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Defending Without Provoking: The United States and the Philippines in the South China Sea

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Executive Summary

The South China Sea has long been the subject of territorial and maritime disputes between Beijing, Manila, and other claimants. Since late 2022, escalating confrontations between Philippine and Chinese forces over tiny maritime features such as Second Thomas Shoal have posed a serious and growing risk of a military confrontation, which could in turn entangle the United States. Washington can avoid this worst-case scenario by charting a pragmatic approach and upholding its alliance commitment to the Philippines while avoiding military actions that would needlessly provoke China.

The data in this brief show a dramatic increase of maritime incidents starting in the third quarter of 2023. China and the Philippines are disputing control over, among other things, what are little more than specks in the ocean, most located a hundred miles or more from the mainland of either country. However, maritime rights and jurisdiction are significant issues, and there is no question that Beijing's behavior in the South China Sea has been provocative and coercive. Moreover, an international tribunal has ruled overwhelmingly in favor of the Philippines in the dispute, decisively rejecting China's "historic" claims around the "nine/ten dash line."

The U.S. relationship with the Philippines represents one of the United States' oldest treaty alliances in the Global South and is important to America's Pacific strategy. But the South China Sea conflict does not represent a threat of conquest of the Philippine mainland. Washington should recognize that defending maritime rights and tiny land features in waters half a world away is not a vital U.S. national interest and could become a serious liability should it open the door to a high-intensity conflict with China.

An honest assessment of U.S. interests dictates a strategy of restraint in the South China Sea. While recognizing Manila's agency and continuing to strengthen Philippine capacities, Washington should also encourage Manila to engage constructively with Beijing to prevent escalation. Crucially, U.S. policymakers must also avoid raising the

risk of conflict by drawing the Philippines into taking a more aggressive stance on Taiwan.

Washington can help preserve and uphold international law in the South China Sea while reducing the risk of war between the United States and China by taking the following steps:

- Do not pull the U.S.–Philippines alliance into the Taiwan theater. Washington should not add to its nine existing military sites in the Philippines and, ideally, should disband one or more of the new sites located in northern Luzon (closer to Taiwan) in exchange for Chinese concessions.
- Do not give the U.S. Navy or Coast Guard a frontal role in countering Chinese intrusions in the South China Sea; enable Manila to take the lead instead.
- Do not seek to draw the military of U.S. allies (particularly extra-regional ones) into South China Sea disputes, in order to avoid needlessly heightening Chinese perceptions of bloc-formation and armed encirclement.
- Enhance diplomatic support to Manila for its legitimate claims under international law.
- Provide aid, capabilities, and intelligence for modernizing the Philippine Coast Guard and Navy and enhancing maritime domain awareness.
- Build on the early success of the July 2024 Philippines–China understanding on Second Thomas Shoal by emphasizing preventive diplomacy and crisis management to stabilize the maritime dispute and reduce the chances of a conflict spiral.

Background: A fraught triangle

The Philippines is the United States’ oldest treaty ally in Asia and one of only a handful of such allies in the Global South. The Philippines was also one of the few external colonies of the United States; a result of the 1898 Spanish–American War. An upshot of

this deep — if sometimes dark — history is the presence of a major Filipino–American community in the United States. The Philippines gained its independence in 1946 and, in 1951, signed the Mutual Defense Treaty with the United States.¹ The treaty survived the post–Cold War expulsion of U.S. bases from the archipelagic nation, and remains the bedrock of the bilateral security relationship.

As a major and proximate neighbor, China too has been relevant to the history of the Philippines. In the precolonial era, the two enjoyed cordial ties, with very few conflicts recorded. Major Chinese migration to the archipelago over the centuries has led to a large fraction of today’s Filipinos having at least some Chinese ancestry.²

Spanish and American colonization of the Philippines subsumed the latter’s external relations under the colonial powers. After President Nixon’s visit to China in 1972, the Philippines ended its policy of nonrecognition of China, established diplomatic ties with Beijing in 1975, and adopted a One China policy. The prime concern for Manila during those decades was not the maritime theater but Chinese support for a violent communist insurgency in the Philippines.

The United States maintained a large presence of its troops in two giant bases (Subic Bay and Clarke) during the Cold War. However, a backlash against the heavy U.S. military presence led to the expulsion of U.S. troops from the Philippines after the 1986 People Power Revolution that toppled President Ferdinand Marcos Sr. from power.

The South China Sea is the site of a decades-old dispute between multiple claimant states over the ownership of tiny features and the considerable natural resources in their waters. The Philippines and China have overlapping claims over the Spratly island group as well as other features such as the Scarborough Shoal (see Figure 1).³

¹ “Mutual Defense Treaty between the United States and the Republic of the Philippines,” August 30, 1951, https://avalon.law.yale.edu/20th_century/phil001.asp.

² About 1.5 million of them retain many Chinese customs and identify themselves as Chinese–Filipinos. Sam Beltran, “Chinese–Filipinos Fear Fallout from Rising Philippines–China Tensions,” *South China Morning Post*, June 23, 2024, <https://sc.mp/boilq>.

³ These claims overlap with those of Vietnam and Taiwan, other than China. Manila, for its part, claims what it calls the Kalayaan chain of islands within the Spratlys. The Philippines refer to its portion of the South China Sea as the West Philippine Sea.

Beijing's claims in the South China Sea are encompassed by its "nine-dash line" (which, in September 2023, was published as the "10-dash line"), set out in 2009 in a Chinese note verbale.⁴ The line encompasses a sweeping set of claims, which include references to "historic" rights.⁵ The line has long been seen as illegitimate by Brunei, Malaysia, the Philippines, and Vietnam — the four claimant states in Southeast Asia.

⁴ The line has an older history and is a pre-1949 Chinese claim line of the Republic of China (modern-day Taiwan). The Chinese note verbale to the U.N. Secretary-General was itself a response to a joint Malaysian-Vietnamese submission to the Commission on the Limits of the Continental Shelf, which in turn was necessitated by a submission deadline. See "Commission on the Limits of the Continental Shelf (CLCS) Outer Limits of the Continental Shelf beyond 200 Nautical Miles from the Baselines: Submissions to the Commission," United Nations, June 28, 2024, https://www.un.org/Depts/los/clcs_new/submissions_files/submission_mysvnm_33_2009.htm; Ban Ki-moon, "CML/17/2009," May 7, 2009, https://www.un.org/depts/los/clcs_new/submissions_files/mysvnm33_09/chn_2009re_mys_vnm_e.pdf; Colin Clark, "New Chinese 10-Dash Map Sparks Furor across Indo-Pacific: Vietnam, India, Philippines, Malaysia," *Breaking Defense*, September 1, 2023, <https://breakingdefense.com/2023/09/new-chinese-10-dash-map-sparks-furor-across-indo-pacific-vietnam-india-philippines-malaysia/>. For a history of the evolution of China's approach to South China Sea questions, see Lingqun Li, *China's Policy Towards the South China Sea: When Geopolitics Meets the Law of the Sea* (Milton Park: Routledge, 2018), <https://www.routledge.com/Chinas-Policy-towards-the-South-China-Sea-When-Geopolitics-Meets-the-Law-of-the-Sea/Li/p/book/9780367888985>.

⁵ The precise basis of China's legal claim in the region are four island groups in the South China Sea as outlying archipelagoes, plus historic rights. See Rachel Esplin Odell, "*Mare Interpretatum*: Continuity and Evolution in States' Interpretations of the Law of the Sea" (PhD thesis, Massachusetts Institute of Technology, 2020), 372, 377–88, <https://dspace.mit.edu/bitstream/handle/1721.1/130597/1249948734-MIT.pdf>; "Limits in the Sea," U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs, Office of Ocean and Polar Affairs, no. 150 (Jan. 2022), <https://www.state.gov/wp-content/uploads/2022/01/LIS150-SCS.pdf>.



Figure 1: Philippine and Chinese positions in the South China Sea

Until the 1990s, maritime disputes between Beijing and Manila were not a major issue.⁶ That began changing as China rose.⁷ In 1994–95, China occupied the Mischief Reef and

⁶ The Philippines mostly faced off against Vietnam and Taiwan until the 1980s.

⁷ China reportedly made a decision to occupy the South China Sea's remaining uninhabited features in 1987. It began with the Fiery Cross and Cuarteron Reefs in 1988. For Chinese approaches to maritime security during the premiership of Deng Xiaoping, see M. Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* (Princeton: Princeton University Press, 2008), <https://press.princeton.edu/books/paperback/9780691136097/strong-borders-secure-nation>; Bill Hayton, *The South China Sea: The Struggle for Power in Asia* (New Haven: Yale University Press, 2014), <https://yalebooks.yale.edu/book/9780300216943/>.

may have clashed with the Philippine Navy there in 1996.⁸ Later, there was a serious incident at Scarborough Shoal in 2012, when Manila sent its largest naval craft at the time to interdict Chinese fishers in the shoal's waters.⁹ This led to a face-off that lasted weeks and ended when the Philippines withdrew its naval vessel. However, China maintained its presence and took control of the shoal, which it retains to this day.¹⁰ Since 2013, China also embarked on a major program of reclamation and militarization of several islands in the South China Sea, including Mischief Reef, creating 3,200 acres of new land and building facilities for its air force, navy, and coast guard.¹¹ This Chinese behavior is commonly described as “gray zone” tactics.¹²

Manila considers the 1994–96 Mischief Reef and 2012 Scarborough Shoal episodes as seizures of its sovereign territory and maritime rights. The Mischief Reef incident also triggered a rethink of the U.S. relationship and the 1998 signing of the Visiting Forces Agreement, or VFA.¹³ The agreement provides the legal basis and status protections for U.S. military personnel in the Philippines.

Second Thomas Shoal is currently the biggest flashpoint in the China–Philippines dispute.¹⁴ In 1999, the Philippines berthed an old warship, the BRP *Sierra Madre*, on the shoal. Since then, a handful of Philippine marines have been stationed on the rusting ship in order to physically enforce Manila's claim.¹⁵ These marines need to be resupplied regularly. These missions are a bone of contention between the Philippines and China. The Chinese position is that, while it will permit food and essential supplies on

⁸ Abby Tan, “Manila Treads on Eggshells with China over Ship Run-In,” *Christian Science Monitor*, Feb. 2, 1996, <https://www.csmonitor.com/1996/0202/02071.htm>.

⁹ The Philippines and China call it Bajo de Masinloc and Huangyan Dao, respectively.

Michael Green et al., “Counter-Coercion Series: Scarborough Shoal Standoff,” Center for Strategic and International Studies, CSIS, May 22, 2017, <https://amti.csis.org/counter-co-scarborough-standoff/>.

¹⁰ However, Beijing has not built any physical outposts on the Scarborough Shoal to date.

¹¹ “China Island Tracker,” CSIS, <https://amti.csis.org/island-tracker/china/>.

¹² China uses the term “military operations other than war.” See Bonny Lin et al., “A New Framework for Understanding and Countering China's Gray Zone Tactics,” RAND Corporation, 2022: 3, https://www.rand.org/content/dam/rand/pubs/research_briefs/RBA500/RBA594-1/RAND_RBA594-1.pdf.

¹³ Ratified by the Philippine Senate in 1999.

¹⁴ The Philippines call it the Ayungin Shoal and China, Ren'ai Jiao. The shoal is located about 120 miles from the Philippine province of Palawan and more than 600 miles from China's Hainan island.

