

# Territorial and Maritime Disputes in the West Philippine Sea: Foreign Policy Choices and their Impact on Domestic Stakeholders

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## **Abstract**

Foreign policy decision-making typically involves an interplay between domestic and international actors and interests. Using Philippine policy in the West Philippine Sea as a case, this study looks at who the domestic stakeholders are, the effects of the maritime disputes on them, and their role in foreign policy choices made by the Aquino government. The study examines the defense and maritime law enforcement sector, the fisheries sector and energy industry, as well as those engaged in trade, investments, and tourism cooperation with China.

Among certain security sector stakeholders, there were perceptions that the arbitration or legal approach was over-emphasized at possible cost to short-term security goals. Fishing and energy stakeholders also felt there was not much support from government, and that interactions initiated by government were for the purpose of gathering understanding and support for policy, and to institute stop-gap solutions, rather than to address problems that arose as consequences of the disputes or of foreign policy decisions.

The study recommends better inter-agency harmonization of its policy priorities, improving central-local governments' understanding of their respective roles, and introducing more consultative and inclusive

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decision-making processes involving non-state stakeholders, in order to improve policy coherence.

Apart from defense of sovereignty and territorial integrity, development diplomacy based on domestic stakeholders' interests and needs should be placed front and center of the next stage of Philippine statecraft on the West Philippine Sea issue, whether through bilateral negotiations with China or regional cooperation or both. Law and diplomacy will remain instruments rather than ends in themselves, and the objectives of our foreign policy will remain security of the state, welfare of the people, peace in the region.<sup>1</sup>

**Keywords:** foreign policy decision making, arbitration, domestic stakeholders, security, Philippines-China economic relations

## Introduction

Foreign policy decision-making typically involves an interplay between domestic and international considerations. Putnam (1988) explained this well in his study of international negotiations as a two-level game, with negotiators trying to reach an agreement with the other party while simultaneously under pressure from domestic stakeholders. In most cases, a negotiator's hand is determined by the positions of interest groups on the home front, which may even be strongly opposed to each other. This can happen to not only one but both parties conducting negotiations, thus affecting negotiation outcomes.

This depiction of negotiations by Putnam has become a frequently used metaphor for a country's foreign policy decision-making and international interactions, broadly speaking. The ideal foreign policy decision-making process assumes rational choice to be the basis of decisions and, in order to have optimal outcomes, such a process includes consideration not only of the preferences of the decisionmaker but of some notion of "national interest" as well as the positions of major domestic stakeholders. In the Philippines, do domestic stakeholders play an important role in the shaping of foreign policy? Who are the domestic stakeholders in the first place and how are they affected by what goes on between the Philippines and other countries? The territorial and maritime disputes in the South China Sea (SCS) provide us an important case from which to draw insights into these questions.

In recent years, the struggle over sovereignty claims in the South China Sea have become quite central to Southeast Asian regional affairs, driven by increasing competition for the ocean's resources among fast-growing regional states, the rise of China's capabilities and influence, and geopolitical rivalry between the US and China. While the disputes can be traced back to the 1940s, pressure on the Philippines from China as the most powerful and assertive claimant began in the mid-1990s with the Panganiban Reef (Mischief Reef) incident, and escalated especially since the 2012 Panatag Shoal (Scarborough Shoal; Bajo de Masinloc) standoff. The latter incident occurred under the shadow of the United States' "pivot to Asia" or "rebalance" policy, which China saw as being directed at it. The Philippines, being a close treaty ally of the US, was perceived by China as being instrumental to this "rebalance" through its recruitment of US support in its determined pushback against China in the South China Sea.

From the Philippines' perspective, on the other hand, its main worries in the South China Sea included the looming prospects of energy supply

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shortages (with its promising Reed Bank fields overlapping disputed areas); overfishing, illegal fishing and environmental damage to surrounding reefs. These were aggravated by China's encouragement of its local fishers to operate in contested areas, and its own weak external defense capabilities in the face of recent remarkable boosts in China's maritime power. Thus, among the key concerns of the government of Benigno S. Aquino III had been how to secure the country's sovereign rights to fisheries and hydrocarbons in its exclusive economic zone (EEZ) as granted under the United Nations Convention on the Law of the Sea (UNCLOS); how to draw international support for its economic and security interests; and how to properly manage the disputes to avoid conflict with China as well as other claimant parties.

Under the watch of Aquino and his Secretary of Foreign Affairs Albert del Rosario, this issue animated our diplomacy with the big powers (China and the US), with ASEAN, with the United Nations, and with other countries of the Asia Pacific and beyond. The Philippine positions did not only reflect goals such as access to resources or security against external armed threat; the calls for a rules-based order were also being projected by the Aquino government as expressions of the values and identity of the Filipino people.

By the end of Aquino's tenure, particularly as a consequence of his government's filing for international arbitration to seek support for its maritime entitlements against China, the Philippines' SCS narrative had become one of Manila's David fighting Beijing's Goliath, with David upholding "right" against "might." To some extent, how other countries aligned themselves with the Philippine position became the standard by which the Aquino government identified friend or foe.

Under Aquino, the Philippines called on its traditional military ally the United States to help provide deterrence against Chinese assertiveness and to beef up the capability of its own decrepit defense forces to manage external threats. An Enhanced Defense Cooperation Agreement was signed in April 2014 allowing America access to Philippine military facilities for logistics support, military exercises, and pre-positioning of equipment. The level of U.S. support, however, remained modest and carefully designed so as not to encourage the Philippines to provoke China. U.S. allies—Japan, Australia, and South Korea—also provided assistance in relation to maritime security enhancement and maritime domain awareness.

Within ASEAN, Philippine efforts to generate solidarity against China's encroachments had very little success, as countries that were greatly dependent

on China could not be persuaded, while others chose to remain neutral with respect to the territorial disputes or cautious towards Manila's confrontational approach, despite their own misgivings about China's push into the SCS.

Aquino's resort to arbitration was vindicated by a decisive legal victory, with the arbitral tribunal declaring China's expansive nine-dash line claim as being without validity in law or historical fact while upholding the Philippines' rights in its EEZ. The successor government of President Rodrigo Duterte, which has clearly indicated its desire for good relations with China, now faces the even greater challenge of persuading China to accept this ruling, after China had vowed non-participation in the arbitration process since it began in January 2013 and expressed its complete rejection of the arbitration ruling announced on July 12, 2016.

#### **Do Domestic Politics Matter?<sup>4</sup>**

This article does not examine the wisdom or effectivity of the foreign policy approaches that have been taken by the Philippines in its interactions with other countries on the SCS. Instead, it looks at who the domestic stakeholders are, the effects of the international disputes on them, and their role in foreign policy choices made by the Aquino government. Using Putnam's second level, or sub-state level, of analysis, it seeks to determine how foreign policy decisions reached at high levels are interpreted and implemented by domestic actors, and whether they have produced desired outcomes from the perspective of domestic stakeholders. Among the questions addressed are: Do domestic stakeholders matter in Philippine foreign policy? Are their voices heard by decision makers, and is foreign policy responsive to their needs and concerns? Are they sources of vulnerability, pressures, or support for foreign policy? What are the possible implications of the research findings for the future conduct of Philippine foreign policy?

The study maps out the domestic stakeholders—governmental as well as nongovernmental, national as well as local—in order to test the internal coherence of Philippine policy in relation to the maritime disputes. While acknowledging the importance of understanding the international relations dimension of the SCS disputes (Putnam's first level), this study instead explores the domestic socioeconomic, political, security, environmental, and other concerns of the country that are assumed to be among the drivers of foreign policy choices.

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The study relies on the following information sources: interviews with key respondents from stakeholder groups; focus group discussions and informal discussions with subject matter experts; news reports; and speeches, reports, field notes, and other documents provided by key informants. Stakeholders were identified based on the extent of their involvement in the recent disputes involving the Panatag Shoal, Kalayaan Islands, and Reed Bank. Rather than focusing on individuals, stakeholders are defined as sectoral groups or organizations with shared interests.

The study was undertaken in a somewhat polarized atmosphere where expressing criticism of the Philippine government's policy toward China was considered by government to be a disloyal and unpatriotic act, in some cases possibly even serving the interests of the "adversary". Thus, many of the interviews were done on a non-attribution basis, and most of the discussions were held under Chatham House rules. This is the reason why some of the key data and insights that are reflected in the paper have no attribution to sources of information.

Simply defined, "domestic stakeholders" in Philippine foreign policy on the West Philippine Sea disputes are sectoral groups (e.g., fisheries sector, oil and gas sector, scientific community) and organizations or institutions (e.g., Philippine Coast Guard, Zambales local government) who have an interest in the maritime disputes and can affect or be affected by foreign policy decisions, behavior, and outcomes pertaining to the disputes.

They themselves may or may not directly participate in the foreign policy choices, but their primary role as stakeholder involves being on the receiving end of policy choices made by other decisionmakers.

Stakeholders were initially classified into three large groups: governmental, private sector, and civil society, with further subdivisions as illustrated in Figure 2.

