  
25   stake their claim to at least 80 percent or even the entire South China Sea area consistent with  
26   their nine-dash line claim, which is allegedly detrimental to the other claimants;


1           WHEREAS, Acedillo reportedly warned that with China's preeminence over the Spratlys  
2 and the South China Sea as a result of its unhampered building of facilities on the disputed  
3 territories that could become operational by year's end or early next year, it would be very hard  
4 to forge a Code of Conduct (COC) on the South China Sea that would be fair to all parties and  
5 not skewed in China's favor;

6           WHEREAS, an investigation must be conducted to examine the extent of the  
7 construction in the disputed territories;

8           WHEREAS, the State should also study whether a more aggressive action should be  
9 taken in order to protect the Philippines' territories;

10          WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct  
11 the proper Senate committee to conduct an inquiry, in aid of legislation, on the report that  
12 China's reclamation and construction in the South China Sea might have changed the present  
13 situation in the debated regional waters.

Adopted,

  
MIRIAM DEFENSOR SANTIAGO  
ff

/tdr