¹⁵ Camille Elemia, “How a Decaying Warship Beached on a Tiny Shoal Provoked China's Ire,” *The New York Times*, Nov. 11, 2023, <https://www.nytimes.com/2023/11/11/world/asia/philippines-sierra-madre-south-china-sea.html>.

humanitarian grounds, it opposes the delivery of any reconstruction materials to strengthen the BRP *Sierra Madre* or build structures on the shoal itself.¹⁶ Manila insists that it has the right to do both.¹⁷ Beijing also sees the ship's presence as temporary and demands its eventual removal from the shoal, claiming a prior commitment from Manila to do so.¹⁸

A separate maritime rivalry between the United States and China in the Pacific is increasingly getting entangled with the China–Philippines contest. Washington's Freedom of Navigation Operations rub up against Beijing's increasing assertion in the South China Sea.¹⁹

This brief argues that, while Beijing's actions have been unacceptably provocative, Washington's responses have also escalated the tussle in the South China Sea. The next sections lay out and analyze the maritime escalation and U.S. responses, concluding with a set of policy recommendations for Washington for engendering stability while protecting U.S. vital interests.

Law not war: The 2016 tribunal award

The 2012 Scarborough Shoal standoff angered Manila and led to the Philippines lodging a case against China under the arbitration provisions of the U.N. Convention on the Law

¹⁶ "Foreign Ministry Spokesperson's Remarks on China Reaching Provisional Arrangement with the Philippines on Managing the Situation at Ren'ai Jiao," Ministry of Foreign Affairs for the People's Republic of China, July 22, 2024, https://www.mfa.gov.cn/eng/xw/fyrbt/fyrbt/202407/t20240730_11463281.html.

¹⁷ China claims the existence of a "gentleman's agreement" to not deliver construction materials. Manila may have secretly reinforced the BRP *Sierra Madre* more recently. See Lucio Blanco Pitlo III, "'Gentleman's Agreement' in the South China Sea: Dispute Management Meets Domestic Politics," *China–U.S. Focus*, June 12, 2024, <https://www.chinausfocus.com/peace-security/gentlemans-agreement-in-the-south-china-sea-dispute-management-meets-domestic-politics>; Demetri Sevastopulo, "Philippines Secretly Reinforces Ship at Centre of South China Sea Dispute," *Financial Times*, June 20, 2024, <https://www.ft.com/content/2d5751da-9588-406a-b5db-39b7911a429d>.

¹⁸ Manila insists there was no such commitment, and Marcos famously said that if there was one, "I rescind it." Nestor Corrales, "Pact on Ayungin Rescinded, If There's Any: Marcos," *Inquirer*, Aug. 10, 2023, <https://globalnation.inquirer.net/217585/pact-on-ayungin-rescinded-if-theres-any-marcos>.

¹⁹ Rachel Esplin Odell, "Promoting Peace and Stability in the Maritime Order Amid China's Rise," Quincy Institute for Responsible Statecraft, July 30, 2021, <https://quincyinst.org/research/promoting-peace-and-stability-in-the-maritime-order-amid-chinas-rise/>.

of the Sea, UNCLOS, in January 2013. Beijing refused to accept the validity of the case and boycotted its proceedings.

In 2016, an arbitral tribunal established in the case issued its verdict.²⁰ The ruling is considered to be a landmark in international maritime law.²¹ It was a major win for the Philippines. China strongly protested the ruling, calling it “nothing but a scrap of paper,” and issued a position paper outlining its objections.²² It argued that the case took on sovereignty and maritime delimitation issues, which were beyond the scope of UNCLOS, and that the case was filed unilaterally without the required preconditions, including prior consultation between the parties.²³ Taiwan also rejected the ruling.²⁴

The tribunal declared that none of the features in the Spratly Islands chain were entitled to a 200 nautical mile exclusive economic zone, or EEZ, as they did not meet the UNCLOS requirement of having the capacity to “sustain human habitation or economic life of their own.” It also explicitly declared China’s expansive claim to “historic rights” in the South China Sea, and China’s claim to treat outlying archipelagoes as a unit for the purpose of claiming maritime jurisdiction, to be illegal.

²⁰ “The South China Sea Arbitration (The Republic of Philippines v. The People’s Republic of China),” Permanent Court of Arbitration, July 12, 2016, <https://pca-cpa.org/en/cases/7/>. The Permanent Court of Arbitration, located at The Hague, Netherlands, served as the registry for this arbitration.

²¹ The United States, unlike China and the Philippines, has not ratified UNCLOS.

²² “Full Text of Statement of China’s Foreign Ministry on Award of South China Sea Arbitration Initiated by Philippines,” Foreign Ministry of the People’s Republic of China, July 12, 2016, http://www.xinhuanet.com/english/2016-07/12/c_135507744.htm; “Position Paper of the Government of the People’s Republic of China on the Matter of Jurisdiction in the South China Sea Arbitration Initiated by the Republic of the Philippines,” Government of China, Dec. 7, 2014, https://www.fmprc.gov.cn/nanhai/eng/snhwtlcwj_1/201606/t20160602_8527277.htm; Camila Domonoske, “Chinese Official on Tribunal Ruling: ‘It’s Nothing but a Scrap of Paper,’” *NPR*, July 13, 2016, <https://www.npr.org/sections/thetwo-way/2016/07/13/485814417/>.

²³ “Statement of the Ministry of Foreign Affairs of the People’s Republic on the Award of 12 July 2016 of the Arbitral Tribunal in the South China Sea Arbitration Established at the Request of the Republic of the Philippines,” Foreign Ministry of the People’s Republic of China, July 12, 2016, https://www.mfa.gov.cn/eng/zy/gb/202405/t20240531_11367334.html; Fu Ying, “Why China Says No to the Arbitration on the South China Sea,” *Foreign Policy*, July 10, 2016, <https://foreignpolicy.com/2016/07/10/why-china-says-no-to-the-arbitration-on-the-south-china-sea/>. China’s interpretation of the Law of the Sea and UNCLOS has, like many other states, also evolved with time. See Odell, “*Mare Interpretatum*.”

²⁴ Taiwan’s claims in the South China Sea are practically identical to those of China, due to Beijing’s claim being a continuation of the pre-1949 Republic of China’s position. “ROC Position on the South China Sea Arbitration,” Ministry of Foreign Affairs Republic of China (Taiwan), July 12, 2016, https://en.mofa.gov.tw/News_Content.aspx?n=1EADDCFD4C6EC567&s=5B5A9134709EB875.

The tribunal declared the Scarborough Shoal to be a “rock” and Second Thomas Shoal and the Mischief Reef (among other features) as low-tide elevations, or LTEs. Under UNCLOS, a rock is entitled to a 12 nautical mile territorial sea (but no EEZ), while an LTE is not subject to sovereignty claims and is entitled to neither a territorial sea nor an EEZ of its own.

Since Second Thomas Shoal (an LTE) lies within the Philippine EEZ, it was ruled as being an area where the Philippines has sovereign rights and jurisdiction, including exclusive rights over its natural resources. Nations are also entitled to build exclusive artificial islands or structures within their EEZs. So, as a corollary, the Philippines is legally entitled to do so at Second Thomas Shoal (and the Mischief Reef), but China is not. The tribunal, however, refused to rule on the legality of military activities by either China or the Philippines at Second Thomas Shoal.

The Scarborough Shoal, which the tribunal ruled as being a “rock,” generates a territorial identity (and thus is subject to sovereignty claims) and a corresponding territorial sea. The tribunal, however, declined to pass a judgement on the contested sovereignty claims over the Scarborough Shoal. Thus the possession of the shoal remains a legally unresolved dispute between the Philippines and China (and Taiwan.)

The tribunal granted traditional fishing rights to both Chinese and Philippine fishers in the Scarborough Shoal but also found that China had interfered with those rights by restricting Philippine access. The tribunal also determined that China had caused major harm to the maritime environment through its illegal fishing and island-building activities.

Dangerous maneuvers: A maritime escalation

Incidents in late Duterte period

After a marked improvement in relations with China during the first few years of President Rodrigo Duterte’s term in the Philippines, ties began to deteriorate during his

last two years in office.²⁵ Duterte had announced a cancellation of the VFA in February 2020 but subsequently reinstated it in July 2021. While Duterte used the renewal as a means to extract concessions from Washington on the donation of COVID–19 vaccines, tensions in the South China Sea also drove his U–turn.²⁶ The Philippine military ramped up infrastructure projects in the Spratlys, and Duterte announced a tougher response after several incidents.²⁷

Post–election escalation

The landslide victory of Ferdinand “Bongbong” Marcos Jr. in May 2022 was widely seen as a continuity election on foreign policy. Marcos had forged a pre-election alliance with Duterte, selecting the president’s daughter Sara Duterte as his running mate. In Sept. 2022, Marcos visited the United States (where he had been technically barred due to a court case) to speak to the U.N. General Assembly.²⁸ He followed this up with a state visit to China in Jan. 2023, during which Beijing made investment pledges of \$22.8 billion.²⁹ Bilateral ties with China seemed to have a relatively bright future.

²⁵ Duterte served as president from 2016–22. A major swarming incident in 2019 near the Philippine–controlled Thitu island may have been the inflection point for Duterte’s attitude toward China. Richard Heydarian, “How a Swarm of Chinese Fishing Vessels Could Swamp Duterte’s Effort to Strengthen Philippines–China Ties,” *South China Morning Post*, April 10, 2019, <https://sc.mp/z8y>.

²⁶ Raissa Robles, “Rodrigo Duterte’s U-Turn on VFA Was Motivated by South China Sea Tensions, Says Philippines Foreign Secretary,” *South China Morning Post*, June 23, 2020, <https://sc.mp/gzuyw>; Sebastian Strangio, “Duterte Claims that COVID–19 Vaccines Saved Crucial U.S. Defense Pact,” *The Diplomat*, Aug. 4, 2021, <https://thediplomat.com/2021/08/duterte-claims-that-covid-19-vaccines-saved-crucial-us-defense-pact/>.

²⁷ Darryl John Esguerra, “On 4th Anniversary of Arbitral Win vs China, PH Insists Award ‘Non-Negotiable’,” *Inquirer*, July 12, 2020, <https://globalnation.inquirer.net/189412/>; “Out in Force: Philippine South China Sea Patrols Are Way Up,” CSIS, May 26, 2021, <https://amti.csis.org/philippine-south-china-sea-patrols-are-way-up/>; Felipe Villamor, “Duterte Orders Military to Parts of South China Sea Claimed by Philippines,” *The New York Times*, April 6, 2017, <https://www.nytimes.com/2017/04/06/world/asia/rodrigo-duterte-south-china-sea.html>; Patricia Lourdes Viray, “Lorenzana: No Militarization on Pag-asa Island,” *Philstar*, June 3, 2020, <https://www.philstar.com/headlines/2020/06/03/2018445/>; “Under Pressure: Philippine Construction Provokes a Paramilitary Response,” CSIS, Feb. 6, 2019, <https://amti.csis.org/under-pressure-philippine-construction-paramilitary-response/>.

²⁸ Willard Cheng, “Diplomatic Immunity: Marcos Jr. Can Travel to America, Says U.S. Official,” *ABS–CBN*, June 9, 2022, <https://www.abs-cbn.com/news/06/09/22/marcos-jr-can-travel-to-america-without-being-arrested-us-official>.

