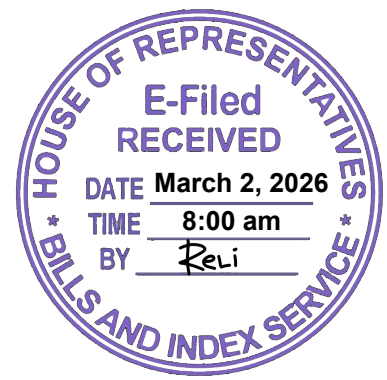




HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 8179

EXPLANATORY NOTE

The Philippines recently marked the 7th year of the Philippines' resounding victory won in the 12 July 2016 South China Sea (SCS) Arbitral Award. The win in the SCS arbitration was the invalidation by the Arbitral Tribunal of the Chinese Nine-Dash Line claim as being contrary to the UN Convention on the Law of the Sea (UNCLOS).

In particular, the Arbitral Award noted that while the claim is one only encompassing historic rights short of title,¹ it nevertheless makes excessive maritime claims that contradict the People's Republic of China's obligations as a State party to the UNCLOS.²

This, in fact, was the Philippines' gift to the international community: an international juridical declaration for the Rule of Law for the seas unyielding in its clarity and commitment to the ideal that norms, and not might, makes Right.

Seven years have come and gone since the landmark Arbitral Award. Yet the country remained unable to translate the gains from the Arbitral Award into an unimpregnable national reality.³ This proposed law now seeks to implement in concrete ways the Philippine triumph over China in the SCS arbitral proceedings.

The 1987 Constitution includes in the definition of national territory not only the Philippine archipelago but also "all other territories over which the Philippines has sovereignty or jurisdiction."⁴

The Records of the Constitutional Commission indicate that the category "all other territories" refers to the "Kalayaan Island",⁵ "Kalayaan Islands",⁶ "Kalayaan group of islands",⁷ "Kalayaan group",⁸ "five islands called Kalayaan",⁹ "Freedom-land",¹⁰ and those which "P.D.

¹ *In re Arbitration Between the Republic of the Philippines and the People's Republic of China*, PCA Case No. 2013-19, Award on Merits (12 July 2016) paras. 207-278 86- 117[hereinafter, *Philippines v. China*].

² *Ibid* para. 261-62 111-112.

³ In fact, there had been serious mis-readings of the Award that threaten to undo our strongest gain, the invalidation of the Nine-Dash Line claim. See Melissa Loja and Romel Bagares, 'Arbitral Award: What We Won and Lost' (Philippine Daily Inquirer, 2 May 2021) <https://opinion.inquirer.net/140366/arbitral-award-what-we-won-and-lost> <accessed 1 July 2021>, and Melissa Loja and Romel Bagares, 'Ph Arbitral Win: What is to be Done?' (Philippine Daily Inquirer, 29 May 2021), <https://opinion.inquirer.net/140677/ph-arbitral-win-what-is-to-be-done> <accessed 1 June 2021>

⁴ Article 1. National Territory. The national territory comprises the Philippine archipelago, with all the islands and waters embraced therein, and all other territories over which the Philippines has sovereignty or jurisdiction, consisting of its terrestrial, fluvial, and aerial domains, including its territorial sea, the seabed, the subsoil, the insular shelves, and other submarine areas. The waters around, between, and connecting the islands of the archipelago, regardless of their breadth and dimensions, form part of the internal waters of the Philippines.

⁵ Records of the Constitutional Convention (RCC), Vol. 2, 275 and 331.

⁶ *Ibid* 255, 260, 276 and 296.

⁷ RCC Vol. I 265.

⁸ *Ibid* 255.

⁹ *Ibid*.

¹⁰ *Ibid* 253, 255 and 275.

