

26 April 2023 Wednesday



**DENR**

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# Disaster agency forms team to address El Niño impacts

By Charles Dantes and Maricel Cruz

**T**HE National Disaster Risk Reduction and Management Council (NDRRMC) said it has formed a team to address the impacts of El Niño, as the country braces for a hotter climate.

In an interagency meeting Monday, NDRRMC Director and Civil Defense Administrator Undersecretary Ariel Nepomuceno emphasized the need for harmonization of interventions of concerned government agencies for the El Niño phenomenon.

The proposed El Niño team will be led by the Department of the Interior and Local Government with the Office of Civil Defense as co-chair, the Department of Agriculture (DA), the Department of

Environment and Natural Resources (DENR), Department of Energy (DOE), Department of Health (DOH), Department of Science and Technology (DOST), National Economic and Development Authority (NEDA), National Irrigation Administration (NIA), and Metropolitan Waterworks and Sewerage System (MWSS) as members.

A support team has also been formed composed of the Presidential Communications Office (PCO),

Department of Trade and Industry (DTI), National Water Resources Board (NWRB), and Armed Forces of the Philippines (AFP).

According to the forecast of the Philippine Atmospheric, Geophysical and Astronomical Services Administration, El Niño may start as early as June to August this year with chances of increasing severity toward the first quarter of 2024.

In the forecast, provinces including Abra, Benguet, Ifugao, Kalinga, Metro Manila, Apayao, Mountain Province, Ilocos Sur, La Union, Spratlys Islands, Batanes, Cagayan, Isabela, Quirino, Nueva Ecija, Occidental and Oriental Mindoro, Pampanga, Tarlac, Zambales, Laguna, Rizal, Quezon, Spratlys Islands, Albay, and Guimaras may experience below-normal rainfall conditions.





## NDRRMC forms team to address El Niño woes

THE National Disaster Risk Reduction and Management Council (NDRRMC) has formed a team that will address the impacts of El Niño in the country.

NDRRMC Executive Director and Civil Defense Administrator Undersecretary Ariel Nepomuceno said on Tuesday that the move was made to

► El Niño A8

### ■ EL NIÑO FROM A1

# NDRRMC forms team to address El Niño woes

"harmonize" interventions of concerned government agencies for the climate phenomenon.

This was also in accordance with a directive issued by President Ferdinand Marcos Jr. for the government to implement a whole-of-government and whole-of-nation approach to prepare for El Niño's impacts on the country by the last quarter of 2023 until the first quarter of 2024.

"There are several points that we need to address. We need to prepare for the possible worst-case scenario and identify and harmonize short-term solutions, medium-term and long-term solutions," Nepomuceno said during an interagency meeting held on Monday afternoon in Camp Aguinaldo, Quezon City.

El Niño is a seasonal warming of the Pacific Ocean that upsets normal weather patterns that cause droughts.

The El Niño team will be led by the Department of the Interior and Local Government with the Department of Agriculture, Depart-

ment of Environment and Natural Resources, Department of Energy, Department of Health, Department of Science and Technology, Office of Civil Defense, National Economic and Development Authority, National Irrigation Administration and Metropolitan Waterworks and Sewerage System as members.

A support team has also been formed composed of the Presidential Communications Office, Department of Trade and Industry, National Water Resources Board and Armed Forces of the Philippines.

The NDRRMC said many parts of the country may experience the impacts of El Niño as it worsens in the coming months.

"If it will happen, the worsening will affect at least 11 provinces by August, and then by October it will become 46," Nepomuceno said.

He noted that the country is already experiencing the initial effects of the weather phenomenon.

It is projected to worsen from October to December this year or from January to March 2024,

Nepomuceno said.

"More provinces will be affected by the time and the amount of rainfall will be below the normal volume, so that will entail a lot of negative consequences for the economy, health, agriculture," he added.

Based on its latest five-day projection, the Philippine Atmospheric, Geophysical and Astronomical Services Administration said the heat index in a number of areas will breach 40 C in the coming days.

The highest will be 48 C in Butuan City (Agusan del Sur) on April 29.

Heat index ranging from 42 C to 51 C is classified as "danger," meaning a person may experience heat cramps and heat exhaustion.

Heat stroke is also possible with continued exposure.

Based on the El Niño forecast, provinces including Abra, Benguet, Ifugao, Kalinga, Metro Manila, Apayao, Mountain Province, Ilocos Sur, La Union, Spratly Islands, Batanes, Cagayan, Isabela, Quirino, Nueva Ecija, Occidental Mindoro, Oriental Mindoro, Pampanga,

Tarlac, Zambales, Laguna, Rizal, Quezon, Albay and Guimaras may start experiencing below-normal rainfall conditions.

Meanwhile, the provinces of Ilocos Norte, Bataan and Cavite are already experiencing below-normal rainfall conditions.

The projected impacts of El Niño on other areas including health, energy, environment and water reservoirs were also tackled in the meeting.

President Marcos on April 18 met with officials of various government agencies to discuss ways to mitigate the effects of El Niño, ordering necessary preparations through a whole-of-government and whole-of-nation approach and formulation of protocol-based and scientific long-term solutions.

The President also called for strengthening the public campaigns on water and energy conservation.

