

NATIONAL SECURITY REVIEW

Foreign & Domestic Imperatives in Enhancing National Security



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EDITORIAL NOTE

In the year 2016, as the country undergoes a political transition into a new presidential term, the Philippines finds itself in the middle of longstanding and emerging milieu of domestic and international dynamics and circumstances. As presidential aspirants compete for the popular vote, the election season also offers a viable opportunity to rethink longstanding policies and explore alternative solutions, mindful of the need to build on the gains of the previous administrations. The campaign and election dynamics provides new angles, new perspectives, and new light to current and emerging policy questions. Simply put, the 2016 election in the Philippines presents to the Filipino people an assortment of platforms and options for a new way forward.

The crossroad that the year 2016 represents is especially significant in the field of national security, considering the ever-evolving and highly volatile strategic challenges that the country has grappled with in the past six years. There is no doubt that the outgoing Aquino administration has been confronted with a surfeit of acute security issues and challenges from both the domestic and international fronts. A number of longstanding and emerging security threats to national security have figured prominently both in the policy-making radar and national public discourse, many of which have been deeply polarizing as evidenced by the debates and discourse related to the 2016 elections.

Among the numerous dynamics shaping the regional strategic environment is the noticeable deepening of Philippine-Japan bilateral relations. In recent years, the Philippines and Japan have endeavored to explore areas of cooperation that impinge significantly on regional peace and stability. Against the backdrop of what is perceived to be an increasingly assertive maritime and territorial stance of China, the Philippines and Japan have reviewed existing policies and intensified bilateral consultation and cooperative mechanisms. It is noteworthy that both countries are at the forefront in dealing with China's maritime actuations in the seas of East Asia. As both US allies, Philippine and Japanese statecraft in the region may very well be understood in the context of the so-called American rebalance to the Asia Pacific region. More and more, the Philippines, US, and Japan seem to constitute a new trilateral framework that has the potential to heavily influence the overall direction of territorial and maritime disputes in the region in particular, as well as the larger, long-term geopolitical contests in Asia in general.

Given the uncertainties and volatilities of the regional strategic environment in the long-term horizon, pundits and policy-makers alike in the Philippines have rejuvenated calls for a minimum credible defense posture. Mindful of the Philippine military's lagging external defense capabilities, especially when compared to its neighbors', there is now a growing groundswell of support for raising the level of military readiness to uphold territorial integrity and sovereignty. It is no secret that the recent upsurge of support for the modernization of the Armed Forces of the Philippines has been influenced by the rise and ebb of geostrategic tensions in the South China Sea. The tensions in the South China Sea and the larger geopolitical contest in the region have resurrected calls for a stronger air and naval capabilities of the Philippine military. But the move to achieve a minimum credible defense posture should not proceed without a reasonably clear view and expectations about the trajectory of trends in the Asia Pacific. It therefore behooves the Philippines, as a relatively small country, to always locate and contextualize its defense posture in the wider chessboard of regional power politics.

Pertaining the South China Sea disputes, the discourse has been largely about military posturing, scenario-planning, and diplomatic gambits. Yet a growing number of commentaries touch on the environmental and economic aspects of the South China Sea conflict. Beyond military and security issues, the question of what exactly is at stake in the South China Sea has been fast approaching the front and center of national and international policy discussions.

Meanwhile, as the national government confronts international strategic issues, the Filipino electorate has also begun resuscitating issues concerning the decentralization of responsibilities and devolution of meaningful powers from Manila to the regions and provinces. Local and national candidates for the 2016 election have weighed in on the issue, exploring the proper balance of power between the national authorities and local executives, as well as reviewing existing laws and their suitability to the current needs of the Filipino people across the country's vast archipelago.

Managing these longstanding and emerging issues form part of the portfolio of the incoming President and his entire cabinet. Also, engaging these challenges and seizing opportunities that arise from them necessitate an incisive and fact-based analysis of the countries strength and weaknesses.

It is along this line that this latest issue of the National Security Review (NSR) presents articles that cast new perspectives and breathes new life to various questions that impinged on Philippine national security.

Dr Renato De Castro, in his article **“21st Century Trilateral US-Japan-Philippine Security Partnership: Cementing the Links between Two Spokes?”**, discussed the politico-strategic factors that underpin the evolving security partnership between the Philippines and Japan, two treaty allies of the United States in the Asia Pacific. With the emergence of China as maritime power in East Asia, the Philippines and Japan saw a convergence of their strategic priorities—constraining an increasingly assertive Beijing. To further strengthen their cooperation, Manila and Tokyo, which are embroiled in territorial and maritime disputes in the South China and East China Seas respectively, forged a Strategic Partnership. Dr De Castro argued that the challenge for the Philippines and Japan is the formulation of Status of Forces Agreement that will further operationalize their security cooperation.

In his article entitled **“Foreign Policy Imperatives in Enhancing National Security: The Philippines-United States-Japan Security Triangle,”** Brigadier General Jon N Aying examined the key developments in the Asia Pacific strategic environment, including the rise of China, the reassertion of US presence in the region, and the increasing complexity of both traditional and non-traditional security challenges. This dynamic and uncertain geostrategic backdrop has given a strong impetus for Manila, Washington, and Tokyo to enhance their security relations. However, Brigadier General Aying underscored that the security cooperation among these countries is not merely a short-term and reactive initiative. Rather, “Security Triangle” among these Asia-Pacific countries is geared for the long-term that will address threats to peace and stability in the region.

In his paper entitled, **“Towards Understanding Minimum Credible Deterrence in the Philippine Setting,”** BGen Roberto G Nuqui, Jr AFP contextualizes and analyzes the strategic vision of Armed Forces of the Philippines to develop a Minimum Credible Deterrence (MDC) system in relation to the strategic and operational requirements of a National Coastwatch (NCW) system. His article provides a conceptual analysis of MDC across key security concepts such as defense and credible deterrence. The paper also provides well-founded insights on China's rising political, economic, and military power and how this figures in the AFP's plan for developing MDC and NCW systems. The paper sheds light on the relevance and implications of pursuing and invoking Philippine alliances in developing and sustaining AFP's MDC. Moreover, his article offers insights on China's asymmetric relation with weaker states and how such asymmetry may be affected by the outcome of Philippines' lawfare. In its conclusions, the paper underscored that the best deterrence for the Philippines lies in developing MDC and NCW systems. Thus, strategies, capabilities, and security partnerships must be enhanced along those lines.

In an article entitled "**Environmental and Economic Aspects of the West Philippine Sea**", Dr Angel C Alcala and Former Ambassador Alberto A Encomienda discusses the geological history of the South China Sea, the Spratlys Islands, and the Palawan island group including parts of Mindoro and Panay islands and the rifting of these islands from the Asian continent. Likewise, the paper also tackles the physical environment of the Spratlys including the islands, shoals, and atolls and the current system in the South China Sea. It also highlights the biological resources with emphasis on the coral reefs systems and the status of fish and fishery resources; the economic values of reef and pelagic fisheries; the connectivity of the biodiversity resources of the Spratlys with the Philippines and other nations. Interestingly, the paper also discusses the disturbances in the area that could have a negative impact on the sustainability of fisheries and marine biodiversity. Based on these discussion, the paper likewise presents a recommendation on ocean governance policy and programs needed for the maintenance of the integrity of the sea environment and its resources. There recommendations pertain to cooperative protection and management of the South China Sea by maritime countries surrounding the area under the UNCLOS.

In his article entitled "**Local Governments in the Proposed Bangsamoro Region: Enhancing the Region's Capacity to Promote Economic and Social Development**", Mr Edmund S. Tayao reviewed the role of the national government through the process of decentralization after the Marcos regime in the proposed Bangsamoro Region. In the first section of the paper, he described the current situation in the Mindanao region and elaborated further on the problems of security and poverty, and how it affects the local governance in the region. In the second part of his paper, he discussed the details on the transition of authority from the national to the local government in promoting good local governance in the province and how the national government plays the most crucial role in the process.

The editorial team of this issue of NSR hopes that the next administration will further bridge whatever gap there is between national policies and strategies on one hand and the "realities" of the problem on the other. The team is cautiously hopeful that the next administration will be able to dexterously navigate the highly uncertain currents of domestic and international politics, in view of upholding the core interests of the Philippines, i.e., territorial integrity, sovereignty, and internal socio-political stability. Certainly, there will be difficult episodes, as has always been the case, where high-stake decisions and crisis management skills will come into play. But armed with a perceptive appreciation of past experiences, present predicaments, and future scenarios, the next administration will hopefully rise to the challenges of the 21st Century.

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¹ <http://su.edu.ph/updates/news/1065-professor-emeritus-alcala-named-national-scientist>

Resources and later, as Chairman of the Commission on Higher Education. He is also often engaged by international development organizations as consultant on marine resource management. An Outstanding Sillimanian, Dr. Alcala obtained his degree of Bachelor of Science in Biology, magna cum laude, from Silliman University in 1951. He completed his Master of Arts and Doctor of Philosophy in Biological Sciences degrees at Stanford University in California, USA in 1960 and 1966, respectively. Dr. Alcala was Chief Scientist of the Joint Oceanographic and Marine Scientific Research Expedition in the South China Sea sponsored by the Philippine Department of Foreign Affairs in 2004-2007 under Ambassador Alberto Encomienda. Dr. Alcala was elected as Academician in 2004 by the Philippine National Academy of Science and Technology and was conferred the Order of National Scientist in 2014 by President Benigno S. Aquino III.

EDMUND TAYAO² is a political analyst and a key personality in good local governance in the Philippines. He is the executive director, concurrently serving as vice chairman of the board of trustees, of Local Government Development Foundation (LOGODEF), one of the most recognized local civil society organizations in the Philippines with focus on strengthening local authorities and promoting local governance in the country. He organized the Philippine Consortium on Good Local Governance (PCGLG) and is currently its secretary general. The PCGLG is a multi-stakeholder consortium composed of all local government leagues, a network of 130 schools of public administration, related national government agencies, major national and local NGOs, and international donors and institutions. He is currently country partner in the Partnership for Democratic Local Governance in Southeast Asia – a project that is being implemented to emulate good practices among local governments in Southeast Asia. Tayao is also a political science professor at the University of Santo Tomas, where he obtained his bachelor's and master's degree in political science.

² Unofficial. From <http://www.iag.org.ph/index.php/iagconsultants/ed-tayao>

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21st CENTURY TRILATERAL US-JAPAN-PHILIPPINE SECURITY PARTNERSHIP: CEMENTING THE LINKS BETWEEN TWO SPOKES?

Renato C De Castro

Since late 2012, the Philippines and Japan have been exploring a security partnership in response to Chinese maritime expansion in the East China and South China Seas. This strategic partnership is set in motion by regular bilateral consultations among Philippine and Japanese heads of states, political leaders, defense ministry officials, and high-ranking military officers; joint naval exercises; and exploratory discussions for arms transfer and negotiations for a Status of Forces Agreement (SOFA) between Japan and the Philippines. However, further expansion of this security partnership was hindered by Japan's constitutional prohibition on arms transfer and overseas deployment of the Japan Self Defense Force (JSDF), and the absence of a SOFA between the two countries. Japan's recent reinterpretation of its 1947 constitution now allows the country to export arms to its allies and security partners and to deploy the JSDF overseas. Thus, the current challenge for the two East Asian partners is to formulate a SOFA to give the JSDF access to Philippine bases, and the Japan Maritime Self Defense Force (JMSDF) and PN the opportunity to train together on Humanitarian Assistance and Disaster Relief (HADR) and maritime domain awareness activities.

The two alliances—U.S.-Japan and U.S.-Philippines—have similar roots and were originally directed against communist expansion in the 1950s and 1960s. During the Cold War, the U.S. developed a system of separate but related bilateral alliances with Japan, South Korea, Thailand, and the Philippines and a trilateral security arrangement with Australia and New Zealand. The Korean War in 1950 triggered the creation of this alliance system, which led the U.S. to sponsor a series of defense commitments to these countries and ensure American participation in Asian security affairs.¹ Called the hub-and-spokes model, these bilateral alliances depict the United States positing itself as the hub of the wheel and each of the five bilateral alliances (with Australia, Japan, South Korea, the Philippines, and Thailand) posturing as the spokes.²

¹ Sheldon Simon, *The Future of Asian-Pacific Security Collaboration* (Lexington, Massachusetts: DC Health and Company, 1988), p. 4

² See David Shambaugh, "Asia in Transition: The Evolving Regional Order," *Current History* (April 2006) 105, 690. p. 154; Roger Buckley, *The United States in the Asia-Pacific since 1945* (Cambridge, UK: The Cambridge University Press, 2002). p. 74.

Each of the five alliances is separate from one another and has its own individual characteristics. Each is significant in its own right; but together they strongly supplement the five bilateral alliances and help form a dense web of security and military partnership between the U.S. and the majority of East Asian states stretching from Northeast Asia and to Southeast Asia. All of these five alliances share a common foundation of reliance on American military power to deter communist external aggression and prevent domestic disorder caused by internal insurgency.

In the late 1990s, however, the two bilateral alliances of the San Francisco system took two different routes. On the one hand, the U.S.-Japan security relationship was directed at maintaining a stable regional balance of power and addressing potential short-term regional conflicts. The U.S.-Philippines security relations, on the other hand, were fine-tuned to address domestic insurgencies and international terrorism. Both alliances were also being influenced by China's emergence in East Asia. In the face of China's growing economic and political clout, Tokyo strengthened its security relations with Washington as a strategic hedge against China's emergence as a regional economic and political power. The Philippines, meanwhile, was simultaneously revitalizing alliance with the U.S. and developing an entente with China. These developments created a cleavage between the two spokes of the San Francisco system and making them separate, exposed and vulnerable to China's diplomatic gambit in East Asia. Consequent events, fortunately, proved that this fear was unfounded. Confronted by an assertive China, the Philippines and Japan found it necessary to explore a security partnership, and thus creating a link between these two U.S. alliances.

In early June 2015, President Benigno Aquino III' made his first state visit to Japan. The event was doubly significant. First, it was a state visit. Second, it was indicative of the increasing tempo of security cooperation between these two U.S. allies in Asia in confronting a common security threat—China's maritime expansion in the East China and South China Seas. President Aquino and Prime Minister Shinzo Abe discussed how they could strengthen their countries' strategic partnership in the face of China's aggressive behavior in the aforesaid maritime area. They also signed "A Joint Declaration on A Strengthened Strategic Partnership for Advancing the Shared Principles and Goals of Peace, Security, and Growth in the Region and Beyond." The five-page document provides a detailed action plan for bolstering the two countries' strategic partnership. Before he left for Manila, President Aquino announced that the two countries would soon start negotiations for a Status of Forces Agreement (SOFA) that would allow the Japan Self-Defense Force's (JSDF) access to Philippine military bases.

A few weeks later, a Japan Maritime Self-Defense Force (JMSDF) Japanese naval reconnaissance plane landed on the westernmost Philippine island of Palawan for the first time since the end of World War II. The plane took part in a training exercise with the Philippine Navy (PN) from 22 June to 26 June 2015. In the aftermath of the PN-JMSDF joint training, Philippine Defense Secretary Voltaire Gazmin declared that there had been an increasing convergence of security concerns between the Philippines and Japan. He reiterated President Aquino's earlier call for the start of negotiation for a SOFA between the two countries. Echoing Filipino and Japanese officials' observations on their newfound security partnership, Professor Sheldon Simon notes: "Of all Southeast Asian countries, Japan's security relations with the Philippines are the most advanced. Because it is a close ally of U.S., Japan is seen by Manila as an important security partner."³

This article examines the factors that account for this new and evolving security partnership between the Philippines and Japan. It addresses these two corollary problems: What are the factors that account for the increasing security cooperation between the Philippines and Japan? And how is this new security partnership evolving? The article also looks into the following related issues: What are the origins of the U.S.-Japan security relations and U.S.-Philippine alliance? How has China's maritime expansion in East Asia affected these two alliances? What are the components of the Philippine-Japan security partnership? And finally, what is the future of this evolving security partnership between Japan and the Philippines?

THE TALES OF TWO ALLIANCES

The two alliances—U.S.-Japan and U.S.-Philippines—are part of the San Francisco System of bilateral alliances. Both alliances were formalized after the signing of the Japanese Peace Treaty September 1951, and during the Eisenhower Administration, which fostered a number of collective defense treaties with these Asian-Pacific countries. This was part of an overall U.S. design to surround the Eurasian landmass with American and Allied military

³ Sheldon Simon, "U.S.-Southeast Asia Relations: Courting Partners," *Comparative Connections* (September 2015). p. 5. <http://csis.org/files/publication/1502qusseasia.pdf>

power.⁴ Consequently, since the early 1950s, an important component of East Asia's regional security structure has been the existence of the San Francisco system of separate but interrelated bilateral alliances.

With the end of the Cold War in 1991, these alliances have had an enduring effect on Washington and its allies' foreign policies. They created an inertia or stasis born out of the combination of self-interests and bonds of anti-communism, which caused these security relationships to outlive the Cold War. And in the face of China's emergence as a regional power in the mid-1990s, Washington found it imperative to strengthen its strategic partnership with its Asian allies in addressing possible regional political and military challenges arising from this development.⁵ During this period, the United States viewed the reaffirmation and enhancement of these alliances as the concurrent and complementary development of constructive ties with non-allied states, as evidence of its continued confidence that an integrated network of security relations is in the mutual interest of all Asia-Pacific nations.⁶

More recently, in the face of growing tension and increasing territorial disputes in maritime East Asia generated by China's maritime expansion, the U.S. is finding it necessary to build greater inter-operability and to update its combined exercises with its allies while also enhancing their respective maritime domain awareness and maritime security capabilities.⁷ This will ensure its allies' strong collective capacity to effectively support the deployment

⁴ These alliances were considered part of the United States response to the June 1950 North Korean invasion of South Korea and to a certain degree, were also spurred by the San Francisco Peace Treaty between the United States and Japan. As a result of its peace treaty with its former enemy, Washington signed a bilateral security pact with Tokyo that came into force on 28 April 1952. The treaty allowed American forces to remain in Japan to protect the country against both external and internal threats. Then on 27 August 1952, the United States signed another defense pact with the Philippines in an effort to win this country's support for Washington's peace settlement with Tokyo. In addition to these two treaties, Washington also signed a defense treaty with Seoul as an American concession to President Syngman Rhee's promise to support the armistice to end the Korean War and to moderate his efforts to "go north." The US-South Korea Security Alliance was signed in October 1953 and provides for consultation to act in case of an external in accordance with [the signatories] constitutional process. Fred Greene, *U.S. Policy and the Security of Asia* (New York: McGraw-Hill Book Company, 1968), pp. 71-78.

⁵ Office of International Security Affairs, *The United States Security Strategy for the East Asia-Pacific Region* (Washington D.C.: The U.S. Department of Defense, November 1998). p. 61.

⁶ *Ibid.* p, 19.

⁷ See Department of Defense, *The Asia-Pacific Maritime Security Strategy: Achieving U.S. National Security in a Changing Environment*. (Washington, D.C.: Department of Defense, 2015).p. 26.

of American maritime capabilities in the region.⁸ Consequently, these two alliances are gravitating toward a common goal—the constraint of Chinese maritime expansion in the first-island-chain. On the one hand, confronted by China’s growing assertiveness in pursuing its claim over the Senkaku islands, Tokyo has found it necessary to strengthen its security relations with Washington. On the other hand, the Philippines has embarked on an arms-build up program aimed at developing its armed forces’ credible defense posture while simultaneously revitalizing its alliance with the U.S. to balance China’s efforts to control almost the whole of the South China Sea. These developments are currently providing opportunities for Japan and the Philippines to explore a security partnership against China’s expansion in maritime East Asia.

CHINA’S EMERGENCE AS A MARITIME POWER IN EAST ASIA

Since the mid-1990s, China has developed an arsenal of conventional yet inexpensive and highly precise armed ballistic and cruise missiles aimed at virtually every U.S. air-base and port in the Western Pacific. These weapons are also designed to sink enemy surface vessels (including U.S. aircraft carriers) operating hundreds of miles off China’s coastal areas.⁹ Chinese planners believe that their missile, with anti-access/area denial (A2/AD) capabilities, can adequately prevent the U.S. Navy from intervening or provoking a confrontation with the China in the region.¹⁰ Thus, the U.S. has reasons to believe that since the last decade of the 20th century, the PLAN has been developing strategies and weapon systems that can disrupt American naval/air operations or slow down the deployment of its air and naval forces to the theater of operations.¹¹

China’s remarkable economic development during the first decade of the 21st century made it into an engine of economic growth in East Asia, and indeed the wider world. With its Gross Domestic Product (GDP) surpassing Japan in 2010, and eventually becoming the second largest economy next to the U.S., China’s external behavior has become more pro-active and assertive, boosted by the confidence generated by the country’s rapid economic

⁸ *Ibid.* p. 26.

⁹ Aaron L. Friedberg, “Buckling Beijing: An Alternative U.S. China Policy,” *Foreign Policy* (September/October 2012). 91, 5. P. 53.

¹⁰ *Ibid.* p. 53.

¹¹ Roger Cliff, Mark Burles, Michael S. Chase, Derek Eaton, and Kevin L. Pollpeter, *Entering the Dragon’s Lair: Chinese Anti-Access Strategies and their Implications for the United States* (Santa Monica, CA: Rand Corporation, 2007). p. xvii.

development.¹² China has had an annual double-digit increase in defense spending since 2006. Recently, the Chinese government increased its defense budget by 13% to boost the PLAN's capability to accomplish a range of military functions including "winning local wars under information age conditions." Consequently, in the past few years, the PLAN has acquired a growing fleet of Russian-made diesel-electric Kilo-class submarines and Sovremenny-class destroyers, along with several types of indigenously-built destroyers, frigates, and nuclear-powered attack submarines. The PLAN has also upgraded its operational capabilities across the waters surrounding Taiwan and has deployed two new classes of ballistic and attack submarines.

With a booming economy and a formidable navy, China no longer focuses on pre-empting possible U.S. intervention in a Taiwan Straits crisis but on denying the U.S. Navy access to East China Sea and South China Sea or in inside the first-island chain. China's naval forces can generate regional tension by challenging the claims of its small neighboring states, and in the long run, to change the strategic pattern of the maritime commons of East Asia and West Pacific from where the U.S. Navy can be eased out. Interestingly, Chinese media commentators have repeatedly emphasized the significance of China's blue water navy and the exigency of protecting its territorial claims in the South China Sea.

China's current naval build-up is designed to bolster its anti-access/area denial capabilities, and thus prevent foreign navies from occupying or crossing vast stretches of maritime territories, and make the Western Pacific a no-go zone for the U.S. Navy.¹³ To achieve this objective, the PLA is developing the following:¹⁴ **a)** setting up anti-satellite missiles, lasers, and a sophisticated cyber-attack mechanism to target the U.S. military's command and control systems that rely heavily on satellites and the Internet to coordinate operations and logistics; **b)** deploying conventional ballistic and cruise missiles, and stealth combat aircraft to attack major U.S. military facilities in the region and to limit the U.S. Navy's ability to maneuver in international waters; and **c)** the acquiring submarines armed with advanced torpedoes and high-speed cruise missiles to counter U.S. aircraft carriers and the surface vessels that protect them.

¹² National Institute for Defense Studies, *NIDS China Security 2014: Diversification of Roles of the People's Liberation Army and the People's Armed Police* (Tokyo: National Institute for Defense Studies, 2015). p. 2.

¹³ See Andrew F. Krepinevich, Jr., "How to Deter China: The Case for Archipelagic Defense," *Foreign Affairs* 94, 2 (March/April 2015). p. 79.

¹⁴ *Ibid.* pp. 79-80.

Judging from its recent behavior, China's aggressive pursuit of its territorial claim over the South China Sea has increased in tandem with the expansion of its navy and maritime services.¹⁵ It conducts regular naval exercises that utilize modern surface combatants and even submarines.¹⁶ These activities reflect China's intention to unilaterally and militarily resolve the maritime issue, flaunt its naval capabilities, and impress upon the other claimant states its "de facto" ownership of the disputed territories.¹⁷ In the long run, China's naval capabilities will be directed not only to expand its maritime domain but to deny foreign navies—especially that of the U.S.—access to the East China and South China Seas. In time, it will be capable of depriving the U.S. 7th Fleet's access to the Western Pacific inside of the so-called first-island-chain.¹⁸ Eventually, China's long-term goal is to project its growing naval power not only in its near seas but to the far seas—the sea adjacent to the outer rim of the first-island-chain and those of the north Pacific.¹⁹

This pattern of Chinese actions signifies that China has taken the top hierarchical position in the regional pecking order. It also bears all the requirements (economic and military might, diplomatic prowess, and willingness to carry its weight with the smaller powers) of a traditional power determined to change the power game in East Asia. Strong economically and militarily, China has taken a series of maritime actions relative to the South China Sea dispute. These include the unilateral declaration of an East China Sea Air Defense Identification Zone (ADIZ), the active conduct of several live-fire naval exercises by the PLAN and People's Liberation Army's Air Force (PLAAF) in the Western Pacific/South China Sea, and the hard-line responses by the PLAN in coordination with Chinese maritime law-enforcement agencies on territorial rows with the Philippines and Vietnam in the South China.²⁰

¹⁵ Peter Dutton, "Three Disputes and Three Objectives: China and the South China Sea," *Naval War College Review* (Autumn 2011) 54, 4. p. 6.

¹⁶ For details on China's Training Exercises in its surrounding waters see *National Institute for Defense Studies, NIDS China Security Report* (Tokyo: National Institute for Defense Studies, 2011) . pp. 14-21.

¹⁷ See The International Institute for Strategic Studies, *The Military Balance 2011: The Annual Assessment of Global Military Capabilities and Defence Economics* (London: The International Institute for Strategic Studies, 2011). p. 196.

¹⁸ Yoichi Kato, "China's Naval Expansion in the Western Pacific," *Global Asia* 5, 4 (Winter 2010). p. 19.

¹⁹ Christopher H. Sharman, *China Moves Out: Stepping Stones toward a New Maritime Strategy* (Washington D.C.: National Defense University Press, April 2015). p. 6.

²⁰ National Institute for Defense Studies, *NIDS China Security Report 2014* (Tokyo: National Institute for Defense Studies, 2015). p. 3.

These moves heightened the apprehension of the other littoral states about China's maritime design in the region.²¹ From their viewpoint, these maneuvers have the smack of Chinese maritime expansionism/adventurism in the East and South China Seas.²² However, from China's perspective, it is a case of the country outgrowing its subordinate status in the past and feeling confident enough to press its case in the western Pacific—to stand resolute in managing its territorial and sovereignty issues in the East and South China Seas.²³

CONVERGING STRATEGIC PRIORITIES—CONSTRAINING AN ASSERTIVE CHINA

Upon assuming the presidency in June 2010, President Benigno Simon Aquino vowed to modernize the AFP in line with shifting its focus from internal security to maritime/territorial defense. The 2 March 2011 incident at the Reed Bank between two Chinese patrol vessels and a Philippine survey ship and China's dismissive response to the Philippines' diplomatic queries prompted the Aquino administration to hasten the AFP's modernization. China has claimed a wide maritime territory. In fact, it badgered the Philippines and other claimant states to recognize Chinese sovereign over the South China Sea. China's haughty and hostile attitude towards the Philippines and Vietnam in the first half of 2011 escalated the territorial dispute. By then, President Aquino unmistakably saw that the Philippines is potentially on a direct collision course with China regarding the South China Sea issue. Hence, the current modernization of the Philippine military is externally influenced by a changing balance of power in East Asia generated by a geo-strategic reconfiguration of national capabilities in the light of an emergent China.²⁴

In June 2011, the executive branch of the government and the AFP agreed on a multi-year, multi-billion peso defense upgrade spending and military build-up. The Philippine Department of Budget Management (DBM) released a Multi-Year Obligation Authority (MOA) to the DND, allowing the AFP to enter into multi-year contracts with other governments or private arms and military hardware manufacturers. The DBM also committed Php40 billion

²¹ *Ibid.* p. 3.

²² David Scott, *China Stands Up: The PRC and the International System* (Oxon; New York: Routledge, 2007). p. 104.

²³ Michael D. Swaine, "The Real Challenge in the Pacific: A Response to 'How to Deter China,'" *Foreign Affairs* 94, 3 (May/June 2015). pp. 146-147.

²⁴ Alma Maria O. Salvador and Jennifer Santiago, "Defense Budget and Spending: Alignment and Priorities" [in] *Philippine Defense Spending (2001-2012)* (Quezon City: Ateneo De Manila University Press, 2012). p. 13.

(estimated US\$800 million) in the next five years (2012-2016) to develop the AFP's capabilities for greater domain awareness of the Philippine territorial waters and EZZ.

In the proposed "rolling" program, the executive branch would ask the Philippine Congress to allocate Php 8 billion (an estimated US\$160 million) annually for the procurement of air-defense surveillance radar, surface attack aircraft, close air support aircraft, combat utility helicopters, and long-range patrol aircraft.²⁵ Also covered are current upgrade programs such as the installation of a radar and communication network along the coast of Palawan and East Mindanao under the Coast Watch System and the acquisition of two refurbished U.S. Coast Guard Hamilton class cutters for the PN.

