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FROM SELF-RESTRAINT TO CALIBRATED SELF-DEFENCE: NON-LETHAL RESPONSES AND CREDIBLE DETERRENCE IN THE WEST PHILIPPINE SEA



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FROM SELF-RESTRAINT TO CALIBRATED SELF-DEFENCE: NON-LETHAL RESPONSES AND CREDIBLE DETERRENCE IN THE WEST PHILIPPINE SEA

This paper provides a principled framework for the Philippines to counter coercion below the conflict threshold through regulated non-lethal capabilities, protecting personnel and maritime rights while sustaining presence, deterring aggression, and preserving pathways for lawful de-escalation.

Over the past five decades, confrontations in the South China Sea have progressively shifted from conventional naval engagements towards increasingly complex forms of coercion below the threshold of armed conflict. Although the battles of the Paracels in 1974[1] and Johnson South Reef in 1988[2] involved the direct use of military force and resulted in significant casualties, subsequent confrontations have increasingly involved coast guards, maritime militia, fishing vessels, and other civilian or paramilitary actors. China has been at the centre of this transformation, combining an expanding physical presence with methods designed to advance its maritime and territorial claims while limiting the risk of escalation into conventional conflict. These methods have become particularly visible in the West Philippine Sea, where Chinese vessels have progressively expanded their presence and activities since China's initial occupation of Mischief Reef in late 1994[3] and its effective takeover of Scarborough Shoal in 2012.[4]

This evolution has accelerated considerably in recent years. Philippine vessels operating around Second Thomas Shoal, Scarborough Shoal, and other contested areas have faced increasingly frequent and varied close-range confrontations, including blocking and encirclement, dangerous manoeuvres, deliberate or disputed vessel contacts, the use of high-pressure water cannons, lasers, physical obstruction, the deployment of floating barriers and interference with resupply and fishing activities. Some confrontations have involved Chinese personnel approaching, boarding, or physically confronting Philippine personnel at extremely short range. Such methods occupy a particularly difficult space between routine maritime law enforcement activity and conventional armed force: they can damage vessels, injure personnel, disrupt operations and prevent the exercise of maritime rights without necessarily involving firearms or other weapons traditionally associated with military conflict.

This creates a fundamental operational dilemma for the Philippines. Manila has responded to growing Chinese pressure through diplomacy and international law, assertive transparency, a more persistent naval and coast guard presence, closer security cooperation with allies and partners, and the modernisation of the Philippine Navy and Philippine Coast Guard. Comparative research on Chinese maritime coercion conducted separately by Vietnamese researcher Dung Huynh,[5] the CSIS AMTI[6] team, the SeaLight Project,[7] the author of this text[8] and others indicate that no single instrument is sufficient and that effective

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resistance generally relies on combinations of resolve, diplomacy, publicity, non-military confrontation and, where appropriate, external support adapted to the circumstances and strategic value of the target. Yet these instruments provide only a partial answer to the immediate problem faced by Filipino sailors and coast guard personnel confronted by aggressive actions at distances sometimes measured in only a few metres. Their restraint has been strategically important: resorting prematurely to firearms could cause casualties, trigger a much broader confrontation, and allow Beijing to portray the Philippines as the party responsible for military escalation. At the same time, restraint cannot mean that Philippine personnel are left with an essentially binary choice between absorbing such actions and resorting to potentially lethal force.

This article therefore examines the largely unexplored space between restraint and the use of force. Drawing on the evolution of maritime confrontations in the South China Sea and the growing concentration of Chinese pressure on the Philippines, it considers how Manila could develop a graduated range of non-lethal responses for the Philippine Navy, Philippine Coast Guard, and Bureau of Fisheries and Aquatic Resources. These could range from improved warning, documentation, and protective systems to acoustic, optical and electronic countermeasures, non-lethal means of preventing boarding or protecting personnel, water cannons, unmanned systems and other methods of temporarily obstructing or countering coercive actions.

For the purpose of this article, their deterrent effects can be divided into three categories: direct, by preventing or interrupting a specific hostile action; indirect, by reducing China's expectation that Philippine missions can be obstructed at limited cost; and induced, where defensive capabilities developed elsewhere impose additional operational constraints on Chinese forces during a broader crisis. The objective would not be to replicate Chinese asymmetric warfare, abandon Philippine restraint or make Philippine forces more aggressive, but to provide the capabilities required to make that restraint operationally sustainable.

The article assesses the operational utility of these measures alongside their legal, diplomatic and escalation implications and argues that a carefully regulated non-lethal response capability could strengthen Philippine self-defence and deterrence while preserving the restraint that has become one of Manila's principal strategic advantages.

THE TRANSFORMATION OF MARITIME COERCION IN THE SOUTH CHINA SEA

FROM NAVAL CONFRONTATION TO ASYMMETRIC WARFARE

The contemporary history of confrontation in the South China Sea was initially marked by the direct use of conventional military force. On 19 January 1974, Chinese and South Vietnamese naval forces fought a major engagement in the Crescent Group, in the western part of the Paracel Islands, resulting in the defeat of the South Vietnamese forces and China's subsequent consolidation of control over the entire archipelago. Fourteen years later, on 14 March 1988, Chinese and Vietnamese forces clashed at Johnson South Reef in the Spratly Islands. Chinese forces killed more than 60 Vietnamese soldiers using anti-aircraft guns and naval artillery[9] and subsequently consolidated their presence on several features in the archipelago. Both confrontations reflected a period in which territorial expansion could still involve overt military action, naval gunfire and substantial casualties.

