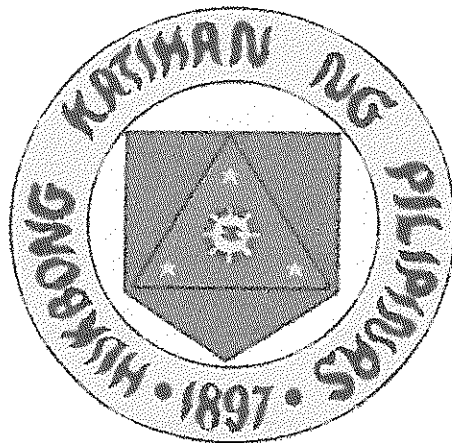


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**OFFICE OF THE ARMY CHIEF PUBLIC AFFAIRS
NEWS CLIPPINGS**

18 July 2016

Monday

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18 July 2016

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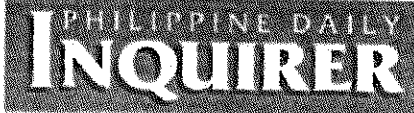
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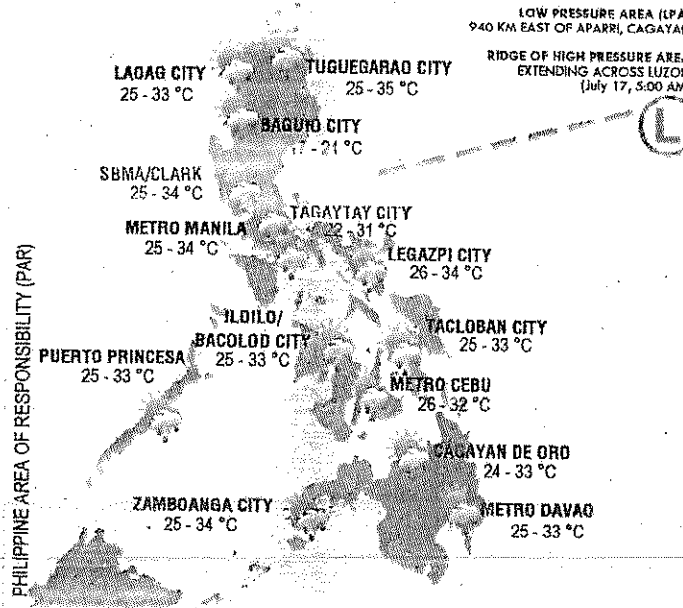


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




























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LOW PRESSURE AREA (LPA)
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RIDGE OF HIGH PRESSURE AREA
EXTENDING ACROSS LUZON
(July 17, 5:00 AM)

SUNRISE  5:36 AM	SUNSET  6:29 PM
MOONRISE  5:00 PM	MOONSET  3:52 AM
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LOW TIDE  4:57 PM 0.09 Meter	HIGH TIDE  8:34 AM 1.19 Meter

Partly cloudy to at times cloudy with rainshowers and/or thunderstorms

	JUL 18	JUL 19	JUL 20	JUL 21	JUL 22
METRO MANILA	 25 - 34 °C	 25 - 34 °C	 22 - 32 °C	 22 - 31 °C	
TAGAYTAY			 22 - 32 °C	 22 - 31 °C	
TACLOBAN			 25 - 33 °C	 26 - 32 °C	
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LEGAZPI			 24 - 33 °C	 24 - 33 °C	
CAGAYAN DE ORO			 24 - 33 °C	 25 - 33 °C	
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METRO DAVAO			 24 - 34 °C	 25 - 33 °C	
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16 July 2016

INQUIRER

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No double standard in drug war—Palace

Other suspects urged to prove they're clean

By Marlon Ramos

WHY did the "Punisher" let alleged drug Triad boss Peter Lim live another day?

The Palace could not give the exact reason, but Presidential Communications Secretary Martin Andanar yesterday sought to assure the public that there was no double standard in the government's war against illegal drugs.

Lim, a wealthy businessman from Cebu, met in private with President Duterte in Davao City on Friday just as bodies of poor drug suspects continued to turn up in various parts of the country.

An INQUIRER count since July 1 showed at least 179 people

have been killed in police operations against illegal drug activities. Another 64 drug-related deaths have been blamed on vigilantes. Most of the victims—described as drug lords and pushers—were killed in slum areas and looked impoverished.

Mr. Duterte, who earned the monicker "Punisher" for advocating the summary killings of suspected criminals when he was the mayor of Davao City, said in a televised address on July 7 that he would execute

NO DOUBLE/AS

Lim the minute he set foot in the country on his return from a reported overseas trip.

The President, however, let the Cebu trader leave the regional office of the Philippine Drug Enforcement Authority in one piece after the meeting.

"The alleged drug lord Peter Lim has come out in the open. He (wants to clear) his name and he has expressed his intention to the President that he will do just that," Andanar told the state-run dzRV radio station.

Burden now on Lim

"The burden now is (on) Peter Lim and we do encourage the rest of the suspects to do the same," he added.

During their conversation, the President repeated his warning to Lim that he would have him executed if the investigation showed that he was the same Peter Lim, alias Jaguar, who was running the drug Triad in the Visayas region.

Unlike Lim, many of those killed in police operations and vigilante-style killings were not given the chance to talk with the most powerful man in the country to defend themselves.

"I threatened to have you killed. You know, I'll really have you killed if I get (evidence). I'll really finish you off," the President bluntly told him, according to a video of the meeting the government released on YouTube.

Asked why the President did not kill Lim as he had warned, Andanar said: "Well, Peter Lim has already expressed his intentions to clear his name. Let's leave it at that."

"Let's just wait until the final investigation comes out. Let's just wait for Mr. Peter Lim's evidence and what he can show to clear (his name) from this allegation," Andanar insisted.

No discrimination

He then challenged those claiming that the Duterte administration has been discriminating against poor drug addicts and street-level drug peddlers.

"Those questions have to be supported by facts, by empirical evidence," he said. "As far as we know, the operation of the Philippine National Police has always been in pursuit of those who are peddling and pushing drugs."

Andanar said Mr. Duterte was the first and only Chief Executive who boldly identified in public those involved in the illegal drug trade.

The President had earlier named five active and retired senior police officials who were purportedly protecting illegal drug syndicates.

Said Andanar: "The President has even named the Level 5 drug lords ... (who) are the highest ... in the hierarchy of those who are selling illegal drugs."

"As far as I can remember in the history, I have not seen a President who has been so brave in announcing to the public the people who are allegedly behind this menace of drugs," he continued.

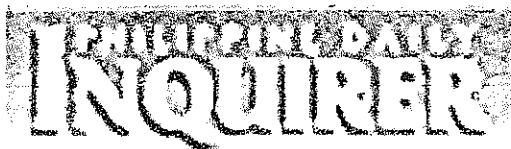
Drug matrix

Andanar said he himself had seen the names of people on the "drug matrix" that Mr. Duterte had shown to the public during his July 7 address.

He said the contents of the list could make one's stomach turn. "What I can only tell you is that if you see the matrix, you'll probably say that it is really unbelievable and it will really make you throw up."

Andanar said the matrix showed that only a handful of people were behind the agony of some 1.8 Filipinos who are hooked on illegal substances.

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Itu Aba: PH biggest worry is biggest win

By Tarra Quismundo

THE ROCK of contention was the Philippine legal team's "biggest worry."

But in the end, the status of

Itu Aba, the largest feature in the disputed Spratly Islands in the South China Sea, turned out to be one of the Philippines' most significant

ITU ABAB A20

scores in its challenge to China's claim to almost all of the South China Sea in the Permanent Court of Arbitration in The Hague.

For two solicitors general who led the team in the Philippines' biggest international legal battle, the classification of Itu Aba as a rock, not an island, has been the greatest relief.

The UN-backed tribunal's decision meant that the feature, long under the control of Taiwan, which calls it Taiping Island, does not entitle any claimant to a 370-kilometer exclusive economic zone (EEZ), precluding any overlap with the Philippines' nearest coast in Palawan.

It is among the highlights of the unanimous ruling handed down by the tribunal on Tuesday, invalidating China's sweeping claims in the South China Sea, nearly a full grant of the Philippines' position on maritime entitlements in the heavily contested waters.

"Now I can tell you. At 5 p.m. on Tuesday, my worry was Itu Aba. Because we really didn't know how the tribunal was going to rule," said former Solicitor General Florin Hilbay, who argued the Philippines' case before the tribunal.

"When the ruling was released, that was Ben's (Supreme Court Associate Justice Alfredo Benjamin Caguioa) first question: 'What's the ruling on Itu Aba?'"

'Biggest worry'

"It was the biggest worry," said Supreme Court Associate Justice Francis Jardeleza, also a former solicitor general.

Jardeleza was the government's chief trial lawyer when it decided to initiate arbitration proceedings against China in January 2013.

Hilbay, who joined the Office of the Solicitor General in the same month but largely to handle the country's defense for the reproductive health law, took on the role when Jardeleza was appointed to the Supreme Court in August 2014.

Had the tribunal ruled otherwise, Jardeleza said, it would have spelled further danger of encroachment by other claimants into Philippine waters.

Had the tribunal ruled that Itu Aba was an island, its EEZ "would reach the coast of Palawan and Reed Bank (Recto Bank)," a feature within the Philippines' EEZ where the country had been exploring for oil and gas.

Whether Itu Aba should be included in the case was the subject of debate within the legal team and among outsiders who strongly supported the Philippine claim—a matter that Jardeleza and Hilbay disclosed only after the case had been decided.

Differences in legal strategy at the time had even drawn for Jardeleza allegations of betrayal, particularly from Associate Justice Antonio Carpio, a staunch supporter of the Philippine case.

Risky for PH

"In the beginning, nobody said, 'Include Itu Aba.' Nobody. Not (Paul) Reichler (the Philippines' lead lawyer), not the Department of Foreign Affairs (DFA). Nobody," Jardeleza told the INQUIRER in an interview on Thursday.

"Nobody wanted to mention Itu Aba because the risk was, if the tribunal ruled that it was an island, there would be an overlap of the EEZs," he said.

The feature was not in the original complaint against China that the Philippines brought in January 2013.

In the following months, Jardeleza's said scholars started taunting the Philippines in news reports for missing the largest feature in the Spratlys in its case.

Jardeleza said members of the legal team were one in saying the Philippines should not amend the complaint to include Itu Aba, as that "would be admitting that you forgot about it."

"The political reason is, if you were the one to include it and you lose politically, the next stage is that an aircraft carrier of China

will park in Palawan and they can say, 'Well, we have overlapping EEZs so we can go up to here.' And that's because of us," Jardeleza said.

Written into 'memorial'

Still, Reichler, of the international firm Foley Hoag who was commissioned for the case because of his experience in international arbitration, wrote 17 paragraphs about Itu Aba in the Philippines' "memorial" in the case.

The memorial—a "long explanation of the complaint," according to Hilbay—was in the works at the time.

Then President Benigno Aquino III eventually decided to include Itu Aba in the memorial, which was filed in March 2014, through mere mention, which made it "an incidental issue that might be relevant for deciding the major issues," Hilbay said.

Later, it was the tribunal itself that asked the Philippines to submit further pleadings tackling Itu Aba—the strategy that Hilbay and Jardeleza said they had been eyeing all along.

"[The tribunal] knew Itu Aba was going to be crucial because it's the largest feature. The tribunal itself was the one who compelled us to discuss Itu Aba, so it's they signaling to us that we could not decide a lot of the issues you raised without looking at Itu Aba. But it's the tribunal, not the [Philippines], that raised it as a feature whose status must be clarified," Hilbay said.

It's a rock

In the end, the Philippines won by asserting its position that Itu Aba was a rock, not an island. Taiwan, which occupies Itu Aba and has built an airport on it, rejected the ruling.

Apart from Itu Aba, Panatag (Scarborough) Shoal, Burgos (Gaven) Reef North, Chigua (McKenna) Reef, Mabini (Johnson) South) Reef, Calderon (Cuarteron) Reef, and Kagitingan (Fiery Cross) Reef were also classified as rocks.

