

Army Vision: By 2330, a world-class Army that is a source of national pride



TEAM ARMY

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OFFICE OF THE ARMY CHIEF PUBLIC AFFAIRS
NEWS CLIPPINGS

22 August 2016

Monday

Army Core Purpose: Serving the people Securing the land.

NEWS HEADLINES

22 AUGUST 2016

INQUIRER

Duterte threatens to pull PH out of UN

President steps up attack on senator

Reacts criticisms of his antidrug war

Force on 'honor list' in drug war

Local ally to 'Little Duterte'

ALABAMA: Duterte's 'honor list' leads to death of a senator

MANILA GAZETTE

Sweeping revamp

President Duterte's sweeping revamp of the Philippine government is set to begin with the signing of a new constitution, which will give him more power and allow him to run for a second term.

The new constitution will also give Duterte the power to appoint and dismiss judges, and to grant pardons and amnesties.

The revamp is expected to be completed by the end of the year.

The Manila Times

Why didn't the Aquinos investigate these crimes?

Is it our own 'Reign of Terror'?

DUTERTE, WHO TAGS LEE: DE LIMA'S DRIVEN TO DRUG LORDS

'Love affair led to corruption'

DOJ says driven to Lima in witness protection program

Duterte threatens to pull PH out of UN

Thousands of govt posts declared vacant

Trump companies owe \$6.5 million - NY Times

Attanza to 'kill' Marcos in Plaza Miranda bombing

Daily Tribune

Strada on Birens tunnel: Give due respect to the dead

5 TS sympathizers' killed in Sarangani military ops

Du30 wants to go rogue, leave UN

All political appointees dismissed

Duterte tags De Lima in pork scam as killings probe starts

Ex-general wants of Duterte to troops' morale over Red leaders' release

15 bomber KIA at least 50 at Turkey wedding

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Army vision: By 2028, a world-class Army that is a source of national pride.

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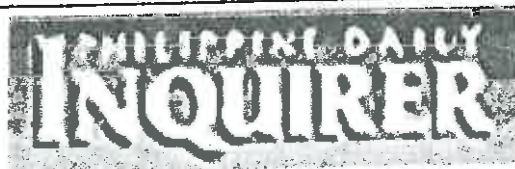
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Army Core Purpose: Serving the people. Securing the land.

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www.panahon.tv

TODAY'S WEATHER FORECAST | AUGUST 22, 2016 | MONGAY

PHILIPPINE AREA OF RESPONSIBILITY (PAR)

LOW PRESSURE AREA
770 KM EAST OF INFANTA, QUEZON

MONSOON TROUGH
AFFECTING LUZON AND VISAYAS
(August 21: 5:00 AM)

SUNRISE	SUNSET
5:43 AM	6:15 PM

MOONRISE	MOONSET
9:24 PM	9:07 AM

FULL MOON	LAST QUARTER
AUG 26 12:27 PM	AUG 28 12:47 PM

LOW TIDE	HIGH TIDE
7:55 PM 0.28 Meter	12:35 PM 1.19 Meter

MANILA & SOUTH HANSEN

Partly cloudy in afternoon; cloudy with showers and/or thunderstorms

Cloudy skies with rain showers and/or thunderstorms

Advisory: 1. Rainfall

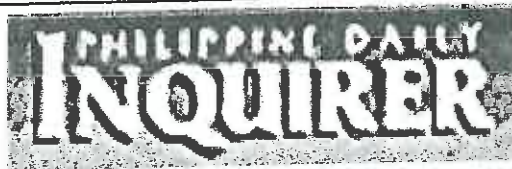
AUG 22		AUG 23		AUG 24		AUG 25		AUG 26	
METRO MANILA	25-29 °C	25-29 °C	22-27 °C	22-27 °C	25-30 °C	25-29 °C			
TUGUEGARAO	25-33 °C	25-32 °C	26-30 °C	25-29 °C	25-34 °C	25-35 °C			
LADAG	25-31 °C	24-30 °C	24-32 °C	23-31 °C	26-35 °C	27-35 °C			
BAGUIO	16-22 °C	15-21 °C	25-30 °C	24-32 °C	24-33 °C	24-34 °C			
SBMA/CLARK	25-31 °C	24-30 °C	25-32 °C	25-31 °C					
LEGAZPI									
PUERTO PRINCESA									
ILOILO/BACOLOD									
METRO CEBU									
TACLOBAN									
CAGAYAN DE ORO									
METRO DAVAO									
ZAMBOANGA									

Watch PANAHON TV everyday at 5:00 AM on PTV (Channel 4)

AIR 21
SAGUT NG PADALA MO!

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Duterte threatensto pull PH out of UN

Resents criticisms of his antidrug war

By Marlon Ramos

PRESIDENT Duterte yesterday threatened to pull the Philippines out of the United Nations as he launched another profanity-laced tirade against the world body for criticizing his ruthless war on drugs.

More than 1,500 people have been killed since Mr. Duterte took office on June 30 and immediately launched a take-no-prisoners crackdown on illegal drugs, drawing fierce criticism from the United Nations and human rights groups.

A lawyer notorious for an acid tongue, Mr. Duterte has repeatedly told the United Nations not to interfere, calling the world body "stupid" for its criticisms.

After the UN special rapporteur on summary executions, Agnes Callamard, suggested last week that Philippine officials could be held liable for the killings, Mr. Duterte stepped up his rhetoric.

"Maybe we'll just have to decide to separate from the United Nations. If you are that rude, son of a bitch, then we'll just leave you," Mr. Duterte said in a news conference in Davao City

DUTERTE/A14

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From page A1

that started about 1 a.m. yesterday.

Mr Duterte said he might even look to set up another international organization.

"I would invite everybody. I would invite maybe China, the African (nations)," he said.

The United Nations, he said, should return Manila's financial contributions.

Lacking due process

Mr Duterte bursts out in profanities every time criticisms are hurled at his war on drugs that has no pretension to due process.

Police say that as of Aug. 15, 665 drug suspects had been killed in "legitimate police operations" and 889 had been killed by vigilantes.

Mr Duterte have repeatedly told police to keep up the campaign, promising them protection from prosecution.

Callamard, in a statement posted on the website of the UN High Commissioner for Human Rights, said such directives were "irresponsible in the extreme and amount to incitement to violence and killing, a

crime under international law."

"Claims to fight illicit drug trade do not absolve the government from its international legal obligations and do not shield state actors or others from responsibility for illegal killings," she said.

The UN special rapporteur on the right to health, Dainius Puras, added that the fight against the illegal drug trade must "respect the human rights of each person."

In June, UN Secretary General Ban Ki-moon condemned Mr Duterte's apparent support for extrajudicial killings, saying they were "illegal and a breach of fundamental rights and freedoms."

"Fuck you, UN, you can't even solve the Middle East carnage... couldn't even lift a finger in Africa," Mr Duterte retorted then.

Last month, he said he might not honor the Philippines' commitments to the Paris Agreement on Climate Change signed by close to 200 UN members.

UN did nothing for PH?

At his early-morning news conference yesterday, Mr Duterte said the United Nations



PHOTO FROM AGNES CALLAMARD'S TWITTER ACCOUNT.

CALLAMARD

had done nothing for the Philippines—ignoring its poverty reduction programs and enormous help following typhoons and other natural disasters—as he continued to rant against the world body.

"Do not shit with me. The joke is on you," Mr Duterte told the United Nations. "You have fallen short of the respect needed for respect. And you want me to respect you? You must be shit."

He continued. "You know, United Nations, if you can say

one bad thing about me, I can give you 10.”

“I tell you, you are inutile, because if you are really true to your mandate, you could have stopped all these wars and killings,” he said, referring to the civil war in Syria and to the haunting picture of a 5-year-old boy, Omran Daqneesh, who was pulled from the rubble of a missile-struck building in Aleppo last week, that went viral online.

“I’m now really very serious. Do not [make allegations] by just giving a stupid explanation because you are infringing into the territory of the sovereignty of the country,” he said.

“Remember that,” he added, raising his voice. “I am the President of a sovereign country. Show your respect first.”

UN representative

He went on: “You do not just throw that kind of allegation or statement without coming here [and] just relying on the reports of the newspapers. That’s what you do. Fuck, that’s what you do.”

Mr. Duterte then asked around for the nationality of the UN resident representative in the Philippines, warning that he

would look for the official to tell him or her that the 193-member United Nations should “observe protocol.”

When told that the UN resident representative was an American, Mr. Duterte said: “Tell this American, show your respect first. Why are you Americans killing the black people (in your country) when they are already on the ground? Answer that question.”

“Goddamn,” he continued. “You tell that to that American. Or better still, tell him that I will pay him a visit if there is time. You just tell me where I can find him.”

Callamard accepted Malacañang’s challenge for the United Nations to investigate the extrajudicial killings, but the Palace stepped back, saying it had invited no one.

Mr. Duterte, however, dared the United Nations to send an expert to the Philippines to investigate.

Bragging about his experience in international law, and the degree in foreign service that he obtained from Lyceum of the Philippines, Mr. Duterte cursed the United Nations again.

“All you do is read editorials. What have you done for the world, Mr. United Nations? How about your expert? Let me know [when he is coming] here. [I] would ask only five questions to prove that you are stupid,” he said. “I will prove to the world that you are a very stupid expert.”

Public debate

Mr. Duterte said he was willing to face UN representatives in a public debate where he would teach them to count victims of illegal drugs.