The next section summarizes the assessments and concerns of selected stakeholders on the West Philippine Sea disputes regarding how foreign policy choices made by the government impact upon them.

### **Defense and Maritime Law Enforcement Frontliners**

The West Philippine Sea disputes arise from the country's overlapping territorial and maritime jurisdiction claims with those of other countries. Thus, the organs of government tasked to defend those claims, protect sovereignty

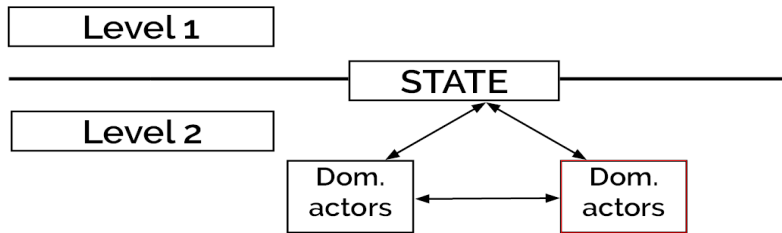


Figure 1. Foreign policy choices as two-level games

and territorial integrity, and assert control and jurisdiction over claimed areas are the frontliners in the implementation of foreign policy decisions. These are the Philippine Navy, the Philippine Coast Guard, Bureau of Fisheries and Aquatic Resources, and the Philippine National Police-Maritime Group. Their mandates extend to the areas identified under PD 1596 (Kalayaan Island Group) and the Philippine EEZ (which includes Panatag Shoal), potentially pitting them against foreign counterparts, including the far more capable Chinese. While they do have their specific mandates, collectively they are tasked to cooperate in dealing with maritime threats and challenges, which may range from illegal entry and illegal fishing to the unauthorized presence of foreign civilian or military vessels.

Perhaps most important among the concerns expressed by these stakeholders was that the maritime and territorial disputes have been treated mainly as a legal and diplomatic issue rather than prioritized as a security or law enforcement concern. For instance, the focus of governmental action has been on seeking legal clarity such as through measures for determination of baselines, harmonization of domestic laws with UNCLOS, and filing the arbitration case against China for the recognition of Philippine sovereign rights in its EEZ. On the international front, Philippine diplomacy has emphasized the negotiation of regional cooperation pacts such as the ASEAN-China Declaration of Conduct (DOC) and the proposal for a legally binding ASEAN-China Code of Conduct on the South China Sea. These agreements lay out principles such as “peaceful settlement of disputes” and “self-restraint,”

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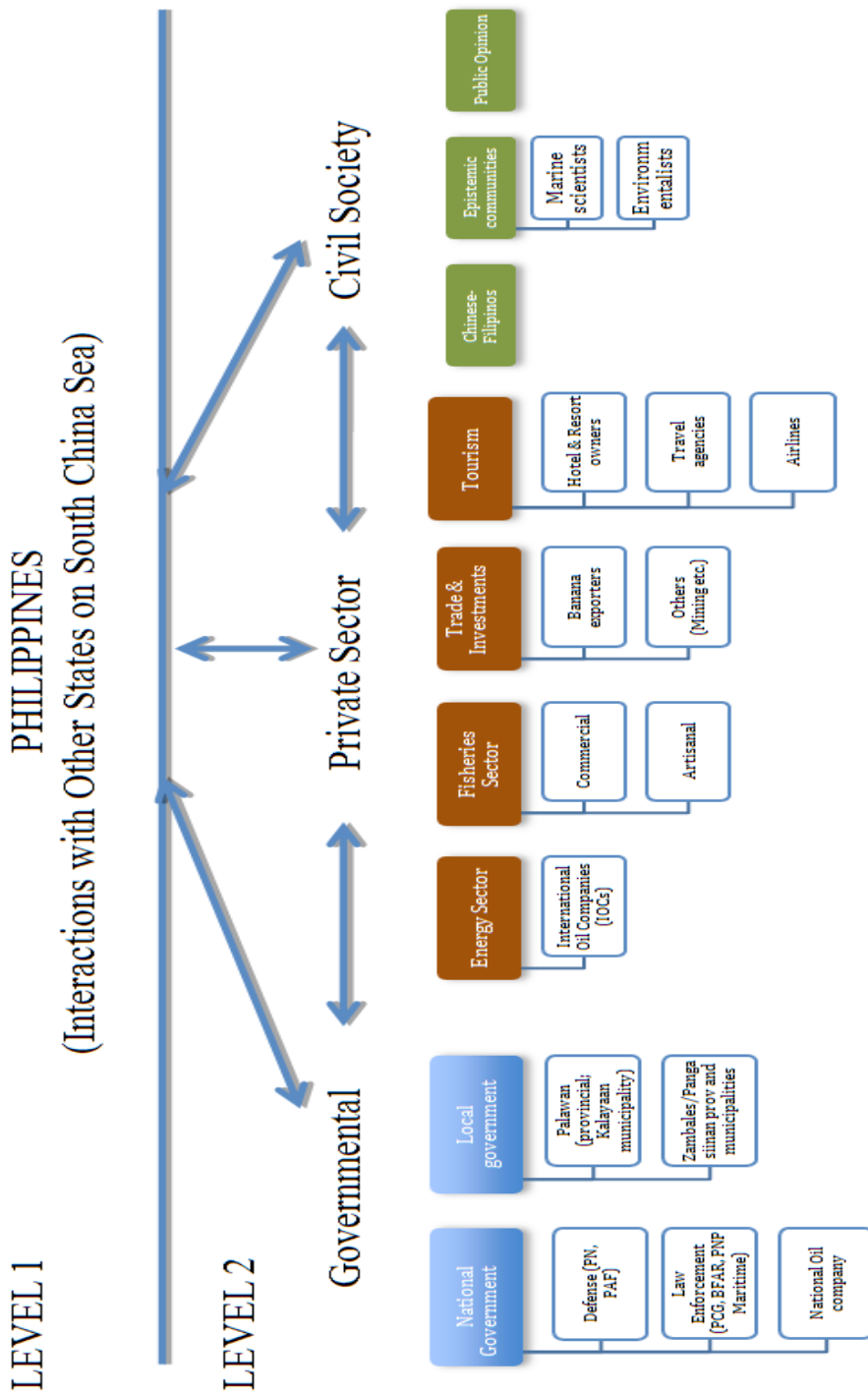


Figure 2. Major domestic stakeholders in West Philippine Sea issue



but provide little operational guidance to defense and law enforcement units, given the various contingencies they encounter.

Although as early as 1994, the government had adopted a comprehensive policy framework called the National Marine Policy (which recognizes defense and maritime law enforcement as important functions), it appears that over the last two decades, the national government has done little to help improve capacities in these areas. The Department of Foreign Affairs had, since the 1990s, been designated to be the core of the development of marine policy because the immediate trigger at the time was the implementation of the UN Convention on the Law of the Sea, with emphasis on the international obligations of coastal states. While it has become clearer over time that the full implementation of UNCLOS requires interventions in development planning, marine resources management, and law enforcement, among others, the institutional arrangements for addressing the said concerns continued to be managed from within a foreign policy framing. Even when the salience of defense and maritime law enforcement concerns grew as the South China Sea disputes escalated over the last six years or so, an almost one-sided emphasis on diplomacy remained, which some stakeholders believe has been at the expense of instituting more pro-active programs for the country's defense and security. It was only with the establishment of the National Coast Watch System (NCWS) as "the central inter-agency mechanism for a coordinated and coherent approach on maritime issues and maritime security operations" that SCS policy making began to move outside of the DFA ambit, since the establishment of the NCWS led to the abolition of the DFA-led Commission on Maritime and Ocean Affairs.

What this translates to is that some representatives of frontline agencies charged with defense and law enforcement, who believe they bear the biggest responsibility and may have the most to lose in failing to execute their mandates, felt that they had been marginalized in the search for solutions. This "diplomacy versus defense/law enforcement" narrative is possibly not new or unique or surprising, as is bound to happen when different agencies' mandates do not converge. Nonetheless, it can result and has resulted in problems in policy cohesion.

The stakeholder concerns from this group generally revolve around the following:

- the lack of necessary means (physical assets, technical knowledge or skills, and systems) to undertake their missions more effectively;

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- perceptions that they are constrained from performing their primary functions for fear of undermining the ongoing diplomatic and legal initiatives, particularly after the Panatag Shoal standoff and filing of the arbitration suit against China;
- the inadequacy of policy and immaturity of the maritime governance bureaucracy (e.g., the lack of guidance on policy and strategy; frequent reorganizations of agencies in charge of maritime affairs; slow progress in the development of the National Coast Watch Center after it was established, with turf battles adding to the confusion).

In addition, the ongoing transition in the mission of the Armed Forces of the Philippines from its focus on internal security to territorial defense entails a process of sorting out law enforcement, anti-insurgency, and external defense functions, and establishing coordinative arrangements among various institutions. Effective inter-agency cooperation is imperative in the maritime arena, where information sharing for maritime domain awareness is considered vital, and where there are far from adequate resources (e.g., “bottoms” or vessels) to ensure the safety of the entire archipelago, let alone control over zones of maritime jurisdiction such as the EEZ.