No. 1596 ... defined as the territories belonging to the Philippines by historic right or legal title.”¹¹

Presidential Decree (P.D.) No. 1596 (1978) declared that a “cluster of islands and islets” in the South China Sea belong to the Philippines. It named the territory as Kalayaan Island Group and identified it by drawing six straight lines. It declared that the “area within the boundaries including the sea-bed, sub-soil, continental margin and air space shall belong and be subject to the sovereignty of the Philippines.”¹² It constituted the area as the Municipality of Kalayaan under the Province of Palawan.¹³

P.D. No. 1596 did not name the islands and islets inside the boundaries of the KIG.

Republic Act (R.A.) No. 9522 reiterated that the Philippines exercises sovereignty and jurisdiction over the KIG as constituted under PD 1596 but declared that the baselines shall be determined as “Regime of Islands” consistent with Article 121 of the United Nations Convention on the Law of the Sea (UNCLOS). R.A. No. 9522 did not name the features that are part of the KIG or specify which of the three regimes under Article 121 shall apply.

R.A. No. 9522 also declared that Bajo de Masinloc is under Philippine sovereignty and jurisdiction and that its baselines shall be determined under Article 121 of UNCLOS.¹⁴

The victory embodied in the 2016 SCS Arbitral Award also entailed immense costs on our part, because it meant fully aligning our national territorial and maritime domain claims with the UNCLOS.¹⁵

One of the least understood but very important consequences of the Arbitral Award is that it reduced the claims of the competing states to the granular size of individual rocks and their individual territorial seas (TS), effectively erasing the offshore archipelago created by the polygonal lines defined in PD 1596 for the KIG.¹⁶

Nevertheless, in *Philippines v. China*,¹⁷ the Philippines submitted Annex 97, List of Occupied Spratly Features, Geographic Coordinates, Claimants and Occupants. The list names and gives the coordinates of 43 features composing the Spratly Islands. It states that all these 43 features are being claimed by the Philippines and that 11 of them are occupied by the Philippines.¹⁸ Annex 97 does not include Sandy Cay.¹⁹ Other authors list more than 46 to 96 features in the Spratly Islands.²⁰

The Philippines also submitted Annex 230, the 6th edition of the Philippine Coast Pilot (1995), which lists at least 125 maritime features in the KIG that are subject to Philippine sovereignty and jurisdiction.

The proposed law combines the lists in Annex 97 and Annex 230 with full awareness that low tide elevations and sunken atolls are not susceptible of territorial acquisition. This will

¹¹ Ibid. 298. See also *ibid* 420, where Representative Maambong explained that PD 1596 can be referred to for purposes of interpreting the Kalayaan Islands as part of the national territory.

¹² Ibid Sec. 1.

¹³ Ibid.

¹⁴ Ibid. In *Magallona v Executive Secretary*, the Supreme Court upheld the new baseline law’s constitutionality. It is important to note that the Supreme Court also prefigured here the Arbitral Court’s rejection of any offshore archipelago in the KIG for being inconsistent with the UNCLOS. [2011] G.R. No. 187167 [En Banc] 16 August 2011.

¹⁵ *Philippines v. China*, para. 223 95. See also, Melissa Loja and Romel Bagares, ‘Should We Now Slay the Elephant in the Room? (*Philippine Daily Inquirer*, 2 May 2021) <https://opinion.inquirer.net/139823/should-we-now-slay-the-elephant-in-the-room> <accessed 1 June 2021>

¹⁶ *Philippines v China*, paras. 574-75 237; Loja and Bagares (n 15).

¹⁷ *Philippines v. China*, Annex 97

¹⁸ Commodore Reef, Flat Island, Irving Reef, Lankiam Cay, Loaita, Nanshan, Northeast Cay, Second Thomas Shoal, Thitu, Philippines, West York.

¹⁹ Sandy Cay is different from Sand Cay. Annex 97 lists Sand Cay as occupied by Vietnam but claimed by the Philippines and China.

²⁰ See Daniel J. Dzurek, ‘The Spratly Islands Dispute: Who’s on First?’, 2 *International Boundaries Research Unit Maritime Briefing 1*, which lists 46 features; and David Hancox and Victor Prescott, ‘A Geographical Description of the Spratly Islands and an Account of Hydrographic Surveys Amongst Those Islands’, 1 *International Boundaries Research Unit Maritime Briefing 6*, which lists 96 features.

forestall a repeat of the Chinese occupation of Mischief Reef notwithstanding that it is a low-tide elevation.