“You only know how to count correctly when you are counting the corpses of criminals,” he said.

“You worry about the lives of criminals, about the bones of criminals. How about the bones of the guys on the other side, those who were killed innocently? Do we not stop it? So the count will continue in favor of the criminals?” he said.

The news conference ended at past 3 a.m. Mr. Duterte stood up and he was heard cursing: “You son of a bitch. You are stupid Dimwit.” *With reports from AFP and AP*

22 August 2016

The Manila Times

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NPA rebels flee after attacking govt convoy

FORT RAMON MAGSAYSAY, Palayan City:

The Philippine Army is pursuing New People's Army (NPA) rebels who allegedly ambushed a group of municipal employees and military personnel who were on their way to a gift-giving activity in Sitig Sinagawan, Barangay Umiray, Dingalan, Aurora on Friday that resulted in the killing of a soldier and wounding of two others.

Capt. Ronel Rabot, acting chief of the Philippine Army's 7th Infantry Division, said Maj. Gen. Angelito de Leon who commands the division, issued the order as the goods that were supposed to be delivered to Sinagawan Elementary School ended up lost at sea because of the alleged NPA attack.

Rabot said soldiers from the Charlie Company of the 56th Infantry Battalion, 7ID, led by Second Lt. Ghelyn Batoma-laue provided security assis-

tance to employees of Dingalan municipal government headed by Mayor Sherwin Paay for the gift-giving activity.

While aboard two motorboats, the group was fired upon by an undetermined number of NPA rebels as they neared the docking area, Rabot reported.

He said, "while the troops valiantly defended their group, the panicked actions of the civilians on board caused the boat to capsize."

The command would not immediately release the names of the fatality as well as wounded soldiers. The military believes the rebels might also have suffered casualties.

De Leon, in his order, asked the military "to bring the perpetrators to justice."

He condemned the assault "that does not even consider the safety of civilians."

PNA

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4 NPA rebels die in Agusan clash

A DAY before the declaration of a ceasefire between the government and the Communist Party of the Philippines-New People's Army-National Democratic Front, four rebels were killed in an encounter with government troopers in Agusan del Sur.

Philippine Army (PA) spokesman Col Benjamin Hao said the identities of the slain rebels were not yet available.

Members of the Philippine Army's 26th Infantry Battalion (IB) led by Lt Col Rommel Pagayon on Saturday went to Sitio Kahingay, Bgy San Pedro, San Luis, Agusan del Sur after receiving reports about the presence of around 30 NPA rebels led by Commander Antoy of the Front 88 in the barangay allegedly extorting money and forcing residents to leave their homes.

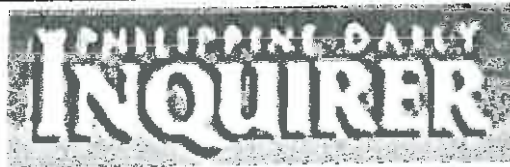
The soldiers were met with gunfire prompting them to retaliate leaving the four rebels dead.

Recovered in the encounter site were five high-powered firearms.

Records showed the same rebel group was involved in the massacre of the Bucalas Family in Zilovia, Talacogon town. **Zaida delos Reyes-Palanca**

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3 terror suspects tied to IS slain in clash

COTABATO CITY—Police killed three suspected local terrorists, who had allegedly pledged allegiance to the Islamic State group (IS), following a brief encounter on Saturday afternoon in Sarangani province.

Supt. Romeo Galgo Jr., spokesperson of the Central Mindanao regional police, said a team from the police's Special Action Force was sent to Barangay Daliao in Maasin town on Saturday to verify the presence of Mohammad Jaafar Maguid, founding chair of Ansar Al-Khilafah Philippines, a group which pledged allegiance to IS last year.

Fatalities

Galgo said Maguid's followers fired at government troops as they approached the village. The three fatalities, whose bodies had been recovered by government troops, had yet to be identified on Sunday.

Maguid, also known as "Commander Tokboy," first established a base in Palimbang town in Sultan Kudarat province more than a year ago. But his group was driven out by troops from the Philippine Marines following a six-hour firefight

that left seven of his men killed. IS flags, guns and bullets were recovered in the area.

The Marines captured Maguid's base and established detachment there.

Galgo said Mustapha Gansing, Maguid's follower, was arrested immediately after the 5 p.m. firefight in Barangay Daliao. A 9mm Uzi machine pistol was seized from him.

Recovery of IS flags

He said a subsequent raid on the house of Kupang Sahak, another Maguid supporter, resulted in the recovery of IS flags and bomb-making components.

Galgo said the raid was carried out with the help of the Army's 27th Infantry Battalion, the police's Regional Public Safety Battalion, and the Maasin town police.

He said government troops recovered from the fatalities a carbine rifle, an M-79 grenade launcher, a rifle scope, an IS flag and an empty shell for M-203 rifle grenade. *Edwin O. Fernandez, Inquirer Mindanao*

22 August 2016

~~PULSE FILES~~

Page. 3

3 miembro ng Ansar Al-Khilafah Phl todas sa engkwentro sa Sarangani

PATAY ang tatlong miyembro ng Ansar Al Khilafah Philippine (AKP) ISIS supporter makaraang maka-engkwentro ng pinagsanib na elemento ng militar at pulisya sa Maasin Sarangani kamakalawa. Inaatam pa ng mga otoridad ang pagkakakilalan ng tatlong nasawing terorista.

Ayon kay BGen Ronald Villanueva, commander of 1002nd Infantry "Bagwis" Brigade, dakong 5.00 ng hapon nang maka-engkwentro ng pinagsanib na elemento ng militar at pulisya ang mga terorista na pinamumunuan ni Mohammad Jaafar Sabirwang Maguid alyas Tokboy sa Sitio Lebe, Brgy. Dabao, Maasin, Sarangani.

Bago ang engkwentro ay nagsagawa ng operation ang militar at pulisya laban sa Mustapha Gansing kung saan nasamsam ang isang Uzi machine, mga subersive document kabilang ang improvised explosive device diagram, lecture.

Nakaingat ng report ang mga otoridad mula sa mga residente sa nasabing lugar na namataan ang grupo ng alyas Tokboy kasama ang ilang mga 'di nakikilang dayuhan.

Agad din nagsagawa ng operation ang militar at pulisya at nasabat ang grupo ni alyas Tokboy.

Narekober ng mga otoridad sa pinangyarihan ng engkwentro ang carbine rifle, M79 grenade launcher, rifle scope, black flag na may ISIS logo at M203 grenade ammunition.

Patuloy ang pagtugis ng militar laban sa mga tumatakas na terorista.

(Mark Obleda)

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3 ISIS followers killed, another arrested in Sarangani

**By Zaida delos
Reyes-Palanca**

COMBINED military and police operatives killed three terrorists and arrested another in an encounter in Sarangani province yesterday.

The identities of the slain militants said to be supporters of the Islamic State in Iraq and Syria (ISIS) were not yet available.

Troopers arrested Mustapha Gansing, a member of Ansar Al Khilafah Philippines.

The Ansar al Khilafah Philippines had been tagged by the military as a new terror group.

Members of the Special Action Force (SAF), the

Sarangani Provincial Police, Regional Public Safety Battalion 12 and the 27th Infantry Battalion of the Philippine Army and Light Reaction Company, conducted an operation against the group led by Mohammad Jaafar Magtud alias "Tokboy" at Sitio Lebe, Bgy Daliao, Maasin, Sarangani.

The terrorist group and government forces clashed in Upper Sitio Lebe that resulted in the killing of the three terrorists.

Recovered from the encounter site were one carbine rifle, one rifle scope, one black flag with

an ISIS logo and one empty shell of 203 ammunition.

Government forces continued their operations and arrested Gansing at 4:30 a.m. yesterday.

Seized from Gansing was an UZI machine pistol loaded with magazine.

Authorities recovered from the house of Kupang Sahak subversive documents containing integrated development environment (IDE) diagrams, lectures, a T-shirt with an ISIS logo, IED components and one set of camouflage uniform.

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<http://www.pna.gov.ph/>

4 rebels killed, high-powered arms seized in Agusan Del Sur clash

By Priam F. Nepomuceno

MANILA, Aug. 21 (PNA) -- Four New People's Army (NPA) rebels were killed and five high-powered firearms were seized during a clash with the troops of the 26th Infantry Battalion in San Luis town, Agusan Del Sur Saturday morning.

The encounter took place at 7:50 a.m. in Sitio Kihingay, Barangay San Pedro where government troops were responding to reports that around 30 NPAs, under one Commander Antoy of Guerilla Front 88, were extorting food and other provisions from the residents.

The same NPA group had accepted responsibility earlier for the massacre of the Bucalas family in Zilovia of Talacogon in May this year where a pregnant family member was among those killed.

In the ensuing clash, four rebels were killed while three AK-47s, two M-16 rifles, two ICOM radios, 20 bag packs and subversive documents were recovered.

No one was reported killed nor hurt in the government side. All the bodies of the slain rebels were recovered.