Applied to the disputed WPS, this confusion in the mission and geographic scope of Philippine military and law enforcement agencies is exacerbated by the transformation of the South China Sea into a so-called “grey zone”—a situation of neither pure peacetime nor actual armed conflict, but of contingencies over territory, sovereignty and maritime economic interests, where, for instance, both China’s People’s Liberation Army-Navy and its newly organized (and reportedly well-armed) Chinese Coast Guard, as well as other paramilitary groups, operate under unclear rules. Navies and Coast Guards the world over have developed protocols as well as rules of engagement in dealing with various situations that may occur when they traverse the oceans—rules that may differ if they are in high seas or within the legal jurisdiction of coastal states, or depending on whether there is a state of hostilities or peace. If the maritime areas are disputed, under what situations should the Philippine Navy be mobilized instead of the Coast Guard, and vice versa, given their separate mandates? The act of sending the Philippine Navy rather than the Coast Guard or BFAR as first responders in apprehending Chinese fishermen on Panatag Shoal—the incident that triggered the 2012 standoff between Manila and Beijing—has been criticized as inappropriate and needlessly provocative. Yet the Philippine Coast Guard, operating in this “grey zone,” could also face uncertainties regarding applicable rules of engagement if it was first on the

scene and if it spots Chinese vessels, or if the Chinese Navy intervenes in its law enforcement operations.

Meanwhile, the “self-restraint” and “no provocation policy” adopted by the government has ostensibly led to high tolerance for foreign fishing presence (although some law enforcers drew the line at illegal fishing practices), while effectively discouraging Filipinos from proceeding with normal economic activities in its EEZ due to fears of Chinese retaliation. The policy reportedly prevented any physical improvements from being undertaken on Pag-asa or other Philippine-held features that may be misconstrued as provocations. Three foreign policy initiatives were specifically mentioned by stakeholders as having constraining effects on the performance of defense and law enforcement functions: the DOC, because of Paragraph 5, which called for “self-restraint in the conduct of activities that would complicate or escalate disputes”; the filing of the arbitration case, because—rightly or wrongly—of “sub judice” arguments; and the so-called Triple Action Plan of the DFA, which called for a moratorium on specific activities such as construction on occupied features. In the meantime, the defense and law enforcement agencies sometimes receive criticism for not doing their work, including from fisherfolk who were being prevented from fishing in disputed areas because their own government could not guarantee their safety.

Some frontliner stakeholders, on condition of anonymity, also cited policy weaknesses arising from the lack of coherent, well-coordinated crisis management mechanisms. This was most evident in the failure of the Aquino government to convene the National Security Council during the Panatag Shoal standoff, ostensibly for domestic political reasons. They also bemoaned the apparent lack of contingency planning or non-conduct of inter-agency war-gaming, especially considering the magnitude and frequency of actual exercises being undertaken by other claimant states.

On the other hand, some security stakeholders who were interviewed strongly supported the Aquino government’s emphasis on the acquisition of new equipment, such as multi-role vessels and planes, and its greater efforts to develop and diversify security partnerships, although they considered these as long-term investments in capability building that were uncertain to be sustained. To complement the new vessel acquisitions of the Philippine Navy, the Coast Guard, and BFAR, the government had also begun to use satellite systems for monitoring activities in Philippine-claimed waters.

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Two respondents said that in order to avoid confusion and accidents occurring in disputed areas, high-level exchanges among defense and law enforcement experts and officials, both bilaterally with China as well as multilaterally, should have been undertaken. These exchanges could have been useful platforms for information gathering as well as confidence building, it was argued. One interviewee said that the volatility of the situation was a reason not to rely solely or even principally on the arbitration case. Instead, defense or naval diplomacy could still play an important role, especially for confidence building, for instance by working together on humanitarian assistance and disaster response (HADR).

### Provincial and Municipal Governments

The local constituencies affected by the maritime disputes include the municipality of Kalayaan—consisting of Philippine-claimed features in the Spratlys—in Palawan province, Masinloc in Zambales, Infanta in Pangasinan, and other places whose fishing and coastal communities draw their food and livelihood from Panatag Shoal and Kalayaan Islands.

Contrary to some expectations, the Palawan provincial government does not consider itself a major stakeholder in the disputes, despite the fact that Kalayaan Island Group (KIG) in the Spratlys is one of its municipalities. This may be due to a number of factors. Having been established originally as a military outpost and then only declared a municipality in 1978, KIG tends to be seen by provincial executives as beyond their own jurisdiction and exclusively the concern of the national government. Even now, KIG and Pag-asa Island

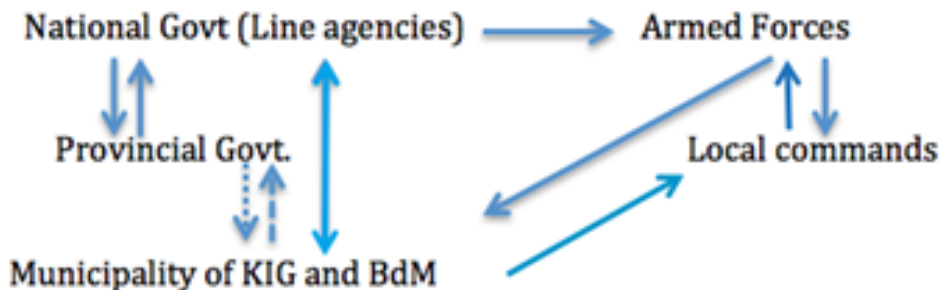


Figure 3. Dual authority structure

have a dual governance structure, with the local Navy commander often playing the dominant role even as he sits side-by-side with municipal officials. With this unique and ambiguous authority structure, the role of the provincial government is not too clear.

KIG is moreover too remote to consider in the province's development planning, and it has to compete for attention with southern Palawan, which also remains underdeveloped. Whereas KIG is perceived to have generated economic benefits for the national government (particularly from the Malampaya gas fields) and for the large commercial fishing companies based in the provinces of Batangas, Navotas, Zambales, and Bataan, it has had little economic value for Palawan itself. The Palawan economy does not depend on KIG and thus far does not seem to be affected by the disputes. Palaweños even appear to have far greater interest in the Sulu Sea, including the Tubattaha Reef, than in the West Philippine Sea. Finally, KIG has a very small voting population, and is, therefore, of little interest to local politicians come election season.

As tensions escalated over China's efforts to block the Philippine Navy's repair and resupply activities on Ayungin (Second Thomas Shoal), KIG Mayor Eugenio Bitoonon became a key information source for foreign media and government analysts, and the "local face" of the conflict. In an interview for this project, he, however, decried how the provincial leaders did not take him seriously, nor did they support the development plans and programs he had for his tiny constituency, which consisted of a little over 300 people residing on Pag-asa Island. His initiative to establish a school for about 28 children living on Pag-asa was supported instead by the national government, and Coast Guard personnel stationed on the island served as volunteer teachers. Asked if he was ever brought into consultations and studies undertaken by the national government about the KIG, Mayor Bitoonon said he was not. He also expressed the view that the arbitration case (prior to resolution) was paralyzing all efforts to improve the facilities on Pag-asa Island.

Like their Palawan counterparts, Zambales provincial authorities also appeared to have taken little interest in the Panatag Shoal dispute, despite some of its coastal communities being greatly affected by Chinese control of its rich fishing grounds, and despite the proximity of the disputes to the strategically located Subic Bay. Other than Masinloc town mayor Desiree Edora, most local leaders remained quiet on this issue and deferred to the national government to find solutions to the problem. An additional consideration might have been the heavy involvement of Chinese investments in Zambales mining,

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another major industry, so that anti-Chinese sentiment was neutralized by countervailing economic interests.

In another example of poor coordination between national and local authorities, Zambales Governor Hermogenes Ebdane, Jr., a former police chief and also a former national security adviser, commissioned a Canadian surveillance company to set up a coastal monitoring system to detect vessel intrusions in his province, and imposed taxes on foreign ship owners. The latter was declared illegal because this was a function of the Marina and Coast Guard under the national government rather than of local executives.

Interestingly, Panatag Shoal had itself been the subject of an internal territorial dispute among the towns of Masinloc, Palauig, and Cabangan. On June 6, 2011 (prior to the 2012 standoff), Masinloc's claim to Panatag (which is marked in ancient Spanish maps as Bajo de Masinloc) was officially discussed by the provincial government, during which some board members even argued that they preferred to have the WPS international disputes resolved (among the countries) before endorsing any town's claim to the shoal. Other than this incident and the Chinese occupation in 2012, Panatag seems not to have figured prominently in the consciousness of provincial leaders.

The economic impact of the Panatag Shoal situation has been most directly felt by fishing communities not only of Masinloc but also of Subic and Sta. Cruz in Zambales, and Sual, Bolinao and Infanta in Pangasinan. Some fishermen have reportedly experienced direct threats from the Chinese Coast Guard, which rammed their boats or fired at them with water cannons. Fisherfolk families have been displaced from their traditional livelihood, and the BFAR, Coast Guard, and Navy have had to work with Masinloc Mayor Edora to assist in alternative livelihood and new skills training programs.