China's subsequent advances increasingly relied on methods that avoided such direct military confrontation. This evolution became particularly apparent in the Philippines' claimed maritime areas. In late 1994, Chinese structures appeared on Mischief Reef, a low-tide elevation located well within 200 nautical miles of Palawan. Beijing initially described the structures as "fishermen shelters", but they established a permanent Chinese presence on a feature previously free of permanent occupation. Despite Philippine protests, China progressively expanded the installations and eventually transformed the reef through large-scale land reclamation into a major military outpost. The episode demonstrated that territorial and maritime positions could be altered incrementally without a naval battle: establishing a limited presence, presenting it as civilian or non-threatening, maintaining it despite diplomatic opposition and subsequently consolidating control.

A similar logic was visible during the 2012 confrontation at Scarborough Shoal. After a Philippine Navy vessel attempted to arrest Chinese fishermen, Chinese maritime surveillance vessels intervened, initiating a prolonged standoff. According to Philippine and American accounts, US Assistant Secretary of State Kurt Campbell and Chinese Vice Foreign Minister Fu Ying subsequently supported an understanding under which both sides would withdraw their vessels. Manila complied, while Chinese ships remained and established persistent control over access to the shoal. Unlike the confrontations of 1974 and 1988, no naval battle was required to produce a major change in the situation at sea. The episode illustrated both the limitations of informal crisis management arrangements and the growing importance of civilian and law enforcement agencies in maritime disputes, allowing China to exert considerable pressure while maintaining confrontation below the threshold of conventional military conflict.

This approach became increasingly sophisticated during the following decade. China's large-scale land reclamation and construction activities transformed several occupied reefs in the Spratly Islands into major forward operating bases capable of

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supporting air, naval, surveillance and other military activities. At the same time, the China Coast Guard expanded considerably, including through the transfer and conversion of former People's Liberation Army Navy vessels,[10] while maritime militia vessels assumed an increasingly visible role in disputed waters. Fishing vessels, coast guard ships and other state or state-supported platforms could maintain a persistent presence, obstruct foreign activities and assert Chinese claims without requiring the routine deployment of People's Liberation Army Navy warships at the forefront of confrontations. Military power remained an essential element of the broader balance but increasingly operated behind a first line composed of ostensibly civilian, paramilitary or law enforcement actors.

China had not abandoned the use of conventional force; it had developed a wider form of asymmetric warfare that allowed coercion to be calibrated, intensified or reduced while keeping overt military power largely in the background.

THE GROWING CONCENTRATION OF CHINESE PRESSURE ON THE PHILIPPINES

Chinese maritime coercion in the South China Sea has not been distributed evenly among claimant states. For much of the period preceding the COVID-19 pandemic, Vietnam was the principal target of confrontations involving Chinese state and state-supported actors. Its extensive claims, numerous occupied features in the Spratly Islands, offshore oil and gas activities and proximity to Chinese-controlled areas repeatedly generated confrontations involving fishing vessels, maritime law enforcement agencies, survey ships and naval forces. Major episodes included the 2014 deployment of the Haiyang Shiyou 981[11] (HD 981) oil rig within Vietnam's exclusive economic zone (EEZ) near Triton Island, and repeated interference with Vietnamese hydrocarbon activities, culminating in prolonged confrontations around Vanguard Bank in 2019.[12] During this period, the Philippines also experienced significant Chinese pressure—notably at Mischief Reef and Scarborough Shoal—but Vietnam remained particularly exposed to persistent Chinese harassment at sea.

This geographical distribution began to change around the COVID-19 pandemic and became increasingly apparent from 2021–2022 onwards. Although confrontations between Chinese and Vietnamese naval actors did not disappear, their number fell by half after 2020,[13] marking a significant shift from the preceding period when Vietnam had been the principal target of Chinese maritime pressure. Meanwhile, incidents involving the Philippines increased dramatically as the country emerged as the new focal point of Chinese pressure in the South China Sea. The massing of large numbers of Chinese maritime militia vessels at Whitsun Reef in 2021,[14] and later at Eldad Reef, Iroquois Reef and Sabina Shoal, provided an early indication of this shift. Following the election of President Ferdinand Marcos Jr. in 2022, the strengthening of Manila's alliance with Washington, the expansion of Philippine maritime patrols and the adoption of a more assertive transparency policy coincided with a sharp deterioration in interactions between Philippine and Chinese vessels. Second Thomas Shoal and Scarborough Shoal in particular became recurring sites of close-quarter confrontation.

The change has been qualitative as well as quantitative. Chinese actors operating against Philippine vessels have drawn upon an increasingly broader repertoire of aggressive tactics. These include intrusive patrolling; swarming, shadowing and tailing; radio challenges; blocking, bow crossing, bumping, sideswiping and ramming; the use of water cannons; towing and dragging; and intimidation involving fast boats, aircraft or helicopters. Electronic, optical and acoustic means have also been employed, including interference with communications or navigation signals, lasers, powerful lights and sonic devices. At the more forceful end of the spectrum, incidents have involved deliberately aiming weapon systems and locking fire control radars at naval vessels and aircraft, threats of force, boarding, seizure or destruction of equipment, warning shots, the use of live ammunition and direct physical violence using clubs, sticks, metal bars, knives and other implements. Rather than relying on any single technique, Chinese forces can combine several methods during the same confrontation and adjust their intensity according to Philippine reactions.

