

Republic of the Philippines
Congress of the Philippines
Senate
Manila City

Nineteenth Congress

Second Regular Session

RESOLUTION No. 79

RESOLUTION STRONGLY CONDEMNING THE CONTINUED HARASSMENT OF FILIPINO FISHERMEN AND THE PERSISTENT INCURSIONS IN THE WEST PHILIPPINE SEA BY THE CHINESE COAST GUARD AND MILITIA VESSELS, AND URGING THE PHILIPPINE GOVERNMENT TO TAKE APPROPRIATE ACTION IN ASSERTING AND SECURING THE PHILIPPINES' SOVEREIGN RIGHTS OVER ITS EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF, AND TO CALL ON CHINA TO STOP ITS ILLEGAL ACTIVITIES IN ACCORDANCE WITH THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA AND THE 2016 RULING OF THE PERMANENT COURT OF ARBITRATION

WHEREAS, on July 12, 2016, in a landmark ruling in Permanent Court of Arbitration (PCA) Case No. 2013-19, otherwise known as *Republic of the Philippines vs. People's Republic of China*, the PCA held that there was "no legal basis

for China to claim historic rights to resources within the sea areas falling within the nine-dash line", and that such claims to historic or other sovereign rights or jurisdiction, with respect to maritime areas in the West Philippine Sea encompassed by the so-called "nine-dash line", were contrary to the United Nations Convention on the Law of the Sea (UNCLOS);

WHEREAS, the PCA also ruled that the Chinese government breached its obligations under international law, having violated the Philippines' sovereign rights over its continental shelf and exclusive economic zone (EEZ);

WHEREAS, rather than comply with the decision, the Chinese government has instead chosen to ramp up its harassment of Philippine vessels, including those of the country's fisherfolk, navy, and coast guard, thus undermining peace and stability in the region;

WHEREAS, in clear violation of the Arbitral Award, China has built artificial islands in various parts of the West Philippine Sea—fortified with airstrips, military installations, hardware and equipment—and has militarized at least three of those artificial islands, arming them with anti-ship and anti-aircraft missile systems, laser and jamming equipment and fighter jets;

WHEREAS, in contravention of the Arbitral Award and the UNCLOS, and notwithstanding the repeated filing of diplomatic protests by the Philippine Government, China, through its Coast Guard and militia vessels, continues to harass and turn away Filipino fisherfolk, blocking their access to the West Philippine Sea, depriving them of bigger harvests and better income;

WHEREAS, earlier this year, Department of Foreign Affairs spokesperson Ma. Teresita Daza urged the Chinese government to stop harassing the Philippine Coast Guard (PCG), after the Chinese Coast Guard aimed a military-grade laser at a Philippine vessel—temporarily blinding PCG personnel;

WHEREAS, in June and July of this year, the Philippine Coast Guard and military observed the increased presence of Chinese vessels and maritime militia swarming the Recto Bank and Scarborough Shoal or Bajo de Masinloc, which are

eighty (80) and one hundred nineteen (119) nautical miles away from the coast of Palawan and Pangasinan, respectively, and thus clearly within the 200-nautical mile limit that marks the country's EEZ;

WHEREAS, China has tried to block the Philippines' resupply mission to the marooned BRP Sierra Madre in the Second Thomas Shoal, which serves as the outpost of the Philippine Military in the area, threatening to tow the said vessel, and delaying the delivery of provisions to our troops;

WHEREAS, the Philippine Government, through the Department of Foreign Affairs, must continue to assert its sovereign rights over the EEZ and intensify efforts to engage the international community in upholding its hard-earned victory at the Hague;

WHEREAS, in July 2023, sixteen (16) member-countries of the European Union issued a joint statement reaffirming their support for the 2016 PCA Ruling recognizing our country's rights over the West Philippine Sea;

WHEREAS, even India, another regional power, has distanced itself from its partners in the BRICS by issuing a joint statement with the Philippines, stressing a shared interest in a free, open and inclusive Indo-Pacific region;

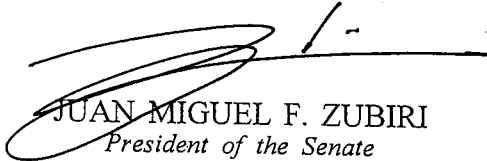
WHEREAS, considering other statements of support from our traditional allies and like-minded countries as a clear sign that the world is arriving at a consensus recognizing the validity of our claim to the West Philippine Sea; and

WHEREAS, the Department of Foreign Affairs is expected to continue holding dialogues with the Chinese government to push for recognition and respect of the Philippines' sovereign rights over its EEZ and pursue the formulation of the Code of Conduct for the South China Sea based on international law and the UNCLOS, and if such efforts are continuously ignored by China and the harassment of our fisherfolk, navy, and coast guard persists, the Department of Foreign Affairs is further urged to pursue the following courses of action: 1. Bringing international attention to China's harassment of Filipino fishermen in the Philippine EEZ and its continued violation of the Hague Ruling and the UNCLOS; 2. Utilizing international fora to rally multilateral

support for the enforcement of the Hague Ruling and raise awareness on the real situation in the West Philippine Sea; 3. Engaging like-minded countries in various international organizations, meetings, and other fora to call on China to respect the Hague Ruling and the UNCLOS; and subject to necessity and prudence, 4. Filing a Resolution before the United Nations General Assembly, to call for the cessation of all activities that harass Philippine vessels and violate the Philippines' established rights in the West Philippine Sea; and 5. Pursuing such other diplomatic modes as the Department of Foreign Affairs may deem appropriate and necessary: Now, therefore, be it

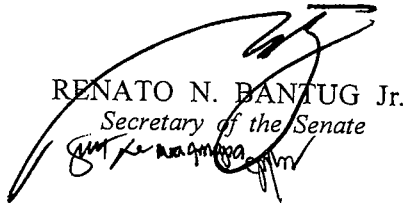
Resolved by the Senate of the Philippines, To strongly condemn the continued harassment of Filipino fisherfolk and the incursions in the West Philippine Sea by the Chinese Coast Guard and militia vessels, and to urge the Philippine Government to take appropriate action in asserting and securing the Philippines' sovereign rights over its exclusive economic zone and continental shelf, and to call on China to stop its illegal activities in accordance with the United Nations Convention on the Law of the Sea and the 2016 Ruling of the Permanent Court of Arbitration.

Adopted,



JUAN MIGUEL F. ZUBIRI
President of the Senate

This Resolution was adopted by the Senate on August 1, 2023.



RENATO N. BANTUG Jr.
Secretary of the Senate