

## CHAPTER 5

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# The Philippines in 2015: Security Challenges along the Domestic-Foreign Frontier<sup>1</sup>

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### Introduction

The Philippines continues to face security challenges both at the domestic and foreign front. The lingering internal security threats against the Philippine state coupled with the changing regional security environment have put the government of President Benigno S. Aquino to task in 2015. As he serves his last remaining months in office, the fate of current security policies will depend on the results of the upcoming national elections in May 2016. The new president will have little time to adjust to the demands of governance and the increasing complexity of the regional strategic environment. At the domestic level, the persistent communist insurgency, the oldest Maoist inspired movement in the world, and the segmented Muslim separatist movement and their links with extant and new terrorist groups will continue to occupy a premium place in the new government's security agenda. Beyond its borders, the Philippines is significantly affected by the uncertainty caused by power shifts and great power rivalry in the Asia-Pacific as well as nontraditional security threats such as natural disasters, pandemics, and climate change. The erosion of strategic trust between countries big and small is contributing to a renewed focus on territorial defense, security alliances, and old-style geopolitics. The task of guaranteeing and improving security given these challenges is a huge task for the Philippine government in 2016.

One of the events that affected the country's security situation is the tragedy in Mamasapano, southern Mindanao where more than sixty people died, mostly police officers, in an operation aimed to capture a known member of a regional terrorist group. Other highlights include the difficulties faced by the government in passing the law that could finalize the peace negotiations with the Moro Islamic Liberation Front (MILF), the continued tensions in the South China Sea between interested

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parties, and the acquisition of new military hardware for territorial defense and new security alliances and the strengthening of defense cooperation agreements, notably with the United States. Also important are human security challenges related to disasters, natural or man-made, such as typhoons, earthquakes, and accidents at sea.

This paper argues that the complexities surrounding security in the Philippines stem from a change in focus to external security and territorial defense under Aquino's leadership. Mainly a reaction to regional strategic developments and shifts in major power capabilities, this immediate "external turn" requires a major overhaul of the country's security doctrine, infrastructure, and bureaucracy in order to be successful in the long run. The reorientation of security priorities also needs the participation of all important actors and stakeholders within the security sector and the government. Without these requisites, this may lead to an unsustainable effort, easily subject to the whims of a new government, and will be more difficult to rationalize given the country's limited resources and preoccupation with domestic concerns.

This paper has three parts. First, it identifies the major security challenges of the Philippines in the past year, namely: internal conflict, terrorism, maritime security, and nontraditional security threats such as natural disasters. It then proceeds by providing the major security policy developments in 2015. Particularly, it discusses the increase in defense expenditures and hardware procurement, forging new alliances and the strengthening of old ones, and the pursuit of nonmilitary means to address security challenges such as the reliance on international law for international maritime disputes and the pursuit of peace talks against separatist movements. The last section examines the prospects for regional security cooperation.

## **Security Challenges: The Military's External Turn and its Repercussions**

As President Benigno S. Aquino serves his last remaining months, there is just little time to implement his government's National Security Policy (2010-2016). Titled *Securing the Gains of Democracy*, its key aim is to strike a balance between guaranteeing internal socio-political stability as well as safeguarding the country's territorial sovereignty and strategic interests. This is an awareness of the country's lingering internal security challenges but at the same time a realization of the need to devote attention and resources to external defense. While the security policies

of Aquino's predecessors have always prioritized internal security, the latter part of Aquino's presidential term concentrated on improving the country's external defense posture. This is in line with the government's own assessment that the maritime territorial disputes are the "biggest" threat to the country at the moment.<sup>2</sup> This can be seen in its support for military hardware procurement and upgrading, strengthening alliances with major powers, and the protection of strategic interests through international legal mechanisms. These core actions have gained some support and acclaim from the domestic defense community, some foreign allies, and public approval. The tradeoffs of Aquino's disposition is a soured relationship with China and tense conditions in its western frontier.

The Armed Forces of the Philippines (AFP) has been historically inward-looking as reflected in its historical mission to quell domestic insurgency from the communists and Moro separatists. The Aquino government, however, pushed for the military to be less involved in armed operations against these groups. The signing of the peace agreement with the MILF under the Comprehensive Framework on the *Bangsamoro* also prevented the military from engaging combatants. The task of dealing with insurgents now mainly falls with the police, a civilian force with inferior training, equipment, and skills to deal with these armed organizations. The military promised to defeat insurgent movements with finality by 2016, a target that is not only practically impossible but uninformed of the deeper roots of these movements and their larger politico-historical context.

