

Maritime Capacity Building in the Asia-Pacific Region

Edited by Andrew Forbes



SEA POWER CENTRE - AUSTRALIA



**MARITIME CAPACITY
BUILDING IN THE
ASIA-PACIFIC REGION**

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Andrew Forbes

The Sea Power Centre - Australia was established to undertake activities to promote the study, discussion and awareness of maritime issues and strategy within the Royal Australian Navy, the Department of Defence and civil communities at large. Its mission is:

- to promote understanding of sea power and its application to the security of Australia's national interests
- to manage the development of RAN doctrine and facilitate its incorporation into ADF joint doctrine
- to contribute to regional engagement
- contribute to the development of maritime strategic concepts and strategic and operational level doctrine, and facilitate informed forces structure decisions
- to preserve, develop, and promote Australian naval history.

A listing of Centre publications may be found at the back of this volume.

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Foreword

Mississippi State University was honoured to serve as host for the Maritime Capacity Building Conference organised by the Center for International Security and Strategic Studies and held on our campus in June 2009. It was my great pleasure to welcome a very distinguished group of experts from several countries for two days of candid discussions on this topic of worldwide significance.

Mississippi State, along with our partners in government and the private sector, is keenly aware of the interdependence of United States and Asian economic and national security priorities, and we are pleased to know that this conference made valuable contributions to increased mutual understanding and support for initiatives in the common interest. The gathering provided useful information and sparked healthy dialogue, and the follow-up analysis and recommendations presented in this volume will be of great interest to an international audience within academic and government circles.

Maritime capacity and the safety of the shipping lanes in all parts of the world are matters of deep concern to all of us, and ensuring the security and functionality of these international assets demands a coordinated, multinational effort. The fact that so many highly knowledgeable representatives of countries surrounding the Asia-Pacific region were ready to convene at Mississippi State to discuss maritime capacity building and related issues, is in itself a cause for optimism. We applaud the efforts of the participants to focus attention at the highest levels on this important area of concern and to find common ground from which to approach these pressing needs from a long-term, global perspective.

Mississippi State is grateful to the presenters, participants, and sponsors of the Maritime Capacity Building Conference, which was planned and executed with the quality and thoroughness we have come to expect for events in which Dr János Radványi and our Center for International Security and Strategic Studies have a central role.

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Abbreviations

AAT	Australian Antarctic Territory
ADF	Australian Defence Force
AFP	Australian Federal Police
AIS	Automatic Identification Systems
ANZUS Treaty	<i>Security Treaty between Australia, New Zealand and the United States of America, 1951</i>
ARF	ASEAN Regional Forum
ASG	Abu Sayaff Group
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
ASW	Anti-submarine Warfare
BPC	Border Protection Command (Australia)
C4ISR	Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance
CARAT	Cooperation Afloat, Readiness and Training exercise
CCP	Chinese Communist Party
CGA	Coast Guard Administration (Taiwan)
CGS	Coast Guard Ship
CINCPAC	Commander-in-Chief Pacific Command
CNO	Chief of Naval Operations (US Navy)
COCOM	Combatant Commander (United States)
CSCAP	Council for Security Cooperation in the Asia Pacific
CSI	Container Security Initiative
CTF	Combined Task Force
DFAT	Department of Foreign Affairs and Trade (Australia)
EEZ	Exclusive Economic Zone

FAO	Food and Agriculture Organization (United Nations)
FPDA	Five Power Defence Arrangements
HMS	Her Majesty's Ship (Royal Navy)
HMNZS	Her Majesty's New Zealand Ship
HNS	Hazardous and Noxious Substances
IMET	International Military Education and Training
IMO	International Maritime Organization (United Nations)
IN	Indian Navy
INS	Indian Navy Ship
IONS	Indian Ocean Naval Symposium
ISC	Information Sharing Centre (ReCAAP)
ISPS	<i>International Ship and Port Facility Security Code</i>
IUU	Illegal, Unreported and Unregulated (fishing)
JCG	Japan Coast Guard
JMSDF	Japan Maritime Self-Defense Force
JMSU	Joint Marine Seismic Unit
KMT	Kuomintang of China (Chinese Nationalist Party)
LCS	Littoral Combat Ship
LNG	Liquefied Natural Gas
LOSC	<i>United Nations Convention on the Law of the Sea 1982</i>
m	metre
MCM	Mine Countermeasures
MEH	Marine Electronic Highway
MILF	Moro Islamic Liberation Front
MMEA	Malaysian Maritime Enforcement Agency
MoU	Memorandum of Understanding
MSSI	Malacca Strait Security Initiative
MV	Merchant Vessel

