

Manila responds to South China Sea ruling

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In the wake of Tuesday's sweeping decision by the Permanent Court of Arbitration (PCA) in The Hague, which rejected entirely China's territorial claims in the South China Sea, Manila, under newly installed President Rodrigo Duterte, has adopted a cautious and circumspect attitude toward the ruling.

The Philippine case before the tribunal was brought by the administration of Benigno Aquino, whose presidency ended on June 30. During his six-year term, Aquino functioned as a leading proxy for Washington in its military and political drive against China in the South China Sea. The White House played an instrumental role in instigating and authoring Manila's case against China.

As a result of Aquino's aggressive policies towards Beijing, both the Philippines trade with, and direct investment from, China have suffered. Duterte has consistently expressed interest in bilateral negotiations with China and in securing Chinese investment in Philippine infrastructure, including the construction of major rail lines.

Thus, while Washington and Canberra have seized on the ruling to escalate pressure on China, Manila's own response has so far been muted. Foreign Affairs secretary Perfecto Yasay delivered a brief statement to the press on July 12. He made no comment against Beijing and declared, "Our experts are studying the Award with the care and thoroughness that this significant arbitral outcome deserves." He continued, "In the meantime, we call on all those concerned to exercise restraint and sobriety."

A week before the ruling, Yasay had told Agence France Presse that the court ruling "will not address sovereignty and delimitation" and, as such, the Philippines was open to the possibility of joint oil exploration with China in the South China Sea.

In 2008, the Philippines, under the Gloria Macapagal Arroyo government, signed a deal with Vietnam and China, the Joint Marine Seismic Undertaking (JMSU), which provided legal grounds for precisely such joint oil exploration. The Obama administration's launching of its

'pivot to Asia,' cut across that perspective, profoundly destabilizing the region as a whole, and bringing it to the brink of war.

The tribunal's ruling wound up being far more sweeping than Yasay anticipated. While claiming to adjudicate only maritime rights and the nature of certain disputed rocks and atolls, the court declared China's entire claim invalid, and some of its actions in the South China Sea "unlawful." Under the auspices of this ruling, a return to some form of the JMSU would no longer be possible without China explicitly repudiating its claim.

Duterte announced that he would be sending a delegation to Beijing to hold bilateral negotiations to discuss the implications of the PCA ruling, as well as the possibility of expanded trade ties, and that he intended to appoint former President Fidel Ramos to head the delegation.

Ramos, since the end of his presidency in 1998, has been closely associated with those sections of the Philippine ruling class most heavily engaged in pursuing trade and investment with China. He played an instrumental role in Duterte's rise to the presidency, securing Duterte's commitment to run and assisting him in his campaign. Duterte opened his inaugural speech by thanking Ramos for "making me president."

It remains to be seen whether Ramos will accept the role that Duterte has offered him, but his selection as lead negotiator with Beijing indicates the basic orientation of Duterte's intended bilateral talks.

At the same time, Duterte told the press that he did not want "to offend the United States." Washington is looking for Manila to make an aggressive declaration regarding China's island reclamation activities that the PCA deemed "unlawful."

On July 10, US Defense Secretary Ashton Carter called his Filipino counterpart, Delfin Lorenzana, to arrange discussions on how Washington and Manila could "deepen and enhance defense cooperation" in the wake of the tribunal ruling. US State Department Counselor and former Ambassador to the Philippines, Kristie Kenney,

visited the Philippines from July 10 to 12 to meet with leading members of the Duterte cabinet, including the defense secretary and national security advisor, to discuss the court's ruling.

Duterte declared, "We have allied ourselves with the western powers. So there's an interest which we should not forget—our interest and the interest of our allies." The president has repeatedly affirmed that he intends to honor the Enhanced Defense Cooperation Agreement (EDCA), which allows the unlimited basing of US forces in the country.

From July 15–16, Foreign Affairs Secretary Yasay is traveling to Mongolia to participate in the Asia Europe Meeting Summit (ASEM), where the Association of Southeast Asian Nations (ASEAN), the European Union (EU) and China will be holding talks. He issued a press statement that he intended to raise the topic of the South China Sea ruling during the summit. Beijing responded with its press statement declaring that this "should not be put on the agenda."

At the end of July, Duterte himself will be traveling to the ASEAN summit in Laos, where both US Secretary of State John Kerry and Chinese Foreign Minister Wang Yi will be participating. AFP quoted an unnamed Southeast Asian diplomat, who claimed that ASEAN had drawn up a draft statement responding to the PCA ruling, but that opposition from Laos and Cambodia, both closely tied to China, had prevented its publication. The summit in Laos will likely see an escalation of tensions, in which Kerry will doubtless play a provocative role.

As the Duterte government attempts the impossible task of placating both Washington and Beijing, his allies in the Maoist Communist Party of the Philippines (CPP) and its front organizations, have organized protests and issued statements denouncing China.

A host of the CPP's front organizations staged protests outside the Chinese consulate. Their banners bore the hashtag #Chexit, calling for China's exit from the South China Sea, and depicting their movement as a variation of "Brexit."

CPP youth front organization Anakbayan, declared that Filipino youth were "jubilant" at the ruling, and denounced China's "bullheaded violation of international law." Umbrella front organization BAYAN stated that "Cooperation is possible only if China abandons its 9 dash line claim" and that "the international community will isolate it politically if it insists on violating international law." Kabataan, another youth front group, denounced not Washington's, but Beijing's "brash

attempt to militarize the disputed waters."

CPP fishermen organization, Pamalakaya, depicted the territorial dispute with China in the language of war, referring to Filipino fishermen as "the front-line casualties" and vowing to "intensify the defiance against foreign domination in the name of defending our sovereignty and territorial integrity."

Joma Sison, founder and head of the CPP, issued a statement on July 13, declaring that the ruling made China "a categorical loser." Beijing's refusal to recognize the decision "spits on its signature on the UNCLOS (United Nations Convention on the Law of the Sea)."

If China did not depart from Philippine-claimed waters, it would "justify other capitalist powers to come to the aid of the Philippines or to stage big convoys and shows of force." Following this up by posturing as an opponent of basing US forces in the country, Sison specifically called for more Freedom of Navigation Operations (FONOPs) that Washington has been provocatively staging in the region.

Sison called on the Duterte government "to stay in control of exploration and production agreements and give more concessions to countries" other than China. Manila, he wrote, should "demand compensation" for the damage done by China to marine life.

Finally, in what was tantamount to a call for war, Sison declared that the Philippines should take control of China's artificial islands and "preserve them for beneficial uses, as sea resort, base for navigational aids or as platforms for energy exploration and exploitation by corporations other than Chinese."

While the CPP and its front organizations still posture as opponents of US imperialism, they articulate Washington's line. In the name of national sovereignty, the CPP is working to whip up support for a war with China.



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