While previous governments have promised to increase the capacity of the police to deal with internal peace and order problems, political will and actual resource provision to effectively implement this goal have been minimal. The sudden reorientation of the military toward external defense without proper calibration with other core security forces and institutions within the security sector could pose future problems for genuine security sector governance in the Philippines.

A critical event in January 2015 illustrated the negative impact of the military's external shift not only to the security sector but to the fate of Aquino's peace policy. An armed operation aimed to arrest known terrorist bomber Marwan resulted in a

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<sup>2</sup> <http://www.sunstar.com.ph/manila/local-news/2015/05/07/afp-seeks-budget-hike-improve-territorial-defense-406179>

bloodbath that killed 44 members of the National Police's (PNP) Special Action Force (SAF) in MILF-held territory.<sup>3</sup> The massacre of the country's elite police forces was the result of miscommunication between those in the command center, the leaders giving the orders, and other government officials as revealed in the investigations of several bodies that included the Senate.<sup>4</sup> In the end, the confusion showed the unclear lines of responsibility as well as the lack of coordination between the security forces as well as the government and its officials involved in peace negotiations with the MILF. The military was not involved in the incident given that Mamasapano is within the jurisdiction of the MILF as agreed in the CAB. The tragedy occurred because no armed support was given to the SAF members as they try to defend themselves against the gunfire in the area. The operation was a success since it resulted in the death of Marwan but the collateral damage was the 61 casualties' lives that could have been avoided. If the police will inherit terrorist operations from the AFP in the near future, there must be more capacity-building, effective civilian oversight, and coordination between institutions mandated to implement security policy and the officials designated to pursue the country's peace policy.

The draft *Bangsamoro* Basic Law (BBL) became the ultimate casualty of the Mamasapano tragedy. What was supposed to be a smooth sailing process of legislation became a contentious bill that no legislator, especially those running for the May 2016 elections, would practically support. Regarded as Aquino's presidential legacy, peace in Mindanao is in jeopardy since Congress has very limited time in order to pass the BBL. The opposition from other political actors and high levels of disapproval stem from its perceived unconstitutional provisions. Even its own advocates accept the BBL's shortcomings and hope to leave the constitutionality issues as a matter to be determined by the Supreme Court. The refusal of the MILF to accept a different version of the BBL also did not sit well with its critics and the public at large. With the MILF threatening to resort to violence if the BBL is not passed as promised by the Aquino government, years of painstaking peace negotiations could potentially be wasted. Without convincing its critics addressing the significant political and legal issues surrounding the BBL, peace in Mindanao will remain elusive.

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<sup>3</sup> The incident also claimed the lives of 17 civilians and MILF members.

<sup>4</sup> There is also unconfirmed information that US forces trained the SAF police and were present during the operation.

The government presumed that the peace dividend generated by the BBL is expected to unload the internal security functions of the military so that it can really focus on territorial defense. If the BBL is not passed into law, the armed forces will continue to perform these functions even though it is only doing this as a proxy since the police have the official mandate in this area of security. Without securing a sustainable peace in Mindanao, the AFP's external reorientation will be premature, haphazard, and possibly detrimental to security.

The military's "external turn" also has other repercussions. There have been reports that the 2010 Internal Peace and Security Plan (IPSP) *Bayanihan* contained the use of non-statutory forces or private militias to perform armed operations against perceived enemies of the state. Some of the targets are indigenous peoples in conflict-torn Mindanao suspected to be linked with the Communist Party of the Philippines' New Peoples' Army (CPP-NPA).<sup>5</sup> If confirmed, the resort to privatizing security is fraught with problems given the weak civilian oversight over security forces and armed groups deputized by the military. This does not bode well with the Aquino's presidency promise to implement security sector reform, a cornerstone of his security policy.