It bears noting that in 2012, the Office of the President issued Administrative Order No. 29 renaming maritime areas on the western side of the Philippine archipelago as the “West Philippine Sea”. These areas include the Luzon Sea as well as the waters around, within and adjacent to the Kalayaan Island Group and Bajo De Masinloc (BDM), also known as Scarborough Shoal. As it were, the issuance prefigures the Arbitral Court’s eventual invalidation of PD 1596’s straight baselines.

It thus cannot now be gainsaid how important it is to establish in clear and unambiguous terms in the proposed law the exact names, number and coordinates of the maritime features under the Philippine claim to sovereignty and jurisdiction in the West Philippine Sea.

In *Eritrea v. Yemen*, the Tribunal held that evidence of intention to claim islands *à titre de souverain* (under sovereign title) “is an essential element of the process of consolidation of title.”²¹

Such intention is evidenced by public exercise of right or assertion of sovereignty to the islands as well as legislative acts openly seeking to regulate activity on the islands with specificity.²² This is consistent with the peaceful assertion of sovereignty and exercise of *effectivités* over territorial and maritime domains.²³

It is thus important that each of the features over which the Philippines claims sovereignty and jurisdiction are identified specifically by law, and the baselines of their TS and contiguous zone (CZ)²⁴ immediately and already drawn from appropriate basepoints, pursuant to the rules of the UNCLOS.

Without clearly established baselines, we cannot ensure full enjoyment of sovereign rights in the waters within our maritime domains.

The rule is that the CZ is automatically made part of the EEZ when the latter zone is claimed and established by a coastal state.²⁵

But as there are features in the KIG claimed by the Philippines that are outside the Philippine EEZ, it is essential that the TS and CZ of these features lying outside the Philippine EEZ are immediately and already drawn using the appropriate basepoints.

It is true that UNCLOS does not oblige the coastal State to give due publicity to charts embodying the establishment of the CZ.²⁶ Nevertheless, the CZ of such features extend in many ways Philippine claims to sovereign rights in the KIG, and provide a buffer zone against unlawful incursions into Philippine territorial seas around rocks or High Tide Elevations the Philippines claims or occupies in the area, with some limited jurisdictional rights.

To begin with, UNCLOS delineates the CZ as the maritime belt established to (a) prevent infringement of a Coastal State’s customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; (b) punish infringement of the above laws and regulations committed within its territory or territorial sea.²⁷

Moreover, the right of hot pursuit for incursions into the territorial sea may be prosecuted in the CZ.²⁸ A coastal State may exercise the right to stop a ship, the right to arrest

²¹ *The Eritrea-Yemen Arbitration (PCA 1996-04)*, Award on Territorial Sovereignty and Scope of the Dispute, Phase I, 9 October 1998, para. 241 71; *Territorial and Maritime Dispute (Nicaragua v. Colombia)* ICJ Reports 19 November 2012 para. 80-84 35-37; *Frontier Dispute (Burkina Faso/ Mali)*, ICJ Reports 22 December 1986 para. 126 71.

²² *Eritrea-Yemen Arbitration* *ibid.*

²³ *Island of Palmas Case (or Miangas)*, United States v Netherlands, Award, (1928) II RIAA 829, ICGJ 392 (Permanent Court of Arbitration 1928), 4 April 1928.

²⁴ Yoshifumi Tanaka, *The International Law of the Sea* (Cambridge University Press, 3rd edn, 2019) 77

²⁵ *Ibid* 147; Thomas Cottier, *Equitable Principles of Maritime Boundary Delimitation: The Quest for Distributive Justice in International Law* (Cambridge University Press 2015) 214

²⁶ Tanaka *ibid.*

²⁷ Art. 33(1), UNCLOS.