Col. Cristobal N. Zaragoza, 401st Infantry Brigade commander, ordered the operating troops to conduct pursuit operations and continue scouring the encounter area for the treatment of possible wounded NPAs. (PNA)

22 August
2016

BusinessMirror

A broader view of today's business

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THIS file photo shows members of the Philippine Army during a troop parade in Manila. The Philippine government under President Duterte believes raising the salaries of soldiers and policemen may intensify the fight against crime. NONIE REYES

22 August 2016



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AFP suspends operations vs NPA in E. Mindanao

The military has suspended operations against the New People's Army in Eastern Mindanao following the restoration of the unilateral ceasefire with the Communist Party of the Philippines / National Democratic Front over the weekend.

Armed Forces Eastern Mindanao Command chief Lt. Gen. Rey Leonardo Guerrero directed units under his command to suspend offensive military operations after President Duterte restored the ceasefire with the CPP-NDF effective Aug 21.

"Along with the expectation of peace loving community, EastMin-Com is hopeful that this restoration of ceasefire by the President will be matched with the same sincerity by the other party, so that the sense of security, stability

and progress will be enjoyed by our people," he said.

He assured the public that his men will follow the guidelines to the letter.

President Duterte wants to ensure the safety of frontline

troops after the government and the communist rebels declared a truce as a goodwill measure for the resumption of peace talks.

Duterte said he would consult with the defense depart-

ment and military officials to prevent attacks similar to the ambush in Davao del Norte that left one militiaman dead last month.

– Edith Regalado, Cecille Suerte Felipe

22 August 2016

MANILA BULLETIN

THE NATION'S LEADING NEWSPAPER

Page: 1

Palace monitoring gov't troops' safety in truce; 4 NPAs killed in last-minute clash

By YAN D. OCAMPO, AARON E. REQUENCO, and MIKE U. ORRIMUNDO

DAVAO CITY — President Duterte said yesterday that he will be closely monitoring information on his ground

troops while the bilateral ceasefire with the communist rebels is in effect and the peace talks in ►15

Palace monitoring gov't... ◀1

Oslo, Norway is under way

Hours before the ceasefire declaration, four communist rebels were killed and three soldiers wounded in two separate clashes.

Holding a press conference in this city on the first hour of the ceasefire taking effect, Duterte said he would have to ask the men and women who were dying for the country to tell him the actual situation on the ground: "Are you safe over there?"

It was Saturday afternoon when Presidential Adviser on the Peace Process Jesus Dureza, before departing for Norway, announced that the President

has restored all the operational guidelines of his ceasefire declaration for the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), and other security units of the government beginning midnight.

"I am pleased to announce that President Rodrigo Duterte has restored the effects of the unilateral ceasefire with the CPP/NPA/NDF effective 12 midnight tonight, 21 August 2016," Dureza said.

Director General Ronald dela Rosa, PNP Chief, said he has ordered all chiefs of police and other commanders to maximize the security of all police camps and police stations as the gov-

ernment forces go on defensive after the ceasefire declaration

The move, according to Dela Rosa, is to ensure that no attacks would succeed against police stations which have been the favorite targets of the communist rebels in the past

Just before the declaration of the truce of the NPA for instance, suspected communist rebels attacked a military detachment in Laiya Aplaya in Batangas that left three government militiamen wounded

Lt. Col. Rommel Pagayon, commanding officer of the Army's 26th Infantry Battalion, said his operating troops were conducting prophylactic patrol in villages of San Luis town, particularly in Barangay San Pedro when chanced upon some 30 heavily armed

NPA rebels at 7 50 a.m. on Saturday

The encountered rebels were members of Guerrilla-Front Committee 88 of the CPP-NPA Northeastern Mindanao Regional Committee under a certain "Commander Antoy," he said. Pagayon said his men also seized from the slain rebels high-powered automatic weapons, assorted medicines and personal belongings and subversive documents

Meanwhile, Marine Col. Edgard A. Arevalo, the chief of the AFP's Public Affairs Office, said the President's clear instructions for the AFP is to restore its erstwhile operational guidelines for the truce and that it has already been communicated forthwith to all AFP units on the ground by all means possible. (With a report from Francis T. Wakefield)

22 August 2016

MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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Gov't, NDF peace negotiators meet and greet in Oslo; talks start today

By ROCKY NAZARENO

OSLO, Norway — Communist leaders, spouses Benito and Wilma Tiamzon, arrived here before noon yesterday (5:30 p.m., Philippine time).

a day ahead of the historic resumption of the formal peace talks between the Philippine government and the Communist Party of the Philippines-New People's Army-National Democratic Front (CPP-NPA-NDF).

Barely 48 hours after their release at the Philippine National Police (PNP) Custodial Center in Camp Crame, Quezon City, the Tiamzons, together with the main bulk of the Philippine government contingent, ►15

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Gov't, NDF key...

◀1

travelled for 18 hours, with stopovers in Taiwan and Amsterdam.

The Tiamzons were met at the Scandic Holmenkollen Hotel by an advanced group of Philippine panel members, led by Labor Secretary Silvestre Bello III and former Agrarian Secretary Hernani Braganza, and other released political prisoners that included former CPP chairman Alan Jasminez.

No animosity

There was not a tinge of animosity between representatives from the government and the communist group when they gathered at the hotel lobby.

Bello even recalled how a hotel executive asked them if they had really gone to the Scandic Hotel for peace talks.

"(The hotel executive) was surprised that we could be cordial with each other, not like the Israelis and Palestinians who also had peace talks here," Bello said.

Emotional reunion

CPP founding Chairman Jose Maria Sison was not expected to be at the hotel until later in the day, and the Tiamzons were expecting nothing less than an emotional and historic reunion between them and the 76-year-old leader.

Benito recalled that he and his wife were among the first to welcome Sison on the day he was set free by President Corazon Aquino in 1986. Benito was only a 35-year-old national leader of the CPP then.

Benito would go on to become CPP chairman, and Wilma, CPP secretary general.

"It's the other way around this time. It's Manong Jo's turn to welcome us from detention," Benito told the Manila Bulletin.

Talks at 3 p.m., PH time

The formal resumption of the peace talks starts today at 9 a.m. (3 p.m., Philippine time) with both parties picking up from the joint agreement signed during the exploratory talks held here

last June 14 and 15.

Among the salient points to be discussed would be the reconstitution of the Joint Agreement of Safety and Immunity Guarantees (JASIG) list; the amnesty proclamation for the release of all detained political prisoners; and the mode of an interim ceasefire that would be called by both parties.

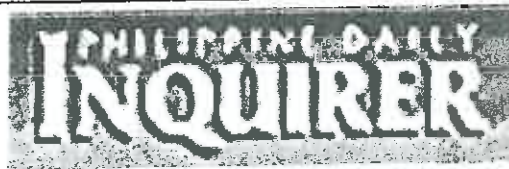
As it is, unilateral ceasefires declared separately by the government and the leftist group, as well as the release of 20 political prisoners who will act as NDF consultants, have formed the backbone of the resumption of the talks.

Lawyer Paul Montejo, chairman of the Philippine panel's working group on releases, said the Tiamzons and the other NDF consultants, who were allowed to post bail, will remain free throughout the duration of the peace process, and not just for the duration of next week's formal resumption of the talks.

However, in not posing any objections to the release of the political prisoners, the Department of Justice (DOJ) and Office of the Solicitor General (OSG) laid down certain conditions.

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Freed Reds hit ground running in Oslo

By Delfin T. Mallari Jr.
Inquirer Southern Luzon

WITH NO time to waste, the newly freed communist leaders who are consultants in the peace talks arrived in Oslo, Norway, and went right to work as the negotiations with Philippine government representatives start today.

In a Facebook chat, lawyer Edre Olalia, National Democratic Front of the Philippines (NDFP) legal consultant who is in Utrecht, the Netherlands, said the consultants started arriving in Oslo on Sunday.

On the same day, Communist Party of the Philippines founder Jose Maria Sison said the CPP would declare another ceasefire to reciprocate President Duterte's reimposition of his ceasefire order.

"Upon the recommendation of the NDFP the CPP shall issue its own unilateral ceasefire declaration after the current seven-day goodwill ceasefire declaration runs out," Sison told the INQUIRER in a separate Facebook chat.

"Subsequently, the [government] and NDFP panels shall strive to reconcile the unilateral ceasefire orders of the [govern-

ment] and NDFP in a single bilateral document," he said.

On Friday night, Sison declared a seven-day unilateral ceasefire that took effect at midnight Saturday and will last until midnight of Aug. 27.

Mr. Duterte on Saturday reimposed the unilateral ceasefire that he declared last month.

Relaxed, ready

Olalia said Benito and Wilma Tiamzon, Renante Gamara, Alan Jazmines and Adelberto Silva composed the first group of newly freed consultants who arrived in Oslo.

Olalia described the mood of the CPP and NDFP leaders based in Utrecht as "relaxed but ready to engage in serious, substantial and satisfactory negotiations."

Olalia said he arrived in Utrecht on Aug. 18 with Dr. Carol Araullo, Bagong Alyansang Makabayan (Bayan) chair, and Rey Casambre, executive director of the Philippine Peace Center.

NDFP peace consultants Satur Ocampo, Rafael Baylosis, Vicente Ladlad, Randall Echanis and NDFP legal consultant Rachel

Pastores arrived in Utrecht on Aug. 20.

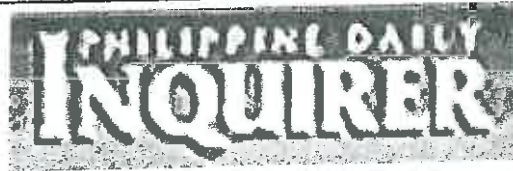
Olalia said they were expecting "hectic, intense work and marathon meetings" at the resumption of the formal peace negotiations.