²⁹ Cliff Venzon, “Marcos Snags \$22.8bn in Investment Pledges on China Trip,” *Nikkei Asia*, Jan. 5, 2023, <https://asia.nikkei.com/Economy/Trade/Marcos-snags-22.8bn-in-investment-pledges-on-china-trip>.

However, any hopes along those lines were soundly dashed as 2023 unfolded. A few weeks before Marcos' Beijing visit, Manila accused Beijing of forcibly taking rocket debris from the Philippine Navy.³⁰ In February, Manila accused a China Coast Guard ship of shining a military-grade green laser at a Philippine Coast Guard vessel, temporarily blinding some of its crew.³¹ The Chinese ship also allegedly maneuvered dangerously close to the Philippine vessel and blocked it. The Philippine ship was on a transport mission to the BRP *Sierra Madre*, berthed on Second Thomas Shoal. President Marcos himself spoke to the Chinese ambassador to protest the incident.³²

³⁰ Rebecca Ratcliffe, "China Accused of Seizing Rocket Debris from Philippines Navy in South China Sea Dispute," *The Guardian*, Nov. 20, 2022, <https://www.theguardian.com/world/2022/nov/21/china-accused-of-seizing-rocket-debris-from-philippines-navy-in-south-china-sea-dispute>; "Marcos Wants China to Explain 'Benign' Account of Rocket Part Seizure," *Philstar*, Nov. 22, 2022, <https://www.philstar.com/headlines/2022/11/22/2225707/>.

³¹ Jim Gomez, "Philippines Says China Ship Used Laser against Coast Guard," Associated Press, Feb. 13, 2023, <https://apnews.com/8ee5459dcac872b14a49c4a428029259>.

³² Rebecca Ratcliffe, "Philippines President Summons Chinese Ambassador over Laser Incident," *The Guardian*, Feb. 15, 2023, <https://www.theguardian.com/world/2023/feb/15/philippines-president-summons-chinese-ambassador-over-laser-incident>.

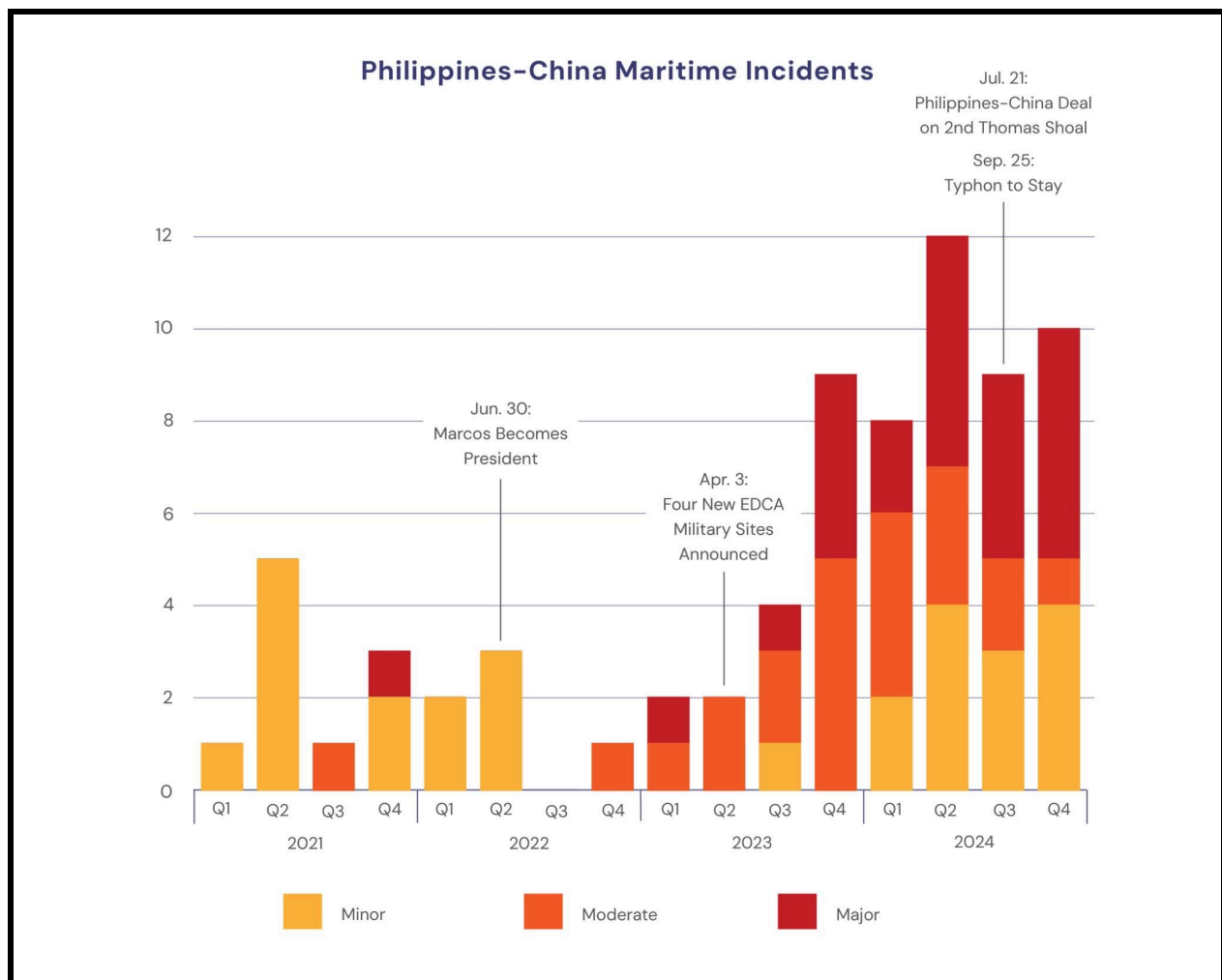


Figure 2: Reported Philippines–China hostile maritime incidents since 2021, classified by incident severity. Reported incidents rose sharply from the third quarter of 2023 onward.³³

In wake of the laser incident, it became clear that the Philippines was practicing enhanced transparency on maritime incidents with China – i.e., proactively publicizing them and inviting media for coverage.³⁴ This was a major departure from the Duterte years.

³³ Incidents compiled from an exhaustive scan of media databases. Collisions, lasering, and water-cannoning were classified as major; swarming and near-misses, as moderate; and shadowing, unsafe maneuvers, warnings, and protests, as minor. A contributing factor to increased reporting of incidents was Marcos’ transparency policy after taking office in 2022.

³⁴ Dubbed “measured” or “radical” transparency by analysts. See Edcel John A. Ibarra and Aries A. Arugay, “Something Old, Something New: The Philippines’ Transparency Initiative in the South China Sea,” *Fulcrum*, May 6, 2024, <https://fulcrum.sg/something-old-something-new-the-philippines-transparency-initiative-in-the-south-china-sea/>.

Another confrontation in April was followed by an incident in August, when China Coast Guard vessels water-cannoned Philippine vessels near Second Thomas Shoal, leading Manila to summon the Chinese ambassador to file a protest.³⁵ Incidents then cascaded rapidly involving blocking, water-cannoning, and the first collision reported in recent years.³⁶ Three more confrontations in December involved Chinese water-cannoning, swarming, and a more serious collision with a Philippine ship that caused engine damage, with accusations flying from both sides.³⁷

Second Thomas Shoal was the site of most of the significant incidents in 2023. As the year drew to a close, there was a sense that the South China Sea tussles were crossing a threshold, and armed conflict was no longer so far-fetched.³⁸

Clashes take center stage

The escalation seen in late 2023 only worsened in 2024. As the year unfolded, locations other than Second Thomas and Scarborough Shoals became sites of confrontations, marking an expansion of the geography of the tussles (see Figure 3).

The most serious incident during the year took place on June 17, 2024 when China Coast Guard vessels blocked and damaged vessels carrying Philippine Navy sailors

³⁵ Jim Gomez, "Philippines Summons Chinese Ambassador over Water Cannon Incident in Disputed South China Sea," Associated Press, Aug. 7, 2023, <https://apnews.com/c39a279d3267990320041cff211fd6da>.

³⁶ Jim Gomez, "Philippine Diplomat Witnessed Chinese Ships' Aggressive Actions in Disputed South China Sea," Associated Press, Oct. 10, 2023, <https://apnews.com/27324dccfb6596ac10c867ab576b78cd>; Enrico Dela Cruz and Karen Lema, "Philippines Says Chinese Coastguard 'Intentionally' Collided with Its Boats," Reuters, Oct. 23, 2023,

<https://www.reuters.com/world/asia-pacific/philippines-tells-china-stop-provocative-actions-south-china-sea-2023-10-23/>; Shweta Sharma, "Philippines Says China Blasted Water Cannon at Supply Vessel in South China Sea," *Independent*, Nov. 10, 2023, <https://www.independent.co.uk/b2445133.html>.

³⁷ Oliver Browning, "Chinese Coast Guard 'Fires Water Cannon' at Philippine Fishing Boats in South China Sea," *Independent*, Dec. 9, 2023, <https://www.independent.co.uk/b2461287.html>; Jesse Johnson, "Philippines Says Chinese Boats 'Swarming' Reef in South China Sea," *Japan Times*, Dec. 3, 2023, <https://www.japantimes.co.jp/news/2023/12/03/asia-pacific/politics/philippines-china-whitsun-reef-maritime-militia/>; "Philippines and China Accuse Each Other of South China Sea Collisions," Al Jazeera, Dec. 10, 2023, <https://aje.io/62oljx>.

³⁸ Sarang Shidore, "Could a U.S.–China War Begin over the Philippines?" *Responsible Statecraft*, May 15, 2023, <https://responsiblestatecraft.org/2023/05/15/could-a-us-china-war-begin-over-the-philippines/>.

headed to the BRP *Sierra Madre*.³⁹ Eight Philippine crew were injured, one seriously. The clash was widely covered in regional and international media.⁴⁰

