

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SEVENTEENTH CONGRESS

First Regular Session

House Bill No. **5498**

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE

This proposed measure seeks to establish the Eastern Seaboard Strategic Defense Plan to protect and defend that part of our national territory which includes Benham Rise. There is an urgent and compelling need for the Philippines to take a proactive stance on the matter of Benham Rise which has been acknowledged and confirmed by the United Nations Commission on the Limits of the Continental Shelf pursuant to the United Nations Convention on the Law of the Sea (UNCLOS) to be part of the Philippine Continental Shelf. Under Article 77 of UNCLOS, the Philippines "exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources."

Repeated incursions of foreign vessels at Benham Rise have raised alarming concerns about our capabilities in protecting our rightful national territory and maritime domain. The most recent Chinese incursion may even have been exploratory works and documentation in the said area.

While military confrontation is definitely not an option in order to avoid armed conflict, passive diplomacy is also insufficient. It is therefore necessary that we adopt a strategic plan on developing our capability to protect our rights over Benham Rise and our entire eastern seaboard. A necessary measure is to enable our country to monitor, track and even challenge, vessels in our waters, even those on genuine innocent passage.

Our Navy and the Coast Guard principally, and the Air Force, secondarily, must be equipped with sufficient assets to carry out this mission, on top of what they already have, which are barely adequate to meet the needs in West Philippine Sea and Southern Philippines. The National Coast Watch Center, which is mainly focused on the West Philippine Sea, should be

improved and its coverage expanded to cover the eastern seaboard particularly the area of Benham Rise. Our surveillance capability is crucial to the ability to assert our sovereignty.

Fundamental to the mission of projecting our reach outward to the Philippine continental shelf is the establishment of coastal facilities that will cater to air, sea and surveillance assets on the eastern seaboard. The Philippines should adopt plans to establish air and seaports to serve as launch pads for units that will perform security patrols or even interdictions in the Benham Rise area.

These are what this bill envisions to be achieved with the establishment of the Eastern Seaboard Strategic Defense Plan.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


ROZZANO RUFINO B. DIAZON
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Lone District of Muntinlupa City

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AN ACT
ESTABLISHING THE EASTERN SEABOARD STRATEGIC DEFENSE PLAN

Be it enacted by the Senate and the House of Representatives of the Philippine in Congress assembled:

Section 1. *Short Title.* – This Act shall be known as the “Eastern Seaboard Strategic Defense Plan Act”.

Sec.2. *Declaration of Policy.* – It is hereby declared the policy of the State to take decisive measures to protect and defend our Eastern Seaboard from any foreign incursions that might pose a threat to our sovereignty and national territory. Towards this end, the Department of National Defense in close coordination with concerned security agencies of the government, shall come up with a strategic plan to develop our defense capabilities to better protect our Eastern Seaboard and all the resources contained therein.

Sec. 3. *Eastern Seaboard Strategic Defense Plan.* – The government shall ensure that the country has the appropriate resources and capabilities to protect strategic maritime interests in the Philippine eastern seaboard. An Eastern Seaboard Strategic Defense Plan, hereinafter referred to as the Plan, shall be formulated in this respect that shall have the following components:

- a. Appropriate strategic response forces for the conduct of defense operations under joint warfare concept and to respond to disastrous events through a:
 - i. three-tiered Philippine Navy fleet with sub-surface and air warfare capabilities added to a more improved surface capabilities not only for sea denial and patrol, but also to ensure the sovereignty of the country and its Exclusive Economic Zone (EEZ);

- ii. Strategic Air Strike Force through air assets in order to gain and maintain air superiority over friendly and contested territories;
- iii. Credible expeditionary capability which necessitates the formation of an adaptive expeditionary rapid-deployable battle group (Brigade Battle Group), organized in conjunction with the Army and Marines combat organizations;
- iv. Strategic sea and air lift capability primarily to support rapid deployment and expeditionary capabilities since these require a proportionate capability to move committed forces by air or by sea;
- v. Special operations forces that are organized, trained, and equipped to conduct special operations activities (e.g., direct action, reconnaissance, humanitarian assistance, disaster emergency assistance, relief and rescue, evacuation, unconventional warfare and/or mass base operations) or to provide direct support to other special operations forces and/or conventional forces;
- vi. Missile-based capability from air, land and sea platforms to increase the firepower and effectiveness of strategic response forces; and
- vii. Mine warfare capability to support other capabilities.

b. Enhanced capabilities to provide coast watch system support functions and to support the conduct of joint defense operations. Among others, these capabilities shall specifically support the following:

- i. Joint command and control for strategic response forces which requires communications and information systems that are inter-operable with other agencies and local governments;
- ii. An increased air and maritime domain awareness to achieve improved situational awareness through faster collection and analysis of shared information;
- iii. Intelligence-based and focused counter-measures to secure vital installations and energy facilities against threats or terrorist attacks and protect international sea lanes within Philippine territory and the surrounding Exclusive Economic Zone;
- iv. Interoperability with allied forces requiring the strengthening of international defense and security engagements while protecting our rights to our eastern seaboard including our Exclusive Economic Zone; and
- v. A guerrilla warfare plan to support conventional forces.

Sec. 4. *Formulation and Development of the Plan.* – The Department of National Defense in coordination with the Department of Foreign Affairs, Department of Interior and Local

Government and Department of Transportation shall, within six months after the effectivity of this Act, formulate and develop the Plan, including its funding requirements, for the approval of Congress.

Sec. 5. *Interim Measures.* – The Department of National Defense and other concerned departments and agencies shall come up with interim measures such as the conduct of constant maritime patrols, the putting up of Philippine-marked buoys or such other similar devices in Benham Rise, and such other related measures in order to secure and protect our interests in the area while the Plan is still being formulated and developed.

Sec. 6. *Separability Clause.* – If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Sec. 7. *Repealing Clause.* - Any law, presidential decree, executive order, letter of instruction, administrative order, rule or regulation contrary to, or is inconsistent with the provisions of this Act, is hereby repealed or amended accordingly.

Sec. 8. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,