

The Philippines and ASEAN- Building Synergies

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Abstract

The Philippines has been a founding member of the ASEAN which came into existence in 1967 at the height of the Cold War and US's deep military engagement in Vietnam. With Philippines history of close ties with the US, and being an ally during the Cold War, this Organization came into existence to meet the external and internal 'Communist' threat. It charts the history of Philippines-ASEAN relationship, in the evolving geopolitics up to the current period, and the ups and downs of that relationship. These ups and downs are attributable to both a certain 'insularity' due to its unique historical background and also the inadequacies of ASEAN's economic integration and in the protection of its vital national interests. The article examines the geopolitical pressures, as epitomized by the South China Sea tensions, on the ASEAN as it pursues its objectives of maintaining its 'centrality' in the regional strategic framework whilst adhering to the 'ASEAN Way' of seeking consensus on issues critical to its geopolitical relevance. In that context, the Philippines role and its expectations from this Organization are examined, especially in regard to the intensifying geo-political rivalry in the region.

Keywords- Philippines, ASEAN, culture, SEATO, ASEAN Defence Ministers' Meeting Plus (ADMM Plus), East Asia Summit, intra-ASEAN trade, South China Sea, Manila Summit

The Philippines, a unitary sovereign state and archipelagic country in south-east Asia and consisting of about 7641 islands, is situated in the Western Pacific Ocean bound by the South China Sea in the west, the Philippines Sea in the east and the Celebes Sea in the south-west, sharing maritime borders with Taiwan to the north, Vietnam to the west, Palau to the east and Malaysia and Indonesia to the south. It has an area of over 300,000 km² and a population, as of August, 2015, of 100.98 million¹⁰⁸.

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¹⁰⁸ Philippines Statistics Authority, www.psa.gov.ph, accessed on 2 December, 2017.

Having multiple ethnic groups, going back to the beginning of history, the Philippines islands have seen successive migrations from the neighboring islands, including transmission of cultural influences from the Indian peninsula via the Indonesian archipelago¹⁰⁹; these were Hinduism, Buddhism and, later on, around 1300s, Islam. The country was colonized by the Spanish and, in 1543, the Spanish explorer, Ruy Lopez de Villalobos, named the archipelago Philippines islands ('Las Islas Filipinas') in honor of Philip II of Spain. For nearly 300 years it was ruled, indirectly, from Mexico and later, directly, from Spain. Following the American-Spanish war (April-August 1898), the US exercised sovereignty except for a brief period of Japanese occupation during the Second World War. The Philippines became independent in 1946 from the US although its special relationship with the US continues, in different forms, even today which is manifest in special security, economic and cultural relationships as well as in the presence of a large Filipino diaspora in the US. As a result of this history and in contrast with other fellow, ethnically kindred, south-east Asian countries, it is overwhelmingly Christian, primarily Roman Catholic, with other religions forming a small part of its religious fabric. Its Muslim community¹¹⁰, living mostly in the southern territories, belongs to the Sunni faith overwhelmingly and different sections of the Muslim community have, since the time of the Spanish colonization, been frequently in conflict with the central armed forces; most recent instance has been the Abu Sayyaf/'Islamic State' fight with the Philippines Armed Forces over the control for the southern Marawi city which ended in October, 2017, in the victory for the latter.

Although generously endowed with abundant agricultural resources and bio-diversity, agriculture accounts for 14% of GDP and 30% of the labor force, the manufacturing sector employs around 14% of the workforce accounting for 30% of GDP whereas the services sector accounts for 47% of the workforce and 56% of GDP. In 2016, the estimated GDP (nominal) was US\$ 305 billion¹¹¹. Its primary exports include semiconductors and electronic products, transport equipment, garments, copper products,

¹⁰⁹ According to Filipino historian, Ambeth Ocampo, the word 'Manila', the name of country's national capital, is a combination of Filipino and Sanskrit words meaning 'There is indigo (Sanskrit word is 'neel' for 'Indigo)'. The earliest archaeological evidence in the country, the Laguna Copperplate Inscription, dated 21 April, 900 AD, speaks of a polity using the Saka Calendar which is the official calendar of India today.

¹¹⁰ They are called 'Moros', a name given by the Spanish conquerors on account of their religion like the Muslim community on the Iberian Peninsula which was, in that historical period, mostly from Morocco.