The NDRRMC is set to hold a series of meetings to ensure immediate implementation of interventions in preparation for El Niño.

**FRANCO JOSE C. BAROÑA**





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## MWSS wants LGUs to ban inflatable pools

THE Manila Waterworks and Sewerage System (MWSS) prodded local government units (LGUs) to issue ordinances that will temporarily ban the use of inflatable pools and car-washing, saying these consume a lot of water.

"The amount of water being

consumed by these practices is huge," Jose Dorado Jr., deputy administrator for engineering and technical operations group of the MWSS, said in an interview with the government television station.

➤ **BanA2**

### ■ BAN FROM A1

## MWSS

He clarified that passing the ordinance should be done by the LGUs when the water level in dams becomes critical.

"They (LGUs) should only issue the ordinance if we are

under the emergency mode, they should task resorts and other recreational facilities to use their water for more essential needs," Dorado said.

The National Water Resources Board (NWRB), however, is not amenable to the proposal, saying it is not their policy when trying

to conserve water.

The NWRB said there were other ways to help conserve water, especially for those living in Metro Manila.

Dr. Seville David Jr., the water board's executive director, suggested other means of water conservation.

"We can help conserve water by recycling. During the dry season, during which rain falls sometimes, we can draw water from it and then recycle the rainwater for our needs," he said.

The NWRB advised the MWSS to fix water leaks.

**FRANCIS EARL CUETO**





## EDITORIAL

# Addressing El Niño

**WE ARE** encouraged by the Presidential statement earlier on that his 10-month administration has plans to ensure the country's agricultural sector would not be badly jabbed by the impact of a possible El Niño phenomenon.

He told farmers at an event in Muñoz, Nueva Ecija, right in the bosom of the rice granary of the Central Plains, that government officials are crafting plans to ensure that water supply would not be reduced.

He ordered the creation of an El Niño unit and told government agencies to prepare for the said phenomenon, as chances of a dry spell continued to increase, which underlined weathermen's announcement the PAGASA might issue an El Niño alert by May.

In a separate interview, Mr. Marcos stressed the need to ensure the country's water supply to mitigate the effects of El Niño, adding the government was looking for ways to "convert our dependence of water supply from underground water to

surface water," and one way was to make use of the rainwater and conserve it until needed.

At the same time, we are a bit flustered by the statement of former agriculture secretary and Federation of Free Farmers president Leonardo Montemayor the production of vegetables will be affected by the El Niño phenomenon in the agriculture sector.

**President Marcos Jr.'s statement should raise the confidence of not just the farmers but all Filipinos standing on El Niño's helpless path**

Montemayor added El Niño could result in a supply shortage with vegetables in the country, with the real impact of this weather phenomenon starting to be felt from July onwards.

We note the palay harvest for the dry season crop is ongoing. At least the impact on palay is not yet felt, but, according to Montemayor, for other crops that need water, like vegetables,

these are already affected.

Earlier on, Climatology and Agrometeorology division chief Dr. Marcelino Villafuerte II of the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA)'s Impact Assessment and Applications Section, said the weather bureau might increase the El Niño alert status in May.

"Overall, if there is an issue with water due to lack of rains and high temperature, it affects the water for vegetables. Farmers should make sure their crops receive enough water," Montemayor noted.

We understand the increasing anxiety of farmers, since the drought will not only affect the crops, the high temperature will also affect animals.

There is also a greater possibility that more problems will erupt like a red tide.

Montemayor is on track when he says we really need to be prepared, pointing out, as chaser of a thought, the water for irrigation is also affected, particularly with the continuous drop in the level of Angat Dam, which supplies the requirement of at least 25,000 hectares of farmlands in Bulacan and Pampanga.

But President Marcos Jr.'s statement should raise the confidence of not just the farmers but all Filipinos standing on El Niño's helpless path.





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# Salceda to govt: Maximize P18B for efficient water management

By JOVEE MARIE N. DELA CRUZ

@joveemarie

**I**N the face of a crisis in water resources, an economist-lawmaker urged government officials to maximize the budget allotted for local government units (LGUs) and local water districts, or "LWDs."

House Committee on Ways and Means Chairman Jose Ma. Clemente "Joey" S. Salceda said key public officials "government economic managers and the Department of the Interior and Local Government [DILG]" should come up with guidelines and incentives for local government "water alliances" of multiple LGUs.

"Apart from LWDs, LGUs also provide water to rural communities," Salceda said through a statement his office issued last Monday. He pointed out that government is providing LGUs and LWDs some P18 billion in new water systems from the 2023 General Appropriations Act.

"They can be better managed if they share resources—from pipelines to reservoirs," the lawmaker

added. "That's the best way to make use of the administration's historic investments in water resources."

Salceda said lawmakers are also parsing the National Water Act to compel water districts and LGU-run water service providers to consolidate into more efficient and economically-sensible entities. The law ushers in a Department of Water Resources.

"Water, whether we like it or not, is not a localized issue. To manage water resources well, you need more scale, more coordination, more long-term planning, and more resource-sharing. Otherwise, you will have some places that have abundant water, and many more places that have completely zero access to quality running water," he said.

Meanwhile, Salceda urged the Local Water Utilities Administration (LWUA) to "be more aggressive in exercising its power to monitor local water districts for performance and to consolidate them for public welfare" amid an ongoing water crisis exacerbated by the El Niño phenomenon.

