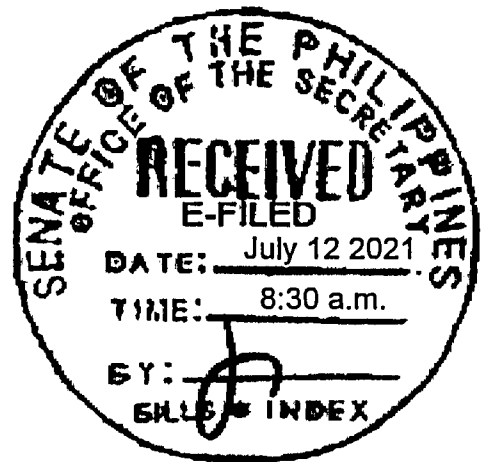


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

P.S. Res. No. 769

Introduced by Senator FRANKLIN M. DRILON

**RESOLUTION COMMEMORATING THE FIFTH ANNIVERSARY OF THE
PERMANENT COURT OF ARBITRATION AWARD IN FAVOR OF
THE REPUBLIC OF THE PHILIPPINES**

1 WHEREAS, after China's acts of forcibly expelling Filipino fishermen in
2 Scarborough Shoal, preventing the Philippines from fully taking advantage of oil and
3 gas resources within its exclusive economic zone, and its acceleration of massive land
4 reclamation activities in the West Philippine Sea, President Benigno Simeon Aquino III
5 made the difficult yet critical decision of filing a case before the Permanent Court of
6 Arbitration on 22 January 2013, invoking the United Nations Convention on the Law of
7 the Sea, to which both China and the Philippines are signatories, in order to
8 "determine, in a peaceful manner, the entitlements and responsibilities and establish
9 a binding code of conduct for the two parties by securing a long-lasting solution to the
10 dispute";

11 WHEREAS, on 12 July 2016, the Permanent Court of Arbitration (PCA) in the
12 Hague rendered a landmark Award that ruled in favor of the Republic of the Philippines
13 and rejected the People's Republic of China's expansive claims to historic, sovereign
14 rights, and jurisdiction over the resources and area covered by its Nine Dash Line that
15 encompasses almost the entirety of the South China Sea and encroaches on the
16 maritime entitlements of other coastal states, including the exclusive economic zone
17 (EEZ) and extended continental shelf (ECS) of the Republic of the Philippines, as being
18 incompatible with the provisions of the United Nations Convention on the Law of the
19 Sea (UNCLOS);

20 WHEREAS, the award is faithful to the letter and spirit of UNCLOS, which does
21 not regard the display of military might or strength as a valid means for appropriating
22 or claiming maritime areas and resources, the same having been ascribed to coastal

1 states based only on an established legal framework which was agreed upon when the
2 Convention was adopted on December 1982, entered into force in November 1994,
3 and ratified by the European union and One Hundred Sixty-Seven (167) States;

4 WHEREAS, the monumental arbitral award, promulgated two weeks after the
5 term of President Aquino, was hailed as a victory not just for the Philippines but also
6 for other coastal states;

7 WHEREAS, five years after the issuance of the historic award, the country has
8 failed to assert and fully leverage the same in bilateral or multilateral talks with China,
9 and despite the filing of diplomatic protests against China's most recent incursions into
10 Philippine waters, statements have been made downplaying the arbitral award, serving
11 to undermine the international victory which the Philippines has legally and peacefully
12 secured before the PCA;

13 WHEREAS, China's passage of its Coast Guard Law in January 2021 which allows
14 the use of lethal force against anyone found in waters over which it claims jurisdiction,
15 its operation of research stations in the Kagitingan and Zamora Reefs, its ongoing
16 reclamation activities within the Philippine EEZ, the continued harassment of Filipino
17 fishermen by large Chinese vessels, the recent mooring of two hundred forty (240)
18 People's Liberation Army Navy vessels in the Philippine EEZ, are proof that China
19 expansionist tendencies have only grown bolder despite the Arbitral Tribunal's clear
20 rejection of its broad claims, and absent a coherent foreign policy that insists on the
21 adherence to a rules-based international order, the Philippines risks squandering the
22 gains it has secured at the Hague;

23 WHEREAS, international law is a mechanism which allows smaller states,
24 despite lack of military prowess, to stand on equal footing with wealthier, more
25 powerful states, which the Philippines has aptly and bravely utilized without having to
26 incite war when it brought China to court in 2013;

27 WHEREAS, the Philippines should continue to call for adherence to international
28 law, rally other coastal states in calling for compliance with the landmark award by the
29 PCA, and maintain a peaceful and diplomatic assertion of the arbitral award, resolute
30 in our conviction that the rule of law should be upheld and never compromised;

31 WHEREAS, the Philippines' victory at the Hague should be a lasting reminder
32 that the Filipino is never cowed or daunted, that false promises of economic largesse

1 and military might will not serve to defeat what is right, and that our claims should be
2 valiantly and relentlessly fought for, to ensure that future generations can benefit from
3 the bounty of what is legally ours; Now, therefore, be it

4 RESOLVED, as it is hereby resolved to express the sense of the Senate to
5 commemorate the fifth anniversary of the Permanent Court of Arbitration Award in
6 favor of the Philippines.

7 *Adopted.*



FRANKLIN M. DRILON
Senator