

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
Third Regular Session



HOUSE RESOLUTION NO. 2336

INTRODUCED BY REPRESENTATIVES

ARIEL B. CASILAO

**CARLOS ISAGANI T. ZARATE, EMMI A. DE JESUS, ANTONIO L. TINIO,
ARLENE D. BROSAS, FRANCE L. CASTRO, SARAH JANE I. ELAGO**

RESOLUTION

**DIRECTING THE APPROPRIATE HOUSE COMMITTEE
TO INVITE THE CONCERNED OFFICIALS OF THE DEPARTMENT
OF FOREIGN AFFAIRS, DEPARTMENT OF ENERGY AND THE NATIONAL
ECONOMIC DEVELOPMENT AUTHORITY AND CONDUCT A HEARING FOR
THESE OFFICIALS TO EXPLAIN THE SUBSTANTIAL CONTENTS OF THE
ECONOMIC AGREEMENTS, ESPECIALLY THE MEMORANDUM OF
UNDERSTANDING ON COOPERATION ON OIL AND GAS DEVELOPMENT,
SIGNED BY AND BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE
PHILIPPINES AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF
CHINA, TO AID THE HOUSE OF REPRESENTATIVES IN DETERMINING
WHETHER THE AFORESAID AGREEMENTS ARE BENEFICIAL OR INIMICAL TO
THE FILIPINO PEOPLE**

WHEREAS, prior to and during the state visit of Chinese President Xi Jinping in the country last November 20 to 21, the Duterte administration issued press statements that, among the highlights of the state visit, was the signing of twenty-nine economic agreements by and between the Government of the Republic of the Philippines and the Government of the People's Republic of China;

WHEREAS, the twenty-nine agreements were signed on November 20, the first day of the state visit. As it turned out, these were a mixture of memoranda of understanding, letters of intent, and commercial contracts. In its special report, Rappler listed down the signed documents as follows:

- 1. Memorandum of understanding (MOU) on cooperation on the Belt and Road Initiative;**
- 2. MOU on cooperation on oil and gas development between the Philippines and China;**
- 3. MOU between the Foreign Service Institute of the Philippines and the China Foreign Affairs University;**
- 4. Executive program of the cultural agreement between the governments of the Philippines and China for 2019 to 2023;**

5. MOU on basic education cooperation between the Department of Education and China's Ministry of Education;
6. MOU between the Department of Information and Communication Technology and Ministry of Industry and Information Technology of China;
7. MOU between the Cooperative Development Authority of the Philippines and Ministry of Agriculture and Rural Affairs of China on strengthening the building of agricultural cooperatives;
8. Infrastructure cooperation program between the Philippines and China;
9. Program for cooperation on industrial parks development between the Philippines and China;
10. Handover certificate of emergency humanitarian cash assistance between the Philippines and China;
11. MOU on jointly promoting the cooperation in key infrastructure projects in Davao region between the Philippines' Department of Finance and Ministry of Commerce of China;
12. Handover of certificate of humanitarian cash assistance between the governments of Philippines and China;
13. Implementation agreement of the feasibility study for Davao City Expressway project;
14. Implementation agreement of feasibility study for Panay-Guimaras-Negros islands bridges project;
15. MOU on renminbi clearing arrangement;
16. Protocol for phytosanitary requirement for export of fresh young coconuts from the Philippines to China between the DA of Phl and the General Administration of Customs of China and phytosanitary requirements for export of frozen fruits from the Philippines to China;
17. Agreement on economic and technical cooperation between the governments of the Philippines and China;
18. MOU on supporting feasibility study of nature projects between the Department of Finance and China International Development Cooperation Agency;
19. Exchange of letters on project of container inspection equipment;
20. Exchange of letters on project of Davao River Bridge Project;
21. Exchange of letters on China-aided bridge and road project in Marawi;
22. MOU on panda bonds issuance;
23. Loan agreement on New Centennial Water Source Kaliwa Dam Project;
24. Commercial contract of Safe Philippines Project Phase 1;
25. Commercial contract of the New Centennial Water Source Kaliwa Dam Project;
26. Framework agreement for industrial park between the Bases Conversion and Development Authority and Gezhouba;
27. Contract for the project management consultancy of the Philippine National South Longhaul Project North-South Railway Project;
28. Letter of no objection to the organization of renminbi-Philippine peso foreign exchange trading market;
29. Certificate of authority to operate for the Industrial and Commercial Bank of China Limited - Manila branch.

WHEREAS, of the 29 documents, 24 are of economic nature, eight of cooperation undertaking, and four loan agreement and commercial contracts;

WHEREAS, in the wake of sustained people's demand for the Duterte administration to make public the signed documents, Malacanang started releasing in batches copies of the signed documents. On Monday, November 26, it released to the press seven of the 29 signed documents;

WHEREAS, among the signed documents Malacanang released to the press is the Memorandum of Understanding on Cooperation on Oil and Gas Development between the Government of the Republic of the Philippines and the Government of the People's Republic of China;

WHEREAS, a perusal of this MOU would reveal that it is pregnant with omitted premises that set back the symbolic and tangible gains the country had made in pursuing our territorial claim over the West Philippine Sea. Foremost, it does not mention the 2016 decision of the International Arbitration Tribunal that awarded the West Philippine Sea to the country and legally fortified before the eyes of the international community our claim over the West Philippine Sea. This omission weakens our claim against China as well as other Asian claimants;

WHEREAS, the MOU lacks the legal premise and diplomatic assertion for the Duterte government to claim a favored share of the benefits from the projected joint exploration;

WHEREAS, former Solicitor General Florin Hilbay, who led the legal panel in arguing for the Philippine case before the International Arbitration Tribunal, is of the opinion that the MOU has the effect of recognizing China as co-owner of the West Philippine Sea;

WHEREAS, in the guise of joint undertaking and cooperation and promoting peace and stability, the MOU creates more opportunities for China to make more inroads into the West Philippine Sea. The opportunities for China to make more inroads into our territory can go beyond the disputed area since the signed agreement actually omits to mention the West Philippine Sea to avoid controversy;

WHEREAS, the MOU begs for the question: IS THERE AN UNDERSTANDING BETWEEN THE DUTERTE GOVERNMENT AND THE PEOPLE'S REPUBLIC OF CHINA THAT FOR THE UNDERTAKING TO PROCEED, THE PHILIPPINE GOVERNMENT MUST REFRAIN FROM ASSERTING ITS TERRITORIAL SOVEREIGNTY OVER THE WEST PHILIPPINE SEA?;

WHEREAS, the signing of the 29 documents, especially those of economic nature, was made in the spirit of pleasing President Xi Jin Ping that could have lowered the guards of Philippine officials against compromises that might not be to the best interests of the Filipino people;

WHEREAS, in view of these issues, it is incumbent upon Congress to exercise its power of check and balance in relation to the executive branch;

WHEREFORE, BE IT RESOLVED THAT the House of Representatives direct the appropriate committee to invite the concerned officials of the Department of Foreign Affairs, Department of Energy and the National Economic Development Authority and conduct a hearing for these officials to explain the substantial contents of the economic agreements signed by and between the Government of the Republic of the Philippines and the Government of the People's Republic of China during the state visit of Chinese President Xi Jin Ping in the country, to help the House of Representatives to determine whether the aforesaid agreements are beneficial or inimical to the strategic interests of the Filipino people.

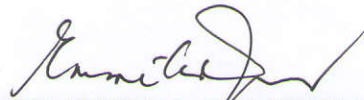
Adopted,



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ANAKPAWIS Party-list



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BAYAN MUNA Party-list



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GABRIELA Women's Party



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