¹¹¹ International Monetary Fund, *Country Report No. 17/334*, www.imf.org/~media/Files/Publications/CR/2017/cr17334.ashx, accessed on 3 December, 2017.

petroleum products, coconut oil, fruits et cetera; its major export partners, in 2016, were Japan (20.8%), US (15.5%), Hong Kong (11.7%), China (11%), Singapore (6.6%) and Germany (4.1%)¹¹². Its imports include electronic products, mineral fuels, machinery and transport equipment, iron and steel, textile fabrics, grains, chemicals, plastic et cetera; its major import partners, in 2016, were China (17.3%), Japan (11.1%), US (8.4%), Thailand (7.3%), South Korea (6.1%), Singapore (6.1%), and Indonesia (5.1%)¹¹³. The economy is heavily reliant upon remittances from overseas Filipinos surpassing even foreign direct investment; as of 2014¹¹⁴, overseas Filipino workers, dispersed practically all over the world but concentrated in the US, Middle East and Southeast Asia, contribute 10% to its GDP making them the third largest contributors in this category, in dollar terms, in the world after India and China. These broad national features continue to determine the country's external outlook.

PHILIPPINES & ASEAN – A HISTORICAL ACCOUNT

The Philippines historical legacy has led to a close relationship with the US and the other US allies, both in the region and outside. Although the US military bases, during the period of the Cold War, have ended, under a new arrangement US forces 'rotate' through certain bases under the current US policy of 'rebalance' against China in the region. During the Cold War period, its approach towards its neighbours was based on countering Soviet and Chinese influence through credible US military presence; the complications with the neighbours have been on account of its Exclusive Economic Zone claims, sovereignty claims over the Spratlys land features and dispute over Sabah state in northern Borneo (Malaysia)¹¹⁵. ASEAN, formed in August 1967 by the Philippines, Indonesia, Malaysia, Singapore and Thailand, existed concurrently with the US-led anti-communist alliance called the South-East Asia Treaty Organization (SEATO) and had a similar anti-communist orientation aiming for cooperation in the economic, social, cultural and technical fields. The ASEAN, in its early years, espoused the region to be a zone of peace, freedom and neutrality to ward off superpower rivalry; at its first summit, in Bali in February 1976 in the

¹¹² Central Intelligence Agency. November 2017. *The World Factbook*, <https://www.cia.gov/library/publications/the-world-factbook/geos/rp.html>. Accessed on 3 December, 2017

¹¹³ Ibid.

¹¹⁴ The World Bank Group, *Migration and Remittances Fact Book 2016*. Third Edition. <https://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/4549025-1450455807487/Factbookpart1.pdf>, accessed on 2 December, 2017.

¹¹⁵ Rinn-Sup Shinn. 1984. "Government and Politics", in *Philippines, a country study*, edited by Frederica M. Bunge. p. 224. Washington: The American University.

aftermath of the communist victories in Cambodia, Vietnam and Laos following US withdrawal from Vietnam, these five countries signed a treaty of amity and cooperation and agreed on other measures for regional cooperation¹¹⁶. Vietnam's invasion of Cambodia in 1979 further contributed to the cohesion of the ASEAN; that sense of common purpose found its validation in 1987 when Brunei, barely a week into its independence, became the grouping's sixth member. With the end of the Cold War in 1991, the Cambodian occupation issue was resolved paving the way for the admission of Vietnam into ASEAN in 1995. The fellow communist country, Laos joined in 1997 along with – until then, under a 'bamboo curtain' of its own – Myanmar, followed by Cambodia in 1999. That is its current composition with pending membership applications from Papua New Guinea and Timor-Leste.

As the Cold War ended leading to diminished interest and presence of the US in South-East Asia, the resultant power vacuum began to be filled in, institutionally speaking, by a structured organization like the ASEAN, a process facilitated by the membership of the regional communist countries which were the very cause for the organization to come into existence in the first place; it was also part of a global pattern of the growth and strengthening of regional organizations in different parts the world with the US as the global hegemon. Its institutional evolution phase also provided an early experience – and, a certain comfort level – for China, already transformed post-Deng Xiaoping reforms and, even, feeling international pressure on account of the Tiananmen atrocity (1989), to be an active player in regional multilateralism. Emerging as a leading regional voice on security, political and economic issues, ASEAN developed a sophisticated internal structure, close dialogue partnerships balancing between major powers and engaging with countries and organizations around the world. Crystallizing a distinct ASEAN identity – and, the 'ASEAN Way' of dispute resolution – the organization's external policy stance is to underline its centrality in the regional structures in the Asia-Pacific and to it being in the 'driving seat' in the international efforts to shape them. Its first external dialogue mechanism post-Cold War was ASEAN Regional Forum (ARF), convened in 1994, as a multilateral consultative forum, including a non-official 'Track Two' dialogue process, for confidence building among countries in the Asia-Pacific region. This external engagement shaped, subsequently, into summit level dialogues with major countries, including India, ASEAN +3 (with Japan, China and South Korea after the Asian financial crisis in 1997), and East Asia Summit

¹¹⁶ *ibid*, p. 225.

