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Malaysia-Philippines and the Sabah Issue: Maintaining Stability through Cooperation in the Post Covid-19 Era

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Introduction

The tussle over Sabah between Malaysia and the Philippines has largely remained a game of diplomatic draughts. Although the issue of sovereignty was never questioned during more than 80 years of British control, the Philippines has carried on with disputing Sabah as part of Malaysia for more than 6 decades. Malaysia always maintains its stand that the Philippines' claim over Sabah has no legal bearing and vowed to never concede to the demand. Moreover, the people of Sabah have manifested their aspirations and decisions to join the Federation of Malaysia in 1962 through the Cobbold Commission. Malaysia continues to pursue an independent, principled, and pragmatic foreign policy. As neighbouring countries and ASEAN members, a stable bilateral relation between Malaysia and the Philippines must be nurtured and maintained as it is key to an effective diplomacy. There are numerous pertinent collaborations that could be ventured and cemented further, not just for shielding the strategic interests, but more so for sustaining the survival of both nations from multi-dimensional security threats in a post Covid-19 world.

The virus-related outbreaks are not novel phenomena in International Relations. The world has witnessed the upsurge in Influenza in 1918, Swine flu (H1N1) in 2009, Severe Acute Respiratory Syndrome (SARS) in 2003, and Middle East Respiratory Syndrome (MERS) in 2012.¹ In contrast with the previous outbreaks, the recent Covid-19 pandemic has posed multifaceted security threats to the world at a mammoth scale in one go. It has endangered the entire human existence at an unprecedented soaring pace; triggered a severe worldwide unemployment in the history of capitalism; reversed the entire globalisation process with the espousal of lockdowns, travel bans, face masks, and 'physical distancing'; and plunged

the global economy into the worst crisis than the Great Depression of the 1930s. As of 1 December 2020, the coronavirus infection has surpassed 63 million people in 191 nations with the death toll has exceeded 1.4 million.² The cumulative infection cases in the ASEAN region have risen steeply over 1 million.³ More than 432,000 positive cases have been reported in the Philippines, over 67,000 in Malaysia and the numbers infected continue to grow rapidly.⁴ At present, Sabah has recorded about 43% of the total infected cases in Malaysia, making it the leading state that has the highest number of cases in the nation. Despite the imposition of certain Standard Operating Procedures to flatten the Covid-19 curve, the virus continues to spread. Due to the sporadic infection and unpredictable mutation, the D614G-type mutation detected among Covid-19 cases in Sabah has been claimed to be originated from the Philippines or Indonesia.⁵ Individuals alone or nations on their own are not competent to combat the multi-dimensional security challenges of the Covid-19 pandemic. Malaysia and the Philippines too are no exception. Harping and bickering on 'Sabah is not in Malaysia' would not mitigate the mega security impacts of the outbreak, which have exceeded the World War I, World War II, and War on Terror.

Repatriation Assistance

The initiative to put the differences on Sabah issue aside and the effort to discuss repatriation assistance demonstrated by both nations should be applauded. Several repatriation exercises to bring home the stranded Filipinos in Malaysia have taken place on 28 April (183 people), 11 June (180 people), 23 July (351 people), and 31 Aug (145 people).⁶ These include Overseas Filipino Workers (OFW), businessmen, tourists, and students who were affected by the unexpected cancellation of commercial flights following the implementation of

the Movement Control Order (MCO) in Malaysia and the curfew in the Philippines. Malaysia has also assisted repatriating 2,000 Filipinos grounded in Sabah and 3,000 more have yet to be repatriated.⁷ 81 Malaysians stranded in the Southern Philippines were brought back to Kota Kinabalu on 12 June and 76 more were repatriated through the sea route from Zamboanga to Sandakan on 28 July.⁸ The Ministry of Foreign Affairs, Malaysia and various agencies in both nations have been working closely to facilitate the repatriation arrangements and ensure safe passage for those affected.