²⁸ Tanaka, *ibid.*, citing Arts. 111(1), UNCLOS.

the ship, and the right to escort the ship to a port for infringement of municipal laws, in the CZ.²⁹

Thus, the delineation of the TS and the CZ around Philippine-held or claimed offshore islands in the KIG will help the Philippine Coastguard and the Armed Forces of the Philippines ensure effective enforcement of sovereignty and jurisdiction in the area.

As to the features in our EEZ that had been identified as Rocks or High Tide Elevations with their respective TS, they present particular challenges that must be immediately addressed. Their TS pushes against our EEZ.

This, in fact, was recognized by the Philippines in the SCS arbitral proceedings, when our lawyers submitted to the Arbitral Court that “the waters, seabed and subsoil of the South China Sea within 200 M of the Philippine coast, but beyond 12 M from any high-tide feature within the South China Sea, constitute the EEZ and continental shelf of the Philippines” under Articles 57 and 76 of the Convention because none of the maritime features claimed by China “generates entitlement to an EEZ or continental shelf.”³⁰

The national security implications of this carefully considered compromise³¹ was shown by our lawyers in figure 4.2 attached to the Philippine Memorial in the SCS arbitral proceedings. It illustrates the various rocks and LTEs found inside the Philippine EEZ and the TS of each rock.³² Thus, we now have pockets of rocks with their respective TS now marking our EEZ, and projecting their own airspace over which full sovereignty is also exercised.³³

The airspace within the TS of each rock serves as basis for declaring an Air Identification and Defense Zone (AIDZ).³⁴

The Philippines must press its sovereign claims over them by identifying them as Philippine-claimed or occupied features, and drawing the appropriate baselines for their TS around them. This is particularly urgent in BDM, because the Arbitral Award declared its TS as subject to traditional fishing of Chinese, Vietnamese, and Filipino fishermen.³⁵

Such traditional fishing regime must be contained within the TS of the BDM. An undelineated TS provides a perfect pretext for other claimants to fish beyond it and within the Philippine EEZ, as the latter remains indistinguishable from BDM’s TS.³⁶

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

²⁹ Ibid, citing Arts. 111(6)(7) and (8), UNCLOS.

³⁰ *Philippines v China*, para. 683-275, citing the Philippine Memorial Memorial, para. 6.6; Merits Hearing Tr. (Day 2), 132-134.

³¹ To argue otherwise would be to oust the Arbitral Court of jurisdiction, as it would also require determination of ownership of the Rocks and HTEs in question; see Melissa Loja, ‘The SCS Arbitral Award and Julian Felipe Reef’ (Philippine Daily Inquirer 21 April 2021) <https://opinion.inquirer.net/139501/the-scs-arbitral-award-and-julian-felipe-reef> <accessed 1 June 2021>

³² Melissa Loja and Romel Bagares, ‘Ph Arbitral Win: What is to be Done?’ (Philippine Daily Inquirer, 29 May 2021), <https://opinion.inquirer.net/140677/ph-arbitral-win-what-is-to-be-done> <accessed 1 June 2021>

³³ Ibid.

³⁴ Ibid. James Kraska and Raul Pedrozo, *International Maritime Security* (Martinus Nijhoff Publishers 2013) 178-180

³⁵ Ibid. *Philippines v China*, para 794-814 311-318

³⁶ Ibid.

HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. 8179

AN ACT

**IDENTIFYING THE PHILIPPINE MARITIME FEATURES OF THE WEST PHILIPPINE SEA,
DEFINING THEIR RESPECTIVE APPLICABLE BASELINES, AND FOR OTHER
PURPOSES**

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

SECTION 1. This Act shall be known as the “Philippine Maritime Features of the West Philippine Sea Act”.

SECTION 2. This Act applies to the maritime areas on the western side of the Philippine archipelago collectively named as the “West Philippine Sea” under Administrative Order No. 29, Series of 2012. These areas include the Luzon Sea as well as the waters around, within and adjacent to the Kalayaan Island Group and Bajo De Masinloc, also known as Scarborough Shoal.

