

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 8090



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

EXPLANATORY NOTE

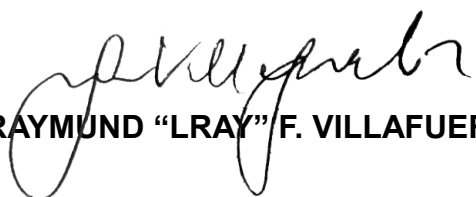
The proposed legislation seeks to declare and define the maritime zones under the jurisdiction of the Philippines to further preserve and protect our maritime rights.

Our Constitution already has Section 2, Article II of the Constitution provides for an "incorporation clause", which states that:

"The Philippines...adopts the generally accepted principles of international law as part of the law of the land..."

The foregoing includes treaties like the UNCLOS and is also considered as part of the law of the land. However, enacting a law to this effect can strengthen the country's claims over its maritime zones. The proposed measure also seeks to prevent any unwarranted and undesirable dispute with other nations involving our maritime areas.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Philippine Maritime Zones Act.*”

SEC. 2. *Maritime Zones.* – The maritime zones of the Philippines comprise the internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive economic zone (EEZ) and continental shelf. All territories of the Philippines shall generate their respective maritime zones in accordance with international law.

SEC. 3. *Archipelagic Baselines.* – Archipelagic baselines, as used in this Act, refer to the baselines as defined under Republic Act No. 9522, entitled “An Act to Amend Certain Provisions of Republic Act No. 3046, as Amended by Republic Act No. 5446, To Define the Archipelagic Baselines of the Philippines, and For Other Purposes.”

SEC. 4. *Internal Waters.* – The internal waters of the Philippines, as appropriate, refer to the following:

- (a) waters on the landward side of the archipelagic baselines not forming part of archipelagic waters under Section 5 of this Act and delineated in accordance with Article 50 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS); and

(b) waters on the landward side of the baselines of the territorial sea of territories outside of the archipelagic baselines, drawn in accordance with Article 8 of the UNCLOS.

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

SEC. 5. Archipelagic Waters. – The archipelagic waters of the Philippines refer to the waters on the landward side of the archipelagic baselines except as provided for under Section 4 of this Act.

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

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

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

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

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

In this zone the Philippines exercises, in accordance with the UNCLOS, control

necessary to:

- (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; and
- (b) punish infringement of the above laws and regulations committed within its territory or territorial sea.

SEC. 8. *Exclusive Economic Zone.* – The EEZ of the Philippines refers to the waters beyond and adjacent to its territorial sea and up to the extent of two hundred (200) nautical miles from the baselines from which the breadth of the territorial sea is measured, as established by Presidential Decree No. 1599 (1978), entitled “Establishing An Exclusive Economic Zone And For Other Purposes” and to the extent consistent with the other provisions of this Act and with the provisions of the UNCLOS.

In this zone the Philippines exercises, in accordance with the UNCLOS:

- (a) sovereign rights over this area for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or nonliving, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; and
- (b) jurisdiction with regard to: (i) the establishment and use of artificial islands, installations and structures; (ii) marine scientific research; (iii) the protection and preservation of the marine environment; and (iv) other rights and duties provided for in the UNCLOS.

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

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

The Philippines exercises sovereign rights to explore and exploit the mineral, petroleum and nonliving resources of the seabed and subsoil and living organisms belonging to the sedentary species, as well as jurisdiction with regard to the establishment and use of artificial islands, installations and structures on the seabed, drilling and tunneling, and other rights as provided for in accordance with the UNCLOS, RA 7942, and other existing laws and treaties.

SEC. 10. *Adherence to Existing Laws.* – Other rights of the Philippines relative to its maritime zones and entitlements not stipulated in this Act shall be exercised in accordance with the laws and regulations of the Philippines and international law, primarily the UNCLOS, and the awards in the South China Sea Arbitration (The Republic of the Philippines v. The People’s Republic of China, PCA Case No. 2013-19, The Hague, 12 July 2016).

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

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

SEC. 13. *Repealing Clause.* – All laws inconsistent with or contrary to the provisions of this Act including RA 3046 as amended by RA 5446, and PD 1596 are deemed amended, modified or repealed accordingly.

SEC. 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* in a newspaper of general circulation.

Approved,