In its first 17 months, the Aquino administration spent Php33.596 billion (US\$387 million) to boost the AFP's internal security and territorial defense capability.²⁶ According to Defense Secretary Gazmin, the DND-AFP signed 138 defense contracts that would be implemented in the next five years to improve the AFP's force protection, maritime surveillance, transportation, and combat support system.²⁷ The bulk of the budget was earmarked for the use by the PAF and the PN.²⁸ In December 2012, six months after the tense Scarborough Shoal stand-off, President Aquino signed into law Republic Act 10349 extended the AFP modernization program of 1995. The implementation period of the original AFP modernization law Republic Act 7898 expired in December 2011 without any significant arms acquisition for the Philippine military. RA 10349 extends the military modernization program up to 2027, to give the PN and PAF ample time to and acquire new weapon systems needed for maritime security. The law also streamlined the procurement process and shortened the 29 stages into two assessment levels including the actual procurement and contracting stages.²⁹

²⁵ William B. Depasupil, "Armed Forces to Spend P14b to Upgrade naval, aerial defense," *Tribune Business News* (29 June 2011). p. 1. <http://proquest.umi.com/pqdweb?index=48&did=2386470651&Src...>

²⁶ BBC Monitoring Asia-Pacific, "Philippines Spends US\$387 million on Armed Forces Upgrade" *BBC Monitoring Asia-Pacific* (16 January 2012). p. 1. <http://search.proquest.com/news/docview/916135970/fulltext/1348...>

²⁷ Anonymous, "AFP Modernization Program in Full Swing-Gazmin," *The Philippines News Agency* (18 March 2012). p.1. <http://search.proquest.com/docview/928841133/1367BFECOABC...>

²⁸ Melanie Rodulfo-Veril, "AFP Modernization," *Security Sector Reform: Modern Defense Force Philippines* (Quezon City: Ateneo University Press, 2012).p. 47.

²⁹ Rodulfo-Veril, *op. cit.* p. 47.

In building up the country's territorial defense capabilities, the Aquino administration sinks its teeth into challenging China's expansive claims in the South China Sea as the latter directly encroaches into the country's EEZ. The Philippines' territorial defense goal is very modest--to develop a credible posture for territorial defense and maritime security by organizing a competent force capable of safeguarding the country's interests and the land features it occupies in the South China Sea. Despite this unpretentious objective, the Aquino administration is still immobilized by scant financial resources. Given its current pace and budget allocation, the AFP's territorial defense build-up would hardly deter the PLAN in the contested sea because the latter has procured modern surface combatants and submarines since the start of the 21st century.³⁰ The military imbalance between the Philippines and China will not be resolved in the foreseeable future even if the AFP develops a credible defense posture. Thus, the Philippines has no recourse but to seek a security guarantee from its only strategic ally, the U.S., and at the same time, to request military assistance and diplomatic support from other American allies that share a common interest with the country in maritime security.

Prime Minister Abe came into power in amidst an intense territorial row between Japan and China over the Senkaku Island. After the 16 December parliamentary election, PM Abe declared "that the islands are the inherent territory of Japan... We own and effectively control them. There is no room for negotiations about them."³¹ In the first few months of his term, the Senkaku Islands dispute occupied the center stage of Japan-China relationship which became extremely strained. PM Abe continued the policy of his predecessor of not acknowledging the existence of a dispute over the islands. China responded by increasing the number and frequency of civilian ships deployed around the islands. In the face of heightened tension in the Senkakus, PM Abe took several significant steps to expand Japanese security policy. From his point of view, China's assertive behavior in East Asia is a source of grave security concern for Japan.³² On 28 February 2013, without mentioning China by name, he cautioned against the use of force to change the status quo [on account of] on territorial issues.³³ Calling on China to refrain from any dangerous acts with regard to the Senkakus and underscored that Japan's interests are immutable forever that aggression must be prevented at all costs and that international

³⁰ Richard A. Bitzinger, "Recent Developments in Naval and Maritime Modernization in the Asia-Pacific: Implication for Regional Security," *The Chinese Navy: Expanding Capabilities, Evolving Roles* (Washington D.C: National Defense University, 2011). p. 24.

³¹ Przystup, *op. cit.* p. 9.

³² Bhuhindir Singh, "The Development of Japanese Security Policy: A Long-Term Defensive Strategy," *Asian Policy* Number 19 (January 2015). p. 57.

³³ James J. Przystup, "Japan-China Relations: Treading Troubled Waters" *Comparative Connections* (May 2013). p. 9.

law, the fundamental rule for the entire world, must prevail against the use of force.³⁴

During the 2014 Shang-rila Dialogue in Singapore, PM Abe implied that “China is attempting to change the status quo by force, rather than by the rule of law.”³⁵ He cited examples of China’s aggressive behavior in East China Sea that included its declaration of an Air Defense Zone (ADIZ) in the East China Sea, the repeated intrusions by Chinese civilian planes and ships into Japanese territorial waters and airspace around the Senkaku Islands, and the locking of fire-control radar on MSDF surface combatants by PLAN warships. In the South China Sea, he mentioned China’s aggressive behaviors such as the unilateral announcement of the regulations requiring all fishing vessels in the disputed waters to seek permission from Chinese authorities, the tense 2012 stand-off between Philippine and Chinese civilian vessels at the Scarborough Shoal, and China’s deployment of an oil rig deep inside Vietnam’s exclusive economic zone (EEZ).³⁶

In the face of China’s intrusions in Japanese waters and airspace, growing naval might, and assertiveness in the East and South China Sea, Japan decided to strengthen its defense posture. It also conducted a coordinated diplomatic strategy to resolve the potentially fluid and dangerous regional balance of power in cooperation with the U.S. and the neighboring countries in East Asia. Specifically, the Abe Administration undertook three major security measures that could be regarded as defensive.

During his first few months in office, PM Abe announced an increase in defense spending in 11 years and a review of the 2010 National Defense Program Guidelines (NDPG).³⁷ In October 2013, Japan and the U.S. convened a meeting of the Security Consultative Committee (SCC) or 2+2 in Tokyo. Both sides issued a joint statement reaffirming the importance of the alliance and announcing a review of the U.S.-Japan Defense Cooperation Guidelines, last updated in 1997, to reflect the changes in regional and global security environment.³⁸ The communique mentioned several priorities for cooperation that included ballistic missile defense, space and cyber defense, joint Intelligence Surveillance and Reconnaissance (ISR) activities, dialogue on extended deterrence, joint training and exercises, realignment of U.S. forces in Okina-

³⁴ *Ibid.* p. 2.

³⁵ Singh, *op. cit.* p. 57.

³⁶ *Ibid.* p. 58.

³⁷ Przystup, *op. cit.* p. 9.

³⁸ Michael J. Green and Nicholas Szechenyi, “U.S.-Japan Relations: Big Steps, Big Surprises,” *Comparative Connections* (January 2014).p. 3.

wa, and convening of trilateral and multilateral security cooperation among U.S. allies in East Asia.³⁹ Finally, Japan launched the “multilayered security cooperation” on a regional and global scale with like-minded countries that included U.S. allies in the region such as South Korea, Australia, as well as with U.S. alliance/partner countries whose coastal territorials are critical to Japanese sea-lanes of communications.⁴⁰ The *2013 National Security Strategy of Japan* specifically mentioned that Japan will strengthen diplomacy and security cooperation with ASEAN countries concerned to settle disputes in the South China Sea, not by force, but in accordance with the rule of law.⁴¹ Although the document did not name specific countries, two states are located along Japan’s SLOC and have ongoing disputes with China in the South China Sea—Vietnam and the Philippines.

PHILIPPINE-JAPAN STRATEGIC RELATIONS PRIOR TO 2012

Since the early 1990s, Filipino and Japanese political leaders and high-ranking defense officials have also been conducting good-will visits and high-level exchanges aimed at ensuring that the vigorous political interactions between the two U.S. allies are sustained. Through these high-level dialogues and consultations, the two sides have discussed important issues that affect their bilateral relations such as trade, investments, official development assistance, labor, immigration, and other consular matters. The most notable among these high-level exchanges occurred during the 15 September 2001 summit meeting with President Arroyo and Prime Minister Koizumi. During the summit, the two head of states agreed to elevate their relations to a higher level of partnership that would include the discussion of bilateral, regional and global security concerns. The two leaders also affirmed the need to hold an annual politico-security dialogue.

Conducted by Tokyo with a number of ASEAN countries, the dialogue aims to promote confidence building-measures between Japan and its South-east Asian neighbors. And in the light of 9/11, the dialogue is designed to enhance joint efforts in addressing international terrorism. An interesting feature is the participation of military in these bilateral exchanges. The two U.S. allies have also been discussing bilateral security concerns in a number of international forums such as the Nikkei International Conference on the Future

³⁹ *Ibid.* p. 8.

⁴⁰ Yasuhiro Matsuda, “Engagement and Hedging: Japan’s Strategy toward China,” *SAIS Review*, XXXII, No. 2 (Summer-Fall 2012). pp. 116.

⁴¹ Government of Japan, *The National Security Strategy of Japan* (Tokyo: Office of the Prime Minister, December 2013). pp. 60-61.

of Asia, the Philippine-Japan Sub-Ministerial Meeting, the ASEAN-Japan Forum, the ASEAN-Japan Summit, and ASEAN plus Three. The two countries have also been cooperating in strengthening their enforcement capacity in preventing the proliferation of weapons of mass destruction (WMD) and missile technology. Interestingly, both sides are also very much aware that their alliance with the U.S. provides a common ground for both countries to take the same position in a number of key security issues affecting their mutual interests.

In February 2005, the Philippines and Japan conducted the First Political-Military-to-Military Consultation or Political-Security Dialogue. Accordingly, this consultation is part of Japan's overall security relation with the ASEAN countries aimed at fostering confidence-building measure and exploring possible areas of security cooperation.⁴² During the meeting, Philippine and Japanese defense officials exchanged views on defense and security policies, situation, and challenges facing both countries such as regional security, North Korea, the Spratlys, and the issue of non-nuclear proliferation in East Asia. In addition, they looked into the prospect of joint security cooperation, particularly in the areas of counter-terrorism and maritime security. The two sides agreed that addressing the threats of terrorism, piracy, human trafficking, and other transnational crimes must be their top priority. Tokyo then informed the Manila that it will play a more active role in maintaining peace and stability in the international community.

The Philippine delegation followed up its request with its Japanese counterpart for joint maritime security cooperation on capacity-building and training, particularly in terms of acquiring new equipment and improving the communication infrastructure of the civilian Philippine Coast Guard (PCG). Manila proposed a cooperative venture joint cooperation in capacity building and training of the PCG that would involve Japan's provision of equipment and training to the PCG in counter-terrorism and search-rescue-operation, as well as civil aviation training for the personnel of the Philippine Air Transportation Office which has created an office of transportation security.⁴³ The countries' delegations also presented other initiatives on aviation security as well as on joint search and rescue operation.⁴⁴ Interestingly, the two sides again discussed current developments regarding their respective bilateral alliances

⁴² Interview with an anonymous Japanese diplomat, Hotel Dusit, Makati City, 2 November 2006.

⁴³ Office of the Asia-Pacific Affairs, RP-Japan Political-Security Dialogue (Pasay City: Department of Foreign Affairs, Date Unknown). p. 1.

⁴⁴ "RP-Japan Conclude First Political-Security Dialogue" (February 10, 2005). p.1. http://E:\Japan\Philippines%20%20Gov_ph%20%20News%20%20RP%20and%20Japan%20Concl...

with the U.S.⁴⁵

In May 2005, Japanese Defense Agency Director Yoshinori Ono visited Manila and raised the prospect of Philippine-Japan cooperation in defense and security matters particularly in the areas of peace-keeping and the exchange of cadets and officers in military academies and institutions.⁴⁶ He also proposed increased cooperation in the areas of maritime security, disaster management, and counter-terrorism training. Director Ono also discussed with then Defense Secretary Cruz the plan to establish a mechanism for an annual political security dialogue, and joint military exercises between the AFP and the SDF, and the probable implications of redeploying American troops from Okinawa to the Japanese mainland. The two countries also explored their respective positions on the possibility of redeploying American troops from Japan to the Philippines and the conduct of joint military exercises.⁴⁷ During their discussions, the Japanese delegation expressed openness to an AFP proposal for a joint training in peacekeeping operations.⁴⁸ The two sides also agreed on the need to strengthen cooperation against international terrorism. The Philippine defense secretary mentioned the AFP's plan to establish a National Training Center for Counter-Terrorism that will be set up in a Philippine Army camp in Central Luzon. The center will eventually serve as a venue for possible joint military exercises between the AFP and the SDF on counter-terrorism.

In February 2006, the two countries held the 2nd Political-Security Dialogue in Tokyo. During the meeting, the two sides reaffirmed their earlier agreement to focus their security cooperation on disaster preparedness and management given the occurrence of these natural disasters in the region and Japan's expertise in dealing with them.⁴⁹ The two countries exchanged views on their visions of an East Asian Community and accentuated their common thread, i.e., a strong and robust alliance with the U.S. and the defense-oriented nature of their security policies.⁵⁰ Tokyo expressed its growing concerns with regard to maritime security and piracy issues related to capacity-building, information-sharing, and the protection of the environment by the littoral states in Southeast Asia. The Philippine delegation, on its part, raised the idea of a

⁴⁵ Office of the Asia-Pacific Affairs, *op. cit.* p. 2.

⁴⁶ Carina I. Roncesvalles and Darwin T. Wee, "RP, Japan Agree to Step Up Security Cooperation," *Business World* (May 3, 2005). p. S1

⁴⁷ *Ibid.* p. S1.

⁴⁸ Jaime R. Laude, "Japan Defense Chief, Cruz Discuss Terror Threat," *Philippine Inquirer* (3 May 2005). P.

⁴⁹ Interview with an Anonymous Japanese Diplomat, Dusit Hotel, Makati City, 2 November 2006.

⁵⁰ Office of the Asia-Pacific Affairs, *op. cit.* p 2.

Philippine-Japan strategic partnership in Regional Ocean Governance.⁵¹ This would involve cooperation in addressing mutual concerns relating to regional ocean governance, and maritime safety and security. The Japanese delegation, in turn, showed interest in the Philippine initiative on “Coast Watch South.” This schema is primarily a maritime situational awareness system aimed at securing the long Philippine coast line from Palawan to Davao through the installation of a series of radar-capable watch stations located in a number of strategic areas. Each coast watch station will be provided with interdiction capabilities through the use of small fast crafts, gunboats, offshore patrol vessels, and aircraft.⁵²

The Philippine initiative on coast patrol reflects the growing interest of Tokyo to forge an essentially non-military but, nevertheless, a crucial security link with Manila. Japan has also become actively involved in the Mindanao peace process as shown by Tokyo’s deployment of Japanese personnel in the International Monitoring Team (IMT) tasked to monitor the cease-fire agreement between the Philippine government and the Moro Islamic Liberation Front since 2004. The Japanese personnel in the IMT, specifically observed the rehabilitation and economic situation in conflict affected areas in the Philippine southern province of Mindanao.

Consequently, the Philippines has consistently declared that it welcomes Tokyo’s increasing political/security role as the current government seeks to revise its 1947 pacifist constitution to enable the Japanese Self-Defense Forces to become more active in international peace-keeping and other military roles.⁵³ The two countries’ armed forces have also been conducting low-key military related activities such as table-top exercises and seminars on defense related matters that are generally multilateral in nature, e.g., the United Nations peacekeeping operations. However, prior to 2012, Tokyo and Manila did not find the need to sign or even consider a formal agreement on defense cooperation. Both countries were wary that from Beijing’s perspective, this nascent security cooperation contained a smack of being an anti-Chinese alliance.

⁵¹ *Ibid.* p.2.

⁵² *Ibid.* p. 3.

⁵³ “GMA welcomes Greater Global Role for Japan,” *The Manila Times* (24 May 2007). p. 1. <http://proquest.umi.com/pqdweb?index=24&did=1276135921&SrchMode=1&sid=1&Fmt...>

EXPLORING A PHILIPPINE-JAPAN STRATEGIC PARTNERSHIP

China's assertive behavior in the second decade of the 21st century pushed both countries to explore a strategic partnership. In April 2012, at the start of the two-month Scarborough Shoal stand-off, then Japanese Ambassador to the Philippines Toshio Urabe stressed the "close-knit triangular relationship among Japan, the Philippines, and their closest (mutual) ally—the U.S."⁵⁴ Then in May 2012, three JMSDF surface combatants arrived in Manila for a four-day port call.⁵⁵ The visit came after Tokyo announced its plans to provide the Philippines with 10 new patrol vessels to boost the latter's maritime patrol capability. The newspaper *Yomiuri Shimbun* linked the ship visit to the ongoing Scarborough Shoal impasse and editorialized that Japan could not just stand idly by and wait for China and the Philippines to clash openly.⁵⁶ It also underscored that it is in "Japan's national interest to ensure that its sea-lanes remain safe."⁵⁷ Curiously, the JMSDF's ship visit to the Philippines happened just a few days after the U.S. Navy's Virginia-class attack submarine, the *U.S.S. North Carolina*, made a supposedly port-call at Subic Bay in Luzon. Actually, these ship visits were routine port calls. However, they were made during the Scarborough stalemate and were extensively publicized. In a sense, Washington and Tokyo were insinuating that they would not hesitate to act jointly if the Philippines is threatened by any form of Chinese armed aggression.⁵⁸

Consequently, in the aftermath of the Scarborough Shoal stand-off, Tokyo became more forthright its extending security assistance to the Philippines. In July 2012, then Japanese Defense Minister Satoshi Morimoto and his Filipino counterpart, Defense Secretary Gazmin, inked a bilateral agreement on maritime security. The agreement calls for high-level dialogues between defense officials and reciprocal visits by the MSDF chief-of-staff and the PN flag commander. It also features various security related activities such as the Multinational Cooperation Program in the Asia-Pacific (MCAP); Multilateral Logistic Staff Talks (MLST); Training Exchanges and Subject Matter Exchanges

⁵⁴ Asia News Monitor, "Japan/Philippines/United States: Japan Envoy Notes Close-Knit Relations among Philippines, Japan, and U.S." *Asia News Mentor* (11 April 2012). p. 1 <http://search.proquest.com/docview/993161337/13A384763AF88...>

⁵⁵ "Philippine Navy Says Japan Sending Three Warships for Port Call to Manila," *BBC Monitoring Asia-Pacific* (26 May 2012). p. 1. <http://search.proquest.com/docview/1023495212/13A384763AF48...>

⁵⁶ *Ibid.* p. 1.

⁵⁷ *Ibid.* p. 1.

⁵⁸ Alec Almazan, "U.S. N-sub in Subic a Strong Signal to China: Routine Visit Comes amid Reports China is Mobilizing Fleet for Philippines Ops," *The Business Times* (18 May 2012). p.1. <http://search.proquest.com/docview/1014157381/13914D940E373...>

on HADR and Logistics; and Exchange Visits and Student Exchanges in the two countries' respective staff colleges. A few days later, Philippine Foreign Affairs Secretary Albert del Rosario announced that Tokyo was likely to provide the PCG with ten 40-meter boats as part of Japan's ODA to the Philippines by the end of the year. Newspapers also reported that two additional bigger vessels are being considered for transfer to the Philippine government under a grant.

A few weeks after his return to power, PM Abe sent Foreign Minister Fumio Kishida on a four-country Asia/Pacific diplomatic tour to convey Japan's growing concern over Beijing's expansive territorial claims in the South China Sea. In Manila, Minister Kishida met with Philippine Foreign Secretary Del Rosario. They discussed the difficulties China's neighbors face in defending their positions vis-à-vis the East China and South China Sea issues while managing their economic relations with China, which is now a major economic power.⁵⁹ The two foreign ministers agreed to closely work together in enhancing cooperation in maritime security.⁶⁰ Minister Kishida pledged 10 multi-role response vessels to the Philippine Coast Guard (PSG) to better patrol Philippine maritime territories.⁶¹ He also announced Japan's provision of essential communication system equipment to the PCG for maritime safety.⁶² During his visit, the chief Japanese diplomat promised more development assistance for the Philippines, the expansion of trade relations, increased investments, and closer maritime cooperation. He also announced that Japan will open its doors for more Filipino nurses and caregivers and finance the extension of the country's two light rail transit networks, and the construction of the new airport in the province of Bohol.⁶³ Mr. Kishida then met President Aquino and re-affirmed Japan's commitment to foster its relations with the Philippines based on mutual respect and understanding.⁶⁴

On 27 June 2013, Japanese Defense Minister Itsunori Onodera and Philippine Defense Secretary Gazmin confirmed the continuous "exchanges of information aimed at strengthening Philippine-Japan defense relations and

⁵⁹ Cris Larano and Josphine Cuneta, "Japan, Philippines Pledge Greater Cooperation," *Wall Street Journal* (10 January 2013). p. 1. <http://search.proquest.com/1268166061?accountid=28547>

⁶⁰ Asia News Monitor, "Philippine/Japan: Philippines, Japan Agree to Enhance Cooperation in Maritime Security," *Asia News Monitor* (14 January 2013). p. 1. <http://search.proquest.com/docview/1269104724?accountid=28547>

⁶¹ *Ibid.* p. 2.

⁶² Asia News Monitor, *op. cit.* p. 1.

⁶³ *Ibid.* p. 2.

⁶⁴ Asia News Monitor, "Philippines/Japan: Philippines, Japan agree to Enhance Cooperation in Maritime Security," *Asia News Monitor* (14 January 2013). p. 1 <http://search.proquest.com/docview/1269104724/accountid=28547>

on working together to make U.S. strategic rebalancing a reality in Asia.”⁶⁵ To further defense cooperation, the two security partners undertake these activities.⁶⁶ Reciprocal visits between the Chiefs- of-Staff of the Japanese Maritime Self-Defense Forces (JMSDF) and the Flag Officer of the Philippine Navy (PN); the holding of the Japan-Philippines Maritime Chief of Staff Meeting; port calls in the Philippines of JMSDF vessels; and active participation in the Pacific Partnership 2012. The two defense ministers also extended the two countries’ security cooperation to the field of aviation which was highlighted by the visit to the Philippines by the Chief-of-Staff of the Japanese Air Defense Force (JASDF). During the same meeting, Secretary Gazmin raised the possibility of allowing the Japanese SDF access to the former American military bases in the Philippines if Tokyo is interested in such arrangement.⁶⁷

Japan’s willingness to extend security assistance to the Philippines became apparent during its participation in the multilateral the Humanitarian Assistance and Disaster Relief (HADR) operations in Tacloban City heavily devastated by a category five typhoon with the international name of Hayan in mid-November 2013. Locally known as Yolanda, the super typhoon killed more than 6,000 people and left more than three million Filipinos without homes in five major island-provinces—Leyte, Samar, Panay, Cebu, and Palawan. It destroyed nearly 550,000 residential houses and damaged several farmlands and fishponds in these islands-provinces, which account for about 12% of the country’s gross domestic product.⁶⁸

Japan immediately joined a U.S. - led international coalition that immediately provided humanitarian assistance to the victims of Typhoon Yolanda. It sent three JMSDF destroyers carrying nearly 1,000 Japan Ground Self Defense Force (JGSDF) personnel to deliver emergency supplies to the remote areas of Samar and Leyte.⁶⁹ Japan also dispatched three CH-46 transport helicopters, three UH-1 utility helicopters, the transport vessel *Osumi*, two KC-767 air tankers, seven C-130 transport aircraft, and U-4 utility support aircraft to

⁶⁵ Anonymous, “Philippines, Japan Agree to Strengthen Defense Ties,” *BBC Monitoring Asia-Pacific* (27 June 2013). p. 2. <http://search.proquest.com/docview/137173115?accountid=28547>

⁶⁶ Embassy of Japan in Manila, “Press Release on the Visit of His Excellency Mr. Itsunori Onodera, Minister of Defense of Japan to the Philippines,” (27 June 2013). p. 1.

⁶⁷ *Ibid.* p. 2.

⁶⁸ Josephine Cuneta, “Typhoon Left Nearly \$13 Billion in Damage: Government Report Details Losses Along with a Rebuilding Plan,” *Wall Street Journal* (18 December 2013). p. 1. <http://search.proquest.com/docview/148886459?accountid=38643>

⁶⁹ Mitsuru Obe; and Yuka Hayashi; and Alexander Martine, “Japan Deploys Self-Defense Forces to Aid Philippines,” *Wall Street Journal* (21 November 2013).p.1. <http://search.proquest.com/docview/1459826760?>

assist multinational forces involved in the international HADR operations in the Central Philippines.⁷⁰ The ASDF C-130s ferried typhoon victims, U.S. Marines, aid agency officials, and Philippine government officials between Manila and Tacloban.⁷¹ In addition to its military assistance, Tokyo also gave Manila more than US\$50 million in direct aid and grant.⁷²

In December 2013, President Aquino discussed with PM Abe in Tokyo China's establishment of an Air Defense Identification Zone (ADIZ) in the East China Sea.⁷³ To cap their one-on-one meeting, the two leaders signed the agreement on the yen-based soft loans to finance the 10 Japanese patrol boats for the PCG. In June 2014, President Aquino and PM Abe met again in Tokyo and tackled China's ambition to become a major naval power in East Asia.⁷⁴ Areas of possible cooperation were explored to enhance the recently forged Philippines-Japan Strategic Partnership.⁷⁵ President Aquino followed up the PCG's request for 10 brand new 40-meter long multi-role patrol boats covered by a US\$184 million soft loan from the Japan International Cooperation Agency.⁷⁶ Prime Minister Abe told President Aquino that three of the vessels would be delivered in 2015 while the other seven will be made available for the PCG in 2016. The PCG announced that the 10 new boats will be used to patrol the waters around the seven islands claimed and occupied by Philippine forces in the Spratlys. They will also be deployed to monitor the presence of foreign naval vessels in the several reefs and shoals within the country's EEZ that are currently occupied by Chinese forces. PM Abe also promised to provide VSAR and Inmarsat communication systems to the PCG for its maritime domain operations. In return, President Aquino briefed the prime minister on the arbitration case over the territorial claims that the Philippine filed against China in the Arbitrage Tribunal of the United Nations Convention on the Law

⁷⁰ Asia News Monitor, "Philippines: Fumigation Starts in Evacuation Centers in Tacloban," *Asia News Monitor* (27 November 2013). p. 1. <http://search.proquest.com/docview/1461712178?>

⁷¹ Peter Murtagh, "Typhoon Opens New Chapter in Relations between Philippines and Japan: A New Welcome for the Japanese Military was Unthinkable," *Irish Times* (25 November 2013). p. 1. <http://search.proquest.com/docview/1461262649?accountid=28547>

⁷² *Ibid.* p. 2.

⁷³ Jiji Press English News Service, "Japan, Philippines to Cooperate on China's Air Defense Zone," *Jiji Press English News Service* (13 December 2013). p. 1. <http://search.proquest.com/docview/1467745056?>

⁷⁴ Gulf News, "Aquino and Abe Discuss Maritime Disputes," *Gulf News* (25 June 2014).p. 1. <http://search.proquest.com/docview/1539577105?accountid=28547>

⁷⁵ *Ibid.* p. 1.

⁷⁶ *Ibid.* p. 1.

of the Seas (UNCLOS).⁷⁷

More significantly, President Aquino endorsed PM Abe's move to expand Japan's security role in the region. In the light of the Sino-Japanese dispute over the Senkaku Islands, PM Abe has pushed for the reinterpretation of the pacifist 1947 Japanese constitution to accommodate the JDSF's right of "collective self-defense," which would allow the JMSDF to assist allies such as the U.S., even if Japan is not attacked. President Aquino stated that expanding the MSDF's role and strengthening bilateral economic and security ties between the Philippines and Japan would ensure regional security. Strongly supporting PM Abe's initiative to deploy the JSDF in overseas contingencies, he boldly declared "We believe that nations of goodwill can only benefit if the Japanese government is empowered to assist others and is allowed where-withal to come to the aid of those in need, especially in the area of collective self-defense."⁷⁸

During his state visit to Japan in early June 2015, President Aquino continued his thorough consultation with PM Abe on the peace and stability in the Asia-Pacific region.⁷⁹ The two leaders signed a joint declaration on "A Strengthened Strategic Partnership for Advancing the Shared Principles and Partnership and Goals for Peace, Security, and Growth in the Region and Beyond." They also agreed to further enhance the strategic partnership between their countries [on the basis] on shared principles and goals.⁸⁰ The document also expressed the two countries' commitment to ensure maritime safety and security, the South China Sea and their serious opposition to unilateral actions to change the status quo in the South China Sea including large-scale reclamation and building of outposts. This is especially directed against China's constructions of artificial islands in the contested sea. Specifically, the communiqué commits Japan to the following: **1)** enhancing the capacity of the PCG; **2)** cooperate with the Philippines on maritime security and on maritime domain awareness, and **3)** explore the prospects for the transfer of Japanese defense

⁷⁷ Kwan Weng Kin, "Aquino Backs Japan's Bid to Widen Defense Role," *The Strait Times* (25 June 2014). p. 1 <http://search.proquest.com/docview/1539737436?accountid=28547>

⁷⁸ *Ibid.* p. 1.

⁷⁹ The Philippines News Agency (PNA), "Japan Shares Philippines Serious Concern over China's Reclamation Activities in West Philippines Sea," *The Philippines News Agency* (5 June 2015).p.1. <http://search.proquest.com/docview/1686051792?accountid=28547>

⁸⁰ The Philippines News Agency (PNA),"Japan Shares Philippines' Serious Concern over China's Reclamation Activities in the West Philippine Sea," *The Philippines News Agency* (PNA) (05 June 2015). p. 1. <http://search.proquest.com/docview/1686051792?accountid=28547>

equipment and technology to the Philippines.⁸¹

The declaration includes a detailed action plan for strengthening the two countries' strategic partnership. Among the areas of cooperation in the security realm include sharing of information on security environment and challenges; information exchange and policy coordination on respective security policies; collaboration on maritime matters (including maritime domain awareness); and humanitarian assistance; and most importantly, the provision of defense equipment and technology.