This lack of interest at the provincial level in the direct impact of the disputes on some constituencies is a vulnerability that may result in the public's disaffection with local leaders. In extreme cases, it may heighten the risk of victims taking matters into their own hands to challenge other claimant states through actions that may escalate tensions and later have foreign policy repercussions. An example would be the aborted plan of former marine captain Nicanor Faeldon to land on the shoal while the Panatag standoff was still taking place, as well as incidents of fishermen throwing fire-bombs (according to Chinese media reports) at a Chinese Coast Guard vessel.

Vulnerabilities may also arise when local government executives of frontline provinces take little interest in the broader foreign policy goals of the state.

After all, local officials have better access to local information, institutions, and resources that they can more quickly mobilize to prevent, address, or intercept situations on the ground even before these come to the attention of national government. Local executives can help compensate for the national government, which has routinely been criticized for its slow reaction time whenever faced with reports of specific incidents.

Aside from local Navy and Coast Guard personnel, local governments are another crucial link between the national government (including foreign policy decisionmakers) and direct stakeholders, such as fisherfolk and private fishing companies who in the SCS have had to make sacrifices for the sake of national sovereignty.

### **Fisherfolk Communities and Fishing Companies**

The SCS has been described as overfished or fully fished except for shallow areas near the Philippine coast, but it is likely that a substantial portion of the actual fish catch is unreported. Both commercial Filipino fishing companies as well as artisanal fishers have been active in the KIG and Panatag Shoal. From their reports, we know that the better fishing grounds are far from the main Philippine archipelago, but only big companies from Batangas, Zambales, Bataan, Navotas and Cebu have the capability to travel the distance. Artisanal fishers would opt to harvest sea cucumbers and other high-value items in nearer areas instead. The capture of endangered hawksbill sea turtles (pawikan) by Filipino fishers for sale to Chinese traders may also be a rampant practice.

However, one informant from a major commercial fishing company—also on condition of anonymity—said that, contrary to government data, there were still rich fisheries in the SCS. Filipinos, he said, were “dehadong dehado” because not only did other countries take our fishing grounds, they would export their catch to us (e.g., galunggong, which only Filipinos eat because others consider it to be of low value). He said that since China’s island construction activities started in 2013, they observed a sharp drop in their catch (“ang laki nang ibinaba ng volume”). They had also experienced harrassment near Investigator Shoal as early as 2011 from what appeared to be a Chinese navy ship (although the crew said they were Korean), and they know of others with similar experiences that remain unreported. The informant also said that they hope the Philippine government can extend protection. He recalled that during the Marcos administration, government would assist fishing companies by providing subsidies that would encourage them to go

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into farther areas, including the KIG, because of the prevalence of piracy and conflict in waters close to Mindanao at that time.

On the other hand, the rich fishing grounds of Panatag continue to be of greater interest than the KIG in terms of living resource potential. In earlier years, Filipino, Chinese, Vietnamese, Taiwanese, and Hong Kong fishers would frequent the area without experiencing territorial tensions or competition. The effects of China seizing control of Panatag Shoal in 2012 have, therefore, been quite evident. One study by the National Coast Watch Center reports that 50 percent of local fishermen in the town of Masinloc had been affected, with many now having to rely on food rations provided by the municipal government. Masinloc Mayor Edora estimates that 2,000 fisherfolk have been affected.

An informant from government said during an interview that local fishermen they spoke with blamed the Philippine government for disrupting the harmonious relations that had prevailed earlier among fishers of different nationalities. They also complained that, as the tensions continued to grow, government could offer no protection for those who still ventured out to fish. This was not only due to resource constraints preventing conduct of regular patrols, but also because the Coast Guard, Navy, and other ground operators had allegedly been directed by Malacañang not to cause any new provocations following the Panatag Shoal incident. Since the standoff, Filipino fishermen have been shooed away and doused with water cannons; their vessels have been harrassed and bumped by the Chinese in the area.

In one particularly absurd twist of events, the national government at one point declared a fishing exclusion zone around Panatag Shoal (ostensibly for conservation purposes but also because Beijing would seasonally declare its own). Those tasked with law enforcement ended up asking Filipino fishers (over whom they had jurisdiction) to leave, but this paved the way for Chinese and others to fish in what was a Philippine EEZ. An informant from the National Coast Watch Center attributed this to “ground operators not being properly oriented.” But according to this informant, some local fishermen had started to ask: Who is going to fix this? Will diplomacy bring back our fishing grounds? Will the arbitration solve this?

The Navy and Coast Guard reportedly encouraged the fishermen to continue fishing in the area, but to avoid risks by venturing no closer than two kilometers from the shoal so as not to be confronted by the Chinese. But many decided to stop fishing altogether. The Northern Luzon Command (which was later



merged into the Western Command) became involved, not with providing security but with providing livelihood for those most seriously affected. The BFAR promised to set up alternative fishing grounds and encouraged fishers to shift to the use of payao (a fish aggregating device), which the BFAR began to deploy in municipal waters. BFAR urged the LGUs to implement a management plan for the management of the payao.

Perhaps more than any other stakeholder, the fisheries sector can become a vulnerability and a pressure point in the country's foreign relations because of the direct impact on the economy, as well as on food security, livelihood, safety, and security of Filipino nationals. The sentiment, particularly of artisanal fishermen, that they are at the mercy of strong nations and that their government is helpless to change the situation stands in sharp contrast to the support that the Chinese government gives its fisherfolk. On the Chinese end, these include the provision of fuel subsidies, financing for new vessels, protection by the Coast Guard when they venture into disputed areas, and even initiatives to organize fishermen into militias equipped with modern communications.

### **Effects on Energy Players**

One of the first salvos fired by China in what was to be an active campaign to assert sovereignty in the SCS was the harassment of Forum Energy/Philex activities in Service Contract (SC) 72 of Reed Bank in early 2011. The Department of Energy had started accepting bids for petroleum blocks in Reed Bank, but China's Nine Dash Line overlapped with the entire Reed Bank and part of the Malampaya gas field.

The energy stakeholders in the WPS disputes include the national government, the national oil company (PNOC), private investors (Philex/Forum Energy), and international oil companies (IOC) that had been granted exploration concessions by Manila in the West Philippine Sea.

The Philippines lags behind its neighboring countries in terms of the number of its active petroleum wells, in part because most of the country remains underexplored. Thus, the importance attached by the Philippine government to the energy dimension of the WPS territorial disputes has been evident. Philippine offshore exploration has been concentrated in the West Palawan region, fronting the KIG. The government of Gloria Macapagal-Arroyo had come close to energy cooperation in disputed areas when it agreed to conduct joint seismic surveys with Chinese and Vietnamese national oil companies in

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2005. In the end, however, the three-year cooperation agreement was allowed to terminate without extension after issues about its constitutionality in Philippine law were raised.

At the height of the Panatag standoff in 2012, Philex Petroleum and China National Offshore Oil Corporation (CNOOC) were in talks to explore the possibility of oil development as well as mining cooperation. Philex chair Manny Pangilinan reported that he had clearance from President Aquino to sit down with CNOOC counterparts. The talks fizzled out due to disagreements on whose laws (therefore, whose sovereignty) would be adhered to. But similar consultations would again be reported in October 2013 (after the filing of the arbitration case) between Forum Energy Plc and CNOOC, and hinted at in June 2014.

Other incidents involving harassment by Chinese vessels were reported in the Philippine media. Twice in April 2014 did a Chinese vessel approach the Rubicon Intrepid (FPSO) Ship operating in SC 14C1, and, in August 2015, a Chinese warship with ID No. 571 approached the Maersk Venturer Drill Ship operating in SC55.