Comprehensive Management on PATI

Apart from the stranded Filipinos and Malaysians, the Covid-19 pandemic too has accentuated a Herculean challenge of managing illegal immigrants or PATI in Sabah. As manifested by the 2013 Lahad Datu intrusion, the porous maritime border that stretches from the Sulu, Celebes, and to South China Seas can easily expose Sabah to foreign invaders. The vulnerability of sharing a long land border with Indonesia and vast maritime area with the Philippines have been exploited by PATI. 30% of the 39 million population or 1.2 million people in Sabah are PATI.⁹ A massive influx of PATI from the Philippines dominated the cities of Tawau, Sandakan, and Kota Kinabalu. They have been labelled as stateless, refugees, asylum seekers, and work migrants, among others. Their basic freedoms and human rights are challenged by these overlapping labels and fluid legal status.¹⁰ Considering the Covid-19 virus is invisible and border-blind, the curbing of the coronavirus demands the Philippines to look beyond its dispute over Sabah. The responsibilities to safeguard the lives and livelihoods of stateless women and children in Sabah for instance, should not be borne by Malaysia alone or any local and international NGOs. The Philippines must venture into future collaboration



with the relevant stakeholders including Malaysia, NGOs, private organisations, governmental agencies, and international bodies to attain a comprehensive management and a longer lasting solution on the challenges of PATI in Sabah. As proposed by the Community Empowerment Initiative Sabah (CEI), an effective cooperation requires the establishment of a consortium that oversees immigrants' classification, rights and responsibilities, detention and deportation, as well as enhanced border control.¹¹

Trilateral Maritime Patrol in the Sulu Sea

The Covid-19 pandemic does not halt terrorism and transborder crimes in the Sulu Sea, known to host important maritime trade routes estimated to accommodate more than 100,000 ships passing through its water every year, carrying 18 million people and 55 million metric tonnes of cargo.¹² Terrorist organisations have employed the Sulu Sea as their nest of operation. Piracy, sea robbery, kidnapping-for-ransom, and other transnational crimes during the past years have led the call for a concerted effort to prevent the area from becoming a 'New Somalia'. A regional defence initiative involving Malaysia, the Philippines, and Indonesia, dubbed as the Trilateral Maritime Patrol (TMP) was launched in 2017. The TMP has aided the establishment of Maritime Command Centres (MCC) in Tarakan (Indonesia), Tawau (Malaysia), and Bongao (the Philippines) with the aim to overcome violent extremism and terrorist movement across the porous borders of the three nations.¹³ The joint operation is largely maritime-based but later followed by the involvement of land and air military assets. The Philippines, Malaysia, and Indonesia have established a set of agreed procedures, i.e. sharing information and improving communication. The establishment of TMP is aligned with the spirit and centrality of ASEAN to maintain its regional water's stability. In addition, TMP must be nurtured further to prevent the ASEAN region from becoming the Covid-19 new epicentre.

International Monitoring Team in Mindanao

Despite the differences on Sabah, Malaysia and the Philippines have strengthened their bilateral ties through the formation of the International Monitoring Team (IMT) in Mindanao. IMT was established in 2004. It has played a major role in supporting the peace negotiations between the government of the Philippines and the Muslim Islamic Liberation Front (MILF). IMT, among others, monitors the rehabilitation, reconstruction, and development phases in the conflicted areas. The deployment of IMT in Mindanao is authorised under the provision of Chapter 8 of the United Nations Charter which allows a peace settlement to be managed under a regional arrangement and upon the invitation of the host government. As third-party facilitator to the Philippines-MILF peace negotiations, Malaysia has been involved in the peace-making and peacekeeping in the affected areas. Besides leadership, Malaysia has also steered the IMT to be an effective channel engagement with the civil society organisations (CSOs). The commitment of the Philippines and the unequivocal support of Malaysia with IMT are vital to sustain stability and peace in the region. Both nations should continue the positive momentum to support the development of Bangsamoro Autonomous Region in Muslim Mindanao (BARMM).¹⁴

