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SENATE
P.S. Res. No. 65

RECEIVED BY: 

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

A RESOLUTION RECOGNIZING AND COMMENDING THE MEMBERS OF THE PHILIPPINE DELEGATION TO THE UNITED NATIONS ARBITRAL TRIBUNAL IN THE HAGUE FOR THEIR EXPERT AND EXEMPLARY WORK LEADING TO THE FAVORABLE RULING FOR THE PHILIPPINES IN ITS HISTORIC CASE AGAINST CHINA OVER THE WEST PHILIPPINE SEA

WHEREAS, on December 10, 1982, the Republic of the Philippines became a signatory to the United Nations Convention on the Law of the Sea (UNCLOS). The Philippines became one of the first States to submit its instruments of ratification on May 8, 1984;¹

WHEREAS, on January 22, 2013, the Republic of the Philippines instituted arbitral proceedings against the People's Republic of China under Annex VII to the United Nations Convention on the Law of the Sea (UNCLOS), "with respect to the dispute with China over the maritime jurisdiction of the Philippines in the West Philippine Sea,"² after exhausting political and diplomatic means to peacefully resolve its maritime dispute with China, who also signed and ratified the UNCLOS along with 167 other countries.³

WHEREAS, on March 30, 2014, the Philippines submitted a 4000-page memorial to the Arbitral Tribunal at the Permanent Court of Arbitration in The Hague for its case against China;

WHEREAS, on July 7-13, 2015, the Philippines presented before the Arbitral Tribunal at the Permanent Court of Arbitration in The Hague its oral arguments on matters of jurisdiction and admissibility over its case against China under the UNCLOS;

WHEREAS, on October 29, 2015, the Permanent Court of Arbitration unanimously ruled that it has jurisdiction over the Philippines' case against China,

¹https://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXI-6&chapter=21&Temp=mtdsg3&clang=en

² <https://www.pcacases.com/web/view/7>

³ <http://www.rappler.com/nation/20189-ph-takes-china-dispute-to-un>

affirming that both nations as parties to the UNCLOS are bound by its provisions on the settlement of disputes;

WHEREAS, on November 24-30, 2015, the Philippines presented before the Arbitral Tribunal at the Permanent Court of Arbitration in The Hague its oral arguments on the merits of its case against China under the UNCLOS;

WHEREAS, on July 12, 2016, the Permanent Court of Arbitration in The Hague issued a momentous unanimous decision in favor of the Philippines that clarified our nation's maritime entitlements under the UNCLOS;

WHEREAS, the following are part of the Philippine Delegation that served instrumental to the success of the arbitral proceedings sought by our nation at the Permanent Court of Arbitration in The Hague⁴:

1. Paul S. Reichler, Foley Hoag LLP
2. Lawrence H. Martin, Foley Hoag LLP
3. Andrew B. Loewenstein, Foley Hoag LLP
4. Prof. Bernard H. Oxman, University of Miami
5. Prof. Philippe Sands QC, Matrix Chambers
6. Prof. Alan Boyle, Essex Court Chambers
7. Florin T. Hilbay, Solicitor General of the Philippines
8. Albert F. Del Rosario, Secretary of Foreign Affairs
9. Paquito N. Ochoa Jr., Executive Secretary
10. Leila M. De Lima, Secretary of Justice
11. Voltaire T. Gazmin, Secretary of National Defense
12. Alfredo Benjamin S. Caguioa, Chief Presidential Legal Counsel
13. Ronaldo M. Llamas, Presidential Adviser on Political Affairs
14. Feliciano Belmonte, Jr., Speaker of the House of Representatives
15. Rodolfo G. Biazon, Chair of the Committee on National Defense and Security of the House of Representatives
16. Francis H. Jardeleza, Special Adviser and Associate Justice of the Supreme Court
17. Antonio T. Carpio, Associate Justice of the Supreme Court
18. Jaime Victor B. Ledda, Ambassador of the Philippines to the Kingdom of the Netherlands
19. Enrique A. Manalo, Ambassador of the Philippines to the United Kingdom of Great Britain and Northern Ireland
20. Victoria S. Bataclan, Ambassador of the Philippines to the Kingdom of Belgium and the Grand Duchy of Luxembourg and Head of the Mission of the Philippines to the European Union
21. Cecilia B. Rebong, Ambassador and Permanent Representative of the Philippines to the United Nations in Geneva
22. Melita S. Sta.Maria-Thomeczek, Ambassador of the Philippines to the Federal Republic of Germany
23. Joselito A. Jimeno, Ambassador of the Philippines to Switzerland and the Principality of Liechtenstein

⁴ <https://pcacases.com/web/sendAttach/1547>; <https://www.pcacases.com/web/sendAttach/1399>