SECTION 3. The Philippines has sovereignty, sovereign rights and jurisdiction, as appropriate, over the following identified maritime features in the West Philippine Sea, without prejudice to other such features that will be discovered or established as part of Philippine sovereignty or jurisdiction in the future:

Name	Coordinates
1. Abad Santos Shoal	9°26'N, 111°55'E
2. Aguinaldo Reef ³⁷	To be supplied (TBS)
3. Alicia Annie Reef	9°22'N, 115°26'E
4. Alison Reef	8°51'N, 114°00'E
5. Amboyne Cay	7°51'N, 112°55'E
6. Ardasier (Antonio Luna) Reef	7°38'N, 113°56'E
7. Bajo De Masinloc (Scarborough Shoal)	TBS
8. Ban Than Jiao	10°24'N, 114°24'E
9. Barque Canada Reef	8°10'N, 113°18'E

³⁷ Located 7 miles E of E of Rizal Reef, Philippine Coast Pilot (1995) 16-70.

10. Baybayin Dagat Bank ³⁸	(TBS)
11. Binago Island ³⁹	(TBS)
12. Bisugo Shoal	11°19'N, 114°35'E
13. Bombay Castle	7°56'N, 111°42'E
14. Bonifacio (Jacinto and Diego Silang) Reefs ⁴⁰	(TBS)
15. Brown ⁴¹	(TBS)
16. Bulig Shoal	9°20'N, 115°56'E
17. Central Reef	8°55'N, 116°11'E
18. Collins Reef	9°45'N, 114°14'E
19. Commodore (Rizal) Reef	8°21'N, 115°17'E
20. Cornwallis South Reef	8°44'N, 114°11'E
21. Coronation Bank	9°21'N, 111°44'E
22. Cuarteron (Calderon) Reef	8°53'N, 112°51'E
23. Dalag Bank	11°01'N, 117°16'E
24. Dalagang Bukid (Investigator NE Shoal) Bank	9°10'N, 116°25'E
25. Dallas Reef ⁴²	(TBS)
26. Day Shoal	11°26'N, 114°23'E
27. Del Pilar Reef	10°48'N, 116°52'E
28. Dhaulie Shoal	9°32'N, 112°24'E
29. Discovery Great Reef	9°59'N, 113°51'E
30. Discovery Small Reef	10°01'N, 114°01'E
31. Dulong Shoal and Palma Reef ⁴³	(TBS)
32. East Reef	8°52'N, 112°46'E
33. Eldad Reef	10°21'N, 114°42'E
34. Erica Reef	8°6'N, 114°09'E

³⁸ Philippine Coast Pilot (1995) 16-68

³⁹ Philippine Coast Pilot (1995) 16-73

⁴⁰ The two reefs are 5.5 miles apart. Diego Silang Reef is 27 miles SW of Quirino Atoll, Philippine Coast Pilot (1995) 16-69.

⁴¹ A “danger” whose existence is doubtful, charted at 7 miles west of Kahoy Bank, Philippine Coast Pilot (1995) 16-68

⁴² 5 miles W of Ardesier Reef, Philippine Coast Pilot (1995) 16-70

⁴³ 25 miles E and SW respectively of Mabini Reef, Philippine Coast Pilot (1995) 16-72

35. Fiery Cross Reef	9°37'N, 112°58'E
36. Flat (Patag) Island	10°50'N, 115°49'E
37. Foulerton Reef ⁴⁴	(TBS)
38. Gaven Reef (North)	10°13'N, 114°12'E
39. Gitna Reef ⁴⁵	(TBS)
40. Gomes Reef	10°16'N, 113°37'E
41. Hirane Shoal ⁴⁶	(TBS)
42. Hopkins Reef	10°49'N, 116°06'E
43. Hubo (Handy) Reef ⁴⁷	(TBS)
44. Investigator Shoal	08°7'N, 114°29'E
45. Iroquis and Banker Reefs	10°37'N, 116°11'E
46. Irving Reef	10°53'N, 114°56'E
47. Iroquis Ridge ⁴⁸	(TBS)
48. Itu Aba (Ligaw Island)	10°23'N, 114°21'E
49. Johnson Patch ⁴⁹	(TBS)
50. Johnson Reef	9°43'N, 114°18'E
51. Kahoy Bank	10°35'N, 117°10'E
52. Kalantiyaw Cay	7°53'N, 112°55'E
53. Kanduli Shoal	9°03'N, 116°41'E
54. Kingstorm Shoal ⁵⁰	(TBS)
55. Kota Bank ⁵¹	(TBS)
56. Kota (Loaita) Island	10°41'N, 114°25'E
57. Hasa Hasa Shoal	8°54'N, 116°16'E
58. Hizon Reef	8°56'N, 113°40'E
59. Jenkin Patches ⁵²	(TBS)
60. Jubilee Bank	8°30'N, 116°16'E