(with Japan, China, South Korea, India, Australia and New Zealand in 2005) which was later expanded to include, in 2011, US and Russia; the formal membership of the US in the EAS signalled its 'return' to the region after the end of the Cold War. Its effort to create a regional security architecture in the Asia-Pacific is further evident in the ASEAN Defence Ministers' Meeting Plus (ADMM Plus), set up in 2010, comprising now the defence ministers of the member countries of the East Asia Summit (EAS); since 2014, 'informal' bilateral meetings of ASEAN ministers separately with China, US and Japan have been instituted¹¹⁷ which, potentially, weakens the ASEAN 'centrality' in the regional architecture. The ASEAN's conception of regional architecture is multi-faceted and covers a wide spectrum of inter-governmental and civil society interaction not confined merely to security relationships. Currently, negotiations are going on for a common free trade area amongst the EAS member countries, minus US and Russia; there are efforts underway for Asia-Pacific community under the auspices of both ASEAN +3 and EAS. These efforts are going on *pari passu* with greater intra-ASEAN consolidation with the setting up of an ASEAN Community, pursuant to the adoption of the ASEAN Charter (2007), comprising three pillars, namely, a Political-Security Community, Economic community and Socio-Cultural Community; this internal consolidation is no less transformative as it aims to weave together a very diverse group of countries in terms of their political systems, levels of economic development and civilizational traditions.

From the late 1990s onwards, this region and ASEAN as an organization have been buffeted by geopolitical headwinds. The 1997-98 Asian Financial Crisis brought the countries closer to China due to latter's accommodative attitude towards their financial circumstances in contrast with that of US. Even more significantly, the 2008 Global Financial and Economic Crisis (GFEC) altered the regional balance of power in favour of China. The US 'pivot' to Asia in 2010, executed by the Obama administration, to restore this balance added to already rising tension in the region, divisions amongst the ASEAN countries and, at the same time, suspicions amongst them about a possible 'deal'¹¹⁸, over their heads,

¹¹⁷ Prashanth Parameswaran. 17 October, 2015. "China Reveals New Proposal to Boost Defence Ties With ASEAN". *The Diplomat*. <https://thediplomat.com/201510/china-reveals-new-proposal-to-boost-defence-ties-with-asean>. Accessed on 15 December, 2017.

¹¹⁸ Singapore diplomat Bilahari Kausikan, 2015. 'But I suspect that if the US and China were ever to come to agreement, we may all well find it even less comfortable. When great powers strike deals, they generally try to make other countries pay the price. It will then matter very little whether you are an American ally or not.' Quoted in Masahiro Kawai, Moe Thuzan and Bill Hayton. February 2016. *ASEAN's Regional Role & Relations with Japan: The Challenge of Deeper Integration*. London: Chatham House.

between the US and China. The other developments, such as the nearly concluded US-led Trans-Pacific Partnership (TPP) for a common economic area amongst the partner countries, and subsequent confusion over it under the current US Administration, also impacted negatively on its organizational cohesion. The participants in these US initiatives have been, by and large, the Philippines and its traditional regional allies with the addition of Vietnam, reflecting the current fault lines within ASEAN which have emerged as a result of the ongoing geopolitical churn in the region. Even as China is becoming increasingly muscular vis-a-vis the south-east Asian countries as well as the US by developing strong naval and Coast Guard capabilities and engaging in alarmingly massive construction activities on the Paracels' and the Spratlys' land features, it has also embarked on a charm offensive in the form of its Belt-And-Road-Initiative (BRI) which entails region-wide massive infrastructure projects, such as roads, railways, oil and gas pipelines, ports and special economic zones, to bring these countries into an even closer economic embrace. The Philippines participated in both the US initiatives and is encountering the same dilemmas as the other US allies in the region. Its dilemmas vis-a-vis China are, furthermore, even more agonizing given its power asymmetry and inadequate leverage with other ASEAN leaders.

PHILIPPINES – ITS CURRENT ROLE IN ASEAN

A Philippines foreign office media briefing note¹¹⁹ prepared on the occasion of the hosting of the ASEAN summits in November, 2017 under its chairmanship, touches upon the issues of wider domestic public interest when it describes various instances of Philippines leadership in the organization's growth beginning with the involvement in its establishment. The country played a leadership role in the adoption of the 1987 Manila Declaration to foster closer political and economic cooperation amongst the member states and with its dialogue partners at the time. Its subsequent chairmanship saw the adoption of ASEAN Declaration on protection and promotion of the rights of migrant workers at the Cebu (Philippines) summit of 2007. It also shepherded discussions leading to the ASEAN Convention against trafficking in persons along with an action programme in 2015.

<https://www.chathamhouse.org/sites/files/chathamhouse/publications/research/2016-02-18-asean-regional-role-kawai-thuzar-hayton.pdf>. Accessed on 15 December, 2017.

