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# PHILIPPINES

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## STATEMENT

by

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**Permanent Representative**  
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**to the United Nations**

on

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

before the

**Sixth Committee**  
**68<sup>th</sup> Session of the**  
**United Nations General Assembly**

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## STATEMENT OF THE PHILIPPINES

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

10 October 2013

Thank you, Mr. Chairman.

The Philippines associates itself with the statement of the Lao People's Democratic Republic on behalf of the Association of Southeast Asian Nations (ASEAN) and of the Islamic Republic of Iran on behalf of the Non-Aligned Movement (NAM).

Our previous 67<sup>th</sup> session was a watershed year for the UN and the rule of law. For the first time ever, we devoted a day-long high-level meeting on the rule of law. We adopted a consensus Outcome Document, a product of long, careful and hard work by all of us. The Philippines reaffirms its support for that document, which contains priority elements ranging from the peaceful settlement of disputes to the role of international tribunals, from anti-terrorism to anti-corruption priorities, from sovereign equality to the equality of women and men.

The document also recognizes that across the UN system, we have the institutions, the working methods, and the relationships to make the rule of law relevant to peace and security, to human rights, and to development.

Mr. Chairman, the rule of law at the national level is an instrument of justice and development. From an institutional standpoint, the UN plays a key supporting role in encouraging the rule of law by, among others, supporting capacity building and the exchange of best practices at the national level.

In partnership with Member States, UN and non-UN international actors have done very useful work on good governance, including anti-corruption and the speedy delivery of impartial justice. They support inclusive, sustainable and equitable economic growth and development.

Last year, I remarked that the greatest achievement of the rule of law at the international level is the UN itself. The vision of the UN Charter remains as relevant as it is eloquent since the conclusion of the San Francisco conference in 1945.

The Philippines and all Member States submit to the peremptory norm of Article 1, paragraph 1 of the UN Charter, which mandates us "to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment



or settlement of international disputes or situations which might lead to a breach of the peace”.

Mr. Chairman, we avail ourselves of the various means for the peaceful settlement of disputes, including mediation and arbitration, in accordance with Chapter 6 of the UN Charter. This is the very rationale for the 1982 Manila Declaration on the Peaceful Settlement of International Disputes, whose 30<sup>th</sup> anniversary we commemorated last year. The Manila Declaration states that, “recourse to judicial settlement of legal disputes should not be considered an unfriendly act between States.”

Following the spirit and the letter of both the UN Charter and the Manila Declaration, the Philippines subscribes to the rule of law and the peaceful settlement of disputes through arbitration proceedings to help resolve maritime disputes and clarify maritime entitlements in our region. We also support the early conclusion of a binding Code of Conduct affecting the exclusive economic zone and beyond of coastal states in our region.

The Philippines is totally committed to a peaceful and rules-based approach to the resolution of disputes.

Mr. Chairman, a coastal state's maritime entitlements are only those established by the UN Convention on the Law of the Sea. No country should make expansive and excessive maritime claims in violation of international law, particularly UNCLOS. Resolving these disputes through the rule of law including UNCLOS and through peaceful means is decisively the only civilized way to go forward.

About 90 percent of all commercial goods that travel from one continent to another moves along and beyond the exclusive economic zone of coastal states in our region. This represents 50 percent of those goods in terms of gross tonnage, or one-third in terms of monetary value, amounting to more than US\$ 5.3 trillion annually. Freedom in the high seas is essential to global peace and the stability of the international economy.

But our interests are more than just economic. Under the mantle of the rule of law, we hope to see in the immediate future a peaceful and durable maritime regime that is mutually beneficial to all. We are assuming our share in respecting and upholding the integrity of UNCLOS, our constitution for the oceans. It is paramount for all states to contribute in creating peace, order, stability and predictability in the seas. Our action to clarify the rules and maritime entitlements will benefit not just us, but all claimants and, certainly, the international community as a whole.

From 1988 until we instituted arbitration proceedings early this year, 2013, or for a quarter century, we exhausted almost all bilateral diplomatic and political avenues for a peaceful negotiated settlement of maritime disputes.

Allowing the disputes to fester for years may not be the judicious course of action, because it will perpetuate more uncertainties. It is untenable.

Mr. Chairman, the rule of law underpins the predictability and stability of human, national and international development. It anchors relations between and among countries on the basis of respect and sovereign equality and allows an environment of peace and security to flourish.

The UN was created to provide for the equality of all sovereign states, and to enshrine the rule of law as the governing principle in regulating international disputes. The Philippine Constitution mandates that our foreign policy shall be one of peace, equality, justice, freedom, cooperation, and amity with all nations.

This continues to be the Philippines' vision for the UN, ever since we became a founding member in 1945.

Thank you, Mr. Chairman.