"We're all positive and hopeful," said

Coni Ledesma, wife of NDFP peace panel chair Luis Jalandoni.

But she admitted that "while we are all optimistic on the peace talks, we are also realistic."

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PNP, AFP vow to carry out duties

THE PHILIPPINE National Police and the Armed Forces of the Philippines will stick to their duties of securing the people and their communities while taking steps to enforce the restoration of the ceasefire with the communists that President Duterte ordered reimposed at midnight Saturday.

PNP Director General Ronald dela Rosa ordered police units throughout the country to continue maintaining law and order. "You are directed to ensure the maximum security of all our camps, units, cities and municipalities. All regional directors shall closely coordinate with their AFP counterparts in their respective areas," PNP public information chief Senior Supt. Dionardo Carlos quoted Dela Rosa as saying.

Lawless

The Department of National Defense said the AFP shall continue performing its duty to protect the people and the country, and will continue actions against lawless armed groups.

"We fully support the peace initiatives of the government, and we will direct the immediate implementation of the ceasefire declaration. Our troops will continue performing their constitutional duties to protect our communities, secure our sovereignty and preserve the territorial integrity of our Republic. The ceasefire is not applicable to lawless armed groups," DND public affairs office chief Arsenio Andolong said in a statement.

AFP spokesperson Brig. Gen. Restituto Padilla said operational guidelines were being crafted for communication to all AFP units on the ground.

"The nation can expect the guidelines will be followed to the letter as it has been so prior to its lifting by the [President]," he said.

Jerome Aning

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3 suspected ISIS supporters killed in Sarangani encounter

By YAS D. OCAMPO

DAVAO CITY — Three members of the terrorist group Ansar Al Khilafah Philippines (AKP), believed to have links to the international terror group ISIS, were killed in a joint operation by the Armed Forces of the Philippines (AFP) and Philippine

National Police (PNP) Saturday afternoon in Sitio Lebe, Brgy. Daliao, Maasin, Sarangani Province, the AFP said in a statement.

The AFP and PNP personnel recovered the bodies of three unidentified AKP members, one carbine rifle, one unit M79 grenade launcher, one rifle scope, a black flag with ISIS logo and an empty shell of M203 grenade

ammunition.

Residents reported the presence of the armed group, numbering around 17, to authorities.

Some of the armed men were reportedly foreign nationals.

Prior to the encounter, authorities also arrested Mustapha Gansing, who yielded a loaded Uzi machine pistol and various documents containing

IED diagram lectures.

"The President is serious in dealing with ISIS or Daesh that is trying to enter our country. This is the reason why the AFP and the PNP jointly conducted this counter terrorism operations to eliminate this threat that endangers the safety and well-being of the residents of Maasin and the neighboring municipalities of Sarangani Province," said Brigadier General Ronald Villanueva, commander of 1002nd Infantry "Bagwis" Brigade.

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BusinessMirror

A broader look at today's business

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Govt banks on highly paid cops, troops to clinch war for peace and order in PHL

By RENE ACOSTA [@reneacostaBM](#)

Part One

CAN the government pay its way to fight crime and for peace and order?

With the plan of President Duterte to hike the pay of policemen and soldiers, it appears so. Mr. Duterte, it seems, is wielding the powers vested in his office to ensure his centerpiece program of ridding the country of

crime, particularly illegal-drugs business, will succeed.

The Chief Executive has upped the pressure. He set a deadline of six months to accomplish his campaign promise.

One of the powers wielded by Mr. Duterte is by placing the Philippine National Police (PNP) under his direct command to produce results. With the overwhelming number

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of arrests, and even dead bodies, something unprecedented in PNP history, it appears the whole police organization heeded the order of the Commander in Chief.

Citing official police data, the Philippine Center for Investigative Journalism (PCIJ) has said an average of 10 persons a day is being killed as Mr. Duterte launched his war on illegal drugs. PCIJ said on its web site that about 141 persons a day on average was arrested, based on PNP data from July 1 to 13 alone.

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Foolproof plan

IN pushing policemen to accomplish the goal, which the President and PNP chief Director General Ronald dela Rosa believed is doable, Mr. Duterte was making sure the policemen are "foolproof" for the campaign. The President said this could be done if the government ups the officers' morale and welfare through a promise of increase of, doubling even, their salaries.

After all, the illegal-drugs problem has reached its unprecedented level because of some corrupt and crooked policemen who are on the take from drug lords by acting as coddlers and protectors. Some were even acting as drug dealers themselves.

Dela Rosa said getting the full and direct support of the President in the anticriminality campaign is a great morale booster for the policemen. Receiving an extra pay or having a salary increase counts much more, he added. However, he said, as law enforcers, they are mandated to do their duties without added emoluments.

The PNP chief said the salary increase should prod the

organization to work more and perform better. This is the reason I am also aghast every time I learn that a member of the organization is involved in illegal activity, he said.

As the "father" of the PNP, dela Rosa also vowed to take care of the morale and welfare of policemen by providing all of their needs.

"*Dapat suklihan naman ito*," the PNP chief said of the all-out support of the President to the organization.

Returning favors

DELAROSA said the salary increase and other kind of support by the President to the PNP should be repaid by the policemen with a renewed sense of dedication to their mandated tasks, higher service to the Filipinos and excellent performance as law enforcers.

President Duterte has promised to increase or implement the doubling of monthly pay of every policeman until December this year.

Early last month, Sen. Alan Peter S. Cayetano filed a measure pushing for the increase in the salaries and other benefits of policemen and other law enforcers.

Cayetano's bill sought to increase the base pay and allowances of PNP personnel, allowing a policeman with the rank of Police Officer 1 (PO1), the lowest rank in the PNP, to receive a gross minimum pay of P50,530 (about \$1,089.07) a month, inclusive of benefits and allowances.

In contrast, a rookie cop in the New York City Police Department receive a base salary of \$41,975 per year, which is roughly P150,000 a month.

Cayetano explained that "police personnel in the country do not receive adequate compensation from the government, despite

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the risk to their lives brought by their profession." The senator, who was Mr. Duterte's running mate in the last election, also said the police force's low wage "makes them vulnerable to the temptation of corruption."

The senator noted that a policeman with the rank of PO1 only gets a monthly pay of P14,834. According to Cayetano, that amount is way below the monthly living wage of P27,510 for a family of five set by the National Wages and Productivity Commission.

"It is not enough that we punish and remove corrupt cops from the service," he said. "Without just compensation, crime and corruption will only seduce what is left of the government's honest, yet, impoverished police personnel."

Arroyo bill

A SIMILAR bill was also filed before the House of Representatives by former President Gloria Macapagal-Arroyo. Arroyo's proposed bill seeks an increase in the salaries of not only policemen, but even members of the Armed Forces of the Philippines (AFP).

Arroyo, currently the representative of the Second District of Pampanga, said her House Bill 304 responds to "the call to help the administration to lessen, if not end, the war in the country, as well as the eradication of corruption, drugs and criminality."

"In order to enhance the general welfare, commitment to service and professionalism of the members of the PNP and the AFP, the monthly take-home pay of its personnel shall be doubled," Arroyo's proposed measure reads.

Arroyo said the funds for the salary increase should be taken from the "appropriation for savings" of the PNP and the AFP, with the ad-

justment to be incorporated later in the national budget.

"The implementation of the Act shall be undertaken in staggered phases, but not to exceed five years taking into consideration the financial position of the national government; provided, that any partial implementation shall be uniform and proportionate for all ranks," Arroyo's bill said.

Base pay

UNTIL last year, the base pay of a policeman with a rank of PO1 was P13,492 a month, while a police inspector was receiving P28,839 monthly. On the other hand, a police senior inspector was getting P31,251 a month.

The monthly salaries of policemen only increased this year following the implementation of EO 201, issued by then-President Benigno S. Aquino III on February 19. That EO ordered the implementation of a modified salary schedule for civilian personnel and additional benefits for military and uniformed personnel over a four-year period starting 2016 until 2019.

The first tranche of the monthly provisional allowance for uniformed police personnel ranges from P342 for a PO1, P2,651 for a senior police officer (4), P4,092 for a police inspector and P9,708 for a police chief superintendent.

The hazard pay of policemen also increased to the monthly rate of P390, from the former P240, with subsequent annual increases up to P840 in 2019.

Police officers with ranks of senior superintendent up to director general were also entitled to monthly officers' allowance ranging from P1,000 to P9,000 in the first tranche of implementation.

To be continued

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Can Etta and Barry block Marcos' burial?

WOULD ABSTRACT, broad language in our Constitution block the burial of former president Ferdinand Marcos in the Libingan ng mga bayani—without a more specific law?

A former chair of the Commission on Human Rights and a martial law victim, Etta Rosales, links so. Ahead of the Aug. 24 and 26 hearings, supreme Court watchers will focus on her petition, written by former Akbayan representative Harry Gutierrez III and lawyers Ma. Concepcion Mendoza Baldeza and Darwin Angeles. Forget the leftists who repeatedly file baseless supreme Court cases as publicity stunts.

Our 1987 Constitution is painfully verbose, with self-contradictory aspirational statements on everything from nuclear weapons to sports. Because Philippine legal education is overly literal, memorization-oriented and bar exam-focused, we accept taking a single word from our lengthy Constitution and stretching it as far as one can.

