

## The Legal Consequences of the Concept of Archipelagic Waters Under the 1982 Law of the Sea Convention on Philippine Territorial Sovereignty Over Its Internal Waters

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For many years, the Philippines has campaigned in the international community for the acceptance of the principle of archipelagic waters. It was only in 1982 that the other States recognized the peculiar geographical characteristics of archipelagic states. These states were given the right to draw state baselines connecting the outermost points of their outermost islands. The Author observes, however, that this acceptance was nevertheless subjected to qualification. Contrary to Philippine claim, the Law of the Sea Convention classified the waters within the baselines as archipelagic waters and not internal waters. Archipelagic waters are different from internal waters in the sense that in the former, there is a right of innocent passage and archipelagic sealanes passage. Resultantly, there is a glaring conflict between the Philippine Constitution and The Convention. The Author maintains that the solution is for the Philippines to adopt a regime of archipelagic waters by amending its Constitution. The Author argues that under such a solution, sovereignty is not necessarily diminished.