Zamora (Subi) Reef, Hughes Reef (no Philippine name), Panganiban (Mischief) Reef, Ayungin (Second Thomas) Shoal, and Gaven (Gavin) South Reef were classified as low-tide elevations that do not generate any maritime entitlement.

Recto (Reed) Bank was classified as a "completely submerged" feature within the Philippines' EEZ.

Knock on Jardeleza

The inclusion of Itu Aba in the memorial was raised against Jardeleza when he was being considered for appointment to the Supreme Court.

Jardeleza was accused of betraying national interest when he pressed for the deletion of the Itu Aba information from the memorial.

Carpio raised the matter as a question on his integrity before the Judicial and Bar Council, the body that short-lists and endorses nominees for justices to Malacañang.

Chief Justice Maria Lourdes Sereno joined Carpio in opposing Jardeleza's nomination.

"I kept quiet, even if I was being called a traitor. I did not respond. Why? Because if I had confirmed that we were fighting about Itu Aba, what do you think the Chinese intelligence would have done? It would have meant you were confirming that we were scared. So I kept my peace," Jardeleza said, dealing with the controversy for the first time.

Hilbay described the disagreement between Carpio and Jardeleza as "a debate over strategy."

"It was tactical," he said.

Jardelez said the hurtful allegations caused him sleepless nights but he held on to the discipline of keeping mum.

"My only complain is, just because we disagree, I'm seen as less loyal to my country ... especially if you (Carpio) have nothing to do with this case," he said.

"Do not say the other guy is less patriotic than you are. We are all patriots," he said. "[It] really hurts to be called a traitor by somebody who has nothing to do with the case."

Jardeleza said he and Carpio maintained "civil" professional relations on the Supreme Court.

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MANILA BULLETIN

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France offers to ease tension over sea row

By ROY C. MABASA

France has expressed its willingness to help in reducing the tension in the South China Sea following the ruling handed down last week by the Permanent Court of Arbitration in The Hague favoring the Philippines over China.

Speaking to reporters at the sidelines of the Bastille Day celebration over the weekend, French Ambassador to the Philippines Thierry Mathou said France can engage stakeholders, including China, in discussions and diplomacy, noting that "it's in the interest of everyone to lessen the tension."

"We have a very good relation (with China). It's a global relation like with the Philippines. When you are good friends, you don't have to fear being straight. It's the way we are with all our partners," the French envoy said.

While acknowledging the importance of discussion **►6**

among the stakeholders, he pointed out that everybody has to abide by the law, including the Law of the Sea.

"We would like all stakeholders to engage in discussion because at the end, the only solution to this issue is negotiation," he said.

The ambassador also lauded the Duterte administration for its "very wise" response to the favorable ruling from the arbitration court.

"The reaction of the Philippine government was very wise. The award is a very thick one, hundreds of pages. First, everybody should read the award and it will take some time, which is exactly the position of the Philippines. We have to know exactly about the decision. We will favor all those who will favor the diminishing of tension," Mathou said.

The French ambassador also expressed confidence that Duterte will find a good way to reach out to all the stakeholders, including China, and eventually to cool down the situation.

"I was fortunate to have two meetings with him. I found that your president is very pragmatic, very articulate. He wants the best for your country. I'm confident he will find a good solution to solve the issue," he said.

In the same interview, the French envoy has expressed their willingness to be part of the country's ambitious modernization program that would increase the defense capability of the Armed Forces of the Philippines.

"France is one of the world's leaders in terms of defense equipment. We made quite important deals with few countries in the region like in Australia where we recently finalized a historic deal regarding submarines," Mathou added.

He said France is ready to discuss the modernization program with the Philippines as he noted the previous administration's ambitious plan to modernize the army.

"I understand the new government intends to do this and we are ready and eager to discuss. We need this kind of agreement to realize the plan," he added.

Last May 11, the Philippines and France signed a defense cooperation agreement that provides bilateral relations between the defense agencies of the two countries.

Mathou said the defense pact was only a renewal of an agreement that dates back in the 1980s and not similar to what the Philippines has with the United States.

"It's a classical defense agreement... It's an agreement to exchange expertise, to exchange point of views, to discuss technology, equipment. It's quite a broad agreement. It's the occasion for us to discuss different issues related to defense in the Philippines," the envoy pointed out.

World sheriff

While there is no so called "world sheriff" to enforce the ruling of the

Permanent Court of Arbitration, the award can function as a focal point that enables the state and non state actors to bring countries in line with international law, according to Solicitor General Jose Calida during a post arbitration forum held recently at the University of the Philippines College of Law.

Solicitor General Calida described the PCA award as a "historic win" not only for the Philippines but for the international community as well because it renews humanity's faith in a rules based global order.

He said the award which favored the Philippines "opens a horizon of possibilities for all stakeholders and a crowning glory of international law."

"It provides for the norms that must be followed for the peaceful and orderly conduct of world affairs," Calida said.

He said the goal of upholding international law is always a "broad based and collective order."

In an interview on the sidelines of the forum, Lawrence H. Martin, one of the international legal advisers hired by the Philippine government for the arbitration case, said bilateral talks with China are certainly appropriate as long as they are on the basis of the PCA award.

"The award is clear and binding, and I think China has to accept that any talks have to be using the award as the foundation," Martin told reporters.

He expressed hope that although China still clings to its position of rejecting any negotiations based on the ruling, its position will change.

Martin said China will surely find a way to "gracefully accommodate itself to the new situation."

Discord at ASEM

In Mongolia, a key summit between Asian and European leaders ended on Saturday without direct mention of the South China Sea dispute in its closing statement, with diplomats describing intense discord over the issue between Europe and Asia.

China has refused to recognize Tuesday's ruling by an arbitration court in The Hague invalidating its vast claims in the South China Sea and did not take part in the proceedings brought by the Philippines. It has reacted angrily to calls by Western countries and Japan for the decision to be adhered to..

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China had flagged ahead of the Ulaanbaatar get-together that it did not want the South China Sea to be discussed, saying it was not an appropriate venue.

The closing statement at the Asia-Europe Meeting (ASEM) said leaders reaffirmed a commitment to promote maritime security, safety and cooperation, freedom of navigation and overflight and to refrain from using threatening force.

It also said disputes should be resolved via international law, the United Nations charter and UN Convention on the Law of the Sea, or UNCLOS.

European Council President Donald Tusk told reporters he hoped the court's decision would create positive momentum in finding a solution to the dispute.

"Still, it's not so easy to agree with our Chinese partners when it comes to these issues but our talks were difficult, tough but also promising," he said.

On Friday, the European Union (EU) issued a statement noting China's legal defeat but avoided direct reference to Beijing, reflecting discord among EU governments over how strongly to respond to the court ruling. (With Reuters)

While the EU is neutral in China's dispute with its Asian neighbors in the South China Sea, Britain, France and Germany want to make clear that Beijing must uphold international law as it seeks a bigger global role.

But speaking with one European voice has become difficult as some smaller governments, including Hungary and Greece, rely on Chinese investment and are unwilling to criticize Beijing.

No bilateral

The panel ruled Beijing's actions in the South China Sea, through which more than \$5 trillion of trade moves annually, had interfered with the Philippines' sovereign rights. Brunei, Malaysia, Taiwan, and Vietnam also have claims to the strategic waterway.

There was no bilateral meeting between the Chinese and Philippines foreign ministers, a Philippine diplomatic source told Reuters, though the Chinese initially requested a meeting at the beginning of the summit.

Chinese officials did not speak to foreign reporters during the summit. China's Foreign Ministry did not immediately respond to a request for comment on the summit and the South China Sea.

State news agency Xinhua quoted Chinese Premier Li Keqiang as saying on Saturday in Ulaanbaatar that the court's decision would have "no impact whatsoever" on Chinese sovereignty and maritime rights and interests in the South China Sea.

Li had told Japanese Prime Minister Shinzo Abe the previous day that Japan should stop interfering in the issue.

Japan met with several countries including the Philippines and Vietnam and told them Japan would cooperate with them to enforce the decision, a foreign ministry spokesman said.

A diplomat from Russia, which has close ties with China and has supported its position over the arbitration case, said the West was hectoring.

"If you understand how the other side lives, you're more tolerant," he said. "The West always starts with teaching. Asians never do that."

A Mongolian diplomat said negotiations over the closing statement were "intense."

"The Europeans wanted lots on the South China Sea but the Asians didn't." (With a report from Reuters)

18 July 2019

Page 1

Historical evidence to support RP claim over South China Sea – Sulu sultanate



IDJIRANI

By Mario J. Mallari

Aside from the favorable ruling of the United Nations arbitral tribunal on the Philippines claims over the South China Sea (West Philippine Sea), the country can also invoke historical rights over the disputed area with the recognition by China's Ming Dynasty of the Sulu sultanate long before Beijing "invented" the nine-dash line.

Abraham Idjirani, secretary general of the Sultanate of Sulu, yesterday said the Philippine government can cite the 1405 treaty signed by China and Sulu sultanate wherein the Ming Dynasty recognized Sulu.

Turn to page 3

From page 1

This as China continued to ignore the UN ruling junking its historical and nine-dash line claims over the South China Sea, including the entire Kalayaan Islands Group (KIGs) or the Spratlys in the West Philippine Sea.

"The government can also invoke historical rights of the Sultanate of Sulu," Idjirani told The Tribune.

"When the Ming Dynasty of China recognized Sulu as the Eastern Kingdom of Sulu, China signed the 1405 Treaty in the Status of An Independent Tributary States whereby China recognized the now disputed area as part of the Sultanate of Sulu which was then called Chuluan or Managkayan (Clamp) Island," he added.

With the recognition of the sultanate by the Ming Dynasty, Idjirani said China's nine-dash line and historical claims are invalid.

"The 1405 Treaty between China and the Eastern Kingdom of Sulu (now the Sultanate of Sulu) that emphasized 'non interference of each other internal affairs' will defy China's claim of nine-dash line which it called its historical basis," said Idjirani.

Despite international pressure after the UN arbitral tribunal handed its decision rejecting China's nine-dash line claims, Beijing is standing firm on its position of not recognizing the international court's ruling over the South China Sea.

Chinese Premier Li Keqiang said China never participated in

the arbitration unilaterally initiated by the Philippines, adding his country neither accepts nor acknowledges the so-called arbitration award.

"By doing so, we are both exercising our rights in accordance with international law, and safeguarding the dignity of international law," he said.

"Under no circumstance will the arbitration award exert any impact on China's territorial sovereignty and maritime rights and interests in the South China Sea," Li added.

The Chinese premier said Beijing adheres to settlement of the South China Sea disputes through dialogue and consultation with countries directly involved on the basis of respect for historical facts and in accordance with international law, so as to safeguard peace and stability in the South China Sea.

The Duterte administration has stated that it is open for bilateral talks with China to peacefully settle the dispute over the KIGs.

The UN arbitral tribunal last Tuesday junked China's nine dash line claims in the South China Sea and awarded to the Philippines the exclusive economic zone over the KIGs where China has conducted massive reclamation development activities in recent years.

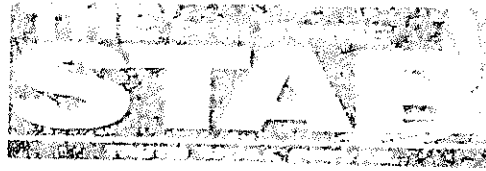
The court also declared Scarborough Shoal or Panatag Shoal as a free zone for all fishermen but Chinese vessels continued to drive away Filipino fishermen from Zambales.

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18 July 2016



Page: 3

BIFF enters MILF ground; AFP halts offensive

The military offensive against the Bangsamoro Islamic Freedom Fighters (BIFF) has been temporarily halted after the rebels entered the bailiwick of the Moro Islamic Liberation Front (MILF), which has ongoing peace talks with the government.

Col. Cirilito Sobejana, commander, Army's 601st brigade, yesterday said they are now coordinating with the MILF leadership to be

able to get the BIFF members in their enclave.

A meeting is set today in Cotabato, he said.

Sobejana said there were about 80 BIFF members on the run, but "based on the agreement, we need to relocate or reposition the MILF before we can proceed further."

"Our people are holding the ground and we are ready to resume our assault once we clarify with authorities the

issue on the MILF presence," he said.