¹¹⁹ Department of Foreign Affairs, Manila. 2017. "Ten Milestones of the Philippines' Membership in ASEAN". www.asean2017.ph/ten-milestones-of-the-philippines-membership-in-asean. Accessed on 14 December, 2017.

The Philippines has been engaged with the ASEAN for closer economic integration but the outcomes, as yet, can only be described as modest for factors attributable to both sides. The tariff lines have been reduced to virtually zero by all member states, and up to 99% by the Philippines, but a lot remains in terms of non-tariff barriers, intellectual property right protection and in competition laws, to name a few. The intra-ASEAN trade, as a percentage of its total trade, has remained unchanged at 24.1% in the entire period from 2004-2014 during which elaborate programmes were already at work¹²⁰. During the same period, the annual growth of intra-ASEAN trade averaged around just over 11% as compared to European Economic Community (EEC) of 24.8% during the first 10 years after the decision was reached to remove all tariff and quota restrictions¹²¹. A certain insularity also characterizes the Philippines' relationship on account of its, earlier referred, historical legacy which has shaped its economic and political orientation attenuating its leverages within ASEAN. Rodolfo Severino, Jr., a retired Filipino diplomat formerly holding the position of ASEAN Secretary General (1998-2002) and a well-known author on ASEAN affairs, states¹²²:

'Regional economic programs are agreed upon by the member states. And when the Philippines agrees to these, the assumption is that the Philippines expects to benefit from these programs. Now, whether it actually does depends on the behavior of the national entities concerned – not just the people involved in economic matters but also people in foreign affairs, agriculture, the justice department, and also the business sector. If they don't take advantage of the opportunities that regionalism presents, then it is the fault of the country itself. It's up to them to seize the opportunity and take advantage of these opportunities.... the private companies should think regional rather than just national.... And also, we're still restrictive on foreign investments when the capital available, on the part of Filipinos, is not adequate. So, these are some of the things that need to be done to make our economy more competitive. And no matter what the region does, if we don't do these things for ourselves, then it won't work for us.'

¹²⁰ Bano, Sayeeda, and Tabbada, Jose P. 2015. "ASEAN Economic Integration: The Quest for Competitiveness" in *ASEAN Integration: Status, Issues, and Prospects*, edited by Uy, Veronica S., 91-137. Manila: Development Academy of the Philippines.

¹²¹ *ibid.*

¹²² Rodolfo C. Severino, Jr. 2011. "Charting the Future of ASEAN", in *Frontlines of Diplomacy: Conversations with Philippine Ambassadors*, edited by J. Eduardo Malaya, p. 194. Manila: Anvil Publishing, Inc.

A public opinion survey done by the Philippine Institute for Development Studies (PIDS), in 2016 at the time of the assumption of presidency of ASEAN by the Philippines, showed¹²³ that 51.1% of government officials, 54.1% of the academicians, 43.8% of business persons, 37.7% of the civil society organizations and 67.6% of ‘others’ were ‘somewhat familiar’ with ASEAN; 50.2% of the respondents agreed that the media coverage of ASEAN was not enough; benefits of ASEAN membership were recognized by 46.7% of government officials and 37.5% of business persons; and, there was expectation that ASEAN will do more to help the Philippines in territorial disputes even as benefits were seen in cooperation amongst the member countries. It also quotes a report, done under the auspices of the Singapore-based Institute of Southeast Asian Studies (ISEAS), that both the Philippines and Singapore remained, in 2014 in comparison to 2007, the only two member countries whose population was the least informed about the organization.

A joint study¹²⁴ by the ASEAN Secretariat and the World Bank, ‘ASEAN Integration Monitoring Report’ published in 2013, to monitor the progress of implementation of the establishment of the ASEAN Economic Community has shown that the Philippines ranks amongst the lowest, along with Myanmar, Indonesia and Brunei, in terms of the intra-ASEAN Merchandise Trade Openness comparison statistics although there has been some all-round progress amongst the member states during the period 2004-2011.

SOUTH CHINA SEA & ASEAN

As an organization completing 50 years of its functioning, the ASEAN has developed an extensive network of international engagements through bilateral dialogues as well as diplomacy at multilateral organizations. Its different multilateral entities have pursued their extensive external agendas of engagement with considerable success and some of which would be touched further upon later in these paragraphs. Yet, one key external challenge, impacting directly on its own security milieu and testing its efficacy for the member states, including the Philippines, as well as for the

¹²³ Sheila V. Siar, 2016, *What does ASEAN Mean to ASEAN Peoples? (The Philippine Case)*, Philippine Institute for Development Studies. Manila

¹²⁴ ASEAN Secretariat and The World Bank, 2013, *ASEAN Integration Monitoring Report*, p. 33. Washington: The World Bank. [http:// documents.worldbank.org/ curated/ en /915081468234873037/ pdf/ 839140WP0P14480Box0382116B00PUBLIC0.pdf](http://documents.worldbank.org/curated/en/915081468234873037/pdf/839140WP0P14480Box0382116B00PUBLIC0.pdf), accessed on 7 December, 2017

wider international community, remains to be the South China Sea. Its ability to handle it has implications for the future of the south-east Asian regional security architecture. Observers compare the ASEAN diplomacy on this issue with its successes in other previous challenges, such as Cambodia and Myanmar.

