Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE RESOLUTION No. 1171

Introduced by
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE,
GABRIELA Women's Party Representative ARLENE D. BROSAS,
ACT TEACHERS Party-List Representative FRANCIS L. CASTRO,
and KABATAAN Party-List Representative SARAH JANE I. ELAGO

RESOLUTION
URGING THE NATIONAL GOVERNMENT: TO REGAIN CONTROL AND
AUTHORITY OVER THE PANATAG SHOAL AND KALAYAAN ISLAND GROUP,
AMID LATEST MEASURES OF CHINA IN THE WEST PHILIPPINE SEA, SUCH
AS THE APRIL 18, 2020 ESTABLISHMENT OF NEW CHINESE
ADMINISTRATIVE DISTRICTS, AND THE THREE-AND-A-HALF MONTH
FISHING BAN SINCE MAY 1, 2020; AND TO UPHOLD THE INTEREST AND
WELFARE OF FILIPINO FISHERFOLK, NATIONAL PATRIMONY AND
NATIONAL SOVEREIGNTY

WHEREAS, on April 18, 2020, the Chinese state media China Global Television Network
(CGTN) reported the approval by the State Council of establishment of its newest administrative
districts, Xisha and Nansha, under the Sansha City of Hainan province;

WHEREAS, according to the report “China’s Sansha City establishes Xisha, Nansha districts in major
administrative move.”

“Sansha City, in southernmost China’s Hainan Province, has established two districts, Xisha District and
Nansha District, following the approval of the State Council.

They’re Sansha’s first two districts in the city’s history, and before that, the city has a total of 10 local
communities.

Xisha District will administer the Xisha and Zhongsha islands and their surrounding
waters, with the district government located on Yongxing Island.

Governing Nansha Island and its surrounding waters, Nansha District’s government is
located on Yongshu Jiao.

As one of the youngest cities in China, Sansha City was established on July 24, 2012, to administer the Xisha,
Zhongsha and Nansha islands and their surrounding waters in the South China Sea.

The whole city covers nearly two million square kilometers, but including only around 20 square kilometers of land area now.

Sansha has only some 1,800 permanent residents, according to its government introduction, making it the very prefecture-level city with the most southern location, the largest area, the smallest land area and the smallest population in China.” (Underline emphasis by the authors.)

WHEREAS, the Xisha district actually covered the Panatag Shoal, as part of the Zhongsha islands, with the name Huangyan Dao; while the Nansha district management area covered parts of the Kalayaan Island Group:

- Kagitingan Reef (Fiery Cross Reef) as Yongshu Residential Community,
- Panganiban Reef (Mischief Reef) as Meiji Jiao,
- Zamora Reef (Subi Reef) as Zhuibi Jiao,
- Calderon Reef (Quarteron Reef) as Huayang Jiao,
- Johnson South Reef as Chigua Jiao;

WHEREAS, the Xisha district encroaches the 200-nautical miles exclusive economic zone (EEZ) off the Zambales province, particularly the Panatag Shoal, while the Nansha district seized features of the Kalayaan Island Group, which are covered by the EEZ off from Pag-asa Island, the municipal center;

WHEREAS, the establishment of said districts by China, supposedly as exercise of their authority and jurisdiction, directly violated Presidential Decree 1596 or the declaration of the Kalayaan Island Group, and Republic Act No. 9522 which defined the Archipelagic Baseline of the Philippines, particularly Section 2, covering the Kalayaan Island Group and Panatag Shoal, which were determined as “Regime of Islands” under the Republic of the Philippines consistent with Article 121 of the United Nations Convention on the Law of the Sea (UNCLOS);

WHEREAS, on April 29, 2020, the Xinhua News Agency reported “China to strengthen fishery patrols during summer fishing ban” and that “the Chinese coast guard and fishery authorities Wednesday announced they would launch a campaign to enhance law enforcement as this year’s summer fishing moratorium will start in the Bohai Sea, the Yellow Sea, the East China Sea and the waters north to 12 degrees north latitude of the South China Sea.”

WHEREAS, on May 2, 2020, a follow-up article was published by the same news agency, with headline “Annual fishing ban begins in South China Sea” and stated:

“The annual fishing ban in the South China Sea started Wednesday[April 29] and will last until August 16, local agricultural authorities said Thursday.

No fishing activities are allowed in parts of the sea under China’s jurisdiction except angling during the period,
accompanying the Department of Agriculture and Rural Affairs of South China’s Hainan Province.”

WHEREAS, on May 5, 2020, the Vietnamese Foreign Ministry has condemned China for violating Vietnam’s sovereignty by imposing a unilateral fishing ban in the South China Sea. As published on VnExpress, a popular Vietnamese online new site:

"The ban violates Vietnam’s sovereignty over the Hoàng Sa (Paracel) Islands and its legitimate rights and interests in its waters, as well as international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

It also goes against the spirit and text of the Declaration on the Conduct of Parties in the South China Sea (DOC) between ASEAN and China, and violates the Vietnam-China Agreement on the Basic Principles Guiding the Resolution of Maritime Issues, she said.”

WHEREAS, the Vietnam’s Ministry of Agriculture and Rural Development also rejected China’s fishing ban and said that it is “invalid” and directed provinces and cities to encourage fishermen to continue with their activities within their territorial waters;

WHEREAS, the Pambansang Lakas ng Kilusang Mamalakaya ng Pilipinas (Pamalakaya) also condemned the Chinese fishing ban and urged the national government to defy the declaration. The fishing ban covered parts of the West Philippine Sea, off the coast of Busuanga Island in Palawan province to the north, including the waters of Panatag Shoal. It is of national economic interest and welfare of Filipino fisherfolk to recognize the negative impact of such declaration;

WHEREAS, in a span of months, amid global focus on responding to the COVID-19 pandemic, China has made measures consolidating their control over the South China Sea and by encroaching on the country’s EEZ and territorial waters in the West Philippine Sea.

WHEREAS, the diplomatic protest carried out by the Department of Foreign Affairs against the establishment of the administrative district appears inadequate, as the continued Chinese consolidation of authority is synonymous to the continuous violation of:

- the 1987 Constitution, particularly the provision on National Economy and Patrimony which mandates that “The 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;”
- the Presidential Decree 1596;
- Republic Act No. 9522; and the
- Republic Act No. 8550, or the Fisheries Code of 1998, and its amendments against "Illegal, Unreported and Unregulated Fishing";

WHEREAS, the latest Chinese measures in the West Philippine Sea are gross infraction of Philippine national sovereignty and the Filipino people’s right to self-determination;
NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the House of Representatives urge the National Government to regain control and authority over the Panatag Shoal and Kalayaan Island Group, amid latest measures of China in the West Philippine Sea, to uphold the interest and welfare of Filipino fisherfolks, national patrimony and national sovereignty.

Adopted,

REP. EUFEMIA C. CULLAMAT
Bayan Muna Partylist

REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Partylist

REP. ARLENE D. BROSAS
GABRIELA Women’s Party

REP. SARAH JANE I. ELAGO
Kabataan Partylist

REP. FERDINAND R. GAITE
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REP. FRANCE L. CASTRO
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