

STATEMENT OF THE PHILIPPINES

Delivered by:

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Permanent Representative

on

Item 85 – The Rule of Law at the National and International Levels

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Thank you, Mr Chairman.

At the outset, my delegation subscribes to the statements of Lao PDR on behalf of ASEAN, and of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

We wish to thank the Secretary-General for his report on strengthening and coordinating United Nations rule of law activities.

Three years ago, we adopted our landmark Declaration on the Rule of Law at the National and International Levels. Part II of that Declaration recognizes the role of multilateral treaty processes in promoting and advancing the rule of law, citing the contributions of the principal organs of the UN, the International Law Commission, and even of international courts and tribunals like the International Court of Justice and the International Tribunal for the Law of the Sea. It is fitting that we chose this theme, as we commemorate, this month, the 70th anniversary of the UN Charter.

As a founding member of the UN, the Philippines has steadfastly advocated the primacy of the rule of law. We have placed our faith in the rules and institutions that the UN has created, as guideposts for the responsible behavior of Member States. International law is the great equalizer among States, giving voice to all nations regardless of their political, economic or military stature. International law binds the community of nations together, preserving peace and resolving conflicts. Without international law, the global order can fall into anarchy.

Mr Chair, when we enter into treaties, we renew our faith in the rule of law to govern our proper conduct vis-à-vis each other. Of the many multilateral treaties to which the Philippines is a party, the UN Convention on the Law of the Sea, our constitution for the oceans and seas, stands out as a distinct achievement. UNCLOS has become the key to ensuring global and regional peace in our just and sustainable use of the world's oceans and its resources. It represents a delicate and careful compromise of the rights and obligations of all States Parties, be they big or small, rich or poor, coastal or landlocked.

Mr. Chair, the Philippines is totally committed to the peaceful and rules-based approach to the resolution of disputes under UNCLOS.

If UNCLOS will not apply to the maritime disputes in our region, would the multilateral treaty process have a future? Are we ready to permit any single State Party to disregard the rules under UNCLOS, and allow it to exercise indisputable sovereignty to almost an entire sea, subject the high seas to its jurisdiction, and claim large areas of other coastal states' exclusive economic zones?

If UNCLOS will not apply to the maritime disputes in our region, would it still apply to any other maritime disputes in the rest of the oceans and seas of our planet?

Mr Chair, the developments in the maritime spaces in our region concern the international community as a whole.

Territorial or maritime claims should never be asserted through intimidation, coercion or force, including through massive, large scale ocean filling or reclamation or illegally creating artificial islands in the high seas and in the EEZ of another coastal State. These actions do not confer entitlements, and whatever has been done illegally should not be recognized as a *fait accompli*. These illegal actions have destroyed corals reefs and their priceless marine ecosystem which took millions of years to form, a violation of our mandate to protect the marine environment under Articles 192 and 194 of UNCLOS.

If there is any dispute on the extent of our maritime entitlements, and if bilateral consultations and negotiations undertaken for over two decades have proven futile and one-sided because of a lack of good faith, then the solution is the dispute settlement mechanism provided by UNCLOS and the UN Charter. We hope that declarations made by a claimant State in favor of lowering tensions will soon be matched by actions consistent with those declarations.

Mr. Chair, Arbitration is a mode of peaceful settlement of disputes completely recognized by the UN Charter and UNCLOS. The Philippines has undertaken this process, since we believe that only a neutral panel composed of outstanding experts on the Law of the Sea may successfully guide all parties towards the actual correct interpretation of the principles of international law which should govern any maritime dispute.

We are thankful for the growing support from the international community in peacefully resolving the maritime disputes in our region, through the recognized principles of international law including UNCLOS. We believe that the final outcome of the arbitral tribunal process will pave the way for a settlement of those disputes.

Mr Chair, the rule of law, including through the multilateral treaty process, underpins the predictability and stability of national and international development and progress. It anchors relations between and among States, on the basis of respect and sovereign equality. It allows for an environment of genuine peace and security to flourish.

Thank you, Mr Chairman.