

Pass bill on Spratlys, GMA prods Congress

By PAOLO ROMERO

President Arroyo urged Congress yesterday to speed up passage of a bill updating the country's territorial baselines to include the Kalayaan Island Group in the South China Sea amid objections from China.

Chief Presidential Legal Counsel Sergio Apostol said Mrs. Arroyo will certify as urgent House Bill 3216 as the country might run out of time to file its claim in the Kalayaan Island Group, which is part of the disputed Spratly Islands being claimed by five other countries before the United Nations.

"The President wants the baselines to be set immediately or we will lose part of our territory by default," Apostol said. "The President will back up the (House) bill that would set the baseline territory of the country's 12-mile territorial sea, 24-mile contiguous zone and 200-mile exclusive economic zone (EEZ)."

Mrs. Arroyo presided over a Cabinet meeting last week that mapped out plans to formalize the country's claim over "resource areas within our exclusive economic zone" that should be filed before the International Tribunal on the Law of the Sea by May 2009 as

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set by the UN Convention on the Law of the Sea (UNCLOS).

"Through this claim, we shall advance the rights and interests of our nation in harnessing these rich resources," Mrs. Arroyo said.

Apostol said the filing of a formal claim is being prepared by a team headed Executive Secretary Eduardo Ermita.

Congressmen led by Muntinlupa Rep. Rozzano Rufino Biazon declared they will remain steadfast in approving HB 3216 despite the protests of China.

China, according to Cebu City Rep. Antonio Cuenco, chairman of the House foreign affairs committee, delivered an alleged letter protesting House approval of the bill defining the country's territory and baselines.

Cuenco said the supposed letter was delivered to the Philippine embassy in Beijing shortly after HB 3216 was approved on second reading last December.

Biazon, a member of the foreign affairs committee, said Cuenco is right in saying the alleged document was a useless piece of paper.

"We cannot rely on it. Even if it was a formal document, we should not be pressured into inaction on a bill that will promote our national interest," Biazon said.

"We should stand our ground and resist external pressure. I don't think we should allow a foreign country to tell us what is our territory," he said.

Biazon urged Speaker Prospero Nograles to calendar HB 3216 for third reading and final approval immediately upon resumption of session on April 21.

Urgent initiative

The senators, for their part, also took the initiative to speed up the approval of the measure by filing a counterpart proposal.

Sen. Edgardo Angara said he will file a bill that will delineate the country's baselines even as Senate Minority Leader Aquilino Pimentel Jr. and Sen. Panfilo Lacson questioned the objections raised by the Department of Foreign Affairs (DFA) to the proposed House measure.

Pimentel said "the baselines bill is urgent because the UN deadline is already next year."

He blamed President Arroyo for negligence over the issue.

"And (it) could be due to China's pressure," Pimentel said. "It is weird because we have a compromised executive hobbled by pyramiding scams and pacts with China."

Lacson said "our main problem is, we've been bought (by China) courtesy of (President) Arroyo."

"We allow ourselves to be treated shabbily because (the Chief Executive) has sold us to the Chinese a long time ago," Lacson said.

Angara though stressed the country should have the law as soon as possible to assert its territorial claims for extended continental shelf, including the KIG before the UN on May 2009 based on the UNCLOS.

The extended continental shelf covers the disputed Spratlys, the Scarborough Shoal, and Benham Rise, among other reefs.

Angara said the DFA and the government must not in any way be unduly influenced by China in defining its territorial boundaries.

"That (claim) is natural because we will do the same if we were in the same shoes. Maybe the DFA only forwarded China's protests to the House. But if it's the DFA that's blocking the baselines bill, that is a different issue altogether," Angara said.

Senate Majority Leader Francis Pangilinan, for his part, said HB 3216 must be reviewed to see if it would protect the country's interest as against the objections of the DFA.

Senate President Manuel Villar Jr. said he would support the bill that would clearly define the boundaries of the country under the UNCLOS.

Sen. Miriam Defensor-Santiago has also filed a resolution seeking to create a congressional commission to define the country's boundaries and strengthen claims over various islands that may be included in the Philippines' exclusive economic zone.

Dissent

The House is set to re-examine HB 3216 as Nograles said the DFA's objection came as a surprise because it had originally endorsed the bill when the measure was still with the committee headed by Cuenco.

"It (the DFA) has suddenly made a complete turnaround and communicated its objections to the committee," Nograles said.

Cuenco told the "Ayes and Nays" forum yesterday that China sent a letter of concern after the House approved the bill on second reading.

Cuenco clarified, however, that it was not a note verbale and that it was unsigned. "It's a dissent. I think it's a commentary of Beijing. But I don't doubt the authenticity of the document. But if you talk in legal and technical terms, this is just a scrap of paper," he said.

Cuenco said he had no doubt about China's displeasure because the document dated December 2007 came from the Philippine embassy in China through Ambassador Sonia Brady.

Another proof of China's interest in the matter was the January 2008 visit of its charges d'affaires.

Cuenco and Iloilo Rep. Janette Garin, however, downplayed insinuations that their colleagues caved in to pressure from China.

But he admitted China's communiqué could be "one of the reasons" for the delay in the passage of HB 3216. The bill proposes amendments to Republic Act 3046, which is necessary in filing a formal claim over KIG. The law, enacted in the 1960s, defined the baselines of the country's territorial waters.

— With Jess Diaz, Aurea Calica