## Need to consolidate

SALCEDA emphasized that "an effective LWUA is critical to dealing with the water crisis, because they supervise the hundreds of water districts that provide for urban and suburban populations outside Mega Manila."

"Their mandates are far-reaching and include monitoring for performance and 'to effect system integration, joint investment and operations district annexation and de-annexation whenever economically warranted,' as the law says," the lawmaker said. "They also have financing powers—so they can incentivize consolidation through favorable financing terms and performance reviews."

The lawmaker believes LWUA administrator Vicente Homer B. Revil "means well."

Salceda said he supports Revil's efforts to conduct a national water inventory and the P20-billion "Patubig sa Buong Bayan at Maramayan" project.

"But to ensure that operations and management of new water systems are efficient, we really

need to consolidate water districts that are inefficient or non-operational," he said.

Salceda called on Revil to exercise the agency's mandate to hold water districts to account more as he estimates that some 300 water districts are currently non-operational or barely opera-

tional. This means that the areas they serve do not have functioning central water systems, according to the lawmaker.

Salceda said these water districts could be combined into clusters "to make infrastructure investments more efficient."

"The thing with water is that it

is infrastructure-intensive, it requires a lot of fixed costs, and it is only viable with enough revenue-paying users. So, if a water district is too small, or has too little demand, it's doomed to fail—or will never mature to provide sanitation services, which are also expensive," he added.





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QUESTION OF OWNERSHIP

LEGAL BATTLE LOOMS BETWEEN BAGUIO, TIEZA OVER BURNHAM PARK

By Vincent Cabreza @InqNational

BAGUIO CITY—The summer capital is bracing for a legal challenge to the special land title it acquired over historic Burnham Park, and Baguio officials are now mending fences with tourism agencies.

The Tourism Infrastructure and Enterprise Zone Authority (Tieza) is reviewing Original Certificate of Title (OCT) No. 2023000017 that was granted over the Burnham Lake, the Ibaloy Garden and the Baguio Orchardarium, the Children's Park, and the Melvin Jones Football Grounds, lawyer Brendan Quintos, legal officer of the Department of Tourism (DOT) in the Cordillera, informed the city council on Monday.

Tieza, which replaced the Philippine Tourism Authority, is the government administrator of national parks, and had intended to finance the 2019 rehabilitation and modernization of the century-old park when the COVID-19 pandemic broke out in 2020.

Quintos said the country's park regulators were not advised by the Baguio government when it proceeded to title almost half of the 32.8-hectare Burnham Park, which was conceived as the "breathable lung" of the American-built city.

Baguio was designed by the late Chicago architect Daniel Burnham, for whom the famous park was named.

The city government was

granted management control over Burnham Park by the late president Fidel V. Ramos, and full administrative control by former President Gloria Macapagal-Arroyo in 2008.

But Tieza has asserted its mandate over all national parks and may contest Baguio's title following a March 29 meeting between Baguio officials, Tieza and the DOT, according to junior officials of the Baguio General Services Office (GSO).

Protected reservation

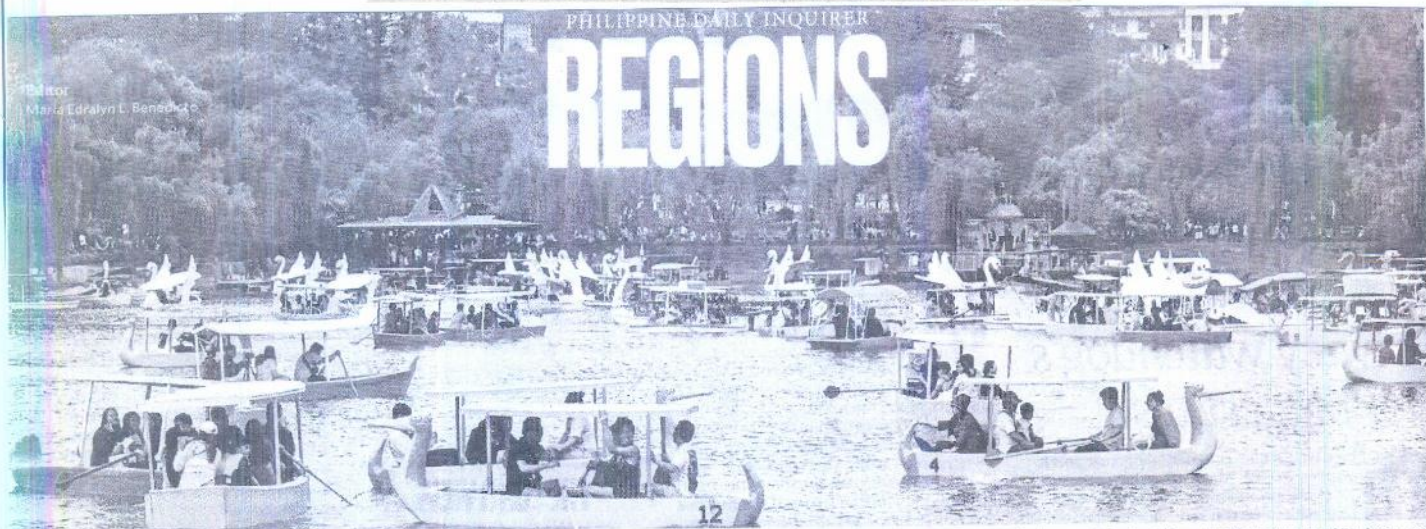
One of the legal issues raised in that meeting was whether titling a government property established by a proclamation was proper, the council was told.

