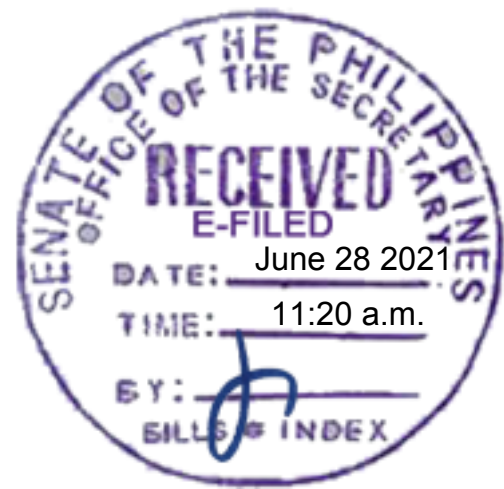


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE
P.S.R. No. **762**



Introduced by **Senator Ana Theresia “Risa” Hontiveros-Baraquel**

RESOLUTION
DECLARING THE TWELFTH OF JULY TO BE NATIONAL WEST PHILIPPINE SEA VICTORY DAY, IN COMMEMORATION OF THE PHILIPPINES’ TRIUMPH BEFORE THE PERMANENT COURT OF ARBITRATION, AND IN HONOR OF THE EFFORTS OF THE ADMINISTRATION OF PRESIDENT BENIGNO SIMEON AQUINO III IN SECURING A LANDMARK LEGAL VICTORY UPHOLDING THE COUNTRY’S SOVEREIGN RIGHTS OVER THE WEST PHILIPPINE SEA

WHEREAS, the West Philippine Sea (“WPS”), which contains the Panatag Shoal, the Kalayaan Island Group, and portions of the Spratly Islands, forms part of the Philippines’ Exclusive Economic Zone (“EEZ”) in accordance with the United Nations Convention on the Law of the Sea (“UNCLOS”);

WHEREAS, the marine environment in the WPS is exceptionally biodiverse, and contains numerous species of fish, echinoderms, mangroves, seagrasses, giant clams, and marine turtles, including those considered vulnerable or endangered, and vast coral reefs – almost as large as Mindanao - that serve as spawning grounds of staple food species such as tuna, *galunggong*, and *danggit*;

WHEREAS, the WPS is also a traditional fishing ground of Filipino fisher-folk, with an annual fish yield of 5 million tons sustaining the economies of coastal communities on the western coasts of Luzon and Palawan;

WHEREAS, it is estimated that the WPS may contain up to 55.1 trillion cubic feet of natural gas and 5.4 billion barrels of oil, an abundant source of energy with the potential to secure the energy security and independence of the Philippines for at least the next generation of Filipinos;

WHEREAS, China claims “indisputable sovereignty” over the entire South China Sea, and its so-called “nine-dash line” encroaches upon 80% of the Philippines’ EEZ in the WPS, including Recto Bank – which may contain rich deposits of oil and natural gas - and part of the Malampaya gas field;

WHEREAS, in April 2012, a series of incidents occurred between Philippine and Chinese vessels at Panatag Shoal, leading to a territorial stand-off that heightened tensions between the two countries;

WHEREAS, after Chinese vessels began excluding Filipino fisher-folk from their traditional fishing grounds in Panatag Shoal and other parts of the WPS, the Philippine government – led by President Benigno Simeon Aquino III – initiated arbitration proceedings against the People's Republic of China before the Permanent Court of Arbitration (“PCA”) in the Hague, Netherlands, in accordance with the terms of the UNCLOS to uphold the country’s sovereign rights in the WPS;

WHEREAS, on July 12, 2016, in a landmark ruling in PCA Case No. 2013-19, otherwise known as *Republic of the Philippines vs. People's Republic of China*, the PCA held that the Chinese government's claims to historic rights, or other sovereign rights or jurisdiction, with respect to maritime areas in the WPS encompassed by the so-called "nine-dash line," were contrary to the UNCLOS and without lawful effect to the extent that they exceeded the geographic and substantive limits of the Chinese government's maritime entitlements under the Convention, and that China had breached its obligations with respect to the Philippines' sovereign rights over its continental shelf and exclusive economic zone;

WHEREAS, the PCA likewise held that the complete prevention by China of fishing by Filipinos at Panatag Shoal over significant periods of time after May 2012, was not compatible with the respect due under international law to the traditional fishing rights of Filipino fishermen;

WHEREAS, with respect to the protection and preservation of the marine environment, the PCA also found that China was aware of, tolerated, protected, and failed to prevent its fishermen from engaging in the harvesting of endangered species on a significant scale, and from harvesting giant clams in a manner severely destructive of coral reef ecosystems;

WHEREAS, the current Chinese regime's unilateral policy of reclaiming and constructing artificial islands, installations, and structures – what has been described as the "Great Wall of Sand" – in the same area, was also found to have caused severe, irreparable harm to those same ecosystems;

WHEREAS, unlawful Chinese activities in the West Philippine Sea are estimated to have caused at least 33 Billion Pesos of damage annually to marine ecosystems within the Philippines' continental shelf and exclusive economic zone since *Philippines vs. China* was filed in 2013; and

WHEREAS, considering the unresolved territorial dispute between the Philippines and China, and the presence of Chinese vessels in Panatag shoal and other parts of the WPS, which continue to threaten and harass Filipino fisher-folk and prevent them from exercising their traditional fishing rights in the area, it is essential that the spirit of the country's landmark legal victory in the Hague be kept alive in the hearts of our people through a special day of remembrance, and other related activities.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED TO DECLARE THE TWELFTH OF JULY OF EVERY YEAR TO BE NATIONAL WEST PHILIPPINE SEA VICTORY DAY, IN COMMEMORATION OF THE PHILIPPINES' TRIUMPH BEFORE THE PERMANENT COURT OF ARBITRATION, AND IN HONOR OF THE EFFORTS OF THE ADMINISTRATION OF PRESIDENT BENIGNO SIMEON AQUINO III IN SECURING A LANDMARK LEGAL VICTORY UPHOLDING THE COUNTRY'S SOVEREIGN RIGHTS OVER THE WEST PHILIPPINE SEA

Adopted.


RISA HONTIVEROS
Senator