

REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
MANILA

PROF. MERLIN M. MAGALLONA, AKBAYAN PARTY-LIST REP. RISA HONTIVEROS, PROF. H. HARRY L. ROQUE, JR., AND UNIVERSITY OF THE PHILIPPINES COLLEGE OF LAW STUDENTS ALTHEA BARBARA ACAS, VOLTAIRE ALFEREZ, CZARINA MAY ALTEZ, FRANCIS ALVIN ASILO, SHERYL BALOT, RUBY AMOR BARRACA, JOSE JAVIER BAUTISTA, ROMINA BERNARDO, VALERIE PAGASA BUENAVENTURA, EDAN MARRI CAÑETE, VANN ALLEN DELA CRUZ, RENE DELORINO, PAULYN MAY DUMAN, SHARON ESCOTO, RODRIGO FAJARDO III, GIRLIE FERRER, RAOULLE OSEN FERRER, CARLA REGINA GREPO, ANNA MARIE CECILIA GO, IRISH KAY KALAW, MARY ANN JOY LEE, MARIA LUISA MANALAYSAY, MIGUEL RAFAEL MUSNGI, MICHAEL OCAMPO, JAKLYN HANNA PINEDA, WILLIAM RAGAMAT, MARICAR RAMOS, ENRIK FORT REVILLAS, JAMES MARK TERRY RIDON, JOHANN FRANTZ RIVERA IV, CHRISTIAN RIVERO, DIANNE MARIE ROA, NICHOLAS SANTIZO, MELISSA CHRISTINA SANTOS, CRISTINE MAE TABING, VANESSA ANNE TORNIO, MARIA ESTER VANGUARDIA, AND MARCELINO VELOSO III,

*Petitioners,*

*-versus-*

SC G.R. No. 187167

For: CERTIORARI AND PROHIBITION  
*with Prayer for the Issuance of a  
Writ of Preliminary Prohibitory  
Injunction and/or Temporary  
Restraining Order*

(Re: Republic Act No. 9522 or the  
New Philippine Baselines Law)

HON. EDUARDO ERMITA, IN HIS CAPACITY AS EXECUTIVE SECRETARY, HON. ALBERTO ROMULO, IN HIS CAPACITY AS SECRETARY OF THE DEPARTMENT OF FOREIGN AFFAIRS, HON. ROLANDO ANDAYA, IN HIS CAPACITY AS SECRETARY OF THE DEPARTMENT OF BUDGET AND MANAGEMENT, HON. DIONY VENTURA, IN HIS CAPACITY AS ADMINISTRATOR OF THE NATIONAL MAPPING & RESOURCE INFORMATION AUTHORITY, & HON. HILARIO DAVIDE JR., IN HIS CAPACITY AS PERMANENT REPRESENTATIVE OF THE PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES TO THE UNITED NATIONS,

*Respondents.*

**URGENT MANIFESTATION AND MOTION**

Petitioners, by counsel, and unto this Honorable Court, respectfully state that:

1. On April 1, 2009, Petitioners brought before this Honorable Court the instant Petition for Certiorari and Prohibition questioning the constitutionality of the new Philippine baselines law, Republic Act No.9 9522, otherwise known as *“An Act to Amend Certain Provisions of Republic Act No. 3046, as amended by Republic Act No. 5446, to Define the Archipelagic Baselines of the Philippines, and for Other Purposes.”*

2. The Petition asks of this Honorable Court, pending action the resolution of the main issues presented, to enjoin Respondents and all persons acting for or in their behalf, from implementing Republic Act 9522, because since its implementation would clearly result in palpable violations of the Constitution to the extreme prejudice not only of Petitioners, but above all, of the Filipino people.

3. Indeed, unless the implementation of Republic Act 9522 is enjoined, the Permanent Representative to the United Nations in New York City, Hon. Hilario Davide, Jr., will deposit and register with the Secretary General of the United Nations (a) Republic Act

9522, and (b) the geographic coordinates and the charts and maps indicating the baselines defined by Republic Act. 9522, in accordance with Section 4 of the assailed law.

4. The registration and deposit of Republic Act 9522 and other related documents before the UN Secretary-General will forever close the door to any Philippine efforts to obtain the acceptance by the international community of our Constitutionally-defined national territory.

5. More importantly, the registration and deposit of R.A. 9522 before the UN Secretary-General, will immediately bind the Philippines to the UNCLOS III regime, leading to the dismemberment of the Philippine national territory as defined in the 1987 Constitution.

6. Hence, if the implementation of Republic Act 9522 is not immediately enjoined, Petitioners and millions of Filipinos will suffer great or irreparable injury before the matter can be heard by the Honorable Court. Thus, Petitioners respectfully ask the Honorable Court to immediately enjoin the implementation of Republic Act 9522, pending the resolution of this petition.

7. Today, Petitioners learned that a delegation of officials from Respondent offices the Department of Foreign Affairs, the National Resource Mapping and Information Authority (NAMRIA) and the Department of Budget and Management (DBM) are scheduled to fly to the United Nations Headquarters in New York, the United States of America on Sunday, April 5, 2009, to register and deposit the new Philippine baselines law, among other things.

8. Petitioners learned that an official delegation led by the head of the DFA's Center for Maritime and Ocean Affairs, lawyer Henry Bersuto Jr., is due to leave Manila for the UN headquarters in New York on the said date.

9. For this reason, Petitioners make this manifestation and reiterate their earlier prayer that Pending the resolution of this Petition, a Temporary Restraining Order and/or Writ of Preliminary Prohibitory Injunction be immediately issued, prohibiting Respondents from implementing or invoking Republic Act 9522.

PRAYER

**WHEREFORE,** Petitioners respectfully pray that this Honorable Court take due notice of this Manifestation and, Pending the resolution of this Petition, it IMMEDIATELY ISSUE a Temporary Restraining Order and/or Writ of Preliminary Prohibitory Injunction prohibiting Respondents from implementing or invoking Republic Act 9522.

Makati City for Manila, April 2, 2009.

*Other relief just and equitable under the premises are also prayed for.*

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**By:**

**H. HARRY L. ROQUE, JR.**

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MCLE Exemption No.II-002169

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**COPY FURNISHED:**

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**NAMRIA ADMINISTRATOR DIONY VENTURA**  
National Mapping and Resource Information Authority  
NAMRIA Bldg., Fort Bonifacio,  
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**AMBASSADOR HILARIO DAVIDE, JR.**  
**Philippine Permanent Representative to the UN**  
c/o the Department of Foreign Affairs Building  
Roxas Boulevard, Manila

**THE HON. SOLICITOR GENERAL**  
134 Amorsolo Street  
Legaspi Village  
Makati City

**EXPLANATION**

*(Pursuant to Section 11, Rule 13 of the 1997 Rules of Civil Procedure)*

*This Petition for Certiorari and Prohibition with Prayer for a Writ of Preliminary Prohibitory Injunction and/or a Temporary Restraining Order is being served to the Respondents by registered mail in accordance with Section 11, Rule 13 of the Revised Rules of Court because of lack of personnel to effect personal service to each and every one of them.*

**ROMEL REGALADO BAGARES**