⁴⁴ 13 miles W of Kahoy Bank on the E extremity of South Banks, Philippine Coast Pilot (1995) 16-69

⁴⁵ Philippine Coast Pilot (1995) 16-72

⁴⁶ 18 miles NE of Baker Reef, Philippine Coast Pilot (1995) 16-69

⁴⁷ 30 miles SE of Quirino Atoll, Philippine Coast Pilot (1995) 16-69

⁴⁸ Philippine Coast Pilot (1995) 16-75

⁴⁹ Philippine Coast Pilot (1995) 16-71

⁵⁰ Philippine Coast Pilot (1995) 16-71

⁵¹ Philippine Coast Pilot (1995) 16-73

⁵² 1 mile SW of Pugad Island, Philippine Coast Pilot (1995) 16-75

61. Ladd Reef	8°38'N, 111°40'E
62. Lagos (Spratley) Island	8°39'N, 111°29'E
63. Lansdowne Reef	9°46'N, 114°22'E
64. Lankiam Cay (Panata Island)	10°44'N, 114°31'E
65. Lapu-Lapu Shoal	10°20'N, 117°22'E
66. Lapu-Lapu Reef ⁵³	(TBS)
68. Lawak Island	10°44'N, 115°48'E
67. Leslie Bank	11°04'N 117° 28' E
68. Little Patches ⁵⁴	(TBS)
69. Louisa Reef	6°20'N, 113°14'E
70. Mabuhangin Shoal	11°02'N 117° 39' E
71. Mahiwagang Diwata	10°38'N 117° 39' E
72. Malvar Reef	10°21'N 114° 42' E
73. Maralie Reef	9°13'N 113° 40' E
74. Maria Louise Bank ⁵⁵	11°55'N 116° 47' E
75. Mariano Cay ⁵⁶	(TBS)
76. Mariveles Reef	7°59'N, 113°50'E
77. Mascardo Reef	8°04'N, 113°12'E
78. Menzies Reef	11°09'N, 114°48'E
79. Mischief (Panganiban) Reef	9°55'N, 115°32'E
80. Namyit	10°11'N, 114°22'E
81. Nanshan (Lawak Island)	10°45'N, 115°49'E
82. Nares Bank	11°16'N, 116°03'E
83. North Danger Reef	11°N 114°21'E
84. Northeast Shoal ⁵⁷	(TBS)
85. Northeast Cay (Parola island)	11°28'N, 114°21'E
86. Orleana Shoal ⁵⁸	(TBS)

⁵³ 23 miles SE of Irving Reef, Philippine Coast Pilot (1995) 16-74

⁵⁴ 22 miles SW of Foulerton Reef, Philippine Coast Pilot (1995) 16-69

⁵⁵ 30 miles NNW of the 21meter-shoal of Recto Bank, Philippine Coast Pilot (1995) 16-69

