


THIRTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
THIRD REGULAR SESSION)

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SENATE

RECORDED BY: 

P. S. Resolution No. 582

Introduced by Senator M. A. Madrigal and Senator Aquilino Q. Pimentel, Jr.

RESOLUTION

DIRECTING THE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO CERTAIN INIQUITOUS PROVISIONS OF THE JAPAN-PHILIPPINES ECONOMIC PARTNERSHIP AGREEMENT (JPEPA) WHICH ARE DISADVANTAGEOUS TO FILIPINOS, WITH THE END IN VIEW OF REVIEWING THE TERMS OF THE AFORESAID BILATERAL AGREEMENT

WHEREAS, on 4 December 2002, the JPEPA was initiated during a visit by President Gloria Macapagal Arroyo to Japan, and immediately thereafter, a working group and a joint coordinating team were established between the Philippines and Japan;

WHEREAS, in February 2004, formal negotiations between Japan and the Philippines commenced;

WHEREAS, on 29 November 2004, President Arroyo and Japan Prime Minister Koizumi concurred on major points of the agreement with the aim of immediately removing certain tariffs on fruits, vehicles, steel products and electronic appliances and garments;

WHEREAS, on 28 February 2005, the House of Representatives' Committee on Globalization commenced hearings on the JPEPA but was not furnished a copy of the proposed agreement by the Department of Trade and Industry (DTI), as a copy of the JPEPA was made available only two days after the agreement was concluded;

WHEREAS, on 9 September 2006, President Gloria Macapagal Arroyo, for and in behalf of the Republic of the Philippines and Prime Minister Junichiro Koizumi, representing the Government of Japan, signed the JPEPA in England, ahead of the Asia-Europe meeting;

WHEREAS, there is a need to review the provisions of the agreement as certain sectors from the agriculture industry bewails the inequity of the tariff rates to be imposed on fruits *vis-à-vis* machinery and mechanical appliances;

WHEREAS, environmental groups like KALIKASAN and GREENPEACE have likewise registered their strong opposition to JPEPA, claiming that the Agreement as it is

worded; would legalize trade in hazardous and toxic wastes, making the Philippines a willing dumpsite for Japan, and would cause havoc on the environment as well as the health and well-being of the Filipinos;

WHEREAS, it is also widely perceived that the benefits of tariff reduction for certain agricultural products would accrue mainly to big foreign and transnational agribusiness enterprises, leaving local peasants at a disadvantage due to lack of government support in terms of infrastructure, credit extension and post-harvest facilities;

WHEREAS, the JPEPA is more than a bilateral free trade agreement. It supplements and updates the old Japanese-Philippine Treaty of Amity, Cooperation and Navigation decreed by President Marcos during martial law. This means that JPEPA should not only be subjected to Senate ratification as required by the Philippine constitution, it should also be scrutinized chapter by chapter given its comprehensive coverage. We must ask – “where is the development framework?”;


WHEREAS, JPEPA has a long chapter on intellectual property rights. We must determine if these provisions of the JPEPA will create a monopoly on certain products;

WHEREAS, JPEPA will not allegedly bring in any new substantial Japanese investments nor open up new and bigger markets for Philippine products. Over three decades of investment, debt and trade relations between the Philippines and Japan under the old Treaty of Amity has only transformed the Philippines into a junior partner of Japan;

WHEREAS, the Fair Trade Alliance (FTA) likewise claims that under the JPEPA, tariffs for Philippine agricultural products remain high while industrial goods are not subject to quota or trade barriers;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved to direct the Committee on Food and Agriculture, to conduct an inquiry in aid of legislation, into certain iniquitous provisions of the Japan-Philippines Economic Partnership Agreement (JPEPA) which are disadvantageous to Filipinos, with the end in view of reviewing the terms of the aforesaid bilateral agreement.

Adopted,


M. A. MADRIGAL


A. Q. PIMENTEL, JR.