

**STATEMENT OF THE REPUBLIC OF THE PHILIPPINES**  
**36<sup>th</sup> Meeting of the GEBCO Sub-Committee on Undersea Feature Names**  
07 November 2023, Wollongong, Australia

Mr. Chair,

Thank you for the opportunity that the SCUFN has given to the Philippines to deliver its statement.

The Philippines submitted a total of one hundred (100) undersea feature names for consideration by the SCUFN members. All of these name proposals are for features entirely and conclusively located within the West Philippine Sea (WPS) covering the Philippines' exclusive economic zone (EEZ) and continental shelf.

*For China's proposals:*

We note that China has submitted forty-eight (48) name proposals for undersea features within the WPS. We oppose the consideration of these name proposals for undersea features falling within the Philippines' EEZ and continental shelf.

*For Malaysia's proposals:*

We note that Malaysia has submitted two (2) name proposals for undersea features, which are within the WPS. We oppose the consideration of the 2 name proposals for undersea features falling within the Philippines' EEZ and continental shelf.

Mr. Chair, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), as the constitution of the oceans, provides the maritime entitlements, rights and jurisdiction of the coastal States. The 2016 Award on the South China Sea Arbitration upheld the Philippines' maritime entitlements and rights in the WPS. It also categorically ruled that China's claim of historic rights, as represented by the nine- (now ten-) dash line, in the South China Sea is illegal under international law, and in particular contrary to UNCLOS. The Arbitral Award is a milestone in the corpus of international law, the cornerstone of a rules-based international order, and is final and binding on both the Philippines and China.

The GEBCO-SCUFN, as a body created under the auspices of the United Nations, must respect the Award. It is the only way that the SCUFN process could legally and equitably move forward and address the issue of naming proposals submitted in the West Philippine Sea.

The Philippines is of the view that the naming of undersea features in the South China Sea that are within our EEZ, continental shelf and extended continental shelf is an exercise of sovereign rights guaranteed under UNCLOS and general international law.

We hold the position that the naming of features is a necessary part of exploration, which is a prelude to the exploitation of the natural resources present in these areas. Names are markers for the features thus far explored. Under Article 77 of UNCLOS, the right to explore the continental shelf, and to exploit its natural resources, is exclusively granted to the coastal State. Since the naming of features is cognate to the right to explore the continental shelf, we cannot accept any proposal that infringes on our sovereign rights and interests.

At the very least, by way of an alternative argument but without intending to diminish the strength of the first argument made, this Sub-Committee should respect the inherent and preferential right of the coastal State to name undersea features within its EEZ and continental shelf.

We call to mind Article 59 of UNCLOS which provides that:

“In cases where this Convention does not attribute rights or jurisdiction to the coastal State or to other States within the exclusive economic zone, and a conflict arises between the interests of the coastal State and any other State or States, the conflict should be resolved on the basis of equity and in the light of all the relevant circumstances, taking into account the respective importance of the interests involved to the parties as well as to the international community as a whole.”

An equitable resolution of this issue can only be had if the coastal State is given the preference in naming undersea features within its EEZ.

This complements with the other point made by the Philippines in previous SCUFN meetings that conducting hydrographic surveys – which produce the multibeam data that are submitted to this Sub-Committee – are made in the context of marine scientific research which requires the consent of the coastal State pursuant to Articles 56 and 246 of UNCLOS.

With these rights accorded to the coastal State, there is basis under UNCLOS for the SCUFN to adopt a rule that coastal States should have the priority or preference in naming undersea features that are situated within their EEZ and continental shelf.

A careful reading of the B-6 Guidelines for the Standardization of Undersea Feature Names allows a rule that gives preference to the coastal States for the naming of undersea features. We all know that Article I.A of the B-6 Guidelines states that the “international concern for naming undersea features is limited to those features entirely or mainly outside the external limits of the territorial sea”. This article only provides the universe of undersea features that IHO-IOC Member States may propose to name before the SCUFN, i.e., undersea features outside the limits of territorial sea. It does not establish an order or the preference of right for States to name these features. It does not by itself sanction a “first-to-name race” among States, much less any other procedure that could lead to disorder or injustice. More importantly, it does not

preclude giving priority – based on equity and natural justice – to the coastal State to name undersea features within its EEZ and continental shelf.

In fact, this preference or priority is manifest in Article I.G of the B-6 Guidelines, which says: “In international programmes, it should be the policy to use forms of names applied by national authorities having responsibility for the pertinent area.” The Philippines argues, that the phrase “national authorities having responsibility for the pertinent area” could only pertain to coastal States having jurisdiction over the pertinent area, i.e., the EEZ and continental shelf.

Consequently, since all selected names shall adhere to the principles contained in the B-6 Guidelines, there is also nothing in the GEBCO-SCUFN Terms of Reference and Rules of Procedure that prevents the giving of preference to coastal States in naming the undersea features within their EEZ and continental shelf.

Establishing a rule that gives priority to coastal States to name undersea features that are within their maritime entitlements, in general, reduces any politicization of SCUFN’s naming procedure.

Finally, Mr. Chair, we assume that the SCUFN Members are aware of the current geopolitical situation in the South China Sea whereby China continues to disregard the Philippines’ maritime entitlements and sovereign rights in the West Philippine Sea as established by UNCLOS and the 2016 Arbitral Award. Against this backdrop, any attempt of China to name undersea features within the Philippines’ EEZ and continental shelf is a politically sensitive matter. Any such proposal should not be considered pursuant to article 2.10 of the GEBCO-SCUFN Terms of Reference and Rules of Procedure. (“The Sub-Committee will not consider undersea feature name proposals that are politically sensitive.”)

In the same vein, following the arguments we have presented, the Philippines reiterates its call on the SCUFN to nullify the approval of the names proposed by China in the previous SCUFN meetings for undersea features that are clearly and unequivocally within the Philippines’ EEZ and continental shelf, including our extended continental shelf in the Philippine Rise.

We hope that this Sub-Committee will respect our position and refrain from any actions that run counter to UNCLOS and the rule of law, which can only upset the peace and stability in the region.

Thank you very much.