21ST CENTURY PHILIPPINE-JAPAN SECURITY PARTNERSHIP

With China bent on pursuing its strategic goal of maritime expansion in East Asia, the Philippines and Japan have explored a strategic partnership to complement their respective bilateral alliances with the U.S. On the one hand, the Philippines has to leverage its alliances and [defense] engagements with foreign militaries to rectify the deplorable state of its military capability and effectively respond to security threats.⁸² On the other hand, Japan finds it necessary to assist Southeast Asian countries in active dispute with China in the South China Sea because "if China's strategic position improves in relative terms in the South China Sea, then it is likely it would adopt a similar assertive attitude and actions against Japan in the East China Sea."⁸³ This partnership is made operational by the two countries' regular bilateral consultations between their heads of states, defense exchanges between the Philippine Department of National Defense and the Japanese Ministry of Defense, naval exercises between the PN and JMSDF, provision of defense equipment by Japan to the Philippines, and possibly, the JDSF's access to patrol in the South China Sea:

A) *Political/Security Consultations*—as part of their security cooperation, the Philippines and Japan have conducted high-level meetings and consultations to solidify their security cooperation in the face of China's military assertiveness. These high-level consultations enable both countries to discuss common challenges that they face in terms of the apparent assertions of China as well as the possibility of sharing strategies in dealing with those

⁸¹ "Japan-Philippines Joint Declaration: A Strengthen Partnership for Advancing the Shared Principles and Goals of Peace, Security, and Growth in the Region and Beyond" (Tokyo: Ministry of Foreign Affairs, 4 June 2015).

⁸² Rodulfo-Veril, *op. cit.* p. 135.

⁸³ National Institute for Defense Studies, NIDS China Security Report 2011, p.26.

issues.”⁸⁴ The *2012 Statement of Intent on Defense Cooperation and Exchanges* between the Department of National Defense of the Philippines and the Japan Ministry of Defense provides the institutional framework for defense exchanges and cooperation at the ministerial level, senior officers of the AFP and the JSDF, working level, unit-to-unit level, etc. The two sides have discussed international armaments cooperation during United Nations Peace-Keeping Operations (UNPKO), security assistance, humanitarian assistance, combined operations support, and international training and education.⁸⁵ As of 2014, the PN and JMSDF have conducted two staff-to-staff talks that had facilitated numerous ship visits, education, and training exchanges, and visits of high-level officials from both the PN and JMSDF.⁸⁶ As a result of these high-level talks, both sides have considered expanding the exchanges to include Subject Matter Exchange (SMEE) on HADR and the conduct of UNPKO, and research collaboration between the JMSDF Fleet Research and Development Command, and the PN Naval Research Development Center.⁸⁷ At the level of unit-to-unit exchanges, both sides discussed possible “training activities and exercises during the occasional and mutual ship visits between the PN and JMSDF on HADR operations and maritime security.”⁸⁸ Unfortunately, the conduct of joint exercises by both countries is constrained by the limitations imposed by the 1947 Constitution on the overseas deployment of the JSDF and the absence of a SOFA between the Philippines and Japan.⁸⁹

B) *Naval Exercises and JMSDF Ships’ Port Visits* –Despite the constitutional limitations on the JSDF and the absence of a SOFA between the two countries, the Philippines and Japan held a joint naval exercise in the South China Sea on 12 May 2015. Japan sent two JMSDF destroyers—the *JS Harusame* and *Amigri* that conducted a training exercise with a Philippine Navy (PN) frigate BRP *Ramon Alcaraz* on communication strategies to respond to “unplanned encounters at sea.”⁹⁰ Known as the Code for Unplanned Encounters at Sea (CUES), the joint JMSDF-PN 12 May naval exercise is an offshoot of a security agreement signed by Tokyo and Manila in January 2015 to tighten

⁸⁴ Cris Larano and Josephine Cuneta, “Japan, Philippines Pledge Greater Cooperation,” *Wall Street Journal* (10 January 2013). p. 1. <http://search.proquest.com/docview/1268166061?>

⁸⁵ Colonel Eugenio V. Hernandez, “Philippines-Japan Defense Cooperation: Implications to National Maritime Security” Master’s Thesis submitted to the National Defense College of the Philippines, Camp Aguinaldo, 2014. (Unpublished work). p. 73.

⁸⁶ *Ibid.* p. 75.

⁸⁷ *Ibid.* p. 75.

⁸⁸ *Ibid.* 75.

⁸⁹ *Ibid.* p. 73.

⁹⁰ Yuka Hayasho, “Japan, Philippines Hold Naval Drills in the South China Sea,” *The Wall Street Journal* (13 May 2015). p. 1

security cooperation between the two U.S. allies.⁹¹ Japan announced that it is sending surveillance planes and naval vessels to assist the U.S. 7th Fleet in conducting maritime patrols in the South China Sea.⁹² Security analysts noted the significance of this low-key naval exercise that signaled Japan's growing interest in the Southeast Asian region.

A few weeks after President Aquino's June 2015 state visit to Japan, a JMSDF reconnaissance plane landed on the western most Philippine island of Palawan took part in a training exercise with the Philippine Navy (PN) from 22 June to 26 June 2015. On 21 June 2015, the JMSDF P3-C Orion with 20 crew members from Kanoya Air Base in Kagoshima Prefecture arrived in the Philippines to participate in yet another training exercise proved the increasing tempo of Philippine-Japan maritime security cooperation. According to the PN press release, the training activity would focus on developing the fleet skills and the interoperability of the two countries' navies in HADR operations, particularly on the search-and-rescue of stricken vessels or downed aircraft in the high seas. It would involve one fixed wing maritime aircraft from the two navies and a PN patrol vessel. The activity would be conducted in the high seas about 140 kilometers northwest of Palawan. Officials from both countries emphasized that the training activity was primarily a disaster-relief and search-and-rescue exercise, not a reconnaissance operation. They also added that the activity aimed to foster camaraderie, and strengthen the PN-JMSDF budding partnership in fostering maritime security.

This joint PN-JMSDF maritime activity was part of a broader effort by the Philippines and Japan to boost their strategic partnership. Both sides claimed that the activity aimed at developing the PN's and JMSDF's fleet skills and interoperability in conducting HADR operations in the high seas. However, the undertaking also showed the future (and probable) scenario where the JSDF could conduct long-range patrols alone or in concert with the PN or the U.S. Navy in the South China Sea. Given access to Philippine bases for its refueling and maintenance needs, JMSDF air and naval units can operate for a longer time and over a wider area of the South China Sea. Such activity is envisioned by the 4 June 2015 Japan-Philippine Joint Declaration that emphasizes the importance of security cooperation between the two partners and other allies in the region, "at a time when the security environment in the region is faced with many challenges."

⁹¹ Tim Kelly and Manuel Mogato, "Japan and the Philippines are about to Upset China in the South China Sea," *Reuters* (8 May 2015). p. 1.

⁹² *Ibid.* p. 1.

Aside from these joint naval activities, JMSDF ships have conducted port visits to the Philippines.⁹³ In 2012, four JMSDF ships visited the Philippines. The following year, two JMSDF ships made a port call in Manila. In 2014, seven JMSDF ships visited the Philippines. As of October 2015, a total of seven JMSDF ships have made port calls in Manila and Subic Bay. Notable among these ship visits are the 29 May 2012 port calls by the *JS Kashima* and *JS Matsuyuki* in Manila. According to then Ambassador Urabe, the ship visit is a symbol that the PN and JMSDF share good ties linked by mutual interests and shared concern for lasting peace and stability in the Asia-Pacific region.⁹⁴ Incidentally, the ship visit was conducted during the tense 2012 Scarborough Stand-off between the Philippines and Chinese civilian vessels. The JMSDF also sent a transport ship, the *JS Osumi*, during the annual Pacific Partnership Program led by the U.S. Navy that was held on 19 June 2012 in Calbayog City in the Philippine province of Samar. The *JS Osumi* brought a 25-member Japanese military medical team and eight non-governmental organization staff consisting of doctors, nurses, and mid-wives who participated in a multilateral medical mission in this impoverished part of the Philippines.⁹⁵

C) *Arms Transfer*— A crucial component of Japan's relations with the Philippines has been its provision of Official Development Assistance (ODA) and other grass-roots assistance to this country since 1956. The JSDF conducted its most massive overseas HADR operations in the Philippines in the aftermath of typhoon Haiyan. Japan has also pledged to provide the PCG with 10 patrol vessels. A new set of initiatives vis-à-vis the Philippines must be built on the existing relationship and must be widened to help the country develop its capacity for HADR and maritime security.⁹⁶ Former PN Commander Vice-Admiral Jesus Milan raised the prospect of seeking the JMSDF's assistance in the improvement of PN's maritime situational awareness in the South China Sea.⁹⁷ In operational terms, this means developing the PN's capabilities for surveillance and monitoring to secure Philippine (controlled) islands (in the South China Sea), and to prevent unoccupied islands/reefs from being occupied by

⁹³ Data on the JMSDF ship visits were provided by the Political Section of the Japanese Embassy in Manila, 5 October 2015.

⁹⁴ BBC Broadcasting, "Japanese Military Vessel Visit the Philippines," *BBC Monitoring Asia-Pacific* (29 May 2012). p.1. <http://search.proquest.com/docview/1016815599?accountid=28547>

⁹⁵ BBC, "Japanese Ship Visits Philippines in Goodwill Mission," *BBC Monitoring Asia-Pacific* (19 June 2012). p.1. <http://search.proquest.com/docview/1020950185?accountid=28547>

⁹⁶ Yuki Tatsumi, "The Emerging Japan-Philippines Security Partnership," *The Diplomat* (06 June 2015). pp. 1-2.

⁹⁷ Hernandez, op. cit. p. 76.

other claimants, as well assistance in sustaining international attention.⁹⁸ In January 2015, Philippine Defense Secretary Gazmin made a three-day visit to Japan and handed to his Japanese counter-part, Gen Nakatani a wish-list for the AFP that included P-3C Orion patrol aircraft and other radar-related equipment. During President Aquino 's last visit to Japan, Japanese government sources revealed that he and PM Abe agreed to start negotiations for the transfer of military equipment, with P-3C Orion patrol aircraft among the potential export items.⁹⁹ In the aftermath, of the MSDF-PN naval exercise in Palawan, Secretary Gazmin confirmed that both countries have begun for the transfer of Japanese defense equipment and technology to the Philippines. Japanese government sources confirmed that that a P3-C Orion reconnaissance aircraft and radar related equipment are being considered for transfer to the AFP.

D) *Negotiations for a Philippine-Japan SOFA*---In a press briefing after his June 2015 state visit to Japan, President Aquino announced the forthcoming negotiation on a Status of Forces Agreement (SOFA) that would allow JSDF access to Philippine military bases. He disclosed that Philippine-Japan SOFA is possible since both countries have boosted their security relationship significantly over the past few years. President Aquino explained that only the U.S. and Australia have a VFA with the Philippines. Adding Japan to the list would make sense since it has been one of the Philippines' strategic partners since 2011. The SDF's use of Philippine bases on a limited and rotational basis will be useful as Japan actively pursues a policy of Pro-Active Contribution to Peace in East Asia. With refueling and basing facilities in the Philippines, units of the JASDF and JMSDF can conduct joint patrols with their American counter-parts for a longer period of time and over a larger area of the South China Sea.

To reiterate Philippine Defense Secretary Gazmin mentioned the increasing convergence of security concerns between the Philippines and Japan and the necessity for a Status of Forces Agreement (SOFA) between the two countries. He explained that Philippine-Japan defense cooperation comes in various forms that include educational and personnel exchanges between the AFP and SDF as well as training activities. However, for the defense and military forces to substantially train together, they need to conduct field exercises, which could only be done if there is a VFA between the Philippines

⁹⁸ Secretary of the Department of Defense, *Defense: Planning Guidance 2016-2021* (Quezon City: Department of Defense March 2015).p. 4.

⁹⁹ Kyodo News Service, "Japan, Philippines to Boost Security Ties to Counter China," *Kyodo News Service* (4 June 2015).p. 1. <http://search.proquest.com/docview/1685635402?accountid=28547>

and Japan.¹⁰⁰ Secretary Gazmin then argued that if the security partnership has to move forward, the two countries have to formulate and sign a VFA.¹⁰¹ His statement echoed President Aquino's earlier pronouncement that the Philippines is ready to start talks with Japan for a SOFA to allow the JSDF ships and planes to refuel in the Philippines and to hold joint exercises with the AFP. American academic notes: "A SOFA with Japan would give the Philippines access to training from Japan's highly developed maritime forces, repair services for the Philippine Navy and Coast Guard, and maritime reconnaissance data. All these become more important as the Philippines acquires additional Japanese [defense] equipment..."¹⁰² President Aquino, however, pointed out that the two sides need to work out the exact terms of this VFA and that the Philippine Senate would have to concur to such agreement with Japan as it did in the cases of the VFAs with Australia and the United States.

CONCLUSION

Confronted by an expansionist China in their maritime domains, the Philippines and Japan have explored a security partnership as a result of their experience in dealing with Chinese aggression in East China and South China Seas. The Philippines' stand-off with Chinese civilian vessels at the Reed Bank in 2011 and again at the Scarborough Shoal in 2012. Japan experienced the same rough treatment from China over the Senkaku Islands first, in the latter part of 2010 and second, during a longer impasse between Chinese and Japanese coast guard vessels from the latter part of 2012 to mid-2013. This strategic alignment, however, is still in a tentative and evolving stage. It consists primarily of political and security consultations between Filipino and Japanese political leaders, ranking defense officials, and high-level military officers. Japan's constitutional limitations on the sale of military materiel to other countries and the overseas deployment of JSDF personnel, along with the absence of a SOFA have hampered both countries' efforts to expand their partnership especially in the transfer of military materiel and the conduct of joint military exercises and HADR training activities.

Recently, Prime Minister Abe succeeded in pushing two controversial bills through the Japanese Diet that allow Japan to transfer military material to its allies and security partners and to deploy the JSDF overseas for collec-

¹⁰⁰ Priam Nepomuceno, "VFA Possible with Japan Due to Robust Relationship with the Philippines," *The Philippine News Agency* (24 June 2015). p. 1. <http://search.proquest.com/docview/1690936480?>

¹⁰¹ *Ibid.* p. 1.

¹⁰² Simon, *op. cit.* p. 6.

tive self-defense. The remaining obstacle now is the absence of a SOFA that will facilitate the JSDF's strategic access to Philippine military facilities. On the one hand, a SOFA will qualitatively transform this security partnership since access to Philippine bases will enable Japanese air and naval assets them to patrol the South China Sea and support American forces in times of crises. On the other hand, the agreement will give the Philippines the opportunity to train with Japan's highly developed maritime forces as well as access to their maritime reconnaissance data. If the Philippines and Japan will find it in their interests to elevate their newfound security partnership to a higher level and ensure its long-term viability, the two partners should start the negotiations for a Philippine-Japan SOFA as soon as possible.

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FOREIGN POLICY IMPERATIVES IN ENHANCING NATIONAL SECURITY: THE PHILIPPINES-UNITED STATES-JAPAN SECURITY TRIANGLE

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The possibility of PH-US-Japan trilateral cooperation has picked up momentum over the past few years against the backdrop of shared strategic principles and emphasis. The revitalized PH-US defense treaty with the signing of the Enhanced Defense Cooperation Agreement (EDCA) in August 2014, the strengthened PH-Japan strategic partnership following the Joint Declaration of President Aquino and Prime Minister Abe in June 2015, and the new US-Japan set of defense guidelines in August 2015 has produced a new height of convergence that portends a promising trilateral partnership. Based on these unprecedented developments, this paper aims to set the tone of the strategic policy direction that the Philippines can capitalize on to strengthen and shape the PH-US-Japan Security Relations amidst the continuing shift in the regional security architecture. This paper further argues that the Philippines must adapt a multi-tiered security approach, which is a new policy perspective that envisioned a substantial cooperation among like-minded states including bilateral, multilateral, minilateral or subregional arrangements in a stratified and ordered manner. Such approach sheds new light on the traditional concept of collective security into an age of greater cooperation in keeping with the uncertain and complex security dynamics in the post-Cold War. Hence, this paper contends that a PH-US-Japan trilateral strategic cooperation will pragmatically address joint security challenges in the Asia-Pacific as a new form of security alignment for a renewed and flexible diplomatic, security, and economic cooperation whose nature beclouds a traditional treaty-based military alliance.

Along with the unraveling of the 21st century world order is the emerging pandemic fear of the increasingly complex security challenges that border beyond military aggression. The world is struggling to come into terms with creeping and diverse international agenda challenging states' core interests and may, in turn, undermine sovereignty unknowingly. This unprecedented emergence of ambiguous security concerns coupled with the changing global power dynamics; highlight the crux of current security dilemma that threatens to destabilize the world in the near future. To keep up with these new realities, most states are in the process of re-assessing their defense postures and re-aligning their networks of alliances to account for shifting strategic focuses.

These re-ordering of priorities and adjustments in approaches have been specifically significant in the Asia-Pacific region since the past decade. The shift of geopolitical power from the West to the East has given rise to regional insecurities on one hand and to new opportunities for regional integration on the other hand. Today, the United States and its allies are actively engaged in enhancing the dynamics of their security relations. It is in this context that the possibility of a PH-US-JPN trilateral cooperation has picked up momentum against the backdrop of shared strategic principles and emphasis. The revitalized PH-US Mutual Defense Treaty with the signing of the EDCA in August 2014, the strengthened PH-JPN strategic partnership following the Joint Declaration of President Aquino and Prime Minister Abe in June 2015, and the new US-JPN set of defense guidelines in August 2015 has further strengthened the foundation of the PH-US-JPN security triangle.

Between the enhanced defense cooperation from each of the bilateral lines of security (PH-US, PH-JPN, US-JPN) and the increasingly volatile security environment particularly in the South China Sea (SCS) and the West Philippine Sea (WPS), questions ensued whether the PH-US-JPN security triangle could eventually form a synergistic network that can comprehensively address critical and related regional challenges. For the US, such arrangement will fortify its strategic presence in the region as part of its “rebalancing strategy.” In a similar manner, this is consistent with Japan’s recent foreign policy that promotes a multi-tiered security approach, which is a conflation of “bilateral, multilateral, minilateral or subregional arrangements in a layered, hierarchical manner,” to cope with regional insecurities.¹ And for the Philippines, this, will temporarily fill-in its defense gaps and provide expanded deterrence in the face of the growing assertiveness of China in the disputed maritime features in the SCS and the WPS.

Hence, this paper endeavors to explore the possibility of a PH-US-JPN trilateral security cooperation and contextualize such potential in the evolving security challenges in the Asia-Pacific. This paper is divided into four sections. *First*, the writer conducts a quick scan on the broader trend and evolution of the Asia-Pacific security cooperation vis-à-vis the current regional security landscape. *Second*, it will attempt to infer on the receptiveness of the Philippines, US and Japan for a strengthened multilateral military framework by citing the recent developments on the PH-US, PH-JPN, and US-JPN security relations, alongside their respective foreign security policy directions. *Third*, it will explore on the possibility of creating a “security triangle” by identifying

¹ Ashizawa, K. 2003. *Japan’s Approach Toward Regional Security: From ‘Hub-and-Spoke’ Bilateralism to ‘Multi-tiered.’* In the *Pacific Review*, Vol. 16, No. 3: pp. 361-383. (Routledge: Taylor & Francis Group).

patterns of commonalities in national interests between the Philippines, US and Japan. It will also surf towards an environment conducive for an enduring and long-term perspective of the security triangle, which should not be grounded on a threat-based cooperation. Finally, the *fourth* section is dedicated to a discussion of a strategic policy direction for the Philippines and for the future of the PH-US-JPN trilateral cooperation. It will be prescribed to steer the Philippines' defense and security policy geared towards enhancing its capacity and capability to cope with the fast changing and complex regional security environment while advancing PH-US-JPN shared strategic interests in the process.

REGIONAL COOPERATION AND THE ASIA-PACIFIC SECURITY ENVIRONMENT

Multilateral defense cooperation is a relatively recent trend in the Asia-Pacific region, which only gained prominence and acceptance in the 1990s.² Prior to this period, efforts to establish regional security groupings had never been a success story for the Asia-Pacific. Numerous attempts were instigated to provide an avenue for security dialogues among the states in the region but were eventually dissolved (i.e. Southeast Asia Treaty Organization and Asian and, Pacific Council).³ Primarily, those arrangements did not succeed due to the diverging and often opposing principles and beliefs of the member states. The surviving sub-regional organization of the Association of Southeast Asian Nations (ASEAN) established in 1967 may have expanded opportunities for regional forum, but its function is more on the economic, political and cultural development rather than on strategic issues of regional defense security direction and geopolitics.

For most of the Cold War security arrangements then, a number of US-led bilateral cooperation have been the primary mode of regional security partnership. But as the dynamics of geopolitical realities in the 21st century changes, major revolutionary shift on the regional security alignment is realized. Contrary to the traditional alliance theory that asserts the end of a bipolar world order signals the waning down of defense networks, the current security architecture is leading towards the transformation of bilateral security cooperation to a new trend with multilateral perspective. For instance, albeit the current updating of the US network of alliances to accommodate the changes

² Taylor, B. nd. *Security Cooperation in the Asia-Pacific Region*. Accessed on 20 December 2015 from http://press.anu.edu.au/hap/mobile_devices/ch08.html

³ Southeast Asia Treaty Organization 1955-1977; MAPHILINDO 1955-1977; Asian and, Pacific Council 1966-1975.

in the strategic environment, the dynamics of US-led security cooperation is actually strengthened and expanded.

The new trend on multi-tiered security approach has gained its fair share of prominence over the past few years as an alternative security mechanism of countries that have mutual alliances such as the US-JPN-Australia Trilateral Security Dialogue and US-JPN-South Korea Trilateral Coordination. These intra-alliances and expansion of US bilateralism to multilateralism has been formed to address the current and emerging unique and fluid regional and global challenges that calls for a comprehensive security framework. Likewise, growth on substantial, multilateral official (Track 1)⁴ and unofficial (Track 2)⁵ channels for regional security dialogues on numerous specialized issues is becoming more profound.

What accounts for the recent and upward trend on multilateral security framework is the desire of states and stakeholders to seek for mediums that can manage and foster stability in the region. This desire can be attributed with the catalytic effects of the rise of China and other Asian states, the reassertion of the US strategic presence in the region, the perceived regional arms race, and the persistence of traditional and non-traditional security challenges that reign beyond the confines of geographical boundaries.

First, the continuous erosion of the status quo due to the phenomenon of the rising middle-powers in the Asia-Pacific cultivates regional apprehension and instability. This has become a critical impetus on the need for an alternative avenue for regional security integration for smaller states to counterbalance the shift and ease unnecessary suspicions behind the 'grand strategies' of emerging dominant powers. For instance, China and India have already recognized themselves as influential global economic and political actors and hence, they have started to gradually drive the shaping of the regional security environment. This is evident with India's Look East Policy and China's charm offensive in the region. However, issues were raised particularly on the massive and intriguing set of developments for China and had been since a source of increasing regional insecurity. Beijing's assertive stance in its multiple maritime and territorial disputes with Japan and numerous Southeast Asian countries, including the Philippines, has likewise raised adversarial uncertainties behind Beijing's strategic ambiguity. In this sense, new mechanisms under the regional security cooperation is largely an attempt to influence and admonish (if need to) the Chinese and other major Asian states' foreign and security poli-

⁴ Track 1: Consists of regional institutions such as the ARF, the SCO and the EAS.

⁵ Track 2: Consists of think tanks such as IISS, CSCAP, NEAT, etc.

cies to align with international principles.⁶

Another reason for the shift in the trend of security cooperation framework is to accommodate the reassertion of US strategic presence in the region. Considered as a rebalancing strategy, it is for the US to have a more active role in shaping the security environment in the Asia-Pacific region, particularly as China assumes a more influential role in the region. While much of this shift is simply to reemphasize US policies in the region, there are new aspects that intrude within the rebalancing. The most noteworthy of which is on US military emphasis on additional deployments and rotation of troops that significantly increased its presence and operations in the region.⁷ This also accounts for the ever-expanding defense and military engagements of US in the Asia-Pacific region.

And lastly, the persistence and evolution of traditional and non-traditional security concerns in the Asia-Pacific region have brought an array of multi-dimensional threats which causes cannot be pinpointed on the acts of a single state but rather on a series of developing circumstances, conflicting accounts on histories, and geo-politics. Moreover, these challenges cannot be contained geographically; hence, a need for a wider range of cooperative mechanisms must be employed. On traditional security challenges, areas of potential conflicts stem from the contrasting institutional views and strategic emphasis of the states in the region that spur growing strategic mistrusts among regional players. The Korean Peninsula has long been a source of instability in the region as negotiations between South Korea and North Korea failed to denuclearize the Korean Peninsula. The ever-rising tension due to the overlapping maritime and territorial claims of various states in the South China Sea (SCS) is creating a more volatile flashpoint in the region. This is fueled with the massive reclamation of China in the area by building structures capable of hosting military airstrips and high-end defense equipment that may support future Anti-Access, Area-Denial strategy of China in these vital waterways. Similarly, the territorial dispute on the Diaoyu/Senkaku Islands between China and Japan has also proven to be difficult. Contributing more risks to the scene is the rivalry dynamics between the US and China, which can be gleaned from the US statement of support to Japan and open admonition of China's attempt to impose a 'de facto' control in the SCS with its massive reclamation projects. These flashpoints could rise up into full blown crises with little trigger.

⁶ Taylor, B. nd.

⁷ Manyin, M. E. & et.al. 2012. *Pivot to the Pacific? The Obama Administration's "Rebalancing" Toward Asia*. CSR Report for Congress. Accessed on 20 December 2015 from <https://www.fas.org/sgp/crs/natsec/R42448.pdf>

The growing wariness on the continued development of large-scale military forces and possession of nuclear weapons, especially in Northeast Asia, impelled the phenomenon of increasing military modernization and defense expenditures from neighboring smaller states. The unfolding defense build-ups produce a friction of high-military intensity that is akin to a regional arms race in the 21st century. Generally, this influx of increased military presence and build-up in East Asia, amidst developing regional flashpoints, heightened the risk of armed confrontation and miscalculations.

On the one hand, non-traditional security challenges such as the continued threat on terrorism from extremist groups, the proliferation of weapons of mass destruction, the need for enforced maritime security, the gaps in addressing transnational crimes and the increasing humanitarian operations due to natural and man-made disasters, have been equally pressing as well. The magnitude of these risks cannot be effectively addressed by unilateral or bilateral approaches anymore but requires a broader network of regional cooperation and partnership.

CONNECTING THE LEG OF THE SECURITY TRIANGLE

The US system of bilateral alliances and its subsequent expansion has become a crucial driving force in the pacing of the Asia-Pacific security integration. To strengthen its ties, as well as to deliver its messages of its strong resolve in the region, direct military-to-military engagements are undertaken between the US and its counterparts. These military engagements are often cited as products of the renewed US strategic presence in the region coupled with its ongoing efforts to modernize as well as 'harmonize' defense ties. US is also keen in encouraging its 'spokes' or individual allies to have an independent bilateral cooperation between themselves. The process of enforcing these parallel efforts is eventually the primary groundwork for US to foster minilateral (US-JPN-SoKOR; US-JPN-Australia) and multilateral security cooperation among its spokes.⁸ Consistently enough, the Philippines and Japan exhibit all necessary preconditions under this US-led multilateral security ties.

The Philippines and Japan being both an independent ally of the US rendered them the status of having a 'quasi-alliance,' a term first coined by Victor Cha in 1999, to encapsulate the relationship of two states with a common

⁸ Wilkins, T. (2015). *From strategic partnership to strategic alliance? Australia-Japan security ties and the Asia Pacific*. *Asia Policy*, No. 20 (July 2015), pp. 81-111.

ally.⁹ Over the recent years, Japan and the Philippines bilateral relation, which is gaining momentum after the 2011 Declaration of Strategic Partnership, have rapidly expanded. Likewise, both Japan and the Philippines have individually enhanced their respective formal alliances with the US. For Japan, it implements a series of defense policies realignment and manages to minimize prohibitions on collective self-defense through constitutional amendment to effectively streamline the US presence in Japan and conduct seamless operations with them. Much of these renewed commitments are enshrined in the JPN-US 2015 Guidelines for Defense Cooperation. For the Philippines, it is hosting numerous rotational US deployments in the region and bilateral activities have been more dynamic than ever. The furtherance of the Mutual Defense Treaty of 1951 was also carried out through the signing of the executive agreement on the Enhanced Defense Cooperation Agreement (EDCA) of 2014, which allows US forces to preposition equipment in designated Philippine bases. As follows are the more in-depth discussion of the recent developments on the PH-JPN, PH-US, and US-JPN security relations.

The Philippines and Japan. Politically and diplomatically, relations between Japan and the Philippines were elevated to the status of a “Strategic Partnership” in 2011, and have since deepened in a variety of areas such as cooperation in maritime affairs and response to natural disasters, economic progress, and the development of Mindanao. During the June 2015 visit of the Philippines President to Japan, the leaders of both countries attested under a joint declaration that the PH-JPN relations has entered the stage of *Strengthened Strategic Partnership* in which both countries cooperate under shared universal values and regional goals.¹⁰ An outline of action plan for strengthening the strategic partnership accompanied this joint declaration which contains promising prospects for enhanced cooperation between Japan and the Philippines. This included the conclusion of an agreement on the transfer of defense equipment and technology from Japan to the Philippines and expanding bilateral and multilateral training exercises. As for Japan, among the potential surplus export items are the TC-90 King Air patrol planes¹¹ and P3-C Orion reconnaissance aircraft.¹² Tokyo is also exploring options for the provision of large patrol vessels to the Philippine Coast Guard; all of these in the hope that the Philippines maritime security capability in the SCS and WPS will sig

⁹ Cha, V.D. 1999. *Alignment Despite Antagonism: The United States-Korea-Japan Security Triangle*. (Palo Alto: Stanford University Press).

¹⁰ Japan-Philippines Joint Declaration: A Strengthened Strategic Partnership for Advancing Shared Principles and Goals of Peace, Security and Growth in the Region and Beyond. June 2015.

nificantly improve. The recently signed agreement between the Philippines and Japan Secretaries of Defense on February 29, 2016 further substantiates this equipment exchange. Said agreement provides a framework for the transfer of defense equipment and technology from Japan to the Philippines.¹³ This development underpins Japan's earnest desire to enhance its relations with the Philippines despite the former's restrictions on arms exports under its constitution.

