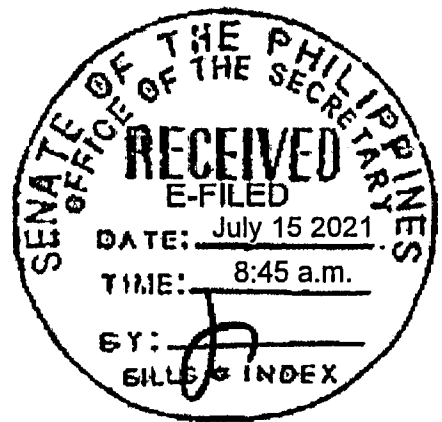


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

Proposed Senate Resolution No. 777

Introduced by Senator FRANCIS N. PANGILINAN

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON AGRICULTURE, FOOD, AND AGRARIAN REFORM TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PLIGHT OF FILIPINO FISHERFOLK AFFECTED BY THE ECOLOGICAL DESTRUCTION, INTRUSION, AND PERSISTENT HARASSMENT IN PARTS OF THE WEST PHILIPPINE SEA AND THE COUNTRY'S EXCLUSIVE ECONOMIC ZONE

WHEREAS, Article I of the 1987 Constitution states that "[t]he national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial, and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and other submarine areas...";

WHEREAS, Section 2, Article XII of the same states, in part, that "[t]he exploration, development, and utilization of natural resources shall be under the full control and supervision of the State." It provides, further, that "[t]he State shall protect the nation's marine wealth in its archipelagic waters, territorial sea, and exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens";

WHEREAS, Section 2(a) of Republic Act No. 8550 otherwise known as "The Philippine Fisheries Code of 1998" declares that it is the policy of the State "to achieve food security as the overriding consideration in the utilization, management, development, conservation, and protection of fishery resources in order to provide the food needs of the population." Further, Section 87 of the same provides that "[i]t shall be unlawful for any foreign person, corporation, or entity to fish or operate any fishing vessel in Philippine waters. The entry of any foreign fishing vessel in Philippine waters shall constitute a *prima facie* evidence that the vessel is engaged in fishing in Philippine waters";

WHEREAS, on 12 July 2016, the Permanent Court of Arbitration (PCA) in The Hague, Netherlands ruled in favor of the Philippines in its historic case against the People's Republic of China over the West Philippine Sea. The PCA rejected China's expansive claims over the resources and area covered by its Nine-Dash Line that encroaches on the maritime entitlement of other states, including the Philippines' exclusive economic zone (EEZ) and extended continental shelf, and concluded that there

was no legal basis for China's claim to historic, sovereign rights to the same, in excess of the rights provided for by the United Nations Convention on the Laws of the Seas (UNCLOS);

WHEREAS, five years after the landmark PCA Award, China has continued to assert its claim and increase its presence in the West Philippine Sea. Chinese vessels have reportedly encroached on Philippine waters multiple times, illegally harvested marine resources in the area, and barred Filipino fisherfolk from areas within the country's EEZ;

WHEREAS, in June 2018, various news outlets reported that the Chinese Coast Guard has been habitually and forcefully taking the catch of Filipino fisherfolk in Panatag shoal off the coast of Zambales. Further, China's artificial island-building and illegal harvesting of giant clams have resulted in the catastrophic damage of coral reef and the marine ecosystem in parts of the West Philippine Sea;

WHEREAS, the most recent development in the continued violation of Philippine maritime boundaries will likely result in incalculable, irreparable damages to our marine ecosystems. Hundreds of Chinese vessels are reported to have been dumping raw, human waste in some parts of the Spratly Islands. Based on satellite images from the US geospatial firm Simularity, the devastation to reefs in said area, caused by sewage effluent and other illegal activities in the last five years, are "visible and dramatic" and may take decades to recover even with active mitigation;

WHEREAS, despite years of protests and requests for government intervention by local fisherfolk and legal and environmental groups, the impact of China's aggression in the West Philippine Sea on the health and conservation of our reefs and aquatic resources and on the livelihood of our fisherfolk have only worsened;

WHEREAS, in a statement dated 11 July 2021, signed by more than 1,000 members of *Bigkis ng Mangingisda* from the provinces of Bataan, Zambales, and Pangasinan, Filipino fisherfolk appealed to the President and the Philippine government to assert the country's right to fish within the EEZ in the West Philippine Sea. The fisherfolk's testimonies confirmed that armed Chinese personnel who patrol the area continue to turn them away, causing great distress and fear of livelihood loss;

WHEREAS, in May 2021, fishers' group *Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas* (PAMALAKAYA) said that because of the increased presence of Chinese vessels in Panatag Shoal, the income of Filipino fisherfolk operating in the area dropped from P1,000 to P300 per fishing trip, or an alarming 70% decrease. Fishers are among the poorest and most vulnerable sectors of Philippine society, with one in three fisherfolk considered as poor per 2015 data from the Philippine Statistics Authority;

WHEREAS, the protection of the rights and livelihood of our fisherfolk, especially subsistence fishers, and ensuring food security are urgent tasks. The government must stand up to China's aggression, with the welfare of our people at the forefront of every policy and decision. Under any circumstance, government must be committed in asserting our rights and must enforce the arbitral ruling in the West Philippine Sea, with the end in view of protecting our people and upholding our national interest;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Senate of the Philippines to direct the Senate Committee on Agriculture, Food, and Agrarian Reform to conduct an inquiry, in aid of legislation, on the plight of Filipino fisherfolk affected by the ecological destruction, intrusion, and persistent harassment in parts of the West Philippine Sea and the country's exclusive economic zone.

Adopted,



FRANCIS N. RANGILINAN