The military has been conducting offensive operations against lawless elements in the area for several weeks now, Sobejana said.

"As far as the leadership of the MILF is concerned, they don't want to accommodate BIFF members. But blood is thicker than water, other mem-

bers of the MILF are brothers, fathers, and sons of those in the BIFF."

Sobejana said on the fourth day of the military engagement, the BIFF has started to abandon the fight because the rebels are running short of ammunition and suffer several casualties.

"We accounted for 33 killed and 10 wounded and they are

taking shelter with the MILF members who are their relatives," he said.

On the part of the military, Sobejana said there were seven wounded but only one soldier was in serious condition due to a bullet wound in the head.

He said BIFF rebels retreated to Malangog after their stronghold in Datu Unsay

town was taken over by the military.

He added the rebels could slip away since government troops have not gained access to the area where they are holed out.

"We have occupied rebel strongholds so definitely they cannot go back anymore," Sobejana said.

– Cecille Suerte Felipe

16 July 2016

The Manila Times

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33 jihadists killed in clash with AFP

THIRTY-THREE Bangsamoro Islamic Freedom Fighters (BIFF) have been killed in renewed fire-fight with the military as security forces halted pursuit operations against the jihadists who sought refuge in so-called Moro Islamic Liberation Front (MILF) communities in Maguindanao, a military official said on Sunday.

Blood ties have prevailed over an agreement between the MILF and the military under which the liberation front is supposed to bar criminal elements from entering the front's communities, according to Col. Cirilito Sobejana, the commander of the Philippine Army's 601st Brigade.

"As far as the leadership of the MILF is concerned, *ayaw nila i-accommodate yung mga [BIFF] kaya lang blood is thicker than water, yung ibang mga myembro ng MILF are related, kapatid, tatay, anak ng nasa BIFF* [They do not want to accommodate the BI but blood is thicker than water. The other members of the MILF are either brothers, fathers or sons of those in the BIFF," Sobejana said.

Security forces almost caught up with the jihadists during hot pursuit operations but the

government troops retreated when the rebels entered the MILF communities in Datu Unsay and Shariff Aguak, both in Maguindanao.

The troops are holding their ground and ready to resume the operations once the issue on the MILF presence in the communities is cleared, Sobejana said.

He announced that a meeting had been scheduled between military and government and MILF officials in Cotabato.

Sobejana, however, acknowledged that with time running out, there is a big chance that the jihadists might escape before the two parties could even start the talks.

But the security forces, he said, are doing everything to prevent the BIFF from escaping.

The BIFF sought refuge in the MILF communities after they ran out of ammunition and their casualties rose to 33 killed and 10 wounded.

On the government side, seven soldiers were wounded, one of them seriously.

Sobejana said at least 80 jihadists had entered the MILF communities.

FERNAN MARASIGAN

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Malaya
The Philippine Army's Voice

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BIFF men hiding in MILF area; military forced to stop pursuit ops

BY VICTOR REYES

GOVERNMENT forces were forced to halt operations against the Bangsamoro Islamic Freedom Fighters in Maguindanao Saturday after BIFF members sought refuge inside a community of the Moro Islamic Liberation Front.

Col. Cirilito Sobejana, commander of the Army's 601st Brigade who is supervising the military operations, said talks with the MILF are ongoing to relocate their members from the community at the boundary of Datu Unsay and Shariff Aguak

towns so that the military operation against the BIFF can resume.

"They ran toward the MILF community," he said of the BIFF members numbering about 80.

He also said the MILF fighters coddling the BIFF members were acting on their own.

MILF leaders could not be reached for comment.

Government troops have been pursuing the criminal group since Wednesday last week. Thirty-three BIFF members have been killed and 10 others injured, according to the military citing intelligence information. On the govern-

ment side, seven soldiers have been wounded, including one in serious condition.

The BIFF, composed of about 300 men, is blamed for a number of atrocities in Central Mindanao, including bombings. It is supposed to be a breakaway group of the MILF. It has for its leaders former MILF members who are opposed to holding peace talks with government. The Aquino government signed a peace pact with the MILF in March 2014.

In January 2015, MILF fighters

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BIFF

aided by BIFF members clashed with police commandos running after terrorist personalities in Mamasapano, Maguindanao, and killed 44 commandos. The MILF has justified engaging the commandos in a firefight in its territory, saying government did not coordinate the anti-terrorist operation with the MILF.

Fighting between the soldiers and the BIFF broke out last Wednesday in Datu Unsay town, leading to sporadic fighting. The military employed attack helicopters and mortar assets against the BIFF in the operation.

"On the fourth day of our engagement, they are already on the run because they are running short of ammunition and they have incurred a lot of

casualties," Sobejana said.

"They are now taking shelter with MILF members who are their relatives," Sobejana said, referring to the BIFF men. "They ran (to the MILF community), causing us to stop our hot pursuit," said Sobejana.

Sobejana said they ceased their operation so that the peace process with the MILF would not be negatively affected.

"Of course, it's to save the peace process," said Sobejana, explaining the halt in the operation. "If we insist (on pursuing the BIFF), it will lead to animosity between the Armed Forces and the MILF. That is what we are trying to avoid," he said.

Sobejana said government troops are still in the vicinity of the MILF community. "We are not pushing forward... We are holding

our ground, we are still in the area. We didn't leave," he said.

Sobejana said he is scheduled to meet with MILF officials in Cotabato City today to further discuss the presence of the BIFF members in the MILF community.

Asked if talks include the conduct of military operation inside the MILF community, he said: "That's included. We are not asking permission. We are telling them that we are doing law enforcement operation or security operation or focused military operation."

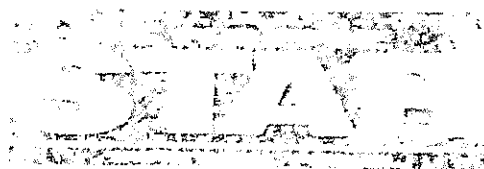
Sobejana said the MILF is supposed to help the military in ridding "spoilers" of the peace process, including the BIFF. However, he said "blood is thicker than water so they cannot enforce this 100 percent."

Sobejana believes that the coddling of the BIFF members was an individual act of the MILF members and not sanctioned by the MILF leadership. He said MILF commanders had told him that the MILF leadership also wants to get rid of the BIFF.

"I cannot say it an organization decision; it's an individual act," said Sobejana of the harboring of the BIFF men at the MILF community. "They (MILF commanders) said they also want an end of the BIFF. That is their statement," he said.

"As far as the leadership of the MILF is concerned, they don't want to accommodate the BIFF but blood is thicker than water. Some MILF members are related, they are brothers, fathers or sons of those in the BIFF," he said.

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Village exec stabs soldier

TUGUEGARAO CITY - A village councilman was arrested after he reportedly stabbed dead an Army sergeant in Tuao, Cagayan over the weekend.

Roderick Balurin was reportedly under the influence of liquor when he killed Sgt. Bobby Castro in Barangay Pata.

Chief Inspector Danilo Abalos said Balurin tried to escape, but was arrested in a follow up operation hours after the incident.

- Raymund Catindig

July 2016

MANILA BULLETIN
THE NATION'S LEADING NEWSPAPER

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PAF airstrikes stun ASG in Basilan

By **NONOY E. LACSON**

ZAMBOANGA CITY — Ten fighters of the Abu Sayyaf Group (ASG) were believed killed, while several others were wounded in a series of airstrikes launched by the 15th Strike Wing of the Philippine Air Force (PAF) based in this city, as the military intensified its Focus Military Operations (FMO)

against the bandits in Basilan province, Friday.

A military source, who asked not to be identified as he was not authorized to speak to reporters, said that MG20 helicopters struck several targets with rocket fire in Sitio Bohe Buug in the village of Baguindian, Tipo-Tipo, Basilan. The airstrikes reportedly hit the group of ASG sub leader Ubaib and his 37 fully armed followers.

The airstrike killed 10 ASG bandits, including a .50-caliber machine gunner, according to the source.

The source identified some of the slain ASG as Abu Amil, Abu Gabuh, Abu Amer, and ASG Commander Sibin.

The rest, including the machine gunner, remained unidentified while six more were reportedly wounded during the airstrike, the source added.

He said the group of Isnilon Hapilon and Furuji Indama were seen fleeing from the strike zone, in a bid to distance themselves from the group of Ubaib when the MG20 helicopters struck.

Remnants of Ubaib group reportedly sought refuge with the group of Hapilon and Indama after the PAF assault.

The source also said that there are about 300 fully armed ASGs currently

hiding in the forested areas of Tipo-Tipo town.

Troops that conducted clearing operations at Sitio Bohe Buug found eight unexploded rockets and unused 250 rounds of a caliber-.50 machine gun, together with the bodies of the slain ASG bandits. The machine gun itself was discovered destroyed by the soldiers.

The same source said the group of Indama and Hapilon are now being aided by sympathetic relatives from the Moro Islamic Liberation Front (MILF) and some civilians.

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10 Abu Sayyaf todas sa airstrike

ZAMBOANGA CITY - Sampung miyembro ng Abu Sayyaf Group (ASG) ang napatay at ilang iba pa ang pinaniniwalaang nasugatan sa serye ng airstrike na inilunsad ng 15th Strike Wing ng Philippine Air Force (PAF) sa siyudad na ito, makaraang paigtingin ng militar nitong Biyernes ang kanilang Focus Military Operations (FMO) laban sa mga bandido sa Basilan.

Ayon sa militar, inatake ng mga MG20 helicopter ang Sitio Bohe Buug sa Barangay Baguindian sa Tipo-Tipo, Basilan, nitong Biyernes at nasapol ang grupo ng Abu Sayyaf sub leader na si Ubaib at ang 37 armadong tauhan nito.

Nasawi sa airstrike ang 10 sa mga bandido, ayon sa source.

Kinilala ng militar ang ilan sa mga napatay sa Abu Sayyaf na sina Abu Amil, Abu Gabuh, Abu Amer, ang kumander na si Sibir, at isang hindi nakilalang may hawak ng .50 caliber machine gun.

Hindi pa natutukoy ang pagkakakilanlan ng lima pang miyembro ng Abu Sayyaf, habang anim na iba pa ang napaulat na

nasugatan sa airstrike, ayon sa source.

Aniya, namataan ang grupo nina Isnilon Hapilon at Furuji Indama habang papatakas mula sa grupo ni Ubaib matapos na ikasa ang airstrike.

Kalaunan, sumama ang grupo

ni Ubaib sa grupo nina Hapilon at Indama.

Tinatayang nasa 300 ang mga armadong bandido na nagtatago ngayon sa kagubatan ng Tipo-Tipo.

Nonoy E. Lacson

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Medals, parade welcome back troops from Haiti

By Jaymee T. Gamil

THE ARMED Forces of the Philippines has honored with medals and a military parade the troops deployed as peacekeepers to the Caribbean country of Haiti last year.

In ceremonies at AFP headquarters at Camp Aguinaldo, Quezon City, on Friday the 135-strong contingent led by Col. Vincent Incognito received United Nations service medals from military officials led by Chief of Staff Gen. Ricardo Visaya.

The 19th Philippine contingent to Haiti, composed of Philippine Air Force personnel, returned home on Monday after a yearlong deployment.

During their stint in Haiti, the contingent provided administrative, security and clerical services, transport, VIP security and perimeter defense.

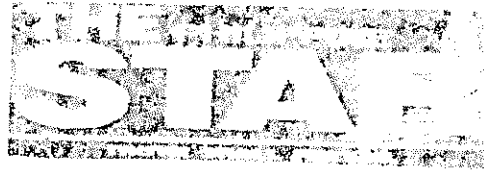
"As your eyes have been opened by the problems occurring outside the [Philippines], I am certain you have gained more motivation to serve because you now have more to offer our country and the Filipino people," Visaya said in his speech.

The next or 20th Philippine contin-

gent to Haiti is also composed of 135 personnel, but this time from the Philippine Army. They left for the Caribbean nation on July 8. The contingent is led by Col. Rosalio Pompa.

The AFP sent its first contingents to the United Nations Stabilization Mission in Haiti (Minustah) in 2004.

