

China Threatens “US Primacy in Asia”? Hague Tribunal Ruling on South China Sea Falls Short

By [Tony Cartalucci](#)

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A recent “international tribunal” ruling regarding China’s claims in the South China Sea was more than just anticlimactic – it was indicative of the United States’ waning influence as well as the waning legitimacy of the many international institutions it has used, abused, and thus undermined for decades.

The New York Times in an article titled, “[Tribunal Rejects Beijing’s Claims in South China Sea](#),” would claim:

An international tribunal in The Hague delivered a sweeping rebuke on Tuesday of China’s behavior in the South China Sea, including its construction of artificial islands, and found that its expansive claim to sovereignty over the waters had no legal basis.



The landmark case, brought by the Philippines, was seen as an important crossroads in China’s rise as a global power and in its rivalry with the United States, and it could force Beijing to reconsider its assertive tactics in the region or risk being labeled an international outlaw. It was the first time the Chinese government had been summoned before the international justice system.

Despite the NYT’s claims that the case was “*brought by the Philippines*,” it was in fact headed by an American lawyer, Paul S. Reichler, of US-based law firm, Foley Hoag. Just like the court case itself, the apparent conflict in the South China Sea may be portrayed as being between China and its neighbors, but it is in reality a conflict cultivated by the US explicitly as a means of maintaining “*primacy in Asia*.”

PERMANENT COURT OF ARBITRATION

Peace Palace, Carnegieplein 2,
2517 KJ The Hague, The Netherlands

Telephone : +31 70 302 4165
Facsimile : +31 70 302 4167
E-mail : bureau@pca-cpa.org
Website : www.pca-cpa.org



COUR PERMANENTE D'ARBITRAGE

Palais de la Paix, Carnegieplein 2,
2517 KJ La Haye, Pays-Bas

Téléphone : +31 70 302 4165
Télécopie : +31 70 302 4167
Courriel : bureau@pca-cpa.org
Site Internet : www.pca-cpa.org

PRESS RELEASE

THE SOUTH CHINA SEA ARBITRATION
(THE REPUBLIC OF THE PHILIPPINES V. THE PEOPLE'S REPUBLIC OF CHINA)

The Hague, 12 July 2016

The Tribunal Renders Its Award

A unanimous [Award](#) has been issued today by the Tribunal constituted under [Annex VII](#) to the [United Nations Convention on the Law of the Sea](#) (the “**Convention**”) in the arbitration instituted by the Republic of the Philippines against the People’s Republic of China.

This arbitration concerned the role of historic rights and the source of maritime entitlements in the South China Sea, the status of certain maritime features and the maritime entitlements they are capable of generating, and the lawfulness of certain actions by China that were alleged by the Philippines to violate the Convention. In light of limitations on compulsory dispute settlement under the Convention, the Tribunal has emphasized that it does not rule on any question of sovereignty over land territory and does not delimit any boundary between the Parties.

Facing Threats to “US Primacy in Asia”

The corporate-financier funded and directed policy think tank, the Council on Foreign Relations (CFR) published a paper titled, “[Revising U.S. Grand Strategy Toward China](#),” penned by Robert Blackwill – a Bush-era administrator and lobbyist who has directly participated in Washington’s attempts to maintain hegemony over Asia.

Blackwill’s paper states clearly what interests the US has in Asia (emphasis added):

Because the American effort to ‘integrate’ China into the liberal international order has now generated new threats **to U.S. primacy in Asia**—and could result in a consequential challenge to American power globally—Washington needs a new grand strategy toward China that centers on balancing the rise of Chinese power rather than continuing to assist its ascendancy.

The CFR paper constitutes a US policymaker openly admitting that the US perceives itself as possessing and seeking to maintain “primacy in Asia,” primacy being defined by [Merriam-Webster as](#), “*the state of being most important or strongest.*”

The notion that the United States, from an entire ocean away from Asia, should proclaim itself “the most important or strongest” nation in Asia is in itself every bit in reality a threat to intentional peace and stability as the US claims Chinese primacy in Asia would be.

The South China Sea “Conflict” as a Pretext

More specifically, Blackwill would mention the South China Sea conflict as the primary pretext with which to further tighten American control over an Asia the paper admits is slipping away.

The paper then enumerates a list of self-serving measures the US should take predicated on the alleged conflict, which include:

- *Defense reform within the Armed Forces of the Philippines to develop a full range of defense capabilities that would enable the government to deter and prevent intrusions on or possible invasion of Philippine territory;*
- *Boost Indonesia's role in joint exercises and expand its scope, symbolically indicative of Jakarta's growing centrality to security in the Asia Pacific, and gear military aid, training, and joint exercises with Indonesia toward air-sea capabilities;*
- *Help Singapore upgrade its current air force capabilities from F-16s to F-35s;*
- *encourage Malaysia to fully participate in the Proliferation Security Initiative, which it agreed to join in April 2014, and promote more active Malaysian involvement in combined exercises, domain awareness architectures, and the like;*
- *Seek to expand the scope of activities during the annual U.S.-Vietnam naval exercises to include joint humanitarian assistance and disaster relief, and/or search and rescue exercises, and make more frequent stops at the port at Cam Ranh Bay in the short term;*
- *Establish strategic International Military Exchange Training (IMET) programs with Myanmar, with a focus on professionalizing the military, and continue to integrate the Myanmar military into, and*
- *Expand its participation in, joint international military exercises;*
- *Advocate substantial IMET expansion throughout Southeast Asia;*
- *Help build domestic democratic political capacity throughout the region.*