NATO	North Atlantic Treaty Organization
NCAGS	Naval Cooperation and Guidance of Shipping
NCS	Naval Control of Shipping
NIPO	Navy International Programs Office (US Navy)
nm	nautical mile
NMIC	National Maritime Intelligence Center (United States)
OTS	Office of Transport Security (Australia)
PACIOSWG	Pacific and Indian Ocean Shipping Working Group
PANS	Pre-Arrival Notification of Security
PLA	People's Liberation Army
PLAN	People's Liberation Army Navy
PM&C	Department of the Prime Minister and Cabinet (Australia)
ppm	parts per million
PSI	Proliferation Security Initiative
RAN	Royal Australian Navy
ReCAAP	<i>Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia</i>
RECOFI	Regional Commission for Fisheries
RMSI	Regional Maritime Security Initiative
RoK	Republic of Korea
SAR	Search and Rescue
SEARCCT	Southeast Asia Regional Center for Counter-Terrorism
SLOC	Sea Lines of Communication
SMMC	Strategic Maritime Management Committee
SOLAS Convention	<i>International Convention for the Safety of Life at Sea 1974</i>
SUA Convention	<i>Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988</i>
SWIOFC	Southwest Indian Ocean Fisheries Commission
TEUs	twenty-foot equivalent units

TSCP	Theater Security Cooperation Plan
TSS	Traffic Separation Scheme
TTEG	Tripartite Technical Experts Group
UAV	Unmanned Aerial Vehicles
UK	United Kingdom
UN	United Nations
US	United States
USNS	United States Navy Ship (US Military Sealift Command)
USS	United States Ship (US Navy)
VLCC	Very Large Crude Carrier
VTS	Vessel Traffic Systems
WMD	Weapons of Mass Destruction
WPNS	Western Pacific Naval Symposium
WWII	World War II

Introduction

János Radványi

As a follow up to our Asian Energy Security: Regional Cooperation in the Malacca Strait Conference held on 1-2 October 2007, the Center for International Security and Strategic Studies at Mississippi State University, organised and hosted the Maritime Capacity Building Conference on 16-17 June 2009, on our campus in Starkville, Mississippi.¹ The Center for US-Japan Studies and Cooperation at the Vanderbilt University Institute for Public Policy Studies and the Japan-based Okazaki Institute joined us in this project; and we also received valuable suggestions from the Sea Power Centre - Australia. The organisers were once again able to secure an extraordinarily talented and articulate group of experts for this conference. Expanding the scope of the previous conference, participants from Australia, Japan, the United States, and the Southeast Asian nations of Indonesia, Malaysia, the Philippines, and Singapore, were joined by representatives from India, Republic of Korea, and experts on China and Taiwan, to address and discuss the carefully developed conference agenda. We welcomed three embassy representatives from India, Indonesia and the Philippines, and were honoured to have a message from the then Japanese Prime Minister Taro Aso delivered by Professor Shotaro Yachi of Waseda University and an adviser to the Japanese Minister of Foreign Affairs.

While the focus of this conference (capacity building) and that of the previous conference (energy security) were different, there were important basic issues that were carried over. Among them were: the political vulnerabilities of many states along the Indian Ocean littoral; the lack of an overarching, maritime security mechanism to protect chokepoints and shipping lanes, some of which are now subject to attacks by pirates; concerns that the United States will reduce its military presence in Southeast Asia and the Indian Ocean; and concerns about how a rising China will use its strength in asserting itself in the major oceans - and their littoral territories which extend around the southern and eastern sides of Asia.

Continuity of the focus on maritime security issues was assured by the participation of experts who had attended our previous two maritime conferences. The conference also presented a good mix of analysts, policy makers (both retired and active), and former naval officers.

The papers presented at our neutral forum focused on global maritime capacity building issues in the Asia-Pacific and Indian Ocean regions, touching on the vital energy interests of virtually all the littoral states of the region. It was somewhat broader in scope than the previous conferences. The papers successfully addressed the issues

and stimulated lively discussion/debates. The high quality of the discussions spilled over into the breaks and private consultations.

Several speakers underlined that building capacity is necessary to protect the oil/gas resources from the Arabian Gulf and its littoral region. According to the latest geological survey, this area contains over half the world's oil and gas reserves. Our last conference, focusing on energy security, was a good base upon which to further consider this finding. Not surprisingly, the ASEAN countries' representatives were especially concerned that the tension between China and India for this vital source of energy will create tension not only between the two Asian superpowers, but will negatively influence the stability and security of Southeast Asia and the Asia-Pacific region.

Several speakers tackled the issue of how to secure vital energy resources for capacity building. As we learned, the countries were afraid of losing control of their ability to promote their national interests. Japan has been especially active in monitoring capabilities at the various sea lane chokepoints; and the navies of Australia and the United States were also active in this regard.

Several speakers had the view that institutionalised arrangements in the Indo-Pacific region must encompass three levels: national, sub-regional (bilateral and multilateral) and regional. In that way, confidence building would enhance maritime capacity. Since the sea lines of communications are the heavily travelled highways of the oceans, it is the responsibility of all stakeholders to maintain the free flow of trade. It is desirable that all stakeholders participate in cooperative security relationships and lend their resources to those who lack adequate resources and need assistance. All countries are encouraged to ratify all relevant international conventions and arrangements relating to the uses of the sea, including the *United Nations Convention on the Law of the Sea 1982*, and abide by relevant United Nations Security Council resolutions.