Possible bilateral agreement on a General Security of Military Information Agreement (GSOMIA) is also being explored to realize tangible advance information sharing between the Philippines and Japan.¹⁴ To add to this list of advances, the Philippine President on June 5, 2015 announced that negotiations on the possible crafting of a Status of Forces Agreement (SOVFA) between the two (2) countries will soon commence.¹⁵ This has been a welcome development for both countries that will facilitate and ease the conduct of joint exercises between the AFP and Japan Self-Defense Forces (JSDF) by allowing Japan's ships and planes to refuel and station in the Philippines. Albeit the absence of SOVFA, however, the Philippines and Japan had already conducted two (2) joint naval training exercises in 2015 in the WPS that is indicative of the increased tempo of both states in maritime security cooperation.

While much of the previous engagements of the Philippines with Japan are purely on economic collaboration, recent advances on maritime security cooperation are slowly defining the architecture of the bilateral relations. As enshrined in the 2015 Joint Declaration, both countries share "serious concerns" on the unilateral expansive strategies of certain claimant states in the SCS, which include massive

¹¹Pollman, M. 2015. *Amid South China Sea Tensions, Japan Strengthens Ties with Philippines, Vietnam*. (December). Accessed on 20 December 2015 from <http://thediplomat.com/2015/12/>

¹²De Castro, R.C. 2015. *Philippine Navy and Japan's Maritime Self Defense Forces in the South China Sea*. (July). Accessed on 20 December 2015 from <http://amti.csis.org/>

¹³Reynolds, I. 2015. *Japan, Philippines Seal Defense Equipment Transfer Deal*. (February). Accessed on 08 March 2016 from <http://www.bloomberg.com/news/articles/2016-02-29/japan-seals-defense-equipment-transfer-deal-with-the-philippines>.

¹⁴Miller, J.B. 2015. *Japan, Philippines Converge on Security Cooperation to Counter China*. (July). Accessed on 20 December 2015 from <http://ajw.asahi.com/artcle/forum>

¹⁵De Castro, R. 2015. *Philippines and Japan Strengthen a 21st Century Security Partnership*. (December). Accessed on 10 January 2016 from <http://amti.csis.org/philippines-and-japan-strengthen-a-twenty-first-century-security-partnership/>

land reclamation – a direct contravention to the 2002 Declaration of Conduct of Parties in the SCS and other international norms.¹⁶ Though the 2015 Joint Declaration made no mention of specific countries, it is obvious that it is pointing to China. Evidently, the changing regional security landscape has forcibly altered the emphasis of the PH-JPN security relations.

The Philippines and US. In general, bilateral relations between the Philippines and the US have become more robust in the recent years. With the declared US shift in strategic focus from the Middle East to the Asia-Pacific as enshrined in its National Defense Planning Guidance 2012 and National Security Strategy 2013, prospects and opportunities for expanded interoperability platforms further increase.

The United States remains to be the only, hence, the most vital defense ally of the Philippines that is committed to defend the latter under the 1951 Mutual Defense Treaty. The above accord was signed by both countries after the World War II and still remains to be the primary basis of the long-standing security cooperation. On 28 August 2014, the Philippines and US entered into an executive agreement for the furtherance of the above treaty through the Enhanced Defense Cooperation Agreement (EDCA). Though the agreement does not permit the return of permanent military bases in the Philippines, it allows additional channels of cooperation through US construction of facilities and infrastructure for joint use and the subsequent storage and prepositioning of defense and humanitarian assistance and disaster response (HADR) equipment and materials, as well as personnel and mobility platforms. Further, EDCA promotes enhanced interoperability, capacity and capability building of the Armed Forces of the Philippines (AFP) towards its modernization and strengthening of its external defense, as well as ensuring prompt maritime security, domain awareness and humanitarian operations when needed.¹⁷

Likewise, the Philippines have been at the receiving end of numerous, significant defense equipment from the US. With the visit of the President of the United States to the Philippines during the Asia-Pacific Economic Cooperation (APEC) Summit in November

¹⁶2015 Joint Declaration between Philippines and Japan

¹⁷The United States of America and the Republic of the Philippines' Enhanced Defense Cooperation Agreement. 24 August 2014.

2015, President Obama pledged an additional of two ships (Coast Guard Cutter and a research vessel) for the Philippine Navy. These ships will improve the Philippines surveillance capabilities in guarding its seas vis-à-vis any coercive and expansionist strategies of any country violating the 2002 Declaration of Conduct of Parties in the SCS and the WPS.

Though the US has no official position on the competing maritime claims in the SCS and the WPS, the issue has become one of the top security concerns of the US in the Asia-Pacific. Beijing's unilateral action in the area is feared to hamper the freedom of navigation and create unnecessary control of strategic waterways. Hence, increased freedom-of-navigation (FON) patrols of the US specifically in the SCS, is already observed. The Philippines and the US are also exploring possibilities of a joint FON patrol in the area in the WPS. To bring this message across, President Obama also visited a former US Coast Guard ship that has been transferred to the Philippines. During his remarks, he reiterated that the US has a "treaty obligation, an ironclad commitment to the Philippines, who can count on the United States". His visit further emphasized PH-US "shared commitment to the security of the waters of the region and to the freedom of navigation."¹⁸

Another milestone for the PH-US relations are the increasing frequency of high-level dialogues between the Philippines' Secretary of Foreign Affairs and Secretary of National Defense and US' Secretary of State and Secretary of Defense. On January 12, 2016, the second two-plus-two ministerial meeting took place in Washington to discuss wide array of security issues. Once again both countries reaffirm their commitment to pursue a rules-based regional security condition achieved through engagements on a multilateral level.¹⁹ The exchange is marked with talks of robust maritime cooperation to develop Philippines' capabilities especially on Maritime Domain Awareness. In addition to these is the expansion of US assistance to the Philippines through EDCA projects and the new Southeast Asia Maritime Security Initiative (MSI) of US where it allocates annual funds for selected Southeast Asian countries (i.e. Indonesia, Malaysia, Vietnam and the Philippines) to developed their maritime capa-

¹⁸Shear, M.D. 2015. *With China in Mind on a Visit to Manila, Obama Pledges Military Aid to Allies in Southeast Asia*. Accessed on 20 December 2015 from <http://mobile.nytimes.com/>

¹⁹2016 Joint Statement of the United States-Philippines Ministerial Dialogue. Washington DC. 12 January 2016.

bilities. For EDCA, US earmarks \$66 million for the development of the EDCA locations, and for MSI fund, Philippines is expected to remain as the largest recipient of U.S. maritime security assistance, with a recorded \$79 million aid out of \$119 million in 2015.²⁰

US and Japan. The US-JPN alliance and US forward-presence in Japan is an integral part of both states' national, regional and global security strategies. The weakening of Japan's pacifist constitution is marked with the cabinet reinterpretation of Article 9 to allow itself to exercise its right to collective self-defense. This is a significant turning point and milestone on the US-JPN defense relations as this implies that Japan can now come into aid when US or any other third party are under attack even if said attack does not directly threaten Japan. It must be noted that the 1960 Treaty of Mutual Cooperation and Security between Japan and US is not an asymmetric treaty alliance. It was originally crafted as a one-way guarantee for the US to come in defense of Japan in return for its basing rights in the territory of the latter.²¹ Hence, the reinterpretation of the Article 9 in the Japanese constitution establishes a major role on the revision of the US-JPN Guidelines on Defense Cooperation signed on 27 August 2015, which further aims to balance this relation based on the mutuality of commitment.

The document further enunciates that the circumstances that affect Japan's security and stability cannot be contained geographically, thus, elevating the regional alliance into global. The US-JPN Joint Statement that accompanied the release of the revised guidelines also includes the renewed commitment and pledge of US to Japan for an ironclad US security guarantee 'through the full range of capabilities, including US nuclear forces.'²²

Though these developments may be seen as independent, bilateral efforts at a glance, closer assessment on the recent trend on the regional security cooperation suggests that these are nascent shaping on the overall strengthening of US network of alliances in the region. The strengthened strategic

²⁰Parameswaran, P. (2015). US Announces Maritime Security Boost for Southeast Asia. Accessed on 08 January 2016 from <http://thediplomat.com/2015/11/us-announces-boost-to-maritime-security-assistance-to-southeast-asia/>.

²¹Przystup, J. (2015). The US-Japan alliance: Review of the guidelines for defense cooperation. Institute for National Strategic Studies Strategic Perspectives, No. 18 (March 2015), pp. 1-35

²²2015 Guidelines for Defense Cooperation between the United States of America and Japan.

partnership between the Philippines and Japan though undeniably an effort to advance their strategic interests in the face of Beijing’s growing assertiveness, also serves as a means to complement their individual bilateral alliances with the US. This is especially true with Japan as embodied in its security policy (see Table 1) and in response to the changing strategic scenarios; it is expanding its defense role in the region by strengthening its security cooperation with partners to foster regional peace and stability. Furthermore, it demonstrates that Japan is willing to provide and partake on US professed responsibility to improve the security and stability in the Asia-Pacific. On foreign policies, Japan also promotes a multi-tiered security approach and further considers US allies in the region particularly the Philippines. As a complementary strength to the JPN-US alliance, it is deemed to be the cornerstone of the Philippines realization of its sovereignty and territorial integrity in the face of the challenges posed by the disputes in the SCS and the WPS.^{23 242526}

Table 1: The Philippines, Japan, and US Security Policies

THE PHILIPPINES, JAPAN, AND US SECURITY POLICY		
PHILIPPINES ²⁴	JAPAN ²⁵	UNITED STATES ²⁶
Promote Internal Socio-Political Stability	Strengthening and Expanding Japan’s Capabilities and Role	Advance US Rebalance to Asia and the Pacific
Capacitate the Philippines to Exercise Full Sovereignty over its Territory and to Provide Protection to its Maritime and other Strategic Interests	Strengthen the JPN-US Alliance Strengthening Diplomacy and Security Cooperation with Japan’s Partners for Peace and Stability in the International Community	- Diversify security relationship in Asia - Modernize existing alliances with Japan, South Korea, Australia, and the Philippines

²³NSS Japan 2013

²⁴PH NSP, 2011 – 2016

²⁵Translation of Japan’s NSS 2013

²⁶NSS 2015 of the United States of America

	<p>Proactive Contribution to International Efforts for Peace and Stability for International Community</p> <p>Strengthening Cooperation based on Universal Values to Resolve Global Issues</p> <p>Strengthening the Domestic Foundation that Supports National Security and Promoting Domestic and Global Understanding</p>	<ul style="list-style-type: none"> - Strengthen regional institution and international security frameworks - Develop constructive relationship with China <p>(US Security Policy to the Asia Pacific Region)</p>
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Likewise, Japan is also wary that China’s activity in the SCS will take precedence and be replicated in the Diaoyu/Senkaku Islands dispute of which Japan is directly involved. In a sense then, the stability of the Philippines as an archipelagic state with direct maritime row with China is vital to Japan’s own security. For the Philippines, the PH-US and PH-JPN enhancement of bilateral security relations may be taken furthermore at its face value. With the glaring defense gaps of the Philippines, this twin enhanced cooperation serves as extended deterrence against numerous attempts and strategies to instill change on the current status quo in the SCS/WPS. Hence, the maximization of US strategic presence in the disputed areas as a balancing strategy, in effect provides protection to the Philippines maritime strategic interests as well as that of the US and Japan. To further intensify the stabilizing effect of the US, the Philippines sees it fit to bolster its other security cooperation with other like-minded states as it continuously takes the brunt of aggressiveness in SCS/WPS.

Ultimately, however, these all played out with the security policy of US to advance its rebalance in the region through diversifying its relations and modernizing its existing alliance in the Asia-Pacific as well as to encourage its more capable ally (that is, Japan) to take on a more proactive role in the regional security (see *Table 1*).

THE PHILIPPINES, US AND JAPAN STRATEGIC CONVERGENCE

As discussed in the previous section, the emergence and subsequent strengthening of the PH-JPN strategic partnership and the revamped commitment to enhance the PH-US alliance had been few of the most significant recent developments testimony on the emerging broader trend of a multi-tiered

security framework. Alongside these developments, however, skeptics view the nature of the strengthened and expanding scope of PH-US-JPN security relations as an anti-Chinese minilateral coalition. Between the threats of rising China that may challenge US influence in the region and of Beijing’s aggressiveness to shift regional status quo through sheer coercion in the Senkaku/Diaoyu and SCS disputes, it seems that the Philippines, Japan and US’ commonality rests on ‘China’. However, framing the Philippines, US and Japan cooperation as a purely reactive response on the growing influence of China in the region is short-sighted due to the constantly changing perspective of ‘threats and challenges’ in the face of evolving security conditions.

To account for an enduring basis of the PH-US-JPN cooperation, strategic convergence must be based on the long-term and often unyielding national interests of the countries involved. As shown in Table 2, the points of intersection between the Philippines, US and Japan are on the core interests of human and economic security as well as on the preservation of international principles and norms.²⁷

Table 2: The Philippines, Japan, and US National Interests

CORE INTERESTS	THE PHILIPPINES & JAPAN NATIONAL INTERESTS		U.S. INTERESTS IN THE PACIFIC
	PHILIPPINES ²⁸	JAPAN ²⁹	UNITED STATES ³⁰
Sovereignty	Sovereignty is enhanced and protected.	To maintain its sovereignty and independence.	
Territorial Integrity	Territorial integrity is enhanced and protected .	To defend its territorial integrity	

²⁷Since maintenance of a state’s sovereignty and its territorial integrity is an inherent interest and unilateral endeavor of a state, this will be left out in the discussion.

²⁸The Republic of the Philippines’ National Security Policy (NSP): Securing the Gains of Democracy, 2011 – 2016

²⁹Translation of Japan’s National Security Strategy (NSS) of 2013

³⁰National Security Strategy (NSS) 2010of the United States of America

Foreign & Domestic Imperatives in Enhancing National Security

<p>Human and Economic Security</p>	<p>The Filipino National Community's welfare, well-being, way of life, institutions are enhanced and protected</p>	<p>To ensure the safety of life, person and properties of nationals.</p> <p>To ensure its survival while maintaining its own peace and security grounded on freedom and democracy</p> <p>Preserving its rich culture and tradition</p> <p>To achieve the prosperity of Japan and its national through economic development, thereby consolidating its peace and security.</p>	<p>The security of US, its citizen, and US allies and partners</p> <p>A strong, innovative, and growing US economy in an open international economic system that promotes opportunity and prosperity</p>
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<p>International order and universal norms</p>	<p>Higher leaderships pronouncement on respect to rule of law and freedom of navigation</p>	<p>To maintain and protect the international order based on rules and universal values, such as freedom, democracy, respect for fundamental human rights, and the rule of law.</p>	<p>Respect for universal values</p> <p>-Freedom of navigation to ensure access to and through the region</p> <p>A rule-based international order advanced by US leadership that promotes peace, security and opportunity through stronger cooperation to meet global challenges</p>
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As a maritime nation, Japan equates the continuity of its economic development and ensuring human security, with a free trade regime based on fundamental international principles. It is imperative for Japan then to maintain freedom of navigation as majority of their trade passes through contested waters. US interests in the Pacific also lie with its ability to carry out its civilian and military naval passage to and fro the Asia-Pacific belt. It is important to note that the security of the US allies in the region is equally a primary line of interest. Albeit the absence of a verbatim line on the Philippine interests on the preservation of international order in its National Security Policy, it can be surmised that the national primacy on the rule of law and freedom of navigation is imperative from various higher leadership pronouncements. This is evident with the Philippines use of diplomatic mechanisms under international law, such as the International Tribunal for the Law of the Sea, to resolve maritime conflict.

The most enduring shared strategic interest between the three countries is maritime security - amidst issues on the sea lanes of communication (SLOCs) safety and burgeoning maritime hostile intents in contested seas. Structural insecurities on maritime security sprouted, given the overlapping

maritime claims, historical complexities and geostrategic competition.³¹ Aside from this, the inherent geographic makeup of the Philippines and Japan as archipelagic states, and the long shorelines of the US bordered by large masses of oceans on the East and West coasts, hightail vulnerability on strategic containment if the SLOCs bordering the area are not properly managed and secured. The rampant maritime piracy attacks have also driven the need for multilateral maritime security cooperation, especially with the export-laden and shipping economy of Japan and the US. Aside from this general interest on the safety of navigation, the three countries also share a broader strategic emphasis on the preservation of a rule-based order at seas in accordance with relevant international laws such as the UNCLOS.

POLICY IMPLICATIONS AND RECOMMENDATIONS

With these advances in the changing state of defense and security cooperation, the Philippines is faced with numerous possibilities which can enhance its security environment by expanding its network of cooperation. Corollary, as such, the following policy implications ensue:

- The strengthened PH-JPN Strategic Partnership and the PH-US EDCA have effectively enhanced the role of the Philippines as a key player in the determination of Asia Pacific regional peace and stability;
- The Philippines' cooperation with the US and Japan significantly bring favor for the former in guarding its strategic and maritime interests in the WPS;
- The Philippines extended deterrence, thru PH-US and PH-JPN improved cooperation, is further complemented with the immediate capability upgrade of the Philippines armed forces especially on maritime domain awareness and maritime security;
- With the surfacing of multi-dimensional, traditional and non-traditional strategic security concerns and the absence of consensus on a viable solution, the Philippines increasingly exploits alternative venues of regional dialogue and integration in order to amplify the need to uphold common strategic interests in an environment that is getting more complex and uncertain;

³¹Nguyen, H.C. (2013). ASEAN-Japan strategic partnership in Southeast Asia: Maritime security and cooperation. In *Beyond 2015: ASEAN-Japan strategic partnership for democracy, peace, and prosperity in Southeast Asia*. Japan Center for International Exchange, New York USA, pp. 214-227.

- The Philippines is one of the major recipient and focus of Japan's renewed commitment of "burden-sharing" with US (thru helping its allies) to promote regional peace and stability. Japan has also been resolute to fortify the Philippines maritime security (thru joint maritime exercises and transfer of equipment and expertise), which is vital for the Philippines to safeguard its maritime interests on the disputed areas in the SCS/WPS ; and,
- US, as the Philippines only ally, has been actively promoting multilateral cooperation among its regional allies for an expanded and seamless network of operations in an increasingly fluid security architecture.

With the sum of the PH-US, PH-JPN and US-JPN enhanced defense cooperation, the renewed defense policy of Japan (multi-tiered security approach), and the refocusing of US national security policy (hub-and-spoke) in the Asia Pacific region, the Philippines is caught in the threshold of committing fully into a promising trilateral partnership based on shared strategic emphasis. Though there is a significant increase for regional dialogues, the disconnected initiatives and often compromising, non-binding nature of the discussion fails to address the root of current geostrategic concerns. During these times of uncertainty, then, and in the absence of a wilful organization to castigate overpowering states, the Philippines must sought alternative venue to push forth its national interests – that is a dynamic and clearly-defined trilateral cooperation with US and Japan.

The Philippines must shape its foreign policy direction towards a multi-tiered security approach to secure its strategic interests and maximize all available prospects for strengthening this hold. To achieve this, the Philippines must conscientiously review its defense and diplomatic policy to loosen up restrictions, and that it may fully explore those rising opportunities and trends on regional security integration. Additional prospects must be explored through the PH-US-JPN strategic convergence on maritime security and observance of international laws, values and principles in the conduct of nations at sea.

However, given the growing misconceptions on the direction of the PH-US-JPN cooperation as anti-Beijing, the Philippines must be wary on the messaging of its security and diplomatic approaches to avoid further escalation of conflict. While it is true that the aggressiveness of China is a shared concern between the Philippines, US and Japan, it is not the be-all and end-all of the said relations. Though the Philippines, US and Japan have placed different priorities on the relationship, it remains to be an "order-centric" nature of

cooperation rather than threat-based.

The Philippines also shows continued receptiveness on expanding its security networks as regional rivalries intensify. However, with the fragile internal institutions in the Philippines and the bureaucratic hardships in instigating radical changes, the possibility for a robust PH-US-JPN trilateral cooperation may still be a farfetched reality in the absence of strong-willed policymakers.

In conclusion, the survival of the Philippines as a nation is paramount, everything else is secondary. Whatever be its foreign policy and alliances with the US and Japan, it must always negotiate through to carry the hopes, fears, and aspirations of the Filipino people. It is inevitable for the Philippines to get involved in this regional territorial and maritime conflict, as it cannot escape its geography from the opposing interests of major powers. This period of relative peace, dominant states will accomplish their foreign policy goals through a combination of robust diplomacy, clandestine activities like persuasive economic and financial leverage, and occupation of disputed territory by quasi-military force. It is also understandable that in the international order, there are no permanent friends, only interests. The Philippines has no better option but to take a side. To expand its alliances towards multilateral or tripartite with the US and Japan, for now it is the better option.

The views contained in this essay are strictly the author's personal opinion and do not reflect the official position of the Armed Forces of the Philippines nor of the Philippine Government.

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TOWARDS UNDERSTANDING MINIMUM CREDIBLE DETERRENCE IN THE PHILIPPINE SETTING

Roberto G Nuqui

The minimum credible defense (MCD) concept began its rounds in 1992 after the abrogation of the PH-US Military Bases Agreement. It quickly became an appealing notion in its modest bravado and independent streak after the severe loss of logistics support from the U.S. The paper attempts to enlarge the meaning and relationship among the three terms that embody the concept. The postulation of many young officers of what constitutes a MCD is expanded beyond its operational fringes. Security, policy and military constructs are associated with MCD in order to illuminate its role in serving the national interest.

The thoughts of a few renowned personalities as well as young writers that are germane to the MCD concept are overlaid with real world events to make an interesting and practical source of contemplation for the future of Philippine style MCD. Fundamental sections of laws and policies emanating from the UNCLOS, EO Nr 57, NSP and the AFP Modernization Program that officially shape the MCD are used to define the non-operational habitat of the MCD as a concept and a force structure. The latter is however not comprehensively discussed in deference to the expertise of the AFP. The MCD is also linked with the maritime domain awareness problem of the Philippine Coast Guard.

The paper attempts to portray the MCD in a relatively conservative but essential defense imperative that the nation must develop on its own. The value of alliances is also given an important role whereby the MCD becomes the living interface. The MCD is however challenged to become credible at the home front first and foremost. It also theorized that the dispute in the South China Sea or the West Philippines is not a contest of forces structures between the U.S., China and other interested maritime states as many defense observers are wont to imply.

The filing of the Philippine memorial with the International Tribunal on the Law of the Sea (ITLOS) is very succinctly but fittingly prophesied to unravel the quality of commitment to global rule of law. The paper concludes that the MCD concept had been virtually installed as the operating system of the AFP Modernization Program.

The paper was spurred by questions on the subject in the Senior Executive Course on National Security (SECNS) and the MNSA program. It is meant to expand the perspectives of young defense leaders in the AFP, government bureaus and corporate agencies who find themselves inducted into the bearings of NDCCP.

“One reason it is important to specify the degree of security a country has or seeks is that absolute security is unattainable.”

David Baldwin

INTRODUCTION

The term MCD [minimum credible deterrence] began its rounds in the AFP [Armed Forces of the Philippines] after the abrogation of the RP-US MBA [Military Bases Agreement] in 1992. Anticipating a drastic decline in US support, the AFP was encouraged by Congress to embark on a modernization program touted to equal or exceed the level of past military assistance. The MCD concept set out quite intuitively but quickly became an appealing notion given its modest bravado and independent streak. In 1996, another term “creeping invasion” was coined by DND [Department of National Defense] as a loose reference to China’s incipient occupation of rocks and reefs in SCS [South China Sea] beginning 1995 at Mischief Reef. Some reports claim however that China started occupying reefs and islands as early as 1980s. In 2009, China submitted its so-called nine-dash-line claim to the United Nations. Not unexpectedly, China soon began constructing artificial islands with unprecedented speed and scale that is almost complete today.

China added a new world security flux with its bold move in the global commons via “militarization of the sea and territorialization of the seas.”¹ The genius of Alfred Mahan a renowned naval strategist greatly influenced the rise of great naval powers of Germany, Japan, Great Britain and the US.² China however stilted this influence by constructing islands in the contested commons. By 2012, harassment of fishermen and efforts to resupply populated Pag-asa Island and Ayungin Shoal became a routine of China’s coast guard service and

¹ Tony Corn, “Peaceful Rise through Unrestricted Warfare: Grand Strategy with Chinese Characteristics,” 2010 U.S. Army War College Annual Strategy Conference on “Defining War for the 21st Century.” (2010), http://smallwarsjournal.com/blog/journal/docs-temp/449-corn_pdf Here Corn raises a problem in the contested commons in a broad framework that includes militarization of the sea and the territorialisation of the seas. He warns that China’s growing capabilities must be viewed within this framework. His essay takes off from the work of Colonels Qiao Liang and Wang Xiangsui, *Unrestricted Warfare*, PLA (1999).

² Alfred Mahan wrote the classic “The Influence of Sea Power upon History: 1660–1783” It is a required reading in many defense-security institutions.

maritime militia.³ DND ordered the AFP to focus its capability upgrade towards TD [territorial defense]. A few but significant deliveries from new procurement attest to the new defense priority. As challenges in SCS become prevalent, dangerous and expensive, David Baldwin cautions, “One reason it is important to specify the degree of security a country has or seeks is that absolute security is unattainable.”⁴ *AFP Strategic Direction 2028* defines CDP [Credible Defense Posture] as the “range of defense capabilities that would enable the government to protect the national interest by deterring and preventing intrusions or possible invasion of Philippine territory or parts thereof.”⁵ The document provides a long view of how the AFP shall be developed in the 15-year span of the revised AFPMP [AFP Modernization Program]. This article on the other hand elaborates on selected ramifications relevant to both CDP and MCD.

MCD cannot be considered as a force structure matter in the purest military sense. MCD capability reflects security policy and is subordinate to it. The national interest and not entirely defense doctrine characterizes the role and configuration of MCD not to mention the economics of acquisition, operations and maintenance. When civilian and military policies are not mutually informed of this array of considerations they can create a sterile and dangerously misleading study.⁶ In this light, three interims provide MCD craftsmen an opportunity at a second look at its bearings; [a] the pendency of succeeding hearings of the PCA on the Philippines’ arguments; [b] the lead time phases of procurement, training and readiness; and, [c] rationalization of policy in line with application of RP-US MDT [Mutual Defense Treaty] in the SCS setting. A review may gain a new outlook from a discourse on variegated relationships of the MCD concept with a number of constructs and issues.

³ Andrew Erickson, “Meet the Chinese Maritime Militia Waging a People’s War at Sea,” (2015) blogs.wsj.com/chinarealtime/2015/03/31 Along with Vietnam, China is one of very few countries to have a maritime militia. Such forces are typically comprised of civilian fishing vessels that provide emergency response to stranded vessels and conduct more assertive operations including conducting island landings to declare sovereignty. In March 2009, the ocean surveillance ship USNS Impeccable was harassed repeatedly by Chinese paramilitary and civilian vessels while operating in international waters off Hainan

⁴ David Baldwin, “The concept of security” *Review of International Studies*, (1997) p.15. [http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20\(1997\)%20The%20Concept%20of%20Security.pdf](http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20(1997)%20The%20Concept%20of%20Security.pdf)

⁵ *AFP Strategic Direction 2028* (2014), p.40. The author was granted permission by Brig Gen Guillermo A. Molina Jr II AFP, The Deputy Chief of Staff for Plans J5 on December 6, 2015 to cite appropriate sections of the *National Military Strategy 2014 and AFP Strategic Directions 2028*.

⁶ Elliot Cohen and John Gooch, “Military Misfortunes,” *The Anatomy of Failure in War*, (New York: Vintage Books, 1990). p.239.

MCD and MDA [Maritime Domain Awareness] are institutionally separate but akin programmes with one national security goal.⁷ The MCD is pursued in the AFPMP [Armed Forces of the Philippines Modernization Program] while the MDA challenge is addressed by EO Nr 57 [Executive Order Number 57] through the creation of a NCWS [National Coast Watch System].⁸ The mandate of the AFP on territoriality and the PCG [Philippine Coast Guard] on maritime security operations are fused by the same broad issues on sovereignty, law enforcement and, search and rescue to name a few. Technology and operational arts for these mission areas are complementally immutable and invite inter-agency collaboration. “Integration covers fusing and synchronizing military operations among the Services, with other government agencies and non-governmental organizations in addressing threats....It also requires clear protocols for interagency cooperation.”⁹

The NCWS provides situational awareness from a network of fixed radars and communication facilities established in vantage fringes of the archipelago. The array tracks, collates and analyzes patterns of legal and illegal maritime and air traffic movements primarily in the maritime domain. The AFP/PCG sea-air component provides the close operational interface at the scene of eventful violation of law, various emergencies, SAR [search and rescue] and border intrusions. The capability to make a rational decision to respond with force is a calibrated action customarily governed by international agreements and code of conduct upon which ROEs [rules of engagement] are pre-approved by the NCA [National Command Authority].

In this paper the MCD and NCW systems are contemplated in an air-sea-land-cyber capability matrix. The *National Military Strategy 2014* and *AFP Strategic Direction 2028* are copyrighted but available for reading documents on concepts of operation, technical properties and the long term vision of this capability matrix.

⁷ “Navy Maritime Domain Awareness” U.S. Department of the Navy, May 29, 2007. “Maritime Domain Awareness [MDA] is the effective understanding of anything associated with the maritime domain that could impact the security, safety, economy, or environment [of the United States.]” The purpose of MDA is “to facilitate timely, accurate decision making that enables actions to neutralize threats to [U.S.] national security interests.”