Second Thomas Shoal provides the clearest illustration of this escalation. Philippine attempts to resupply the BRP Sierra Madre have faced increasingly elaborate Chinese interdiction involving coast guard ships, maritime militia vessels, rigid-hull inflatable boats and other small craft. Blocking and dangerous manoeuvres progressively gave way to the use of high-pressure water cannons, deliberate physical contact and increasingly direct interference with Philippine personnel and equipment.

The confrontation of 17 June 2024[15] marked a particularly serious escalation, when Chinese personnel intercepted and boarded Philippine boats during a resupply mission, seized or destroyed equipment and used bladed weapons and other implements against Philippine personnel, and seriously injured a Filipino sailor. At Scarborough Shoal, meanwhile, Philippine government vessels and fishermen have faced persistent Chinese patrols, blocking manoeuvres, water cannons, floating barriers and other forms of interference intended to regulate or prevent their access to waters claimed by Manila.

This concentration of incidents against the Philippines reveals a broader evolution in Chinese maritime coercion. Beijing is no longer relying primarily on presence and obstruction, but possesses a diversified set of instruments allowing pressure to be increased or reduced without immediately resorting to conventional armed force. For Philippine personnel, this creates a profound tactical asymmetry.

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Chinese actors can move through numerous intermediate levels of pressure, while Philippine crews have generally exercised considerable restraint to avoid triggering a potentially much more serious confrontation. The resulting challenge is therefore not simply how the Philippines can increase its overall military or coast guard capabilities, but how personnel confronted at close quarters can respond effectively without becoming the first party to resort to lethal force.

PHILIPPINE RESTRAINT AND THE SEARCH FOR EFFECTIVE RESPONSES

THE ACHIEVEMENTS AND LIMITS OF THE PHILIPPINE RESPONSE

For decades, the Philippines responded to Chinese pressure in the West Philippine Sea primarily through diplomacy, international law, negotiated confidence-building mechanisms, and considerable unilateral restraint. As early as 1988, Manila and Beijing had agreed to shelve their competing claims and pursue their differences through bilateral consultations. Yet these understandings did not prevent China from establishing a permanent presence on Mischief Reef in late 1994, illustrating an enduring limitation of negotiated restraint: Beijing's willingness to shelve a dispute did not necessarily imply acceptance of a freeze on the exercise of what it regarded as pre-existing Chinese sovereignty.

Following the Mischief Reef crisis, this emphasis on negotiated dispute management was reflected in the August 1995 Joint Statement[16] on the South China Sea, which established explicit principles for a bilateral code of conduct, including restraint and the peaceful management of disputes. At the regional level, Manila contributed to the 1992 ASEAN Declaration on the South China Sea, the 2002 ASEAN–China Declaration on the Conduct of Parties, and the continuing negotiations towards an ASEAN–China Code of Conduct. Manila subsequently pursued other bilateral



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and cooperative mechanisms, including the Philippines–China Bilateral Consultation Mechanism[17] (BCM) and the Joint Marine Seismic Undertaking[18] (JMSU) with China and Vietnam. Other policies—including the refloating and withdrawal of the grounded BRP Benguet,[19] the absence of permanent Philippine construction at Scarborough Shoal and prolonged underinvestment in several Philippine-controlled features—reflected varying combinations of limited resources, political neglect and deliberate restraint intended to avoid escalation.

The Philippines has since considerably diversified its response. Particularly since 2022, the government has adopted a policy of assertive transparency—also described in Philippine practice as "transparentizing"—by systematically documenting and publicising Chinese activities through photographs, videos, official statements and the direct participation of journalists in Philippine Coast Guard missions. This strategy has brought incidents that might previously have remained largely invisible to the attention of domestic and international audiences, exposing dangerous manoeuvres, water-cannon attacks, laser incidents, maritime militia deployments and interference with Philippine operations. Manila has simultaneously strengthened diplomatic coordination with partners and sought broader international support for the 2016 arbitral award.[20] These efforts have substantially increased the reputational and diplomatic costs of Chinese action, but have not prevented such activities from continuing or becoming more confrontational.

Military and coast guard modernisation has provided another component of the Philippine response. Manila has expanded the Philippine Coast Guard and acquired or ordered additional patrol vessels, frigates, corvettes, radars, unmanned platforms and missile systems—including the shore-based BrahMos[21] anti-ship missile system—while improving coordination between the Armed Forces of the Philippines, the Philippine Coast Guard and other maritime agencies. The Philippines has also deepened security cooperation with the United States, Japan, Australia and other partners, expanded access under the Enhanced Defense Cooperation Agreement (EDCA) and its expanded 2023 arrangement (EDCA+),, increased joint maritime activities and exercises, and strengthened intelligence-sharing and Maritime Domain Awareness. These measures are progressively improving the Philippines' capacity to detect Chinese activities, sustain a presence at sea and deter higher levels of military escalation.

Manila has also sought to strengthen its physical presence and resilience in contested areas. Facilities on Philippine-controlled features have been repaired or expanded, surveillance and communication capabilities improved, and greater attention devoted to sustaining isolated positions. Resupply operations to the BRP Sierra Madre at Second Thomas Shoal have continued despite repeated Chinese attempts to obstruct them, while Philippine government vessels have increased their presence around Scarborough Shoal and other contested areas.

Together, these diplomatic, informational, military, law enforcement, and infrastructural measures demonstrate a significant evolution from the comparatively restrained posture that characterised much of the period following China's occupation of Mischief Reef. They also impose costs on Beijing by making further changes to the status quo more visible, politically consequential, and potentially risky.