The South China Sea issue acquired salience after the withdrawal of the Japanese from the area at the end of the 2nd World War. The issue revolves around the competing claims made by different countries on the land features belonging to two island groups, namely, the Paracels and the Spratlys. The Paracels are claimed by China (and Taiwan) and Vietnam; in January 1974, in the closing years of the Vietnam war, the Chinese troops expelled the South Vietnamese forces from these islands by winning the Battle of the Paracels Islands. In the case of the Spratlys, the competing claims are from China, Taiwan, Vietnam, the Philippines, Malaysia, Brunei and Indonesia, in part due to claims concerning limits of the respective Exclusive Economic Zones (EEZs) under provisions of the UN Convention on the Law of the Sea (UNCLOS). The Spratlys attracted international attention in the 1990s as a result of confrontations, between China and Vietnam and between China and the Philippines, and are currently considered a source of wider international concern on account of the land reclamation and dual-use infrastructure building activity on these land features in recent times. Although not confined to it alone, infrastructure construction activities and recent installations there on the part of China are such that its current armed operations capacity in and around the South China Sea is, significantly, altering the regional balance of power in its favour. The other issue of wider global concern, and not just for the ASEAN member countries, is the Chinese claims over the South China Sea waters – and corresponding claims by Taiwan as its predecessor state – as represented by nine dashes around them in their official maps. This so-called ‘nine-dash line’ covers, practically, the entire South China Sea signifying that access, even for international navigation, to these waters is a subject of – implicit or explicit – Chinese consent. These exaggerated claims have also meant Chinese interference, on the ground of the claims on these ‘historic’ waters, in regard to exploitation of hydrocarbon resources, fish stock and other marine resources in the area of the high seas – “the global commons” – or within the EEZs of other littoral countries. This situation has also led to the degradation of oceanic resources in the South China Sea.

The ASEAN has been raising this issue with the Chinese government in different forums. The organization’s concern, expressed in the form of the

ASEAN Declaration on the South China Sea (Manila, 1992) at the instance of the Philippines, has been not in terms of the merits of the respective territorial claims by individual countries on the land features of the South China Sea but on insisting that the pursuit of these claims should be restrained such as to not to disturb regional peace and safety of navigation; that the countries should 'explore the possibility of cooperation' on the safety of maritime navigation and communication, the protection of the marine environment, search-and-rescue operations, combating piracy and armed robbery at sea, and the campaign against illicit trafficking in drugs; and, to work for a 'code of international conduct over the South China Sea' on the basis of the principles of Treaty of Amity and Cooperation in south-east Asia to which China and other ASEAN dialogue partners have acceded¹²⁵. The stand-off between China and the Philippines, referred above, was over a Spratlys land feature called Mischief Reef (1995) located merely 200 km from the Philippines island of Palawan, and represented the farthest reach by China alarming the ASEAN as a whole. It led to the ASEAN and China signing, in 2002, a non-binding Declaration on the Conduct of Parties in the South China Sea (DOC); although the Declaration committed the parties to a binding Code of Conduct (COC), the Guidelines to Implement the DOC were only agreed in 2011, amidst ASEAN disarray due to Chinese diplomacy, to cooperate in various areas but, yet, excluding safety of navigation and communication at sea. The ASEAN disunity became publicly manifest when, in July 2012 due to the opposition of the incumbent chair, Cambodia, a foreign ministerial joint statement could not be issued, for the first time in the organization's history, because of inclusion of references to Chinese paramilitary deployment at Scarborough Shoal and Chinese announcement on exploitation of oil blocks in the Vietnamese EEZ¹²⁶; this was in sharp contrast to the earlier ASEAN ministerial statements such as, 'Recent Developments in South China Sea' (18 March, 1995), which made explicit references to the Mischief Reef developments¹²⁷.

Even as the negotiations between the two sides were attempted to be revived by ASEAN for COC, in January 2013, without consulting the other member states, the Philippines filed a case against China on its South China Sea claims for adjudication by an Arbitral Tribunal under UNCLOS¹²⁸.

¹²⁵ Rudolfo C. Severino, Jr. 2011. *Where in the World is the Philippines?*. Singapore: ISEAS Publishing. P. 85, *passim*

¹²⁶ Carlyle A. Thayer. 2013. "ASEAN, China and the Code of Conduct in the South China Sea". *S AIS Review of International Affairs*, 33, No. 2, Summer-Fall: 75-84. <http://muse.jhu.edu/sais/summary/v033/3.2.thayer.html>

¹²⁷ n. 18. p. 86

¹²⁸ n. 19.

