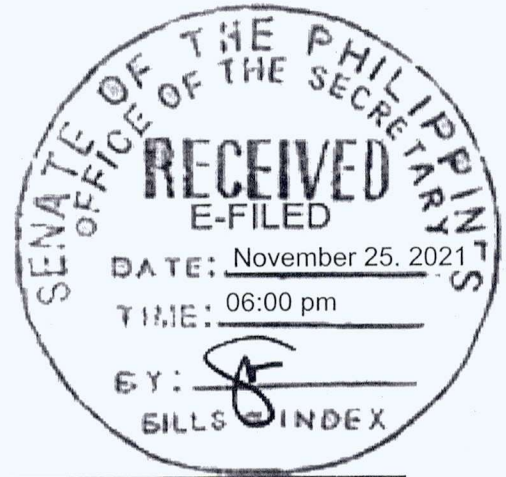


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )

SENATE  
P.S. Res. No. 954



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Introduced by SENATOR PANFILO M. LACSON

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**RESOLUTION**

**CONDEMNING THE CONTINUED PRESENCE AND HOSTILE ACTS COMMITTED BY CHINESE MARITIME SHIPS WITHIN OUR EXCLUSIVE ECONOMIC ZONE AS SHOWN BY THE RECENT INCIDENT IN THE AYUNGIN SHOAL AND URGING THE GOVERNMENT TO ACT AND CONSISTENTLY ASSERT OUR SOVEREIGN RIGHTS AGAINST CHINA**

**WHEREAS**, in 1995, during the term of former President Fidel V. Ramos, China seized the Panganiban Reef or Mischief Reef from the Philippines and subsequently turned it into a 550-hectare air and naval outpost, capable of housing and deploying military assets and conducting surveillance over the West Philippine Sea;

**WHEREAS**, in 2012, China disregarded the agreement brokered by the United States to end the Scarborough standoff by refusing to withdraw from the area. It even constructed chain barriers across the mouth of the shoal to prevent access to it by the Philippines thereby leading to China's *de facto* occupation of the shoal;

**WHEREAS**, Scarborough Shoal, locally known as Bajo de Masinloc or Panatag Shoal, is only 220 kilometers or 118.79 nautical miles from the nearest coast of the Philippine Island of Luzon and well within the country's Exclusive Economic Zone (EEZ). As a result of the incident, the Philippines filed an arbitration case with the Permanent Court of Arbitration (PCA) in 2013;

**WHEREAS**, in 2016, the PCA rendered a decision concluding that "*as between the Philippines and China, there was no legal basis for China to claim historic rights to resources, in excess of the rights provided for by the Convention, within the sea areas falling within the nine-dash line*";

**WHEREAS**, however, China refused to accept the said decision and continued to occupy and enjoy the marine resources in the West Philippine Sea in

violation of United Nations Convention on the Law of the Sea (UNCLOS) and the arbitral award;

**WHEREAS**, last November 16, 2021, in utter disregard of the sovereign rights of the Philippines to its EEZ, at least three Chinese Coast Guard vessels blocked and "water cannoned" two (2) Filipino supply boats while en route to Ayungin Shoal (Second Thomas Shoal), which is located about 105 nautical miles off the coast of Palawan and well within the country's 200-nautical-mile EEZ;

**WHEREAS**, immediately after the said incident, Foreign Affairs Secretary Teodoro Locsin conveyed in the strongest terms *"the Philippines' outrage, condemnation and protest of the incident and reminded China that Ayungin Shoal is part of the Kalayaan Island Group (KIG) which is an integral part of the Philippines as well as the Philippines' exclusive economic zone"* to H.E. Huang Xilian, Ambassador of China and to the Ministry of Foreign Affairs in Beijing. He was even quoted in the papers as saying *"The Philippines will continue to provide supplies to our troops in Ayungin Shoal (Second Thomas Shoal). We do not ask permission to do what we need to do in our territory"*;