However, a significant gap remains at the tactical level. Diplomacy and transparency can expose an incident after or while it occurs; stronger alliances and military capabilities can deter major escalation; additional ships can increase Philippine presence; and infrastructure can improve long-term resilience. None necessarily provides personnel aboard a Philippine vessel with a sufficiently broad range of immediate responses when a Chinese ship blocks its course, employs a water cannon, attempts to ram or board it, damages its equipment, or when Chinese personnel threaten or physically assault its crew. Philippine personnel have repeatedly demonstrated considerable restraint under such circumstances, an approach that has helped Manila preserve the diplomatic and strategic advantage of not being perceived as the party escalating confrontations towards armed conflict.

Restraint is most sustainable when it is supported by credible alternatives. The central weakness of the current posture is therefore not simply a lack of deterrent power, but the limited range of graduated options available between enduring coercion and resorting to potentially lethal force.

EXPANDING THE RANGE OF NON-LETHAL OPTIONS

The first requirement would be to expand the range of measures available before any physical response becomes necessary. Philippine vessels could be equipped with large illuminated electronic boards displaying standardised collision[23] warnings, navigational information and requests to alter course, complementing existing radio challenges and providing visible evidence of warnings issued before an incident. Long-range acoustic devices, powerful loudspeakers and sirens could serve similar functions while also providing a means of acoustic deterrence during close approaches. These measures could be combined with systematic recording of encounters and a fully accessible database documenting incidents, vessels involved, locations, manoeuvres, and tactics employed. Building upon Manila's existing transparency strategy, such a system would strengthen attribution and make it possible to identify recurring vessels, units and patterns of behaviour over time.

A second group of capabilities could protect Philippine vessels and complicate Chinese attempts to observe, intimidate or interfere with

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them without requiring direct physical contact. Smoke-generating systems, whether installed on Filipino vessels, deployed through drones or floating platforms, or projected onto Chinese vessels, could temporarily conceal vulnerable activities, while electronic countermeasures, radar deception, electronic decoys, chaff and infrared flares could provide additional options against surveillance or electronic interference where operationally and legally appropriate. Optical and acoustic systems—including powerful floodlights, stroboscopic lights, dazzling lasers and long-range acoustic devices[24] (LRADs)—could also be considered as proportionate responses to comparable forms of harassment. Such capabilities would require carefully defined technical limits, particularly where interference with navigation, communications, or human vision could endanger nearby crews or third-party vessels.

A third layer would address boarding attempts and direct violence against Philippine personnel. Crews could be provided with approved irritants such as pepper spray, net-projecting systems intended to temporarily immobilise individuals and, under more serious circumstances, less-lethal projectiles, such as rubber bullets and paintball-type ammunition, flash-bang devices or stun grenades. Water cannons would provide another means of keeping hostile personnel or small craft at a distance and could offer Philippine vessels a response comparable to one of the methods most frequently employed by Chinese vessels. Their purpose would not be retaliation, but to create distance, prevent unauthorised boarding and protect personnel when verbal warnings and passive barriers proved insufficient. Their employment would require standardised rules of engagement, recurrent training and a clearly defined chain of command. These should establish which measures could be authorised directly by personnel at sea, which would require higher-level approval, and under what circumstances Philippine forces could progress from warnings and protective measures to temporary incapacitation or, when legally justified, conventional force.

Unmanned systems and specially adapted vessels could extend this approach from personnel protection to the protection of ships and missions. Unmanned aerial vehicles could document confrontations from multiple angles, deploy paint, firefighting foam or other non-lethal substances to obstruct selected equipment, or potentially interfere with water-cannon systems being used against Philippine vessels. Reinforced tugboats or other highly manoeuvrable vessels—effectively “bumper ships”[25]—could accompany vulnerable missions and place themselves between Philippine vessels and approaching Chinese ships, providing a more robust physical barrier against blocking or contact. At the higher end of the non-lethal spectrum, devices intended to entangle propellers or otherwise temporarily immobilise an aggressor could also be examined. Such measures would nevertheless require substantially greater caution: deliberately impairing a vessel’s propulsion or critical equipment could create serious navigational hazards and would approach the boundary between non-lethal means and the use of force.

Finally, some measures could reduce the need for direct confrontation altogether. Uncrewed underwater or surface vehicles could potentially carry limited quantities of food, medicine, batteries, spare parts or other essential supplies to isolated positions such as Second Thomas Shoal, complicating attempts to impose an exclusively surface-based blockade. Manila could also examine whether replacing some or all Philippine Navy personnel aboard the BRP Sierra Madre with Philippine Coast Guard personnel[26] would reinforce the law enforcement character of its presence and further reduce opportunities to portray resupply missions as military operations. More broadly, improved shelters, pontoons, communications systems, logistical stocks and other support infrastructure on Philippine-controlled features could reduce their vulnerability and the frequency with which exposed resupply operations were required.

The effectiveness of this toolkit would also depend on access to maintenance facilities, spare parts, fuel, secure communications, unmanned-system support and specialised training. Forward facilities in Palawan, particularly around Oyster Bay and Puerto Princesa, could reduce deployment and repair times for coast guard vessels, fast attack craft and adapted support ships involved in contested missions.

Taken together, these measures would not constitute a single non-lethal weapon system, but a graduated toolkit allowing Philippine personnel to warn an aggressor, protect themselves, obstruct hostile interference and, when legally justified, temporarily incapacitate the platforms or equipment involved.