Lack of ASEAN unity was evident, in June 2016, when ASEAN foreign ministerial statement, in itself highly unusual at an ASEAN-China meeting, expressing concern over South China Sea developments, was retracted for ‘urgent amendments’; again, in July 2016, Cambodia blocked mention of the Arbitral ruling in the Philippines case in the communiqué of the ASEAN Ministerial Meeting¹²⁹. Paradoxically, the Arbitral ruling has generated some pressure on China and, under the current, more solicitous Philippines chairmanship of ASEAN, an unpublished ‘framework’ (*sic*) for – for a reportedly legally non-binding – COC has been signed in Manila, on 6 August, 2017 by the foreign ministers of the two sides; the actual text of a COC, going by the now familiar history of Chinese directory tactics, could be many years away mired in geo-political contestation and testing the credibility of ASEAN.

SOUTH CHINA SEA & THE PHILIPPINES

In the Philippines-China bilateral relations, the Spratlys have been the most contentious issue casting a shadow on their long-term stability. Chinese assertiveness in respect of the land features of its concern, accompanied by exaggerated claims on appertaining maritime zones, evoke both security anxieties and fears about its sovereignty. Different presidents have found their own diplomatic approaches being undermined either by lack of national consensus or by Chinese compellence diplomacy to deepen suspicion between it and its US ally. The US-Philippines 1951 mutual defence treaty does not seem to inspire enough confidence, despite US assurances at the highest levels, for the protection of its legitimate territorial and maritime rights which have also been upheld by the UNCLOS Tribunal; for China, its strategic objective is to undermine the US military ‘pivot’ to Asia whose basing facilities in the Philippines have an important role. The US Navy also carries out freedom of navigation patrols (FONOPs) to challenge China’s maritime claims in the Spratlys and the Paracels which it sees as violating the provisions of the UNCLOS. Although Chinese leaders, from Deng Xiaoping onwards, have offered successive Philippines leaders, including the current president, ‘joint development’ of resources, these offers have been non-starters because of Philippines suspicion concerning the involved sovereignty issues. A 2004 Philippines-China agreement, subsequently joined by Vietnam, for a joint seismic study of the South China Sea fell apart due to lack of transparency and acquisitions of corruption against President Arroyo¹³⁰. The relations

¹²⁹ International Institute for Strategic Studies (IISS). 2016. *Strategic Survey 2016: The Annual Review of World Affairs*. London & New York: Routledge. p. 109

¹³⁰ n. 18. p. 91.

between them plummeted under her successor, Benigno Aquino III, who moved closer to US and brought the Philippines case against China under the UNCLOS compulsory arbitration procedures. The Arbitral Tribunal judgement ruled against 'nine-dash line' claim and held that China had violated the Philippines' sovereign rights in its EEZ by undertaking reclamation work at Mischief Reef and harassing Philippines fishing boats and survey vessels¹³¹ (in Reed Bank).

Although the US and Japan were more explicitly supportive of the ruling, both the Philippines and the other ASEAN countries, including Vietnam, were somewhat muted. Aquino's successor, Rodrigo Duterte, reached out to China for improved relationship leading to better economic cooperation, including possible BRI projects, cooperation between the coast guards as well as invoking a bilateral mechanism to address the South China Sea issue. This led to the Chinese lifting of blockade of Scarborough Shoal for Philippines fishermen which had been criticized by the UNCLOS Tribunal. However, the Philippines security reliance on US, as well as growing cooperation with Japan (Visiting Forces Agreement under discussion) and Australia, for strengthening its EEZ patrolling capabilities continues; it was clearly evident when the Philippines had to ask the US for help in clearing the southern city of Marawi of Abu Sayyaf/'Islamic State' terrorists in October 2017. The Chinese assertiveness in the Spratlys has not diminished as evident in the deployment of its survey ships at Benham Rise, outside the 'nine-dash lines' and under Philippines jurisdiction, and the developments around the Philippines-occupied Thitu Island: its plans to strengthen the airfield there, with US funds, were sought to be challenged by the deployment, in August 2017, of two Chinese frigates (and one more later), one Coast Guard vessel and two large fishing vessels within 1-2 nautical miles of it to prevent approach of a Philippines survey ship and to, possibly, 'occupy sand bars just west of Pag-asa (Thitu) that belong to us.'¹³²

To his critics about his going soft on China by not pressing on the implementation of the Arbitral Tribunal ruling, President Duterte was quoted as saying that, during his conversation with Chinese President Xi on 15 May, 2017, the latter said the following when he spoke of the Philippines right to drill for oil (at unspecified place):

¹³¹ International Institute for Strategic Studies (IISS). 2017. *Strategic Survey 2017: The Annual Review of World Affairs*. London & New York: Routledge. p. 101

¹³² Philippine Congressman Gary Alejano quoted in, "Confirming the Chinese flotilla near Thitu Island", *Asia Maritime Transparency Initiative*, 17 August, 2017. <https://amti.csis.org/confirming-chinese-flotilla-near-thitu-island/>. Accessed on 12 December, 2017.