This led to bold judgments in the 1990s. The 1993 Oposa case allowed unborn generations of Filipinos to question logging licenses, using a constitutional provision on balanced and healthful ecology. The 1997 Manila Prince Hotel case blocked the historic hotel's sale to a foreign group due to a provision of preference for Filipinos.

The 1997 Tañada case, however, rejected blocking the Philippines' accession to the World Trade Organization due to a provision on an independent national economy.

In the 2010s, we treat these long-winded provisions as guiding principles, and ask petitioners to base their claims on more specific laws that flesh out these principles.

The 2013 Reproductive Health Act hearings surprised this debate. Chief Justice Maria Lourdes Sereno, Senior Associate Justice Antonio Carpio and Justice Marvic Leonen thumbed down vague claims that the Constitution prohibits contraception. They emphasized that a court is not an arbiter of morality, ideology, technology or population statistics.

In the 2015 Torre de Manila hearings, Justice Francisco Jardeleza proposed that the building violates constitutional provision on conserving cultural

SISYPHUS' LAMENT

Oscar Franklin Tan



heritage. Carpio questioned how one would know where not to build, as the alleged prohibition is based on a single word in the Constitution.

Gutierrez now raises the stakes and argues: "It is not a mere burial. It is, on the contrary, a complete reversal of the very policy that forms part of the core of the Constitution—that Marcos was a dictator guilty of numerous abuses, and that his like must never again be allowed to hold power over Filipinos. ... It takes away the very historical basis on which so much of our present Constitutional order was anchored, by design."

It is well documented that the 1987 Constitution was drafted to reject martial law. Gutierrez thus argues that the burial undermines a constitutional provision that educational institutions should foster "appreciation of the role of national heroes in the historical development of the country" and other provisions on "full respect for human rights," "youth patriotism and nationalism," "integrity in the public service" and "prohibit political dynasties."

Gutierrez further posits that the burial would violate the principles of the fundamental International Covenant on Civil and Political Rights. The burial would undermine the required "full and effective reparation" to victims of systemic abuses, recognition of the abuses that took place, and the prevention of impunity in future abuses.

As a secondary argument, he cites how Republic Act No. 289 created the Libingan. "To perpetuate the memory of all the Presidents of the Philippines, national heroes and patriots for the inspiration and emulation of this generation and of generations still unborn." He argues Marcos is not worthy of emulation.

Further, Armed Forces Regulation No. 131-373

disqualifies those convicted of an offense involving moral turpitude or dishonorably discharged from service from burial in the Libingan. Gutierrez argues that Marcos should be treated as disqualified given how various laws and even foreign court decisions state that he was forced out of office, amassed ill-gotten wealth and committed countless human rights abuses.

As compelling as Gutierrez's appeal to the spirit of the law is, I hesitate to go so far beyond its letter. People need to know what the law says, what is prohibited and what is authorized. Law is beautiful philosophy when we talk of human rights and social justice, but it must be practical and clear in most contexts.

Today's students are wary of old decisions like *Oposa* and *Manila Prince Hotel* because our verbose Constitution can be used as a pretext for just about anything. With such an open-ended approach to law, why bother passing a law in Congress when one may petition the Supreme Court for an instant solution?

It is ironic to short-circuit democratic process arguably to save democracy by stopping Marcos' burial in the Libingan.

I am likewise wary of invoking the purpose of RA 289. Judges should not be deciding who is worthy of emulation. If one accepts this argument, law could likewise be bent to do anything. Our Securities Regulation Code, for example, prescribes a "socially conscious free market" and "democratization of wealth," but these aspirations should not trump finance principles in regulating financial transactions.

Arguing over AFP Regulation No. 131-373 is pointless because the President as commander in chief may change it anytime.

Gutierrez has at least uplifted the Aug. 24 hearing into a credible discussion. He will likely try to persuade Jardeleza, the Court's greatest liberal and progressive who called for broad interpretations of constitutional principles in recent hearings. It will be fun to see how far the Court will go.

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PHILIPPINE DAILY INQUIRER

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Gen. Vicente P. Lim on a citizen army

AMONG THE books in my mini-library at home is one from a dear friend, Nieves Lim Ledesma, granddaughter of Gen. Vicente P. Lim, the first Filipino West Pointer. The book, "To Inspire and to Lead," is a compilation of some of the letters of the general to his sons Roberto and Luisito and to his wife Pilar, who were in the United States during the years prior to the outbreak of World War II.

The title of the book comes from a line in his last letter to Ms Lim, which was

sent while he was leading the 41st Infantry Division in the frontlines of Bataan in February 1942. The division had just inflicted serious casualties on Japanese

REVEILLE

*Ramon
J. Farolan*



forces at Abucay, and the general wrote: "I sincerely give the credit to my officers and enlisted men. They are the ones who did it all. Mine is only to inspire and to lead them."

The letters provide valuable insights into the character and leadership qualities of General Lim, both as a father and as a soldier. Among the documents in the book is the commencement address he delivered before ROTC (Reserve Officers' Training Corps) graduates of the University of the Philippines in March 1941, as well as a paper prepared as a student at the Army War College in the United States. The paper was regarded by the commandant as "a study of exceptional achievement." It dwelt on the Philippine Islands as a military asset.

Vicente Podico Lim was the third of four children of Jose Lim and Antonia Podico. Born in Calamba, Laguna, Lim grew up under the school system of compulsory public education established by the American colonizers. After two years of teacher training at the Philippine Normal School, he took the entrance exams for the United States Military Academy and was chosen to represent the Philippines, joining the Class of 1914. At West Point, he was known as "the cannibal," due to his dark skin but perhaps mainly because of the ignorance about his origins. He graduated No. 77 out of 107 cadets who finished the course and was commissioned a second lieutenant in the Philippine Scouts.

After his return to the Philippines, he was assigned to the faculty of the Philippine Constabulary School in Baguio City. Here he met Pilar Hidalgo, one of the country's first female mathematicians and the first female cum laude graduate of the University of the Philippines. She would go on to be a co-founder of the Girl Scouts of the Philippines and the third president of Centro Escolar University. American participation in World War I led to an early wedding in August 1917; and the union produced six children—Luis, Roberto, Vicente Jr., Patricio, Eulalia and Ma. Pilar.

Roberto graduated from the US Naval Academy at Annapolis. Vicente Jr. followed in his father's footsteps, finishing at West Point.

Incidentally, the Lim couple would have marked their 99th wedding anniversary this month.

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During the time of General Lim, the threat to the Philippines came from Japan. Today the danger lurks just around the corner, from a neighborhood bully that is putting up artificial islands in the Spratlys and constructing runways on the islands for the use of warplanes.

Let us be blunt about the truth. The bully also prevents our fishermen from engaging in livelihood activities in their traditional fishing grounds. All of these acts of provocation are taking place within our exclusive economic zone.

General Lim recognized that the Philippines needed to develop a citizen army in response to the growing threat from the north. In pursuit of this objective, he agreed with the principle of compulsory military training for all able-bodied citizens. In fact, the Constitution of the day called for preparatory military training from the age of 10. The build-up of our national defense system called for the establishment of a military academy (now the Philippine Military Academy), as well as of an ROTC program at colleges and universities to provide leadership for trainees and reservists.

In a commencement address before ROTC graduates of the University of the Philippines in March 1941, General Lim declared: "This country has such an extensive shoreline in proportion to our revenues that we cannot sustain a standing army big enough to defend it. We must, therefore, educate every citizen to be prepared to fight at a moment's notice. You will be the officers of this citizen army I urge you, therefore, to enhance the military training that you have acquired in this university. It is not only for your benefit but for the protection of your country."

In a recent conversation with Defense Secretary Delfin Lorenzana, he expressed his concern that we may fall short of the officer requirements for the increase in AFP strength as envisioned by President Duterte. Lorenzana viewed the restoration of a mandatory ROTC program as essential to the build-up of a well-trained citizen army.

Nowadays, the view has at times been expressed that there is no point in preparing to fight a world power. Such preparations are seen as simply a waste of valuable resources and manpower since defeat is certain. General Lim had this to say about this attitude: "If we desire the respect of other nations, we must show them that we are exerting all efforts to build a nation not only strong in arms but unconquerable in spirit. An indomitable will to fight and an unflinching resolution to defend at all costs 'life, liberty and the pursuit of happiness' are the fundamental characteristics of any nation that deserves to survive."

In a letter to his sons Luisito and Bobby, dated July 16, 1940, General Lim wrote about Philippine democracy: "Our democracy in the Philippines is unilateral. It is only for the benefit, for the freedom, for the rights, comfort and happiness of each individual member of the nation. That is the common belief and I venture to say that 99.9 percent of our people believe in that kind of democracy. They do not know their obligations, their duties, and the sacrifices that they should give to the State which is the relative counterpart of the amount of personal democracy he should indulge. The two should balance."

Along the same lines, my view has always been that we have placed too much emphasis on our rights and entitlements, not enough on responsibilities and obligations.

A simple example: We have vehicles parked on sidewalks that are supposed to be for the use of pedestrians; we have vehicles that use the road for permanent parking purposes, turning what is supposed to be a two-way road into virtually a one-lane street. And we complain about horrible traffic jams!