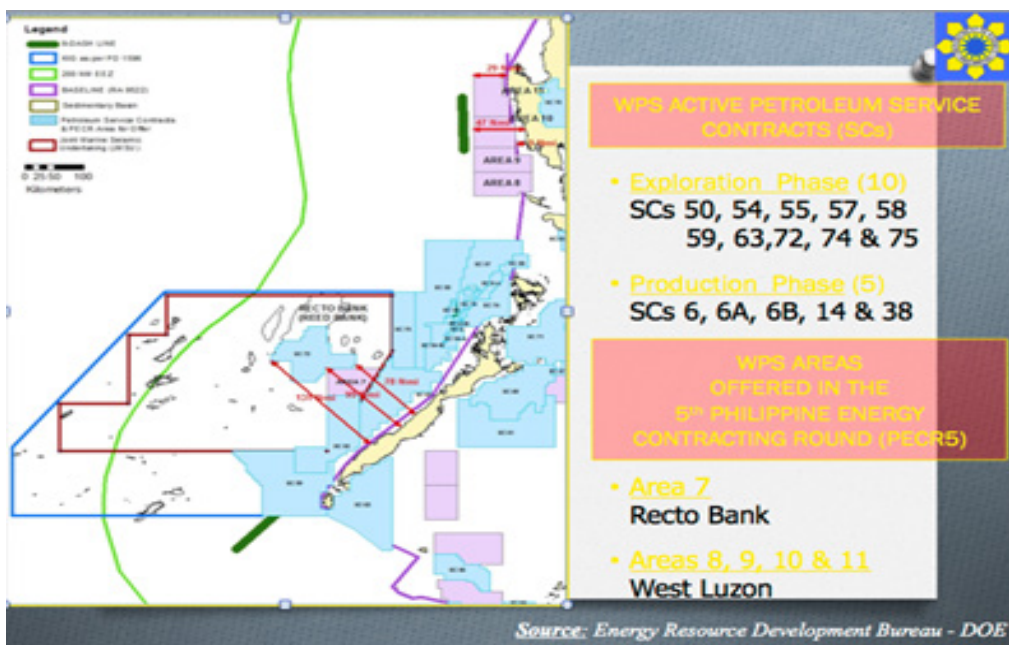


Figure 4. Philippine Oil Activity in the WPS

Chinese efforts to prevent unilateral exploration by the Philippines were not limited to such types of incidents in the ocean. China had previously warned the big energy players to stay away from Reed Bank, or risk losing other, more lucrative China projects. Moreover, oil companies in Manila reported receiving phone calls from “Chinese embassy” officials who told them that the areas they were interested in belonged to China. Even China-based service providers that IOCs wished to hire have said they had to demur when they found out that the projects were in the areas disputed by the two countries, fearful of being penalized by their own government.

Unfortunately, IOCs argued, they cannot take sides in territorial disputes, and also cannot operate if ownership is undetermined because they have to be clear as to which government they are reporting to. Their investments—already running into millions or even billions of dollars—are very sensitive to any increase in political tensions and mid-stream changes in the rules. The IOC representatives consulted by the author said they were waiting keenly for the outcome of the arbitration filed by the Philippines. But when pressed for comment on whether a favorable outcome would be taken as a clear signal to go ahead with projects in the Philippine claim areas, they said the implementation of the ruling would be crucial.

The Malampaya gas fields are protected by the Philippine government against possible hostile actions; the Navy, Coast Guard, and police have been mobilized for this purpose. However, the government does not have sufficient resources nor a mandate to accord the same treatment to all NOCs and IOC projects. Given considerations of security risks, political pressure, and even questions of economic viability at a time of current low oil prices facing the energy industry, the Philippine government needs to provide more incentives for industry players to invest in upstream operations. While the current government has resisted entering into joint development with other countries due to constitutional constraints and implications for sovereignty, private sector players and legal experts point out that there have been many successful instances of joint development in the world that have proven beneficial to various parties, once their leaders decide that they are ready to make compromises.

Inasmuch as private sector commercial linkages and market-based approaches are being utilized for cooperative resource management in some countries, it may also be worth studying if such an approach can contribute to the management of conflicts over resources in the SCS, where sovereignty issues always get in the way. Future studies may explore the potential role of

private business in the management of maritime disputes, and how a “market approach” to resource competition might be more feasible than a state-centric one.

### **Stakeholders in Trade, Investments and Tourism with China**

One important question often asked was whether the tensions arising from the territorial and maritime disputes had a major effect on economic ties between the two countries. Since the approach in this study is to focus on stakeholders and pressure points for foreign policy, it does not attempt a comprehensive assessment of these areas. But the short answers are that (1) there were no observable effects on trade ties at the macro level that were directly attributable to the disputes, but the highly vulnerable banana export sector suffered from measures imposed by China that circumstantially appeared related to the bilateral tensions ; (2) there was definitely a decline in new Chinese investments (that were low to begin with) and opportunity cost may have been high; and (3) there was a temporary, selective, but nonetheless significant decrease in tourist arrivals from China, linked to safety concerns that at least partially arose from the bilateral tensions.

The Philippine government and the private sector were united in the goal of preventing economic fallout from the political tensions. Concerns over such a possibility rose when, at the height of the Panatag Shoal standoff, Philippine bananas were denied entry by Chinese customs, citing phytosanitary standards that were reportedly not met. One interpretation held that these were not overt economic sanctions but nevertheless hinted at or signaled the possibility of sanctions in order to try to influence behavior. What surprised the banana growers was that Japan and Korea, both large markets who were receiving imports at the same time as China, did not complain of the issues China was raising on their Philippine banana imports.

If the ban had continued, around 150,000 – 200,000 people would have been affected according to industry assessments. As it was, the ban led to wastage, unemployment, and loss of tax revenues to local government, among others. The effect was, however, considered temporary, and according to one scholar, “not debilitating,” but nonetheless, to preserve the China market, government and the banana growers took remedial measures.

Even after the 2012 Panatag Shoal standoff, China continued to be the country’s top import source and third largest export market. Among other sectors whose representatives were informally surveyed during a roundtable



**Figure 5. Decline in Banana Exports to China following 2012 Panatag Shoal Incident**

Source: Pilipino Banana Growers and Exporters Association

discussion held in 2014, the electronics and semi-conductors group reported that their export and import percentages remained about the same and that they even observed a windfall from Japanese companies who were leaving China for the Philippines, also due to territorial frictions in the East China Sea. A manufacturer of car batteries and a steel manufacturer reported that their sectors were also not affected.

As for investments, the Filipino-Chinese Chamber of Commerce and Industry reported that in 2014, new Chinese FDI reached \$41.38 million, up from \$6 million in 2013 and \$60,000 in 2012. However, total Philippine FDI in China continued to outstrip Chinese FDI in the Philippines, with \$3 billion and \$1.5 billion, respectively. The Philippine Economic Zone Authority reported having 90 locator enterprises from China as of June 2015. Although China was not among the top ten countries investing in the Philippines through PEZA, from 2010 to April 2015 it still registered PhP4.519 billion in investments. Of the 90, 61 were in manufacturing and 13 in information technology services. The others were in real estate, renting and business activities; hotels and restaurants, and transport, storage and communications.

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Nonetheless, the disputes were said to have affected decisionmaking by prospective investors. One analyst explained that Chinese state companies “will think thrice” before investing in the Philippines, while Chinese private companies “will clear (it) first” with the Ministry of Commerce of China before deciding to invest. The tensions also made the Philippines a less attractive destination for investments compared to friendlier ASEAN countries.

This was borne out by information from the Board of Investments that trade delegations and investment missions from China had nearly ground to a halt compared with activity during the Arroyo administration. However, this was contradictory to a statement by an official of the Philippine Exporters Confederation (PhilExport) that they continued to receive Chinese groups looking for economic partners and projects. It may then be that Chinese missions were merely avoiding official channels and reached out to the private sector instead.

Of investments by China, some projects were seen to be potentially sensitive in the context of deteriorating political ties. One was the 40 percent stake by state-owned State Grid of China Corp. in the Philippines’ National Grid Corporation, which it bought in 2009, and from which it has a contract to operate for 25 years. Due to security concerns, the contracts of Chinese engineers were allowed to lapse and their work permits not renewed—an act that was criticized in China.

Shortly after the Panatag Shoal standoff, tourism was also temporarily affected, especially in the wake of calls by Philippine nationalists to hold demonstrations against Chinese “bullying.” The Chinese government responded by issuing an advisory against outbound group tours to the Philippines, citing fears for their safety. A second travel advisory was issued in September 2014, this time emanating from the Chinese embassy in Manila, informing their nationals of poor safety conditions in Manila where twelve kidnappings of Chinese nationals had occurred over the previous nine months. However, there was speculation that the 2014 advisory against group tours was in retaliation for the March 2014 submission of a 4,000-page memorial to the Permanent Court of Arbitration. Thus, it may be argued that the travel advisories were somehow related to the disputes and were perhaps, like the earlier ban on banana imports, intended to signal displeasure, and to convey the hint of a threat.

