

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 P2:04

SENATE
S. No. 852

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

AN ACT
DEFINING THE MARITIME ZONES UNDER THE JURISDICTION OF THE
REPUBLIC OF THE PHILIPPINES

EXPLANATORY NOTE

The Philippine archipelago is blessed with expansive waters and diverse marine resources residing therein. An abundance of fish and marine creatures provide food security, pockets of oil and gas fuel economic development, their scenic beauty and tranquility offer countless opportunities for the tourism sector, while the sea lanes allow trade and commerce to prosper. We should protect these endowments, and ensure that they will also be enjoyed by the future generations.

Considering the precarious geopolitics of the Indo-Pacific region, to which South East Asia sits right at the center and the Philippines lies at its epicenter, it is imperative that the Filipino nation preserves and protects what is rightly ours through consistent policy and whole-of-nation strategy, including a strong foothold on domestic laws and legislation.

This bill defines the expanse of the maritime zones under Philippine jurisdiction, over which the Philippines exercises sovereignty and sovereign rights, consistent with the United Nations Convention on the Law of the Sea (UNCLOS). The measure follows the 2009 enactment of Republic Act No. 9522 which specifically defined and described the baselines of the Philippine archipelago. It also seeks to further strengthen the legal framework which will govern our maritime policy and to

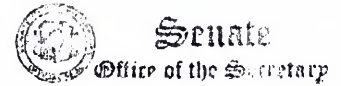
protect our maritime entitlements and territorial integrity in accordance with international law.

This measure was already approved on Third and Final Reading by the House of Representatives during the Eighteenth Congress.

In light of the foregoing, the passage of this bill is highly recommended.

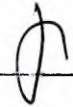

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

- 1 Section 1. *Short Title.* – This Act shall be known as the “*Philippine Maritime*
2 *Zones Act*”.
- 3 Sec. 2. *Maritime Zones.* – The maritime zones of the Philippines comprise the
4 internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive
5 economic zone (EEZ) and continental shelf. All territories of the Philippines shall
6 generate their respective maritime zones in accordance with international law.
- 7 Sec. 3. *Archipelagic Baselines.* – Archipelagic baselines, as used in this Act, shall
8 refer to the baselines as defined under Republic Act No. 9522, entitled; “An Act to
9 Amend Certain Provisions of Republic Act No. 3046, as Amended by Republic Act No.
10 5446, to Define the Archipelagic Baselines of the Philippines, and for Other Purposes”.
- 11 Sec. 4. *Internal Waters.* – The internal waters of the Philippines refer to the
12 following:
- 13 a) Waters on the landward side of the archipelagic baselines not forming part
14 of the archipelagic waters under Section 5 hereof and delineated in
15 accordance with Article 50 of the 1982 United Nations Convention on the
16 Law of the Sea (UNCLOS); and

1 b) Waters on the landward side of the baselines of the territorial sea of
2 territories outside of the archipelagic baselines, drawn in accordance with
3 Article 8 of the UNCLOS.

4 The Philippines exercises sovereignty over its internal waters and the airspace
5 over it as well as its seabed and subsoil in accordance with the UNCLOS and other
6 existing laws and treaties.

7 *Sec. 5. Archipelagic Waters.* – The archipelagic waters of the Philippines refers
8 to the waters on the landward side of the archipelagic baselines except as provided
9 for under Section 4 of this Act.

10 Within the archipelagic waters, closing lines for the delineation of internal
11 waters shall be drawn pursuant to Article 50 of the UNCLOS and other existing laws
12 and treaties.

13 The Philippines exercises sovereignty and jurisdiction over its archipelagic
14 waters and the airspace over it as well as its seabed and subsoil in accordance with
15 the UNCLOS and other existing laws and treaties.

16 *Sec. 6. Territorial Sea.* – The territorial sea of the Philippines refers to the
17 adjacent belt of sea measured twelve (12) nautical miles from the baselines of the
18 territorial sea as determined in accordance with the provisions of Part II or Part IV of
19 the UNCLOS as appropriate.

20 The Philippines exercises sovereignty over its territorial sea and the airspace
21 over it as well as its seabed and subsoil in accordance with the UNCLOS and other
22 existing laws and treaties.