Burnham Park was declared a protected reservation by Proclamation No. 64 in 1925. Baguio Rep. Marquez Go also filed a bill in 2019 that sought to convert Burnham Park into a heritage park.

The special patent granted to Baguio on March 3 by the Department of Environment and Natural Resources is the product of a city government initiative to preserve city property and historic lands within the Baguio townsite reservation.

All townsite lands were declared alienable (or properties that could be sold) when Baguio was chartered in 1909.

Vice Mayor Faustino Olowan said Baguio acted because untitled sections of Burnham Park could be the subject of townsite sales applications. INQ



SUMMER DESTINATION Tourists enjoy a boat ride at Burnham Lake in Baguio City in this photo taken on April 5. The Baguio government acquired a special patent from the Department of Environment and Natural Resources over portions of Burnham Park, including the man-made lake, but it is being contested by the Tourism Infrastructure and Enterprise Zone Authority. —JETHRO BRYAN ANDRADA/CONTRIBUTOR





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## Insurance firm vows to retrieve 300k liters of oil from sunken tanker

By Rey E. Requejo and Maricel V. Cruz

THE Department of Justice (DOJ) on Tuesday said an insurance firm pledged to retrieve the remaining industrial fuel

oil in the MT Princess Empress, which sank off the coast of Oriental Mindoro on Feb. 28.

Justice Undersecretary Raul Vasquez said Valeriano Del Rosario and May Valles, representatives of

Shipowners' Protection and Indemnity Club (P&I), gave the commitment during the insurance firm's first appearance in the inter-agency dialogue on the oil spill held last week.

"There is a big breakthrough. The

P&I committed to do the retrieval operations, and the possibility of raising the vessel itself. But it's up to their technical assessment whether that would be considered," Vasquez said.

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### Insurance...

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Vasquez said the pledge of commitment by P&I was timely since the United States and Japanese coast guards that brought their own remotely operated underwater vehicle (ROV) have already left the site where MT Princess Empress sank.

"We gave them (P&I) 10 days to give us the report and for them to tell us how soon they will do that," he said.

It was estimated that the vessel still contains about 300,000 liters of industrial fuel oil from the 900,000 liters it initially carried when it sank on Feb. 28.

Vasquez said that International Oil Pollution Compensation Funds (IOPC) Director Gaute Sivertsten also attended the dialogue for the first time.

"The fact that the IOPC visited us showed their commitment to settle all claims because the IOPC is the one that handled the funds," he said.

Meanwhile, Vasquez said the National Bureau of Investigation (NBI) has "more or less completed the fact-finding data."

"Under the case buildup rule that we have now under the DOJ, the findings will now have to be assessed by the National Prosecution Service before we would even initiate a case whether criminal, civil or administrative against anyone," he said.

The Department of Environment and Natural Resources (DENR) has been working closely with the DOJ in its case build-up against those responsible for the Mindoro oil spill.

DENR Undersecretary Jonas Leones said possible violations against environmental laws, especially the Philippine Clean Water Act, will be added to the overall assessment of the potential damage, which will be determined by the DOJ.

"The DOJ findings will also include the compensation due to affected fishermen," Leones said in a statement.

Leones said the DENR will continue to monitor water quality in affected areas, assess the environmental impact, and provide the necessary technical assistance in addressing the oil spill.





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# Fisherfolk affected by oil spill to get compensation

By MARC JAYSON CAYABYAB

Fisherfolk affected by the oil spill caused by the sinking of *M/T Princess Empress* in waters off Naujan, Oriental Mindoro will be getting compensation from the International Oil Pollution Compensation (IOPC) funds.

The IOPC was created by the 1992 Civil Liability Convention and the 1992 Fund Convention, of which the Philippines is a state party.

It provides "financial compensation for oil pollution damage that occurs in member-states, resulting from spills of persistent oil from tankers," according to its website.

IOPC Director Gaute Sivertsen yesterday said they have visited the affected areas and have committed to give compensation to the affected fisherfolk.

"Right now, we are collecting claims forms from the victims which still have to be assessed by the experts. We will concentrate on fisherfolk and those who are most in need and then we will offer settlements as soon as possible," Sivertsen said after attending the government's interagency meeting yesterday.

"We will take this back to London and we have a meeting of government bodies in May, and we will be able to report the incident and also what we have seen

during this visit," he added.

## Writ of kalikasan

The Department of Justice (DOJ) will be forced to seek a writ of kalikasan if authorities fail to act on retrieving the sunken vessel or siphoning the remaining oil from *Princess Empress*.

In an ambush interview yesterday, DOJ Secretary Jesus Crispin Remulla said authorities are given a 10-day deadline to find ways to plug the leak now that two months have passed since the Feb. 28 sinking of the oil tanker.

"We gave them a deadline. If they are not able to abide by the deadline, we will file a writ of kalikasan against those who have to be made to account," Remulla said.