⁸ EO Nr 57 is titled “Establishing a National Coast Watch System [NCWS], providing for its structure and defining the roles and responsibilities of member agencies in providing coordinated inter-agency maritime security operations and for other purposes.” The NCWC [National Coast Watch Council] includes DOTC, DND, DFA, DoJ, DoE, DoF, DENR and DA. The council is chaired by the Executive Secretary. The NCWC is “the central agency mechanism for a coordinated and coherent approach on maritime issues and maritime security operations towards enhancing governance in the country’s maritime domain.” The Executive Director of NCW Center is a flag officer from the PCG.

⁹ AFP National Military Strategy 2014, p.24-25.

On March 30, 2014 the Philippines filed a complaint with the PCA [Permanent Court of Arbitration] based in The Hague. In late October 2015 the PCA declared it had authority to hear the Philippines' submissions under UNCLOS and rejected China's claim that the dispute in SCS pertained to sovereignty.¹⁰ The court will conduct additional hearings to decide on the merits of the Philippines' arguments.

MINIMUM, CREDIBLE AND DETERRENCE: ODD FRIENDS

After undergoing several sequels of Philippine style reconfiguration, reprioritization and reiteration, the MCD concept is now thickly coated with naval and military hues. Most postulations of young senior officers on the topic are invariably operational as their profession dictate. Meanwhile, the MCD concept had crystallized as the unifying theme for external defense refocus narrated in the AFPMP. It is timely to extend discussion of the terms 'minimum', 'credible' and 'deterrence' beyond their conventional meaning.

The conditions for deterrence are useful for understanding the concept:¹¹ [a] Capability to detect threats or to attain situational awareness. This is the first operational requirement of a defense oriented organization; [b] Visible and adequate capacity to carry out a threat; [c] Capability to make a rational calculation whether to attack or to refrain from attacking, and; [d] Perception of risk by the enemy becomes his constraint. On the other hand, the conventional meaning of defense is the capability to respond when attacked.

The MCD concept is an interesting paradox under the circumstances it is being created. *Minimum, credible* and *deterrence* are apt to be perceived as an awkward combination of terms. How can something minimum in the face of the enemy be credible as to elicit fear? CDP or its pedigree is a sovereign right of any state and is not developed specifically for an offensive purpose.

Security, political and military constructs from the West abound as accepted maxims in many defense-security organizations. These constructs have inspiration from old and new, oriental and western thinkers whose works become fodder to studies on defense and security. With the proper academic citation they become customized and honest varieties for the Philippine condition. While they are germane to the MCD concept, their relationships may not be readily evident. Practical culture and operational priorities in military

¹⁰“China loses round 1 in international court,” *The Philippine Star* (October 31, 2015). p. 1.

¹¹Available at userpages.umbc.edu/~nmiller/POLI388/DEFENSE AND DETERRENCE.5.ppt

organizations may cause a few leaders to overlook the relationship of these constructs with their mandate. The association of deterrence with military power is quite conventional.

According to Barry Buzan deterrence in the most conventional sense implies the making of military threats in order to prevent an adversary from taking aggressive actions. As a concept it purports to stop an unwanted action by the adversary before they occur and encompasses both denial and the possibility of retaliation.¹²

The understanding of an adversary's motives and decision making process as well as what benefits he attaches to his belligerence influence the discernment of one's own capabilities and risks.¹³ Credibility is a combination of political will, capability, effective and assured retaliation, intelligence and survivability. The minimum can be interpreted in terms of size, cost, posture and eventuality of use.¹⁴ These considerations certainly did not escape the conception of CDP by the AFP.

Restraint appears more likely when relative proportionality exists. Between US and Russia, deterrence prevented MAD [mutual assured destruction] during the Cold War.¹⁵ For India and Pakistan, deterrence promotes NFU [no first use] albeit a precarious policy in their current territorial feud.¹⁶ While India-Pakistan accord on numbers is unclear, their transparent policies levy a restraint that is self-detering. The contest of force structures actually masks an arms race. On the other hand, asymmetry tempts the more powerful to be more aggressive as China displays in SCS. Theoretically, the arrival of US in SCS could establish balance of power. This would entail an almost permanent presence of a countervailing military force in SCS. The US factor should not distract the creation of a Philippine style MCD or worse lull defense managers into a false sense of security.

¹²Tanvi Kulkarni and Alankrita Sinha, "India's Credible Minimum Deterrence A Decade Later," *IPCS Issue Brief* (2011) http://www.ipcs.org/pdf_file/issue/IB179-NSP-AlankritaTanvi.pdf

¹³Ibid

¹⁴"Understanding Nuclear Deterrence: The Indian Context", The National Security Advisory Board's Draft Report on Indian Nuclear Doctrine of 17 August 1999 <http://mea.gov.in/in-focus-article.htm?18916/Draft+Report+of+National+Security+Advisory+Board+on+Indian+Nuclear+Doctrine>

¹⁵"Mutual Assured Destruction" About Education, undated <http://europeanhistory.about.com/od/glossary/g/glmad.htm>

¹⁶Tanvi Kulkarni and Alankrita Sinha, op. cit. p. 2.

Almost half a century ago Thomas Schelling wrote a classic theory on character of violence in the history of war. Schelling's thought on deterrence interestingly applies to the department of the US in SCS. It is a timely lesson for the MCD concept, too.

And brute force succeeds when it is used, whereas the power to hurt is most successful when it is held in reserve. [Underscore provided] It is the *threat* of damage, or of more damage to come, that can make someone yield or comply. It is *latent* violence that can influence someone's choice – violence that can still be withheld or inflicted, or that a victim believes can be withheld or inflicted.¹⁷

Schelling's prospect on success is illustrated by the ostensible restraint of the US. American deterrence was largely in default while China was fabricating islands with unmindful abandon in SCS. Operationally, US acted quite late in challenging the basis of constructing 'islands' and facilities.¹⁸ Its coercive capacity was held in reserve effectively stimulating China's momentum. US could have been heedful of China's unpredictability and harbored concerns on long term relations. China however seemed cautious not to disrupt the right of passage of major shipping states through the SCS. Several months ago a US Navy surveillance aircraft overflow the SCS expectedly encountering radioed warnings. On October 27, 2015, Chinese authorities monitored and warned a US Navy destroyer as it sailed within the 12-mile "territorial limit" around Subi Reef to assert FON [freedom of navigation].¹⁹ The belated action of the US was conveniently close to the October 30 announcement of the PCA's jurisdiction over the SCS dispute. Nonetheless US had exhibited unmitigated patience over China's almost irreversible "territorialization of contested commons." As China reins its kinetic deterrence still its concrete facilities thrive.

¹⁷Thomas Schelling, "The Diplomacy of Violence," (1966) p.3.

¹⁸Philippine Star World News Section, August 2015. U.S. Secretary of State Kerry in reference to the construction remarked China can "manufacture its own islands but it cannot manufacture sovereignty." Reclamation is reacquisition of what is already legally established as one's property. China is not reclaiming property but constructing islands.

¹⁹Rudiger Wolfrum, "Freedom of Navigation: New Challenges," International Tribunal for the Law of the Sea. (Undated) https://www.itlos.org/.../wolfrum/freedom_navigation_080108_eng.pdf UNCLOS makes ample reference to the freedom of navigation in straits used for international navigation, in the EEZ and high seas. The right of innocent passage in the territorial sea and through archipelagic waters as well as the freedom of transit passage in straits used for international navigation mean the same – freedom of movement of ships. What distinguishes them is the different influence coastal States may exercise on the freedom of movement.

Adversaries fear the capability of the other in parity. Default, hesitation or restraint is transitory posturing for the very powerful. For MCD only a static wait and see option is possible beyond where an irreversible consequence waits. However, the filing of a complaint with PCA changes the character of settling disputes. It would be the greatest challenge to sail into the WPS should PCA declare a sovereign edict to our MCD. Still holding one's deterrence in reserve notwithstanding a globally certified reason is a pragmatic and honorable course of action.

It is judicious to hold MCD in reserve after all there is yet a great pile of unattended business within 586,210 square nautical miles of maritime territory where the Philippines has patent jurisdiction under UNCLOS [United Nations Convention on the Law of the Sea]. Inside undisputed territories except in the Spratlys heretofore, international law allows us to impose sovereignty and sovereign rights. These two terms have different meanings that must be understood by operators of the MCD and MDA systems since they impact on the interface with a quarry. Knowledge of laws on enforcement and rules of engagement are essential elements of empowerment and capacity building.

These sovereign rights [underscore provided] pertain to the exploration and exploitation of living and non-living resources with its 200 nautical mile EEZ [Excusive Economic Zone]. The Philippines exercises full sovereignty [Underscore provided] over its 12 nautical mile territorial sea measured from its archipelagic baselines, and over all archipelagic waters enclosed within them, subject only to the recognition of innocent and archipelagic sea lane passage (ASLP) rights in favour of foreign ships.²⁰

SECURITY AND ITS NEW DEFINITION: A ROLE FOR THE MCD

The MCD concept aligns with classic or traditional “realist standpoint of defending the state and its institutional apparatuses.” On the other hand, security had grown as “a broadened vista of protecting and enhancing human lives in all dimensions.”²¹ Both standpoints have been institutionalized and go

²⁰Raul Canon, “Delineation of Archipelagic Sea Lanes; Implications to National Security,” NDCP (2015)

²¹Ananda Devi Almase, “What the Subject of Security Really Means: A Look into the Content and Context of the 2011-2016 National Security Policy in the Philippines,” *The Study of National Security at 50: Re-awakenings* NDCP. (1998) p. 85.

ing a number of years locally. The HADR [Humanitarian Assistance and Disaster Response] mission area of the AFP, PCG and PNP [Philippine National Police] subscribes to this broadened vista. MCD will operate within such reformulation of security that includes high priority national exigencies such as “human rights, economics, the environment, drug traffic, epidemics, crime, or social injustice, in addition to the traditional concern with security from external military threats.”²² Challenges from either context of security become homogenous when they converge as “individual security.”²³ Narratives that do not consider varieties of security definitions suffer from a narrow understanding how MCD serves the people.

THE GEO-HABITAT OF MCD AND MDA

The physical setting for the MCD and MDA systems is comprised of fragmented chain of islands, a myriad of interconnected bodies of water and a huge volume of airspace. All and any thing within these solid, liquid or gaseous spaces is theoretically a quarry. Republic Act 9522 of March 2009 or the *Archipelagic Baselines of the Philippines* officially issues the basis for exact territorial dimensions. This Act further provides that the baselines in the KIG [Kalayaan Islands Group] and the Bajo de Masinloc will be determined based on the “regime of islands” over which the Philippines likewise exercises sovereignty and jurisdiction, as provided under Article 121 of LOSC [Law of the Sea Convention].²⁴

The Philippine Navy AADS [Active Archipelagic Defense Strategy] portrays the Philippines as a compact archipelago.²⁵ It is composed of one-fifth ($\frac{1}{5}$) land and four-fifths ($\frac{4}{5}$) water. The archipelago extends approximately 1,850 from north to south and spans across 1,100 kilometers from east to west. Sixty-two of its 78 provinces are situated along a coast with a total length of 36,289 kilometers. The ASLP [Archipelagic Sea Lane Passage] provides a legal means for any state to traverse Philippine territory. The ASLP concept con-

²²David Baldwin, “The Concept of Security” *Review of International Studies*, (1997). pp.12-17 [http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20\(1997\)%20The%20Concept%20of%20Security.pdf](http://www.princeton.edu/~dbaldwin/selected%20articles/Baldwin%20(1997)%20The%20Concept%20of%20Security.pdf)

²³Barry Buzan, Ole Wæver and Jaap de Wilde, “Security “*A New Framework for Analysis*, (Boulder; London: Lynne Rienner Publishers, 1998), p. 207

²⁴Mary Ann Palma, “The Philippines as an Archipelagic and Maritime Nation: Interests, Challenges and Perspectives,” NDCP (2009)

²⁵AADS defines ASLP as the “exercise in accordance with UNCLOS of the rights of navigation and over flight in the normal mode solely for the purpose of continuous, expeditious, and unobstructed transit between one part of the high seas or an EEZ and another part of the high seas or an EEZ.” (Canon, NDCP)

cedes the porosity of our boundaries which pose a magnitude of concerns as well as opportunities for MCD and MDA.

POWER BEFORE POLICY: THE CHINESE MODEL

Every state develops policy to address its security concerns, both regionally and globally. Henry Kissinger argues for the selection of certain policy options to “translate the power into policy” so that it is clear what objectives are worthy and to determine the degree of force to achieve them.²⁶ Kissinger’s notion subtly characterizes a policy of utilizing power as a policy itself that is typical of super powers. China is not distinct in this respect except for political will it possesses in surfeit like she flaunts in SCS. China demonstrates how power drives policy and how such power fiddles with others. In one of its sections, the NSP [National Security Policy] 2011-2016 describes the growing influence of China:

China’s latest rise as the world’s second largest economy, surpassing Japan, attention has focused towards its direction due to its huge population, large territory and vast natural resources, rapid industrial and technological breakthroughs, and unparalleled economic growth. Given these considerations, the rise of China generates policy considerations not only among developed countries such as the United States, Japan and Korea, but also among the ASEAN nations due to socio-cultural interactions, significant trade and investments, as well as territorial claims in the West Philippine Sea.

And so with great care and diplomacy the NSP issues promptings for vigilance;

The multilateral dispute over the Spratlys Islands [KIG] is a source of intermittent tensions due to the build-up of suspected military structures by some claimant countries in the area. Furthermore, there have been clear encroachments into the EEZ requiring a response involving multilateral as well as bilateral diplomatic measures. In other areas of the West Philippine Sea particularly the Paracels, Vietnam, an ASEAN member-country, is similarly locked in a conflict with China in regards their overlapping claims to this group

26 Altaf, Beenish (2015) “Understanding of Credible Minimum Deterrence, Nuclear Policy and Deterrent Postures” South Asian Voices (Internet)

of islands....Globalization [Underscore provided] has lessened the possibility of war arising from disputes with other countries, particularly that caused by overlapping territorial claims. Despite this, the country must remain vigilant and continue to enhance its capabilities for a credible external defense posture. Globalization did not make war an obsolete option [Underscore provided] but just a last recourse.

China's prosperity generates unbridled political energy that spills over in SCS. Planners of MCD must be acutely aware of the sources and pressures from this welling vitality.

On the whole, several constructs shape the development of the SCS dispute: China's emerging power and aggressive posture in the region; the US role and interest in regional stability; and, the Philippine course of action to seek for judicial remedy from the ITLOS [International Tribunal on the Law of the Sea]. China aims to bolster its military strength and expand its sphere of influence in the region. Domestic pressure from Chinese nationalists [Underscore provided] fuels China's aggressive stance in claiming historic rights in the contested SCS.²⁷ China's growing prosperity is actually driving the increase in international tensions [Underscore provided] in Asia.²⁸

Much of China's behavior in the oceans is pointedly explained:

There is a reason why China has been expanding its South China Sea claims, bullying Philippine fishing boats, cutting cables of Vietnamese seismic survey ships, and recently establishing an Air Defense Identification Zone in East China Sea. China wants to guarantee access to a wealth of natural resources in the region and is hoping to intimidate its neighbors to that they are too scared of China to unite and oppose its ambitions.²⁹

²⁷Christian Vicedo and Ananda Devi Almase, "Testing the Waters: The Strategic Implications of an Idealist approach in the South China Sea Dispute" NDCP Policy Brief A Publication Series on Security Issues and Concerns No. 3, NDCP. (2014) p.4.

²⁸"Growth and Globalization Cannot Cure All the World's Ills" Yale Global online

²⁹Michael Pillsbury, "The Hundred-Year Marathon," *China's Secret Strategy to Replace America as the Global Superpower*, (Henry Holt and Company, New York 2015) p. 219.

The interest of the Philippines in SCS revolves in the locus of pivot of two superpowers. The US wants FON guaranteed by LOS [Law of the Sea] amid China's refusal to compromise its sovereign claim practically over the entire SCS. From an engineering point of view, permanent Chinese facilities will likely become more technically sophisticated. These constructions however may not be completely immune to political and legal pressures from an ITLOS ruling. The questions raised by Foreign Affairs Secretary Albert del Rosario with ITLOS boil down to:

Are maritime entitlements to be governed strictly by UNCLOS, thus precluding the claims based on 'historic rights... or does the UNCLOS allow a state to claim entitlements based on historic rights even beyond those provided by UNCLOS itself?

The Philippines is not asking the tribunal to rule on the territorial sovereignty aspects of its disputes with China. Rather it wishes to clarify maritime entitlements in SCS over which the tribunal has jurisdiction. It is a dispute that goes at the very heart of UNCLOS itself.³⁰ The DFA [Department of Foreign Affairs] contributes the largest measure of deterrence that is almost inexhaustible and invulnerable to sea-air-land-cyber operational arts of China. For its part the DND postponed improvements on Pag-asa Island in deference to the pending verdict. Unwillingness of China to participate in the hearings and refusal to heed a verdict will unravel the commitment of the entire world to global rule of law.

THE MILITARY-NAVAL CONSTRUCT FOR MCD: A CAUTIONARY TALE

PLA Colonels Qiao and Wang's controversial 1999 book *Unrestricted Warfare* and other Chinese authored works foretell of new forms of warfare. The US maintains the edge on conventional and electronic technologies. However it is not lost on her that the enemy is on the network and the side with electromagnetic combat superiority can jam enemy communication facilities, attack command ships, wipe out computer systems and employ directed-energy weapons. Capital ships can be destroyed with cheaper but no less effective weapons to win naval victory. The key is to wait for the most opportune time. "Warfare is in the process of transcending the domains of soldiers, mili-

³⁰Albert del Rosario, "Statement before the Permanent Court of Arbitration," *The Philippine Star OPINION*, (July 9, 2015). p. 9.

tary units, and is increasingly becoming a matter for politicians, scientists, and even bankers.” Strategic diligence requires a coherent appreciation of an adversary’s history that need to be overlaid with her contemporary activities as a collective set of strategies no matter how archaic they may seem. An enemy behaves rationally in accordance to its cherished or ingrained allegories.³¹

The MCD concept appears to be conceived on the foreground of China’s adventure in SCS. Its doggedness is manifested by the speed the “islands” and facilities were constructed in spite of global acrimony. Almonte (2015) estimates the value of SCS to China:

Paramount for China is its need for a second-strike capability. China regards the SCS the way the Soviet Union regarded the Sea of Okhotsk during the Cold War. Till today, the Sea of Okhotsk is the submarine pen of Russia. In other words, if Russia is nuked, it can strike back because its submarine nuclear capacity is secure in Okhotsk. The SCS, according to this view, will be used as a submarine base for a second strike capability. I have talked to a number of experts and I share their analysis.³²

Although the Philippine MCD objective connotes China, it is the pressing domestic problem in MDA, search and rescue and interdiction within dispute-free UNCLOS circles that need more prompt tending owing the immense loss of revenues from illegal and environmentally destructive activities. Even within these confines both MCD and NCW systems still lack adequate capacity. The AFP and PCG forces will necessarily develop reach and capacity firstly at the home front before external posturing can be attempted. Already, the AFP and PCG have been named as key players under EO Nr 57 and must jointly untangle this predicament.

The NCWS reinforces capacities of the MCD system in situational awareness and facilitates interagency protocols. Sections of the sea described under UNCLOS will certainly spur constructive debate between coast guard and naval followers. Mission areas, capability partitions and operational protocols when clearly allocated will reduce costs of acquisition, operations and sustainment. Failure to balance acquisition and maintenance budgets before procurement had historically blighted the armed services over the long haul. The equation

³¹Michael Pillsbury, *op. cit.*

³²Almonte, Jose, “Endless Journey,” *A Memoir*, (Cleverheads Publishing, Quezon City, Philippines 2015). p. 307.

between operating and maintenance costs is still a riddle up to this day.

Self-inflicted attrition or cannibalization makes credibility volatile. This other cautionary tale must be told at the outset so that history will not repeat itself in the AFP. Former NSA [National Security Adviser] Roilo Golez also warns of ‘block obsolescence’ whereby assets are disposed at the same rate due to poor maintenance or lack of upgrade. He lamented that if only every president contributed his share in modernizing the AFP, it would have been better prepared than it is today.³³ Grimly, the MCD system becomes vulnerable, from action and attrition, as soon as it is declared operationally ready.

The NSP 2011-2016 serves as the main reference for crafting a NSS [National Security Strategy] framework. In lieu of an absent formal NSS, the AFP was prompted by the NSP to prepare a NMS [national military strategy]. “Before a country goes to war, it is critical that it begins its planning at the end.”³⁴ This counterintuitive US military truism suggests a resolution of operational and strategic end states while a real and live MCD is still a work in progress, and not the other way around. In this instance, reiteration of the process is not a waste of time.

Overcash [2010] rebukes the US Navy for issuing “broad end states that allowed too much latitude” for deriving specific courses of action against China. He argues that a realistic guidance for most likely realistic scenarios such as a “strategic end state of return to the status quo” and the military end state of “preventing forcible PRC takeover of Taiwan, the Spratley [sic] islands, or the Senkaku islands” will lead to more concrete outcomes.³⁵ There is probably nothing worse in the conduct of strategy than a disconnection between the ends and means exacerbated by faulty identification of COG [center/s of gravity].³⁶

Fatal mismatches between ways, ends and means can be readily spotted under benign circumstances in scenarios over a table top exercise. Yet

³³Seminar Workshop on Global Trends Affecting Philippine Security on September 22, 2015 at the National Defense College of the Philippines in cooperation with The National Security Council and Daniel K. Inouye Asia Pacific Center for Security Studies.

³⁴David Overcash, Cmdr USN “Through the Lens of Operational Art: Countering People’s Republic of China (PRC) Aggression in a Limited Conflict using Innovative Ways and Cost-Effective Means to Offset PRC Anti-Access Area Denial (A2AD) Capabilities,” Naval War College, (2010), p.3. <http://handle.dtic.mil/100.2/ADA535576>

³⁵Ibid. p.4.

³⁶Dale Eikmeier, Col. U.S. Army (r.) “A Logical Method for Center of Gravity Analysis,” Military Review (2007) https://challenge2050.files.wordpress.com/2013/08/ends-ways-means_-_militaryreview_20071031_art009.pdf

exercises are not as appealing as they should be in the DND-AFP. Simulation enables planners to calibrate political, operational, technical and financial parameters in developing a sustainably compact MCD.

Duelley [2010] posits that masterful employment of asymmetric operational art elements could negate technical superiority.³⁷ In addition to white hulled coast guard vessels, MCD adherents must become mindful of China's maritime militia that essentially functions as Beijing's first line of surveillance, support and pressure in promoting the country's claims and interests in East and South China seas. This motley fleet should not be underestimated in its role in island landings, jamming enemy electronic equipment, medical missions and repair at sea.³⁸

Swarm tactics that employ multiple fast attack crafts is an example of asymmetric strategy still applicable today.³⁹ A horde of small crafts armed with lethal anti-ship weapons is a feature in so-called A2/AD [Anti-access/Area Denial] operations at sea.⁴⁰ Swarming suggests the MCD system could be modelled after this concept one way or another. Golez briefly discussed A2/AD in a presentation on the West Philippine Sea during the *Seminar Workshop on Global Trends Affecting Philippine Security* on September 22, 2015 at the National Defense College of the Philippines in cooperation with The National Security Council and Daniel K. Inouye APCSS [Asia Pacific Center for Security Studies]. The seminar postulated that the MCD system is not necessarily a tool for conflict where states forcibly take sides but rather an instrument to protect competitiveness. For one, the MCD and NCWS systems in tandem can interdict transnational and economic crimes that erode national revenues.

³⁷Benjamin Duelley, Cdr USN "Defeating Asymmetric Threats in the Littoral Environment" U.S. Naval War College, (2010). p. 2. www.dtic.mil/dtic/tr/fulltext/u2/a525224.pdf

³⁸Andrew Erickson, *op.cit.*

³⁹The export of cheap products to third as well as developed states and legions of attacking North Korean troops during the Korean War in the 1950's are swarming actions. On a global scale, during its September 2015 70th anniversary of the victory over Japan, China paraded erstwhile undisclosed long range missiles. IHS Jane's Defence Weekly (9 September 2015) reports these as capable of reaching distant Pacific islands and targeting moving aircraft carriers. It is imaginable that these missiles would be launched in swarms. Swarming is an example of Jomini's principle of mass.

⁴⁰Christopher McCarthy Major USAF "The Evolution of Warfare in the Western Pacific," Naval War College, (2010). p. 2. <http://www.dtic.mil/dtic/tr/fulltext/u2/a525078.pdf> The Center for Strategic and Budgetary Assessments defines anti-access as enemy actions which inhibit military movement into a theater of operation and area denial as activities that seek to deny freedom of action within areas under the enemy's control. A2/AD actions apply to land, sea, and cyber and space warfare.

The Philippines' constitution caps the defense budget in reference to education.⁴¹ As a percentage of GDP, the defense expenditure has remained relatively constant, hovering at just around 1%.⁴² This constitutional limitation however is less important than the consistency of annual allocations that will ensure a predictable trajectory of modernization. Defense spending increased from \$1.24 billion in 2004 to \$2.3 billion in 2009 and \$3.47 billion in 2013, a 36 percent increase in less than a decade. By 2015, Philippines' defense spending is expected to grow by as much as 29%. The Philippines has seen its most significant defense build-up under the Aquino administration. The acquisitions for the period 2010-2015 are significant for the AFP by any means. A dedicated long range patrol aircraft is however noticeably missing.

AFP Modernization Program Acquisition⁴³

Type	Source	Delivery Date
12 FA50 Lead-in Fighters	Korea	2015-2017
2 Hamilton/Hero class cutters	US	2012-2013
28 M113 Armored personned carriers	Israel	2013-2016
8 W-3 Utility Helicopters	Poland	2012
5 Bell 205 Helicopters	Germany	2013
8 Bell 412 Helicopters	Germany	Beginning 2015
8 AW 109 Attack helicopters	Italy	Beginning 2015
3 Airbus 295 Transports	Spain	Beginning 2015
10 Multi-role patrol boats	Japan	Beginning 2015
1 Pohang class corvette	Korea	2015

All these circumstances place the MCD artisan in a puzzling channel. However when MCD bearings are oriented to non-controversial terrestrial and maritime zones of the archipelago, political and economic courses of action become resolute.

ALLIANCE.COM

The VFA [Visiting Forces Agreement], MLSA [Mutual Logistics Assistance Agreement], EDCA [Enhanced Defense Cooperation Agreement] and its

⁴¹ Article XIV – Education, Science and Technology, Arts, Culture and Sports, Section 4 (5).

⁴²Richard Heydarian, <http://amti.csis.org/author/rheydarian/> (March 18, 2015)

⁴³Richard Heydarian, *op. cit.*

management bodies the MDB [Mutual Defense Board] and SEB [Security Engagement Board] are facilitating mechanisms of the RP-US MDT.⁴⁴ This elaborate arrangement appears to reinforce the importance of the Philippines to the US. The NSP manifests this value:

The United States [remains] to be the only superpower in the world today and maintains its strategic presence around the globe and [considers] a continuing US security presence in the Asia Pacific...as a positive stabilizing force, particularly with the growing complexity of security challenges that confront the region. Consequently, the 1951 RP-US MDT [Mutual Defense Treaty] continues to remain relevant to this day.

An alliance theoretically multiplies MCD capabilities. All the same, it is critical to note that individual end states in the alliance are not necessarily similar. The Philippines' political end state in SCS argues for "maritime entitlements of coastal states – to a territorial sea, EEZ and continental shelf, and the rights and obligations of States these respective zones – are established, defined and limited by the express terms of the convention."⁴⁵ On the other hand, the US is avowedly concerned with FON particularly for its naval fleet.⁴⁶ The Philippines' argument requires a force structure that is proportional to the cost and risk of sustaining it. MCD is not envisioned to attain such level of proportionality without the synergy from allies with orders of battle comparable to China. Alliances are stimulated by convergence of certain political, military or economic interests but do not make the coalition instantly callable. Be that as it may our interoperability commitment must still be addressed by the MCD system relative to its capacity.

At this point in time our nascent MCD cannot be wagered on the alliance table. However, our venerable geography and host nation support constitute a spring board to facilitate the advantage of allies. At the very least we offer strategic convenience to US, Australia and Japan not anywhere available to them in relation to SCS and the Pacific.

States become extremely circumspect before deterrence is unleashed as illustrated by the restraint of the US. It can be theorized that an ally will come around only when it perceives a threat unique to its interests. Military

⁴⁴The MDB attends to traditional threats while the SEB addresses non-traditional challenges.

⁴⁵Albert del Rosario. *ibid.* p. 9.

⁴⁶AP Reuters, "US Admiral: Policymakers to decide South China Sea patrols," [Philippine Star News](#) (October 24, 2015). p.2. Washington has a policy of not taking sides in the territorial disputes.

deterrence cannot be invoked reflexively by either side in the alliance. A coalition partner can become tentative when terms and conditions are tactfully written wherefrom agreements need not even be terminated.

The MCD system serves at least two purposes in the alliance; [a] to establish operational interface with a combined international force, and; [b] to provide calibrated response while an ally or allies reach a decision. To this end, we need to induct all uniformed services into this set-up. The AFP must invite the PCG and PNP to participate in its so-called “Multi-layered Defense” concept particularly in the “Maritime Domain.”⁴⁷ One layer, if not the entire defense system, may be perennially tested under the RP-US Balikatan combined exercise program. Balikatan is yet to be fully tapped as a laboratory for rehearsing complementary capabilities of MCD and NCWS. However, the perennial external defense scenarios of Balikatan must not necessarily impute that our MCD forthwith becomes a task force in the SCS dispute given the ramification of dissimilar end states. The workings of the MDB or SEB must be justified whereby MCD is not induced beyond its reach and capacity. Balikatan imparts advanced operational techniques exactly what the AFP and PCG need to master in our EEZ. We have to stay close to these exercise objectives, at least for now.