**WHEREAS**, President Rodrigo Duterte, in the ASEAN-China Special Summit, issued a statement abhorring the recent event in the Ayungin Shoal urging China to exercise utmost self-restraint in our country's territory to avoid the escalation of tensions, much more can still be done to assert our sovereign rights;

**WHEREAS**, last 21 November 2021, Defense Secretary Delfin Lorenzana said that China will no longer interfere with the upcoming supply deliveries to Filipino military personnel in Ayungin Shoal, citing conversations he had with Chinese Ambassador to the Philippines Huang Xilian. He likewise said that China has no right to impede, prevent or harass our ships within our EEZ whether we are fishing or bringing supplies to our detachment in the Sierra Madre in Ayungin Shoal;

**WHEREAS**, the threat to our territories in the West Philippine Sea is not limited to Ayungin Shoal, just recently, as Chairman of the Senate Committee on National Defense and Security, Peace, Unification and Reconciliation, this representation experienced firsthand the obtrusiveness of China as it sent radio communications to warn our pilots in an attempt to drive our party away while enroute to Pag-asa Island in the Municipality of Kalayaan, Palawan;

**WHEREAS**, the Chinese Navy sent to us, via radio, the following message: *"You are approaching our military zone. Please stay away from the area and leave immediately. Your actions are unfriendly and dangerous. Your actions are dangerous."* The said warning was followed by another communication that informed



us that, *"This is the Chinese Navy. You are approaching our military zone."* and instructed us to, *"Leave immediately in order to avoid misjudgment"*;

**WHEREAS**, to exacerbate the matter, upon arriving at Pag-asa Island, we received a text message from Smart Communications which reads as follows, *"Welcome to China! Surf all your favorite sites with GigaRoam China 3 GB, valid for 10 days! To subscribe, go to <http://roam.smart.com.ph>. Make sure to turn off your phone's WiFi then turn on Mobile Data & Data Roaming. Or keep your Data Roaming turned on and get automatically registered to Roam Surf 550. For more info, call our Toll-Free Roaming Hotline at +63288488878"*;

**WHEREAS**, though considered as a Municipality in the Province of Palawan by virtue of PD 1596 dated 11 June 1978, one wonders why Pag-asa Island is surrounded by Chinese maritime vessels despite repeated diplomatic protests lodged by the Department of Foreign Affairs in the past;

**WHEREAS**, the continuous presence and manifestation of hostile and belligerent acts of these Chinese maritime vessels within our country's Exclusive Economic Zone show the utter disregard of China of the Arbitral ruling of the Permanent Court of Arbitration and our country's sovereign rights over the area in question;

**WHEREAS**, these continuing acts of the Chinese maritime vessels in the West Philippine Sea if left unchecked and unchallenged constitute clear and present danger not only to our national interest and territorial integrity but also to the peace and stability of the entire Asia Pacific Region;

**WHEREAS**, considering the importance of the West Philippine Sea in ensuring freedom of navigation, unhampered international trade and commerce in the Asia Pacific Region and the vital role it plays in the security and safety of the region, there is a need to uphold a rules based maritime order in the area to maintain the balance of power and stability therein; **NOW, THEREFORE**,

**BE IT RESOLVED**, as it is hereby resolved by the Senate, to condemn the continued presence and hostile acts of Chinese Maritime Vessels within our EEZ and urge the government to fortify, amplify and enhance our positions in the West Philippine Sea thru defense and security agreements with other nations, and by consistently invoking and protecting our internationally recognized rights through continuing diplomatic dialogue with nations of mutual/common interests in the West Philippine Sea;

**RESOLVED, FURTHER**, that in pursuit of sending a stronger message of assertion that Pag-Asa Island is ours, a comprehensive Development Plan must be

crafted laying-out concrete projects, programs and activities aimed at improving the quality of life and efficient delivery of public services therein.

*Adopted,*

  
PANFILO M. LACSON  
Senator