The writ of kalikasan is a legal remedy to compel authorities to act in enforcing environmental laws and to stop the destruction of the environment.

"The writ of kalikasan is the order of the court for people to repair the environment and to do something about the environment," Remulla said.

During the DOJ interagency meeting yesterday with authorities involved in the clean-up, DOJ Undersecretary Raul Vasquez said the government "is not ready to wait too long" for the insurance company of the ship owner, RDC Reield

Marine Services, to resolve the oil spill.

Vasquez asked representatives from the insurance association P&I Club to have a "written undertaking" about the retrieval of the sunken vessel or the siphoning of the contents from three of its eight tanks that are estimated to contain 300,000 liters of industrial oil.

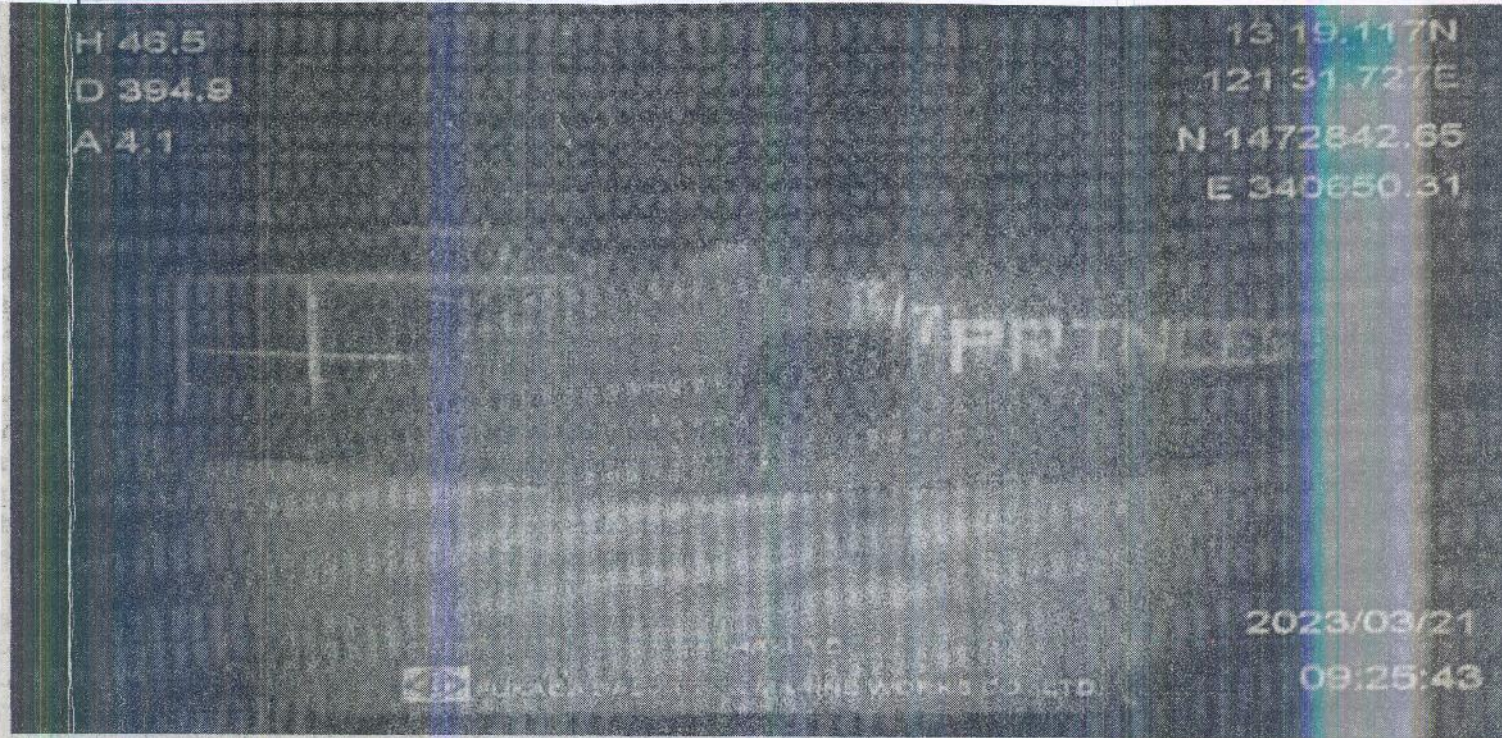
"Is it possible to have an internal time, maybe 10 days, to give us a decision as to your undertaking to have that retrieval done? Because you will just be reporting to your principals, and the principals will simply have to confirm that they do agree to undertake that and initiate the selection process for the relevant salvor company to handle this... This is something that has to be handled by international salvors, not local salvors," Vasquez said.

The 10-day deadline is given to the insurers "for them to give (the DOJ) at least a written commitment to do the retrieval operations, name of salvor, timetable and other details for the operations," according to Vasquez.

Shipowners' P&I representatives - claims manager May Valles and lawyer Valeriano del Rosario - assured the DOJ that they are studying all "methodologies" to plug the leak that would not worsen the spill.