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Probe on defective AFP, PNP housing units sought

Rep. Gary Alejano of party-list group Magdalo has asked the House of Representatives to look into what he described as substandard housing units built by the National Housing Authority (NHA) for policemen and soldiers.

In a resolution, Alejano, a former Marine officer, said the Aquino administration had tasked the NHA to build

low-cost housing for low-salaried personnel of the Philippine National Police and the Armed Forces of the Philippines. However, he said in a site inspection he personally conducted in Baras, Rizal and Manolo Fortich, Bukidnon, he discovered the "inhumane housing environment" in which his former colleagues in the military and the police

organization have to live.

He said the intended beneficiaries call the housing units "*bahay kalapati* due to their uninhabitable condition and substandard construction."

"The substandard housing units suffer from glaring inadequacies such as unavailability of water and electricity sources as well as social services, leading to a burdensome life and a hellish residential environment for our soldiers, policemen and their families," he lamented.

Alejano also revealed that the housing units have walls, doors and windows that are easily breakable, roofs that are easily blown off by strong winds, while hollow blocks used for the foundation and walls were not completely filled with cement.

"The septic tanks were in very sad condition because of the thin concrete cover and

other pertinent issues related to poor construction," he said.

"The substandard housing units bastardize the sacrifices rendered by our gallant soldiers and policemen as guardians of peace and protectors of democracy," he said in his resolution.

"The Filipino people, through their elected representatives, would like to condemn these inhumane shelter system being provided our soldiers and policemen who have worked hard to defend the Filipino people," he said.

The NHA has also been taken to task for the poor quality of the housing units it has built for victims of super typhoon Yolanda.

NHA is now under the joint supervision of Vice President Leni Robredo and Cabinet Secretary Leoncio Evasco Jr.

– Jess Diaz

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Pahina. 3

AFP modernization prayoridad ng DND

Prayoridad ng bagong pamunuan ng Armed Forces of the Philippines (AFP) ang programa sa modernisasyon sa kaniyang hanay.

Ito ang binigyang diin ni Defense Secretary Delfin Lorenzana dahil ang programa ay akma sa plano ng administrasyon ni Pangulong Duterte na magkaroon ng makatotohanang pagpigil upang mapangalagaan ang teritoryo ng Pilipinas laho na tungkol sa Maritime.

"In the long run we will still follow our modernization because you know it jibes with what our long term plans (of) having credible deterrence to secure our territory (especially the) maritime plan," dagdag pa ng kalihim.

At habang ang ilang proyekto aniya ay mabilis na nakausap para tugunan ang kriminalidad, terorismo at bantang karahasan sa southern Philippines, inamin ni Lorenzana na susunod sila sa mga plano na inilatag sa 15-taong AFP Modernization Program.

Ilan sa mga kagamitang nakuha ngayon ay ang dalawang Hamilton-class cutters, anim na multi-purpose assault craft, 114 armored personnel carriers, tatlong brand-new C-295 medium lift aircraft, dalawang C-130 heavy transports, dalawang FA-50PH light-interim fighter aircraft, limang utility version ng Agusta Westland AW-109 helicopters, walo sa attack versions, limang landing craft heavies, tatlong multi-purpose attack craft, at dalawang strategic sealift vessels at marami pang kagamitan. (Ricky Tulipat)

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PHILIPPINE DAILY INQUIRER

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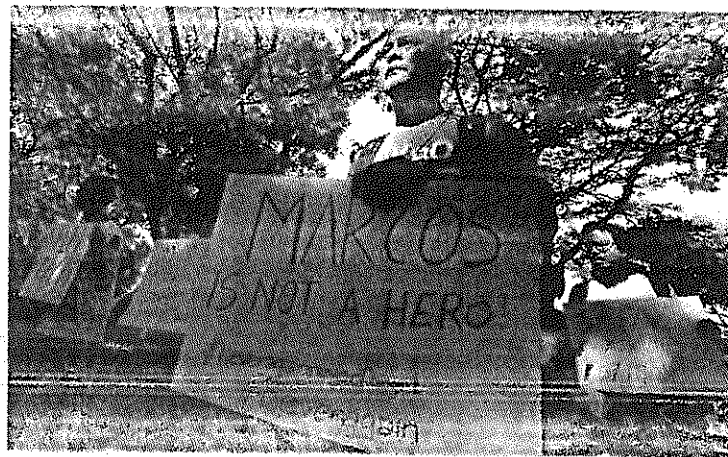
'Marcos' burial as a hero a terrible insult to history'

By Maricar B. Brizuela

SAYING that Marcos' burial as a hero would "create a big dark hole into which this country would sink," a group of people led by running priest Fr. Robert Reyes participated in a protest run around the Quezon Memorial Circle in Quezon City on Sunday.

The burial of former President Ferdinand Marcos, "whom, in the minds of martial law victims, is a traitor and dictator, is a terrible insult to history and the country itself," Reyes said.

Dubbed "Takbo Na, Takbo No Bato Hero's Burial for Marcos," the activity was attended by members of Claimants 1081, an organization for martial law victims, and members of the multi-



RUNNING PRIEST Father Robert Reyes makes his sentiments known on former President Ferdinand Marcos' proposed burial at the Libingan ng mga Bayani.

NINO JESUS ORBETA

sectoral people's organization Saulakas.

Reyes told the INQUIRER that

the group had one common goal: Stop President Duterte from proceeding with the burial of Marcos

and shared it with succeeding generations.

Reyes said that the cause these people were fighting for would become a "farce" should Marcos be buried at Libingan. "It [would render] empty the meaning of everything that martial law was," he added.

According to him, the President may have made the concession in deference to his friend, Marcos' son, Sen. Ferdinand "Bongbong" Marcos Jr.

However, Reyes noted that the symbol which Libingan represented was higher than politics and "cannot be subsumed [by] friendships."

"To let Marcos be buried as a hero is to create a big dark hole into which this country will sink. We cannot allow our coun-

try to fall into that political compromise," he said.

Sunday's activity, according to Reyes, was also a follow-up to the Bawa't Bato initiative of the Martial Law Chronicles Project, Claimants 1081, UP Samasa Alumni and Nameless Heroes and Martyrs, whose members placed stones on which were written the names of martial law victims at the supposed grave site for the late dictator.

Participants in yesterday's protest run said they would continue to oppose the proposed burial of Marcos Sr. at the Libingan while monitoring the moves of Mr. Duterte regarding the controversy. "We will block his decision to bury Marcos at Libingan. We cannot let history be massacred," Reyes said.

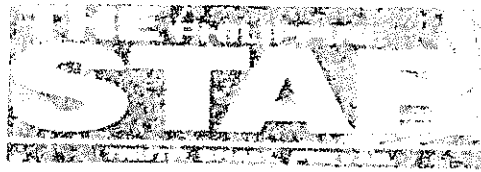
at Libingan ng mga Bayani in Taguig City, because it would ruin the cemetery's reputation as a resting place for heroes.

"The simple run was [to call] people to protect the integrity of the nation, history and national symbols and to preserve its integrity for future generations who need to stand on something solid," he said.

Denny Caballero of Claimants 1081 and Karen Tañada, the granddaughter of former Sen. Lorenzo Tañada Sr., also shared their experiences during and after martial law after the protest run.

Karen Tañada formed the #NeverAgain group in the 1990s which documented the experiences of human rights victims during the Marcos years

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Vietnam thanks 'brave' Phl gov't

HANOI — A group of activists yesterday held a brief rally outside the Philippine embassy in Vietnam to thank Manila for standing up to Beijing's expansive maritime claims in the South China Sea.

One protester displayed a banner that read: "Thank you, Philippines. You have a brave government."

The group dispersed on motorbikes before security forces arrived.

Scores of activists were detained in this Vietnamese capital yesterday as they gathered to protest against China

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after it rejected a recent international ruling that dismissed its claims to much of the South China Sea.

The Permanent Court of Arbitration (PCA) in The Hague on Tuesday ruled that China's claim based on the nine-dash line has no basis in law and contrary to the United Nations Convention on the Law of the Sea. The tribunal also ruled that China violated Philippine rights when Chinese coast guards shooed away Filipino fishermen.

The case was brought by the Philippines before the PCA, but the ruling has been a boon

for other regional countries like Vietnam that also have competing claims to the strategic sea.

Anti-Chinese sentiment runs deep in communist Vietnam, but the country's authoritarian rulers move swiftly to tamp down expressions of public anger, fearful that allowing such protests might embolden criticism of their rule.

Activists had used social media to call for protests in Hanoi yesterday.

But authorities in the capital Hanoi were ready for protests. Plainclothes security forces

were out in force, blanketing much of the city center and keeping a close eye on any crowds that might be gathering.

Throughout the morning around 30 activists were swiftly bundled onto waiting buses and cars by security forces after they gathered to hold a protest near the city's famous Hoan Kiem lake, a common spot for demonstrations.

Some chanted "Down with China invasion!" as they were led away to detention.

Activists also posted pictures on social media of similar flashmob rallies in southern Ho Chi Minh City with protesters riding around the city on motorbikes.

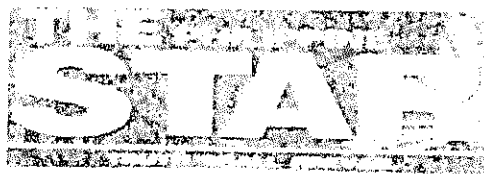
Beijing lays claim to virtually all of the South China Sea, putting it at odds with regional neighbors the Philippines, Vietnam, Malaysia, Brunei and Taiwan, which also have partial claims.

China boycotted the PCA hearings, saying the court had no jurisdiction, and has reacted furiously, vowing to ignore the ruling and arguing it misinterprets international law.

Vietnam and China frequently trade diplomatic barbs over the disputed Paracel island chain and waters in the South China Sea.

China has encouraged patriotic citizens to visit the contested Paracels, which are known as Xisha in Chinese. — AFP

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Spratlys pushed as marine park

By EDU PUNAY

Supreme Court Senior Associate Justice Antonio Carpio has proposed a "win-win" solution that the government can offer China to finally resolve the maritime dispute in the South China Sea.

In an interview, Carpio suggested that the government should push for a peace agreement with China and other claimants in the Spratlys by declaring the area as an international marine park and protected area, as originally suggested by American marine biology professor John McManus.

Carpio, a member of the legal team that prepared the Philippines' case before the Permanent Court of Arbitration (PCA), believes the proposal would make

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claimant-nations like China and the Philippines. "suspend all their territorial claims for 50 or 100 years and allow the reef to regrow and be the breeding ground of fish."

"The larvae of the eggs that are spawned in the Spratlys are carried by currents all the way to the coast of China, Vietnam, Luzon, Palawan, Malaysia, Indonesia, the Sulu Sea. Everybody benefits," Carpio explained.

Carpio also echoed the proposal of McManus to convert military facilities into marine research and eco-tourism facilities.

Under the plan, naval military forces would not be allowed to patrol the area and only civilian coast guards would be allowed to have personnel and ships there.

Carpio noted that this proposed system had worked in resolving the tensions between Israel and Jordan in the Red Sea.

As part of that peace agreement, claimant-nations also

agreed to put up a peace park over the disputed water area.

"It is a proposal that is a win-win solution for everybody. Nobody loses face because the disputes are set aside for the next 50 to 100 years and everybody benefits from that solution," he stressed.

Carpio pointed out that the PCA award only resolved the maritime dispute, but did not settle the territorial dispute between the Philippines and China, particularly on Scarborough Shoal, due to lack of jurisdiction on the matter.

But he still believes it is best to prevent further dredging and reclamation in the disputed islands and reefs so as to preserve what is left "for the benefit of all the coastal states."

In its award issued last Tuesday, the PCA upheld major submissions of the Philippines, including the declaration of China's nine-dash line as contrary to United Nations Convention on the Laws of the Sea and has no basis in law.

The award also affirmed Philippines' stance that China's move to shoo away Filipino fishermen at the disputed Scarborough Shoal was unlawful. It also declared Mischief Reef, Second Thomas Shoal and Reed Bank as "part of the exclusive economic zone and continental shelf of the Philippines, and are not overlapped by any possible entitlement of China."

Carpio, whom President Duterte consults on the matter, believes China will not easily abandon the structures it illegally built in the islands declared by PCA as Philippine territory.

