

21 May 2018

Statement on China's Deployment of H-6K Nuclear-Armed Bombers in the South China Sea

Justice Antonio T. Carpio

The Philippine Government must formally protest the increasing militarization of the South China Sea by China, the most recent act being the introduction by China on Woody Island of the H-6K long range bomber that can carry nuclear-armed cruise missiles. This Chinese strategic bomber can also land and take-off on any of China's three-kilometer military grade runways on Mischief Reef, Subi Reef and Fiery Cross Reef. All three reefs are within the Kalayaan Island Group of the Philippines.

Failure to formally protest means the Philippines is acquiescing or consenting to the militarization, and worse, to the claim of China that all the islands, waters and resources within the nine-dashed line form part of Chinese territory. A formal protest is necessary to preserve our sovereignty over Fiery Cross Reef, which is a high-tide elevation. A formal protest is also necessary to preserve our sovereignty over Subi Reef which the arbitral tribunal at the Hague ruled forms part of the territorial sea of Pag-Asa Island. Moreover, a formal protest is also necessary to preserve our exclusive sovereign rights over Mischief Reef which the arbitral tribunal ruled forms part of the Exclusive Economic Zone of the Philippines.

China's militarization of the Spratlys and the Paracels is part of China's Three-Warfare Strategy to control the South China Sea for economic and military purposes. China's construction of huge air and naval bases, and now the introduction of nuclear-armed strategic bombers, are all designed to intimidate into submission other claimant states, including the Philippines, to accept the nine-dashed line as China's national boundary in the South China Sea. China's third warfare strategy is to display its overwhelming military superiority to force other claimant states into submission without China firing a single shot.

The failure to formally protest China's militarization and creeping invasion makes the Philippines a willing victim of China's third warfare strategy - acquiescing to China's claim without China firing a single shot. Any self-respecting sovereign state will immediately formally protest such encroachment on its sovereignty and sovereign rights. The Philippines must do no less. A formal protest is recognized by the United Nations Charter as a peaceful and legitimate response.

Finally, the Philippines must now coordinate with other claimant states, as well as other states that see a threat to freedom of navigation and overflight, in resisting China's militarization of the South China Sea. Failure to coordinate, and to harness world opinion to support the arbitral ruling, will be handing over to China on a silver platter the West Philippine Sea.

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