We lose some prospects from our alliance for a number of reasons. Our weak culture of maintenance discourages the US from providing us with more materiel. Our regimentation on internal security was so dominant that we failed in the intervening years of 1999 to 2003 to exploit the opportunity to re-scale the operational fit of the AFPMP with US capabilities in the external defense arena. During this period, the Philippines acquired a MNNA [major non-NATO ally] status with privileges for EDA [Excess Defense Articles].⁴⁸ The Mischief Reef incident had already occurred by this time.

Ahead of the construction spree in the SCS and the swing of the US to the Pacific area, ASEAN had foreseen complexities in its effort to forge a regional department mechanism in the SCS.

⁴⁷AFP Strategic Direction 2028, *op. cit.* p.15. The other two layers in the concept are Land Domain (Air-Sea Land Gap) and Air Domain (Air-Sea Gap). This document also addresses inter-agency responsibilities in defense- security challenges.

⁴⁸Rodel Cruz, “Security Sector Reform: Way Forward for Democracy and Development”, The Study of National Security at Fifty: Re-awakenings, (2013). p.9. (Section 517 of the [U.S.] Foreign Assistance Act of 1961 provides that a country designated as MNNA enjoys priority for the transfer of EDA [Excess Defense Articles] and use of FMF [Foreign Military Financing] for commercial leases instead of government-to-government sales.)

Although ASEAN has been quite successful in building confidence and forging functional cooperation among member states, it has not yet delivered its envisioned strategic output - the Code of Conduct [COC] - that will restrain claimant states to act unilaterally in the SCS and to violate international norms.⁴⁹

A COC could have foregathered consensus prior to a major activity in SCS. Notionally, a COC offers clearer roles for MCD and those of member states operating in a combined ASEAN maritime task group. The PH-Indonesia and the PH-Malaysia border patrol arrangements are existing models which may generate PH-Japan and PH-Vietnam variants if not an all-ASEAN version. The final ruling of the PCA on the Philippines' arguments may lead to the perfection of ASEAN's COC for greater cooperation and vigilance in SCS.

THE SCIENCE OF ASYMMETRY

It is interesting to note that the Chinese ideograph for "crisis" is made up of two characters, one meaning "catastrophe" and the other "opportunity."⁵⁰ In SCS affairs, one may surmise that China created a "catastrophe" so it can exploit opportunities therefrom. Thus, followers of MCD must be well acquainted with what China says and does. China's sensitivity to global perception was eloquently spoken by Deng Xiaoping, the father of modern China when he addressed the *Session of the UN General Assembly* on April 10, 1974. Almonte observes that the "people of the world" and Chinese intellectuals oppose China's policy in SCS. Thus Deng spoke:

If one day China should change her color and turn into a superpower, if she too should play the tyrant of the world, and everywhere subject others to her bullying, aggression and exploitation, the people of the world should identify her as social-imperialism, expose it and work together with the people to overthrow it.⁵¹

President Xi Jinping echoed Deng's disposition during his two-day visit to Hanoi on November 5-6, 2015 where he announced "China rejects that a country should seek hegemony once it grows strong," adding that China would

⁴⁹Vicedo and Almase. *op. cit.* p. 2.

⁵⁰Cohen and Gooch. *op. cit.* p. 239.

⁵¹Almonte. *op. cit.* p. 331.

"deepen mutually beneficial cooperation" with neighboring countries.⁵² On the face of this official self-restraint, the internet released photos of Chinese vessels ramming and water bombarding Vietnamese and Philippine fishermen in the SCS. Five years before Xi's declaration, China's then Foreign Minister Yang Jiechi either feigned an assurance or issued a veiled justification when he remarked at the 17th ASEAN Regional Forum in 2010 that "China is a big country, and other countries are small countries and that is just a fact."⁵³

International opinion on the China-Taiwan meeting in Singapore on November 7, 2015 does not point to a breakthrough or a step closer to reunification.⁵⁴ However the protracted Beijing-Taipei sovereignty issue must be especially interesting to MCD planners for it may one day come following a mainland China-Hong Kong formula. Whatever manner such arrangement may ensue, our narrow border could transform into an alley of sea-air brinkmanship yet unimagined by ourselves or allies. Conversely, trade opportunities may flourish beyond current levels.

China expects the world to accept its idiosyncrasy based on her own logic. This observation has also seen print in at least one editorial of the day written by Carmen Pedrosa of the Philippine Star.

It can be inferred that China's defiance of the ITLOS proceedings and its criticisms of the Philippine legal action stems from a notion that an arbitration case is beyond the normative method of dispute settlement among Asians. The sway of Confucianism in China's interpretation of the political interests of the US and the Philippines could explain its negative perception of the recent developments in the SCS dispute. Under the Confucian philosophy, it is considered unethical and disrespectful to drag someone to court [Underscore provided] since it entails an attack on the person's pride and dignity.⁵⁵

⁵²DW,<http://www.dw.com/en/china-vietnam-to-preserve-peace-in-south-china-sea/a-18831766>
November 9, 2015

⁵³Sarah Kirchberger, Asia & the Pacific Policy Society, <http://www.policyforum.net/maritime>,
November 2015

⁵⁴Presidents Li Jinping of China and Ma Ying-jeou of Taiwan held a historic dinner in Singapore on November 7, 2015, 66 years after the civil war. China still considers Taiwan a renegade province. The Chinese agenda has always dwelled on reunification, a sensitive political issue in Taiwan.

⁵⁵Vicedo and Almase. *op cit.* p.2.

Dealing with the SCS issue is really dealing with China herself. It is both fair and enlightening to understand how different she is from the West. Being unlike is not necessarily a fault. Her huge population and large land mass cannot be simply overlooked.⁵⁶ One cogent researcher of China's asymmetry with the rest of the world also offers a prognosis.

The relationship between the state and society in China is very different from that in the West. We in the West overwhelmingly seem to think, these days at least, that the authority and legitimacy of the state is a function of democracy. [Underscore provided] The problem with this proposition is that the Chinese state enjoys more legitimacy, and more authority, among the Chinese, than is true with any western state....China is going to change the world in two fundamental respects. First of all, it's a huge, developing country with a population of 1.3 billion people, which has been growing for over 30 years at around ten percent a year. And within a decade, it will have the largest economy in the world. Never before in the modern era has the largest economy in the world been that of a developing country, rather than a developed country. Secondly, for the first time in the modern era, the dominant country in the world, which is what I think China will become, will be not from the west and from very, very different civilizational roots....It's a widespread assumption in the West that as countries modernize, they also westernize. This is an illusion. China is not like the west, and it will not become like the west. [Underscore provided] It will remain, in very fundamental respects, very different.⁵⁷

China is quite apart from the world in the manner of meaning what it says with what it does. It is one cornerstone of asymmetry with neighbors aside from its great mundane endowments of population, land mass and industries. Be that as it may decoding China may not be an impossible task. Prag-

⁵⁶China's population of 1.3 billion comprises 19.24% of the total world population. China ranks number 1 in the list of countries by population. www.worldometers.info/world-population/china-population/

⁵⁷Carmen Pedrosa, "China is no. 1," From a Distance, *The Philippine Star*. (December 13, 2014) Pedrosa took this quotation from "*When China Rules the World: The End of the Western World and the Birth of a New Global Order*" (2009) by Martin Jacques, a British author who came to Manila in November 2012. He predicted that in a decade, China would surpass the American economy.

matic theories help to reach a structured approach to deal with asymmetry. Baviera [2013] suggests that understanding relations among asymmetrical powers in the SCS may provide an approach in coping with the situation in SCS. She draws from Brantly Womack's work:

... the relationship between two states with disparate capabilities is not one relationship but two distinct sub-relations: the relationship of A to B, and the relationship of B to A...in every asymmetric situation the stronger state needs to be confident of the deference of the weaker state. By 'deference' I do not mean that the weaker state obeys the stronger, but the weaker state acts in accordance with the reality of disparity between them. On the other side, the weaker state needs to be confident that the stronger state respects its autonomy. In a normal, peaceful relationship, autonomy and deference can coexist, but if misperceptions sour the relationship, then B will view A's demands for deference as threats to its autonomy, and A will view B's attempts to protect itself as threats to the real distribution of power. But whether at peace or war, the asymmetric relations of A to B and of B to A are different.⁵⁸

Womack acknowledges that small states can nonetheless undertake certain courses of action, and that strong states cannot completely impose upon small states, under a stable international environment. The Philippines as the weaker state had introduced a non-kinetic dimension in the asymmetric contest via ITLOS. The filing of a compliant with PCA does not strictly follow Womack's meaning of 'deference' in the "form of avoiding actions or statements that would be considered as provocative by the great power."⁵⁹

In noting the pervasive asymmetries within the bilateral sets that China is arranging to settle the SCS dispute, Baviera sounds terse on the immense bargaining power of China in the decades old contention. This bargaining power all the more becomes intimidating in a one-on-one face off:

⁵⁸Aileen Baviera, "China-ASEAN Conflict and Cooperation in the South China Sea: MANAGING POWER ASYMMETRY," *The Study of National Security at Fifty: Re-awakenings*, NDCP. (2013) p.209. Please see the complete narrative of asymmetry of relations in the South China Sea of which Ms. Baviera credits the asymmetry theory of Brantly Womack as a framework of her analysis.

⁵⁹Aileen Baviera. *op. cit.* p. 211.

Tracing the development of the disputes over the decades, China is not the only claimant that has been engaged in unilateral actions or demonstrations of sovereignty, but China – as the biggest and most powerful claimant – holds the key [Underscore provided] to whether armed confrontation among the claimants or even involving external powers might take place. It is therefore also the fulcrum on which any resolution of the South China Sea disputes will rest. [Underscore provided] However, as China increases its military strength and political as well as economic influence, and as it grows in confidence (driving ultra-nationalism particularly on territorial issues), the prospects grow dim [Underscore provided] of attaining an equitable resolution that would be considered satisfactory by the weaker claimants.⁶⁰

The Chinese fulcrum may weaken in the coming months after the workings of PCA along with aversion of losing face from being branded as an “international outlaw.” With China’s refusal to heed international law, the PCA ruling may not significantly contribute to the “socialization processes between the great power and the secondary states” that may lead “to some mutual confidence and mutual trust, even if partial or limited” or “optimistic expectations of reciprocal behavior.”⁶¹

Baviera explains “accommodation” characteristically a policy of weaker states in “adapting their own behavior to conform with the expectations of a rising power (i.e., China).” In contrast, “hedging” considers “developing capabilities and reliance on great power alignment.”⁶² MCD is clearly hedged on the mutual defense treaty. Beyond this operational facet, our ITLOS bound complaint is anchored on rule of law and global opinion. A rising power cannot be impervious to these constraining elements for long since such insensitivity may promote distrust upon its new allies. Given time and diplomacy, the words of great statesmen Deng and Xi may yet ring true.

Near the end of her article, Baviera characterizes the Southeast Asian response to China as “accommodation with hedging” typical in most asymmetric alliances.⁶³ The Philippines had been hedged on the RP-US MDT since 1951

⁶⁰Aileen Baviera. *op. cit.* p. 207.

⁶¹Aileen Baviera. *op. cit.* p. 211.

⁶²Aileen Baviera. *op. cit.* p. 211.

⁶³Aileen Baviera. *op. cit.* p. 212.

long before the SCS row. For this, China regards the Philippines as an American proxy in the maritime dispute.⁶⁴ Her inordinate harassment compared to mere warning rhetoric to US intrusions, casts the Philippines as a wager of “lawfare” a term by Michael Pillsbury. Global rule of is a weapon available to every state, almost invulnerable to military might.

CONCLUSION

The state visit of President Xi Jinping to the U.S. in September 2015 is read as “offering tacit approval of Beijing’s new aggressive posture in the world.” We often hear “engagement” from U.S. officials to describe its benign but vague approach to sensitive international affairs. This observation underscores US treatment of China regardless of “antagonistic behavior as a new hard fact of world politics” by the latter.⁶⁵ This approach is consistent with US policy of not taking sides in the on-going SCS territorial dispute. Clearly MCD/NCWS and ITLOS are primary instruments we can permanently rely on.

A member of the Philippine Senate lauded the decision of the international court but declared we “[have] not won anything yet” until PCA hearings become conclusive. A positive ruling for the Philippines may or may not translate to less confrontational circumstances. It is certain however, the operational setting of MCD will stretch beyond our porous coastline into the expanse of WPS to the west, the Pacific seaboard to the east, including our borders with Malaysia to the south and Taiwan to the north. The rudimentary capabilities of MCD, diluted they may be, will herald our most visible courses of action into these vectors. These waters as well as SCS are waiting to be attended by MCD as multi faceted fronts of political, legal, and economic particulars.

The MCD concept grows as an incipient doctrine with its virtual installation as the operating system of the AFP’s external defense mandate. Movers of MCD and NCWS have medium term opportunities to explore; [a] AFP and PCG are obliged to demonstrate teamwork in all developmental phases of the MCD and NCW systems. This partnership will promote habits of cooperation with other agencies named in EO Nr 57; [b] it is more realistic to pursue an intermediate military end state of secured coastal territories during the growth period of MCD and pendency of PCA ruling; [c] the MCD and NCWS must be

⁶⁴Boo Chanco, “What now, China,” Demand and Supply, *The Philippine Star* (November 2, 2015). p. B2

⁶⁵Holmes, Kim, “Obama Settles for an Unbalanced Relationship between US and China” *The Daily Signal* October 2, (2015) <http://dailysignal.com/2015/10/02/obama-settles-for-an-unbalanced-relationship-between-us-and-china/>

come interoperable relative to their capacities with allied systems, and; [d] bilateral talks with China are inevitable regardless of the nature of the verdict by PCA.

The development of MCD and NCW systems will take a few years to be realized. In 2006, a report disclosed that India needs fifteen years to develop a “credible [nuclear] delivery vehicle.”⁶⁶ Comparatively, the lead times for acquisition and full readiness of the MCD and NCW systems may take only four to six years. The acquisition lead time may be considered by MCD planners as a transition period during which time a more permissive SCS scenario may unfold that will provide MCD the incubation phase it needs. Meanwhile, as MCD and NCW systems evolve into readiness, dispute-free maritime zones can be rid of varieties of economic and environmental crimes. The forthcoming PCA ruling may spew completely unexpected upshots from China but will be generally disadvantageous to her stance.

POLICY AREAS

The Philippines’ political end state is construed from the intent of the clarification filed with ITLOS. Sovereign rights in the EEZ sector of the Philippines in SCS must be respected and restored. At this point in time however, a military end state in SCS would be a touchy undertaking for several reasons; [a] the unfinished hearings of PCA defer a military course of action by the Philippines; [b] a PCA verdict may not necessitate a military course of action from interested parties at all; [c] the MCD system is unilaterally incapable of adequately denying access or preventing illegal activity in the Philippine EEZ sector in SCS; and, [d] it is presumed that even a notional military end state within the scope of RP-US MDT will need concurrence by both parties. These reasons tend to confine the operation of MCD within our dispute-free EEZ and territories in WPS, for now. Forays into these territories are completely subject to Philippine laws. Offensive actions from second parties, if any, can be dealt with necessary force by MCD.

The *Seminar Workshop on Global Trends Affecting Philippine Security* noted a convergence of interest among the Philippines, US, Japan, Australia and India in the Asia Pacific region. Vietnam is not to be forgotten as a worthy ally. The MCD system, NCWS and alliances comprise a trilogy that deserves

⁶⁶KS Manjunath and Beryl Anand, Report of the Institute of Peace and Conflict Studies (IPCS) Panel Discussion held on 7 February 2006 (2006) http://www.ipcs.org/pdf_file/issue/1732187619IPCS-Special-Report-13.pdf

consideration in the NSS.⁶⁷ The MCD and NCW systems are the best modes to be deterrent by our own means without undue reliance on the potential of alliances.

Asymmetry implies the consideration of less expensive MCD modalities which the AFP and PCG can jointly develop with the local ship manufacturing industry. The Philippines ranks fifth in the world in this industry.⁶⁸ A swarm of locally produced littoral ships inspired by A2/AD operations can be one cure for the porosity of the long Philippine coastline. EO Nr 57 declares NCWS a national priority. Correspondingly, the MCD system can be elevated as a national program and avail of multi-source funding.

In the event of a favorable PCA ruling, our MCD will either be tried on its own or operate in a RP-US combined force. The dissimilar end states of the Philippines and the US may provide a policy approach relative to this possibility. U.S. operational end state of maintaining FON in accordance with the LOS is less difficult to achieve than the reacquisition of sovereign right by the Philippines on the islands it is claiming; [a] the US has a powerful navy that can enforce FON; [b] many other coastal or maritime states would seek the same freedom in the SCS; [c] insistent denial of FON by China based on its sovereignty stand impacts on passage of merchant ships in terms of tight controls similar to a controlled air space where every entry, maneuver or exit needs approval, and; [d] such usurpation of authority by China will generate consternation of the international market and military forces. On these grounds China may concede FON to the world at large including the Philippines.

China may prolong its recalcitrant stand on the historical claim making reacquisition of Philippine sovereign rights and sustainment an extended task. However the restoration of FON will be an enabling intermediate event towards our political end state. How the MDT may apply in the SCS in terms of restoring our sovereignty will subject the revered treaty to its first real test. The finely spun UNCLOS definitions of sovereignty and sovereign rights may

⁶⁷Alan Stolberg, "How Nations Craft National Security Strategy Documents" U.S. Army War College, Strategic Studies Institute. (2012) <http://www.strategicstudiesinstitute.army.mil/pdffiles/PUB1128.pdf>. The article is a practical guide for procedures and techniques in preparing national security strategies as practiced by the United States, Australia, United Kingdom, South Africa and Brazil.

⁶⁸The 3rd Edition of Marine Philippines 2016, Shipbuild Philippines 2016 and Offshore Philippines 2016, (November 10, 2015) <http://philmarine.com>. The Philippines is recognized as the fifth largest shipbuilder in the world. Shipyards established in the Philippines are now building more ships of larger tonnage capacities like bulk carriers, container ships and passenger ferries. The construction of 180,000-DWT commercial ship by Hanjin Heavy Industries Corporation, a South Korean shipbuilding giant, shows that the Philippines can really build world-class ocean-going vessels.

however spur another duality of interpretation of the MDT in addition to its current appreciation.

One long-standing difference between the U.S. and the Philippines has been the application of the U.S.-Philippine Mutual Defense Treaty to disputed islands in the South China Sea. While Philippine government officials have long argued that the treaty does not explicitly extend American obligations to disputed areas and territories, official American interpretations of the treaty conclude otherwise.⁶⁹

The MCD and NCWS usher capabilities erstwhile absent since 1992 after the dismantling of US military bases. These capabilities augur well in protecting our people, territory, and resources within customary boundaries concomitant to increase national revenue. The dispute in SCS openly beckons the nation to a game of brinkmanship into the oceanic expanse even before the onset of *Horizon 2 – Partial Credible Defense Posture 2018-2022 of the AFP Transformation Road Map*. This Horizon requires a predictable budget from revenues segued from the operation of the incipient MCD and NCWS.

⁶⁹Dakota Wood, (ed) “Assessing America’s Ability to Provide for Common Defense,” 2016 Index of U.S. Military Strength, The Heritage Foundation Davis Institute for National Security and Foreign Policy, p. 116. (2015) index.heritage.org/military/2016/

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ENVIRONMENTAL & ECONOMIC ASPECTS OF THE WEST PHILIPPINE SEA

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The West Philippine Sea includes the Luzon Sea as well as the waters around, within, and adjacent to the Kalayaan Island Group (KIG) and Bajo de Masinloc also known as Scarborough Shoal. The KIG is part of what is referred to as the disputed Spratly archipelago. Our estimate is that the KIG or the Spratlys are about 281,000 km² in area. The South China Sea has been studied in the past by the Indochina Institute of Oceanography, the Nha Trang Institute of Oceanography of Vietnam and probably also by other agencies. The latest to make joint oceanographic studies in the area were the Philippines and Vietnam.

The present paper covers the geological history of the South China Sea, the Spratlys and the Palawan Island group including parts of Mindoro and Panay Islands and their rifting from the Asian continent in the past; the physical environment of the Spratlys, including the islands, shoals, and atolls and current systems in the South China Sea; the biological resources with emphasis on the coral reefs systems and the status of fish and fishery resources; the economic values of reef and pelagic fisheries; the connectivity of the biodiversity resources of the Spratlys with the Philippines and other countries; the disturbances in the area that could have a negative impact on the sustainability of fisheries and marine biodiversity; and finally recommendations on ocean governance policy and programs needed for the maintenance of the integrity of the sea environment and its resources especially no-take marine reserves and transborder peace parks. These parks, which have been proven useful in some marine areas of the world can be instruments for cooperation for research and development in areas that are claimed by several countries. These recommendations pertain to cooperative protection and management of the South China Sea by maritime countries surrounding the area under the UNCLOS.

INTRODUCTION

The South China Sea (SCS) has been described by Fang et al. (2006) as one of the largest marginal seas of the world. Marginal waters are marine waters adjacent to a state and under its jurisdiction (**Fig. 1**). It extends from the Karimata Strait (~3° South) to the middle of Taiwan Strait (~23.5° North), with the Asian mainland, Indo-China Peninsula, Malay Peninsula, and Sumatra as its western border and Taiwan, the Luzon Strait and the islands of

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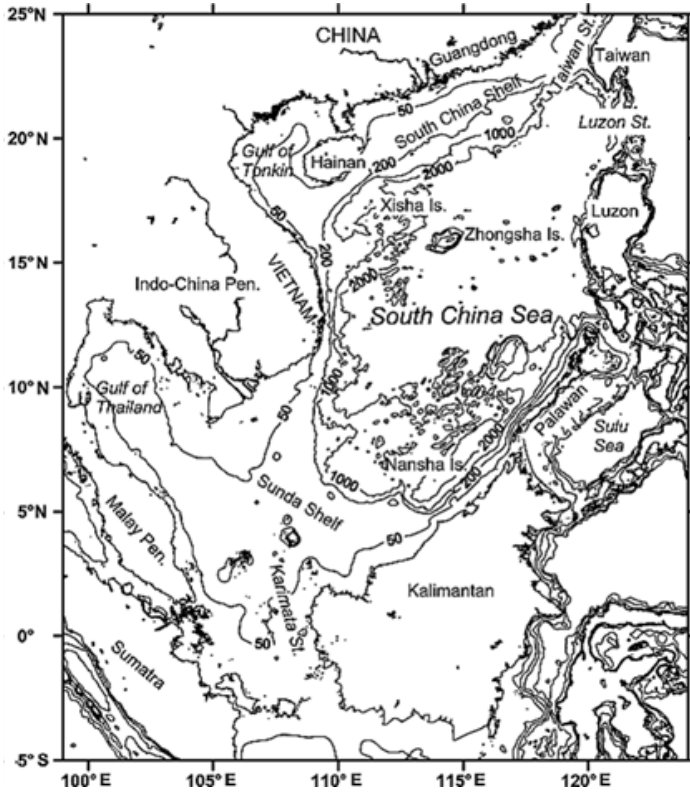
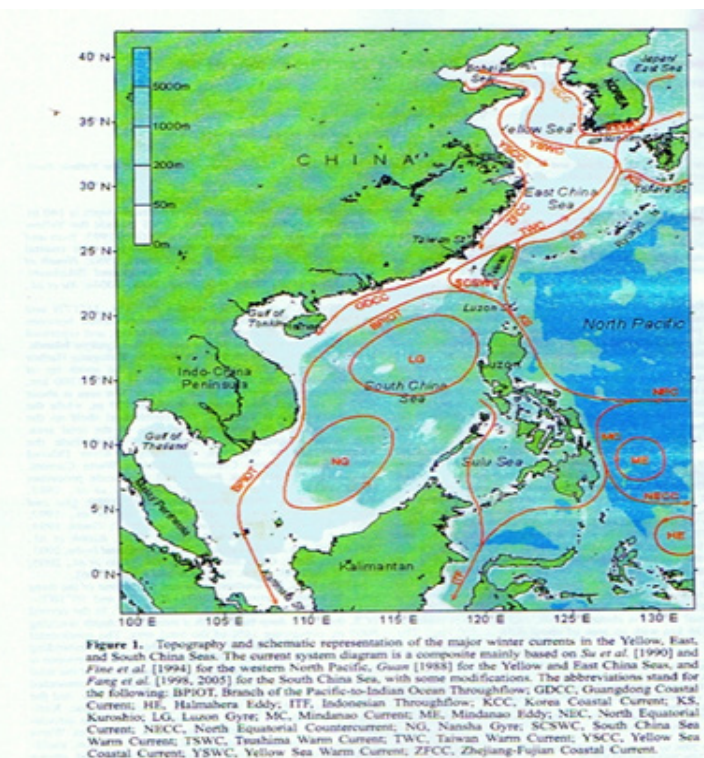


Fig. 1. (Above) Chart of South China Sea (Wang et al. 2006); (Below) Ocean currents during winter months (Zheng et al. 2006). Note that the Luzon Gyre (LG) and the Nansha Gyre circulate in the counter-clockwise direction bringing marine propagules (larvae) from the South China Sea to the Philippines



Luzon, Palawan, and Borneo (Kalimantan) as its eastern border. Its area is 3.5 x 106 km². Its deepest basin is about 5,000m in the north-central part but most of it is shallower than 4,000-5,000 meters. There are four archipelagos--- the Pratas, Macclesfield Bank, Paracels, and Spratlys --- covering an area of 800,000 square kilometres. For the Spratlys, six countries claim titles to all or parts of the archipelago (Encomienda 2008). The Philippines is one of these countries that claim sovereignty over portions of the archipelago.

The name “West Philippine Sea” refers to marine areas subject to the internal Philippine Administrative Order No. 29 dated 05 September 2012 and “include the Luzon Sea as well as the waters around, within, and adjacent to the Kalayaan Island Group and Bajo de Masinloc also known as Scarborough Shoal.” The West Philippine Sea covers sea areas that are already Philippine jurisdiction (**Fig. 2**). This designation may need the approval of the International Hydrographic Organization for international acceptance (Encomienda 2015). The total sea area exclusive of Scarborough Shoal has been estimated by us at 281, 000 km².

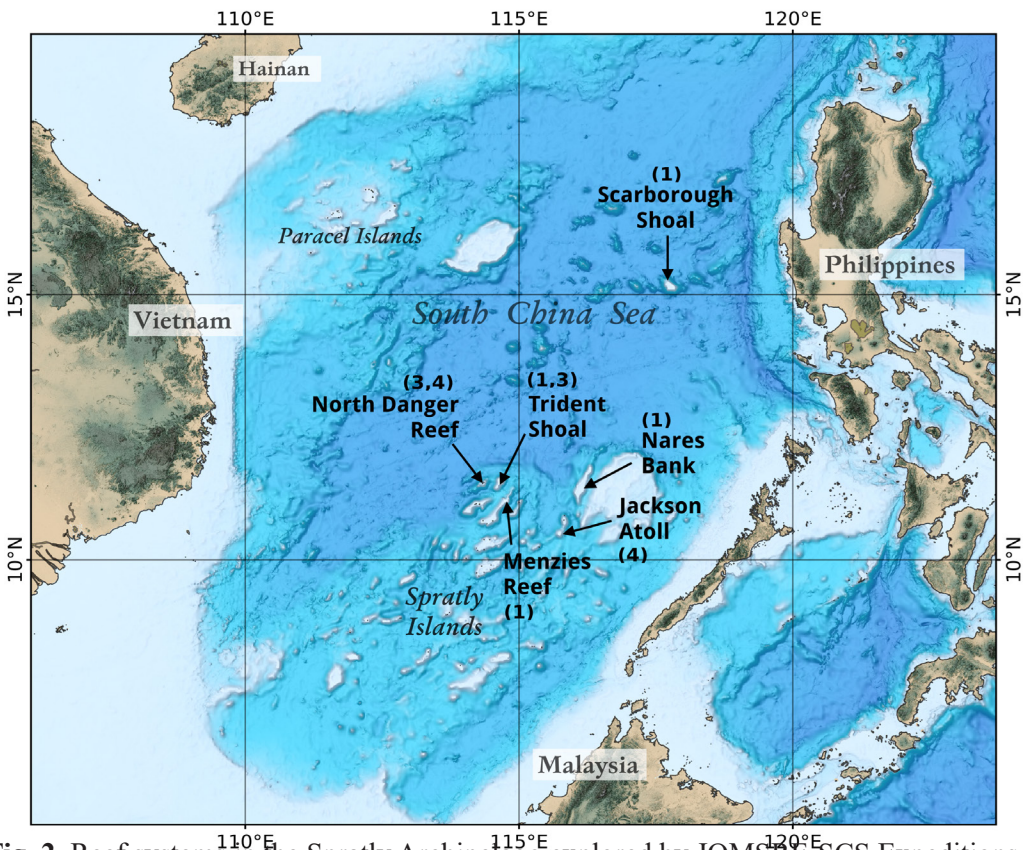


Fig. 2. Reef systems in the Spratly Archipelago explored by JOMSRE-SCS Expeditions in 1996-2007, including Scarborough Shoal. Number(s) in parentheses indicate expedition number.

Studies by scientists of the Indochina Institute of Oceanography on the corals and other organisms in the Paracel and the Spratly archipelagos in the South China Sea were made in the 1890s, the 1920s, and the 1930s. These studies were interrupted beginning in 1933 but were resumed in the 1980s up to 1996 by scientists at the Nha Trang Institute of Oceanography of Vietnam in cooperation with Russian scientists (Tuan et al. (1997). Unfortunately, the authors were not able to access the reports on these earlier studies. The more recent study of the Spratlys was made in 1996-2007 by the Philippines-Vietnam Joint Oceanographic and Marine Research Expedition in the South China Sea (JOMSRE-SCS), initiated by Philippine President Fidel V. Ramos and Vietnam President Le Duc Anh.