DEVELOPING A SUSTAINABLE NON-LETHAL DETERRENCE STRATEGY

PRESERVING PHILIPPINE AGENCY AND STRATEGIC LEGITIMACY

Developing such capabilities could alter the tactical balance of close-quarter confrontations without necessarily changing the broader military balance between China and the Philippines. One of Beijing’s principal advantages lies in its ability to graduate pressure through numerous intermediate steps while retaining conventional military forces in the background. Providing Philippine personnel with a similarly broad—but primarily defensive—range of responses would reduce this asymmetry. It could make individual hostile actions more difficult, costly or uncertain, complicate efforts to interrupt Philippine patrols and resupply missions, and reduce the expectation that Philippine crews would either withdraw or remain largely passive when confronted with increasingly forceful actions.

The resulting deterrent effects could operate at several levels. They could be direct, by preventing or interrupting a specific hostile action;

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indirect, by reducing China's expectation that Philippine missions could be obstructed at limited cost; or induced, where defensive capabilities developed elsewhere compelled Chinese planners to account for additional operational constraints beyond the immediate area of confrontation. A localised capacity to restrict the access of Chinese naval vessels through or around the Batanes archipelago[27] during a major crisis, for example, would not directly protect a Philippine vessel at Scarborough Shoal or Second Thomas Shoal, but could impose additional constraints on Chinese planning and thereby generate an induced deterrent effect. The principal focus of the proposed toolkit would nevertheless remain direct and indirect deterrence at the point of confrontation. Its objective would not be to match China's numerical superiority, but to increase Manila's capacity to resist Chinese pressure where it occurred.

The diplomatic implications are equally important. Philippine restraint has contributed to Manila's ability to portray its actions as defensive and rules-based while documenting increasingly forceful Chinese behaviour. Any new capability would therefore have to preserve this advantage. Non-lethal measures should be publicly presented, whenever possible, as protective tools governed by clearly defined procedures rather than as instruments of retaliation. Transparency could extend to publishing the general principles governing their use, documenting the warnings issued before their employment and releasing imagery demonstrating the circumstances that prompted a response. This would be particularly important because Beijing could be expected to characterise new Philippine measures as provocations regardless of their actual purpose. Maintaining a visible distinction between initiating confrontation and responding proportionately to it would remain central to Manila's diplomatic strategy and to the preservation of domestic and international support.

Allies and security partners could reinforce this approach through intelligence, surveillance, communications support, training, equipment, logistical assistance and coordinated diplomatic messaging. They could help the Philippines detect and attribute Chinese actions, improve the resilience of its communications, prepare personnel to employ non-lethal systems, sustain vessels operating in the West Philippine Sea and increase the political cost of Chinese conduct. Such support would strengthen Manila's ability to act without transferring immediate responsibility for contested operations to foreign governments. It would also remain consistent with the broader principle that external actors are most effective when they reinforce local agency rather than attempt to replace it.

Direct foreign participation at the point of confrontation would produce a very different effect. The permanent presence of foreign military personnel aboard the BRP Sierra Madre, the embarkation of foreign naval officers during contested missions or the participation of foreign ships in resupply operations could internationalise tactical encounters, reduce Manila's control over escalation and enable Beijing to portray Philippine activities as extensions of foreign military pressure. Such measures could also constrain the Philippines' ability to terminate an encounter on its own terms by exposing foreign personnel or vessels to Chinese coercive actions and potentially creating pressure for an allied response. Patrols, resupply operations and immediate tactical decisions should therefore remain under Philippine control, even when supported by wider intelligence, logistical and diplomatic cooperation.

LEGALITY, PROPORTIONALITY AND ESCALATION CONTROL

The legal assessment is more complex than the distinction between "lethal" and "non-lethal" might suggest. A device does not fall outside legal constraints simply because it is designed not to kill, while the deliberate incapacitation of another vessel or its equipment may constitute a use of force even when it produces no casualties. Measures such as warning boards, documentation systems, protective barriers and acoustic communications present relatively limited concerns. Actions affecting another vessel, its propulsion, navigation systems, communications or personnel require much closer scrutiny. Depending on the circumstances, the applicable framework could include the law of the sea, navigational safety rules, domestic law enforcement authorities, the immunity of State vessels, rules governing the use of force and the right of self-defence. Philippine doctrine should therefore classify capabilities according not only to the means employed, but also to their intended effects, necessity, proportionality, reversibility and potential consequences for navigational safety. Within the Philippine EEZ, Article 73[28] of UNCLOS also provides specific law enforcement powers concerning living resources, including boarding, inspection and arrest.

International law does not require Philippine military or law enforcement personnel to remain passive until a collision, armed boarding or violent assault has occurred. Warships and government vessels performing official functions enjoy a specific legal status and may employ graduated force to protect their crews, vessels, essential equipment and persons placed under their protection against an imminent unlawful threat. This right of unit self-defence may extend to lethal force when this is necessary and proportionate to prevent death or serious injury. It should nevertheless be distinguished from the broader right of State self-defence under Article 51[29] of the United Nations Charter, which ordinarily requires an armed attack. This distinction is particularly relevant at Second Thomas Shoal: the BRP Sierra Madre is not merely a grounded structure but a Philippine, still commissioned, Navy vessel occupied by a military detachment. An armed boarding attempt, violence directed against its personnel or a deliberately dangerous manoeuvre creating an imminent risk of lethal collision could therefore justify graduated defensive action and, in the most serious circumstances, the use of lethal force.

