

CHINA'S GRAND LARCENY

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It is my honor to welcome you as we mark the second anniversary of the UNCLOS Arbitral Tribunal's decision on the Philippines' case against China in the West Philippine Sea.

The tribunal's decision was of great importance to our country and to all peace-loving people who believe in a shared vision of regional prosperity, peace, and the rule of law.

As we celebrate the second anniversary of our victory, we should take this opportunity to re-examine what has transpired in our maritime commons and leading us to where we are today. We also would wish to characterize, not only China's behaviour, but also our own country's actions.

HIJACKING AN ENTIRE SEA

China's plans to dominate the South China Sea began in 1947. Its objective was, and still is, to secure the South China Sea as a sovereign territory and harness its resources to feed its population, fuel its economy and become the new regional super power. With a pencil, China's planners looked at a map and drew nine-dash lines to mark a vague perimeter around the South China Sea. Previously it was said to have begun with eleven dashes, then it became nine, then 10, then back to nine again.

Clearly, accuracy was not important to the goal of unlawfully dominating about 3.5 million square kilometers of one of the world's most important sea lanes and South East Asia's most critical marine resource where millions depend on for their food and livelihood.

With nine little lines, the South China Sea became China's claim for "indisputable sovereignty", underpinning one of China's most potent modern fiction: that one nation could hijack and own an entire sea and all that lies beneath.

INVALIDATING CHINA'S NINE-DASH CLAIM

The Philippines challenged China's baseless claim through diplomacy to no avail. As a last resort, we turned to the sensible path of arbitration. Before an international panel of neutral experts, we presented the facts and our prayer for the rule of law.

Our overwhelming victory in the Arbitral tribunal is a vindication against China's unlawful expansion agenda, and its outcome is now an integral part of international law. The ruling upheld the need for a rules-based order over the waters in the South China Sea. It espoused that any claim not anchored on and supported by the UN Convention on the Law of the Sea should be denied.

However, our hope that the ruling's clarity on maritime rights would usher in constructive areas of cooperation was instead arrogantly ignored by China which continues to strongly flex its muscles against its smaller neighboring states.

CONTINUING UNLAWFUL ACTIVITIES

We are all familiar with China's continuing unlawful activities. These include preventing our fishermen from pursuing their livelihood in our exclusive economic zone, blocking the Philippine development of our natural resources, destroying elements of the marine environment, erecting military facilities, and directly confronting our President with the threat of war.

It is therefore of utmost importance that, today, the Philippines call attention once more to the favorable rulings decided on by the Arbitral Tribunal, whose chief gift to the whole of our region and to the community of law-abiding nations was the invalidation of the nine-dash line.

The landmark international decision should encourage Filipinos to stand with even greater confidence in a principled position on the West Philippine Sea.

To the deep dismay of our people, however, our government has persisted in allowing China to deprive our citizens of what is ours by continuing to shelve the tribunal outcome. We are still succumbing to threats of force including a threat of war. Surprising as it may sound, according to Professor Amitav Acharya of the American University, war is not even a good option for China. Its economy is heavily reliant on global trade, including its fuel supply, which needs open shipping lanes such as the Malacca Strait and the Indian Ocean which are dominated by US naval power.

It may not be necessary therefore to shrink to China's threats of war.

REPUTATIONAL COSTS FOR CHINA AND THE PHILIPPINES

On the matter of a country's character in international affairs, we may say that both the Philippines' and China's current positions are less than acceptable. For China, continuing on its current course presents high reputational risks to the history of its good people.

It may be helpful if we beg that specific queries be carefully considered which may lead us to calling a spade, a spade. We then have three questions.

First question: What should we call one that uses muscle to deprive others of their rights?

Answer: A BULLY

Second question: What should we call one that unlawfully takes a significant property of others?

Answer: A GRAND LARCENIST

Third question: What should we call one that refuses the rule of international law?

Answer: AN INTERNATIONAL OUTLAW

Let us turn now to our own country. The outcome of our arbitration was not only beneficial to the Philippines, nor only to the countries that rely on the Law of the Sea, but to all states determined to maintain peaceful relations by committing to international law.

The Philippines has had two years to take advantage of its position to develop and obtain the support of many countries whose principles are aligned with our own and with whom our own voice could be magnified. Sadly, however, this was not made to happen.

In this light, we must as well consider our own country's character since we have once been a reliable advocate for international law. Should we ask how we now see ourselves and how others see us? For a balanced view, we need to do that. Again, we ask three questions.

First question: What may we call one that acquiesces to the abuses against it?

Answer: A WILLING VICTIM

Second question: What may we call one that defends an aggressor at every opportunity?

Answer: AN ABETTOR

Third question: What may we call ONE THAT GAMBLES THE RIGHTFUL PATRIMONY OF ITS FUTURE GENERATIONS for unlikely gains in the present?

Answer: Sorry, I cannot help you. That is for each of you to ponder.

MOVING FORWARD

Where do we go from here? What should we now do as a willing victim and an abettor that has fully embraced our big northern neighbor who is clearly acting as a bully, a grand larcenist, and an international outlaw?

We must believe that there is still time for our country to do what is right for our people. While we have allowed more than a few occasions to pass, there are opportunities yet for the Philippines to lead in promoting the rule of law. Whether through multilateralism at the UN, or with ASEAN, or through our bilateral engagements with other states, or an all-out effort in pursuing all of the aforementioned, the path to gaining the support of the community of responsible nations remains. For the sake of our children and our grandchildren, this is the path we must take.

To close, we reiterate our position that coercive diplomacy has no place in a rules-based international order. Our common goal is peace and prosperity without sacrificing our sovereignty and our sovereign rights. How we choose to assert our rights and dignity as a nation today will be the legacy the next generations of our country will have to live with.

As Filipinos we must voice our sentiments to our government and exercise our right to raise our indignation against China.

Finally, we need ALL of our friends in the community of nations who believe in the rule of law to help us. But before we can hope for help, we must first demonstrate that we are worth helping.

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