It is clear that this sweeping military expansion the US proposes not only lends to the United States unwarranted influence over the military forces, governments, and very sovereignty of each respective Southeast Asian state, but includes the transparently self-serving requirement of purchasing immense amount of US weapons to threaten China with. In fact, Blackwill openly suggests Singapore's F-16s be upgraded to the scandal-ridden, grossly overpriced F-35.

The paper, 70 pages in total, expounds in immense detail this, the latest chapter in Washington's decades-long effort to encircle and contain China.

It is clear then why the US took the Philippines by the hand to the Hague for its court case against China.

An International Tribunal Not Internationally Recognized

While the US media attempted to stampede public opinion with the supposed gravity of the tribunal's decision, it was met by silence worldwide.

China outright rejected the entire proceeding before the ruling was even read, while other nations in Southeast Asia have continued drawing closer still in economic, political, and military cooperation with China.

Thailand, the second largest economy in Southeast Asia's ASEAN bloc, has recently announced its intentions to buy up to 100 VT-4 main battle tanks from China and has continued exploring the possibility of purchasing several Chinese-made diesel electric submarines. Many of the trains now running in Thailand are Chinese-made as will be new rail lines built across the country. Thailand has also begun conducting joint-military exercises with China to rebalance its fading relationship with the United States.

Thailand, along with other Southeast Asian nations have insisted that they have no stake in the South China Sea dispute, and have refused categorically to take sides in it despite pressure from each nation's respective US ambassador. Beyond Asia, Europe too has refused to intervene, and failed to decisively recognize the tribunal's recent ruling.

Reuters in its article, "[Discord over South China Sea clouds Asia-Europe summit](#)," would report that:

A key summit between Asian and European leaders in Mongolia ended on Saturday without direct mention of the South China Sea dispute in its closing statement, with diplomats describing intense discord over the issue between Europe and Asia.

It would also add that:

On Friday, the European Union issued a statement noting China's legal defeat but avoided direct reference to Beijing, reflecting discord among EU governments over how strongly to respond to the court ruling.

One must wonder then, just how "international" a tribunal is, whose ruling is not recognized internationally.

International Tribunal Serves US, Not Philippine Interests

Even in the Philippines, whose name the case was brought to the tribunal in, reactions were muted, with the newly elected president, Rodrigo Duterte, calling for calm in the aftermath of the ruling. The Financial Times in its article, "[Duterte calls for calm as SE Asia grapples with sea ruling](#)," would state:

[President Duterte's] call for peaceful talks instead, echoed across Southeast Asia, highlights the region's difficult position following this week's international tribunal ruling at The Hague. Several countries in the 10-member Association of Southeast Asian Nations have territorial quarrels with Beijing, but none want to spark an unwinnable war or alienate a superpower to which they are tied by aid, trade or cultural affinities.

In other words, the ruling and the expected confrontation the US had hoped to spark, benefits Southeast Asia in no shape, form, or way and despite the considerable influence the United States still holds over the Philippines, it is apparent that the will for peace, prosperity, and progress is more considerable still.

Indeed, according to [Harvard University's Atlas of Economic Complexity](#), the Philippines' leading trade partner is China, with 26% of its exports and 19% of its imports accounted for

amid the two nations' economic ties. The United States on the other hand, accounts for only 12% of the Philippines exports, and 9% of all imports. It is upon Asia, by far, that the Philippines economy depends - an Asia enjoying peace and stability. And it is this peace and stability that is directly threatened by America's openly declared plan to militarize the region and confront China.

It is clear that America's closest allies in the region are disinterested in confronting China, and while the US emphasizes the need to confront Chinese "coercion," it is clear that the United States has resorted to coercion itself to punish nations unwilling to help it uphold its "primacy in Asia."

While the US is sure to resort to an array of punitive measures against the Philippines, as well as the rest of Southeast Asia for failing to enable its "primacy in Asia," one thing is certain. An "international tribunal" the entire world fails to recognize is no longer "international." The irrelevance of the US-backed tribunal is a harbinger of what's to come for the "international order" itself that the US poses as head of.

One only hopes that China has paid careful attention to the brutal, bloody, and shameful spread of American hegemony, and its now ignominious retreat - and decides to take another path on its way toward global power - one that bypasses aspirations for global hegemony, and one that instead arrives at leading by example. For Southeast Asia's part, ensuring their economies, societies, and armed forces remain strong and vigilant, can help guide China toward that destination peacefully and without temptation.

Tony Cartalucci, Bangkok-based geopolitical researcher and writer, especially for the online magazine "[New Eastern Outlook](#)".

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