

CIL Fireside Chat Series on International Law and Diplomacy

Date 14 July 2016, Thursday, 4.00 PM to 6.00 PM

Venue Lecture Theatre, Level 3, Block B, NUS Bukit Timah Campus, 469 Bukit Timah Road, Singapore 259756

Open to NUS, NTU and SMU students and staff, government officials, members of the Singapore Academy of Law, International Law Association (Singapore branch) and members of the diplomatic corps in Singapore

AWARD ON MERITS OF THE ARBITRAL TRIBUNAL Republic of the Philippines vs the People's Republic of China

The long-anticipated Award of the Arbitral Tribunal in the *Philippines v China* case is expected to be available on the website of the Permanent Court of Arbitration (PCA) during the second week of July.

In this Fireside Chat, three international lawyers will discuss the decision of the Tribunal and its implications for managing potential conflicts in the South China Sea.

The five-member Tribunal was established under Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) after the Philippines instituted proceedings against China in 2013.

The Tribunal will not make any rulings on who has the better claim to sovereignty over the disputed islands in the South China Sea, nor will the Tribunal delimit any maritime boundaries between China and the Philippines.

However, the Tribunal is likely to clarify the rules of international law governing the maritime claims in the South China Sea. First, it is likely to rule on the status and entitlement of the geographic features occupied by China (and possibly the island occupied by Taiwan). Second, the Tribunal is likely to rule on the merits of the arguments of the Philippines that some of the features occupied by China are "rocks" entitled to a 12 nm territorial sea but no exclusive economic zone. It will also likely rule on the arguments of the Philippines that other features occupied by China are not entitled to any maritime zones because they do not meet the definition of an island because they are not naturally formed areas of land above water at high tide.

The Tribunal may also rule on the argument of the Philippines that whatever "historic rights" China claims within the nine-dash line are not compatible with UNCLOS, which provides that the coastal State has the "sovereign right" to explore and exploit the natural resources in its exclusive economic zone. In addition, the Tribunal may rule on whether China's "construction activities" on the features it occupies in the South China Sea were in breach of its obligations to preserve and protect the marine environment.

China has decided not to participate in the case and is expected to reject the decision of the Tribunal. However, under the rules and procedures of UNCLOS the Award of the Tribunal will be legally binding on China.

Note: Chatham House Rule will apply for the CIL Fireside Chat Series.



HOSTS

Professor S Jayakumar

Professor Tommy Koh

PANELLISTS

Assoc Prof Robert [Beckman](#)

Assoc Prof [Wang](#) Jiangyu

Dr Hao Duy [Phan](#)

Admission is free of charge but registration is required. To register online, please [click here](#).

ABOUT THE CENTRE FOR INTERNATIONAL LAW (CIL)
CIL is based at the Bukit Timah campus of the National University of Singapore. CIL's mission is to enable Singapore and the Asia-Pacific region to play a more significant role in the promotion and development of international law and policy. The Centre's aim is to become the region's intellectual hub and thought leader for research on and teaching of international law and policy. For more information, please visit the CIL website at www.cil.nus.edu.sg or email: cil.info@nus.edu.sg.

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