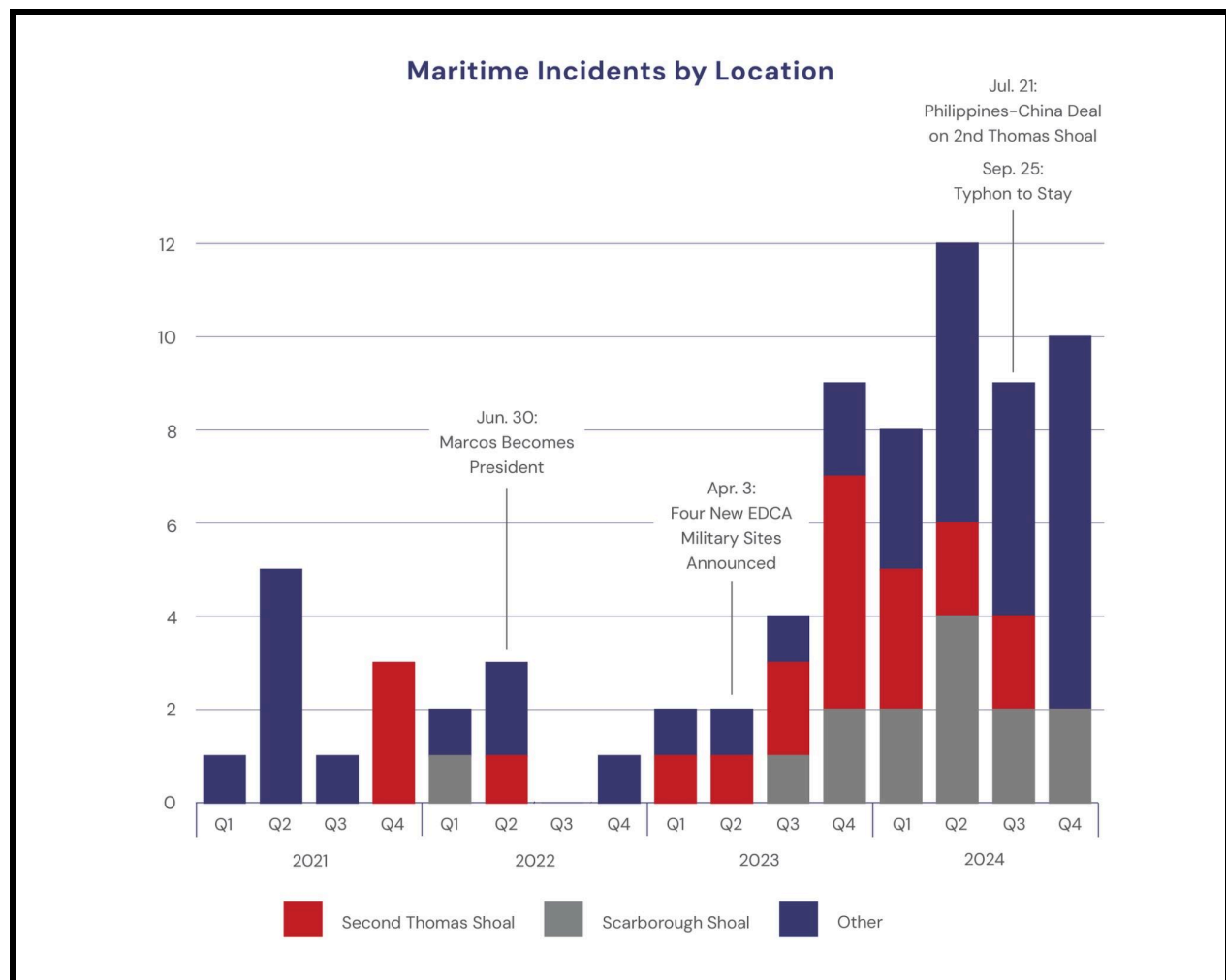


Figure 3: Maritime incidents in locations other than Second Thomas and Scarborough Shoals are increasing.

In the wake of the serious June 17 incident, the two sides reengaged substantively and a “provisional” agreement was reached on missions to Second Thomas Shoal, though

³⁹ Jayson Albano and Crystal Wu, “Chinese and Philippine Ships Clash in First Incident under Beijing’s New Coast Guard Law,” *South China Morning Post*, June 20, 2024, <https://sc.mp/83tdp>.

⁴⁰ The incident also took place two days after China’s new, tougher coast guard regulation, “CCG Order #3,” went into effect. The regulation gives the China Coast Guard powers to detain foreign ships (whether commercial or state-owned) and their crews for up to 60 days if they trespassed “waters under Chinese jurisdiction.” Peter Leavy, “Overcoming the Deliberate Legal Ambiguity Adopted by China’s Coast Guard,” *The Interpreter*, June 20, 2024, <https://www.lowyinstitute.org/the-interpreter/overcoming-deliberate-legal-ambiguity-adopted-china-s-coast-guard>.

the two sides disputed its exact content.⁴¹ The agreement was followed by an incident-free resupply mission, but interpretations of this success differed sharply.⁴² However, there have been four additional resupply missions since then without incident, a rare example of cooperation amid the ongoing escalation.

Even as the provisional arrangement stabilized the situation at Second Thomas Shoal, confrontations continued elsewhere. In one, China anchored its largest coast guard vessel (dubbed the “monster ship”) within the Philippines’ EEZ.⁴³ There was also a face-off in the skies above the Scarborough Shoal involving an alleged dropping of flares.⁴⁴

In Aug. 2024, there were two incidents and a major standoff near the Sabina Shoal. In the first of the incidents, as many as three collisions reportedly damaged two Philippine craft laden with supplies to troops based in the Lawak and Flat islands (under Manila’s military control.) A few days later, Manila and Beijing accused each other of ramming in a clash in which China claimed it had also rescued a Philippine sailor who had fallen overboard.⁴⁵ Separately, a confrontation had been ongoing for months after Manila’s show-of-force deployment of its largest coast guard vessel, the BRP *Teresa Magbanua*, at the Sabina Shoal in April 2024. China had responded by blocking the delivery of supplies to the vessel, leaving the Philippine crew dehydrated and malnourished. Manila ultimately withdrew the vessel, ending the standoff but only deepening the distrust.⁴⁶

⁴¹ “China, Philippines Agree on ‘Provisional Arrangement’ for South China Sea Resupply Missions, Manila Says,” Reuters, July 22, 2024, <https://www.reuters.com/world/asia-pacific/philippines-resupply-ship-south-china-sea-shoal-without-us-help-2024-07-21/>; Laura Zhou, “Deal or No Deal? China and Philippines at Odds over Second Thomas Shoal Resupply Agreement,” *South China Morning Post*, July, 23 2024, <https://sc.mp/x135q>.

⁴² Sebastian Strangio, “Philippines Resupplies Contested Shoal under ‘Understanding’ with China,” *The Diplomat*, July 29, 2024, <https://thediplomat.com/2024/07/philippines-resupplies-contested-shoal-under-understanding-with-china/>.

⁴³ “China Anchors ‘Monster Ship’ in South China Sea, Philippine Coast Guard Says,” NBC News, July 6, 2024, <https://www.nbcnews.com/news/world/rcna160526>.

⁴⁴ “Philippine Military Condemns China Air Force for ‘Dangerous’ Acts in South China Sea,” NBC News, Aug. 10, 2024, <https://www.nbcnews.com/news/world/rcna166073>.

⁴⁵ “Philippines, China Accuse Each Other of Ship Ramming in South China Sea,” Al Jazeera, Aug. 25, 2024, <https://aje.io/1f5m4q>.

⁴⁶ Kathrin Hille and Demetri Sevastopulo, “Philippines Withdraws from Disputed Reef in South China Sea,” *Financial Times*, Sept. 15, 2024, <https://www.ft.com/content/c5817200-12d3-4f75-b8fe-2c221fac1517>; Sarang Shidore, “A Philippine Withdrawal Hardly Marks the End of the South China Sea Clash,” *The*

The year 2024 ended with two more clashes in which Manila accused Beijing of harassment using a helicopter and water-cannoning its craft, while Beijing accused the Philippine Coast Guard of infringing the territorial waters of the Scarborough Shoal.⁴⁷

Even as physical confrontations and gray zone incidents continue between Manila and Beijing, their recourse to lawfare has not ended. The Philippines passed two new maritime laws in November 2024, which were vigorously condemned by China.⁴⁸ Soon thereafter, China unhelpfully declared its baselines around the Scarborough Shoal (with explicit references to UNCLOS), entrenching its claim of possession.⁴⁹ China issued a tough new coast guard regulation, empowering the detaining of foreign vessels and crew. Manila is now considering lodging a second adversarial case against Beijing in an international tribunal, this time with the potential participation of allies and partners.⁵⁰

Alliance politics: Washington leans in

The United States has strongly backed President Marcos during the ongoing South China Sea confrontations. It has repeatedly expressed diplomatic support, expanded exercises and military sites in the Philippines, ramped up military aid, helped pull in its allies to conduct joint patrols, and deployed a major missile system on Philippine territory, justifying many of these actions in terms of adding deterrence. While some of

Diplomat, Sept. 17, 2024, <https://thediplomat.com/2024/09/a-philippine-withdrawal-hardly-marks-the-end-of-the-south-china-sea-clash/>.

⁴⁷ Andreo Calonzo, "Philippines Sends Ships to Reef After China 'Harassment'," *Bloomberg*, Dec. 2, 2024, <https://www.bloomberg.com/news/articles/2024-12-02/philippines-sends-ships-to-reef-after-china-harassment>; Jim Gomez, "Philippines Says China's Coast Guard Fired Water Cannons and Sideswiped Its Patrol Vessel," *Associated Press*, Dec. 4, 2024, <https://apnews.com/77e94f6acc69153bd7a9acc187027f9e>.

⁴⁸ Ruth Abbey Gita-Carlos, "Marcos Inks Laws on PH Maritime Zones, Archipelagic Sea Lanes," *Philippine News Agency*, Nov. 8, 2024, <https://www.pna.gov.ph/articles/1237378>; Vanessa Cai, "China Slams Philippines over Twin South China Sea Laws, Vows 'Resolute' Action if Provoked," *South China Morning Post*, Nov. 8, 2024, <https://scmp.com/m91nm>.

⁴⁹ Sebastian Strangio, "China Declares Baselines around Disputed South China Sea Shoal," *The Diplomat*, Nov. 12, 2024, <https://thediplomat.com/2024/11/china-declares-baselines-around-disputed-south-china-sea-shoal/>.

⁵⁰ Kathrin Hille, "Philippines Considers New U.N. Case against Beijing over South China Sea Activity," *Financial Times*, Dec. 12, 2024, <https://www.ft.com/content/d16f314b-a602-44ce-a304-83f850a50d81>.

these actions are needed, others are provocative and contribute to the cycle of escalation by, among other things, needlessly raising Chinese insecurities on Taiwan.

Diplomatic support

Articles IV and V of the 1951 Mutual Defense Treaty commit the United States and the Philippines to defend each other in the event of an “an armed attack on either of the Parties” that “is deemed to include an armed attack on the metropolitan territory of either of the Parties, or on the island territories under its jurisdiction in the Pacific or on its armed forces, public vessels or aircraft in the Pacific.”⁵¹

The United States had a more cautious approach toward China–Philippines tussles in the South China Sea during the 1995 Mischief Reef and 2012 Scarborough Shoal incidents.⁵² That changed after Washington pivoted to the “great power competition” framing of China (and Russia) in 2017. Secretary of State Mike Pompeo significantly clarified the treaty’s geography in February 2019 by stating “any armed attack on Philippine forces, aircraft or public vessels in the South China Sea will trigger mutual defense obligations under ... our mutual defense treaty.”⁵³ The Biden administration repeatedly affirmed this reading in its own statements. The United States and the Philippines have not precisely defined what constitutes an “armed attack.” However, President Marcos stated at the Shangri–La Dialogue in June 2024 that the death of a Philippine citizen in a clash would qualify as sufficient grounds for the invocation of the Mutual Defense Treaty, and this was repeated by the commander of the U.S. Indo–Pacific Command.⁵⁴

⁵¹ “Mutual Defense Treaty between the United States and the Republic of the Philippines.”

⁵² For example, Washington brokered a de-escalation during the 2012 Scarborough crisis, though Beijing did not hold up its side of the bargain.

⁵³ Regine Cabato and Shibani Mahtani, “Pompeo Promises Intervention if Philippines Is Attacked in South China Sea amid Rising Chinese Militarization,” *The Washington Post*, Feb. 28, 2019, https://www.washingtonpost.com/world/pompeo-promises-intervention-if-philippines-is-attacked-in-south-china-sea-amid-rising-chinese-militarization/2019/02/28/5288768a-3b53-11e9-b10b-f05a22e75865_story.html.