## **Terrorism: The Threat of ISIS in Mindanao**

The Philippines continue to face the threat of political extremism given the existence of armed groups such as the Abu Sayaff Group (ASG), *Bangsamoro* Islamic Freedom Fighters (BIFF), and other splintered groups. This time, the threat comes from the lure of membership of these groups to ISIS (Islamic State in Iraq and Syria). While the threat of recruitment toward ISIS of Filipino Islamic extremist groups remains minimal, analysts have admonished the government to take the possibility of ISIS presence in the country very seriously. A video released a few weeks ago showed an ASG leader pledged allegiance to the ISIS-appointed caliph Abu Bakr al-Baghdadi. According to experts, the next step is to declare an ISIS province in Muslim Mindanao. Given the alliance between ASG and BIFF, it is safe to say that the recruitment to ISIS extends to the latter. The AFP so far has downplayed this development, stating that there is no clear evidence that ISIS has a hand in the

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<sup>5</sup> <http://newsinfo.inquirer.net/719658/militia-in-lumad-killings-a-monster-created-by-military>. It must also be noted that *lumad* (i.e. indigenous) groups were not extensively consulted in the drafting of the BBL.

declaration of allegiance.<sup>6</sup>

The fate of the BBL and the possible ISIS threat in the Philippines are inexorably linked, especially if the latter is not effectively addressed. Given the ongoing peace talks and the cessation of hostilities between the MILF and the AFP, large areas of Mindanao are under MILF control. There are reports that other armed and extremist groups have kinship and ethnic ties with MILF members. The failure to pass the BBL might stir discontent with the government and entice some of its members to join groups linked with ISIS. While there is no direct evidence thus far that this scenario is probable, a dismissive approach on the threat of ISIS is also not helpful. Given the military's preoccupation with the defense of the country's maritime frontiers, a looming terrorist threat associated with ISIS is currently met with cognitive dissonance. A balanced approach between outright dismissal and exaggerated threat perception should be the direction of future policy.

### **Maritime Strategic Interests: The South China Sea Disputes**

According to the country's National Security Adviser, the maritime disputes in the South China Sea constitute as the government's foremost security concern.<sup>7</sup> There has not been much progress in terms of dispute resolution as the details of the ASEAN's Code of Conduct (COC) have yet to be finalized. In the meantime, China stepped up its land reclamation to certain rocks and land features in the SCS, enlarging them and putting certain installations like landing strips for aircraft, among others. Widely condemned by claimants and other interested parties, the actions by the Chinese government have turned the debate into whether there is an attempt to "militarize" the SCS disputes as well as undermine the freedom of navigation afforded to maritime powers like the United States. For its part, China is claiming that other major powers are intruding into the dispute through proxy countries. The more that the dispute revolves around questions on sovereignty, the more difficult it is to find a compromise among claimants. The Philippines have opted to pursue international law as a means to clarify its claims to the SCS. While previous governments have engaged China politically and

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<sup>6</sup> <http://www.rappler.com/nation/118553-isis-declare-province-mindanao>; <http://www.rappler.com/nation/66352-philippine-militants-allegiance-isis-jihadists>;

<sup>7</sup> <http://news.abs-cbn.com/nation/05/07/15/nsc-sounds-alarm-west-ph-sea-dispute>

diplomatically, the Aquino government, claiming that it has exhausted these channels, opted to file a case to the Permanent Court of Arbitration (PCA). In November 2015, the tribunal decided that it has jurisdiction over the case and that the Philippines has indeed used all possible means to settle the disputes with other countries. It also stated that the ASEAN Declaration on the Conduct of Parties in the South China Sea (DOC) is an insufficient mechanism of dispute settlement. As the PCA is expected to render a decision within the year, it is not clear how any decision will result in the improvement of the tense atmosphere in the SCS. China categorically refuses to recognize PCA's jurisdiction. If the case favors the Philippines, there is the important question of enforcement. Will the Philippines file another case? Will other claimants file their own clarificatory cases before the PCA? Will a "victory" in this result really favor the country's maritime strategic interests?

In the meantime, the Philippines is feeling the negative repercussions of filing the case in terms of its relations with China. While it is included in the membership of the China-led Asian Infrastructure and Investment Bank (AIIB), it lags behind other Southeast Asian countries in terms of benefitting from China's economy. There are also doubts on whether the Philippines is included in China's One Belt, One Road project that offers infrastructure projects linking countries via land and sea reminiscent of China's central place in the ancient Silk Road.

