

Towards a Strategic Framework for Management of the West Philippine Sea

A White Paper

Asian Center, University of the Philippines

Problem at hand

- * The Philippines has long-standing territorial and jurisdictional disputes as well as undelimited maritime boundaries
- * Efforts to assert sovereignty in the WPS and to implement UNCLOS in line with national development and security goals are hampered by claims and actions of other countries

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- * Disputes impact on regional peace and stability, occurring at a time of broader geopolitical shifts
 - * The current geopolitical context may provide both challenges and opportunities for the advancement of Philippine interests and for the peaceful resolution of said disputes
 - * Lack of strategic framework and problems with poor policy coordination

Origins of the Project

- * Long-standing territorial and maritime jurisdiction disputes in the South China Sea
- * March 2011 crisis in the Reed Bank
- * Request from Philippine Navy Board of Advisers
 - * Need for greater public awareness of maritime issues
 - * Need for more effective policy coordination to bring stakeholders together
 - * Need for a strategic perspective for long term management
- * Agreement on an “expert group” to be convened by UP

Work flow

- * Preparation of concept paper
- * Identification and invitation of members of the expert group and institutional partners
 - * Criteria, Division of labor
- * Resource-generation
- * Workshops (see template)
 1. Marine Economy, Resources and the Environment
 2. Maritime Security, Defense and Law Enforcement (A & B)
 3. Foreign Policy and Diplomacy
- * Drafting workshops
- * Approval by expert group of White Paper and dissemination plan
- * Dissemination and advocacy

Workshop Template

1. Stocktaking

- * baseline facts
- * assessment of recent developments and their implications

2. Identification of policy issues

- * what are the critical areas for policy intervention?
- * who are the main and secondary actors and how are they affected?
- * what are the immediate priorities versus medium-term and long-term goals?

3. Discussion of strategic policy choices arising from the issues

- * for each policy issue identified, what are alternative courses of action?
- * examine each in terms of feasibility and responsiveness to problem at hand
 - will this really solve the problem?
 - what opportunities exist for policy reform
 - are there any obstacles, possible oppositors to policy reform?
 - What resources and institutional capacities are needed to undertake reform?
 - how will such policy change impact on other stakeholders

4. Recommendations

- narrow down options to what may be most feasible and effective

Proponents/Authors

CONVENORS

- * Senator Leticia Ramos-Shahani
- * Prof Aileen San Pablo-Baviera (UP)

MEMBERS

- * UP College of Law Professor Atty. Jay L. Batongbacal (UP)
- * former NDCP President Commo. Carlos L. Agustin
- * former DFA Undersecretary Lauro Baja, Jr.
- * former DOE Undersecretary Guillermo R. Balce
- * former DND Undersecretary Atty. Rodel A. Cruz
- * former Naval Attache to Washington D.C. Commo. Roland S. Rekomono
- * former Navy Chief VAdm. Eduardo Ma R. Santos
- * former BFAR Director Atty. Malcolm I. Sarmiento, Jr.

RESEARCH ASSISTANTS

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Significance

- * It is comprehensive in scope, bringing the various pertinent issues together into one integrative framework;
- * It is interdisciplinary, with the authors bringing their multi-dimensional expertise and experiences into dialogue with each other;
- * The paper culls and presents what are viewed as the most important questions facing our policymakers for the short to long term;
- * It is written from a clearly Filipino standpoint, from the identification of threats and challenges to the assessment of policy choices.

Objectives

- * To suggest comprehensive policy agenda covering different dimensions of WPS issue
- * To underscore the urgent need for a strategic vision, more permanent institutions, as well as for more effective arrangements for policymaking and coordination to address such agenda

Findings

- * 6 Policy Imperatives
- * Guiding Principles
- * Situation Analysis - Critical policy questions - Policy Recommendations

Policy Imperatives

- * Sustainable development of the marine economy and resources
- * Promoting maritime security and defense
- * Law enforcement and contributing to good order at sea
- * Asserting sovereignty over territory and exercising sovereign rights over the exclusive economic zone
- * Advancing an effective and pro-Filipino diplomacy and foreign relations
- * Organizing for future challenges

Recommendations

1. establish or strengthen institutions that shall
 - * Undertake strategic planning, policy formulation and coordination;
 - * Serve as crisis management mechanisms tasked to provide early warning and quick response to incidents;
 - * Be supported by adequate resources and staff, including provision of strategic analyses and real-time intelligence; and
 - * Provide institutional continuity regardless of changes in administration and leadership.