⁵⁴ “President of the Philippines Ferdinand R. Marcos, Jr Delivers Keynote Address,” International Institute for Strategic Studies, Shangri–La Dialogue, May 31, 2024, <https://www.iiss.org/events/shangri-la-dialogue/shangri-la-dialogue-2024/plenary-sessions/keynote-address>

Soon after President Marcos' first official visit to the United States in Sept. 2022, then–Vice President Kamala Harris made a trip to the Philippine province of Palawan in November of that year. Harris told Marcos that “we must reiterate always that we stand with you in defense, in international rules and norms in the South China Sea.”⁵⁵

As maritime clashes and incidents multiplied in the South China Sea, Washington issued several strongly worded statements condemning Beijing's actions and expressing strong support for Manila. Strong statements were also issued after, among other incidents, the Feb. 2023 laser encounter and the Aug. 2023 and March 2024 water-cannoning incidents.⁵⁶ In March 2024, the U.S. ambassador to China erroneously cited the 2016 ruling and stated that the Scarborough Shoal was “the sovereign territory of the Philippines.” The statement left a concerning impression of the U.S. taking sides in a non–U.S. sovereignty claim.⁵⁷

After the serious confrontation in June 2024, the State Department said Beijing's actions “endangered the lives of Philippine service members, is reckless, and threatens regional peace and stability [and] reflect consistent disregard for the safety of Filipinos and for international law in the South China Sea.”⁵⁸ The multiple collisions near the Sabina Shoal were also condemned.⁵⁹ There were also several readouts of calls or

ess/; Nestor Corrales, “U.S. Admiral: PH Can Invoke MDT if Sea Attacks Kill Soldier, Sailor,” *Inquirer*, March 28, 2024,

<https://globalnation.inquirer.net/229735/us-admiral-ph-can-invoke-mdt-if-sea-attacks-kill-soldier-sailor>.

⁵⁵ Palawan is located closest to Second Thomas Shoal of all Philippine provinces. Chad de Guzman, “Vice President Kamala Harris' Visit Puts the Philippines in a Tight Spot With China,” *TIME*, November 22, 2022, <https://time.com/6236010/>.

⁵⁶ Matthew Miller, “U.S. Support for the Philippines in the South China Sea,” U.S. State Department, Aug. 5, 2023, <https://2021-2025.state.gov/u-s-support-for-the-philippines-in-the-south-china-sea-5/>; Matthew Miller, “U.S. Support for the Philippines in the South China Sea,” U.S. State Department, March 23, 2024, <https://2021-2025.state.gov/u-s-support-for-the-philippines-in-the-south-china-sea-9/>.

⁵⁷ The high-level statement has not been reiterated by Washington but presumably stands, as it has not been disavowed. “Ambassador Burns on the State of U.S.–China Relations,” East–West Center, March 14, 2024, <https://www.eastwestcenter.org/events/ambassador-burns-state-us-china-relations-0>.

⁵⁸ Matthew Miller, “U.S. Support for the Philippines in the South China Sea,” U.S. State Department, June 17, 2024, <https://2021-2025.state.gov/u-s-support-for-the-philippines-in-the-south-china-sea-10/>.

⁵⁹ Matthew Miller, “U.S. Support for the Philippines in the South China Sea,” U.S. State Department, Aug. 31, 2024, <https://2021-2025.state.gov/u-s-support-for-the-philippines-in-the-south-china-sea-12/>.

meetings between senior U.S. and Philippine officials, including the respective presidents.⁶⁰

Apart from the consistent condemnation of China's actions and support for the Philippines in the relevant incidents, a common thread in all U.S. statements was the invocation of the 2016 tribunal ruling, the 1982 UNCLOS treaty, an assertion that the 1951 Mutual Defense Treaty's scope includes an armed attack on public vessels or aircraft in the South China Sea, and the maintenance of the freedom of navigation.

Military support

During the Cold War, the United States maintained two of its largest overseas military bases in the Philippines: Clark Air Base and Subic Bay Naval Base. However, Washington's support for President Ferdinand Marcos Sr., who was toppled in 1986 in the People Power Revolution, led to a backlash against the bases. The Philippine Senate refused to renew leases for American bases in 1991, leading to a U.S. pullout the following year. The 1951 Mutual Defense Treaty survived this backlash; though the new Philippine constitution in 1987 included a clause prohibiting permanent foreign bases on Philippine territory, except under a new treaty.⁶¹

However, as noted previously, China's 1994–95 takeover of Mischief Reef helped forge the 1999 Visiting Forces Agreement, marking the beginning of the reversal of the 1991 moment. That agreement was followed by the Enhanced Defense Cooperation Agreement, EDCA, signed by both parties in 2014.⁶² The EDCA operationalized the return of U.S. troops to the Philippines on a rotational basis and is arguably a return to a permanent U.S. military presence in the archipelagic nation. EDCA sites are U.S. military

⁶⁰ Strong language was also embedded in the 2+2 and 3+3 ministerial dialogues and three maritime dialogues held since 2022. "United States, Philippines Hold Third Maritime Dialogue in Manila," U.S. Embassy in the Philippines, Oct. 28, 2024, <https://ph.usembassy.gov/united-states-philippines-hold-third-maritime-dialogue-in-manila/>.

⁶¹ "Constitution of the Philippines, Article XVIII, Section 25," Constituent Project, accessed January 3, 2025, https://www.constituteproject.org/constitution/Philippines_1987.

⁶² "Agreement between the United States of America and the Philippines," U.S. State Department, April 28, 2014, <https://www.state.gov/wp-content/uploads/2019/02/14-625-Philippines-Defense-Cooperation.pdf>.

sites (within sovereign Philippine military bases) under the Pentagon's operational control, hosting U.S. equipment and troops on a rotational basis.⁶³

Five EDCA sites were established in 2016 in the central and southern Philippines (see Figure 4).⁶⁴ But the United States and the Philippines announced four additional EDCA sites in April 2023: three in northern Luzon (Camp Melchor dela Cruz, Lal-lo Airport, and Camilo Osias Naval Base) and one on Balabac Island in Palawan province.⁶⁵ The northern Luzon sites marked a significant northward shift of U.S. positions, closer to Taiwan.⁶⁶

⁶³ Manila has justified them as an executive agreement that does not require a treaty. "Philippines Insists U.S. Military Accord Is Legal," Associated Press, May 27, 2014, <https://apnews.com/883b58dc0a3640c6aa5d93c1b11e75c3>.

⁶⁴ These are Fort Magsaysay, Basa Air Base, Benito Ebuena Air Base, Lumbia Airport, and Antonio Bautista Air Base. Prashanth Parameswaran, "A Big Deal? U.S., Philippines Agree First 'Bases' Under New Defense Pact," *The Diplomat*, March 19, 2016, <https://thediplomat.com/2016/03/a-big-deal-us-philippines-agree-first-bases-under-new-defense-pact/>.

⁶⁵ "Philippines, U.S. Announce Locations of Four New EDCA Sites," U.S. Department of Defense, April 3, 2023, <https://www.defense.gov/News/Releases/Release/article/3349257/>.

⁶⁶ The Camilo Osias location is also the first U.S. naval positioning in the Philippines since the closure of the American base in Subic Bay in 1992. Sarang Shidore, "Is the U.S. Going Too Far in Its Alliance With the Philippines?" *The Diplomat*, April 17, 2023, <https://thediplomat.com/2023/04/is-the-us-going-too-far-in-its-alliance-with-the-philippines/>.



Figure 4: U.S. military sites in the Philippines under EDCA.

The first five EDCA sites received initial funding to the tune of \$82 million, and, in April 2024, an additional \$128 million was committed to all nine sites.⁶⁷ Separately, the United States has also committed \$500 million for the Philippine Navy and Coast Guard to

⁶⁷ Aaron-Matthew Lariosa, "U.S. Funding \$32M Upgrade to Air Base in the Philippines," *U.S. Naval Institute News*, Aug. 9, 2024, <https://news.usni.org/2024/08/09/u-s-funding-32m-upgrade-to-air-base-in-the-philippines>; "Fact Sheet: Celebrating the Strength of the U.S. – Philippines Alliance," The White House, April 11, 2024, <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/04/11/fact-sheet-celebrating-the-strength-of-the-u-s-philippines-alliance/>.

“fulfill their territorial defense mission.”⁶⁸ All these amount to substantial levels of support.

The United States has also ramped up military exercises and initiated joint patrols with the Philippines along with other U.S. allies. The signature bilateral Balikatan exercise, involving combined forces, has grown substantially since 2022, with more allies and partners participating. The Salaknib exercise, held between the armies of the two nations, has grown as well. During the 2024 Balikatan exercise, drills were carried out in the Batanes islands located north of Luzon with U.S. Marines positioned only a tantalizing 88 miles from Taiwan.⁶⁹ It was the exercise with the widest geography to date, focusing on the South China Sea and the Luzon Strait. In May 2023, Washington and Manila also agreed to a set of Bilateral Defense Guidelines aimed to modernize their alliance.⁷⁰

Marking a qualitative shift in arming the Philippines in recent decades, the United States deployed a mid-range capability missile system, Typhon, in the Philippines during the 2024 Salaknib exercise, which was also utilized for the Balikatan exercise that year.⁷¹ The system was expected to be withdrawn after its termination. However, the missile system lingered on.⁷² It was eventually announced that it would stay in the Philippines,

⁶⁸ “Fact Sheet: U.S.–Philippines 2+2 Ministerial Dialogue,” U.S. Department of Defense, July 30, 2024, <https://media.defense.gov/2024/Jul/31/2003515578/-1/-1/1/FACT-SHEET-US-PHILIPPINES-2-2-MINISTERIAL-DIALOGUE.PDF>.

⁶⁹ Aaron-Matthew Lariosa, “U.S. and Philippine Forces Defend Island Chain Near Taiwan in Balikatan 2024 Exercise,” *U.S. Naval Institute News*, May 9, 2024, <https://news.usni.org/2024/05/09/u-s-and-philippine-forces-defend-island-chain-near-taiwan-in-balikatan-2024-exercise>.

⁷⁰ “The United States and the Republic of the Philippines Bilateral Defense Guidelines,” U.S. Department of Defense, May 3, 2023, <https://media.defense.gov/2023/May/03/2003214357/-1/-1/0/THE-UNITED-STATES-AND-THE-REPUBLIC-OF-THE-PHILIPPINES-BILATERAL-DEFENSE-GUIDELINES.PDF>.

⁷¹ “U.S. Army’s Mid-Range Capability Makes Its First Deployment in the Philippines for Salaknib 24,” U.S. Army Pacific, April 15, 2024, <https://www.usarpac.army.mil/Our-Story/Our-News/Article-Display/Article/3740807/us-armys-mid-range-capability-makes-its-first-deployment-in-the-philippines-for/>; Aaron-Matthew Lariosa, “Balikatan 2024 Drills Prioritize South China Sea, Luzon Strait,” *U.S. Naval Institute News*, April 22, 2024, <https://news.usni.org/2024/04/22/balikatan-2024-drills-prioritize-south-china-sea-luzon-strait>.