"Legally, that structure there of China (in Mischief Reef) is against UNCLOS, therefore it is an illegal structure, and legally they should vacate. But of course China will not vacate. It will take time," he said.

Carpio said what is more urgent is the development of Reed Bank, which contains natural gas.

But he noted that any joint development with China on Reed Bank would be against the Philippine Constitution.

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Permanent Court of Arbitration

FOR THE past week, the South China Sea ruling by the Permanent Court of Arbitration (PCA) at The Hague has been covered by media on a daily basis. In many of the articles written on the decision, the court has often been referred to as a "UN court," a "UN arbitral tribunal," a "UN arbitration court," a "UN-backed tribunal," and a "UN Permanent Court of Arbitration."

Perhaps, because the case has something to do with the UN Convention on the Law of the Sea (Unclos), we assume that the PCA is a UN body or agency. Perhaps, it also provides a sense of familiarity for many readers to associate the court with the United Nations. But in fact, the PCA is not a UN agency and terms like "UN tribunal" or "UN-backed court" are misleading and incorrect.

The PCA was established by the first Hague Peace Conference in 1899 some 15 years before the start of World War I, while the United Nations came into being after World War II, or almost half a century after the PCA. It is an intergovernmental organization that provides a variety of dispute resolution services to the international community. It is based in the Peace Palace at The Hague, Netherlands, sharing a common home with the International Court of Justice which happens to be a UN agency.

While the PCA is one of the oldest institutions for the settlement of international disputes, it is not in the strict sense of the word, a court. What it does is organize arbitral tribunals to resolve conflicts between member-states (now numbering 119), international organizations, or even private parties within an organization.

The full case name covering the dispute is "An Arbitration before an Arbitral Tribunal constituted under Annex VII to the 1982 UN Convention on the Law of the Sea between the Republic of the Philippines and the People's Republic of China."

The presiding arbitrator is Judge Thomas A. Mensah of Ghana, who was the first president of the International Tribunal for the Law of the Sea. The other members of the court are Judge Jean-Pierre Cot (France), Judge Rudiger Wolfrum (Germany), Prof. Alfred Soons (Netherlands), and Judge Stanislaw Pawlak (Poland). All are distinguished scholars and jurists with extensive experience particularly in maritime law.

REVEILLE

Ramon J. Farolan



In its Memorial submitted to the PCA, the Philippines requested action on 15 points; not all were acted upon.

Some of the findings in the *dispositif* portion of the South China Sea Arbitration Award of July 12, 2016, are as follows:

- China's nonappearance in the proceedings does not deprive the tribunal of jurisdiction.
- The Philippines' act of initiating this arbitration did not constitute an abuse of process.
- There is no indispensable third party whose absence deprives the tribunal of jurisdiction.

Among the more significant declarations in the award:

On China's historic claims and the so-called "nine-dash line" that encompasses practically 80 percent of the South China Sea, the tribunal declared that China's claim to historic rights in the South China Sea is "contrary to the Convention (Unclos), and without lawful effect." It further declared that "the Convention superseded any historical rights or jurisdiction."

On Mischief Reef and the Second Thomas Shoal (Ayungin Shoal where our Marines are stationed on the BRP Sierra Madre), the tribunal declared that they are within the exclusive economic zone (EEZ) and continental shelf of the Philippines.

On Scarborough Shoal (Panatag Shoal, which is a fishing ground of our people in Zambales and Pangasinan), the tribunal found that it "has been a traditional fishing ground for fishermen of many nationalities and declares that China has unlawfully prevented fishermen from the Philippines from engaging in traditional fishing at Scarborough Shoal."

On the Reed Bank, the tribunal declared that China, through the operation of its marine surveillance, breached its obligations under Article 77 of the Convention with respect to the Philippine sovereign rights over nonliving resources of its continental shelf in the area of Reed Bank.

On the protection and preservation of the marine environment in the South China Sea, the tribunal found that fishermen from Chinese vessels have engaged in the harvesting of endangered species on a significant scale; have engaged in the harvesting of giant clams in a manner destructive of the coral reef ecosystem.

On China's construction of artificial islands, installation, and structures at Mischief Reef, the tribunal declared that this was done without the authorization of the Philippines.

With all these findings and declarations in our favor, should we rejoice and express feelings of joy and excitement, or should we exercise "restraint and sobriety" as called for by the government?

In a recent TV talk show hosted by Karen Davila, Dindo Manhit, president of a local think tank named after former foreign secretary Albert del Rosario, and former congressman Roilo Golez, expressed sadness and disappointment that there was no outpouring of joy and happiness over the South China Sea decision. Manhit singled out an official of the Department of Foreign Affairs for his sad demeanor in announcing the court verdict, while Golez mentioned that when Portugal won the European Cup, the entire nation was ecstatic over the victory, with celebrations taking place all over the country. He added "that was just a football game, and here we had won in a case involving our natural resources and territorial rights."

This fight is not yet over. For one thing, China has always declared from the very beginning that it would not honor whatever are the rulings of the court. And so our fishermen are still being bullied and kept away from their traditional fishing grounds. China is not going to dismantle its installations and structures on Mischief Reef, and we are uncertain about proceeding with explorations at the Reed Bank.

So, what must we do? We need to talk with the Chinese. We have the PCA rulings to support us and with help from the international community in the form of world opinion, we might be able to resolve some of the issues that confront us, not all, just some. There is no such thing as the perfect solution.

Finally, a word of gratitude to former president Noynoy Aquino, former secretary Albert del Rosario, Justices Antonio Carpio and Francis Jardeleza, and former solicitor general Florin Hilbay, and many other people, for their efforts on behalf of the nation at The Hague.

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PH win against China benefits the world

THERE ARE now two momentous events in world history when the Philippines made remarkable contributions in the international political arena.

In 1986, Filipinos launched a people power revolt that peacefully ousted a dictator. Our aim was local in purpose, but our achievement generated an international impact. The bloodless revolt inspired a chain of people's uprisings around the world that led to the democratization of countries like Taiwan, South Korea, Romania, Czechoslovakia and Poland, and the fall of the Berlin Wall which reunified Germany.

Thirty years later, or on July 12, 2016, the Philippines achieved a momentous victory that began as a campaign to regain national territory, but resulted in an achievement with far-reaching international impact. The Permanent Court of Arbitration in The Hague issued a decision declaring the Philippines to have exclusive economic rights over 381,000 square kilometers of sea territory in the South China Sea (SCS). This area is known in international law as our country's exclusive economic zone (EEZ). The Philippines calls its South China Sea EEZ as the West Philippine Sea. The contrary claim of ownership by the People's Republic of China over the same maritime area—rich in marine resources and oil/gas deposits—was declared baseless by the tribunal.

Our exclusive economic rights in our EEZ include the following: 1) to exploit all natural resources of the waters, seabed and subsoil; 2) to produce energy from the waters, currents and winds; and 3) to build artificial islands and installations.

Notwithstanding our exclusive economic rights, international law grants other countries the freedom of air and sea navigation in our EEZ. In contrast, if China's claim of exclusive ownership was instead sustained, other countries' exercise of the freedom of navigation will be up to China to grant or deny.

From a historical perspective, this dispute with China is our islands' fifth encounter with a foreign country's occupation of the whole or

FLEA MARKET OF IDEAS

Joel Ruiz Butuyan



part of our territory. Spain, the United States and Japan occupied our islands from the 1500s to 1900s while Great Britain briefly occupied Manila in the 1700s. China's encroachment on our maritime territory marks the first time since we became an independent republic that we are confronted with a foreign occupation of part of our territory. (Others would include the issue involving Sabah.)

The international impact of the decision obtained by the Philippines is that it invalidated China's claim of exclusive ownership of over 90 percent of the SCS' total area of 3.5 million square kilometers. China's claim encroaches on the EEZ of other Asian countries like Malaysia, Brunei, Indonesia and Vietnam. China's claim also results in the elimination of a "high seas" area in the SCS—an area that is supposed to be outside of any country's control because it belongs to all humankind.

The decision obtained by the Philippines is hugely beneficial to other Asian countries whose EEZs are encroached upon by China, because the same law and reason should apply to them.

The decision is also hugely beneficial to the rest of the world because it affirms the freedom of sea and air navigation of any country's vessel across the SCS without need of China's permission. More than one-third of sea transportation and \$5 trillion in annual trade in the world pass through the SCS.

In other words, the Philippines acted as proxy for the rest of the world when it filed the case against China. The Philippines fought and won for the world against China.

However, there is much lamentation on the lack of a way to implement the tribunal's

decision that would obligate China to vacate.

Indeed, our ability to have China abandon its claim and occupation of our EEZ depends on the pressure or influence exerted by various countries on China. Our eyes must be open to the reality that these other countries will exert pressure on China not because they want to help the Philippines. For the countries with their own EEZ disputes with China, their self-interests lie in the fact that a recognition by China of the Philippine EEZ will set a precedent that will benefit them as well. For the other countries of the world, their self-interests lie in the freedom of navigation of their air and sea vessels in the SCS.

Our leaders will have their jobs cut out for them if they allow other countries to overtly support our interest as a covert means to promote their own self-interests, and for the Philippines to likewise overtly advocate their interests as a covert way to advance our own interest.

But the willingness of other countries to align their interests with our interest is dampened by their fear of losing trade with and investments from China.

If China refuses to comply with the tribunal's decision, the Philippines can use the threat of court litigation against companies which will extract oil/gas, conduct commercial fishing operations, or conduct any form of commercial activity within our EEZ upon the urgings of China. Thus, if Shell conducts gas extraction within our EEZ as a venture partner of China, the Philippines can sue Shell for unlawful exploitation of our natural resources.

While China may use its state companies to do exploration in and exploitation of our EEZ, this scheme will not necessarily deprive the Philippines of the ability to sue these state companies in foreign countries where they enter into contracts or where they have assets.

Interesting and challenging times lie ahead for the Philippines.

Comments to fleamarketofideas@gmail.com

18 July 2016

The Manila Times

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Breaking the South China Sea stalemate

I GREW up in a remote small village of Catanduanes, an island-province on this side of the Pacific where we had no court of law nor even a village cell to detain those who disturbed the peace. By necessity, we were obliged to maintain a zero crime rate. But neighbors and spouses still quarreled, sometimes



FIRST THINGS FIRST
FRANCISCO S. TATAD

violently, and whenever this happened, the parties would

► **TatadA5**

come to my father, who had a reputation for being a just and honest man, to conciliate or arbitrate. He would talk to the parties, ask a few questions, and then advise them to overlook each other's defects and compose their differences. Somehow it always worked.

I recall this particular detail in my early youth as I try to understand the arbitration case before the Permanent Court of Arbitration, at The Hague, between the Philippines and China on their dispute over certain marine features in the South China Sea (unilaterally renamed West Philippine Sea by the previous Aquino government). Our government had asked the court to arbitrate, and it has ruled in our favor, so most of us are ecstatic about it. But China has refused to be bound by the ruling, saying it never recognized the court's jurisdiction nor the process itself.

Why is this a mess?

I cannot seem to understand why my late father's simple way of arbitrating petty domestic quarrels never failed, while this expensive and elaborate international process has only produced a stalemate, a terrible mess. As a citizen, I join my countrymen in welcoming the ruling which, as far as they are concerned, puts our giant neighbor in a more manageable place, but as a just and honest man, I want to be sure we stand on solid ground and can, with a clear conscience, insist on China's compliance with the verdict. I would like to be guided by Senior Associate Justice Antonio Carpio's highly instructive discourses on the subject, but there are a few minor items we cannot afford to trifle with.

For starters, I don't believe the Aquino government was candid enough about everything the public needed to know about the arbitration process. For one, contrary to what the public has been led to believe, the PCA is not a real court but a mere provider of dispute resolution services to the international community; an intergovernmental organization which began in 1899, but not an organ or institution of the United Nations, which was founded only in 1945. It is said to rent space at the Peace Palace, at The Hague, a building owned by the Carnegie Foundation, where the International Court of Justice is headquartered; but it has nothing whatsoever to do with the World Court.

What's the real cost?