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Other rules reinforce Manila's authority to protect particular vessels, positions, and installations. Articles 60[30] and 80[31] of the United Nations Convention on the Law of the Sea allow the coastal State to establish safety zones—normally extending up to 500 metres—around artificial islands, offshore installations and structures within its EEZ or on its continental shelf. Foreign vessels are required to respect these zones and applicable navigational standards, although their existence does not provide an unlimited right to use force against every intruding vessel. Nor does this 500-metre regime automatically apply to ordinary ships or natural maritime features. Navigational safety rules provide an additional framework governing the immediate measures that a threatened vessel may take to avoid a collision.

When an aggressive or unprofessional manoeuvre creates an imminent risk of impact, the threatened vessel is not required to wait for the collision to occur. Warnings, course alterations, speed reductions and other evasive actions should remain the initial response, but carefully calibrated physical measures may become lawful when these options can no longer provide effective protection. Their legality would depend upon the immediacy of the danger, the absence of a reasonably effective, less intrusive alternative and the proportionality of the action taken.

The introduction of additional Philippine countermeasures would nevertheless create its own strategic risks. China might respond not by exercising greater restraint but by doubling down, increasing the frequency, duration, diversity and intensity of such actions or introducing methods specifically designed to overcome Philippine responses. The evolution observed since Manila adopted its transparency policy provides an important warning: greater exposure and higher reputational costs have not altered Chinese behaviour, while confrontations have become increasingly frequent, prolonged and forceful.

Proportionality, graduation and reversibility must therefore govern both the selection of capabilities and the circumstances of their employment. Responses should progress from warning, documentation and manoeuvring to protective measures, physical obstruction and, when necessary and legally justified, temporary incapacitation. Only an imminent threat of death or serious injury should normally permit progression to lethal force. Philippine personnel should also retain the ability to pause, reduce or terminate their response as soon as the threat diminishes or ceases.

This graduated approach would make escalation control an active process extending beyond the initial confrontation. Its purpose would not be to climb the escalation ladder as rapidly as China, but to provide Philippine personnel with more intermediate options and, equally importantly, the ability to move back down them in a controlled manner. Paint, indelible dyes, firefighting foam, nets or other reversible measures could disrupt, mark, temporarily incapacitate and even severely damage the platforms and equipment being used in such operations without necessarily wrecking the vessel or inflicting casualties. Deliberately seeking to humiliate Chinese personnel, however, could encourage retaliation and make disengagement politically more difficult for Beijing.

The desired effect should remain operational rather than punitive: stop or disrupt the hostile action, protect Philippine personnel, impose immediate but proportionate costs, and preserve a practicable route towards disengagement. Such a doctrine would also demonstrate to the Philippine public that avoiding the first shot does not require sailors, coast guard personnel and fishermen indefinitely to absorb unlawful pressure within the country's EEZ. Properly designed, graduated self-defence would therefore serve legality, deterrence and de-escalation simultaneously while preventing restraint from degenerating into operational passivity.

“THE DESIRED EFFECT SHOULD REMAIN OPERATIONAL RATHER THAN PUNITIVE: STOP OR DISRUPT THE HOSTILE ACTION, PROTECT PHILIPPINE PERSONNEL, IMPOSE IMMEDIATE BUT PROPORTIONATE COSTS, AND PRESERVE A PRACTICABLE ROUTE TOWARDS DISENGAGEMENT....”

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CONCLUSION

Over the past five decades, confrontation in the South China Sea has evolved considerably. The naval battles of 1974 and 1988 demonstrated China's willingness to employ conventional military force to advance its territorial position, while subsequent episodes at Mischief Reef and Scarborough Shoal illustrated how significant changes to the status quo could be achieved without major armed conflict. More recently, this approach has developed into an increasingly sophisticated repertoire of coercive methods involving coast guard ships, maritime militia, fishing vessels, small craft and other platforms operating alongside, but generally ahead of, conventional naval forces. The growing concentration of these activities against the Philippines has exposed Manila to an expanding range of close-quarter actions capable of obstructing operations, damaging vessels and equipment, and injuring personnel without necessarily crossing the threshold into conventional armed conflict.

The Philippines has responded through diplomacy, international law, assertive transparency, military and coast guard modernisation,[32] stronger alliances and partnerships, and a more persistent presence in the West Philippine Sea. These measures have strengthened Manila's position but have not resolved the immediate tactical problem faced by personnel confronting Chinese coercion at sea. Nor can the Philippines indefinitely rely on its crews to absorb increasingly forceful actions without credible means of response.

Developing a graduated range of non-lethal capabilities could provide the missing intermediate options between protest and potentially lethal force, enabling Philippine personnel to warn, protect, obstruct, repel and, when necessary and legally justified, temporarily incapacitate the platforms or equipment being used against them. The resulting deterrence could be direct, by preventing or interrupting an individual hostile action; indirect, by reducing China's expectation that Philippine missions could be obstructed at limited cost; or induced, where defensive capabilities developed elsewhere impose additional constraints on Chinese planning during a broader crisis.

Such capabilities would nevertheless carry significant risks. Beijing could respond by intensifying or adapting its pressure tactics, while poorly calibrated Philippine responses could create navigational dangers, casualties or unintended escalation. Any strategy built around non-lethal responses must therefore be governed by strict principles of legality, necessity, proportionality, graduation and reversibility, with de-escalation built into its design rather than treated as an afterthought. External partners could reinforce this approach through intelligence, training, equipment, logistical assistance and diplomatic support, but immediate operations and tactical decisions should remain under Philippine control. The objective should be to impose credible and temporary costs sufficient to deter coercive actions while preserving a route back to disengagement.