⁵⁶ Philippine Coast Pilot (1995) 16-72

⁵⁷ Philippine Coast Pilot (1995) 16-71

⁵⁸ Philippine Coast Pilot (1995) 16-71

87. Osmeña Reef	8°57'N, 114°11'E
88. Owen Shoal ⁵⁹	(TBS)
89. Pagkakaisa Banks and Reef ⁶⁰	(TBS)
90. Paredes Reef	10°01'N, 113°52'E
91. Parola Island	11°27'N, 114°21'E
92. Parola Island Light	11°27'N, 54"N, 114°21' 26"E
93. Pearson Reefs	8°58'N, 113°41'E
94. Petley Reef	10°24'N, 114°34'E
95. Pigeon Reef	8°52'N, 114°39'E
96. Pugad Island ⁶¹	(TBS)
97. Quezon Reefs ⁶²	(TBS)
98. Quirino Atoll	(TBS)
99. Rajah Soliman Reef	9°36'N, 116°10'E
100. Recto Bank ⁶³	(TBS)
101. Rifleman Bank ⁶⁴	(TBS)
102. Rizal Reef	8°21'N, 115°18'E
103. Royal Charlotte Reef	6°56'N, 113°36'E
104. Rurok Island	9°53'N, 114°20'E
105. Sabina Patches ⁶⁵	(TBS)
106. Sabina Shoal ⁶⁶	(TBS)
107. Sand Cay	10°23'N, 114°28'E
108. Sandy Cay	(TBS)
109. Second Thomas Shoal (Ayungin Shoal)	18° 23'N, 110 2'E
110. Shinko Shoal ⁶⁷	(TBS)
111. Sikatuna Shoal	10°06'N, 117°22'E

⁵⁹ Philippine Coast Pilot (1995) 16-71

⁶⁰ 30 miles NE from Mabini Reef, Philippine Coast Pilot (1995) 16-72. This consists of several features that are already listed. It is included for purposes of identification. The same is true for Tizard Bank, Reed Bank and other areas.

⁶¹ 1.7 miles SW of Parola Island, Philippine Coast Pilot (1995) 16-74

⁶² Philippine Coast Pilot (1995) 16-71

⁶³ 30 miles NW of N extremity of Dalag Bank, Philippine Coast Pilot (1995) 16-69

⁶⁴ 75 miles W of Kalantiyaw Cay

⁶⁵ SE end of North Danger Reef, 3 miles SE of Pugad Island, Philippine Coast Pilot (1995) 16-75

⁶⁶ 60 miles SW of Sikatuna Shoal

⁶⁷ The last data on this is from 1941, Philippine Coast Pilot (1995) 16-69

112. Silangan Reef ⁶⁸	(TBS)
113. Sin Cowe	9°52'N, 114°19'E
114. South Reef	11°23'N, 114°18'E
115. Southern Bank	10°41'N, 116°50'E
116. Southwest Cay	11°26'N, 114°20'E
117. Spratly	8°38'N, 114°25'E
118. Stag Shoal ⁶⁹	(TBS)
119. Subi Reef	10°54'N, 114°06'E
120. Swallow Reef	7°23'N, 113°48'E
121. Tatlong Tulis Shoal ⁷⁰	(TBS)
122. Tennent Reef	8°50'N, 114°36'E
123. Thitu (Pag-Asa Island)	11°03'N, 114°17'E
124. Tizard Bank ⁷¹	10°16'59.33"N, 114°26'37.81"E
125. West Reef	8°52'N, 112°15'E
126. West York (Likas Island)	11°05'N, 115°01'E
127. Whitson Reef (Julian Felipe Reef)	10°00'N, 114°43'E
128. Zamora Reef	10°74'N, 114°06'E

SECTION 4. The breadth of the territorial sea adjacent to the coast of each island shall extend to a distance of twelve nautical miles measured seaward from the baselines.