For purposes of this paper, the discussion will deal mainly with the Spratly archipelago and Scarborough Shoal, the reef systems that were surveyed by Philippine and Vietnamese scientists during the three JOMSRE-SCS expeditions in 1996-2007 as shown in **Fig. 2**.

Plankton and oceanographic data were collected at several ocean stations aboard the Philippine research vessel on cruise from the Philippines to the Spratlys. The reef systems and their benthic components explored by these marine expeditions were Scarborough Shoal, Nares Bank, Trident Shoal, Menzies Reef, North Danger Reef, and Jackson Atoll. These expeditions were conducted in April to early May for two to three weeks, except for JOMSRE II, which was conducted for a week only because of bad weather in early June 2000. The Conference Proceedings for JOMSRE-SCS I (1997) and for JOMSRE-SCS III and IV (2008) served as sources of data for this paper. The book edited by Aliño and Quibilan titled *Kalayaan Islands* (2003) was also used as reference for the present paper.

GEOLOGICAL HISTORY

The Palawan archipelago (including southern Mindoro and extreme part of northern Panay [Hamilton 1979, pp. 113, 197, 212]) was part of the Asian continent some 70-62 million years ago and rifting of the continental Asia margin between 32 and 16 million years ago led to the formation of the South China Sea (Siringan 2003, Hieu et al. 1997). For over 30 million years, the Palawan archipelago moved away from the Asian continent and became closer to Luzon due to sheer and rift movement of the Pacific plate. The islands now known as the Spratly archipelago (including the KIG) became clearly formed some 10 million years ago as sea level changes and the tectonic processes occurred (Aliño and Quibilan 2003). A computer-generated animation

of the South China Sea basin of Robert Hall (2002) is included in the book.

PHYSICAL AND BIOLOGICAL ASPECTS OF THE SPRATLY ARCHIPELAGO

The Spratly Group of islands (including the KIG) is a marine environment characterized by low islands with generally no or sparse vegetation, shoals, atolls, and sea waters at various depths. One can right away infer the important role of ocean currents, tidal level and atmospheric processes in the dynamics of the whole archipelago. Discussions on the oceanography and climatic aspects such as the El Nino are found in the papers of Wang et al. 2006, Fang et al. 2006, and Zheng et al. 2006. The important role of the monsoons in surface water circulation and their effects in the distribution of marine propagules (larvae of marine organisms) in the South China Sea and internal seas of the Philippines is discussed by Villanoy (2003). Of special interest are the ocean currents, Luzon Gyre off western Luzon and the Nansha Gyre off western Palawan (**Fig.1**), both of which circulate ocean water in the counter clockwise direction during the winter months (Zheng et al. 2006). These gyres probably cause the movement of marine propagules (e.g. fish larvae) to western Luzon and the Palawan area. Other current patterns make it possible for exchange of some species of fish and invertebrates between the Spratlys and the Palawan areas (Endriga 2003, Juinio-Meñez et al. 2003, Ochavillo 2003).

The vertical profiles at Stations 11 and 12 of JOMSRE-SCS I near the Philippines show tropical oceanic water stratification into three layers: the upper layer of 10 meters with 28-29°C. temperature; the next deeper layer of 200 meters as the thermocline (ca15-29°C), which prevents movement of nutrients from the deepest layer to the upper layer; and the deepest cool layer from 300 to 800 meters with temperatures of ca 1-15°C (Hung et al. 1997). The thermocline acts to limit photosynthetic processes and biological production in deep oceans.

The primary productivity of the KIG in the Spratlys is 147-166 gC/m² per year, higher than that in open oceans (San Diego-McGlone 2003). Much of this productivity is due to the phytoplankton and is discussed by Vietnamese scientists who participated in JOMSRE I, III, IV.

Coral reefs, estimated at 600-1,000 km² (Aliño and Quibilan 2003) are the dominant ecosystem in the Spratlys. Seagrass meadows and algal beds are sparse. Mangroves are absent. Patches of seagrass beds consist of four species. The large variety of marine biodiversity and fishery species are generally

found in the coral reefs (**Fig. 3**).



Fig. 3. Coral reefs with fish in the Spratlys. Hard coral cover was 22.85% on the average and soft coral cover was 1.93% with some areas like above close to 100% coral cover. (Photos by B. Stockwell).

Coral reef types include low profile reefs and high profile reefs (more than a meter high) with large surge channels due to strong wave action caused by monsoon winds, the so-called spur and groove formations (Quibilan 2003). Hard coral species found at 18 JOMSRE-SCS I, III and IV sites consisted of 250 species in 66 genera and 18 families. The number of coral species is slightly less than half of the number recorded for the Philippines, which is ca 533, according to the foremost coral expert Dr. J.E.N. Veron. At least one new hard coral species has been reported from the Spratlys and few more rare ones. Hard coral cover was 22.85% on the average and soft coral cover was 1.93% (Long et al. 2008). However, there were some areas with high live coral cover.

Atolls in the Spratlys are generally roundish, oval or polygonal in shape with islands or shallow reefs that may be exposed at low tides and serve to mark the atoll outlines that enclose deeper lagoons (**Fig. 4**). Sea water moves in and out of lagoons mainly through deeper gaps in the ring structure. Lagoons may accumulate nutrients that are released periodically (Long and Chung 2008).

The North Danger Reef and Jackson Atoll studied during JOMSRE-SCS III and IV (Cayme et al. 2008, Du et al. 2008) tend to show higher concentrations of nutrients in the upper 20 meters of the lagoons. These nutrients are dispersed to adjacent oceanic waters. Juvenile and adult fish are also found abundant in lagoons of atolls.

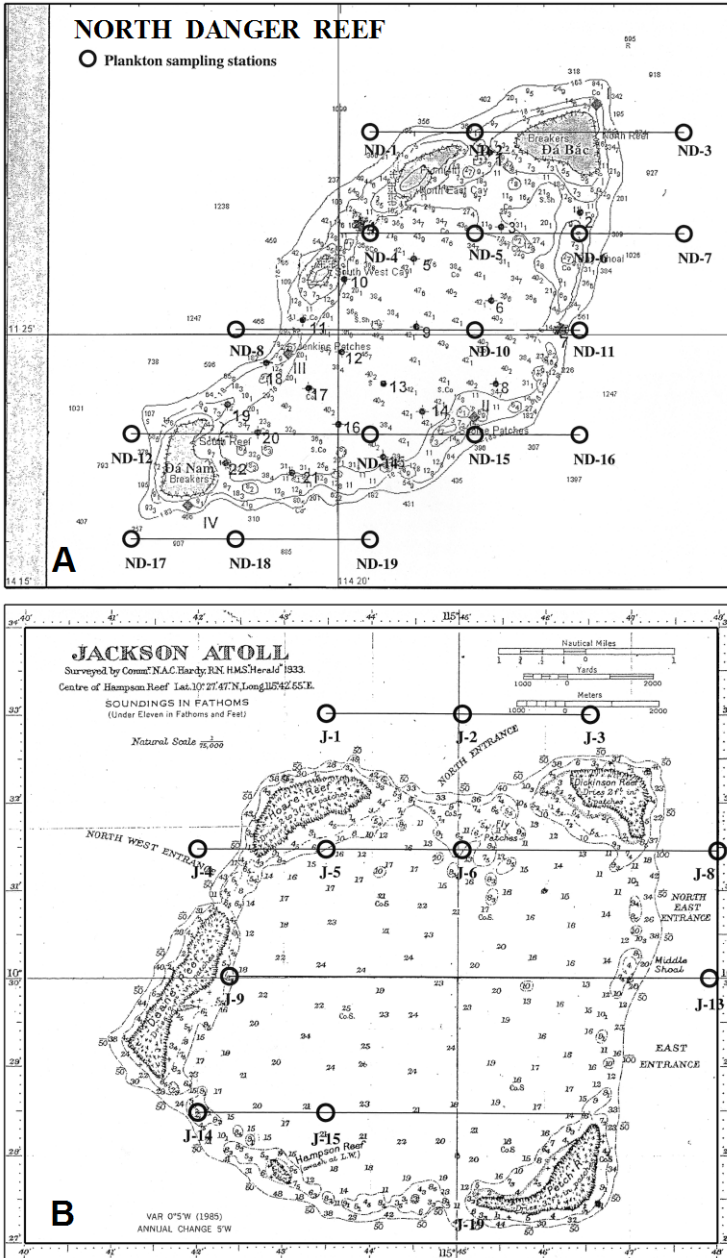


Fig. 4. Charts of A. North Danger Reef; B. Jackson Atoll (After Lam et al. 2008).

Macroalgae were mostly the red alga *Laurencia* and the green coralline alga *Halimeda* according to Calumpong et al. (2008). Trono (2003) remarks that the algal flora of the Spratlys consisted of fewer species compared to that of the Sulu Sea.

It is worth noting that the JOMSRE-SCS expeditions III and IV did not observe other vertebrate species like sea turtles, sea snakes, sharks and whales and dolphins in the vicinity of surveyed areas. But it is possible that they were present in places we did not operate. Whales and dolphins could add to the value of the Spratlys in terms of incomes from ecotourism.

The two most economically important macro-invertebrates found on North Danger Reef, Trident Shoal and Jackson Atoll, were four species of giant clams, five species of sea cucumbers and a few species of gastropods (Calumpong and Macansantos 2008). The rest of the 167 invertebrate species they observed on the three reef systems were sponges, molluscs and sea stars. The predatory crown-of-thorns starfish was observed in moderate numbers. Long et al. (2008) reported a smaller number of invertebrate taxa. In 2007, four species of sea cucumbers were observed being dried in the sun in the Great Danger Reef (Calumpong and Macansantos 2008). The near disappearance of these species in 2007 is a piece of evidence for the heavy exploitation of these species by fishermen. As regards giant clams, only four species were observed in Jackson Atoll in 2007.

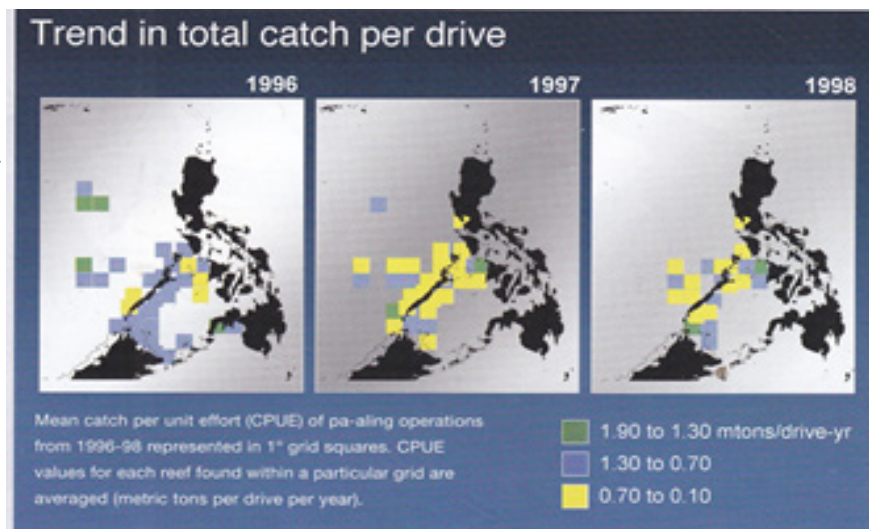
Phung et al. (1997) reported 168 species of fish in Menzies, Trident, Nares and Scarborough. Nañola et al. (1997) reported 248 species from 1991 to 1996 in the KIG. They also gave the average standing stock (biomass) of fish in the area at 114 metric tons per km². The number of species increases to 404 species in 144 genera and 45 families if the data from JOMSRE-SCS I are added. Stockwell and Long found that the dominant families of fish were the Labridae and Pomacentridae, both of which are not really food fishes. The families Acanthuridae, Caesionidae, Lethrinidae, Lutjanidae, Siganidae and Mullidae made up the target (food) families. (Note the absence of groupers, Family Serranidae.) Stockwell and Long (2008) reported that reefs exposed to the southwest monsoon had higher fish densities compared to reefs exposed to the northeast monsoon. One probable reason is that more recruitment occurs from the southern reefs. Long et al. (2008) gave the average biomass of fish at 42.1 metric tons per km², about one-third of that reported by JOMSRE I in 1996. The drastic reduction must have been due to increased exploitation during the past 11 years (1996-2007).

ECONOMIC IMPORTANCE OF THE SPRATLYS

The Spratlys, as far as the Philippines is concerned, is recognized as a source of fisheries and livelihoods for fishers in coastal communities. The archipelago has an important role in the sustainability of fishery species and food security in the future. Aside from fisheries, the area can be a good source of petroleum and other fossil fuels. Its unique marine biodiversity can support ecotourism and provide more livelihood and opportunities for recreational activities for Filipinos. Furthermore, the area, being part of a large ecosystem, can allow scientific research on such urgent subjects as climate change, storm surges, connectivity of marine areas, conservation of biodiversity, functional importance of atolls, sustainable development, etc. Because of limitations of space only few topics can be discussed at length in this paper, such as fisheries and future sustainability of this resource.

Aliño et al. (2003) gave an estimate of 78-105 metric tons per km² as the pelagic fish yield of the Spratly coral reefs based on the Bureau of Fisheries and Aquatic Resources (BFAR)'s 1990 report. The value of this annual catch is US Dollars 47-105 million. The average yield is about 90 metric tons per km², way above the maximum sustainable yield. This can happen only if the whole fish biomass on reefs is swept clean by very efficient fishing gears such as *muro-ami* and *paaling*. Most of this pelagic catch consisted of caesionids (*dalagang bukid*) with a smaller contribution from skipjacks and yellow fin tuna. The potential catch in the areas of the Spratlys, Scarborough Shoal and Macclesfield Bank, where the paaling fishers operate, has been estimated at 5 million tons per year. However, a study by Abesamis (2003) has shown that the catch rates of *muro-ami* and *paaling* fishing have been decreasing (Fig. 5).

Fig. 5. Decreasing Catch Rates of *Paaling* and *Muro-ami* in the Spratlys (After Abesamis 2003).



Fish yield studies of coral reefs in the Philippines showed that good to excellent, high profile coral reefs have sustainable yields of about 15-20 metric tons/ km² per year (Alcala and Russ 1990). Only occasionally can reefs deliver about 30 metric tons/km² per year; an example is Sumilon Island, off southern Cebu, where a no-take marine reserve was set up and fully protected from fishing for 10 years. The Spratlys most probably do not have the potential to produce more than 15-20 metric tons/km² per year as sustainable annual yield--- as long as they do not have adequate-sized no-take marine reserves that can supply fish to the fished area through adult fish spillover. It is not surprising that catch rates declined because of fishing beyond the limits of maximum sustainable yield.

Given the area of coral reefs in the Spratlys as 600-1,000 km² with potential fish yield of 20 metric tons/km² per year, the potential annual sustainable fishery production would be 12,000 to 20,000 metric tons. These would have a value of 12,000 to 20,000 million US dollars.

The fishing gear developed to efficiently harvest coral reef fish is the *muro-ami*, which consists of a bagnet positioned downstream. Upstream, a cordon of swimmers (100-200 mostly boys), swim to drive schooling and demersal (bottom-dwelling) fishes to the bagnet using scare lines tied to rocks weighing several kilograms. By pounding the corals with these rocks to create noise and disturbance as they swim towards the bagnet, the fish at the bottom and in the water column are herded to the bagnet. Because of the finding that the method resulted in substantial damage to coral reefs (e.g. Carpenter and Alcala 1977), the scaring procedure was modified by the BFAR. Instead of heavy rocks, air bubbles (*paaling*) from compressed air were used to drive the fish. *Paaling*, like *muro-ami*, is such an efficient fishing method that 50% or more of the standing stock of fish on reefs are caught.

The use of *muro-ami* to catch reef fishes began in 1948 with 15 commercial vessels, which increased to 301-309 in 1994-1995. The fish production by *muro-ami* has been lumped with the catch from other fishing gears in the total commercial catch making it impossible to determine catches. In 1997, the fish production from this gear was 884, 651 metric tons (Thomas 1999). What can be said is that *muro-ami* operations extended to the Spratlys especially after the more accessible Palawan reefs became overfished. This was revealed by the seizure of three fishing vessels and 43 crewmen of Frabelle Fishing Corporation by the Malaysian Navy on the issue of jurisdiction of the fishing grounds of the Spratlys (Thomas 1999). It is, in fact, common knowledge that Chinese, Taiwanese and Vietnamese fishers operate in the West Philippine Sea.

CONNECTIVITY OF THE SPRATLYS

Fish larvae were sampled from 14 stations using double oblique tows on board the Philippine vessel BRP *Hydrographer Presbitero* during JOMSRE-SCS III and JOMSRE-SCS 1V. About 1,324 fish larvae out of the 1,884 were identified to belong to 43 fish families (Floren 2008). During JOMSRE III, most larvae in shallow water stations near Palawan were those of reef-associated species but larvae in deep stations were mostly those of oceanic (pelagic) species. During JOMSRE-SCS IV, 95% of the fish larvae were demersal (bottom-dwelling), especially those collected near North Danger Reef and Jackson Atoll. The deep stations yielded larvae of pelagic (open-sea) fish species. Larval connection to the Philippines could occur, particularly those of the fish families Scombridae and Myctophidae. The two gyres, Luzon Gyre and Nansha Gyre, mentioned earlier, and other current systems could distribute fish larvae to Palawan and Luzon areas. Studies at the University of the Philippines Marine Science Institute show evidence of genetic connectivity of the Spratlys with Palawan and northern Luzon (Juinio-Meñez 2003, Endriga 2003, Ochavillo 2003). Such studies can be fine-tuned in the future to show parentage relations of fish commonly found in the Spratlys and the Philippines.

ENVIRONMENTAL DISTURBANCES IN THE SPRATLYS

Recent reclamation activities in the South China Sea, particularly in the Spratlys, “constitute the most rapid rate of permanent loss of coral reef in human history” according to Professor John McManus, as reported by James Borton in *Geopolitical Monitor* October 30, 2015. Reclamations could kill coral reefs and fish larvae. To date some 1,000 hectares have been reclaimed on atolls causing siltation (**Fig. 6**). So far, the impact on reef fisheries and marine biodiversity of the West Philippine Sea remains unknown. But it is known that reclamation brings about a plethora of effects and after-effects that it is prudent not to reclaim in sensitive sea areas like the South China Sea, where fish biomass and reef fishery yields have been sliding down.

Another threat to the area, particularly to the atolls, resulting from human use, is chemical contamination of lagoons by a variety of metals and organic substances such as that reported in the Johnston Atoll after 70 years of US military activity (Lobel and Kerr 2000). This indicates that atolls tend to retain not only fish and nutrients but also pollutants because of their semi-enclosed structure which minimizes in and out movements of materials.

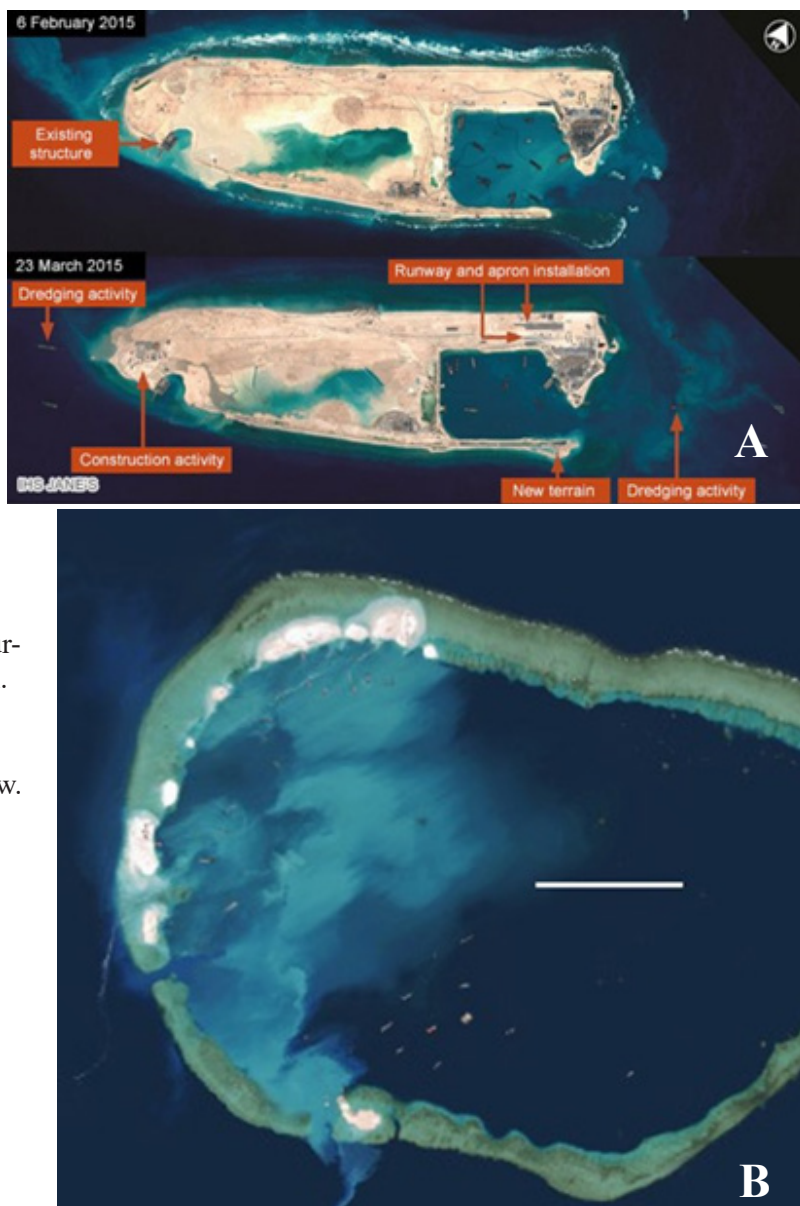


Fig. 6. Reclaimed atolls showing occurrence of siltation. A. Fiery Cross Reef (www.bbc.com); B. Mischief Reef (www.nytimes.com).

CONCLUSION AND RECOMMENDATIONS

There is evidence that the Spratlys is a source of marine propagules for Palawan and Luzon areas, Philippines. This is indicated by the genetic similarity of some species of fish and invertebrates. The water circulation in western Palawan and western Luzon makes it highly probable that fish larvae of the

fish families, Scombridae, Myctophidae and others are dispersed to the Philippines especially during the northern winter months. More genetic studies on fish and other marine species are however needed.

The atolls in the Spratlys are important in that they retain nutrients needed for marine production. These nutrients which are periodically released to the surrounding open ocean are utilized in primary production by phytoplankton. Atolls also retain in their lagoons adult fish that produce larvae that are being released at times for wider distribution in the South China Sea. Some of these larvae could reach the Philippines through oceanic currents, like the Luzon and Nansha Gyres, especially during the northern winter months.

The Philippines benefits from fisheries in the Spratlys. Data in the past clearly showed a substantial value in U.S. dollars of the fisheries in the Spratlys. Minor marine products, such as sea cucumbers, giant clams, etc., although of unknown monetary value, also contribute to the economic life of Filipinos. Coral reefs function to moderate extreme weather conditions and to provide cultural and aesthetic benefits to the country should also be recognized. In the case of the Scarborough Shoal, evidence exists that in the past, fishermen from the Visayas and Mindanao in southern Philippines used to make regular annual journeys northward to fish in the waters of the Shoal.

It is recommended that a policy on regional ocean governance be adopted by countries surrounding the South China Sea, including the Philippines under UNCLOS Part IX, which states that “States bordering enclosed and semi-enclosed seas should cooperate with each other in the exercise of their rights and in the performance of their duties under the Convention.” “There are areas of cooperation for immediate implementation i.e. cooperation in fisheries, the preservation and protection of the marine environment and marine biodiversity, marine scientific research, and safety and security of navigation; or regional ocean governance in general (Encomienda 2015).” Under this policy, 20-30% of the coral reefs in the area and all or part of the atolls could be established as no-take marine reserves and should be protected and managed and regularly monitored to ensure the conservation of marine biological resources in the Spratlys. This is especially urgent because, as stated earlier, fish biomass and abundance in the Spratly reefs surveyed by the JOMSRE expeditions have been shown to have been reduced by about two-thirds in 11 years (1996-2007) (Stockwell et al. 2008). The idea of no-take marine protected areas (MPA) in the Spratlys was suggested by McManus and Meñez in 1997 and by Philippine and Vietnamese scientists meeting in Ha Long Bay in 2007.

As discussed above, there is good reason to be concerned about fisheries because of the recent findings that abundance and biomass of coral reef fishes have gone down (Stockwell et al. 2008) and catches from *muro-ami* and *paaling* fishing gears used on coral reefs have been reduced (Abesamis 2003). No-take marine protected areas in the Philippines have been shown to build up the abundance and biomass of coral reef fishes in no-take MPAs and to export adult fish and larvae to fishing areas for sustainable fishing (Alcala and Russ 1990, 2006).

Currently, there exists a special kind of MPA that is gaining favour among policymakers who are interested in exploring alternatives that will temporarily suspend territorial claims in disputed areas, according to James Borton who wrote the article “Geopolitical Monitor October 30, 2015” published by Geopolitical Monitor.com. This is the concept of Peace Parks defined by The International Union for Conservation of Nature (IUCN) as “transboundary protected areas that are formally dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and to the promotion of peace and cooperation.”

Borton cites five examples, four of which deal with the marine environment, as follows:

1. The Waterton-Glacier International Peace Park created in 1932 between Canada and the United States. This agreement led to collaborative research, ecotourism, and increased partnerships.
2. The Red Sea Peace Park established in 1994 between Israel and Jordan in the northern Gulf of Aqaba. This park led to normalization of relations and fostered coordination of marine biology research on coral reefs and marine conservation. The two nations and former enemies agreed to a peace treaty after many years of belligerency (material from NOAA).
3. The Torres Strait Treaty signed in 1978 between Australia and Papua New Guinea resolved, after a decade of negotiation, numerous political, legal and economic issues.
4. The Antarctic Treaty forged in 1959 is an excellent example of a multi-lateral peace park and solidified collaborative scientific research and conservation practices.
5. The Joint Oceanographic and Marine Scientific Research Expedition in the South China Sea signed in 1994 and carried out by the Philippines

and Vietnam in the Spratlys in 1996-2007 resulted in fruitful research collaboration and promoted friendly relations among Philippine and Vietnam scientists.

It is hoped that, because of the success of parks in the Philippines and other countries, government will consider both the traditional no-take marine reserves and the peace parks as practical solutions to the South China Sea issues.

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LOCAL GOVERNMENTS IN THE PROPOSED BANGSAMORO REGION: ENHANCING THE REGION'S CAPACITY TO PROMOTE ECONOMIC AND SOCIAL DEVELOPMENT

Edmund S Tayao¹ and Aubrey M Bahala²

This paper will make an assessment of the potential of local governance in the ARMM using official records of revenue and documentations of best practices of LGUs recognized by various institutions. The paper will also look at how the ARMM has been working with the LGUs, looking into the notable regional laws enacted that directly impact on local governance if any and/or various programs that the regional government has collaborated closely with LGUs. From these assessments, the paper will then recommend how best to move forward. Moving forward should mean how LGUs could be more effective either with the existing ARMM or under a new Bangsamoro government. Key to all these is making sense of the significance of both the regional government and the LGUs in governance, especially from the perspective of the national government.

INTRODUCTION

The developments in the constitutional and political landscape post-Marcos dictatorship underscored the compelling need to adopt a decentralized form of government, emphasizing on the fundamental role played by local government units (LGUs) which are basically at the forefront of governance. Despite the formulation of the Local Government Code in 1991, there remains the challenge of ensuring that the structure provided by the Code will be improved, if not reformed as the need arises, over time. Apart from the need to revisit the local governance structure provided therein, there is also the need to reassess if the LGUs have been able to effectively carry out their mandates in the areas of basic service delivery, boosting of local economy, achieving independence from the shares from national government wealth through the internal revenue allotment, among other issues.

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Inasmuch as there are developments that have finally brought the issue of greater autonomy in Mindanao into the spotlight of President Benigno “P-Noy” Aquino III’s administration, the road towards an autonomous Mindanao region remains lengthy if not tedious and challenging. This scenario can be attributed to the issues on the need for development opportunities and security, which are the two issues at the heart of local conditions in the proposed areas of the Bangsamoro region. In discussing these two issues, it is imperative to make sense of how to address them in relation to the fundamental role played by LGUs in the proposed Bangsamoro region and how their optimal performance and strengthened capacities will contribute to addressing perennial poverty-related problems in their communities.

Alongside the discussion on the role of LGUs and the critical ingredients to making the Mindanao region autonomy a hard-earned success, this paper will explain in detail the two compelling reasons as to why the national government plays a key role in orchestrating said success. The author will zero in on the how the transfer of substantial authority from national government to the regional government and the LGUs will not only require preparedness and strengthened capacities on the part of the local tiers of the government, but also equal access to development opportunities.

The successful return to democracy was a remarkable period for many. The Cory Aquino presidency was a time for reform as the government enjoyed substantial political capital. In fact, she had the opportunity to use her powers, to redesign the whole political system owing largely to her government’s being “revolutionary”; enjoying virtually the same powers as under martial law. She chose instead to come up with a new constitution and move immediately from a “de facto” to a “de jure” or constitutional government. This constitution introduced a bevy of new mechanisms in strengthening democracy and expanding representation. Most notable among these are the provisions for party list representation (Art. VI, Sec. 5 of the 1987 Philippine Constitution), recall, initiative and referendum that directly empowers the people to legislate and or approve legislation (Art. X, Section 3, and Art. VI., Sections 1 and 32). Good or bad, it limited the term of office of the President to one, albeit extending the length of incumbency from 4 to 6 years (Art. VII, Section 4) and at the same time shifted the country’s public administration from one that is centralized to one that is decentralized (Art. X, Section 3). Recognizing the country’s multi-ethnic and archipelagic nature, the constitution also provided for autonomous regions in Mindanao and the Cordilleras (Art. X, Section 1 and 15 to 20). It is also important to note, in relation to this, that the President’s authority over local governments and autonomous regions is one of “general supervision” (Art.