24. Carlos C. Salinas, Ambassador of the Philippines to the Kingdom of Spain and the Principality of Andorra
25. Menardo I. Guevarra, Deputy Executive Secretary for Legal Affairs
26. Teofilo S. Pilando Jr., Deputy Executive Secretary for General Administration
27. Emmanuel T. Bautista, Undersecretary, Executive Director of the Cabinet Cluster on Security, Justice and Peace
28. Abigail DF. Valte, Undersecretary, Deputy Presidential Spokesperson
29. Mildred Yovela Umali-Hermogenes, Undersecretary, Office of the Chief Presidential Legal Counsel
30. Benito B Valeriano, Assistant Secretary, Department of Foreign Affairs
31. Maria Cleofe R Natividad, Assistant Secretary, Department of Foreign Affairs
32. Eduardo Jose De Vega, Assistant Secretary, Department of Foreign Affairs
33. Naealla Rose Bainto-Aguinaldo, Assistant Secretary, Office of the Executive Secretary
34. Jose Emmanuel David M. Eva III, Assistant Secretary, Office of the Executive Secretary
35. Sarah Jane T. Fernandez, Associate Justice of the Sandiganbayan
36. Henry S. Bensurto Jr., Consul General, Department of Foreign Affairs
37. Igor G. Bailen, Minister, Department of Foreign Affairs
38. Marie Charlotte G. Tang, Minister and Consul General, Department of Foreign Affairs
39. Dinno M. Oblena, Minister and Consul General, Department of Foreign Affairs
40. Ana Marie L. Hernando, Director, Department of Foreign Affairs
41. Zoilo A. Velasco, Second Secretary and Consul, Department of Foreign Affairs
42. Ma. Theresa M. Alders, Third Secretary and Vice Consul, Department of Foreign Affairs
43. Oliver C. Delfin, Third Secretary and Vice Consul, Department of Foreign Affairs
44. Danilo D. Isleta, Brigadier General, Department of National Defense
45. Romulo A. Manuel Jr., Colonel, Armed Forces
46. Josel N. Mostajo, Attorney, Department of Foreign Affairs
47. Maximo Paulino T. Sison III, Attorney, Office of the Solicitor General
48. Ma. Cristina T. Navarro, Attorney, Supreme Court
49. Aiza Katrina S. Valdez, Attorney, Supreme Court of the Philippines
50. Elvira Joselle R. Castro, Associate Solicitor, Office of the Solicitor General
51. Margret Faye G. Tañgan, Attorney, Office of the Executive Secretary
52. Maria Graciela D. Base, Associate Solicitor, Office of the Solicitor General
53. Melbourne D. Pana, Associate Solicitor, Office of the Solicitor General
54. Ma. Rommin M. Diaz, Presidential Communications Development and Strategic Planning Office
55. Ruben A. Romero, Office of the Executive Secretary
56. Rene Fajardo, Department of Foreign Affairs

Counsel:

1. Joseph Klingler, Foley Hoag LLP, Washington DC
2. Yuri Parkhomenko, Foley Hoag LLP, Washington DC
3. Nicholas M. Renzler, Foley Hoag LLP, Washington DC
4. Remi Reichhold, University of Cambridge, UK
5. Melissa Stewart, Foley Hoag LLP, Boston, MA

Technical Experts:

- 1.Scott Edmonds, International Mapping
- 2.Alex Tait, International Mapping
- 3.Dr. Robert W. Smith

Assistants:

- 1.Jessie Barnett-Cox, Trinity College, University of Cambridge
- 2.Elizabeth Glusman, Foley Hoag LLP, Washington DC
- 3.Nancy Lope, Foley Hoag LLP, Washington DC

Expert Witnesses:

- 1.Prof. Kent E. Carpenter, PhD, Department of Biological Sciences, Old Dominion University
- 2.Prof. Clive Schofield, PhD, Australian Centre for Ocean Resource and Security, University of Wollongong;

WHEREAS, the pursuit of this legal resolution is testament to the faith of the Filipino People in the rules and institutions that the international community has created to govern relations among States, and its commitment to the treaties signed and ratified by the Philippines;

WHEREAS, this momentous decision affirms and clarifies the maritime entitlements to the territorial sea, exclusive economic zone, and the continental shelf of the Philippines in the West Philippine Sea which is a matter of significant importance to nations that border the South China Sea, and all States Parties to UNCLOS;

NOW, THEREFORE, BE IT RESOLVED, that the Senate of the Philippines recognizes and commends the members of the Philippine Delegation to the United Nations Arbitral Tribunal in The Hague for their expert and exemplary work leading to the favorable ruling for the Philippines in its historic case against China over the West Philippine Sea.

Adopted,