SECTION 5. The breadth of the contiguous zone shall extend to a distance of 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

SECTION 6. The Philippines adopts the following baselines of each identified offshore rock or high tide feature within the West Philippine Sea, without prejudice to the determination of the baselines of other such maritime features over which the Philippines has sovereignty and jurisdiction in the future:

Name	Baselines
1. Abad Santos Shoal	
2. Alicia Annie Reef	
3. Bajo De Masinloc	
4. Baybayin Dagat Bank	

⁶⁸ Philippine Coast Pilot (1995) 16-72

⁶⁹ Philippine Coast Pilot (1995) 16-71

⁷⁰ 2 miles N Bisugo Shoal, Philippine Coast Pilot (1995) 16-75

⁷¹ Philippine Coast Pilot (1995) 16-73

5. Binago Island	
6. Commodore (Rizal) Reef	
7. Cuarteron (Calderon) Reef	
8. Flat (Patag) Island	
9. Fiery Cross (Kagitingan) Reef	
10. Gaven Reef (North)	
11. Hasa Hasa Shoal	
12. Investigator Shoal	
13. Itu Aba (Ligaw Island)	
14. Jacinto Reef	
15. Johnson (Mabini) Reef	
16. Kota Bank	
17. Kota (Loaita) Island	
18. Lagos (Spratley) Island	
19. Lapu Lapu Shoal	
20. Malvar Reef	
21. Mckennan Reef	
22. Nanshan (Lawak Island)	
23. Northeast Cay (Parola Island)	
24. Paredes Reef	
25. Parola Island Light	
26. Quirino Atoll	
27. Royal Charlotte Reef	
28. Rurok Island	
29. Sabina Shoal	
30. Sandy Cay	
31. Sin Cowe Island	
32. Swallow Reef	
33. Tennent Reef	
34. Thitu (Pag-Asa Island)	
35. West York (Likas Island)	

SECTION 7. The rights of the Philippines over the territorial sea and contiguous zone of each maritime feature identified in this Act, as may be applicable, shall be exercised in accordance with Philippines laws and international law, particularly the United Nations Charter and the United Nations Convention on the Law of the Sea (UNCLOS), as interpreted in the Award dated 12 July 2006 rendered by the Arbitral Tribunal in *In re Arbitration Between the Republic of the Philippines and the People's Republic of China*, PCA Case No. 2013-19.

SECTION 8. The provisions of Presidential Decree No. 1596, Republic Act No. 9522 and Republic Act No. 3046, as amended by Republic Act No. 5446, and all other laws, decrees, executive orders, rules, judgments, and issuances inconsistent with this Act are hereby amended or modified accordingly.

SECTION 9. The National Mapping and Resource Information Authority (NAMRIA) shall produce and publish charts and maps of the Philippines reflecting this Act, within six (6) months of the effectivity of this Act.

SECTION 10. All departments, subdivisions, agencies, and instrumentalities of the Government shall use and employ the designations of the maritime features named and identified in this law in all communications, messages and public documents, to popularize the use of such designations in the general public, both domestically and internationally.

SECTION 11. All departments, subdivisions, agencies, and instrumentalities of the Government shall henceforth use the official Philippine maps and charts produced and published by NAMRIA in accordance with this Act.

For this purpose, the Department of Education (DepEd), the Commission on Higher Education (CHED), and state universities and colleges (SUCs) shall issue circulars requiring the use of said official Philippine maps in relevant subjects, researches and instructional materials, such as, among other things, text books, instructional materials, electronic, web, social media, and audio-visual presentations.

SECTION 12. The NAMRIA shall ensure compliance with this Act, pursuant to Department of Environment and Natural Resources Administrative Order (DENR-AO) No. 31 (s. 1988) and other pertinent laws, rules and regulations.

SECTION 13. The Government, through the Department of Foreign Affairs (DFA), and in consultation with NAMRIA and other appropriate government agencies, shall deposit, within six months of its effectivity, a copy of this Act, enclosing the official maps and charts of the Philippines reflecting the aforementioned maritime features, their coordinates, baselines, territorial sea and where applicable, their contiguous zone, with the Secretary-General of the United Nations and notify accordingly relevant international organizations, such as the International Hydrographic Organization and the United Nations Conference on the Standardization of Geographical Names.

SECTION 14. The Heads of Agencies Concerned shall Include in their Programs the Implementation of this Act in their Programs, the funding of which shall be included in the Annual General Appropriations Act.

SECTION 15. Should any part or provision of this Act be held unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force and effect.

SECTION 16. This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,