

Philippines seeks US support in confrontation with China

By Demetri Sevastopulo and Roel Lindingin in Manila



Albert del Rosario, the Philippine foreign minister, can feel his brain pulsate when he touches his head because of wounds he suffered during the liberation of Manila at the end of the second world war.

“We were caught in the crossfire between the Japanese and the liberating forces,” he recalls. “I was only five years old but it is still vivid . . . the family left my sister and myself because they thought we had died.”

Despite this history, Mr del Rosario is one of the few officials in Asia [urging Japan to rearm](#) – to counter moves by China which are of [growing concern](#) both to its neighbours and the US.

China will be at the top of the agenda when President Barack Obama arrives in the [Philippines](#) on Monday as part of his Asia tour. Before he lands, US and Philippine officials will sign a deal to allow the US to base troops, ships and aircraft in the Philippines, in a development that will almost certainly anger Beijing.

On his Asia tour, [Mr Obama has already weighed in](#) on a row between China and Japan over East China Sea islands – called the Senkaku in Japan and the Diaoyu in China – assuring Tokyo that they are covered by a US-Japan defence pact.

China is also embroiled in territorial disputes with the Philippines and several other neighbours in the South China Sea. The resource-rich waters have been a source of friction for decades, but tensions have escalated dramatically over the past five years as China has [asserted its maritime territorial claims more strongly](#).

The concerns mainly stem from the so-called “[nine-dash line](#)” – a demarcation on Chinese maps that runs south from China past Vietnam, loops around near Malaysia and Indonesia, and then stretches back up parallel to the Philippines.

Within those waters, Chinese ships have been involved in many incidents that have raised concerns. They have had confrontations with US ships and an Indonesian navy vessel, and have harassed Vietnamese seismic survey ships. James Clad, a former Pentagon official, says Chinese ships have also been harassing Malaysian seismic survey ships “almost every month” for the past year.

But the most dramatic episodes have involved the Philippines, including a tense month-long encounter at Scarborough Shoal in 2012. More recently, Chinese coastguard vessels have tried to block Filipino boats from resupplying a [rusty ship called the Sierra Madre](#) (pictured) that was deliberately run aground on the Second Thomas Shoal in 1999 to reinforce Manila's claim to the waters.

"This is psychological warfare," says a Philippine official. "This is the new cold war. He who blinks, loses."

China is also increasingly patrolling the South China Sea with armed coast guard ships, instead of fishery bureau vessels. And it recently angered its neighbours by declaring that foreign fishermen needed approval to fish in the waters.

Despite having one of the weakest militaries in Asia, the Philippines has, more than any other southeast Asian nation, resisted China. Above all, it wants to defend its exclusive economic zone.

According to the UN Convention on the Law of the Sea, an EEZ is an area stretching 200 nautical miles from a nation's territory within which it may exploit the marine and energy resources under the sea surface.

[Dotted line sparks Asia maritime disputes](#)

The South China Sea territorial disputes between China and its neighbours can be partly traced to an internal map published by the Republic of China government in 1947 that included an "eleven-dash line" enclosing much of the waters. China did not explain the significance of the line at the time.

It was adopted by the People's Republic of China government after the Communists came to power two years later. Then, in 1953, China unveiled a new map with a "nine-dash line" that covered a slightly smaller area of the South China Sea, losing two dashes that ran through the Gulf of Tonkin between China and Vietnam.

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In March, Manila raised the ante by forging ahead with an [arbitration case against China](#) that asks the Permanent Court of Arbitration at The Hague to rule that the nine-dash line is invalid.

"If we do not challenge China's claim . . . we will stand to lose 100 per cent of our EEZ," says Mr del Rosario. "There's no country in the world that has accepted the nine-dash line as being valid."

[China has reacted by](#) accusing Manila and the US of being in cahoots. Chito Sta Romana, a Filipino journalist who spent two decades in China with ABC News, says Beijing and Manila are finding themselves increasingly at odds.

"The Philippines narrative is that China is the bully," he says. "The Chinese narrative is that we are the troublemaker . . . the Trojan horse for the US."

Although China is an UNCLOS signatory, it has refused to take part in the case, arguing that it previously informed the UN that it "does not accept any" of the resolution procedures envisioned by UNCLOS for the South China Sea disputes.

Wu Shicun, head of China's National Institute for South China Sea Studies, says Manila has "broken a consensus" on reaching a resolution through talks.

"In Chinese culture, when friends or neighbours have disputes, they resolve them through negotiations," says Mr Wu. "But in the Philippines culture, they choose to go to court. This has hurt the Chinese people's feelings."

Zou Keyuan, a Chinese expert on international law at the University of Central Lancashire in the UK, says that in addition to not possessing a “legal consciousness”, China also lacks the kind of experienced lawyers needed to argue an international arbitration case. He adds that it has no confidence in a court system that tends to be staffed by westerners.

While Manila says it has a strong case, the situation is complicated. The tribunal must first decide whether it has jurisdiction. That, says Mr Zou, could be “tricky” because some of the issues are tied to questions of sovereignty even if the Philippines has packaged its claim to avoid such suggestions.

Unclos does not provide a mechanism to arbitrate sovereignty. Jay Batongbacal, an Unclos expert at the University of the Philippines, says Manila is therefore arguing that the nine-dash line illegally deprives other countries of their exclusive economic zones.

Benigno Aquino, Philippine president, infuriated China earlier this year by comparing it to Hitler’s Germany. He needed convincing to take the legal route.

Renato De Castro, a US-Philippines expert at De La Salle University, says China view Mr del Rosario as “the hardliner” responsible for swaying Mr Aquino.

Asked what was the key factor in the decision to take the legal action, Mr del Rosario says: “Scarborough might have been the catalyst”.

In April 2012, Chinese maritime surveillance vessels were involved in a tense month-long stand-off with a Philippine navy ship and coast guard vessels at Scarborough Shoal, a reef about 200km west of Subic Bay where the US had one of its biggest overseas military bases until 1991.

Washington tried to choreograph a joint withdrawal, but when the Philippine ships withdrew, the Chinese vessels remained, giving China control. “We thought we had an understanding that both sides would withdraw their ships, but we also knew that the Philippines held no cards,” says one former US official.

The outcome had a huge impact on the Philippines, reminding people of 1995 when China occupied Mischief Reef in the contested Spratly Islands as Philippine patrol boats were briefly out of the area.

“After Mischief Reef we said ‘never again’ and then it happened again,” says Aileen Baviera, a China expert at the University of the Philippines.

Mr Sta Romana says there was “a lot of disappointment” that the US did not send ships to Scarborough. But the former US official says some parts of the Obama administration were worried that the US would get dragged into a conflict with China, but adds that it was “working much more closely with the Philippines now”. The improvement will be cemented on Monday when Mr Aquino hosts Mr Obama and the two countries sign the new defence deal that will give the US a significant presence in the Philippines for the first time since 1991.

“It is the revitalisation of the alliance, something you can never imagine when we asked them to leave in 1991,” says Mr de Castro. “It will change the equation . . . It will show to the Chinese that we are here and watching you.”