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EDITORIAL PANGMATAGALANG CEASEFIRE

KAPWA nagpairal ang pamahalaang-Pilipinas at Communist Party of the Philippines-National Democratic Front-New People's Army ng kanl-kanilang tigil-putukan o ceasefire kasabay ng nagaganap na usapang pangkapayapaan sa bansang Norway.

Unang nagdeklara ang CPP-NDF-NPA ng ceasefire mula Agosto 21 hanggang Agosto 27 na sumasaklaw sa nasabing usapan na magaganap sa Agosto 22-26 ngayong taon.

Sumunod namang nagdeklara ang pamahalaan ng sarili nitong ceasefire sa nasabing kaganapan.

Ayon sa mga rebolusyonaryo, maaaring mapalawig ang ceasefire nito, depende na rin sa ibubunga ng nasabing usapan samantalang sinasabi ng pamahalaan na pailalain ang sarili nitong patakaran hanggang sa ganap na makamit ang kapayapaan.

Walang duda na seryoso ang magkabilang panig sa pagkamit ng pambansang kapayapaan at pagkakaisa alang-alang sa sambayanang Filipino.

Magkagayunman, tiyak namang magkakatoon ng mga hindi inaasahang pangyayari o paglabag sa mga deklarasyong ng ceasefire, gaya ng nagaganap maging sa pagitan ng pamahalaan at Moro Islamic Liberation Front.

Ang Mamasapano massacre ang isang halimbawa rito.

Sa kabila ng mga ganitong pangyayari, sana naman manatili ang magkabilang panig na kumapit sa pangkalahatang layunin ng pag-uusap, ang kamtin ang makabuluhang kapayapaan, pagkakaisa at pagbabago lang-alang sa buong bayan.

Sana, makagawa ng paraan ang magkabilang panig upang mapangibabawan ang mga pagkakamali at maaaring makatulong dito ang isang tagapamagitan na may layunin ding makamit ng Pilipinas ang kalayaan mula sa kuko ng glyera, pagkahati-hati, pagkawasak at kawalan ng masaganang kinabukasan.

Maganda rin kung tutulong ang buong bayan sa dalawa na magkasundo na nang tuluyan.

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Under President Duterte's predecessor, Benigno S. Aquino III, peace talks stalled over the government's refusal to heed a rebel demand for the release of some captured guerrillas who were to serve as peace talks consultants. Mr. Duterte, however, has agreed to the release of rebels who are involved in peace talks, and appointed two allies of the guerrillas to Cabinet posts in concessions that fostered the resumption of talks. **AP**

ONLINE NEWS

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South China Sea: Fishing in Troubled Waters

From The Diplomat (Aug 18)

Could partnered fisheries enforcement be the best follow up to the recent PCA ruling?



Image Credit: DVIDSHUB

The United States Navy does fisheries enforcement.

That's not a headline, a recommendation, or a prediction for the future. It's a practiced fact.

Today, the United States Navy and the United States Coast Guard routinely operate together under the Oceania Maritime Security Initiative (OMSI) to conduct fisheries enforcement missions in partnership with other countries, embarking their representatives on U.S. platforms for enforcement patrols within non-U.S. EEZs.

The Navy's innovative interagency and multinational experience in fisheries enforcement is not widely noted. (After all not much is sexy about fish policing.) But it might be the appropriate model for a low-risk, high-impact operational response to the recent Permanent Court of Arbitration (PCA) ruling in the South China Sea.

Partnered fisheries enforcement in the Philippine EEZ might consolidate both the PCA ruling and demonstrate Manila and Washington's joint commitment to the rule of law in a tangible and effective way.

The Deafening Silence of the Status Quo

Since the Permanent Court of Arbitration (PCA) tribunal issued its ruling on the landmark Philippine-China arbitration on July 12, there has been a deafening silence from most of the primary stakeholders in the outcome. China, of course, has been an exception: Immediately following the ruling (and arguably before) Beijing moved quickly to maintain political, diplomatic, and operational momentum. Dismissing the ruling as "waste paper," calling for a "people's war at sea," and continuing to make infrastructural improvements on its artificial installations in the Spratlys, Beijing's escalatory activities have remained steady — this despite confirmation from the Court that many of China's activities have no basis in law.

For its part, Vietnam has not been left flat-footed. Keeping pace with Beijing's activities, Vietnam contributed to a hardening of positions by placing new rocket launchers on several of its holdings in the Spratlys. Though Vietnam's capabilities are much more modest and its operational position at great disadvantage to Beijing's, Hanoi has clearly signaled that it won't accept a *fait accompli* in the South China Sea, at least while it has some wherewithal to resist. Vietnamese resolve means that its artillery and Chinese missiles now sit less than 200 nautical miles from one another in what must surely be the world's most dangerous sea.

Meanwhile, the Philippines' newly minted President Rodrigo Duterte has mounted a diplomatic initiative that reaffirms the ruling of the PCA while also recognizing the need for continued dialogue; Indonesia's government

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has recently set up a legal task force to explore Jakarta's options in the same vein. Malaysia has remained curiously silent on the ruling and the ongoing maneuvers by Vietnam and China, but no less silent than ASEAN, which (incredibly) failed to mention the South China Sea or the arbitral ruling in its Summit communiqué last month.

The anemic response isn't only disappointing, it's dangerous. While it is entirely understandable that all parties remain prudent and cognizant of the dangers of escalation, neither does it pay to acquiesce to Chinese behavior, which has clearly been destabilizing. Beijing's intransigence has been significant: rejecting international law and legal procedure out of hand and encouraging other governments to do the same, reckless military posturing despite its diplomatic commitments under the 2002 ASEAN Code of Conduct, and incitement of nationalist fervor at sea outside the traditional military chain of command and control. Acquiescence to what can only be interpreted as China's reckless disregard for regional stability will not only encourage Beijing to believe that it alone sets the rules for regional waters, but might also set legal precedent that undermines the broader rule of law.

Between Escalation and Acquiescence?

An appropriate response by stakeholder nations would underscore and extend the ruling of the PCA by means that are as non-escalatory as possible without being acquiescent. So far, most insightful commentaries have focused exclusively on the military or legal aspects of this dispute alone. Unfortunately, neither discussion permits much room for creative policymaking, one being excessively escalatory, the other being excessively normative and, so far at least, unable to influence Beijing. But there's a forgotten policy space that lies between those two poles. Constabulary power offers a tantalizing prospect for progress here, that is, fisheries enforcement in confirmed areas of EEZ.

It should be acknowledged that the PCA ruling left many things unresolved – most notably, ultimate sovereignty of the features in the Spratly Islands. It clarified a few things as well, but these are dauntingly difficult to enforce, such as the validity of the nine-dash line and the illegality of Beijing's construction on Mischief Reef. However, the ruling did undeniably confirm two things: that Mischief Reef is not capable of generating maritime zones, and so falls within Manila's EEZ; and second, Scarborough Shoal only generates a 12 nautical mile territorial sea within the larger Filipino EEZ, and that all traditional (including Filipino) fishermen should retain access.

In principle, these rulings are easily consolidated through maritime law enforcement activity in confirmed areas of Philippine EEZ. But with a high volume of Chinese-flagged and -subsidized fishing vessels regularly fishing in the zone with the apparent rear-guard support of the China Coast Guard, Manila couldn't mount an uncontested operation alone. The Philippine Coast Guard and even the Philippine Navy have limited capacity. But acting with the United States under a partnered agreement suited to the circumstances is an option worth exploring. Such a framework might be modeled after Washington's existing fisheries partnerships in the Pacific Islands under OMSI. Regular credible fisheries patrols in Philippine waters (including those around Mischief Reef and near Scarborough Shoal) would operationalize the spirit and the letter of the least controversial parts of the PCA ruling.

For the United States, a fisheries pact with the Philippine Coast Guard would be a natural and non-escalatory activity under its alliance with Manila in line with its stated commitment to the rule of law in Southeast Asian waters. And, as the United States Navy already has both a near-consistent presence in Philippine waters and direct experience in partnered fisheries enforcement, the operation is "shovel-ready." It should be noted that partnered fisheries enforcement in the Pacific represents a best practice in innovative governing. There are two enablers: an operating agreement between the U.S. Navy and the U.S. Coast Guard on the one hand, and bilateral ship-rider agreement between the United States and the partner nation on the other. The result is that today, a U.S. Navy vessel carrying U.S. Coast Guard personnel and partner authorities can detain,

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inspect, confiscate, and arrest foreign fishing vessels operating illegally in partner EEZs. This creative interagency and international framework has been successfully operating in the Pacific for half a decade, putting some much-needed muscle behind fisheries management there. Is this the model for U.S.-Philippine partnership going forward?

There are downsides to this proposition. It is well known that "commercial" fishermen around the nine-dash line are affiliated with and perhaps directed by Chinese government authorities, which means that confronting these trespassers carries some risk. To say nothing of the fact that the U.S. Navy cannot and should not be Southeast Asia's fish police for the long-run; that mission properly belongs to the region's residents. But in the immediate term, limited use of U.S. Navy platforms for this purpose is a proposal that has much to commend it. It will unequivocally underscore Manila and Washington's joint commitment to abide by the PCA ruling while demonstrating that the Philippines' sovereign right to police its own jurisdiction is sacrosanct, no matter its size or capability. It will signal to Beijing that it does not have a free hand in Southeast Asia, particularly in the sovereign jurisdictions of Southeast Asia's smaller states. It may reduce the volume of official and semi-official activity undertaken by China's maritime services in Philippine EEZ, diminishing the operational risks of confrontation or dangerous unintended encounters around the Spratly Islands. And it may also provide some badly needed deterrence to ongoing construction projects on and around Mischief Reef.