At the same time, international law does not require Philippine military or law enforcement personnel to remain passive when confronted with an imminent threat to their vessels, installations or personnel. Properly regulated, graduated self-defence can therefore allow Manila to protect its forces, manage escalation and retain control over the transition towards de-escalation. Ultimately, avoiding the first shot need not require accepting aggression. By expanding the options available between passivity and potentially lethal force, Manila could make its restraint operationally sustainable, strengthen its capacity for self-defence and demonstrate that restraint does not mean submission.

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ENDNOTES

[1] The Battle of the Paracel Islands took place on 19 January 1974 between naval forces of the People's Republic of China and the Republic of Vietnam (South Vietnam). Following the engagement and the subsequent withdrawal of South Vietnamese forces, China established control over the Crescent Group and thereby consolidated its control over the entire Paracel archipelago.

[2] The confrontation at Johnson South Reef on 14 March 1988 involved Chinese and Vietnamese forces contesting several features in the Spratly Islands. Chinese naval forces opened fire on Vietnamese personnel and vessels, killing more than sixty Vietnamese personnel. China subsequently consolidated its occupation of several features in the Spratlys.

[3] China began constructing structures on Mischief Reef in late 1994, which were discovered by the Philippines in early 1995. Beijing initially described them as shelters intended to support Chinese fishermen during adverse weather. Despite Philippine protests, China maintained and progressively expanded its presence. Following a new phase of construction in 1998–1999, Assistant Foreign Minister Wang Yi defended the installations during bilateral talks in Manila in March 1999, stating that "this facility is completely for civilian purposes and it will remain so in the future." China subsequently transformed Mischief Reef through large-scale land reclamation into a major military outpost.

[4] The 2012 Scarborough Shoal standoff began after the Philippine Navy attempted to arrest Chinese fishermen operating inside the lagoon. Chinese maritime surveillance vessels intervened, leading to a prolonged confrontation. Manila subsequently withdrew its vessels following a US-mediated understanding for a mutual withdrawal, while Chinese vessels remained, de facto gaining control over the shoal, which they have maintained and expanded to this day.

[5] Huynh Trung Dung, Weaker Nations' Responses to China's Coercion in the South China Sea Disputes, Pardee RAND Graduate School, 2024, https://www.rand.org/content/dam/rand/pubs/rgs_dissertations/RGSDA2400/RGSDA2470-1/RAND_RGSDA2470-1.pdf

[6] Michael Green, Kathleen Hicks, Zack Cooper, John Schaus and Jake Douglas, Countering Coercion in Maritime Asia: The Theory and Practice of Gray Zone Deterrence, Center for Strategic and International Studies, 2017, https://amti.csis.org/countering-coercion-hub/

[7] Gaute Friis, "Introducing China's Maritime Gray Zone Tactics Playbook," SeaLight, 6 July 2023, https://www.sealight.live/posts/introducing-china-s-maritime-gray-zone-tactics-playbook

[8] Benjamin Blandin, "From the Taiwan Strait to the Baltic: A History of China's Maritime Actions", International Ocean Information Journal, Vol.35, p. 90-93, June 2025, https://www.oac.gov.tw/ebook/en35/index.html

[9] Chinese footage of the 14 March 1988 confrontation, subsequently released publicly, shows PLA Navy vessels firing on Vietnamese positions and personnel standing on a submerged sandbar at Johnson South Reef.

[10] The China Coast Guard has benefited from the transfer of decommissioned Type 056 corvettes, Type 818 / Type 054A frigates, and Type 052 destroyers, on top of the transfer of 5,000 to 12,000 tons giant cutters.

[11] In May 2014, China deployed the deep-water drilling rig Haiyang Shiyou 981 (HD-981) in waters near the Paracel Islands also claimed by Vietnam, triggering a major confrontation lasting until July. Large numbers of Chinese and Vietnamese vessels were deployed around the rig, with repeated ramming and water-cannon incidents.

[12] Between July and October 2019, the Chinese survey vessel Haiyang Dizhi 8, accompanied by China Coast Guard vessels, conducted operations around Vanguard Bank, where Vietnam had ongoing hydrocarbon activities. The episode resulted in a prolonged maritime confrontation and renewed Chinese pressure against Vietnamese offshore energy development.

[13] This assessment is based on two incident datasets: the CSIS ChinaPower database, which documents 73 major maritime incidents in the South China Sea between 2010 and 2020, and the author's own database. As part of his research at the Institute for National Defence and Security Research (INDSR), the author developed a substantially broader database documenting 750 naval and air incidents between 2000 and 2026 and encompassing a wide range of Chinese asymmetric warfare activities. ChinaPower, Center for Strategic and International Studies (CSIS), https://chinapower.csis.org/data/raw-incident-data/

[14] In March 2021, Philippine authorities reported the presence of approximately 220 Chinese vessels at Whitsun Reef (Julian Felipe Reef), within the Philippines' claimed exclusive economic zone. Manila identified them as Chinese maritime militia, while Beijing maintained that they were fishing vessels sheltering from adverse weather.

[15] On 17 June 2024, China Coast Guard personnel intercepted Philippine vessels attempting to resupply the BRP Sierra Madre at Second Thomas Shoal. Chinese personnel boarded Philippine craft, seized or damaged equipment and employed knives, axes and other implements during the confrontation. Several Philippine personnel were injured, including a sailor who lost a thumb.