‘His response to me, “we’re friends, we don’t want to quarrel with you, we want to maintain the presence of warm relationship, but if you force the issue, we go to war.”’¹³³

THE MANILA SUMMITS & THE PHILIPPINES CHAIRMANSHIP

The Philippines chairmanship of ASEAN, which concluded with the holding of the various summits in Manila in November, 2017, coincided with a change of leadership of the country. The new president, Rodrigo Duterte, has reoriented his foreign policy for a wider international engagement with a strong people-centric focus. This reoriented policy approach was fully at work at the Manila summits. In a media briefing note¹³⁴, the Philippines foreign office outlined the significance of the country’s chairmanship of ASEAN by highlighting the conclusion of the agreement on the protection and the promotion of the rights of migrant workers as nearly 212, 435 Filipinos work, mostly, in Singapore and Malaysia. The other people-centric, ASEAN community aspect of the summit meetings is deliberations on regional problems such as terrorism, violent extremism piracy and armed robbery against ships, public health and gender and youth issues, poverty alleviation, food security, coastal and marine environment, pursuit of innovation and entrepreneurship. It mentions that, as the Chair, the Philippines is able to host world leaders which it may not be able to do on its own. Amongst other benefits to the Filipino people, it recounts the ability to push for its own initiatives of connectivity, Brunei-Indonesia-Malaysia-Philippines growth area, trade and economic integration benefiting micro, small and medium enterprises, and, in the process, infusing amongst the Filipino people a sense of ‘ASEAN identity’.

At the Manila meetings, the Philippines played a moderating role vis-a-vis China, perhaps to some disappointment for Vietnam. The Philippines foreign minister, Alan Peter Cayetano, said¹³⁵ that it was due to Philippines intervention that ASEAN foreign ministerial statement was a balanced one:

¹³³ Manuel Mogato. 2017. “Duterte says China's Xi threatened war if Philippines drills for oil.” *Reuters*. 19 May, 2017. <https://www.reuters.com/article/us-southchinesea-philippines-china/duterte-says...> Accessed on 12 December 2017.

¹³⁴ Department of Foreign Affairs, Manila. 2017. "Significance of the Philippines hosting of the 31st ASEAN Summit." 14 November, 2017. www.asean2017.ph/significance-of-the-philippines-hosing-of-the-31st-asean-summit. Accessed on 14 December, 2017. *passim*

¹³⁵ Michaela Del Callar. 2017. "PHL wanted issues resented by China dropped from ASEAN statement". *GMA News Online*. 8 August, 2017. www.gmanetwork.com/news/news/nation/621135phlwantedissuesresented-by... Accessed on 12 December, 2017.

the foreign ministers ‘acknowledged China’s growing role in the region and highlighted that China’s economic growth continues to benefit the region.’¹³⁶ They used tougher language on North Korea asking for compliance with UN Security Council resolutions; the communiqué adopts common position on countering violent extremism, radicalization and terrorism, and the Middle East. Summing up relations with the organization’s dialogue partners, it lists out the specific cooperation activities with each one of them, including India. A low key reference to the UNCLOS Arbitral Tribunal ruling is made under ‘ASEAN Community Vision 2025’ where a shared commitment is expressed to maintaining and promoting peace, security and stability in the region, ‘as well as to the peaceful resolution of disputes, including full respect for legal and diplomatic processes, without resorting to the threat or use of force, in accordance with the universal recognized principles of international law’¹³⁷, including UNCLOS.

The Philippines President, in his inaugural remarks at the launch of summit meetings in November, 2017 in Manila ¹³⁸, highlighted the Philippines success in liberating the city of Marawi from terrorist groups pointing at the challenges of terrorism and violent extremism, piracy and armed robbery, non-traditional security threats et cetera. He took special satisfaction in concluding an ASEAN agreement on the protection and promotion of the rights of the migrant workers, an issue of particularly important interest for Philippines. In the Chairman’s Statement on the 31st ASEAN Summit¹³⁹, six thematic priorities of the Philippines as ASEAN’s main deliverables for 2017 were mentioned, namely, a) a people-oriented and people-centered ASEAN; b) peace and stability in the region; c) maritime security and cooperation; d) inclusive, innovation-led growth; e) ASEAN’s resiliency; and, f) ASEAN: a model of regionalism, a global player. It noted that most of the priority economic deliverables under Philippines’ chairmanship of ‘inclusive, innovation-led growth’ were achieved. On the South China Sea issue, the Chairman’s Statement noted ‘improving relations between ASEAN and China’ and emphasized ‘the

¹³⁶ ASEAN Foreign Ministers' communiqué. 2017. *Joint Communiqué of the 50th ASEAN Foreign Ministers' Meeting*. 5 August 2017. asean.org/storage/2017/08/Joint-Communique-of-the-50th-AMM_FINAL.pdf. Accessed on 12 December, 2017.