Recommendations

2. develop a comprehensive, long-term program for international legal action on issues relating to the disputes

Such a program may include but not be limited to the negotiation of boundaries, filing of cases, seeking arbitration and/or advisory opinion on critical issues from competent bodies, while taking into consideration the need to create favorable political, diplomatic and security conditions for conflict resolution.

Recommendations

3. develop strategic economic resources development programs for the Philippine EEZ and continental shelf, with respect to, among others:

- * Sustainable and responsible fisheries, with government assistance for artisanal/small-scale fishermen;
- * Optimized exploitation of oil and gas resources, balancing economic interests and the sovereignty/security concerns;
- * Exploratory surveys of other offshore mineral resources;
- * Establishing where necessary, transitional guidelines and rules for law enforcement in selected EEZ areas under dispute, taking into consideration domestic laws and the relevant UNCLOS provisions

Recommendations

4. develop a clear, feasible, and resolute security and defense strategy for the WPS, based on:

- * Sound understanding of shifting regional dynamics and geopolitical rebalancing taking place;
- * Factual and accurate threat and risk assessments looking at capabilities, political intentions and actions of potential adversaries;
- * Correct appreciation of our own security and defense capabilities and weaknesses, including the potential for allied assistance and the influence of remaining internal security challenges,
- * Clear definition of the distinct as well as coordinated roles of our civilian and military organizations, in ways that help build their core competencies and primary mandates; and
- * Anticipation of various scenarios which our security forces may encounter.

Recommendations

5. that bilateral and regional diplomacy pertaining to WPS:

- * be strategized in the context of comprehensive foreign policy goals such as promotion of national security, economic development and the welfare of nationals;
- * contribute ultimately to strengthening regional and international peace and stability based on international law, norms and standards;
- * be guided by our long-term aspirations for our relations with ASEAN, China, the United States, neighboring countries in Southeast Asia and Northeast Asia, and other key stakeholders.

Recommendations

6. undertake programs to inculcate archipelagic consciousness and identity of the Philippines and the Filipinos as a maritime nation, including but not limited to:

- * Research and information dissemination about Philippine maritime interests;
- * Building grassroots constituencies for the marine and coastal environment, safety and freedom of navigation, maritime disaster-preparedness, regional cooperation, among others;
- * Introduction of relevant courses and content into all levels of education and training in government;
- * Investment in developing next generation's expertise on the legal, security, international relations, fisheries, geography, geology, marine scientific and other dimensions relevant to the WPS.

Outputs

- * 4 Workshop Transcripts
- * White Paper: full version for direct stakeholders
- * White Paper: Summary and Highlights for public dissemination
 - * <http://philippinesintheworld.org/?q=node/1649>
- * Inputs to SONA, July 2012

Dissemination

- * Government
 - * Key stakeholders
 - * Secondary players
- * General Public
 - * Newspapers
 - * Websites
 - * Public forum
 - * TV interviews

Issues encountered

- * Difficulty in predicting workshop dynamics
- * Intervening events – Bajo de Masinloc standoff
- * Handling differences of opinion among members of expert group
- * Maintaining confidentiality
- * Political sensitivity
- * Analysis and recommendations of certain aspects are underspecified
- * Lack of feedback from end users

Lessons learned

- * Value of working with major stakeholders as institutional partners (information resources, logistical support, advocacy platforms)
- * Respect for scientific research process and academic freedom (UP brand)
- * Importance of trusted personal networks
- * With use of existing resources, even with little new investment you can pursue projects of potential high impact