

KARAGATAN OBSERVER | FEBRUARY 2021

Summary

The Philippine Coast Guard confirmed to the National Task Force for the West Philippine Sea (NTF-WPS) that around 220 Chinese fishing vessels manned by the Chinese maritime militia were moored near Julian Felipe Reef (also known as Whitsun Reef) since March 7. The Julian Felipe Reef is located within the country's EEZ. The response to this was swift.

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Date

1 March 2021

Recommended citation

APA: Gamboa, F.P. and Uy, M.C. (2021). "Karagatan Observer: February 2021." *Amador Research Services*.

CMOS: Gamboa, Florence Principe and Matthew C. Uy. "Karagatan Observer: February 2021." *Amador Research Services* (2021).

China's Advance and the Opposition to China's Coast Guard Law

As China grew emboldened by its new Coast Guard Law, nations with interests in the region stood in opposition against it. The new Coast Guard Law, which authorizes the Chinese Coast Guard with use of lethal force against foreign vessels, became active policy at the start of February. Since then, it has garnered [a range of responses from experts](#), neighboring states, and other stakeholders.

This month, China's actions depict it to be advancing its power and control in the region. With the controversial Coast Guard Law, it continues its [history of sidestepping international law](#). It also has continued its illegal island building activities by [creating Sansha City](#) in the Paracel Islands (which has now grown to be 800,000 sq miles large) and [constructing more buildings in Mischief Reef](#). Additionally, it now boasts [the largest navy in the world](#) with over 700 ships including the vessels of the Chinese Coast Guard and the maritime militia. A handful of those [ships were spotted near the Senkaku Islands](#) for the first time since the law's passing.

These advances has been [ill received by the region](#) despite China's use of vaccine diplomacy. Since the implementation of the Coast Guard Law, Chinese Embassy in Manila has twice defended it to be [conforming with international law](#) and claimed that it is [not aimed at any specific country in Southeast Asia](#). Unconvinced, the Philippines has taken an active opposition towards the new law. A week after the Coast Guard Law was put into effect, Foreign Affairs Secretary Teddy Locsin Jr. assured the public that he would take [additional steps if an incident](#) happens and emphasized that it would be "more than just a protest." Defense Secretary Delfin Lorenzana warned that this law is subject to ["miscalculations" in implementation](#). He also said that the Philippine Coast Guard and the Philippine Navy would increase patrols in the West Philippine Sea to ensure the protection of fisherfolk.

Other states have also expressed their opposition. Vietnam [installed significant defensive upgrades](#) in the West Reef and Sin Cowe Island and called on ASEAN states to collaborate to [resolve disputes in the region peacefully](#). Japan took a more active role in assuring its defense by [authorizing its own coast guard](#) to fire at any foreign vessels attempting to land on the Senkaku Islands. It has also affirmed its security ties with the United Kingdom as both

states agreed to oppose any attempts to change the status quo in the region. Additionally, Japan has begun [holding drills with the U.S Coast Guard](#) near the Ogasawara islets.

A day after the Coast Guard Law's implementation, [Chinese diplomat Yang Jiechi](#) called for China and the U.S. to restore their relationship to a "predictable and constructive track of development". On February 3rd, the U.S. State Department stressed that the trilateral alliance of the U.S., Japan, and South Korea is [key for peace in the region](#). The State Department has also slammed the Coast Guard Law, [warning of its potential to escalate the maritime disputes](#) and reaffirmed its commitment to Japan and the Philippines. In line with all its reassuring statements, [the U.S. has also increased its presence in the region](#).

Despite the danger posed by the Coast Guard Law, the internal politics of the Philippines continues to be divisive on how to address China. President Rodrigo Duterte mentioned that he cannot be "brave in the mouth against China" due to the potential escalation of conflict. This was slammed by Vice President Leni Robredo as [a defeatist attitude](#), stressing the need to fight for the country's rights. Former Supreme Court Justice Antonio T. Carpio accused China of "[destroying international law](#)" and stressed that the rule of law must be utilized before tensions escalate any further.

The subject of the Visiting Forces Agreement (VFA) with the U.S. has likewise been split. President Duterte stated the [U.S. should pay for the VFA to continue](#), arguing that Philippines has not been receiving adequate military aid from its ally. This comes as both Foreign Affairs Secretary Locsin and Defense Secretary Lorenzana are in [talks with their counterparts to "iron out whatever differences we have"](#).

Analysis

The Coast Guard Law has undoubtedly emboldened China but the pushback has been just as strong. Despite China's attempts to utilize the pandemic to increase its presence and influence in the region through its vaccine diplomacy, countries remain wary and watchful of its actions in the South China Sea. While ASEAN has made no statement as of publication, its [individual members states have bolstered their respective defenses](#) against Chinese aggression. These efforts were aided by the region's allies such as the U.S., the U.K., [France](#) and Australia. In particular, the U.S. and the U.K. recommitted their alliances and security ties to individual nations. While some say that the Biden administration could do more by [ratifying UNCLOS](#), it has so far backed up the reassurances it made last month by [increasing U.S. presence in the South China Sea](#). In late February, the Biden administration reaffirmed the 2016 Arbitration won by the Philippines to be [final and legally binding](#). With such developments, the U.S. and its allies in the region appear to be working in concert to check China's advances.

In the Philippines, however, there remains to be no united front and no official national consensus on how to address the Coast Guard Law. Foreign Secretary Locsin spoke of "additional steps" should an incident under the new law occur, but did not specify what these steps would mean.

Additionally, the issue of vaccine diplomacy resurfaces as feared by many in January. Chief of Philippine Navy Vice Admiral Giovanni Bacordo said that there was [no conflict of interest](#) in accepting vaccines of China while simultaneously being rival claimants in the West Philippine Sea. Meanwhile, Foreign Secretary Locsin stressed the need for a Code of Conduct in the South China Sea and [lamented during a report](#) that actions such as the Coast Guard Law endanger the environment for proper negotiation. Senator Risa Hontiveros raised the issue that [China owes the Philippines over P800 billion in marine losses](#) due to destructive Chinese activities in the region. Deputy Speaker of the House Rufus Rodriguez [released a press statement](#) calling for the passing of a bill to definite the maritime zones under the jurisdiction of the Philippines.

However, the main concern of the Philippines in February remains to be the issue of the Visiting Forces Agreement. While some experts have called the president's remarks on the VFA as [a bargaining tactic](#) making use of the country's heightened importance, calling it [a step in the right direction](#), many have also [criticized it to be an act of "extortion"](#).

Senator Hontiveros said that China must not be allowed to get away with its actions. She is correct. However, while domestic factors and actors can influence the outcomes of foreign policy, the Philippines currently does not have the means nor the political consensus to do so. The Philippines can only do what it can, in small but certain steps that protect its national interest. The passing of a Maritime Zone bill lobbied by Representative Rodriguez, for example, would strengthen our position on the West Philippine Sea. The solidification of the maritime zones will complement the 2016 Arbitration Award, which already has the support of many other states including as U.S. and other claimant states. There is also the continued modernization of the country's navy and air force. The Philippine Navy received [the BRP Antonio Luna](#) and had it sail with the BRP Jose Rizal on February 9. This marks the small but sure growth of the defense arsenal of the country. This month's events highlight the importance of strengthening our legal frameworks and defense capabilities – even in seemingly small but definitive steps leading in the right direction.