

(Unofficial translation)

No. (13) PG-039

The Embassy of the People's Republic of China in the Republic of the Philippines presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines and, with reference to the latter's Note Verbale No. 13-0211 dated 22 January 2013, has the honor to state the following:

The Position of China on the South China Sea issues has been consistent and clear. China has indisputable sovereignty over the Nanhai Islands and their adjacent waters. At the core of the disputes between China and the Philippines in the South China Sea are the territorial disputes over some islands and reefs of the Nansha Islands. The two countries also have overlapping jurisdictional claims over parts of the maritime area in the South China Sea. The direct cause of these disputes has been the illegal occupation by the Philippines of some islands and reefs of China's Nansha Islands. China has been firmly opposed to such illegal occupation.

The territorial disputes between China and the Philippines are still pending and unresolved, but both sides have agreed to settle the disputes through bilateral negotiations. By initiating arbitration proceedings, the Philippines runs counter to the agreement between the two countries, and also contravenes the principles and spirit of the *Declaration on the Conduct of Parties in the South China Sea (DOC)*, and particularly "to resolve their territorial and jurisdictional disputes by peaceful means,...through friendly consultations and negotiations by sovereign states directly concerned".

The Notification and Statement of Claim (hereinafter referred to as "Notification") attached to Note Verbale No. 13-0211 contains grave errors both in fact and in law, and includes many false accusations against China. At some places, the Notification even seriously violates the "One China" principle, undermining the political foundation of the bilateral relations between China and the Philippines. China firmly opposes to this.

China therefore rejects and returns the Philippines' Note Verbal No. 13-0211 and the attached Notification.

China has been committed to resolving disputes peacefully through bilateral negotiation, and has made every effort to maintain stability and to promote regional cooperation in the South China Sea. In March 2010, China made a formal proposal to the Philippines on establishing a bilateral regular consultation mechanism on maritime issues, and China has also repeatedly proposed to the Philippines to resume the operation of the Confidence Building Measures Mechanism (CBMs) as established between the two countries. The Philippines has failed to respond to the proposals mentioned above. China hopes that the Philippines will revert to the right track of settling the disputes through bilateral negotiations.

The Embassy of the People's Republic of China avails itself of this opportunity to renew to the Department of Foreign Affairs of the Republic of the Philippines the assurances of its highest consideration.

Makati, 19 February 2013

Department of Foreign Affairs
Republic of the Philippines
Pasay City, Manila



中 华 人 民 共 和 国 大 使 馆
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菲律宾共和国外交部:

中华人民共和国驻菲律宾共和国大使馆向菲律宾共和国外交部致意,并谨就菲律宾外交部2013年1月22日13-0211号照会阐明如下立场:

中方在南海问题上的立场和主张是一贯的和明确的。中国对南海诸岛及其附近海域拥有无可争辩的主权。中国与菲律宾在南海争议的核心是南沙群岛部分岛礁的领土主权争议,双方在南海部分海域也存在海洋管辖权主张重叠问题。造成争议的直接原因是菲方非法侵占中国南沙群岛的部分岛礁。中方坚决反对菲方的非法侵占。

中菲领土争端悬而未决,但双方在通过双边谈判解决争议方面存在共识。菲方提起仲裁违背了中菲双方有关共识,违背了《南海各方行为宣言》中关于“由直接有关的主权国家通过友好磋商和谈判,以和平方式解决它们的领土和管辖权争议”的原则和精神。

菲方来照所附通知在事实上和法律上存在严重错误，包含许多对中方的不实指控。通知中还有数处内容严重违背一个中国原则，损害中菲双边关系的政治基础，中方坚决反对。

基于上述，中方对菲方来照及其所附通知不予接受，并将其退回。

中国坚持通过双边谈判和平解决争端，并为维护南海稳定、促进区域合作做出了各种努力。2010年3月，中方向菲方正式提出建立“中菲海上问题定期磋商机制”的建议，中方亦曾多次向菲方提出重启两国间建立信任措施机制（CBMs），菲方至今均未作答复。中方希望菲方回到双边谈判解决争端的正确轨道上来。

顺致最崇高的敬意。



二〇一三年三月十一日 于马尼拉