⁷² The system was deployed for months at a non-EDCA site, a civilian airport. It was moved to an undisclosed location in January 2025. “From Laoag, U.S. Relocates Missile Launchers Within PH,” *Inquirer*, Jan. 24, 2025, <https://plus.inquirer.net/news/from-laoag-us-relocates-missile-launchers-within-ph/>.

triggering a strong condemnation by China, which saw it as a direct threat.⁷³ Manila, however, defended the decision as a sovereign right.⁷⁴ The Typhon system is capable of launching SM–6 and Tomahawk cruise missiles, with respective ranges of 350 and 1000 miles. Tomahawk missiles would enable strikes deep within the Chinese mainland if launched from sites in the northern Philippines.

Allies to the rescue?

Washington has not just deepened its own military support and maneuvering but also organized or encouraged the entry of U.S. allies in the region and beyond to build deeper military ties with the Philippines. France and Australia actively participated in the 2024 Balikatan exercise, and 14 other nations took part as observers.⁷⁵ The United States has also intensified joint patrols and other military exercises in the South China Sea with the Philippines and other U.S. allies and partners. Participating states include Australia, Canada, Japan, New Zealand, and the U.K.⁷⁶

The Biden administration particularly favored a minilateral approach in Asia to counter China. In Aug. 2023, a trilateral pact was signed between the United States, Japan, and South Korea.⁷⁷ In April 2024, Washington convened the U.S.–Japan–Philippines

⁷³ Jim Gomez, “U.S. Missile System Will Remain in the Philippines Despite China’s Alarm,” Associated Press, Sept. 25, 2024, <https://apnews.com/69242b99335eb55032894fbc83d75135>.

⁷⁴ “No Arms Race Here: PH Missile Plan Just to Boost Defense, Not Spark Conflict: Año,” *Politiko*, Dec. 29, 2024, <https://politiko.com.ph/2024/12/29/no-arms-race-here-ph-missile-plan-just-to-boost-defense-not-spark-conflict-ano/daily-feed/>.

⁷⁵ This included U.S. allies like Canada, Germany, Japan, South Korea, Thailand, and the U.K. “Philippines, U.S. Troops to Kick Off Exercise Balikatan 2024,” U.S. Embassy in the Philippines, April 17, 2024, <https://ph.usembassy.gov/philippine-u-s-troops-to-kick-off-exercise-balikatan-2024/>.

⁷⁶ For example, Aaron-Matthew Lariosa, “Warships from the Philippines, Australia, New Zealand, U.S. and Japan Sail in Joint South China Sea Patrol,” *U.S. Naval Institute*, Sept. 29, 2024, <https://news.usni.org/2024/09/29/warships-from-the-philippines-australia-new-zealand-u-s-and-japan-sail-in-joint-south-china-sea-patrol>; “Philippines Says China Tails Multi-Nation Sea Exercises,” Reuters, Aug. 7, 2024, <https://www.reuters.com/world/asia-pacific/philippines-us-australia-canada-hold-first-joint-exercises-south-china-sea-2024-08-07/>.

⁷⁷ “The Spirit of Camp David: Joint Statement of Japan, the Republic of Korea, and the United States,” The White House, August 18, 2023, <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2023/08/18/the-spirit-of-camp-david-joint-statement-of-japan-the-republic-of-korea-and-the-united-states/>; James Park and Mike Mochizuki, “The U.S.–Japan–South Korea Trilateral Partnership: Pursuing Regional Stability and Avoiding Military Escalation,” Quincy Institute for Responsible Statecraft, April 22, 2024,

trilateral summit, and the resulting joint statement cited and condemned China explicitly four times.⁷⁸ But Washington has gone a step further and also convened a new quadrilateral group, comprising the United States, Australia, Japan, and the Philippines. The so-called Squad has an overtly military identity, with two defense minister meetings and the first-ever joint patrol between the four states.⁷⁹

The goals of pulling in allies into a common front to counter China are both diplomatic and military. Diplomatically, Washington is aiming to amplify its condemnation of Beijing's behavior. Militarily, the goal is deep interoperability between the militaries to enable joint war-fighting.

Manila has also forged deeper bilateral ties with U.S. allies, especially Tokyo and Canberra.⁸⁰ The Philippines–Japan Reciprocal Access Agreement, the RAA, will allow the temporary stationing of Japanese troops on Philippine soil (but disallows permanent bases).⁸¹ The RAA adds to the Philippines' existing visiting forces agreements with the United States and Australia. Japan has been a key player in modernization efforts of the Philippines' Coast Guard and military. Manila has also

<https://quincyinst.org/research/the-u-s-japan-south-korea-trilateral-partnership-pursuing-regional-stability-and-avoiding-military-escalation/>.

⁷⁸ "Joint Vision Statement from the Leaders of Japan, the Philippines, and the United States," The White House, April 11, 2024,

<https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2024/04/11/joint-vision-statement-from-the-leaders-of-japan-the-philippines-and-the-united-states/>.

⁷⁹ "Joint Statement: Australia–Japan–Philippines–United States Maritime Cooperative Activity," U.S. Department of Defense, April 5, 2024,

<https://www.defense.gov/News/Releases/Release/Article/3733095/joint-statement-australia-japan-philippines-united-states-maritime-cooperative/>.

⁸⁰ Deeper security ties with Japan have their roots as far back as 2011. See Julio S. Amador III, "The Philippines' Security Cooperation with the United States and Japan," East–West Center, Aug. 8, 2013, <https://www.eastwestcenter.org/publications/the-philippines%E2%80%99-security-cooperation-the-united-states-and-japan>.

⁸¹ Aries A. Arugay and Mico A. Galang, "The Japan–Philippines Reciprocal Access Agreement: Complementing and Cementing the Hub-and-Spokes System," Yusof Ishak Institute, Sept. 13, 2024, <https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2024-70-the-japan-philippines-reciprocal-access-agreement-complementing-and-cementing-the-hub-and-spokes-system-by-aries-a-arugay-mico-a-galang/>.

purchased advanced BrahMos cruise missiles from India and has announced a military modernization plan of \$35 billion over the next decade.⁸²

Sense and sensibility: Embracing strategic wisdom

Beijing's obsession over the tiny Second Thomas Shoal is highly disproportionate to the reputational and other costs it is incurring. Further, Chinese provocations in the South China Sea have been clearly coercive and transgressive of international law. A response from the alliance is certainly warranted. But current U.S. and alliance responses, while conforming to international law, are largely unwise and escalatory. A return to stability requires alliance strategy to be proportionate, interests-based, and sustainable.

Transcending deterrence-centrism

An analysis of maritime incidents (see Figures 2 and 3) is instructive. Incidents ratcheted up in late 2023 and, if anything, increased through 2024. The rapid rise began more than a year after Ferdinand Marcos Jr. was sworn in and a few weeks after the EDCA sites were announced. Major incidents have also increased. Finally, more incidents are now taking place than before at locations beyond Second Thomas and Scarborough Shoals. The July 2024 agreement has stabilized Second Thomas Shoal, but the overall frequency of incidents has not reduced. This implies that the July agreement has not yet created a structural shift in the maritime contestation.

While the escalation is worrying, the current situation in the South China Sea should also be assessed objectively for what it is not. Washington has made comparisons of Chinese actions with Russia's actions in Ukraine.⁸³ Such comparisons are highly exaggerated and unhelpful. We have not yet seen deaths in these incidents and only very few serious injuries. Neither China nor the Philippines have discharged firearms.

⁸² Dinakar Peri, "Philippines Envoy Hails BrahMos Missiles as a 'Game Changer'," *The Hindu*, July 24, 2024, <https://www.thehindu.com/article68328182.ece>. Part of Manila's motivation in these bilateral efforts is an insurance policy in case of U.S. abandonment.

⁸³ Nestor Corrales, "Expect More Joint Patrols in South China Sea—U.S. Nat'l Security Adviser," *Inquirer*, April 11, 2024, <https://globalnation.inquirer.net/231364/>.

Collisions, water-cannoning, blocking, lasering, and swarming are coercive actions, but they do not constitute armed conflict. Since 1995, there has not been any seizure of territory by Beijing, and China has not reclaimed land or built structures on the Scarborough Shoal (the waters of which it seized control of in 2012). Nor has Beijing established an Air Defense Identification Zone in the South China Sea, as it did in 2013 in the East China Sea.⁸⁴ There have been no diplomatic expulsions and both states maintain their embassies in each other's capitals. A China–Philippines dialogue (under their Bilateral Consultation Mechanism) has continued to take place throughout the recent episodes.⁸⁵ While we may be on the threshold of a military crisis, we are not in one yet.

The discourse in Washington has, however, often been an overreaction. The unspoken assumption is that Beijing will only make concessions under duress, and escalating to de-escalate is the only viable strategy. Suggested measures aimed to change Chinese behavior thus center predominantly — often exclusively — on adding more deterrence.⁸⁶ These include conducting U.S. naval visits to Philippine outposts, adding a U.S. forward operating base or an EDCA site to Second Thomas Shoal, considering Chinese gray zone tactics to be “armed attacks” (which would invoke the Mutual Defense Treaty), conducting swarming-type operations using unmanned craft against China, pulling in U.S. allies and partners (including Taiwan) even deeper into the South China Sea security contestation, and imposing serious costs on other aspects of the U.S.–China relationship.⁸⁷

⁸⁴ “China Establishes ‘Air-Defence Zone’ over East China Sea,” BBC, Nov. 23, 2013, <https://www.bbc.com/news/world-asia-25062525>.

⁸⁵ The mechanism was established in 2017. “China and the Philippines Hold the Meeting Between Heads of the China–Philippines Bilateral Consultation Mechanism on the South China Sea,” Ministry of Foreign Affairs, the People’s Republic of China, Sept. 11, 2024, https://www.fmprc.gov.cn/nanhai/eng/wjbxw_1/202409/t20240912_11489446.htm.

⁸⁶ Ryan Haas, however, commendably argues that the South China Sea tussle is “not a military problem with a military solution.” But he too backs joint patrols and apparently supports the recent EDCA site expansion. See Ryan Haas, “Avoiding War in the South China Sea,” *Foreign Affairs*, July 9, 2024, <https://www.foreignaffairs.com/united-states/avoiding-war-south-china-sea>.

⁸⁷ For these and similar arguments, see Blake Herzinger, “It’s Time to Build Combined Forward Operating Base Sierra Madre,” *War on the Rocks*, Sept. 11, 2023, <https://warontherocks.com/2023/09/its-time-to-build-combined-forward-operating-base-sierra-madre/>; Derek Grossman, “How to Respond to China’s Tactics in the South China Sea,” *Foreign Policy*, May 29,

But deterrence-firsters rarely foray into a serious assessment of U.S. national interests. Clarifying vital interests, and differentiating them from non-vital ones, is essential to chart a proportionate response. Besides, current U.S. policies of adding more deterrence are simply not working (see Figure 2).⁸⁸ Washington's moves — such as nudging the Philippines toward a bigger role in any conflict over Taiwan, forging a bloc-like structure in the region, and deploying a major missile system on Philippine soil — have already substantially upped the ante on deterrence. But all these have not diminished the frequency of incidents. Moreover, many U.S. measures are in the plane of war-fighting, with little utility in countering Chinese gray zone tactics.