The Philippines has tried again to rally its neighbors in ASEAN to adopt a firmer stand on the SCS dispute. This has alienated some ASEAN members, particularly those that have very cordial relations with China. Experts on ASEAN have cautioned the Philippines in pressing the regional organization on this issue. However, the total neglect or avoidance of ASEAN in discussions of this issue is also not fruitful. Many experts still believe that the Philippine approach on the SCS dispute should be located within an ASEAN framework by working with both claimant and non-claimant members.

The leadership transition in 2016 will also have a critical effect on this legal approach adopted by the Philippines. There is doubt that a new president will continue Aquino's strategy and the way it deals with China particularly. Several presidential candidates have already expressed that they are willing to re-engage China bilaterally about the SCS disputes. A change in policy is not improbable given the looming presidential succession after the May 2016 elections. Whether or not the country's diplomatic

and defense establishment is prepared in providing support and/or implementing policy alternatives is questionable.

## **Military Modernization Redux: Budget Increases and Hardware Procurement**

In 2015, the government accelerated the procurement of new hardware for the Philippine military. In particular, the acquisition of arms, vehicles, and other equipment is directed toward the improvement of the armed forces' ability for territorial surveillance and defense. Though it was reduced last year, the defense budget has increased as part of the military's new modernization program. Passed in 2012, the new AFP Modernization Law provides a three-part program that will be funded to the amount of USD2 billion in the next four years. The defense establishment welcomed this attention and resources as the military is often considered as the weakest and poorly funded in the region.<sup>8</sup> The table below shows that gradual increase in defense expenditures for the Philippines.<sup>9</sup> In the end, the objective of the program is for the country to have a minimum credible defense posture and provide a meaningful contribution to its present and future security alliances.

The 2016 budget of the AFP increased by 16.3% from USD2.5 billion to USD3.8 billion.<sup>10</sup> The increases are concentrated on hardware procurement, particularly for the air force and navy. For example, the "shopping list" includes new sea patrol assets and frigates while the air force has acquired new helicopters and radar systems. Different companies were identified as the manufacturers of these new military assets that included South Korea, Indonesia, Japan, Canada. Several of the new equipment will also go to the Philippine Coast Guard. Also, some of the new military assets also serve to help the AFP to conduct humanitarian and disaster relief (HADR) operations. For example, the following naval hardware and equipment were acquired by the AFP under the Aquino administration.

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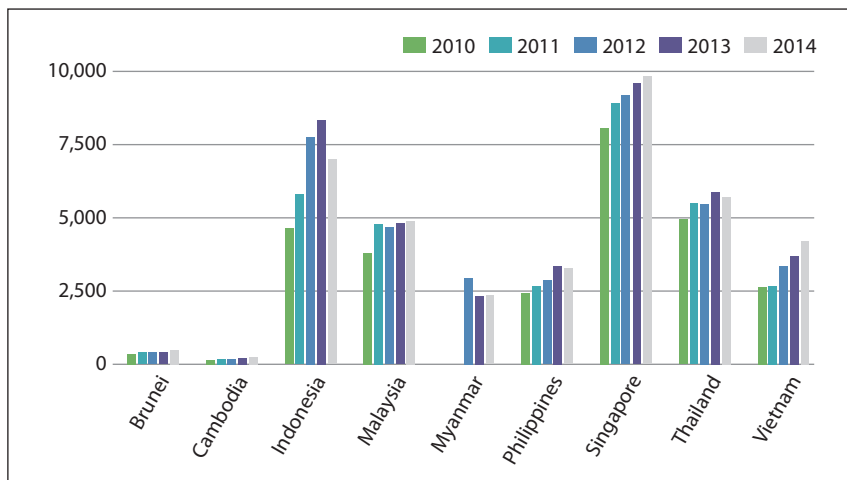
<sup>8</sup> <http://globalnation.inquirer.net/101195/p24-b-contracts-for-fighter-jets-copters-inked>

<sup>9</sup> <http://cogitasia.com/analyzing-southeast-asias-military-expenditures/>

<sup>10</sup> This budget is actually the appropriations for the Department of National Defense.