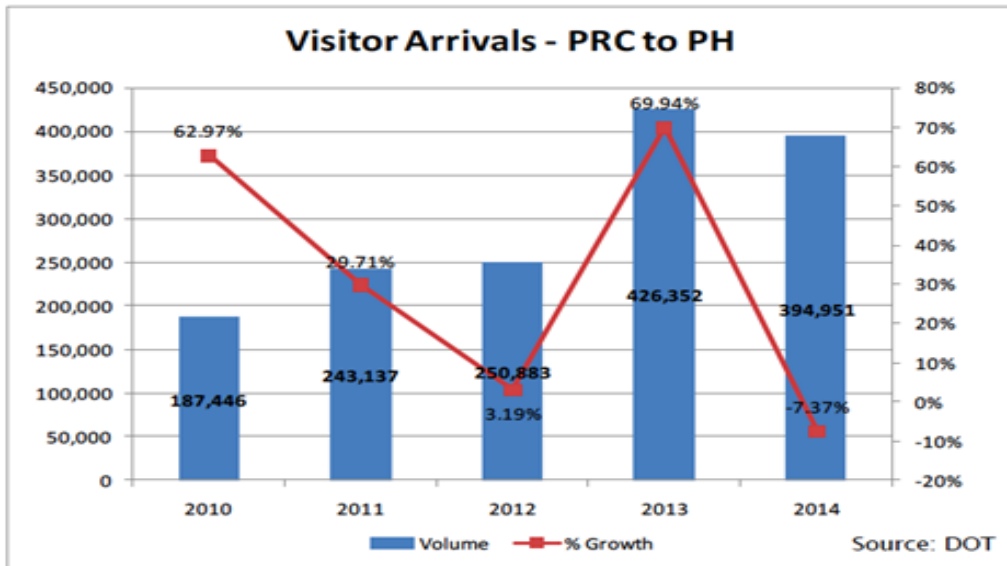


Figure 6. Chinese visitor arrivals in the Philippines  
Source: Department of Tourism

% Share of Chinese Tourist Arrivals to ASEAN, 2013

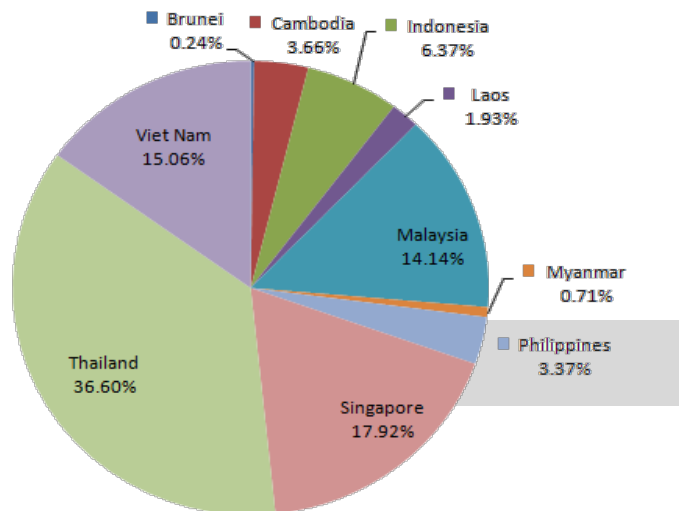


Figure 7: Philippine share in ASEAN market for Chinese tourists, 2013  
Source: Country Data, 2013.

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The second advisory led to a significant drop in arrivals, particularly in popular destinations like Boracay and Cebu, with as many as 149 flights and 20,000 room reservations cancelled. Revenue losses were estimated at PhP284 million for airlines and PhP165 million for hotels and resorts. Nonetheless, certain places in the Philippines had become favorite destinations; they continued to attract travelers, particularly individual travelers, dive clubs, and those who booked online rather than through travel agencies. Despite tensions with China and the travel advisory, total tourist arrivals in 2013 and 2014 were much higher compared to 2012.

In other words, the economic relations remain stable, with much to be improved, and whatever vulnerabilities may exist for the Philippines are only to some degree related to the disputes. The more serious variables are the oft-cited challenges of poor infrastructure, excessive red tape, lack of predictability of policy, etc. that have held back the economy in years past.

On the other hand, going forward and learning lessons from other developing countries that have grown economically more dependent on China than they might have wished, the question we now face is how to strengthen economic ties so as to provide a foundation for greater mutual trust without unduly compromising security and sovereignty goals.

### **Civil Society**

Under the category of civil society are “epistemic communities” or communities of experts that are transnational in nature rather than being purely domestic actors. These groups of experts share a worldview and mode of thinking, and try to translate them into policy interventions. In the South China Sea disputes, they would include marine scientists, environmentalists, scholars of international law and of international relations, security analysts, and the like. Their role was not examined in the study.

The role of media in shaping public perceptions and framing an agenda, on the other hand, needs to be acknowledged. For instance, surveys show that only a small percentage among the Filipino public see the disputes as a priority of the country; nonetheless, there is high awareness and interest in the issues, apparently because of extensive media coverage.

A special group of civil society stakeholders on this issue would be the Chinese Filipinos. Being “Chinese Filipinos” can mean many things, and they no longer denote a single community; nor would the members even necessarily display the same cultural characteristics. Their attitudes toward the disputes



may be shaped by citizenship, the individual's occupation, level of education or awareness, and even positive or negative perceptions of the Philippines and Filipinos, rather than by race or ethnicity. Moreover, it is important to distinguish this group from Chinese nationals (foreigners) who happen to be in the Philippines, many of whom are recent migrants.

On the issue of the maritime disputes, Chinese Filipinos are divided, in part, along generational lines, which also reflects the amount of exposure to Chinese education and how far removed they are from traditional Chinese culture. Thus, at the risk of oversimplification, one might argue that members of the older generation may tend to be more pro-China, and the younger ones more pro-Philippines. The dilemmas of their hyphenated identity can be understood from the fact that their history and culture, and in many cases business interests, continue to connect them to China, but their current social context, economic life, political experiences and, for the most part, their aspirations for the future are the same as those of other Filipinos.

In general, Chinese Filipinos would avoid discussion of the maritime disputes, whether among themselves or in general society. What was interesting was that during the eruption of hostilities between China and Japan over Diaoyutai, some of the new Chinese migrant organizations issued statements in the Chinese language media in support of China and condemning Japan. The biggest organization, and one of the oldest in the country, the Federation of Filipino-Chinese Chambers of Commerce and Industry Inc. (FFCCCII), did not issue such a statement. As my informant explained, "Most of them (FFCCCII members) are Filipino citizens. They know that siding with China against Japan in Diaoyutai will be tantamount to siding with China against the Philippines in Scarborough Shoal."

Another interesting insight was that, because they could not criticize the Philippines nor sympathize with China, there was a tendency for some to take the stand that the US was at fault for causing tensions between the two. This was an indirect criticism of President Aquino and Foreign Secretary Albert del Rosario, who were seen as having allowed the Philippines to be used for US interests.

More in-depth empirical studies of how the disputes have affected this sector are needed, and are in fact being undertaken, in order to avoid subjective conclusions on this sensitive matter that has implications for the country's social fabric. Looking back at the emotional comments from Filipino netizens on the disputes with China, however, it is sad to note how strongly racism still

influences the thinking of many, with Chinese Filipinos who had nothing to do with the disputes bearing the brunt of resentment against China.

### **Summary and Conclusions**

By identifying the domestic stakeholders in the Philippines' maritime disputes in the West Philippine Sea, and examining how they are affected by recent developments, this paper tries to draw implications for future policy and strategy. The paper presents concerns of the defense and maritime law enforcement sector, the fisheries sector and energy industry, local governments, as well as those engaged in trade, investments, and tourism cooperation with China. It also identifies Chinese Filipinos as a social sector somewhat unfairly caught in the crossfire of nationalist sentiments on both sides. There are other stakeholders that were not adequately addressed due to space limitations, but whom we mention here: shipping companies who traverse the SCS; environmental NGOs and the scientific community; mass media in its function of helping shape the national discourse; the community of legal scholars, whether supportive or not of the arbitration or the overall foreign policy approach by Aquino; and so on.

Let us now return to the questions asked at the outset: Do domestic stakeholders matter in Philippine foreign policy? Are their voices heard by decision makers and is foreign policy responsive to their needs and concerns?

In early 2015, the DFA and Philippine Information Agency launched an information campaign that involved forums, campus tours, and press conferences in Cebu City, Cagayan de Oro City, Subic, Olongapo, Laoag City, Vigan City, Puerto Princesa City, Tuguegarao City, Dumaguete City, Iloilo City, Davao City, Bicol Region, General Santos City, and Zamboanga City. Briefings were also held around schools and government departments in Metro Manila, as well as on television and on radio. In the case of the fishermen, the DFA sent its spokesperson, Mr. Charles Jose, and representatives of other government agencies on a roadshow whose objective was to explain the Aquino government's position as based on two principles: primacy of the rule of law, and peaceful settlement of disputes. According to news reportage of one meeting, fisherfolk raised concerns about losing access to fishing grounds to both China and Taiwan, to which Jose replied that the government was very much aware and had included these concerns in the arbitration pleadings. Other government officials assured the audience that fishermen would receive help to cope with their concerns. By sending the DFA spokesperson, it was clear that the

purpose of the meetings was to deliver, top-down, policy statements to gather understanding and support, rather than to seek feedback and address problems that may in part have been unintended outcomes of foreign policy decisions. At best, government was only able to offer stopgap measures because, pending the results of the arbitration case and even after the award was announced, the restoration of fishing grounds could only realistically be achieved through negotiations with the power occupying Panatag Shoal. The same is true for access to oil and gas in the disputed Reed Bank where drilling has been put on hold, also pending the arbitration outcome.

Are the stakeholders included in this study sources of vulnerability, pressure, or support for foreign policy? What are the possible implications of the research findings for the future conduct of Philippine foreign policy?

The study shows that stakeholders can become strong sources of support under the right conditions. The following is a list of possible advantages that can be utilized to strengthen stakeholder support for the country's efforts to manage the maritime disputes and promote maritime development and security interests:

1. There is greater awareness among the general public of the maritime threats and opportunities we face in the region.
2. Government has demonstrated stronger commitment than in previous years to the development of maritime governance mechanisms and institutions such as the NCWC.
3. The Aquino government's principled stance, one that emphasizes reliance on a peaceful, rules-based approach, has attracted strong domestic and international support in light of perceived unreasonable behavior by China.
4. There is strong potential for increasing private sector and civil society participation in maritime governance, including—but not limited to—providing technical expertise.
5. Bilateral economic and people-to-people relations with China are proving resilient and can be pillars of cooperation.