In fact, Chinese behavior has only hardened, and U.S.-led bloc formation is beginning to trigger counter-bloc formation.⁸⁹ For the U.S.-Philippine alliance, doing more of the same and expecting different results will likely lead to disappointment — and risks military conflict.⁹⁰ An alternative to the deterrence model is the spiral model, derived from the famous security dilemma in international relations, which proposes that every action aimed to increase deterrence — even if with purely defensive intent — can be

2024,
<https://foreignpolicy.com/2024/05/29/philippines-us-south-china-sea-gray-zone-tactics-alliance-military-treaty/>; Raymond Powell, "The South China Sea Comes to a Boil," *The Dispatch*, Jan. 15, 2025,
<https://thedispatch.com/article/the-south-china-sea-comes-to-a-boil/>; Gregory B. Poling and Japhet Quitzon, "Sustaining the U.S.-Philippines-Japan Triad," CSIS, Feb. 12, 2024,
<https://www.csis.org/analysis/sustaining-us-philippines-japan-triad>; Eric Cooper, "Call in the Coast Guard: How Maritime Law Enforcement Can Combat China's Gray-Zone Aggression," *War on the Rocks*, April 16, 2024,
<https://warontherocks.com/2024/04/call-in-the-coast-guard-how-maritime-law-enforcement-can-combat-chinas-gray-zone-aggression/>.

⁸⁸ Lucio Blanco Pitlo III, "Philippine Missile Crisis and Taiwan Contingency," *China-U.S. Focus*, Jan. 21, 2025, <https://www.chinausfocus.com/peace-security/philippine-missile-crisis-and-taiwan-contingency>; Sarang Shidore, "The South China Sea Risks a Military Crisis," *Foreign Policy*, May 31, 2024, <https://foreignpolicy.com/2024/05/31/philippines-south-china-sea-shangri-la>.

⁸⁹ Shidore, "Philippine Withdrawal Hardly Marks the End"; Joe Cash, "China, Russia Carried out Live-Fire Naval Exercises in South China Sea," Reuters, July 17, 2024, <https://www.reuters.com/world/china-russia-kick-off-live-fire-naval-exercises-south-china-sea-2024-07-17/>.

⁹⁰ Shidore, "The South China Sea Risks a Military Crisis"; Sarang Shidore, "The China-Philippines South China Sea Face-Off Requires Restraint," *The Diplomat*, December 22, 2023, <https://thediplomat.com/2023/12/the-china-philippines-south-china-sea-face-off-requires-restraint/>.

interpreted as a threat by the other side and countered in kind.⁹¹ Not enough attention has been paid to de-escalation pathways suggested by this model.⁹²

Clarifying vital interests

For Washington to correct course and redefine policies will first require a clear understanding of U.S. interests in the alliance with the Philippines – specifically, which of these interests are vital and which are important.⁹³ Not all U.S. interests in Asia are vital – i.e., critical to the survival and prosperity of the nation, which Americans would be willing to die for.⁹⁴

Washington broadly defined U.S. vital interests in the region in its 2022 Indo–Pacific strategy document.⁹⁵ However, it can be proposed that vital U.S. security interests in Asia comprise regional stability and an inclusive order, the defense of Japan and South Korea, and the defense of the Philippine mainland (or “metropolitan territory” as mentioned in the Mutual Defense Treaty). While many Filipinos see China as trying to

⁹¹ Robert Jervis, “Cooperation Under the Security Dilemma,” *World Politics* 30, no. 2 (Jan. 1978): 167–214, <https://doi.org/10.2307/2009958>.

⁹² A recent paper on deescalating the broader U.S.–China rivalry by Andrew Byers and J. Tedford Tyler suggests “removing U.S. military forces or weapons systems from the Philippines in exchange for the China Coast Guard executing fewer patrols.” See Andrew Byers and J. Tedford Tyler, “Can the U.S. and China Forge a Cold Peace?” *Survival* 66, no. 6 (2024): 67–86, <https://www.ingentaconnect.com/content/routledg/surviv/2024/00000066/00000006/art00008>.

⁹³ Piper Campbell, “The United States: An Increasingly Incidental Provider of Regional Stability in the Asia–Pacific?” Asia Pacific Leadership Network, June 20, 2024, <https://www.apln.network/projects/asia-dialogue-on-china-us-relations/the-united-states-an-increasingly-incidental-provider-of-regional-stability-in-the-asia-pacific-us-and-southeast-asian-responses>; Michael D. Swaine, Jessica J. Lee, and Rachel Esplin Odell, “Toward an Inclusive & Balanced Regional Order: A New U.S. Strategy in East Asia,” Quincy Institute for Responsible Statecraft, Jan. 11, 2021, <https://quincyinst.org/research/toward-an-inclusive-balanced-regional-order-a-new-u-s-strategy-in-east-asia/>; Michael D. Swaine and Sarang Shidore, “A Restraint Recipe for America’s Asian Alliances and Security Partnerships,” Quincy Institute for Responsible Statecraft, Dec. 13, 2022, <https://quincyinst.org/research/a-restraint-recipe-for-americas-asian-alliances-and-security-partnerships/>.

⁹⁴ There is room for debate even on the fraught question of Taiwan. Taiwan is clearly an important U.S. interest, but it is debatable if its defense is a *vital* interest and, if so, under what conditions. See Jennifer Kavanagh and Quinn Marschik, “Trump Is Right About Taiwan,” *Compact*, Sept. 10, 2024, <https://www.compactmag.com/article/trump-is-right-about-taiwan/>; Swaine and Shidore, “A Restraint Recipe.”

⁹⁵ The United States describes its vital interests in the region as ensuring “a free and open Indo–Pacific, where governments can make their own sovereign choices, consistent with their obligations under international law; and where seas, skies, and other shared domains are lawfully governed.” See “Indo–Pacific Strategy of the United States,” The White House, Feb. 2022, <https://bidenwhitehouse.archives.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>.

dominate the South China Sea and subjugate the Philippines, they do not perceive Beijing as trying to conquer the country outright.⁹⁶ The defense of tiny features in the South China Sea or their maritime neighborhood from violations of international law is undoubtedly an important but not a *vital* national interest of the United States.

For the Philippines, its EEZ features in the Spratlys are clearly a vital interest due to core questions of Philippine sovereignty being at stake. On Taiwan, Manila has categorized China–Taiwan relations as a “major concern” in a short paragraph in its recent national security policy document. The document cites the safety of more than 150,000 Filipino workers resident in Taiwan, “economic stability,” and “potential influx of refugees” as specific interests.⁹⁷ But Manila’s involvement in a Taiwan escalation — or signaling that it is a part of a core U.S. strategy on a Taiwan conflict — actually works against these interests by endangering its citizens located there.⁹⁸ Marcos himself has said that “the Philippines will not allow our bases to be used for any offensive actions.”⁹⁹

Manila’s One China policy is stronger than Washington’s. In its 1975 joint statement with Beijing, Manila stated that it “fully understands and respects the position of the Chinese Government that there is but one China and that Taiwan is an integral part of Chinese territory.”¹⁰⁰ This position was further strengthened in a 2000 joint statement, in which Manila “reaffirms its one China policy and recognizes that Taiwan is an integral part of Chinese territory.”¹⁰¹ The U.S. position simply “acknowledges” China’s view of Taiwan.

⁹⁶ Private communications with Philippine foreign policy experts.

⁹⁷ “National Security Policy, 2023–2028,” National Security Council of the Philippines, Aug. 2023, https://nsc.gov.ph/images/NSS_NSP/National_Security_Policy_Manual_FINAL_E-COPY_with_WATERMARK_140823.pdf.

⁹⁸ In contrast, Vietnam and Indonesia have more citizens working in Taiwan than the Philippines does, but neither Hanoi nor Jakarta sees any gains in even conveying the perception of their involvement on the Taiwan question, individually or in coordination with the United States.

⁹⁹ Mara Cepeda, “Philippine Military Bases with U.S. Access Won’t Be Used for Offensive Actions, Says Marcos,” *Straits Times*, Nov. 22, 2024, <https://str.sg/i4YX>.

¹⁰⁰ “Joint Communiqué of the Government of the People’s Republic of China and the Government of the Republic of the Philippines (Peking, June 9, 1975),” Embassy of the People’s Republic of China in the Philippines, http://ph.china-embassy.gov.cn/eng/zfgx/zzgx/200011/t20001115_1336097.htm; “Address of Jimmy Carter to the Nation,” Dec. 15, 1978, doc. 104, *Foreign Relations of the United States, 1977–1980, Vol. I*, <https://history.state.gov/historicaldocuments/frus1977-80v01/d104>.

¹⁰¹ “Joint Statement Between China and the Philippines on the Framework of Bilateral Cooperation in the Twenty-First Century,” Ministry of Foreign Affairs of the People’s Republic of China, Nov. 15, 2000, https://www.mfa.gov.cn/eng/zy/gb/202405/t20240531_11367080.html.

Unlike in Washington, there is no significant support within the Philippines in favor of “freedom” for Taiwan or a de facto alliance with it.¹⁰² Manila and Taipei also have conflicting claims in the South China Sea and, so, are not aligned on the sovereignty question. Planning for a major role for Manila in a wider U.S. conflict with China (as some U.S. moves suggest) can actually act to hasten such a conflict.¹⁰³

Ensuring against blowback

A test for the soundness of any alliance is the durability of its strategy within each ally’s domestic politics. But preparing the U.S.–Philippines alliance for major action in a Taiwan contingency – which is plausibly a U.S. intent – rests on questionable ground within Philippine domestic politics, risking blowback of the sort seen in the Duterte era or even in 1991. Manila might be the junior partner in the alliance, but it does have agency. Former President Duterte and his daughter Sara (the current vice president), who are in a bitter feud with President Marcos, retain significant support in the Philippines and generally favor a more dovish approach toward China.¹⁰⁴ The president’s own sister Imee Marcos, who chairs the Philippine Senate Committee on Foreign Relations, has also expressed concerns about the alliance’s policies.¹⁰⁵

Powerful regional politicians have also been skeptical. The governor of Cagayan Province, where two of the four new EDCA sites are located, initially opposed the EDCA

¹⁰² Elbridge Colby, President Trump’s nominee for undersecretary of defense for policy, has famously made the argument of including Taiwan clearly and unambiguously within the U.S. security perimeter. See Elbridge A. Colby, *The Strategy of Denial: American Defense in an Age of Great Power Conflict* (New Haven: Yale University Press, 2021), <https://yalebooks.yale.edu/book/9780300268027/the-strategy-of-denial/>.

¹⁰³ Shidore, “Is the U.S. Going Too Far in Its Alliance with the Philippines?”

¹⁰⁴ Richard Javad Heydarian, “Marcos Jr’s Coalition Ripping Apart on U.S.–China Lines,” *Asia Times*, July 4, 2023, <https://asiatimes.com/2023/07/marcos-jrs-coalition-ripping-apart-on-us-china-lines/>; Aries A Arugay, “The Unravelling of the Marcos–Duterte Dynastic Alliance,” *Think China*, July 5, 2024, <https://www.thinkchina.sg/politics/unravelling-marcos-duterte-dynastic-alliance>; Lucio Blanco Pitlo III, “‘Gentleman’s Agreement’ in the South China Sea: Dispute Management Meets Domestic Politics,” *China–U.S. Focus*, June 12, 2024, <https://www.chinausfocus.com/peace-security/gentlemans-agreement-in-the-south-china-sea-dispute-management-meets-domestic-politics>.