X Section 4 and 16).

While under a constitutional government there were substantial limitations, as this time policy-making undergoes the tedious process involving the legislature, a body that is essentially a political arena and less of a policy making institution, the government of then President Cory Aquino still managed to enact Republic Act 7160 or the 1991 Local Government Code as it was a priority of the administration. Of course it did not come without any opposition, considering that the measure essentially changes both administrative and political dynamics in the country. As reflected at least in both Houses of Congress then, the memory of the Marcos years remains fresh that prompted to stay the course of reforms, that decentralization became a reality and the enabling law was enacted. It would have been easier for Pres. Cory to fast-track decentralization and put to practice all the key democratic mechanisms enumerated above by maintaining a revolutionary government. On the other hand, at the very least, decentralization became a reality.

The case of autonomous regions on the other hand is an entirely different story. While Mindanao managed to at least establish an Autonomous Region of Muslim Mindanao (ARMM) through the enactment of Republic Act (RA) 6734, the Organic Act of ARMM in 1989, the Cordilleras failed to achieve the same since only the Province of Apayao, 1 of the 7 provinces in the region, voted to be part of the Cordillera Autonomous Region under RA 8438. Meanwhile, ARMM was even expanded with the inclusion of Marawi City in Lanao Del Sur and the Province of Basilan with the passing of RA 9054, which became effective only as it lapsed into law. Despite all these, poverty remains widespread in the region and armed conflict still continues unabated. Until such time that real tangible development is achieved in the region, this depressing situation is bound to remain. Of course, it is easier said than done. It has become essentially a chicken and egg problem, as development is possible only if there's peace and the latter can be achieved only if there's development. Eitherway, the question of how, which focuses on the the means that will be used to achieve or even just approach any of these objectives or requisites, remains to be a fundamental question. This explains why local governance has to be given significant attention.

Once the De Jure government was in place, the euphoria brought by EDSA 1 has given way to a more sober time when everything went back to how it was used to be. This is a period when many looked back and said that the Cory presidency was not a revolution, but a restoration. The Code was a remarkable reform, but that is all that was passed and the concomitant reforms did not get through. Once we've understood how significant the structure of

government is, particularly decentralization's impact on dominant political families, not only politically but also administratively and economically, it can only mean that decentralization is the most logical reform after years of dictatorship. Decentralization has been the single most significant political reform after Marcos. This is so because it completely changed the dynamics of politics in the country. Of course, the dominance of the center is still significant, but not without notable political and economic openings provided by decentralization. In essence, decentralization provided opportunities for local leaders and the community as well in that it became the main vehicle of social and economic development to the countryside. Decentralization, essentially, means a change in the rules of the game, re-allocating political power to local leaders, it explains why the Code was passed in the early years of our newly restored democracy but has since remained as it is.

The law provides that Congress is to conduct a "mandatory review" every 5 years "with the primary objective of providing a more responsive and accountable local government structure" (Sec. 521). Despite the long experience of almost 25 years of decentralization, facing real limitation on local governance and allowing a better understanding of how best to move forward, we have yet to see a real review of the Code and a well-meaning effort to revise the law.

Decentralization therefore offers a good way to assess politics and governance in the Philippines after the Marcos. Decentralization impacted on the local economy; this time local government units (LGUs) have the authority to comprehensively plan since the local leaders are now empowered to come up with local policies and programs. LGUs now control their own finances and they can finally undertake what they see fit in their locality without the need to ask the central government to go ahead. This authority, of course, requires political capacity that is likewise afforded by decentralization; in the Code, national vis-à-vis local government relationship changed from that of control to general supervision.

Any reform initiative should have a broad perspective. While the economic and the political are distinct activities, it doesn't mean that their dynamics do not overlap. Reforms have to be systemic because the country's problem is systemic; and until we finally have these systemic reforms, we can never really catch up with the many countries that has since left underdevelopment.

Decentralization is supposed to, for one, afford significant autonomy to local governments. This is following the key organizing principle fundamental in governance, the principle of "subsidiarity." Following this principle means

recognizing that social problems are to be dealt with at the most immediate or local level as it is consistent with the solution to the problem. The first supposition is the impetus to the second, which is to improve the delivery of basic services. The local government is the first level of government. Especially for those areas that are far from the center, it is the level of government that can immediately respond to the needs of the people and of the local community in general. The capacity to respond is essential if the local community is to develop. The third supposition, which is to serve as an instrument to develop the local economy, completes the purpose of decentralization. Ultimately, this part is intended to lead to the emergence of new economic elites.

As previously mentioned, there had been many notable local developments documented by various studies and recognized by many reputable award-giving institutions. The question of significant impact, in that the change is not only on the surface but substantive, is however something that is not clear. Most of the noted achievements from the start of decentralized administration have been dependent significantly on local leadership. Delivery of public services has improved in some, but remain wanting in most. Autonomy remains dependent on both the local and national chief executive. The local economy on the other hand remain virtually unchanged; the dominance of the same political and economic elites persists and thus decentralization as it has been is incomplete and requires fine-tuning if not strengthening. All these are most apparent in Mindanao. There are some provinces, municipalities and cities in the region that managed to make the most out of the autonomy afforded to them by law. The greater part of the region, on the other hand, remain considerably wanting, underdeveloped and dominated by the same political families as before. In theory, the establishment of the autonomous region could make all the difference, in fact set the whole region apart from the rest of the country. On the other hand, there are critical problems that remain, and the autonomy that is supposedly established is all but insignificant or even flawed. The peace process under this administration is supposed to address this with the drafting of the Bangsamoro Basic Law (BBL). Real political dynamics on the other hand have effectively stalled this opportunity.

CRITICAL LOCAL CONDITIONS IN MINDANAO

Development in the Mindanao region remains a challenge. In fact, it is difficult to approach as to where any initiative should start. The development challenge is essentially a chicken and egg problem. Security is needed in order for development to take place while development is needed to ensure secu-

rity. The best way then is to work on key issues of development and security simultaneously, each reinforcing the other. This is possible only with a national government that is firmly supportive of promoting autonomy and decentralization. It's more than a question of control, it's a question of coordination and collaboration. It's easier said than done though especially if we consider the "real politik" of national and local leaders. Still, if the country hopes to catch up in social and economic development, there has to be a way to approach the issue of security and development seriously by both the national and regional and local governments. To be specific, if we take a close look at the local conditions in Mindanao, it can only be approached with the significant involvement of local governments. The issue of security and poverty are the fundamental issues in this regard, which can only be addressed with good local governance.

Security remain a key issue in the region, particularly on terrorism. Terrorism in the Philippines, perhaps even in other countries, is a reflection of two important issues, poverty incidence and governance, which make it a very local issue, that is, dependent significantly on governance at the local level, especially the kind of politics that is practiced at the local level. If we look at how these two relate with each other, we can say that it is more of governance as poverty incidence is also essentially a result of which. Governance is a recurring issue and problem in the country, and it is this particular factor that anyone looking into local development should start.

Governance is significantly wanting in the country. The government could hardly come up objectively with policies and programs and implement the same. This have led many experts in saying that essentially, the question is if we have a state, at least one that functions well to serve the differing needs of the country. Current scholarship on the significance of state institutions has been compelling. Thomas Risse (ed. 2011) argues that "limited" statehood 'is not a historical accident or some deplorable deficit of most Third World and transition countries that has to be overcome by the relentless forces of economic and political modernization in an era of globalization' (2). It was argued further that 'limited statehood is here to stay' and thus the role of experts in governance is to understand these new conditions and recommend the best way forward.

Table 1
Ration of Policeman to Population¹

Philippines	1:651
Afghanistan	1:212
Canada	1:500
China	1:488
Colombia	1:270
Greece	1:226
Italy	1:142
United Kingdom	1:442
United States	1:342

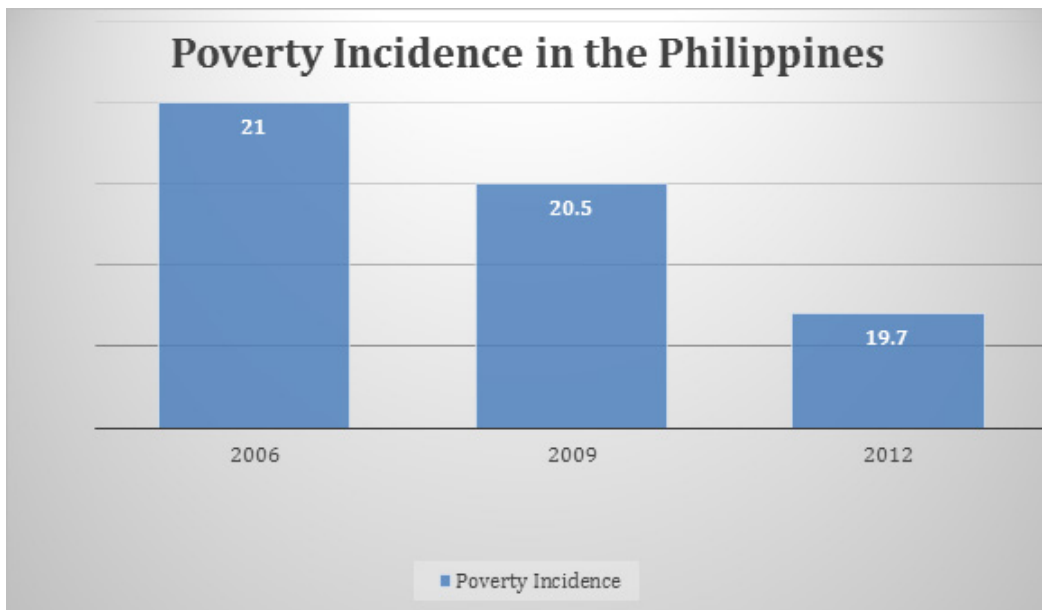
The general question therefore, as far as current scholarship is concerned, is how to address the challenges posed by limited statehood. Risse notes that governance is a process that entails two dimensions, actors and modes of coordinating social action; various institutionalized modes of social coordination to produce and implement collectively binding rules, or to provide collective goods. This simply means that various combinations of state and nonstate actors ‘govern’ in areas of limited statehood (ibid: 9, 11). This is most apparent in the case of the Philippines, in Mindanao and even in other regions. Nonstate actors are very significant that the government cannot undertake anything of significance without the involvement of civil society. In Mindanao, the significant role of non-state actors, particularly of traditional leaders, and due largely because of prevailing conditions, even rebel leaders, cannot be ignored. It is a remarkable irony that transitioning from a weak state or lack of strong public institutions to that of a functioning state with effective public institutions, require the participation of non-state actors. Any effort to improve on governance, possibly reinvent public institutions, cannot possibly be done without them. Either the civil society assists the government from formulation to implementation of a program or policy, or it serves as a watchdog making sure that the government works as originally expected or intended by law or consistent with standards set by law. Especially in the countryside

¹Source:<https://www.google.com/url?q=https%3A%2F%2Fpublicintelligence.net%2Fglobal-private-securitypolice-officer-personnel-levels-by-countryper-capita-2011%2F&sa=D&sntz=1&usg=AFQjCNHiLI2bA3niMMRv6wqzG4FyGchOIw>

where the government's presence is nearly insignificant, the civil society led by the church or any religious group serves as the next best thing that provides public goods, especially social services. This ranges from basic health services to nutrition and education.

Security is not far from these basic services, that it is also subject to the influence if not outright control of private individuals. Private armed groups abound in the countryside, be it by local politicians or local business interests. This goes without saying that ordinary individuals recognize that law is how and what local leaders say that everyone becomes easily subject to the local power exercised by local leaders. Economic activity is therefore subject to the same authority and influence that one cannot escape. Social mobility becomes subject to local political and economic interests that inevitably, lawless elements will surely find as a conducive environment.

Figure 1
Poverty Incidence in the Philippines in Percentage of the Population
(2006, 2009, 2012)



Source: Office Website of the National Statistics Coordination Board (www.nscb.gov.ph)

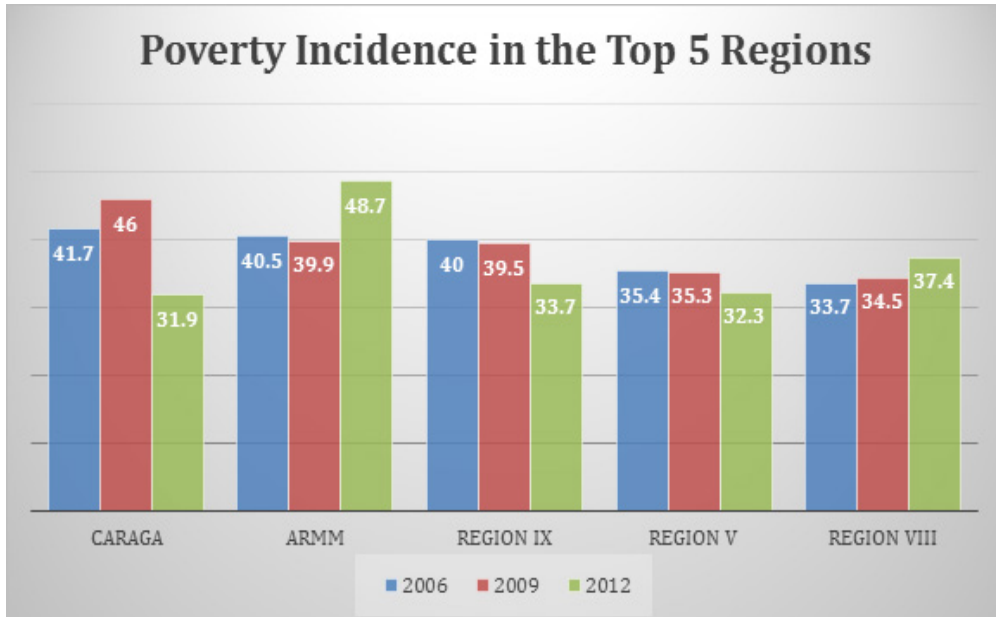
Consistent with the findings of experts on problematic states in the world today, social institutions serve as alternative to state institutions. Table

1 will give us a picture of law enforcement in the country compared to selected countries across the world. The Philippines would be the number one country in the list where a police officer will have so much to contend with as 1 officer looks after 651 individuals. It will appear insignificant when compared to a country like the United States where a police officer is concerned with 342 people. If we factor in technology and the support of public institutions then the ratio will be very significant. Compare this with the other countries in the list like Afghanistan. An Afghan police officer tends to only 212 individuals, but the state of governance is simply more wanting compared to all the other states in the list.

The state of law enforcement is best seen on the ground. The Local Government Development Foundation (LOGODEF) recently conducted a focused group discussion in the Autonomous Region in Muslim Mindanao (ARMM) and found out how it is in the island provinces of Basilan, Sulu and Tawi-tawi, the area that has always figured in issues and incidents of terrorism in the Philippines, the Abu Sayaff Group (ASG). In the FGD conducted, it was revealed that a municipality in the region, composed of several islands as villages, separated by at least an average of an hour travel by motored boat, would barely have 5 uniformed personnel. A visit of a potential investor would often result to the absence of these law enforcers, as they will most likely provide security. The coming of investors in the region then, as it was revealed in the FGD, is viewed rather differently at the local level, that at times, they are seen as a challenge to security more than a way to to improve local development and therefore strengthen local security. This then gives us the picture of the state of security in the region.

Table 2

Poverty Incidence in the Top 5 Regions in Percentage (2006, 2009, 2012)

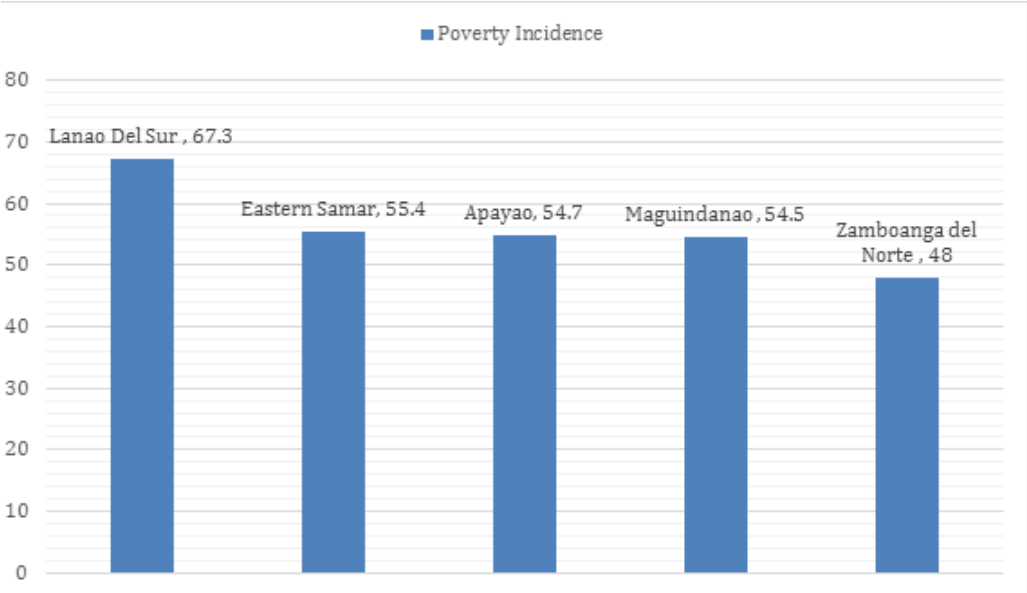


Source: Office Website of the National Statistics Coordination Board (www.nscb.gov.ph)

The impact is staggering which ultimately explains the problem of security in the country. This is exactly the situation we are in at this time, unfortunately. There has to be an entity that provides the hierarchy and authority needed to knit society into a unit. In the process of looking for this entity, it has resulted to the emergence of groups in society that now effectively competes with the state for influence and authority. Instead of a state that is made up of public institutions that is separate from societal forces, what we have is a network of dyadic, i.e. two-person reciprocities, that is articulated vertically, one that is consistent with feudalism, slavery, serfdom, the caste system or the patron-client structure of leadership that we have (Scott 1990: 61). There are no horizontal links among subordinates that therefore, if they are to be assembled, it must be by the lord, patron, or master, the one who represents the only link joining them. It may be possible to have horizontal linkages, that is by way of village traditions, ethnicity, religious sect, dialect, and other cultural practices, but these however have no place in the official picture (Ibid: 62). If at all, this prevailing structure should be enhanced; it has been already well established that while, ideally, it should be replaced by a state structure that is considerably separate from society, it is a social and political project that is

subject to so many factors that only history can very well determine.² What we can learn from this new scholarship is that working to make governance work today requires taking a step back and refraining from ‘either everything or nothing’ conceptual solutions (Risse ed. 2011: 16, 17).

Table 3
Poverty Incidence of 5 Provinces in Percentage



Source: Office Website of the National Statistics Coordination Board (www.nscb.gov.ph)

The challenge is apparent especially if we look at the state of poverty in the country. Poverty incidence is a really good measure of governance in any country. Every three years, the Philippine government measures poverty and the result suggests that recently, there has been a considerable improvement. From 21 percent of the total population in 2006, it has successfully gone down to 19.7 in 2012. On the other hand, it might be interesting to look at the recent projection of poverty incidence by NSCB covering 2013 and 2014 (see www.nscb.gov.ph). This stands at 25.8 compared to the official rating in 2012. This could be an indication that efforts to address poverty in the country may not be that effective.

² There had been a number of useful work in this regard. At least those that can succinctly explain state formation or state building, see Barkey and Parikh 1991, Axtman 2004 and Migdal 2004.

What is more staggering however is when we compare the overall national rating of 19.7 percent to regional figures. Table 2 will show that the rate of 19.7 percent for the whole country will more than double in the ARMM at 48.7 percent poverty incidence. Note that the top 5 regions on poverty incidence in the country would be the hotbed of insurgency and or terrorism. CARAGA is in the northeastern portion of Mindanao, Region 9 refers to the Zamboanga Peninsula, Region 5 is the Bicol Region and Region 8 refers to Eastern Visayas. These regions play hosts to the New People's Army, the ASG, separatist movements like the Moro Islamic Liberation Front (MILF) and the Moro National Liberation Front (MNLF) and their spins offs like the Bangsamoro Islamic Freedom Fighters (BIFF). CARAGA recently has figured prominently in the news as Indigenous Peoples (IPs) have been subject to violence and forced disappearances.

It is then no surprise that the top provinces that will average more than 50 percent in poverty incidence comes from the region, Lanao Del Sur, Eastern Samar, Apayao (North of the Philippines, Cordillera Administrative Region or CAR), and Maguindanao (site of the now infamous Maguindanao Massacre in 2009 and the Mamasapano Massacre in January 2015 and Zamboanga Del Norte).

What is important to note in the foregoing is the objective that we now have in our hands. We have a government and this government is ran by leaders who we elect, but because the government has to compete with other elements of society for authority and influence, it has not been effective enough as to amount to a functioning state. The objective is to make our public institutions work and this can be done by structuring it well enough to serve our purposes. We can learn from the assertions of scholars that have closely studied countries that democratized recently, those so-called third wave democracies.³ Democracy is a form of governance of a modern state, and without a state, no modern democracy is possible (Linz and Stepan 1997: 17). Autonomy and decentralization should be approached in this context. Strengthening the regional government in Mindanao along with the regions, LGUs is the way to proceed. Contrary to the fears of many, giving real autonomy in Mindanao is not giving away the south in that essentially the central government will have less and less authority and significance in governance there. Much is in fact

³Samuel Huntington in his seminal study (1991) explains the different waves or “group of transitions from nondemocratic to democratic regimes that occur within a specified period of time and that significantly outnumber transitions in the opposite direction during that period” (p. 15), and third wave democracies are those that democratized starting with Portugal in 1974 up to 1990 when the total percentage of democratic states in world has doubled from 24.6 to 45.4% (21-26)

expected from the central government especially if finally, we are to see a regional government that is clearly working.

TRANSITIONING TO GOOD LOCAL GOVERNANCE IN THE BANGSAMORO

Autonomy and decentralized governance should not be taken to mean less work or responsibility on the part of the national government. Autonomy and decentralized governance mean better and clearer delineation of functions intended primarily to share responsibility, complementary and interdependent work at the national, regional and local level. With an autonomous regional government, the role and significance of the national government, especially in terms of policy direction remain fundamental for the whole system. In fact, the main reason why autonomy in the region is a sound political and administrative option in the country is mainly to make the national government perform its work better that this time it works with a region that will assist in ensuring a coordinated work at the local level. In particular, the south that is at the other end of the archipelagic country that essentially includes the LGUs on board and contributing individually to the brand of development that it sets. Especially at the transition level, the work of the regional government and the performance of the LGUs, would still be affected by whatever the national government does, whether policy wise or political activities of the national leaders. If the national political leadership fails to support the transition, strengthening the regional government and its role in local governance with the LGUs will still suffer. Even if say, the law creating the Bangsamoro Regional Autonomous government and the Local Government Code have provided enough powers to the region and the LGUs, these will still require implementation and support from the national government. In this sense, assessing the success or failure of a new regional government and its LGUs is significantly affected by what the national government does.

Autonomy and Decentralization simply means “from the center”, and therefore, much depends from the central or national government. Setting up and ensuring the success of decentralized administration depend significantly from what the national government does and does not do. Setting up decentralization is a decision that is made by the national government; the reason and objectives of decentralization is then primarily initiated by and from the national government. What is to be accomplished thru decentralization should be adequately provided in the relevant laws that are enacted for the purpose. Considering that decentralization is essentially a system change, it requires substantial time and resources to take root; it is fundamentally migrating from

one set-up to another requiring time and resources to ensure successful adjustment, i.e. adaptation to a new administrative, procedural and even political and economic environment. These requisites logically can only be provided by the national government because of the following:

1. Fundamental decision-making authority relative to system or administrative-structural changes is the inherent domain of the national government;
2. In terms of resources, it is the national government that can share or even transfer what is necessary to the LGUs for the latter to adequately perform the new duties and responsibilities that are transferred;
3. National government remains the level of government that enjoys a broad perspective that is crucial in ensuring coordination among different government agencies at different levels. Key policy directions should then be provided by the national government while the LGUs subscribe and adopt specific measures to carry out these policies and therefore formulate the best means to implement it.

The moment decentralization is introduced in an existing system, the role of the national government is most crucial. This role remains until decentralization is institutionalized; that the different levels of government have reached the condition where each perform complementary function without necessarily one depending significantly from what the other does. Until such time where this condition is met, governance would remain dependent on leaders and on the uncertain and or unstable political and economic environment. What we mean essentially is that there has to be a complete transition from what was essentially a centralized administration to one that is decentralized. And particularly in the case of the Bangsamoro Region, a transition from a central government that still literally controls the regional government, to one that supports autonomous regional governance. The right technical assistance as well as the needed funding should accompany the assignment and re-assignment of functions. As much as possible, it should also include periodic assessments so that further improvements can be made that we are able to maximize the opportunities LGUs enjoy under the regional government. Considering all these, assessments should look at whether the national government has set sufficient policies and programs toward this end. This means that apart from the law that creates the regional government, the Code and other relevant laws, there are programs that are designed and provided so that the regional government is able to absorb and perform its functions well along

with the LGUs. So immediately, the question is if the national government, not only through fundamental policies implementing decentralization, but also including concrete programs designed to assist or capacitate the regional government and LGUs are present from the start and all these are constantly reviewed and modified to suit the needs of the whole region. Assistance should be more in the form of technical assistance matching the necessary funding that comes with decentralization. Constant review of policies and programs are needed on the other hand, primarily to determine how the LGUs have been responding and or adapting to the new system of decentralized administration.

There are two basic reasons why the national government is important to the success of autonomy and decentralization. One, when government decentralizes, it ultimately means that the national government is giving or transferring substantial authority and therefore more responsibilities to the regional and local governments. This transfer entails capacity to perform more than just assumption of new functions. Transferring authority therefore should include a significant transition where the regional government and the LGUs are prepared to handle these new responsibilities. Since we expect regional government and the LGUs to perform, especially with the degree of autonomy afforded to them under the law, the national government should not give them any reason why they cannot deliver. The national government should be able to provide the right technical assistance to the region and the LGUs and help make sure that the right capacity is developed.

Regardless whether the local government or any agency for that matter is mandated by law to perform particular functions, the question will always be how prepared one is to handle these new responsibilities. Preparedness should not only be seen in terms of individual competencies of leaders and personnel, as has been experienced in many local governments since the enactment of the Code. This is largely because there was no transition that actually took place but a mere re-assignment of responsibilities that ended up being largely unfunded and unimplementable because of lack of competent personnel. Equally important is the availability of resources, which includes the institutional capacity to make resources available, and these purports to a good system of local public administration that should be in place. Regardless how prepared the personnel are, their effectiveness will depend significantly on the resources at their disposal and the organization in place to put these to good use especially in critical junctures. In this sense, much emphasis is given to raising revenues without noting that this is dependent on the degree of economic activity in the local community, which is significantly influenced by the work of the LGU. Efficiency in collecting local taxes and fees is one thing, but

providing a good social and economic environment that will provide the people livelihood and therefore ability to pay these taxes is another. LGU capacity is thus comprehensive where the performance of one function is dependent on another.

Second importance is directly significant to the given diverse conditions of LGUs all over the country. As has been clarified early on, the primary purpose why countries decentralize is to enable governments to adequately meet the demands of the time and in the end become effective instruments of development. Now this is possible only if LGUs would have at the very least relatively equal opportunity. At least in terms of options available for local leaders, the code outlines what LGU powers are, setting a level playing field. This consideration is remarkably not present in Mindanao, particularly in the ARMM and or the proposed Bangsamoro region. This explains why the region, along with the Cordillera was especially mentioned. Not only is the region unique because of the people's cultural and religious background, but also because in terms of development, also shown largely in terms of poverty incidence, it is obvious that it is the one lagging behind most. Either due to sheer size or natural endowments, LGUs across the country will always have different levels of development and capacities. The case of Mindanao will always be special on the other hand not only because of reasons already mentioned but also because of its distance from the center. Thus while each perform the same responsibilities and wield the same powers or authority at different levels or classifications, others would naturally perform better than the others. The only thing that is common to all is the national government, the role it plays and the resources that it wields. This development disparity can directly affect the success or failure of any government program and thus could easily be used as reason against autonomy and decentralization. The national government plays the important function of equalizer, so that various programs can be adequately implemented regardless of the inherent weaknesses of any LGU. The point simply is that decentralization allows and recognizes disparity among different LGUs. On the other hand, this should not amount to detachment or independence of any LGU as the national government serves as the unifying agency.

If we set the foregoing as the premise, we can determine not only the reason why there has been a mix of successes and failures of LGUs despite decentralization. The reason for these varied records of performance is also the solution or at least where we can start to make full use of decentralization and thus result to what we have been aiming for all these years that is good governance. This is most imperative in Mindanao that the need for good governance is more severe and what is at stake is remarkably more considerable.

The transition is key, that the role of the national government in ushering a new era of autonomy in the region is fundamental. After 2 decades, we should have been able to make necessary adjustments as we assess the work of LGUs, the relative NGAs and even CSOs considering the new environment that decentralization has brought about. This could have been brought to bear on the way to move forward in the Bangsamoro. Interestingly however, it seems that the results of decentralization have bottomed down on just the achievements of individual leaders, something that cannot possibly be replicated. It remains a long way to go if we talk about institutionalization, and sadly, mainly because of this, even at this juncture, we can only hope that there will be enough support for real autonomy in the Bangsamoro. Until such time that our political leaders actually understand the essence of autonomy and decentralization, of the national government being able to work and collaborate with LGUs, and for LGUs to step up and work effectively with the national government, we might continue to just talk about what's best and not be able to proceed accordingly.

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