The government also never told the public how much the arbitration would cost the Filipino taxpayers. The Constitution provides that no money shall be paid out of the Treasury except in pursuance of an appropriation made by law, yet no appropriation has been disclosed for this particular purpose. One report says that on lawyer's fees alone, the government has spent \$30 million (or P1.4 billion). It was supposed to split the total cost of the entire process with the other party, but since the other party did not participate, then it must have absorbed the entire cost. How much then is it? Are any foreign donors involved?

On top of the large number of lawyers and experts the government sent to The Hague, it engaged the services of noted foreign lawyers led by the famous Harvard professor Paul Reichler, who represented Nicaragua in its celebrated case in the ICJ against the United States in the 1980s. There was understandable excitement about Reichler's formidable skills which helped Nicaragua win its case against the US, for supporting the Contras in their rebellion against the Nicaraguan government and for mining Nicaragua's harbors.

Nicaragua vs the US

But there was hardly any mention of the fact that the US refused to participate in the proceedings after the Court rejected its objection questioning the Court's jurisdiction to hear the case, and refused to comply with the judgment embodied in resolutions before the UN Security Council and the General Assembly in 1986. The judgment commanded the US to pay actual compensation to the Nicaraguan government. Shouldn't the public have been forewarned that like the US, China could simply ignore the arbitral ruling should it lose?

As recorded in Wikipedia, the World Court found the US in breach of its obligations under customary international law not to use force against another state, not to intervene in its affairs, not to violate its sovereignty, and to interrupt peaceful maritime commerce, and in breach of its obligations under Article XIX of the Treaty of Friendship, Commerce and Navigation signed between the two countries in Managua on Jan. 21, 1956.

But from 1982 to 1985, the US vetoed the Security Council resolution urging full and immediate compliance with the ICJ judgment; on Oct. 28, 1986, it imposed a final veto on the measure before the Security Council. France and the United Kingdom, two permanent SC members with veto powers, together with Thailand, abstained during the voting. On Nov. 3, the same resolution was brought to the UN General Assembly and approved with only the US, Israel and El Salvador voting against it. Still the US refused to pay the fine.

Then-US Permanent Representative to the UN Jean Kirkpatrick explained that the World Court was a "semi-legal, semi-judicial, semi-political body, which nations sometimes accept and

sometimes not." The common impression about superpowers elsewhere is that they cannot be bound by penalties and sanctions; they decide what international law is, and what it is not. The US never paid actual damages to Nicaragua; the burden was lifted from the shoulders of the US by action of the Violeta Chamorro government after the defeat of the Sandinista President Daniel Ortega in 1990. The US-supported government repealed the law requiring it to seek compensation from the US for its role in the Contra revolt, and in Sept. 1992, withdrew its court complaint against the US.

China's non-involvement

Another critical point not well-appreciated by the public is that although the Philippines was eager to submit to the arbitral process, China rejected it from the very beginning and refused to participate. Thus the arbitration proceeded with only one party present, and China's side was never heard. Against the 7,000-page submission of the Philippine government, there is not a single page from China defending its position on the "nine-dash line." I don't believe that as a nation that subscribes to the rule of law and equity, we could adopt this as our new standard of fairness.

As a former senator, I had made my own modest contribution to the internationalization of this issue, when I thought it was the right thing to do. In some Inter-Parliamentary Union (IPU) Conferences, and the Asia Pacific Parliamentary Forums abroad, I had clashed with Chinese and Japanese delegates a few times on this issue. But I don't believe it is fair to compel China to accept a rul-

ing in a process whose validity it had rejected from the very beginning.

Quoting some studies, Carpio says that in many cases governments that had initially declared open defiance of an adverse ruling by an international tribunal eventually complied with it, in the end. We could hope that this would happen to China. But it does not seem a likely response to the chorus of voices from the US, Japan and European governments, calling on Beijing to comply with what it considers an international conspiracy. Now, if the parties to the dispute and the long line of kibitzers work together to ease the tension and create a better climate for diplomacy, bilateral negotiations between Manila and Beijing could hopefully achieve that which the PAC ruling could not.

This is my hope. As we finally ended the standoff on Scarborough Shoal, we must now break the new stalemate.

FVR as special envoy

President DU30's choice of former President Fidel V. Ramos as special envoy to the Xi Jinping government could be an excellent opening move. FVR has superb personal relations with the leaders of China and Taiwan, which for the first time since 1949 have found common cause against the PAC ruling. While Beijing raged in the media, Taiwan sent a warship to Itu Aba (or Taiping) in the Spratlys, as a reflex reaction to the PAC's attempt to redefine the inhabited island, with at least 11 springs of fresh water, as a "rock."

FVR's father, the late former Foreign Secretary Narciso Ramos, was dean of the diplomatic corps in Taiwan for many years until the Philippines cut off relations with the island-republic when it recognized the People's Republic of China under the "one-China" policy in 1975. At the same time, having been educated at West Point, fought in Korea and led the Philippines' civic action group in Vietnam side by side with the Americans, Ramos is seen by many as someone who will not hurt the Americans in any way just to please Beijing.

Ramos is the oldest of the four surviving former Filipino Presidents. As he engages with a government, culture and civilization that put a high premium on wisdom and age, he could probably use his to full advantage.

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Will be we be the West's 'tank man' vs China?

BY RIGOBERTO D. TIGLAO
COLUMNIST

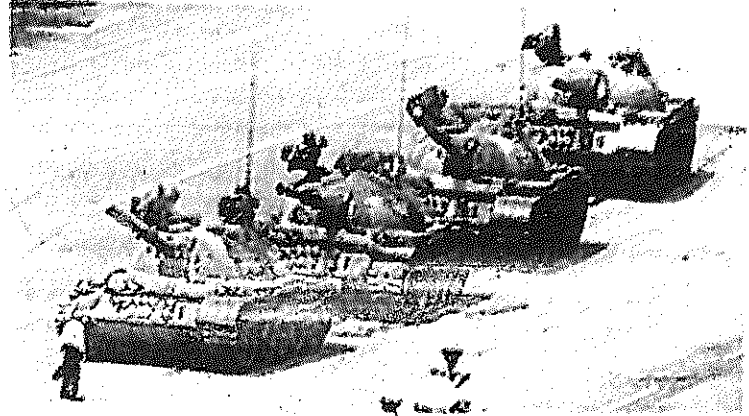
CERTAINLY hope we won't, or President Duterte's term will see an economic downturn, a year or so after what this overexcited Solicitor General Jose Calida called the country's "crowning glory," our victory in the UNCLOS case we filed against China at the Permanent Court of Arbitration. It's a real possibility, though, that Calida's crown of glory could be our crown of thorns.

Remember the "tank man" dur-

ing the Tiananmen Square uprising in 1989? He was the man carrying what looked like a small plastic grocery bag, who stepped in front of a column of People's Liberation Army tanks, trying to stop them on the way to the square to crush the "democracy" demonstrators there who had been convinced that they were on the way to replicating our 1986 "People Power Revolution."

The photo of the bold man in front of the tank column became an iconic image of the noble, heroic

►TiglaosA4



■ The heroic tank man of the 1989 Tiananmen uprising. Nobody learned what his name was, and whether he was imprisoned or killed.

resistance not only of the youth against Chinese dictatorship, but of democracy movements all over the world. However, and sadly, the Chinese Communist Party didn't follow the Marcos playbook, and instead very violently crushed the "democracy movement." According to non-Chinese estimates, a thousand young protesters were killed and another thousand imprisoned, rotting in dingy prisons to this day.

The world of course was outraged, with the European Economic Community suspending even its official development loans, and the US stopping its military sales and high-level contacts with China. Pundits predicted China will be the world's pariah, and investors will be shunning it.

What happened was the opposite. It was in 1991, when the memory of the Tiananmen massacre started to fade, that China's economy started to zoom, at a phenomenal 9 percent GDP growth so that in the 10 years after Tiananmen, its average GDP growth was an amazing 10 percent (ours was a pathetic 3 percent). That was the start of China's emergence as an economic superpower. American, European, and Japanese investors flocked to China, evading a country that had won its People Power Revolution—us.

What happened to the poor "tank man"? Actually, a soldier simply got out of his tank and shoved him aside, and the column rumbled on to the square. The foreign press, which had cheered



RIGOBERTO TIGLAO

him, got tired of him. Nobody even knows his name, or determined with certainty whether he was imprisoned, still in prison, or executed. He was most probably killed—maybe even with his family—as he would have come out publicly now to claim his right to be recognized as democracy's hero. That's the harsh reality of this unfair world.

Deja vu

It was Jose Santiago ("Chito") Sta. Romana, who lived and worked in China for 30 years, with his last job as ABC Beijing Bureau Chief, who saw a *deja vu* between the global demand for China to comply with the PAC's recent award on the South China Sea dispute and the international outrage against the country over the Tiananmen Square massacre. "China will not buckle under international pressure, as it didn't in 1989," he said in a television interview.

I agree with him, and despite our own legal experts' certainty that the PAC conclusions are incontrovertible, China could raise a lot of arguments against these, foremost I think involves the issue on how arbitration—which is in the very name of the body—could involve a party that is not willing

to be arbitrated.

The West, especially the US, has been ecstatic over the award, as its declaration that China's "nine-dash line is nonsense, is a colossal propaganda weapon against the emerging superpower, especially against its activities in the region where the US or any European nation really has no business in being involved. Their message: "Trust us, not China which a world body has concluded is illegally expanding its territory in the South China Sea."

How I wish the other richer claimants—like Taiwan, Brunei, and even Malaysia—had leaders like President Aquino, so they would have instead filed the case against China, instead of us.

Taiwan, after all, has no direct trade with the People's Republic of China (which considers it as its illegal breakaway territory) while tiny Brunei Darussalam and hi-tech Malaysia are considered developed nations, with their GDP per capita at \$36,600 and \$9,800, respectively, making us with our \$2,900 GDP per capita look like paupers.

But no. It was this pauper that took on China, spending at least \$30 million for its case at the PCA, and whose "netizens" are now calling for a trade boycott against the economic superpower. Boycott?

Realities

Right, but here are the realities in 2014, not 2000.

Accounting for just 5 percent of our imports in 2000, China (including Hong Kong) in 2014

accounts for 18 percent of our shipments from the world. Japan and the US's shares, which in 2000 each accounted for 17 percent of our imports, are now down to 10 percent each.

And what's the share (in 2014) of Chinese (including Hong Kong) imports from the Philippines? Some 1.1 percent. And the share of Chinese exports to the Philippines to its total exports? Some 0.94 percent.

If the meaning of those figures aren't clear yet, let me put it this way. If some crazy Chinese Communist Party leader manages to get his government to just declare, let's just forget about this troublesome Philippines, the Chinese economy won't likely miss us, as its trade with us is just 1 percent of their total trade.

In our case, though, we'll have a lot of empty shelves in our supermarkets, and certain industries will be starved of their raw materials as 18 percent of these come from China, including 99-percent likely the cell phone you use to post those anti-Chinese memes on Facebook.

Duterte has his work cut out from him, because his stupid predecessor decided to be America's "tank man." He should fire Calida with his public gloating over the award, as his statements would be interpreted as the official government position. Duterte should plan how to prevent the country from being the West's "tank man."

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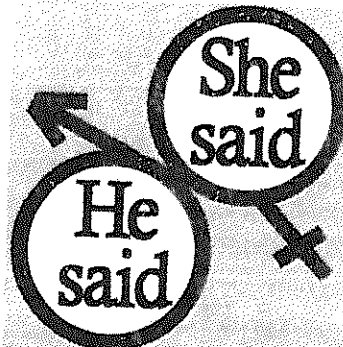
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Alvin Cardona



Dinah S. Ventura

Realities

If there is one campaign promise President Rodrigo Duterte will not fulfill, it will be his vow to ride the jet ski to the disputed islands and challenge China's leaders to a duel for a fist fight.

Neither, of course, could change China's illegal occupancy of the islands and its blocking of the West Philippine Sea (South China Sea) lanes. But Duterte was able to titillate voters into applauding his machismo.

He had sent the message that Mar Roxas was too "bayot," Miriam "too sick," Jejomar "too black" and Grace Poe "too girly" to stand up against China. That campaign statement, however, was just that — air and nothing more.

