

Republic of the Philippines  
Congress of the Philippines

Senate

Manila City

Fifteenth Congress

Third Regular Session



RESOLUTION NO. 142

RESOLUTION SUPPORTING THE MOVE OF HIS  
EXCELLENCY, PRESIDENT BENIGNO S. AQUINO  
III, TO FILE AN ARBITRATION CASE AGAINST  
CHINA UNDER ARTICLE 287 AND ANNEX VII OF  
THE UNITED NATIONS CONVENTION ON THE  
LAW OF THE SEA

WHEREAS, both China and the Philippines are signatories to the United Nations Convention on the Law of the Sea (UNCLOS) which prescribes the maritime entitlements of coastal states in terms of territorial sea (Part II), Contiguous Zone (Part II), 200-mile Exclusive Economic Zone (EEZ) (Part V), and Continental Shelf (Part VI);

WHEREAS, China's claim in the West Philippine Sea under the 9-dash line is expansive and inconsistent with the above provisions of UNCLOS;

WHEREAS, China's 9-dash line claim encroaches on the legitimate maritime entitlements of the Philippines and other coastal states in the South China Sea, thus violating their legitimate rights under international law, specifically UNCLOS;

WHEREAS, China has steadily and forcefully asserted its 9-dash line claim in the West Philippine Sea;

WHEREAS, the Philippines has exhausted almost all available tools, mechanisms and fora for the peaceful settlement of the disputes with China under its three-track approach, namely: Political, Diplomatic and Legal Track, which includes inviting China to bring the matter peacefully under any of the available dispute settlement mechanisms under Part XV of UNCLOS;

WHEREAS, China declined said invitation, and its assertion in the West Philippine Sea has continued unabated;

WHEREAS, Philippines is left with no other option to peacefully settle the dispute and on January 22, 2013, it took the step of bringing China before an Arbitral Tribunal under Article 287 and ANNEX VII of the UNCLOS, operationalizing President Aquino's policy for a peaceful and rules-based resolution of disputes in the West Philippine Sea in accordance with international law, specifically UNCLOS;

WHEREAS, arbitration is a peaceful way of settling disputes consistent with ASEAN's Six-Point Principles, ASEAN Treaty of Amity and Cooperation and the ASEAN-China Declaration of Conduct in the South China Sea;

WHEREAS, international arbitration does not preclude the Philippines from continuing to explore and utilize other

possible modalities in its three-track approach for the peaceful settlement of disputes in the West Philippine Sea: Now, therefore, be it


*Resolved, as it is hereby resolved,* That the Senate support, as it hereby supports, the move of His Excellency, President Benigno S. Aquino III, to file an arbitration case against China under Article 287 and ANNEX VII of UNCLOS.

Adopted,



JUAN PONCE ENRILE  
*President of the Senate*

This Resolution was adopted by the Senate on January 23, 2013.



EMMA LIRIO REYES  
*Secretary of the Senate*