- With Bella Cariaso





■ An image of the MT Princess Empress from Japan's remotely operated underwater vehicle (ROV) on March 21, 2023. IMAGE FROM FACEBOOK PAGE OF GOV HUMEPILITO DOLOR

# Japan's salvage company completes ROV operation

BY GENIVI VERDEJO

**F**UKADA Salvage and Marine Works has completed the underwater remotely operated vehicle (ROV) operations after almost a month of controlling the oil spill caused by the sunken MT Princess Empress.

The Philippine Coast Guard (PCG) Incident Management Team - Oriental Mindoro (IMT - OrMin) monitored the completion of underwater ROV operations in Oriental Mindoro.

On March 21, 2023, the Japanese Dynamic Positioning Vessel (DPV) Shin Nichi Maru deployed ROV

Hakuyo to conduct an underwater survey on the structural damages of the sunken ship.

The ROV found 24 sources of leakage, which was discussed during a meeting with PCG Crisis Management Committee chairman Vice Adm. Rolando Lazor Punzalan Jr., Oriental Mindoro Gov. Humerlito

Dolor and the Waves Group Ltd.

Cmdre. Geronimo Tuvilla, commander of the Incident Management Team in Oriental Mindoro, said efforts "to intensify offshore and shoreline cleanup and assessment to reduce the environmental impact will continue until the source of the spill is permanently addressed."

On April 1, 2023, DPV Shin Nichi Maru conducted a follow-up survey and discovered that 11 out of 24 previously identified sources remain leaking. On the same day, two sources — the 3rd Water Ballast Tank Air Vent starboard and the 2nd Water Ballast Tank Air Vent starboard — were successfully capped using specialized bags from the United Kingdom.

The DPV Pacific Valkyrie,

which was contracted by the US Navy also conducted an underwater survey. It cut off obstructive railings and attached magnetic number markings on the tanks to enable DPV Shin Nichi Maru to easily install specialized bags to cap the oil-leaking sections in the tanker temporarily. The size of the available bags was unsuitable for capping other identified sources, hence, locally made specialized bags from a golf bag manufacturing company in Cavite were used.

DPV Shin Nichi Maru left Calapan upon completing its mission on April 5, 2023, while Pacific Valkyrie left its operational area on April 7, 2023.





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# Climate-induced tipping points

**W**e are all familiar with tipping points. The phrase describes a process that typically starts slowly, only to suddenly change and become irreversible at a critical moment.

While numerous tipping points occur in nature and human experience, certain events have radically changed the arc of history. The recent pandemic is a case in point, as the spread of the COVID-19 virus breached a threshold and morphed into a global scourge. Humanity may face a cluster of tipping points as the earth careens toward average temperatures exceeding 2 degrees Celsius. Recent research is slowly unraveling how a warmer planet could trigger biophysical processes that could transform our world in ways that threaten the way we live.

In an article in the journal *Science*, Armstrong and coworkers (2022) state that "climate tipping points occur when change in a part of the climate system becomes self-perpetuating beyond a warming threshold, leading to substantial Earth system impacts." They then identified global and regional tipping points that could tilt because of a warming planet.

The scary thing is that even if the Paris Agreement goal of not more than 2 degrees warm-

## COMMENTARY

RODEL D. LASCO

ing is met (which is quite unlikely), specific tipping points are projected to happen.

What are the most relevant to the Philippines? First is the collapse of the Greenland ice sheet in the north, and the West Antarctic ice sheet in the south. Such rapid melting of these ice masses will lead to an unprecedented rise of several meters in sea level that would submerge low-lying cities and towns. As a country of small islands, we should pay particular attention to and prepare for this. Second, the *Science* paper projected that coral reefs would die with temperature increasing even at around 1.5 degrees. Our coral reefs are among the most biodiverse ecosystems in the world, offering a habitat to countless marine organisms and providing food and livelihood to millions of Filipinos. Their loss would be an ecological and socioeconomic disaster of unimaginable proportions.

Aside from the above, there are other tipping points with above 2 degrees of warming,

such as the dieback of tropical forests. As the Intergovernmental Panel on Climate Change (IPCC) Synthesis Report (2023) warned, the "likelihood of abrupt and/or irreversible changes and [their impacts] increase with higher global warming levels." It is worth repeating that tipping points are irreversible. Their impacts could be felt for hundreds, even thousands, of years.

Admittedly, the science of climate tipping points is still in its infancy. However, its initial findings are dire. What can we do as a nation? We must push hard for the United Nations Framework Convention on Climate Change parties to aim for net zero greenhouse gas emissions soon. At the same time, we must support scientific investigation on how our people and ecosystems can adapt to an increasingly uncertain climate. Finally, we must implement innovative measures to enhance the resilience of our country to what lies ahead.

Rodel D. Lasco is one of the authors of the IPCC's sixth assessment report. He is the executive director of The OML Center, a foundation devoted to discovering climate change adaptation solutions (<http://www.omlopezcenter.org/>).