All things considered, strengthened fisheries enforcement – partnered, legal, and effective – may be the best way to extend the PCA ruling with the least possible risk to regional stability. The baseline reality is that the United States Navy knows how to do partnered fisheries enforcement. That capability is badly needed in the Philippine EEZ. And the apparent alternatives, either military posturing or *de facto* acquiescence to Chinese behavior, might prove the riskier options in the not-so-long-run.

[Kerry Lynn Nankivell is an Associate Professor at the Asia-Pacific Center for Security Studies in Honolulu, HI. The views expressed in this article are those of the author alone and do not represent the official view of U.S. Pacific Command, the U.S. Department of Defense or the United States government.]

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The Hague Tribunal's South China Sea Ruling: Empty Provocation or Slow-Burning Influence?

From the Council of Councils (Aug 19)



Philippine Marines fold a Philippine national flag during a flag-raising at the BRP Sierra Madre, a manned transport ship at the disputed Second Thomas Shoal, part of the Spratly Islands in the South China Sea, March 28, 2014. (Erik De Castro-Rejters)

Last month's ruling by a tribunal at the Permanent Court of Arbitration (PCA) on the dispute brought by the Philippines against China has earned its place in maritime legal annals. Its precedent is likely to be felt beyond the South China Sea, but whether it will influence China is open to question.

Sweeping Victory

Unlike previous territorial disputes put before the International Tribunal for the Law of the Sea or International Court of Justice in The Hague, this tribunal did not adjudicate on sovereignty. That would have required both parties' agreement. Furthermore, China's reservations after ratification of the United Nations Convention on the Law of the Sea (UNCLOS) against compulsory dispute settlement under the Convention being binding effectively precluded such a direct approach. The Philippines was able to seek arbitration by focusing its case on the legal status of disputed maritime features, rather than a determination on who owns what. On these more limited terms, the Philippines obtained a sweeping victory, with the panel finding unanimously in its favor on almost all fifteen submissions.

The panel found that China's claims of historic rights within the nine-dash line, which Beijing uses to demarcate its claims in the South China Sea, were without legal foundation. The panel also concluded that Beijing's activities within the Philippines' two-hundred-nautical-mile exclusive economic zone (EEZ), such as illegal fishing and environmentally ruinous artificial island construction, infringed on Manila's sovereign rights.

No Islands in the Spratlys

While these aspects of the ruling garnered headlines, the boldest implications flow from the judges' opinion that none of the maritime features in the Spratly Islands are entitled to maritime zones beyond twelve nautical miles. UNCLOS accords the full suite of maritime jurisdiction privileges (territorial sea, EEZ, and continental shelf rights) to islands. Rocks, however, are only entitled to twelve nautical miles of territorial sea, and freestanding low-tide elevations have no jurisdictional entitlement at all.

The tribunal ruled that the Spratly Islands are not islands in the legal sense, but rather, rocks or low-tide elevations. This includes the aptly named Mischief Reef, a maritime feature that China has occupied since 1995; it is one of seven features upon which Beijing has heaped thousands of tons of sand and concrete since the case was lodged in 2013. Although Mischief Reef now accommodates a military-grade runway and port facilities, the ruling is unambiguous that it falls within the Philippine EEZ. This means China is in a state of unlawful occupation.

The implications of the ruling are less clear for Scarborough Shoal, an isolated feature several hundred miles northeast of the Spratly Islands that is much closer to Manila. It was declared a rock above water at high-tide and therefore entitled to a territorial sea. Based on the tribunal's ruling, the shoal is wholly within the Philippines EEZ. While it is unoccupied, it has been under de facto Chinese control since 2012, a highly unusual situation.

Vietnam and other Southeast Asian countries were not parties to the arbitration, but their sovereign EEZ rights

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in the South China Sea have been bolstered by the ruling. This includes Indonesia and Malaysia, which have recently experienced aggressive encroachment into portions of their EEZs by Chinese fishing and maritime law-enforcement vessels in area Beijing claims as traditional fishing grounds.

China can no longer justify such claims with reference to UNCLOS. This affirmation of Southeast Asian countries' land-based maritime resource rights in the South China Sea reflects the geographical fact that their coastlines are much closer to the disputed area than China's. Removing the Spratlys from the jurisdictional picture beyond a handful of enclaved territorial seas potentially eases the path towards a cooperative high-seas resource-sharing solution in the future. Getting there, however, will still be very difficult.

An Overall Verdict?

The legal picture is one thing, but strategic realities exist on a different plane.

One month on, is it possible to pass an overall verdict on this groundbreaking, island-diminishing case? It is probably too early to tell. It has always been difficult to quantify impact in the slow-burning world of international law, even though the arbitration is considered final and legally binding on China.

Realist commentators marvel at the Philippines's pluck in attempting to level the asymmetrical playing field in the South China Sea, but are skeptical that China will bend. Where big powers are concerned, might trumps right. Without an enforcement mechanism, the tribunal's ruling is destined to be ignored, or worse still, constitute an empty provocation to a vengeful Beijing bent on turning the South China Sea into a Chinese lake, according to this point of view.

Nonetheless, the Philippines is currently enjoying calm weather at the eye of the South China Sea storm. While China has directed invective at supporters of the tribunal ruling, including Australia, the new Philippine government of Rodrigo Duterte has been spared the worst. Thus far Manila has held its post-tribunal-ruling cards closely, avoiding the twin pitfalls of hubris or submission to China. One can even imagine the basis for a bilateral grand bargain with Beijing, including a swap of Scarborough Shoal for, say, Second Thomas Shoal. But Philippine policy under Duterte remains unpredictable, with the potential to undercut the effect of the tribunal's ruling.

Some have questioned the importance of the ruling by suggesting that the tribunal has a lower status than that of international courts, such as the International Tribunal on the Law of the Sea. The judges have even been criticized for failing to show sufficient political sensitivity to the implications of their ruling.

International maritime lawyers, almost by definition liberal institutionalists, are more persuaded that the tribunal's ruling could be a game changer. Some point to a record of great-power compliance with international court decisions, even in cases where the verdict was initially contested. The influence of international law in shaping norms should not be ignored. However, the impact is not always felt immediately, a point worth stressing in the age of instant analysis and event fatigue.

Regional Reactions

China issued a position paper in 2014 preemptively rejecting arbitration, so its public tantrum following the ruling was predictable. Taiwan's negative reaction, however, is worthy of attention as a "control group" from which to gauge China's reactions. Unlike China, Taiwan is not a party to UNCLOS, nor is it bound by the tribunal's ruling. But the Republic of China's 1940s-era nine-dash-line map is the precursor and mirror image of Beijing's claims.

Taiwan's disappointment springs from the tribunal's rejection of island status for Itu Aba, the largest naturally formed feature in the Spratly Islands and a remote Taiwanese outpost. Taiwan's rejection of the ruling is not surprising. Since the tribunal's ruling does not impinge on sovereignty claims, once the disappointment of Itu Aba's classification wears off, scope remains for Taiwan to change its position. A claim based on newly clarified maritime features in the South China Sea would allow Taipei to distinguish itself from Beijing's dubious attachment to the nine-dash line, moving it closer to conformity with international law without having to renounce claims of sovereignty.

Beijing maintained a frosty attitude throughout the tribunal proceedings while attempting to enlist a motley

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curiously silent on the ruling and the ongoing maneuvers by Vietnam and China, but no less silent than ASEAN, which (incredibly) failed to mention the South China Sea or the arbitral ruling in its Summit communiqué last month.

The anemic response isn't only disappointing, it's dangerous. While it is entirely understandable that all parties remain prudent and cognizant of the dangers of escalation, neither does it pay to acquiesce to Chinese behavior, which has clearly been destabilizing. Beijing's intransigence has been significant: rejecting international law and legal procedure out of hand and encouraging other governments to do the same, reckless military posturing despite its diplomatic commitments under the 2002 ASEAN Code of Conduct, and incitement of nationalist fervor at sea outside the traditional military chain of command and control. Acquiescence to what can only be interpreted as China's reckless disregard for regional stability will not only encourage Beijing to believe that it alone sets the rules for regional waters, but might also set legal precedent that undermines the broader rule of law.

Between Escalation and Acquiescence?

An appropriate response by stakeholder nations would underscore and extend the ruling of the PCA by means that are as non-escalatory as possible without being acquiescent. So far, most insightful commentaries have focused exclusively on the military or legal aspects of this dispute alone. Unfortunately, neither discussion permits much room for creative policymaking, one being excessively escalatory, the other being excessively normative and, so far at least, unable to influence Beijing. But there's a forgotten policy space that lies between those two poles. Constabulary power offers a tantalizing prospect for progress here, that is, fisheries enforcement in confirmed areas of EEZ.

It should be acknowledged that the PCA ruling left many things unresolved – most notably, ultimate sovereignty of the features in the Spratly Islands. It clarified a few things as well, but these are dauntingly difficult to enforce, such as the validity of the nine-dash line and the illegality of Beijing's construction on Mischief Reef. However, the ruling did undeniably confirm two things: that Mischief Reef is not capable of generating maritime zones, and so falls within Manila's EEZ; and second, Scarborough Shoal only generates a 12 nautical mile territorial sea within the larger Filipino EEZ, and that all traditional (including Filipino) fishermen should retain access.