[16] Government of the Republic of the Philippines and Government of the People's Republic of China, Joint Statement concerning Consultations on the South China Sea and on Other Areas of Cooperation, Manila, 9–10 August 1995, cited in The South China Sea Arbitration (The Republic of the Philippines v. The People's Republic of China), PCA Case No. 2013-19, https://pcacases.com/web/sendAttach/2579

[17] The Philippines–China Bilateral Consultation Mechanism on the South China Sea (BCM) was established in 2017 as a regular diplomatic channel for managing maritime disputes and discussing confidence-building and practical cooperation between Manila and Beijing.

[18] The Joint Marine Seismic Undertaking (JMSU) was a tripartite arrangement between the national oil companies of the Philippines, China and Vietnam for joint seismic surveys in parts of the South China Sea. Signed in 2005, it expired in 2008 and was not renewed amid considerable political and constitutional controversy in the Philippines.

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ENDNOTES

[19] In 2004, the Philippine Navy landing ship BRP Benguet (LT-507) ran aground on Bombay Shoal in the Spratly Islands. The Philippines subsequently refloated and withdrew the vessel rather than maintaining it as a permanent presence, in contrast with the BRP Sierra Madre, deliberately grounded at Second Thomas Shoal in 1999.

[20] The South China Sea Arbitration (The Republic of the Philippines v. The People's Republic of China), PCA Case No. 2013-19, Award, 12 July 2016. The Tribunal concluded, inter alia, that there was no legal basis for China to claim historic rights to resources within the sea areas falling within the "nine-dash line" beyond the maritime entitlements permitted by UNCLOS.

[21] The BrahMos is a supersonic anti-ship cruise missile with a range of approximately 290 km, designed for long-range strikes against surface vessels. The Philippines contracted three shore-based batteries in 2022, received the first systems in 2024, and fielded them with the Philippine Marine Corps in 2025.

[22] The 2014 Enhanced Defense Cooperation Agreement (EDCA) initially provided U.S. forces access to five military bases in the Philippines. In 2023, Manila and Washington signed the EDCA+ agreement, granting access to four additional locations, bringing the total to nine. EDCA+ sites are not permanent U.S. bases but Philippine military bases available for rotational access by U.S. forces in exchange for investments in their infrastructure and facilities.

[23] International Maritime Organization, Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs), Part B, Rules 5–8, available at the International Maritime Organization (IMO), Accessed 16 August 2026, https://www.imo.org/en/about/conventions/pages/colreg.aspx

[24] Long-Range Acoustic Devices (LRADs) are directional acoustic systems capable of transmitting intelligible voice messages and high-intensity warning tones over considerably greater distances than conventional loudspeakers. Originally developed for long-range communication and warning, they have also been employed by military, maritime-security and law enforcement organisations for deterrence and crowd-control purposes.

[25] The term "bumper ship" refers to a tugboat-type of vessel, equipped with powerful engines and a reinforced hull, whose missions would be to collide or "bump" adversary ships in order to force a naval barrier and/or to help a friendly vessel to disengage from an ongoing confrontation.

[26] Justice Antonio T. Carpio proposed replacing the soldiers and Philippine Navy personnel aboard the BRP Sierra Madre with civilian personnel, particularly members of the Philippine Coast Guard (PCG). See The Philippine Star, "Blinken, Manalo Discuss Chinese Escalatory Actions," 21 June 2024, accessed 17 August 2026, https://www.philstar.com/headlines/2024/06/21/2364425/blinken-manalo-discuss-chinese-escalatory-actions

[27] The Batanes archipelago lies between northern Luzon and Taiwan and borders the Bashi Channel, one of the principal deep-water passages connecting the South China Sea and the western Pacific. The area is therefore of considerable strategic importance for Chinese naval and air movements between the South China Sea, Taiwan Strait and Philippine Sea.

[28] United Nations, United Nations Convention on the Law of the Sea, 1833 UNTS 397, Part V, Art. 73, available at the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS), Accessed 16 August 2026, https://www.un.org/Depts/los/convention_agreements/texts/unclos/part5.htm

[29] United Nations, Charter of the United Nations, 1 UNTS XVI, Chapter VII, Art. 51, available at the United Nations, Accessed 16 August 2026, https://www.un.org/en/about-us/un-charter/full-text

[30] United Nations, United Nations Convention on the Law of the Sea, 1833 UNTS 397, Part V, Art. 60, available at the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS), Accessed 16 August 2026, https://www.un.org/Depts/los/convention_agreements/texts/unclos/part5.htm

[31] United Nations, United Nations Convention on the Law of the Sea, 1833 UNTS 397, Part VI, Art. 80, available at the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS), Accessed 16 August 2026, https://www.un.org/Depts/los/convention_agreements/texts/unclos/part6.htm

[32] The Revised AFP Modernization Program, implemented through successive "Horizon" phases, provides the principal framework for the long-term recapitalisation of the Armed Forces of the Philippines. Horizon 1 covered 2013–2017, Horizon 2 2018–2022, while the subsequent phase has increasingly emphasised external defence capabilities, including naval, air-defence, missile, surveillance and maritime-domain-awareness systems.

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[1] *Cover page: stock.adobe.com/ph/AdobeStock_815989161*

[2] *Page 2: mb.com.ph/2023/12/10/water-cannons-were-control-measures-vs-ph-vessels-in-wps-china-coast-guard*

[3] *Page 5: sunstar.com.ph/manila/local-news/us-japanese-philippine-coast-guard-ships-stage-law-enforcement-drills-near-south-china-sea*

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VOLUME

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