On the other hand, there are vulnerabilities and pressure points that may present challenges to the nation's interests if stakeholders' needs are not addressed effectively and early enough.

1. There is a need to restore or normalize fishing activities in Panatag Shoal and KIG while keeping the area free from threat and confrontation. Arguably, the entire arbitration case, which has entailed considerable

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political and, presumably, financial cost for the Philippines, was about preserving access to ocean resources in the Philippine EEZ. If this is not achieved, then Panatag may well be built by China into another artificial island, which would again increase the ante in the Philippines' South China Sea diplomacy and security interests.

2. It is imperative that government fasttrack modernization and capability building efforts for both defense and law enforcement agencies, in the process clarifying their respective roles and cooperation strategies for operations in the EEZ and beyond;
3. With respect to sustainable use of maritime resources, we must address the lack of accurate scientific data on both living and nonliving resources as the basis for development planning, lest by default we surrender our sovereign rights to other countries;
4. There is also a need to harmonize central government-local government positions and understanding of their respective roles, to improve policy coherence and mutual support;
5. Finding creative and pragmatic solutions to the competition for energy resources that will result in absolute gains (win-win), rather than relative gains, will be a great challenge.

Now that the arbitration process has concluded and the results are largely in favor of the Philippines, the new administration under President Rodrigo Duterte can pursue maritime dispute settlement confident of the legitimacy of the Philippines' demand for respect of its sovereign rights. Apart from defense of sovereignty and territorial integrity, development diplomacy based on domestic stakeholders' interests and needs should be placed front and center of the next stage of Philippine statecraft on the West Philippine Sea issue, whether through bilateral negotiations with China or regional cooperation, or both. Law and diplomacy will remain instruments rather than ends in themselves, and the objectives of our foreign policy will remain the security of the state, the welfare of the people, and peace in the region.

### Notes

1. The author is Professor at the Asian Center, University of the Philippines and editor-in-chief of the journal *Asian Politics & Policy*. Research for this paper was supported by the Pres. Edgardo J. Angara Fellowship Award. The findings were presented at a public lecture co-organized by the UP Center for Integrative and Development Studies and the Asian Center on June 3, 2016 at the GT-Toyota Asian Cultural Center, UP Diliman.
2. Robert Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level

- Games.” *International Organization* 42, no. 3 (Summer 1988): 427-460.
3. Some examples: <http://www.imoa.ph/david-vs-goliath-south-china-sea-philippines-vs-china/>; [http://www.nytimes.com/2016/07/16/world/asia/south-china-sea-philippines-hague.html?\\_r=0](http://www.nytimes.com/2016/07/16/world/asia/south-china-sea-philippines-hague.html?_r=0); <http://nationalinterest.org/feature/david-vs-goliath-the-south-china-sea-the-philippines-vs-11534>
  4. Recent published works by the author that examine the domestic politics-foreign policy nexus that have been published include: “China’s Mediated Influence in the Philippines: Persuasion, Inducement, Coercion and Their Unintended Outcomes” in Evelyn Goh, ed. (2016), *Rising China’s Influence in Developing Asia* (London: Routledge); “Domestic Interests and Foreign Policy in China and the Philippines: Implications for the South China Sea Dispute,” *Philippine Studies: Historical and Ethnographic Viewpoints* (PSHEV), March 2014, 62:1; “Filipino Media and Public Opinion on the Philippines-China Disputes in the South China Sea: A Preliminary Analysis” with Sascha Gallardo in Sta. Romana, C. and Ang See, T., eds. (2013), *Philippines-China Relations: Sailing beyond Disputed Waters*, Special Issue of *Chinese Studies Journal*, Vol 10; “Towards a Strategic Framework for Management of the West Philippine Sea,” a white paper by the WPS Informal Expert Group, co-authored with Agustin, Baja, Balce, Batongbacal et. al., 2012.
  5. A “domestication” of the SCS narrative was strengthened by Aquino’s issuance of Administrative Order No. 2(2012) calling for public agencies to refer to it as the “West Philippine Sea.” “South China Sea” may have been perceived as more remote to the fundamental interests of most Filipinos.
  6. The concept of “grey zone” has grown popular in studies of maritime disputes in East Asia and Southeast Asia after it was given prominence in Japan’s New Defense Program Guidelines of 2010. [1] “Gray zone conflict is best understood as activity that is coercive and aggressive in nature, but that is deliberately designed to remain below the threshold of conventional military conflict and open interstate war. Gray zone approaches are mostly the province of revisionist powers—those actors that seek to modify some aspect of the existing international environment—and the goal is to reap gains, whether territorial or otherwise, that are normally associated with victory in war. Yet gray zone approaches are meant to achieve those gains without escalating to overt warfare, without crossing established red-lines, and thus without exposing the practitioner to the penalties and risks that such escalation might bring.” Hal Brands, “Paradoxes of the grey zone”, Feb 5, 2016. Foreign Policy Research Initiative. <http://www.fpri.org/article/2016/02/paradoxes-gray-zone/>
  7. RA 9993, the Coast Guard law of 2009, empowers the PCG to enforce regulations in accordance with all relevant maritime international conventions, treaties or instruments and national laws for the promotion of safety of life and property at sea within the maritime jurisdiction of the Philippines and to conduct port state control implementation. It is also mandated to render aid to persons and vessels in distress and conduct search and rescue in marine accidents within the maritime jurisdiction of the Philippines, including the high seas, in accordance

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with applicable international conventions. In the performance of this function, the PCG may enlist the services of other government agencies and the merchant marine fleet. The roles of the Navy, on the other hand, include: defending the territory from external aggression; securing Philippine maritime areas from all forms of intrusions and encroachment, piracy, and drug trafficking; assisting other government agencies in protecting marine resources and environment; assisting in the conduct of rescue and relief operations not only during accidents at sea but even during natural calamities on land; and helping fulfill security-related international commitments.

8. It was believed that convening the National Security Council would mean calling on the presence of one of its ex-officio members, former President Gloria Macapagal-Arroyo, whom President Aquino kept confined under hospital arrest.
9. Roundtable on Regional Fisheries Competition or Cooperation in the South China Sea: Implications for the Philippines, organized by the Asia Pacific Pathways to Progress Foundation, Inc. (APPF), January 26, 2016, Astoria Plaza.
10. While the Palawan executives were disinterested, the courts in Puerto Princesa were involved in the management of cases filed against poachers, illegal entrants, and the like. Chinese fishermen would be detained in the Puerto Princesa Provincial Jail.
11. Interview with personnel of Naval Forces West, Palawan.
12. Interview with Vice Governor Ramon Lacbain of Zambales, Century Park Hotel , October 28, 2015. There are also similar reports of Pangasinan politicians being involved in black sand mining for the Chinese market.<http://newsinfo.inquirer.net/813971/pangasinan-rep-espino-suspended-for-graft-over-black-sand-mining>.
13. Allan Macatuno, "Zambales Taps Canadian Firm vs Intrusion in Disputed Seas," Philippine Daily Inquirer, April 24, 2015,<http://newsinfo.inquirer.net/687401/zambales-taps-canadian-firm-vs-intrusion-in-disputed-seas#ixzz49UgVoX5S>.
14. Interview with Coast Guard official.
15. Mortz C. Ortigoza, "Masinloc Mayor Hits China's Navy Presence in Town," Northern Watch, May 31, 2015, <https://northwatch.wordpress.com/2015/05/31/masinloc-mayor-hits-chinas-navy-presence-in-town/>. The author cited Zambales Vice Governor Ramon Lacbain.
16. Mortz C. Ortigoza, "Masinloc Mayor Hits China's Navy Presence in Town," Northern Watch, May 31, 2015, <https://northwatch.wordpress.com/2015/05/31/masinloc-mayor-hits-chinas-navy-presence-in-town/>. The author cited Masinloc Mayor Desiree Edora.
17. "Philippines Stops Protest Trip to Scarborough Shoal," Rappler, May 18, 2012, <http://www.rappler.com/nation/5576-ph-stops-protest-trip-to-scarborough-shoal>.
18. Ben Blanchard, "China Says Philippines Fishermen Used Fire Bombs in South China Sea," Reuters, March 22, 2016,<http://www.reuters.com/article/>

