

Statement of Justice Antonio T. Carpio  
June 25 , 2019

**Government Cannot Allow Chinese Fishermen  
To Fish in The West Philippine Sea**

1. The Philippine Government cannot allow Chinese fishermen to fish in Philippine Exclusive Economic Zone (EEZ) in the West Philippine Sea because it will violate the Constitution. The Constitution mandates, “The State shall protect the nation’s marine wealth in its xxx exclusive economic zone, and reserve its use and enjoyment exclusively to Filipino citizens.” This means that the Philippine Government cannot allow Chinese fishermen to fish in our EEZ in the West Philippine Sea. This also means that the “use and enjoyment” of the fish in our EEZ is reserved exclusively to Filipinos.
2. The Armed Forces of the Philippines is specifically tasked by the Constitution to be “the protector of the people” and to “secure the sovereignty of the state and the integrity of the national territory.” The Commander-in-Chief of the Armed Forces is the President, who has the constitutional duty to direct the Armed Forces to protect the nation’s marine wealth in its Exclusive Economic Zone.
3. The Constitution defines the “national territory” to include “other submarine areas” over which the Philippines has “sovereignty or jurisdiction.” The arbitral tribunal at The Hague has ruled with finality the Philippine has “jurisdiction” over its Exclusive Economic Zone in the West Philippines Sea, including the Reed Bank. For purposes of our Constitution, the “national territory” includes our EEZ in the West Philippine Sea, including the Reed Bank.
4. The Philippines has exclusive sovereign right to exploit all the fish, oil, gas and other mineral resources in its Exclusive Economic Zone. This sovereign right belongs to the Filipino people, and no government official can waive this sovereign right of the Filipino people without their consent.

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