¹⁰⁵ Geoffrey Maitem, “South China Sea: Philippines Taking ‘Dangerous Path’ with President Marcos Jr’s Anti–China Moves, Sister Imee Says,” *South China Morning Post*, April 3, 2024, <https://sc.mp/yh8nw>.

expansion plan.¹⁰⁶ There has historically been skepticism toward the U.S. alliance in the major southern province of Mindanao. In recent decades, Philippine politics has swung sharply between softer and harder lines on China. It could easily swing back again.

There is also the question of moral hazard in excessively emboldening an ally, as seems to be happening with the Philippines.¹⁰⁷ Manila is more dependent on Washington than the other way around, which increases U.S. bargaining power over the Philippines. Washington could use this leverage wisely to nudge its more vulnerable partner to be more cautious in some of its actions.

Achieving de-escalation and stability

Achieving de-escalation and stability in the South China Sea requires actions from all parties at multiple scales.¹⁰⁸ At a more granular level, Manila's actions to defend and strengthen its hold over Second Thomas Shoal and other features such as Thitu Island are aimed at maintaining a fragile status quo.¹⁰⁹ China should stop seeing them as threats. But missions of Philippine government vessels to within or very close to the territorial sea of the Chinese-controlled Scarborough Shoal (which have also included the presence of the Philippine military chief himself) challenge the current status quo.¹¹⁰ They also lack any clear end-state or discernable strategy and are best avoided.¹¹¹ The

¹⁰⁶ Frances Mangosing, "Cagayan Governor Seeks Stronger Ties with Beijing," *Inquirer*, May 29, 2023, <https://newsinfo.inquirer.net/1776034/>.

¹⁰⁷ Andreo Calanzo, "Philippines Eyes Civilian Sail, More South China Sea Patrols," *Bloomberg*, Nov. 28, 2023, <https://www.bloomberg.com/news/articles/2023-11-28/philippines-eyes-access-deal-with-japan-more-sea-patrols>.

¹⁰⁸ Though China clearly needs to match the U.S. and Philippines at each step of the de-escalation process, this brief is focused on what Washington, as the lead alliance partner, can do to kick-start a virtuous cycle.

¹⁰⁹ Jim Gomez, Aaron Favila, and Joeal Calupitan, "The Philippines Opens a New Monitoring Base on a Remote Island in the Disputed South China Sea," Associated Press, Dec. 1, 2023, <https://apnews.com/b19fe639fb1d2127a2d7a77adc59d6a9>.

¹¹⁰ "WPS Task Force: West Philippine Sea Resupply Missions Successful, Proof of PH Resolve and Determination to Defend Territory," Office of the President of the Philippines, Dec. 11, 2023, https://pco.gov.ph/news_releases/wps-task-force-west-philippine-sea-resupply-missions-successful-proof-of-ph-resolve-and-determination-to-defend-territory/; Josephine Ma, "South China Sea: Chinese Coastguard Takes 'Control Measures' Against Philippine Boats near Scarborough Shoal," *South China Morning Post*, Dec. 9, 2023, <https://sc.mp/r086>.

¹¹¹ Sarang Shidore, "Philippine Withdrawal Hardly Marks the End."

Scarborough Shoal forays also arguably violate Article 5 of the 2002 Declaration on the Conduct of Parties in the South China Sea, signed by the Association of Southeast Asian Nations, or ASEAN, and China, which requires all signatories to exercise “self-restraint” (though, of course, China is the bigger violator of this principle).¹¹²

For Washington’s part, it should avoid taking positions on sovereignty claims on the Scarborough Shoal or any other rock, which would exceed the 2016 tribunal award. Washington should also encourage the injection of robust crisis-management techniques in the South China Sea. Quincy Institute Senior Research Fellow Michael D. Swaine recommends the “establishment of permanent and semi-permanent working groups that would allow key U.S. and Chinese civilian and military officials to reach a common understanding and mutual confidence regarding U.S. and Chinese goals, intentions, and practices in a crisis.”¹¹³ Such practices can also be adopted in the ongoing Philippines–China bilateral dialogue. The fact that five resupply missions to Second Thomas Shoal have taken place without incident *after* the serious June 2024 clash should be welcomed and taken as an opening to build upon.¹¹⁴

Regional stability is also being threatened by the fusion of three separate tussles in the region: the South China Sea, the Taiwan flashpoint, and the wider China–U.S. global rivalry. Increasingly melding U.S. alliances (including bringing in extra-regional European allies) to present a joint war-fighting front – or bloc – escalates chances of conflict, as it raises the potential of short-circuiting a local armed clash into a regional war.¹¹⁵

Conversely, keeping these issue areas relatively insulated can lower temperatures and allow a tacit understanding (perhaps even a final resolution) to be achieved, in at least

¹¹² “Declaration on the Conduct of Parties in the South China Sea,” ASEAN, May 14, 2012, <https://asean.org/declaration-on-the-conduct-of-parties-in-the-south-china-sea-2/>.

¹¹³ Michael D. Swaine, “Avoiding the Abyss: An Urgent Need for Sino–U.S. Crisis Management,” Quincy Institute for Responsible Statecraft, Sept. 27, 2024, <https://quincyinst.org/research/avoiding-the-abyss-an-urgent-need-for-sino-u-s-crisis-management/>.

¹¹⁴ Christian Schultheiss, “Can China and the Philippines Save Their South China Sea Understanding?” *The Diplomat*, August 8, 2024, <https://thediplomat.com/2024/08/can-china-and-the-philippines-save-their-south-china-sea-understanding/>.

¹¹⁵ Shidore, “Philippine Withdrawal Hardly Marks the End.”

some cases.¹¹⁶ The South China Sea is among the more tractable of these cases. Where there are pathways to stabilization, Washington should pursue or encourage them and throw the gauntlet down to Beijing to match its (and Manila's) confidence-building actions. In all this, Washington should be guided by strategic wisdom, which acknowledges that not all actions that are legal are necessarily wise.¹¹⁷

Thus, rather than help enmesh the Philippines in a bloc of allies or nudge it toward a war-fighting strategy on Taiwan, Washington should focus on supporting Manila from the rear rather than frontally in the South China Sea. This includes enhanced support for the modernization of the Philippine Navy and Coast Guard and maintaining the tempo of key infrastructure projects already underway.¹¹⁸ The United States should also invest in economic growth and prosperity in the Philippines to create more of a power balance against China in Southeast Asia.¹¹⁹ And crucially, as noted previously, openings for de-escalation should also be backed.¹²⁰

The tussles in the South China Sea are also a result of imperfections in the global maritime order. According to Rachel Esplin Odell, a former research fellow at the Quincy Institute, "arguably the most significant challenge facing the global maritime order is not China's defiance of some existing standards: It is the absence of clear standards."¹²¹ In the longer run, it would be helpful for the international community to clarify existing maritime standards where there is ambiguity and to define new ones to tackle the impact of emerging phenomena such as climate change.

¹¹⁶ Shidore, "Philippine Withdrawal Hardly Marks the End."

¹¹⁷ Shidore, "China–Philippines South China Sea Face-Off Requires Restraint."

¹¹⁸ Geoffrey Maitem, "Philippines Strengthens South China Sea Strategy with US\$56 Million Thitu Island Upgrade," *South China Morning Post*, Oct. 27, 2024, <https://sc.mp/10jne>.

¹¹⁹ The Luzon Economic Corridor, announced recently, is a step in the right direction in this regard. See "The United States, the Philippines, and Japan Launch the Partnership for Global Infrastructure and Investment Luzon Economic Corridor," U.S. State Department, April 11, 2024, <https://2021-2025.state.gov/the-united-states-the-philippines-and-japan-launch-the-partnership-for-global-infrastructure-and-investment-luzon-economic-corridor/>.

¹²⁰ In addition to defense against terrorism and threats such as climate-fueled natural disasters.

¹²¹ Odell, "Promoting Peace and Stability."

Defending without provoking: A pathway for Washington

Keeping the above considerations in mind, the United States should adopt a firm but proportionate and de-escalatory approach in the South China Sea as follows:

Refrain from and reverse actions that pull the U.S.–Philippines alliance into the Taiwan theater, while using some of these as leverage to gain Chinese concessions.

No new EDCA military sites should be designated in the Philippines and ideally one or more of the newly announced sites located in northern Luzon should be disbanded. This can be suggested as a confidence-building measure and used as leverage to extract Chinese concessions on its coercive actions in the South China Sea. The United States should also unilaterally pull back on what appears to be a permanent deployment of its advanced missile system in northern Luzon.

Avoid taking a frontal military role in countering Chinese behavior.

The United States has suggested providing armed escorts to the Philippines' resupply missions to Second Thomas Shoal (which the Philippines has so far wisely refused). This ups the ante on a feature of less-than-vital interest to the United States and risks a direct U.S.–China naval clash that can easily spiral out of control. The recent Philippines–China agreement on such missions and the successful and incident-free execution of three such transports should be seized upon to institutionalize the arrangement. This can be a building block for further de-escalation and will also reduce pressures for a frontal U.S. military role.

Halt pulling in U.S. allies (particularly extra-regional ones) militarily into South China Sea disputes.

Pulling in major U.S. allies (specially extra-regional ones) with their own tussles with China needlessly heightens the Chinese perception of bloc-formation and armed encirclement and short-circuits relatively separate issue areas. It provokes more than deters. Manila will naturally seek bilateral partnerships in the region to bolster its

standing vis-à-vis Beijing. But the United States should not take part in these arrangements. Washington should also roll back joint patrols with allies in the South China Sea, and participate in such patrols with Manila only.

Continue, and even enhance, diplomatic support to Manila on its legitimate claims under international law and furnish aid, capabilities, and intelligence for modernizing the Philippine Coast Guard and Navy and shoring up Philippine infrastructure (while refraining from taking sides in sovereignty claims).

Washington should continue to furnish aid and intelligence to strengthen Manila's maritime domain awareness, the Philippine Coast Guard and Navy, and key infrastructure, as it is currently doing — or even enhance them, as relevant. Washington should continue its robust diplomatic support to Manila on Chinese transgressions. But the United States should reverse its apparent support for the Philippine sovereignty claim over the Scarborough Shoal, which goes well beyond the 2016 tribunal ruling.

Washington should use its considerable influence with Manila to discourage Philippine maritime behavior that is especially risky — a key one being sailing Philippine government vessels into or very close to the territorial waters of the Chinese-controlled Scarborough Shoal. It is also in the U.S. interest to ratify UNCLOS to strengthen Washington's rhetoric on international law, which otherwise rings hollow.¹²²

Publicly welcome and support the July 2024 Philippines–China understanding on Second Thomas Shoal that is holding, and encourage building on this fragile success. Lean in on preventive diplomacy and crisis management approaches to stabilize the maritime dispute, thereby greatly reducing chances of a conflict spiral.

¹²² Isaac B. Kardon, "Combating the Gray Zone: Examining Chinese Threats to the Maritime Domain," Testimony to the House Committee on Homeland Security, Subcommittee on Transportation and Maritime Security, June 4, 2024, <https://carnegieendowment.org/posts/2024/06/combating-the-gray-zone-examining-chinese-threats-to-the-maritime-domain>.

Where cooperative understandings and confidence-building measures are working, Washington should welcome and seek to bolster them. The recent Philippines–China understanding on resupplies to Second Thomas Shoal is holding. It should be built upon and strengthened with preventive diplomacy and institutionalized crisis-management techniques.

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