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## How a US diplomat fooled Aquino and del Rosario into losing Panatag Shoal

Last of 2 parts

THE first part of how the country lost Pan-



**RIGOBERTO  
D. TIGLAO**

atag Shoal (Bajo de Masinloc, Scarborough Shoal, Huangyan to the Chinese) in 2016 was the subject of my column last Monday, April 24. This second part narrates how a US State Department official fooled President Aquino 3rd and his foreign secretary, Albert del Rosario, into abandoning those rich fishing grounds. **►TiglaoA5**





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TIGLAO FROM A1

# How a US diplomat fooled Aquino and del Rosario into losing Panatag Shoal

The unedited version of this narrative is in my 2022 book *Debate: The Aquino Regime's Scarborough Fiasco and the South China Sea Arbitration Deception*, in which I provide sources and documentation for my assertions, none of which have been challenged by those mentioned in it. Knowing what really happened in this sad episode of our history will enlighten us on how the Enhanced Defense Cooperation Agreement (EDCA) came about. Shortened version follows:

After seven weeks of the stand-off between Chinese and Philippine vessels at Bajo de Masinloc that broke out April 2012 the then Philippine ambassador to the US, Jose Cuisia, told Foreign Secretary Albert del Rosario in June that US assistant secretary of state for Asia Kurt Campbell had informed him that he had reached an agreement with China: It would withdraw its ships simultaneously with those of the Philippines. Cuisia said that Campbell himself also called del Rosario in Manila to inform him of the same thing.

Del Rosario told President Aquino about the alleged agreement, and the Philippine vessels were ordered out of the shoal. That in effect handed over Scarborough Shoal to the Chinese who control it to this day.

The Chinese foreign ministry's spokesman announced on June 9, 2012 in his regular press conference: "Since April 10 when Philippine warships harassed Chinese fishermen, which caused the Huangyan Island incident, China has also sent government vessels to the area for regulation, which made the Philippine side withdraw most of its ships, except for one government vessel left in the lagoon. The remaining vessel finally left the lagoon on June 3."

In his aide-memoire on the crisis, then senator Antonio Trillanes — whom Aquino officially designated as his special envoy to resolve the crisis — narrated: "PNoy (Aquino) directed me to work on the sequential withdrawal of government ships inside the shoal. However, on the morning of June 4, PNoy called me to inform me that our Bureau of Fisheries and Aquatic Resources (BFAAR) vessels had already left the shoal but China reneged on the agreement of simultaneous withdrawal of their ships, so two of them [were] still inside the shoal."

## Agreement

"I asked him who agreed with what, since I was just hammering out the details of the sequential withdrawal because the mouth of the shoal was too narrow for a simultaneous withdrawal. The President told me that Sec. [Albert] del Rosario told him about the agreement reached in Washington." "I asked PNoy: 'If the agreement was simultaneous withdrawal, why did we leave first?' PNoy responded: 'Kaya nga sinabihan ko si Albert kung bakit niya pinalabas 'yung BFAR na hindi ko nalalaman [That's why I asked Albert why he ordered the BFAR vessels to leave without my permission].'"

Trillanes narrated: "Around 10 June, PNoy informed me that the remaining BFAR vessel was ordered to proceed to Subic to undergo repairs and directed me to ask Beijing to reciprocate. On 15 June, PNoy informed me again that he had ordered the pullout of the 2 remaining PCG (Philippine Coast Guard) ships from the shoal, citing an incoming typhoon as the reason, and directed me to ask Beijing to reciprocate."

It was only this second phase of the withdrawal which del Rosario reported in local media: "Last night (June 16), President Aquino ordered both of our ships to return to port due to increasing bad weather." He claimed that China had agreed to pull out all of its vessels in the lagoon. "We are waiting for them to comply with their commitment," he said.

## Withdrawal

The commandant of the Philippine



What agreement are you talking about? US' Campbell and China's Fu. PHOTOS FROM THEIR GOVERNMENTS

Coast Guard Vice Admiral Edmund C. Tan confirmed the second phase of the withdrawal, that Aquino ordered him to direct the two remaining PCG vessels at Scarborough Shoal to take shelter in Subic Bay "from an impending typhoon which was forecast to hit the area directly."

Tan narrated: "I was made to understand by PNoy and Sec. del Rosario that there was already an agreement between China and the Philippines brokered by the US to simultaneously withdraw from the area, using the typhoon as the reason to 'save face.'"

"Unfortunately, when we were about to go back to Panatag Shoal after the typhoon, President Aquino directed us to stand by and hold our going back there," Tan disclosed. He said Aquino's order was given to him directly by Aquino through both text message and a cellphone call.

Were the PCG vessels ever ordered back to Scarborough? Tan replied: "No more orders from the President."

## Arbitration

Only in February the following year, in order to explain the reason for the arbitration case filed Jan. 22, 2013 against China, did Aquino and del Rosario admit to the public that they had lost Scarborough Shoal — and that the suit was a last resort to recover it.

There was no such agreement for a simultaneous withdrawal of their vessels between the Philippines and China. Assistant state secretary Campbell lied. The Chinese foreign ministry spokesman Hong Lei in his regular press briefing on June 18, 2012, denied that China made any agreement: "We wonder where the so-called China's commitment of 'withdrawing ship' came from."

Only a brief meeting was undertaken between Campbell and then Chinese vice minister for foreign affairs Fu Ying (a former ambassador to Manila) in a Virginia hotel a few days earlier in which the stand-off was discussed — among other things not related to the crisis.

## Denied

Fu has denied there was an agreement. "I do not know what agreement you are referring to. The Chinese vessels did not leave the area because they feared the Philippines might double-cross them," the London newspaper *Financial Times* quoted her as saying. "All China is doing is to keep an eye on the island for fear that the Philippines would do it again."