Humanitarian Assistance and Disaster Relief Mission

The Global Climate Index 2020 reported that the Philippines, an archipelago of over 7,100 islands situated along the "Ring of Fire" and typhoon belt at the Pacific Ocean, ranked third in the most disaster-prone nations in 2018.¹⁵ With active volcanic mountains and extreme weather patterns, the Philippines is susceptible to deadly natural disasters. The Philippines has suffered from numerous volcano eruptions, typhoons, and earthquakes. The Taal Volcano eruption, the triple-hitt typhoons of Quinta, Rolly, and Vamco in 2020, and the still unfolding Covid-19 pandemic have put

the Philippines vulnerabilities into stark relief. It is imperative for the Philippines to embrace the past cooperation on humanitarian assistance and disaster relief mission offered by Malaysia. Thus, the Malaysia-Philippines cooperation must not be jeopardised due to the spat on Sabah issue. Back in 2013, within a span of three weeks, the Philippines was hit by two natural disasters which resulted in loss of lives and destruction of property. The Philippines embraced a 7.2 magnitude earthquake, known as the Bohol Earthquake in Visayas on 15 October 2013. It had damaged 30,000 homes and displaced more than 100,000 people.¹⁶ The town of Loon located in Central Visayas was one of the hardest hit areas in the province of Bohol. Malaysia was one of the early nations that lend a helping hand to the Philippines by providing monetary aids particularly for assisting the affected children. Barely three weeks after the earthquake, the Philippines was hit by the Super Typhoon Haiyan in the town of Guiuan, Eastern Samar. The typhoon had sent tsunami-like waves and strong winds across the Philippines archipelago. More than 10,000 people were killed and over 4 million people lost their homes.¹⁷ The Malaysian government donated USD1 million chiefly in food and medicines while the state of Sarawak provided USD27,148 worth of aid in 2014.¹⁸

Trade and Investment Boost in BIMP-EAGA

Malaysia and the Philippines have relished multitudinous platforms of economic cooperation and have affirmed their commitment to enhance trade, investment, and infrastructure cooperation. The continuous interest on trade and tourism industry was cemented with the establishment of the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA). Launched in March 1994, BIMP-EAGA has enabled the facilitation of free flow of people, goods, and services as well as the sharing of common infrastructure and natural resources. The strong dedication of financial, human, and technical support

from the member states have warranted the BIMP-EAGA initiative to achieve noteworthy successes in the last 20 years.¹⁹ In addition, Malaysia and the Philippines continue to have a strong trade growth through the Malaysia-Philippines Business Council (MPBC) and the Philippines-Malaysia Business Council (PMBC). In 2019, Malaysia's exports to the Philippines were recorded at USD4.39 billion and the Philippines' exports to Malaysia were at USD1.83 billion.²⁰ However, the Covid-19 pandemic has severely reduced productivity, forced business closures, caused trade disruption, and decimated the tourism industry. The economic impacts of the pandemic will not be lessened with the bickering over Sabah. Both nations could embark on the online platform cooperation – swiftly embraced as the new normal – to revive their economies and simultaneously cushion the impact of Covid-19 pandemic. The digital connectivity would strengthen the existing Malaysia's cooperation in the Southern Philippines and also reinforce Malaysia's active participation in the infrastructure development, natural gas and chemical production, Halal advisory role, as well as boost other trade and investments potentials in the entire Philippines.

Conclusion

Multiple pathways of cooperation have converged for Malaysia and the Philippines, yet the issue of Sabah has been a divergence for both nations. To Malaysia, Sabah is and will forever be a part of Malaysia. Sabah's territorial integrity and Malaysia's sovereignty will always be safeguarded. The Covid-19 pandemic has altered the concept of security that most scholars and practitioners have long accustomed to. The boundary of security is not bounded and limited by borders. It has evolved to incorporate traditional threats (i.e. physical military aggression), non-traditional threats (i.e. arise primarily out of non-military sources), and hybrid threats (i.e. traditional combined with non-traditional threats). The pandemic nudges the perimeter of security concept farther and simultaneously widens and

deepens the scope of Foreign Policy. Harping on the issue on Sabah will not curb, address, and mitigate the mega security impacts of Covid-19. The best way forward is to maintain and nurture the existing cooperation that are bounding the two nations together. Repatriation assistance, TMP in the Sulu Sea, IMT in Mindanao, Humanitarian assistance and disaster relief mission, and Trade and Investment in BIMP-EAGA should be the cornerstone of the Malaysia-Philippines relations. Venturing into new cooperation – comprehensive management on PATI and digital connectivity – will build bridges of friendship, strengthen mutual trusts, and enhance security and stability for a dynamic future in a post Covid-19 world.

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