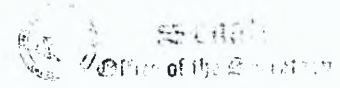


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 12 P 6:32

SENATE

P.S. Res. No. 9

RECEIVED BY:

INTRODUCED BY SENATOR ROBINHOOD PADILLA

RESOLUTION

URGING PRESIDENT FERDINAND R. MARCOS, JR. TO RESUME BILATERAL TALKS WITH THE PEOPLE'S REPUBLIC OF CHINA FOR PURPOSES OF COOPERATION ON OIL AND GAS DEVELOPMENT IN THE WEST PHILIPPINE SEA

WHEREAS, under the exemplary leadership of former President Rodrigo Roa Duterte, the Government of the Republic of the Philippines (GRP) and the People's Republic of China (RPC) entered into a Memorandum of Understanding on Cooperation on Oil and Gas Development (hereinafter referred to as MOU) on 20 November 2018, signed by former Foreign Secretary Teodoro Locsin Jr. and Chinese Foreign Minister Wang Yi;

WHEREAS, in the said MOU, the parties declared that "positive dialogue and practical cooperation have made substantial progress and meaningful gains in exploring opportunities and means to cooperate with each other in maritime activities, which has made significant contributions to peace, stability, and development in the region";

WHEREAS, the MOU is a mutual understanding of the parties on the terms and objectives stated therein in "negotiating and agreeing on the cooperation arrangements and the maritime areas" for purposes of gas and oil exploration;

WHEREAS, the parties further understand that the MOU shall not be prejudicial to "respective legal positions" which "does not create rights or obligations under international or domestic law" and, as such, there is no derogation of the Philippines' assertion of its sovereign rights in the West Philippine Sea;

WHEREAS, the execution of the MOU is a valid exercise of the executive powers of the President (Sec. 1, Art. VII, Constitution) who shall ensure that the laws be faithfully executed (Sec. 17, Art. VII, Constitution);

WHEREAS, the President, as the primary architect of our foreign policy and as the head of state, is allowed by the Constitution to make preliminary determinations on what, at any given moment, might urgently be required in order that our foreign policy may manifest our national interest (*Pangilinan vs. Cayetano, G.R. No. 238875, 16 March 2021*);

WHEREAS, the Philippines may directly undertake to enter into co-production, joint venture, or production-sharing agreements on petroleum, and other mineral oils, and all forces of potential energy (Sec. 2, Art. XII, Constitution);

WHEREAS, former Foreign Secretary Teodoro Locsin, Jr. had recently announced the termination of the MOU;


WHEREAS, the new administration has the opportunity to resume the bilateral talks with the RPC for purposes of cooperation in the West Philippine Sea on gas and oil development without bargaining the sovereign rights of the Philippines on the disputed territories therein;

WHEREAS, the Philippines requires a long-term strategy to resolve its oil dependency from foreign sources as the country is vulnerable to the negative effect of the skyrocketing oil prices dictated by the world market's reaction to the Russia-Ukraine conflict; and

WHEREAS, in view of the gains attained from the MOU where the GRP and RPC cooperated on the terms provided therein on the gas and oil development in the West Philippine Sea, the new administration can further explore these common interests of cooperation to resolve the country's oil dependency from foreign countries. *Now therefore, be it resolved,*

AS IT IS HEREBY RESOLVED, urging President Ferdinand R. Marcos, Jr. to resume the bilateral talks with the People's Republic of China for the purposes of cooperation on oil and gas development in the West Philippine Sea.

Adopted,


ROBINHOOD PADILLA
Senator