And as it is, Duterte is fully aware of the consequences if he stirs up the tension between China, the Philippines and our neighbors. He cannot add more to the strain in the region.

The manner Duterte received the United Nations Convention on the Law of the Sea (UNCLOS), however, was flat yet correct.

He could not send — nor lead — the Philippines to a war it would lose in minutes.

And while many of his followers are bravely rattling their social media sabers, Duterte and his camp remained composed as the UNCLOS decision on July 12 was a sobering experience even to the most brash,

acerbic, mordant talker. Duterte surely knows when to stop talking shit. The campaigns are over. His opponents are now in their places. Duterte can do what he wants and pleases.

It's now time for Duterte to also temper the noisiest of his followers now screaming war all over the Internet.

Or if he cannot do it, this may be the time to ask them to volunteer to the frontline or send their sons and daughters in the places of battles they seem to prefer.

We can be sure they won't.

Duterte had prepared for the Philippines' victory in its case against China at the UNCLOS. And he is not in a fighting mood like he is against drugs and criminality.

Duterte's earlier statement against the purchase of fighter planes, which he said are "only good for fly-bys," was an explicit statement meant for China. It meant that we are not considering a physical confrontation to settle the West Philippine Sea issue even if we won at the UNCLOS.

Even the Department of Defense was not allowed to issue statements that would drive the Philippines and China into more conflict.

At this point, Philippine government is allowing China to vent its frustration

and reiterate its hot air of dominance after its invincibility was crushed by international experts in international law. It can only do so in front of news cameras and policy makers willing to listen.

Chinese trolls, however, are more rabid than our own.

Not a few of them are also calling for war, others want a boycott of our mangoes and still many more demanding things ranging from the outrageous to the most absurd.

But Chinese leaders also know when and where to stop.

The strong statements China has released just hours after the UNCLOS award, which one of its officials called a "waste of paper," are expected from a superpower nation which has just lost a case it convinced itself it would win. But no might can equal reason and China has to accept that.

China's acceptance of the UNCLOS decision would not happen right away, however.

It is, in fact, on a projected war footing despite its call for sobriety and pronouncements of its intention to keep peace in the region.

Its most recent vow to guard the air space of its claimed nine-dash line is the most it can make to threaten other claimants of the sea lanes.

It was also directed at the United States, which had vowed to protect the interest of its Southeast Asian allies and Japan.

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Army Core Purpose: Serving the people Securing the land.

Rejoicing after the UNCLoS decision was felt more profoundly in other countries.

Vietnam, Japan and Indonesia, among others, have expressed their desire to reiterate their intention to protect their sea territories, even displaying their military might although they can't match China's military capability.

China has more than 600 million citizens fit for military service. They could be called anytime for war.

It has more than 900 tanks, nearly 5,000 armored fighting vehicles, nearly 2,000 self-propelled guns, 3,000 fighter planes, more than 1,000 interceptors, 1 aircraft carrier, and a number of frigates, destroyers and submarines which are enough for a long haul in case they are needed. China is third in the world in military might behind the United States and Russia.

Indonesia, a Philippine ally on this matter, had its Defense Minister Ryamizard Ryacudu vowing to bolster defense on its front door by deploying warships, an F-16 fighter jet, surface-to-air missiles, a radar and drones, as well as constructing new ports and improving an airstrip. This project has already

started and will be completed in less than a year around Natunas.

Initial action of the Philippines would be to send fishermen to test if the Chinese Coast Guard would be welcoming to them around the Bajo de Masinloc, which used to be shared by fishermen from many neighboring countries, including Chinese and Filipinos.

Masinloc, Zambales Mayor Arsenia Lim said she will coordinate with the Philippine Coast Guard on the matter before she asks the "bravest of the Zambales fishermen" (there are around 700 in her town), to coast toward Bajo de Masinloc, which is just minutes away from the town's main shores.

Meanwhile, the national government remains weighing its options and is likely to start diplomatic talks with China, based on the pronouncements made by a seemingly unhappy Foreign Affairs Secretary Perfecto Yasay, before releasing firmer and more concrete statements about the steps it would take to settle the issue.

Hotheads, both Filipinos and Chinese, meanwhile, can stick to their keyboard battles and pulverize each other with words.

Some Filipinos can also dream of seeing the United States get involved and send its planes and warships around the Philippines, like in the good old days. But it is not likely to happen.

They may pass by, but the American ships would be quite far as the US and Chinese navies are in deep talks for further military ties.

US President Obama had recently prioritized maintaining close military ties with China despite pressures from some members of the US Congress and think-tank groups, to withdraw Beijing's invitation to the Rimpac 2016, set from June 30 to August 4 in Pearl Harbor. It involves 26 nations, 45 ships and submarines, more than 200 aircraft and 25,000 personnel.

The Philippines is sending staff and personnel while our tiny neighbor Singapore has one ship taking part.

This is why a respectful tongue and a pair of hugging arms are important now.

We can't afford going to war with bamboo spears.

We've done that in the past. And we never won a war with them.

Too real

Horror struck in the French Riviera city of Nice last week when a gun-toting man rammed a 19-ton truck into a crowd of Bastille Day revelers. Bastille Day is a French national day. People were gathered to celebrate freedom. Instead, they were attacked. Many of the 84 casualties were children. One witness later said the palm-lined avenue later looked like a battlefield.

Shock, grief, rage cannot begin to describe the international reaction. This, following other bloodbaths and seemingly random attacks on innocent people. Has the whole world gone crazy?

Terrorists have been hitting many cities lately. France has been victimized thrice starting with the Charlie Hebdo office attack in January 2015 and the massacre in Paris later that same year.

Then there was the car bombing in a mall after Ramadan, as well as the nightclub shooting in Florida. Nearer our country, the shooting in a bar in Malaysia makes us dread possible attacks in our shores, especially with rumors of ISIS already here.

Meanwhile, newly inaugurated President Rodrigo Duterte has his hands full dealing with drugs, crime, traffic and various other domestic affairs.

The deadlines he had set for himself are tough to meet, but hopeful Filipinos are rooting for his success, no matter what color they supported in the last elections.

Yet here comes another tough issue: the China incursion in disputed maritime areas. What will be the next move now that the Hague-based Permanent Court

of Arbitration has ruled in favor of the Philippines claim?

China has said it will not bow down to such a ruling. Nor will it discuss it with anyone other than the countries concerned.

The fact that their coastguard ships remain and Filipino fishermen are doubtful they will be

left alone to fish is a constant threat to our peace of mind.

Threats, needless to say, are everywhere. Terrorism is hard to fight because it is conducted under deep cover, but it is a war nonetheless. It has affected so many people in so many ways, directly or indirectly.

Wars, scattered in different parts of the world, have always existed. We tend to ignore them — until the threat draws too near, feels too real.

And the tensions felt in the West Philippine/South China Sea have raised the possibility of such a threat growing.

Having risen as a world power, China's actions have invariably been seen as aggressive or bullying to its neighbors, and its stubborn stance with regard to discussions has complicated matters more.

The Philippines, under previous President Noynoy Aquino, has taken a peaceful stance. Government decided to take the case to the arbitration court instead of acting against reports of violations of our sovereign rights to exploit resources in our exclusive economic zone — or waters up to 340 kilometers (230 miles) beyond our coast.

We went the legal way, taking the case to international bodies, even though China did not desist from building infrastructure on disputed reefs, including building artificial islands and civilian and military facilities.

Nobody raised a voice even when it became apparent that China's activities, as the international tribunal also found, had "inflicted severe damage to fragile coral ecosystems and caused serious harm to endangered species" in these economic zones.

Still, the Philippines "will concede nothing to China as it

seeks to implement an international tribunal ruling against Beijing's claims to most of the South China Sea," an *AFP* report goes. This means no joint development of resources, as some had hinted recently.

Meanwhile, Beijing warned of a "decisive response" to provocative actions against its security interests based on the verdict," the report adds.

We await the next actions by President Duterte, who prefers to send former President Fidel Ramos on a diplomatic mission to start talks with China on the ruling.

What we have to hold on to is the ruling, which, says there is "no legal basis for China to claim historic rights to resources in areas falling within its nine-dash line, which is based on a vague map that emerged in the 1940s."

What is also troubling is that news has surfaced as well on alleged plans of China to build "marine nuclear power platforms" in the South China Sea, as state media reported soon after the ruling came out. It appears China will not give up control so easily, and construction will go on. The dispute that also involves Brunei, Malaysia, Taiwan and Vietnam will continue to develop for a while yet.

The Hague decision appears to mean nothing to China. When warnings of repercussions and words like the seas possibly turning into a "cradle of war" are released into the air, it brings peace-loving citizens to a halt, wondering if zealots and world leaders alike can avoid turning everything around us into a battlefield.

The news these days is like terrible fiction come to life. Struggle, poverty, pain, suffering, murder, mayhem, bloodbaths, even attacks and threats from the world wide web.

This is why, for all the rage we may feel about these endless injustices, we should abide by "diplomacy" and never lose hope that uncertainties will end and the disputes be settled only through peaceful means.

July 2016

INQUIRER

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PH-China talks to test Rody's diplomatic mettle

By Amando Doronila

CANBERRA—While the Philippines eyes bilateral talks with China, Beijing slammed the door on Manila, saying it cannot negotiate with the Philippines if the Duterte ad-

ANALYSIS

ministration does not scrap the historic ruling of the arbitral tribunal in The Hague on the South China Sea dispute. "China will not allow any negotiation based on the ruling," Chinese Vice Foreign Minister Liu Zhenmin said in a press briefing on Wednesday. PH-CHINA/A20

Minister Liu Zhenmin said in a press briefing on Wednesday.

Liu made the statement after a journalist asked him if the Philippines' rejection of the ruling was a "precondition for the resumption of negotiations." The query provoked a scornful reply from Liu.

The Philippines "welcomed" the decision that invalidated China's claim to almost all of the South China Sea.

"China expects the new Filipino government to cooperate and recognize that the ruling is nothing more than a piece of waste paper and cannot be enforced. China hopes that the Filipino side will set aside the award and return to the negotiation table," Liu said.

The rebuff came as President Duterte was reported to be eagerly pursuing bilateral talks with China.

The INQUIRER reported that Mr. Duterte had met with Chinese Ambassador to the Philippines Zhao Jianhua at least three times and was considering offers of "goodwill" from China, such as building a railway from Metro Manila to Clark Field in Pampanga province in two years.

Bilateral negotiations with China after the ruling by the Permanent Court of Arbitration come as a test for the mettle of Mr. Duterte in diplomacy and foreign affairs for which he has scarcely any experience given that much of his experience in public service derives from his limited experience as Davao City mayor for 23 years.

Naïve, simplistic view

Cabinet officials are reported to hold the rather naïve and simplistic view that the arbitral tribunal's ruling has given the Philippines a leverage in bilateral talks with China.

For example, Justice Secretary Vitaliano Aguirre II said on Thursday, "We have to talk with China. We cannot avoid it."

Quoting Mr. Duterte, Budget Secretary Benjamin Diokno said, "We will start the bilateral talks. And now we are starting from a better position because we are in the right place."

Prior to the ruling, Rappler reported that the Department of Foreign Affairs had expected that a diplomatic victory in The Hague would allow the Philippines to "at least negotiate from a strong position."

This official position flies in the face of reality, of Chinese Foreign Minister Liu's statement that poured contempt on the Philippine view.

He said China viewed the tribunal's ruling as merely "a pile of invalid papers which will never be observed ... I kindly advise to throw the papers concerning the arbitration into the rubbish bin, put them aside on book shelves, or put them in the archives. The disputes will eventually have to return to the table of negotiations and China hopes the Philippines to return to the track of bilateral negotiations." (On China's own terms, we may add.)

Debate at Asem

Nevertheless, the issue of the ruling resurfaced in a vehement debate at another forum, the biennial Asia-Europe Meeting (Asem) in Ulaanbataar, Mongolia.

China, which boycotted the hearings at the arbitral tribunal, protested against bringing the issue to Asem, claiming it was "not an appropriate venue" to discuss the South China Sea dispute.