It is highly improbable that Fu would commit her country to such an agreement, after only one meeting with a US official, and over a sensitive and controversial issue that had enraged even ordinary Chinese. It has also been the adamant stance of China that the US cannot participate in negotiations for the settlement of its disputes with other countries, especially

those involving territorial matters.

Indeed, only the most incompetent diplomat and those who have no experience in international negotiations such as Cuisia and del Rosario (who were both corporate executives before they joined the Aquino government) would have assumed that Fu had the authority at that secret meeting to commit her country to such a crucial decision. China — as all countries do — have a strict hierarchical system for deciding on a course of action.

Campbell was the architect of the Obama administration's "Pivot to Asia" program, who would be appointed nine years later as US President Joseph Biden's National Security Coordinator for Indo-Pacific. He himself has never claimed there was such an agreement, even during the period when he returned to civilian life.

## Pivot

Even in Campbell's 2016 book, *The Pivot: The Future of American Statecraft in Asia*, his only mention of that episode was a single sentence: "The Philippines' ten-week standoff with China ultimately resulted in its loss of the Scarborough Shoal, which is claimed by both countries."

Aquino, del Rosario and Cuisia have insisted that China agreed for a simultaneous withdrawal. Del Rosario in an article claimed: "We were approached by the US, an honest broker, for both China and the Philippines to agree to a simultaneous withdrawal of ships from the shoal. We therefore agreed. At the appointed time, we withdrew, whereas China did not — in violation of our agreement." "Duplicious itong mga Intsik," Cuisia said in a television interview. But he never talked to the Chinese, only to an official of China's adversary (a term even US officials use), the United States of America.

Cuisia and del Rosario have not shown any aide memoire, notes of the meeting, or a draft agreement that are de rigueur or taken as standard procedure in these kinds of sensitive negotiations. Not even the US government has gone on record to claim that the Chinese reneged on an agreement to leave Scarborough Shoal together with the Philippines.

## Afraid

Why would the United States, the Philippines' trusted "big brother," fool Aquino 3rd and his officials so that the incident would lead to the loss of Scarborough Shoal?

Trillanes gave one reason: "The Americans were so afraid that with the escalation of tensions, there would be miscalculations [by either country], and they would be drawn into a war on election year (US presidential elections were held in November 2012)." The Americans, of course, had no way to get the Chinese to leave the shoal without provoking a military conflict, which could lead to a nuclear war with

China. But because Aquino and del Rosario trusted the Americans so much, they were so gullible to abandon Scarborough Shoal.

The US found a big boon from the Philippine debacle however. It bolstered its propaganda that China is an expansionist power in the region, out to take control of the entire South China Sea through what clever American propagandists popularized as its "salami-slicing" strategy.

The loss of Scarborough Shoal paved the way for another phase in the US campaign against China, the filing of a case by the Aquino government in 2014 against China — even if only as an "arbitration" — purportedly to recover Scarborough Shoal.

The "arbitration" actually was an elaborate propaganda scheme that cost the Philippines a billion peso in US lawyers' fees. While the rulings of the three-man panel (all designated by the Philippines as China refused to participate in it) were portrayed as affirming many of the Philippines' claims in the South China Sea. These were empty declarations as the suit was invoked under the UN Convention of the Law of the Sea, which has no authority to rule on sovereignty disputes between nations, but only on the validity of claims on maritime areas.

However, the suit was turned by the US into a powerful propaganda and very inarguable legal tool since the panel declared that most of the waters in the South China Sea, even in the disputed Spratlys, were international waters — which therefore the US warships were free to patrol.

The suit, however, had a huge blowback for the US. China responded to the suit through that classic geopolitical strategy "establishing the facts on the ground": It undertook colossal reclamation work that built up the reefs they had occupied since 1988 into artificial islands, on which China constructed piers, airstrips and buildings that they could turn into a military facility overnight. In a year and half's time China's holdings in the South China Sea were the largest among claimant states. The seven reefs it had occupied since 1988 were transformed into unsinkable aircraft carriers, built at an estimated enormous cost of tens of billions of US dollars.

While the US could not do anything about China's unprecedented move as the Chinese claims these reefs are part of their sovereign territory, the Americans exploited this development to claim that the Asian superpower has militarized the South China Sea.

Americans also exploited the Scarborough debacle to scare the Philippines of an alleged Chinese expansionism that would soon engulf the Philippines. According to Trillanes, Henry Bensurto Jr., del Rosario's deputy on the South China Seas issue, told a Cabinet meeting in which several senators and representatives were present, that the "annexation" of the shoal by China would be used as a springboard to claim the entire western Luzon.

At the end of the day, because Aquino and del Rosario were fooled into abandoning Bajo de Masinloc, the US scared the Aquino 3rd administration that it agreed to the restoration of US military bases in the Philippines on April 2014, in the form of the euphemistically called Enhanced Defense Cooperation Agreement. That executive agreement allows American military forces to use private and government airports, as well as army camps and naval bases, as platforms for war in Asia.

The Americans started way back in 2012 its brainwashing project for the restoration of US military bases here — at the cost of the Philippines losing Panatag Shoal so physically close to its mainland.

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