**Figure 1: SE Asia Military Expenditures, 2010-14, in Current US\$**



On the one hand, the increase in military spending and the acquisition of new hardware has long been considered necessary. Given its long attention to internal security, the naval and air capabilities of the Philippine military has long suffered from defunct equipment. However, the acquisition of equipment is not sufficient to meet the external defense challenges of the Philippines. Changes in doctrine and upgrading of training for the members of the AFP should also be prioritized. While the Philippine Army within the AFP will be pressured to defeat insurgents like CPP-NPA and terrorists like the ASG, it also needs to participate in territorial defense. Serving these two “masters” can exact a toll for the AFP. Given the abrupt external shift, the military establishment is expected to accelerate the improvement of its training capabilities and rationalization of its military doctrines. For the former, the pursuit of new security alliances and defense cooperation ventures.

### **New and Improved Alliances: Diversifying Security Cooperation**

Adopting textbook advice on addressing a rising power, the Philippines turned to its neighbors and friends to improve its security and defense posture. This year marked an improvement in its security alliances with the US, Japan, Australia, and other countries. There were also critical agreements signed that impact security

such as the fisheries agreement with Taiwan. However, the highlight of the year is the signing of the Enhanced Defense Cooperation Agreement (EDCA) with the US. Seen as the mechanism to strengthen existing defense cooperation with the US, EDCA puts more relevance to the country's Mutual Defense Treaty, Visiting Forces Agreement (VFA), and Mutual Logistics Support Agreement (MLSA). In a nutshell, EDCA allows temporary positioning of US troops in Philippine military facilities. The current constitutional ban on overseas military bases and the "treaty"-like appearance of EDCA made it impossible from being implemented immediately. The Supreme Court decided in January 2016 that it is an executive agreement and not a treaty. The latter requires the approval of Congress.

For the government, EDCA is the manifestation that the US is willing and ready to help the Philippines defense readiness. However, some critics point out that it is not an assurance that the US will come and defend the Philippines in the face of foreign aggression. At the very least, this is a naïve expectation given the current strategic realities in the region. On the practical side, EDCA seeks to improve the logistical facilities of the AFP as well as provide the latest military training. It is also seen as a way for the military to be exposed to the latest military technology and equipment, so that it could be informed on future military hardware acquisition and procurement.

Another salient feature of EDCA is the willingness of the US to help the Philippine military acquire skills and equipment to address HADR threats. The Philippines experiences on average twenty tropical typhoons per year. The onslaught of Typhoon Haiyan and the quick response of the US military to aid the country was another reminder of the importance on enhancing the capabilities of disaster-relief agencies that critically include the AFP. While anti-US forces have expressed fears on the negative repercussions of having a US military presence in the country, public opinion seems to favor EDCA and more enhanced security cooperation with the US.

Philippine-US relations have greatly improved under the Aquino administration but it also has reached out to other allies like Japan and Australia. The Philippines and Japan have signed defense pacts along the sidelines of the Asia Pacific Economic Cooperation Summit in November 2015. This entails the transfer of military equipment and technology as well as possible joint naval patrols. The Philippines also boosted defense ties with other countries such as Australia. These efforts are

laudable as they augment the Philippine military's defense capabilities and they foster regional security. However, these efforts must complement the country's commitments to ASEAN defense cooperation platforms such as the ASEAN Regional Forum, the East Asian Summit, and the ASEAN Defense Ministers Meeting, among others.

### **Conclusion: The May 2006 Elections and Future Security Policy**

The future thrusts of security policy in the Philippines will critically depend on the outcome of the May 2016 elections. This is because policymaking in the Philippines is heavily influenced by electoral cycles. The weak nature of the country's party system and the lack of autonomy of its bureaucracy means that policies, security and peace policies in particular, are very susceptible to switches given changes in political leadership. The current presidential candidates have already offered different policy positions on a host of foreign and security issues including the SCS dispute, relations with major powers, ASEAN integration, and terrorism. However, it is the hope that new presidential leadership and new legislature will work toward pursuing an independent foreign policy and a security policy that best addresses the strategic challenges of the country. The new president requires a strategic vision for the country in terms of its contribution to the current regional configuration. Turbulence continues to define the current strategic environment in the Asia-Pacific and the Philippines need to find more intelligent and savvy ways of maneuvering within these complex and challenging times.