In anticipation of an adverse ruling from the tribunal, China sought to reassert its claims in the South China Sea by building a network of artificial islands capable

of supporting military operations, and last week reiterated its right to declare an air defense identification zone in the area, which would demand civilian flights to submit to the authority of the Chinese military.

The Philippines told Asem leaders in Ulaanbataar that it considered the ruling invalidating China's claims in the South China Sea as a "milestone decision" as it called on them for support to help bring a peaceful solution to the dispute.

Speaking at the Asem summit, Foreign Secretary Perfecto Yasay said that while the tribunal's decision favored the Philippines, it is now prepared to move forward with China to ease tensions.

While Asem heard calls from European Union leaders for China to abide by the decision, Beijing reacted angrily to the calls rebuking it for rejecting the decision.

Rules-based global order

Solicitor General Jose Calida pointed out that the ruling renewed faith in international law. He told a forum on the South China Sea at the University of the Philippines College of Law on Friday that the ruling "confirms that no one state can claim virtually an entire sea. The award is a historic win not only for the Philippines ... it renews humanity's faith in a rules-based global order."

Calida said the President was pushing for the opening of bilateral negotiations with China on joint development in the disputed waters. "The baseline of any negotiations should be the decision of the Permanent Court of Arbitration," he said.

The Philippines has gained enough from the arbitration award and "we will not concede any of the awards given to us," he said.

He emphasized that any negotiations with China would have to "respect the first option."

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PHILIPPINE DAILY INQUIRER

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Respect UN arbitral tribunal's decision, China, PH told

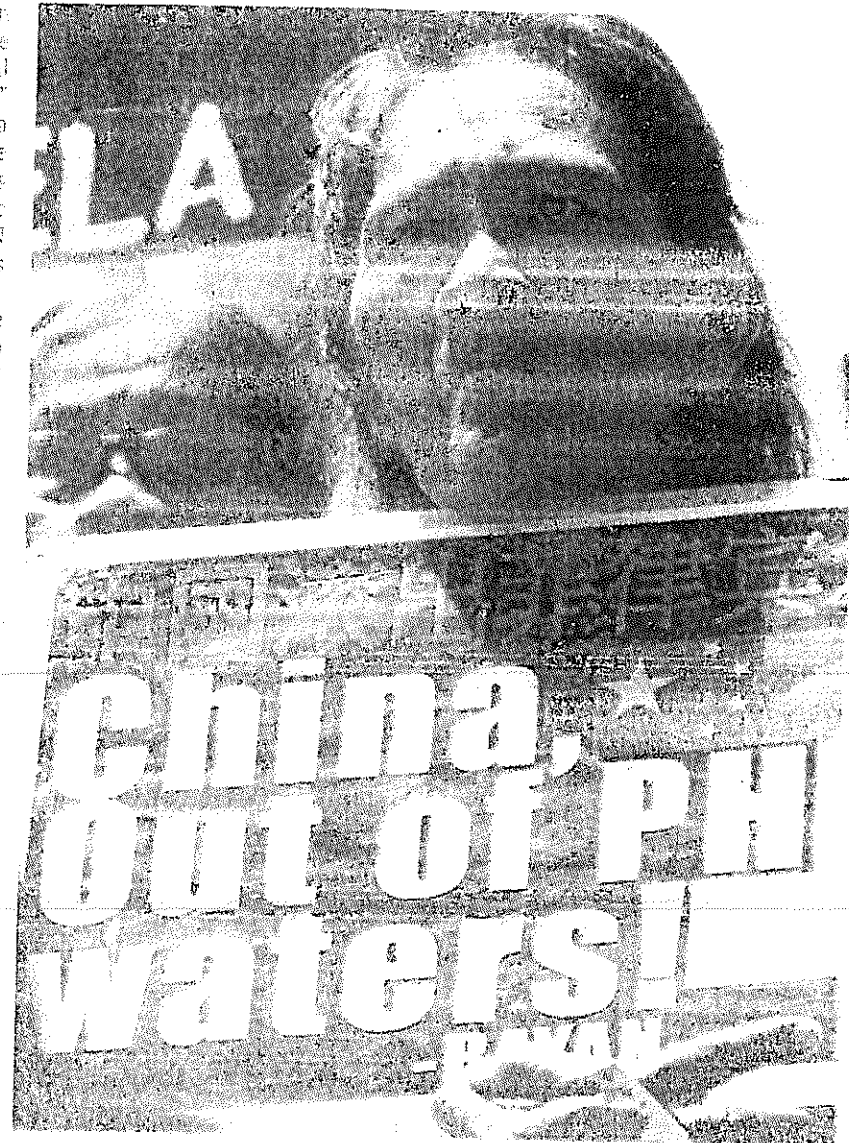
THE UN arbitral tribunal has ruled on the territorial dispute between the Philippines and China. The tribunal dismissed China's "nine-dash line" claim to almost all of the South China Sea, including the West Philippine Sea, and declared that certain areas are within the exclusive economic zone of the Philippines, citing the UN Convention on the Law of the Sea as basis.

The dispute dragged on for more than 20 years. There were attempts to resolve it through bilateral, regional and/or multilateral talks, until it was submitted in 2013 to the United Nations for arbitration.

The Confederation of Lawyers of Asia and the Pacific (Colap) entreats the parties to the dispute to respect the tribunal's decision for the cause of regional peace, stability and security. We note that both countries have had a history of strong diplomatic relations with each other for over four decades, and we sincerely hope that such ties will even become stronger despite the decision.

Colap reiterates its previous call on all states to have faith in the mechanisms of the United Nations and/or let good faith guide them in their search for a just resolution to territorial disputes. Colap also reiterates its admonition to states locked in such disputes to respect and deal with one another as sovereign equals and to give due regard to the opposing party's right of self-determination.

Colap once more seizes this opportunity to remind all states that the Charter of the United Nations provides that "(a) Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered" and that "parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."



A WOMAN raises an anti-China placard during a rally last July 12 in front of the Chinese consulate in Makati.

RICHARD A. REYES

On a final note, Colap recognizes that all peoples of the world are interdependent and their interests are interwoven, and that a harm committed against one is a harm committed against everyone. Any unrest in any part of the world is unrest everywhere. States must, therefore, resolve disputes through peaceful means elaborated in international norms

for the harmonious coexistence of all peoples.

—JITENDRA SHARMA (India),
president, NERI COLMENARES,
vice president,
JUN SASAMOTO (Japan),
secretary general,
EDRE OLALIA (Philippines),
secretary, Confederation of
Lawyers of Asia and the Pacific

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Pocari, Air Force dispute Shakey's V-League crown

POCARI Sweat and Air Force put a fitting climax to a surprise-filled conference as they slug it out one last time for the Shakey's V-League Season 13 Open crown at the Philsports Arena in Pasig tonight.

The Lady Warriors go to their 6 p.m. showdown enjoying the proverbial momentum after pulling off a come-from-behind a 17-25, 25-22, 25-14, 25-20 victory last Saturday to force a sudden death in their best-of-three series for the season-opening conference of the league sponsored by Shakey's.

"We showed composure, which was lacking in our previous game," said Pocari interim coach Rommel Abella, pointing to his wards' poise, particularly in the second and third sets that was close throughout.

The match will be aired live on ABS-CBN Sports + Action Channel 23 and on via streaming at www.v-league.ph, according to the organizing Sports Vision.

Mya Pablo also atoned for her lackluster performance in Pocari's 25-17, 20-25, 25-15, 24-26, 11-15 defeat in Game One by pumping in 19 hits, the bulk of which she delivered in the last three sets that helped the Lady Warriors stop the Lady Jet Spikers.

"I just want to forget what happened in that game (Game One) and focused on this one (Game One)," said the power-spiking Pablo, who also drew solid back-up from Elaine Kasilag, who had 11

Game today
(PhilSports Arena, Pasig)
6 p.m. • Pocari Sweat vs Air Force

points, Siemens Dadang, Lutgarda Malaluan and skipper Michelle Gumabao, who chipped in seven markers apiece.

But stats, momentum and other factors are often set aside in a rubber match with coaches of both teams expected to come out with surprises to startle the other side's play-patterns and strategies, guaranteeing a slam-bang action between the best teams in the featured conference seeking their maiden titles in the league where it all started.

It will also be a question of

desire and heart, plus hunger with the Lady Jet Spikers also tipped to make the necessary adjustments as they resume their quest for a first-ever Shakey's V-League crown after a couple of fourth place finishes in 2013 and 2014.

Expect Judy Ann Caballejo to step up after the former UST star, which normed 12 points in the elims to help power Air Force to a surprise top finish, struggled for eight- and six-hit efforts in the first two games of the finals. Caballejo, however, made up for the scoring slack by coming through with 11 excellent digs last Saturday.

ONLINE NEWS

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DND: Military modernization will continue as scheduled

MANILA, Philippines (Philippines News Agency) -- The AFP Modernization Program remains a priority of the new Defense department leadership.

This was stressed by Defense Secretary Delfin Lorenzana, who said the program jibes with the Duterte administration's plan of having a credible deterrence to secure Philippine territory.

"In the long run, we will still follow our modernization because you know it jibes with what our long term plans (of) having credible deterrence to secure our territory (especially the) maritime plan," he added.

While some projects may be fast-tracked to address criminality, terrorism, and insurgency threats in the southern Philippines, Lorenzana said they will follow the plans laid for the AFP Modernization Program.

"The 15-year modernization program of the AFP will continue as scheduled," he earlier stated.

Some of the equipment acquired in this period include the two Hamilton-class cutters, six multipurpose assault craft, 114 armored personnel carriers, three brand-new C-295 medium lift aircraft, two C-130 heavy transports, two FA-50PH lead-in fighter aircraft, five utility versions of the Agusta Westland AW-109 helicopters, eight of its attack versions, five landing craft heavies, three multipurpose attack craft, and two strategic sealift vessels.

President Rodrigo Duterte had earlier criticized the purchase of the jets from Korea, saying they are only good for flybys.

Lorenzana said the DND will continue to honor contracts, especially those in the pipeline.

"We study it for while and if there are no problems, then we will approve it," he added.

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DND-GA in the market for PHP7.5-M worth of 5.56mm finished cases

The Department of National Defense-Government Arsenal is allocating PHP7,575,770 worth of 5.56mm finished cases.

The latter is used by the M-16 automatic rifle and R-4 carbines in Armed Forces of the Philippines service.

Pre-bid conference is on Friday, 2:30 p.m. at the Government Arsenal Metro Manila Liaison Office in Camp Aguinaldo, Quezon City.

Winning bidders are required to deliver the items within 180 calendar days.

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

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AFP modernization remains a priority of new DND leadership

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Joma Sison: Exploration deals, not US forces will keep peace in South China Sea

By Rosette Adel

Jose Maria Sison said the Filipinos should not worry about threats of war amid the Permanent Court of Arbitration ruling favoring the Philippines in its maritime dispute against China. File photo
MANILA, Philippines – Jose Maria Sison, chair of the international coordinating committee of the International League of People's Struggles, said Filipinos should not worry about threats of war amid an international tribunal ruling favoring the Philippines in its maritime dispute against China.

"Walang dapat mangamba sa gera dahil sa dalawang punto. Isa, labag sa UN Convention on the Law of the Sea at international law ang Tsina sa bigong pagswapang niya sa halos lahat ng South China Sea," Sison said in a podcast interview with University of the Philippines professor Sarah Raymundo posted by Kodao Productions.

"Ikalawa, malayong mas malakas sa kakayahang militar ang US, Hapon at NATO na malamang na kikilos kung sasalakayin ng Tsina ang mga kompanyang kakontrata ng Pilipinas sa oil and gas exploration and extraction," he added.

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

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

Sison said the Philippine government must use its victory at the Arbitral Tribunal, which has ruled that China has no basis for its nine-dash line claim over a large part of the South China Sea, to strengthen Philippine sovereignty and to craft better foreign policy.

"Gamitin ang mga kontrata sa oil and natural gas development para hindi mangahas ang Tsina na manggulo manggera sa Pilipinas," Sison said adding that it is a long term solution to avoid China's threats. "Gumaw tayo ng mga pagbalanse sa ating mga ugnayang panlabas nang sa gayon walang dayuhang poder an maging dominante sa atin," he added.

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