

Law and Sovereignty

# ANTONIO CARPIO

18 October 2019 | New World Hotel, Makati City



For more photos, visit: <http://bit.ly/33Yy1q3>

Former Senior Associate Justice Antonio T. Carpio was key to winning the South China Sea Arbitration case in 2016. After serving the Supreme Court for 18 years, newly-retired Justice Carpio pledges to devote most of his time defending the country's sovereign rights in the West Philippine Sea.

He was honoree at a testimonial lunch given by MBC, ECOP, FINEX, JRI, and MAP.

On 25 October 2019, Carpio retired with no pending cases. He said there is no magic formula to having zero backlogs, just "hard work and a mindset for excellence."

## INTEGRITY AND EFFICIENCY IN THE COURTS

- » **Choose** judges well through the Judicial and Bar Council.
- » **Pay** judges well. PH government salaries and retirement benefits of judges and justices are one of the best among judiciaries in the world.
- » **Train and motivate** judges well through the Philippine Judicial Academy.
- » **Supervise** judges well through the Office of Court Administrator.
- » **Monitor the integrity and honesty** of judges through the Judicial

*"It is not the title that confers prominence on a person: it is his consistent excellence. No matter the lack of formal title, in our minds Justice Carpio is chief among the justices in terms of his consistent adherence to the law and his commitment to always uphold the rule of law. We also honor Justice Carpio for consistently reminding us that our national dignity should not be traded for a few bridges and roads. And as proud Filipinos, we should vigilantly protect our territory and our seas."*

**Ramon del Rosario, Jr.**  
MBC Trustee and Former Chairman

Integrity Board and the Corruption Prevention and Investigation Office.

## JUDICIAL BRANCH SHORTAGES

- » The present judge-to-population ratio in PH is 26 judges per million. This is low compared to the average for developed (50) and developing (35 to 40) countries.
- » According to Justice Carpio, PH should have 5,500 judges given that there are 110 M Filipinos to reach the ratio of 50 judges per million. Currently, the country only has 2,859 judge and justice positions in all court levels.
- » The severe lack of prosecutors and Public Attorney's Office (PAO) lawyers need to be addressed by the Executive Department because criminal cases are major contributors to the backlog in the first and second level courts.

## BUSINESS AND THE SOUTH CHINA SEA

- » When asked about the business community's role in his South China Sea advocacy, Justice Carpio said that businesses should urge the PH government to convene the working group on exploring Reed Bank.
- » The Malampaya natural gas field supplies 40% of the energy requirement in Luzon, and it will not be commercially viable anymore in four years (estimates vary and change). Without a replacement, this will lead to rotating blackouts for 12-14 hours a day, affecting business operations, among others.
- » Natural gas from Reed Bank, located in the South China Sea, could replace Malampaya. The government now has an MOU with China for the Reed Bank exploration. According to Carpio, the Chinese will come in through a service contractor that acknowledges PH sovereign rights over Reed Bank. Hence, China would implicitly admit that the gas in the areas covered by the MOU is within PH territory. (Some experts say there is vagueness in the contract that China or others may interpret differently.)

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