

# **Statement of Justice Antonio T. Carpio On the Ramming of F/B Gimver 1**

June 14, 2019

1. China's maritime militia vessels have reinforced steel hulls purposely for ramming fishing vessels of other coastal states. No other coastal state has fishing vessels purposely designed for ramming other fishing vessels. Captains of ordinary Chinese fishing vessels do not engage in ramming for fear of inflicting damage to their own vessels. It is thus highly likely that a Chinese maritime militia vessel rammed the Filipino fishing vessel F/B Gimver 1.
2. The captain and crew of F/B Gimver 1, who are familiar with fishing vessels sailing in the West Philippine Sea, stated that it was a Chinese fishing vessel that rammed them. They stated that F/B Gimver 1 had its lights on, and the Chinese fishing vessel was also lighted. As the captain of F/B Gimver 1, Junel Insigne, categorically declared: "We saw the vessel that rammed our boat. We are sure they were Chinese." The captain added: "After they hit us, they even went back, turned their lights on us, to make sure that our boat was submerged before they left." (Inquirer.net/09:45 PM June 14, 2019)
3. The F/B Gimver 1 was rammed while anchored and its crew were fishing in Reed Bank, which is within Philippine Exclusive Economic Zone in the West Philippine Sea. The ramming of F/B Gimver 1 is a clear violation of UNCLOS. In the arbitration at The Hague, the tribunal ruled that the failure of China to prevent its fishing vessels, even those privately owned, from fishing within Philippine Exclusive Economic Zone in the West Philippine Sea was a violation of UNCLOS. Here, the Chinese maritime militia vessel, under the command of the People's Liberation Army (PLA), prevented the crew of F/B Gimver 1 from exercising their sovereign right to fish in the exclusive fishing ground of Filipino fishermen.
4. The Chinese maritime militias are trained, equipped and organized by the Navy of the PLA. While at sea, Chinese maritime militia vessels are under the chain of command of the PLA. They are equipped with satellite radio communications and can communicate at any time with their local PLA commanders.
5. China's maritime militia vessels have been ramming Vietnamese vessels in the Paracels for several years now. This is the first time that a Chinese maritime militia vessel has rammed a Filipino fishing vessel. Previously, Chinese maritime militia vessels just loitered in the territorial sea of Pagasa Island and other Philippine-occupied geologic features in the Spratlys, intimidating the Filipino occupants of these features.
6. The ramming of F/B Gimver 1 is a quantum escalation of China's aggressive acts against the Philippines in the West Philippine Sea. This may signal the start of a new "gray zone" offensive by China to drive away Filipino fishing vessels in the West Philippine Sea, in the same way that China is driving away Vietnamese fishing vessels in the Paracels.

7. The Filipino people must take a strong stand against this latest aggressive act of China. The Filipino people must demand from China compensation for the owner of F/B Gimver 1, and punishment for the captain and crew of the Chinese vessel that rammed in hit-and-run fashion F/B Gimver 1. The Filipino people must send a strong signal to China that any new “grey zone” offensive of ramming Filipino fishing vessels in the West Philippine Sea will mean a break of diplomatic ties with China.

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