

STANDING UP FOR OUR RIGHTS IS NOT WAGING WAR AGAINST CHINA

**By: Amb. Albert del Rosario
Chair, Stratbase ADR Institute
April 23, 2021**

At this juncture, we need to disabuse some of our countrymen of the outright falsity that standing up for our rights in the South China Sea is waging war against China.

Standing up is what Filipinos must do to uphold the Rule of Law and prevent bullies from having their way. In the South China Sea, China is the bully because it has no right to hijack an entire sea. Yet China remains adamant in forcing its unjustified claims against the world.

We are all familiar with China's unlawful activities including ridiculously confronting our President with the threat of war.

In 2017, Chinese President Xi Jinping warned President Duterte that there would be war if our country "forces the issue" of the Award won by the Philippines in The Hague.

We urge our people to reject this Chinese narrative of war because it is only intended to sow fear which is the trademark of a bully. 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 which needs open shipping lanes such as the Malacca Strait and the Indian Ocean that are dominated by US naval power.

Even as Foreign Minister Wang Yi believes that war would be self-injurious, President Xi Jinping's threat of war against the Philippines shows how their leadership perceives us.

The President has already invoked the Award at the 75th UNGA and the 37th ASEAN Summit this year.

Developing a Credible Minimum Defense Posture

Moreover, our Constitution has clearly tasked our President and military to secure our sovereignty and protect our lands and seas. It may be high time for our government to assert our rightful position by relying on the skill, courage and patriotism of our Armed Forces which are capable of developing a credible minimum defense posture against any bully or aggressor, whoever that might be.

As we had previously said, we are opposed to war—as we should be. But if threatened by the use of force, we should be ready to inflict, at the very least, a bloody nose on any attacker who is out to harm us.

At the same time, we welcome the recent clarification of the US which confirmed that “any armed attack on any Philippine forces, aircraft, or public vessels in the South China Sea will trigger mutual defense obligations under...our Mutual Defense Treaty.”

In pursuing a multilateral approach, it is also time that our country develops a minimum credible defense posture by joining our partners in conducting joint patrols and freedom of navigation operations in the South China Sea and by working to strengthen our alliance with other countries.

To do this, we need to develop our own defense assets and call upon like-minded allies like the US, Australia and Japan, which share our respect for the Rule of Law and the values of freedom and democracy.

HAVING A PLAN TO DEAL WITH CHINA

Our plan to deal with China should include:

- 1. Convincing the President to raise the Award again at the UN General Assembly this September 2021 and taking actual steps to obtain the support of responsible nations to compel China to abide by the Award.**
- 2. Welcoming the positions of the US, Japan, EU, France, Germany, the United Kingdom, Australia, Indonesia and other nations against China's claims in the South China Sea and taking concrete steps to consolidate their support.**
- 3. Making Chinese officials criminally accountable for having inflicted the most massive, near permanent and devastating destruction of the marine wealth in the South China Sea. This finding has been unanimously upheld by the Award. Thus, former Ombudswoman Conchita Carpio Morales and I, with the help of Justice Tony Carpio, are pursuing our case in the International Criminal Court to make China accountable.**
- 4. Making China pay monetarily for its crimes. China mercilessly destroyed the breeding grounds of fish and other marine life in the Spratlys. More than half of our country's 110 million Filipinos live in coastal communities, relying on marine resources. Where will we get our food when we run out of fish?**

The coastal States in the South China Sea, including the Philippines, have the right to seize assets and properties owned by Chinese State in their territory as compensation for the crimes committed by the Chinese State against their people.

- 5. Developing a minimum credible defense posture by significantly strengthening our Navy and our Air Force.**
- 6. Urging our Government to engage as official government advisor, Justice Tony Carpio, for his unparalleled wisdom, expertise and sound judgment on the South China Sea dispute.**
- 7. Exhausting all possible diplomatic, political and legal means in evaluating our options.**

Distrust of China

- 1. In dealing with China, experience has taught us that we should proceed with distrust. In the past three years, China has been provided by our President with a most favorable environment in the Philippines. Over the same period, we have not seen the change that we would have wanted from Beijing. Beijing's aggressive actions are not accidental; they are intentional, and they can be expected to continue into the future.**
- 2. When China makes a declaration, one can almost be sure that it is not consistent with what is happening on the ground.**

Years ago, as the highest Chinese official was promising to his US counterpart that there would be no militarization of the South China Sea, precisely the opposite was taking place.

On Scarborough, an agreement in settling an impasse in 2012 was brokered by the US. It involved the withdrawal of all ships on both sides by a certain time. We withdrew while China deceitfully breached our agreement.

China's duplicity is again rearing its ugly head with the shelving of the Award by our President in return for economic benefits of US \$24 billion which has not happened. END