In principle, these rulings are easily consolidated through maritime law enforcement activity in confirmed areas of Philippine EEZ. But with a high volume of Chinese-flagged and -subsidized fishing vessels regularly fishing in the zone with the apparent rear-guard support of the China Coast Guard, Manila couldn't mount an uncontested operation alone. The Philippine Coast Guard and even the Philippine Navy have limited capacity. But acting with the United States under a partnered agreement suited to the circumstances is an option worth exploring. Such a framework might be modeled after Washington's existing fisheries partnerships in the Pacific Islands under OMSI. Regular credible fisheries patrols in Philippine waters (including those around Mischief Reef and near Scarborough Shoal) would operationalize the spirit and the letter of the least controversial parts of the PCA ruling.

For the United States, a fisheries pact with the Philippine Coast Guard would be a natural and non-escalatory activity under its alliance with Manila in line with its stated commitment to the rule of law in Southeast Asian waters. And, as the United States Navy already has both a near-consistent presence in Philippine waters and direct experience in partnered fisheries enforcement, the operation is "shovel-ready." It should be noted that partnered fisheries enforcement in the Pacific represents a best practice in innovative governing. There are two enablers: an operating agreement between the U.S. Navy and the U.S. Coast Guard on the one hand, and bilateral ship-rider agreement between the United States and the partner nation on the other. The result is that today, a U.S. Navy vessel carrying U.S. Coast Guard personnel and partner authorities can detain, inspect, confiscate, and arrest foreign fishing vessels operating illegally in partner EEZs. This creative

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PH college debaters condemn hero's burial for Marcos

Burying the late dictator Ferdinand Marcos at the Libingan ng mga Bayani would be an 'injustice to the thousands of Martial Law victims,' says the Philippine Debate Union



'MORALLY REPREHENSIBLE' The Philippine Debate Union strongly opposes the planned hero's burial for the late dictator Ferdinand Marcos.

MANILA, Philippines – The Philippine Debate Union (PDU) on Saturday, August 20, condemned the planned burial of former president Ferdinand Marcos at the Libingan ng mga Bayani (Heroes' Cemetery).

In a statement, the nationwide association of college debate societies said that to transfer Marcos from Batac, Ilocos Norte to the Libingan ng mga Bayani would be an injustice.

"To bury Marcos at the Libingan would be morally reprehensible," PDU said. "It is an injustice to the thousands of victims of Martial Law who, in their ongoing search for closure, had endured decades worth of suffering."

According to Amnesty International, about 70,000 people were imprisoned while 34,000 were tortured and 3,240 were killed during Martial Law from 1972 to 1981. (READ: Worse than death: Torture methods during martial law)

"We call upon the administration of President Rodrigo Duterte to recognize this and discontinue his plan to give the former dictator the honor of a hero's burial," PDU said.

For the group, matters concerning the Marcos administration "are not up for a debate."

"We urge the Filipino nation, especially the youth of today, to ask what is heroism? PDU believes that heroes are persons of integrity, honesty, and selflessness," the group said.

"Gross violation of human rights warrants none of these traits."

Corruption and lies

Duterte has repeatedly said that the decision to bury Marcos at the Libingan ng mga Bayani is based solely on Marcos being a Filipino soldier and a former president.

PDU, however, said that being a soldier and a president are "not enough justification to be buried a hero."

"Burial at the Libingan is denied to soldiers dismissed for offenses involving moral turpitude, of which Marcos is certainly guilty," the group said.

The National Historical Commission of the Philippines (NHCP) also disputed Marcos' record as a soldier during World War II, saying it is "fraught with myths, factual inconsistencies, and lies." (READ: NHCP objects to Marcos burial at Libingan ng mga Bayani)

PDU also hit the widespread corruption during the Marcos regime.

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"He inherited a strong economy and left it in shambles by the time he was ousted by popular revolution," the group said. "His presidency eroded our political institutions and cemented a legacy of impunity in politics, leaving us a debt we have to repay until 2025."

'Not unifying'

The statement was signed by 21 leaders of debate organizations based in colleges and universities across the country, including Lyceum Debate Society from Duterte's alma mater Lyceum of the Philippines University-Manila.

The planned burial, PDU said, will not unite the Philippines.

"In no way will his burial bring unity to the country," the group said.

"The call to move on limits the public imagination, excluding any narrative that can be described as truly unifying for there can be no unity without justice," it added. (READ: #Animated: Marcos, Duterte and burying our history)

PDU is the latest organization to express opposition to the planned hero's burial for Marcos.

Among those who have released statements against the move are Catholic schools, members of Negros Occidental-based civil society organizations, and Jesuit groups.

Martial Law victims have also filed petitions asking the Supreme Court to stop the burial. Oral arguments are set to begin on Wednesday, August 24. – [Rappler.com](https://www.rappler.com)

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IN PHOTOS: NDF consultants meet in Netherlands ahead of peace talks

By: Aries Joseph Hegina



Photo from ATTY. EDRE OLALIA, NDFP LEGAL CONSULTANT

The consultants of the National Democratic Front of the Philippines (NDFP) met in Utrecht, The Netherlands ahead of the resumption of formal peace negotiations between the government and Communist rebels at Oslo, Norway from August 22 to 26.

In photos posted by NDFP legal consultant Atty. Edre Olalia on his Facebook account, Communist Party of the Philippines (CPP) founder and NDF chief political consultant Jose Maria Sison can be seen in a meeting with NDF chief negotiator Luis Jalandoni, consultants Rey Casambre, Randall Echanis, Connie Ledesma, Fidel Agcaoili, Atty. Rachel Pastores and cooperators Vic Lalad and Satur Ocampo.



Photo from ATTY. EDRE OLALIA, NDFP LEGAL CONSULTANT

Members of the International Legal Advisory Team of the NDFP panel were also present in the meeting.

Olalia, who will also join in the peace talks, told INQUIRER.net that the meeting focused on preparations for the peace negotiations.



Photo from ATTY. EDRE OLALIA, NDFP LEGAL CONSULTANT

Status of consultants' releases and travel papers, skeds, delegation travel details, taskings, brainstorming, advance drafts of potential documents, technical preps & other matters [were the ones discussed]," Olalia said.

The negotiations in Oslo seek to end one of Asia's longest- running insurgencies.

Both the communists and the government declared ceasefires ahead of the talks.

The government under President Rodrigo Duterte has also freed 22 jailed NDFP political consultants so that they can join the peace negotiations. JE

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coalition of supposedly supportive states. Since the ruling was released on July 12, China has shifted tack, aiming to splinter international support for the tribunal's award.

The Association of Southeast Asian Nations (ASEAN) has borne the brunt of these wedge-driving efforts. Cambodia is widely perceived to be acting at Beijing's behest as Southeast Asia's chief spoiler, vetoing overt references to the tribunal's ruling in the various communiqués from ASEAN's recent multilateral summits. Chinese pressure appears to have borne neutralizing fruit more widely among ASEAN's membership. Within ASEAN, apart from the Philippines itself, Vietnam alone endorsed the ruling. If Vietnamese fishermen are subjected to physical harassment, Hanoi could launch its own legal case against China, buoyed by the Philippine precedent. But it will take a significant incident to trigger such an action, such as another oil rig deployment deep into disputed waters.

China was also suspected of applying a hidden hand to water down an EU statement on the ruling. In fact, to date, no European state has backed the ruling as binding.

Hardening Trend

While Beijing has waged a war of words since the tribunal ruling was released, it didn't immediately step up military action in the South China Sea. Although this appears to be changing, with Chinese Air Force combat patrols flying over the Spratly Islands and Scarborough Shoal and a planned joint exercise with Russia scheduled for the South China Sea in September, the epicenter of China's maritime aggressiveness appears to have reverted for now to the East China Sea.

Recent statements from the People's Liberation Army leadership confirm a hardening trend, something that President Xi Jinping may have instrumental reasons for supporting.

However, based on Beijing's own post-ruling pronouncements, there is still a possibility that China will attenuate its future claims. Since the tribunal did not rule on any questions of sovereignty, Beijing could even continue to use the nine-dash line as a cartographical shorthand for its claims based on high-tide features without relinquishing its territorial claims within the Spratlys. But that depends on China living up to its vaunted long view.

Policy Implications

Next steps in moving forward from the ruling lie squarely with China and the Philippines. Much will depend on the progress of their bilateral relations and potential negotiations.

External parties with an interest in the region, including the United States, should focus on fostering cooperation. Directing policy and capacity-building efforts toward fisheries protection and conservation in the South China Sea would be consistent with the tribunal's findings and could draw on a broad coalition of actors, including environmental groups that have yet to show much interest in the sea. This approach likely has the best prospects for rallying wider support within ASEAN especially Indonesia, given the priority it accords to thwarting illegal fishing. This could extend to impromptu or sideline discussions at the upcoming Group of Twenty summit in Beijing, although China is widely expected to block any mention of the South China Sea in the summit's communiqués.

One month on, China's hardline reaction and successful splintering efforts have taken off the initial shine from the Philippines's legal triumph in The Hague. The leadership change in the Philippines has injected a wild card into the mix. However, it is too early to discount that the award will have a moderating influence on China's claims. Hard-line statements out of China need to be scrutinized for evidence of subtle changes in the weeks and months to come.

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