- us-southchinasea-china-philippines-idUSKCN0W00W2; “China: Philippine Fishermen Used Fire Bombs in South China Sea,” GMA News Online, March 22, 2016, <http://www.gmanetwork.com/news/story/560024/news/nation/china-philippine-fishermen-used-fire-bombs-in-south-china-sea>.
19. Interview with Commodore Joel Garcia, Commander, National Capital Region – Central Luzon, Philippine Coast Guard, at the PCG NCR-Central Luzon Office in Binondo, Manila, September 4, 2015.
  20. Fishing companies are often careful about reporting catch and location, as the information may be used by competitors.
  21. Interview with personnel of Naval Forces West, Palawan.
  22. Celeste Anna R. Formoso, “11 Chinese, 5 Filipino Fishers Caught with 300 Pawikan Face Environmental Raps,” *Interaksyon*, May 8, 2014, <http://interaksyon.com/article/86300/11-chinese-fishermen-intercepted-off-palawan-now-in-puerto-princesa>; Aurea Calica, “Chinese Poachers Face Wildlife Raps,” *The Philippine Star*, May 9, 2014, <http://www.philstar.com/headlines/2014/05/09/1321038/chinese-poachers-face-wildlife-raps>.
  23. Mortz C. Ortigoza, “Masinloc Mayor Hits China’s Navy Presence in Town,” *Northern Watch*, May 31, 2015, <https://northwatch.wordpress.com/2015/05/31/masinloc-mayor-hits-chinas-navy-presence-in-town/>.
  24. “Radyo Inquirer 990AM: ‘Payao’ Deployment near Shoal in Full Swing – BFAR chief,” *Philippine Daily Inquirer*, May 20, 2012, <http://globalnation.inquirer.net/37429/%E2%80%98payao%E2%80%99-deployment-near-panatag-shoal-in-full-swing-%E2%80%93-bfar-chief>.
  25. Singapore-based scholar Zhang Hongzhou writes about the Tanmen militia and the role of fishermen in the South China Sea disputes. See, for example, <http://www.manilalivewire.com/2015/08/china-building-an-armed-maritime-militia-as-its-first-line-of-defense/>; <http://thediplomat.com/2016/01/south-china-sea-the-story-of-the-tanmen-fishermen/>; and [https://www.rsis.edu.sg/wp-content/uploads/2015/06/PR150602\\_Averting-the-Fishing-Crisis.pdf](https://www.rsis.edu.sg/wp-content/uploads/2015/06/PR150602_Averting-the-Fishing-Crisis.pdf).
  26. Aileen Baviera and Jay Batongbacal, “The West Philippine Sea: The Territorial and Maritime Jurisdiction Disputes from a Philippine Perspective (A Primer) Updated July 15, 2013,” *Forging a New Philippine Foreign Policy*, <http://philippinesintheworld.org/?q=node/2281>.
  27. For a more detailed account, see Aileen Baviera, “The Domestic Mediations of China’s Influence in the Philippines”, in *Rising China’s Influence in Developing Asia*, ed. Evelyn Goh, London: Oxford Univ. Press, 2016.
  28. Jim Gomez, Associated Press, “Philex Petroleum-led Forum, China’s CNOOC Eye Deal in Disputed Sea,” GMA News Online, October 23, 2013, <http://www.gmanetwork.com/news/story/332202/money/companies/philex-petroleum-led-forum-china-s-cnooc-eye-deal-in-disputed-sea>.
  29. Krista Angela M. Montealegre, “Philex Petroleum Unit Revives Talks with CNOOC over Joint Exploration in West PH Sea,” *Interaksyon*, July 18, 2014, <http://>

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- interaksyon.com/business/91487/philex-petroleum-unit-revives-talks-with-cnooc-over-joint-exploration-in-west-ph-sea.
30. Presentation of Mr. Rino Abad of the Department of Energy at the Roundtable on Philippine Offshore Oil and Gas industry: Prospects for Competition/ Cooperation with China, Astoria Hotel, <http://appfi.ph/publications/presentations/306-4th-rtd-philippine-offshore-oil-and-gas-industry-prospects-for-competition-cooperation>.
  31. “Philippines to Offer Offshore Oil Blocks in China Claimed Areas,” Bloomberg, July 31, 2012, <http://www.bloomberg.com/news/articles/2012-07-31/philippines-to-offer-offshore-oil-blocks-in-china-claimed-areas>.
  32. Transcript. Roundtable on Philippine Offshore Oil and Gas industry: Prospects for Competition/ Cooperation with China, January 26, 2016, Astoria Hotel.
  33. Ibid.
  34. Ibid.
  35. Palanca argues that the downturn in Philippine exports to China after 2012 were due to lower demands for Chinese products in the West, considering that Philippine exports to China were part of global value chains. Clemente, on the other hand, noted the big deficits in trade in the years 2013-2015 and said this raised concerns that “they were caused by the maritime tension”. See Tina Clemente, “Understanding the Economic Diplomacy between the Philippines and China,” *International Journal of China Studies* 7. No. 2 (2016): 217; and Ellen Palanca (presentation at the symposium “In Search of a China Strategy” organized by the Asia Pacific Pathways to Progress Foundation, Inc., UP Diliman, Quezon City, August 17, 2016).
  36. Tina Clemente, “Understanding Economic Diplomacy between the Philippines and China.” *International Journal of China Studies* 7, no. 2(2016): 215–33.
  37. Pilipino Banana Growers and Exporters Association, “Philippine Banana Exports to China: Dealing with Sanitary and Phytosanitary Concerns” (presentation at the Roundtable on Philippines-China Trade and Investment Relations organized by the Asia Pacific Pathways to Progress Foundation, Pasig City, Philippines, June 11, 2015).
  38. Tina Clemente, “Philippine Economic Vulnerability in Philippines-China Relations”(paper presented at the 10th International Conference on Philippine Studies (ICOPHIL), Silliman University, Dumaguete, July 6-8, 2016).
  39. Krista Angela M. Montealegre, “Philex Petroleum Unit Revives Talks with CNOOC over Joint Exploration in West PH Sea,” *Interaksyon*, July 18, 2014, <http://interaksyon.com/business/91487/philex-petroleum-unit-revives-talks-with-cnooc-over-joint-exploration-in-west-ph-sea>.
  40. David Chua (presentation at the Roundtable on Philippines-China Trade and Investment Relations organized by the Asia Pacific Pathways to Progress Foundation, Inc., Pasig City, Philippines, June 11, 2015).
  41. Elmer San Pascual, “Chinese Investments in PEZA Economic Zones”



## Baviera

- (presentation at the Roundtable on Philippines-China Trade and Investment Relations organized by the Asia Pacific Pathways to Progress Foundation, Inc., Pasig City, Philippines, June 11, 2015).
42. Interview with Board of Investments official.
  43. Julie M. Aurelio and Niña P. Calleja, "China Issues Travel Ban vs PH after Teener's Kidnap," *Philippine Daily Inquirer*, September 13, 2014, <http://globalnation.inquirer.net/111042/china-issues-travel-ban-vs-ph-after-teeners-kidnap>.
  44. Data from the Department of Tourism. Also see Narzalina Lim, "Philippines-China Relations: Tourism Sector Situationer" (paper presented during the APPPFI-APPI Roundtable on Chinese Tourism in the Philippines, March 10, 2015) <http://www.asiapacificprojects.com/research-and-statistics/>.
  45. Narzalina Lim, "Philippines-China Relations: Tourism Sector Situationer" (paper presented during the APPPFI-APPI Roundtable on Chinese Tourism in the Philippines, March 10, 2015) <http://www.asiapacificprojects.com/research-and-statistics/>.
  46. Only 5% of survey respondents said the territorial dispute was an urgent national concern, according to a Pulse Asia Survey on Urgent National Concerns, March 24, 2015.
  47. Interview with informant, a former official of FFCCCII.
  48. Ibid. The Philippine Council for Reunification of China and the Federation of Filipino-Chinese Associations were reportedly organized by the Chinese embassy in Manila.
  49. "DFA, PIA Conduct West Philippine Sea Information and Advocacy Campaign in Batanes," Department of Foreign Affairs, December 14, 2015, <http://www.dfa.gov.ph/newsroom/dfa-releases/8187-dfa-pia-conduct-west-philippine-sea-information-and-advocacy-campaign-in-batanes>

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- (July 27, 2015). Personal interview with Atty. Benjamin Tabios (Assistant Director for Administrative Services) and Ms. Sandra Arcamo (Chief, Fisheries Resources Management Division) at the Bureau of Fisheries and Aquatic Resources Office in Quezon City.
- (September 4, 2015). Personal interview with Commodore Joel Garcia (Commander National Capital Region – Central Luzon, Philippine Coast Guard) at the Philippine Coast Guard NCR - Central Luzon Office in Binondo, Manila
- (September 22, 2015). Group discussion with PN1, PN2, PN3, PN4 at the Philippine Navy Headquarters.
- (September 22, 2015). Personal interview with Mayor Eugenio B. Bito-onon, Jr. (Mayor, Municipality of Kalayaan, Pag-asa Island) at Kabayan Hotel, Pasay City.
- (October 27, 2015). Personal interview with NCWC1 of the National Coast Watch Council – Secretariat and PCG1 (Commanding Officer of the MCS-3004 Vessel, Philippine Coast Guard) in Makati City.

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(October 28, 2015). Personal interview with Vice Gov. Ramon G. Lacbain (Vice Governor, Province of Zambales) at Century Park Hotel, Manila.

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