¹³⁷ *ibid*.

¹³⁸ ASEAN Secretariat News. 2017. *Remarks of President Rodrigo Roa Duterte for the Opening Ceremony of the 31st ASEAN Summit and Related Summits*. 18 November, 2017. www.asean.org/remarks-president-rodrigo-roa-duterte-opening-ceremony-31st-asean-summit-and-related-summits. Accessed on 13 December, 2017.

¹³⁹ ASEAN Statement & Communiqués. 2017. *Chairman's Statement of the 31st ASEAN Summit*. 16 November, 2017. www.asean.org/storage/2017/11/final-chairman's-statement-of-31st-asean-summit.pdf. Accessed on 13 December, 2017.

importance of non-militarization and self-restraint in the conduct of all activities by claimants and other states'. The Chairman's Statement on the 12th East Asia Summit (EAS)¹⁴⁰, underlining EAS as 'an effective platform to discuss issues of common interest and importance to global peace, stability and prosperity', noted that maritime cooperation has been added in Manila as a new area of cooperation; the other areas are energy, education, finance, global health including pandemics, environment and disaster management, ASEAN connectivity, disarmament and non-proliferation, and sustainable development. Despite the presence of the US and Japan in this Organization, the language on the South China Sea issue was not different from the Chairman's Statement on the ASEAN Summit with no reference being made to infrastructure construction activities on the land features; by comparison, the language on the Korean peninsula, in respect of the missile and nuclear programme of North Korea, was stronger in the EAS Statement.

Yet another significant development, on the sidelines of the Manila summits, was the meeting of the middle-ranking diplomats from India, US, Japan and Australia, informally called the 'Quad' on freedom of navigation, and other related issues, on 'Indo-Pacific' which was seen as a revival of a consultation process between them which had started in 2007; this process was abandoned, shortly thereafter, under pressure from China which saw it as another form of the US-driven 'pivot' to Asia. Although the four participating countries issued their separate statements after the meeting giving different versions of the discussions, presumably, because of their own sensitive relationships with China¹⁴¹, the objective of this new dialogue process is to present a contrasting vision from that of the Chinese of the future of the Indo-Pacific region. This vision is one of open, rule-based maritime order in the entire region with economically viable connectivity development approach for more diverse global linkages unlike the BRI projects which bring the regional economies into still tighter embrace of the Chinese. It is also taking place soon after the holding of the 'Malabar 17' exercises in the Bay of Bengal between the navies of US, Japan and

¹⁴⁰ ASEAN Statement & Communiqués. 2017. *Chairman's Statement on the 12th East Asia Summit*. 21 November, 2017. www.asean.org/storage/2017/11/Final-Chairman's-Statement-of-the-12th-EAS_2.pdf. Accessed on 13 December, 2017.

¹⁴¹ Ananth Krishnan, "China warns Quad meeting 'to avoid politicizing or excluding parties'", *India Today*. 13 November, 2017. The Chinese foreign office spokesperson, without referring to the meeting, stated, on 13 November, '(China would) welcome development of friendly cooperation between relevant countries, and we hope this will not be directed at a third party.' www.indiatoday.in, accessed on 13 November, 2017.

India, in July 2017, and which alternate between the Indian Ocean and the East China Sea.

CONCLUDING THOUGHTS

ASEAN leaders of today face different challenges from those of their predecessors. As they govern their populations with their rapidly rising aspirations, they also find that ASEAN, as an organization, is moving out of its own 'comfort zone' of the 1990s and the early 2000s due to profound global strategic flux. It faces the challenge of asserting its 'centrality' in the regional security architecture as it faces, at the same time, the one of internal consolidation of making its functioning more rule-based under the ASEAN Charter – and, thus, losing a bit of its 'ASEAN way' of unhurried pursuit of consensus building – and more economically integrated. As its cohesion comes under threat from Chinese muscularity and an emerging unfavorable regional balance of power, a new, alternative approach, namely the 'Quad', is also emerging, albeit nascent, which aims to neutralize attempts to weaken ASEAN 'centrality' in the regional structures. The new Philippines President, feeling the burden of popular aspirations in his own country and charting a foreign policy course of more active engagement with ASEAN, with all its current challenges, finds this other alternative approach of considerable interest.