23 *Sec. 7. Contiguous Zone.* – The contiguous zone of the Philippines refers to the
24 waters beyond and adjacent to its territorial sea and up to the extent of twenty-four
25 (24) nautical miles from the baselines from which the breadth of the territorial sea is
26 measured.

27 In accordance with the UNCLOS, the Philippines exercises control over this zone
28 necessary to:

- 29 a) Prevent infringement of its customs, fiscal, immigration, or sanitary laws
30 and regulations within its territory or territorial sea; and
- 31 b) Punish infringement of the above laws and regulations committed within its
32 territory or territorial sea.

1 *Sec. 8. Exclusive Economic Zone.* – The exclusive economic zone (EEZ) of the
2 Philippines refers to the waters beyond and adjacent to its territorial sea and up to the
3 extent of two hundred (200) nautical miles from the baselines from which the breadth
4 of the territorial sea is measured, as established by Presidential Decree No. 1599,
5 otherwise known as the “Philippine Exclusive Economic Zone of 1978”, and to the
6 extent consistent with the other provisions of this Act and with the provisions of the
7 UNCLOS.

8 In accordance with the UNCLOS, the Philippines exercises within the EEZ the
9 following rights:

- 10 a) Sovereign rights over this area for the purpose of exploring and exploiting,
11 conserving and managing the natural resources, whether living or non-
12 living, of the waters superjacent to the seabed, and of the seabed and its
13 subsoil, and with regard to other activities for the economic exploitation and
14 exploration of the zone, such as the production of energy from the water,
15 tide, and wind; and
16 b) Jurisdiction with regard to: i) the establishment and use of artificial islands,
17 installations and structures; ii) marine scientific research; iii) the protection
18 and preservation of the marine environment; and iv) other rights and duties
19 provided for in the UNCLOS.

20 *Sec. 9. Continental Shelf.* – The continental shelf of the Philippines comprises
21 the seabed and subsoil of the submarine areas that extend beyond its territorial sea
22 throughout the natural prolongation of its land territory to the outer edge of the
23 continental margin, or to a distance of two hundred (200) nautical miles from the
24 baselines from which the breadth of the territorial sea is measured, where the outer
25 edge of the continental margin does not extend up to that distance.

26 Continental shelves extending beyond two hundred (200) nautical miles from
27 the baselines shall be delineated in accordance with Article 76 of the UNCLOS.

28 The Philippines exercises sovereign rights to explore and exploit the mineral,
29 petroleum and nonliving resources of the seabed and subsoil and living organisms
30 belonging to the sedentary species, as well as jurisdiction with regard to the
31 establishment and use of artificial islands, installations and structures on the seabed,
32 drilling and tunnelling, and other rights as provided for in accordance with the

1 UNCLOS, Republic Act No. 7942, otherwise known as the "Philippine Mining Act of
2 1995," and other existing laws and treaties.

3 Sec. 10. *Adherence to Existing Laws.* – Other rights of the Philippines relative
4 to its maritime zones and entitlements shall be exercised in accordance with the
5 UNCLOS, the awards rendered by the Arbitral Tribunal in Permanent Court of
6 Arbitration (PCA) Case No. 2013-19, in the matter of the South China Sea Arbitration
7 between the Republic of the Philippines and the People's Republic of China, handed
8 down on July 12, 2016 at The Hague, The Netherlands and other laws and regulations
9 on maritime zones and entitlements of the Philippines and international law.

10 Sec. 11. *Delimitations.* – Where the maritime zones defined in this Act overlap
11 with the maritime zones of a neighboring State, the common boundaries shall be
12 determined by agreement with that State in accordance with the relevant principles
13 of delimitation under international law, including the UNCLOS.

14 Sec. 12. *Separability Clause.* – If any portion or provision of this Act is declared
15 unconstitutional or invalid, the other portions or provisions hereof not affected thereby
16 shall continue to be in full force and effect.

17 Sec. 13. *Repealing Clause.* – All laws inconsistent with or contrary to the
18 provisions of this Act are deemed amended, modified or repealed accordingly.

19 Sec. 14. *Effectivity.* – This Act shall take effect fifteen (15) days following its
20 publication in the *Official Gazette* or in any two (2) newspapers of general circulation.

Approved,