We have included a paper on a most timely topic of Somali piracy by Dr Gary Weir, Chief Historian of National Geospatial-Intelligence Agency; and Admiral Thomas Fargo, former Commander of the United States Pacific Command offered a Pacific perspective view on maritime capacity building.

During the 'findings and recommendations session', conference participants stated that maritime capacity building is increasingly important to all nations in a global economy. Therefore, each nation must contribute at least individually and very possibly regionally and globally as well. It was stated that these issues cannot be handled individually, but must be dealt with collectively. Moreover, maritime capacity comprises the institutional arrangements, legal frameworks and resources necessary for maritime security. Given the enormity of the total numbers of merchant vessels and the breadth of the world's oceans, the promotion of cooperation, communication and coordination to build confidence and avoid conflict are extremely important and require slow, but

steadily increasing, interaction based on trust. The participants expressed the view that the world's oceans are the critical infrastructure which can be vulnerable to a variety of traditional and non-traditional threats: including terrorism; piracy; people smuggling; illegal, unregulated and unreported fishing; illegal narcotics trade; and environmental degradation.

The seamless flow of events is testimony to the advance preparations and the constant monitoring and attention to detail. Those of us who have organised such conferences also know that suitable venues had to be arranged and hundreds of details had to be made behind the scenes. For that, special thanks goes to Ms Tan Chapman and her assistant, Ms Rebecca Kirkland and the other members of the project staff.

Last but not the least; we would like to express our gratitude to Mississippi State University's President, Dr Mark Keenum, for his support and advice. We are thankful to our sponsors: the Lynde and Harry Bradley Foundation; the Japan Foundation Center for Global Partnership; as well as to our corporate donors: Mr and Mrs Dudley Hughes of Hughes Oil, Jackson Mississippi; Mr and Mrs Thomas Colbert, Community Bank, Jackson, Mississippi; and Mr and Mrs Ray Harrigill, Hilton Garden Inn, Jackson and Starkville, Mississippi.

Notes

- ¹ Published as Andrew Forbes (ed), *Asian Energy Security: Regional Cooperation in the Malacca Strait*, Papers in Australian Maritime Affairs No. 23, Sea Power Centre - Australia, Canberra, 2008.

Capacity Building for Maritime Security Cooperation: What are We Talking About?

Sam Bateman

This paper discusses the notions of ‘maritime security’ and ‘capacity building’ in the context of capacity building for maritime security cooperation in the Asia-Pacific region. What constitutes capacity for providing maritime security at the national, sub-regional and regional levels? What capabilities does a country require to ensure its security against maritime threats, including the threat of maritime terrorism and the risk that its maritime transportation system may be used for terrorist purposes? How do all these capabilities fit together to provide security against both conventional and non-conventional threats? Can we put capabilities for conventional (or traditional) security threats into one box and then those for non-conventional (or non-traditional) threats in another? Are we also talking about maritime safety? What is the relationship between the different concepts of maritime security, such as conventional and comprehensive, traditional and non-traditional, national and domestic?

Current Situation

At present the Asia-Pacific region lacks effective arrangements and the necessary capacity to provide for the safety and security of shipping and seaborne trade and to maintain law and order at sea generally. Current weaknesses include: lack of political and social will; lack of maritime awareness; ineffective arrangements for maritime jurisdiction and enforcement; differing interpretations of the *United Nations Convention on the Law of the Sea 1982*; weak regional participation in relevant international legal instruments; and lack of capacity to implement appropriate measures to ensure maritime security. These weaknesses occur both at a national level and at a regional level.

At a national level, many regional countries lack the capacity to provide adequate security in waters under their national jurisdiction and to implement international standards for ship and port security, especially the *International Ship and Port Facility Security (ISPS) Code*. New international measures for ocean security are generally optimised for developed countries and challenge the capacity of developing countries that may have other priorities of poverty alleviation and development. The latter countries face a particular difficulty with implementing the legal regimes that have been developed at an international level. The old adage of international environmental management: ‘think globally, act regionally’ applies here. This reflects the thought that with maritime security as with many other areas of international regime building, the global thinking has largely been done and the challenge now is to apply these principles

at the regional and national levels. It is not hard to come up with good ideas on what needs to be done at a global level but it is much harder making these ideas work at a regional and national level.

At a regional level, the region lacks established procedures and frameworks for information exchange and for operational coordination to provide both maritime security and maritime safety. Bilateral sensitivities continue to inhibit cooperation between the maritime security forces of neighbouring countries and there is a lack of established arrangements for cooperation both between neighbouring countries and between the coastal states and the so-called 'user' states whose ships and trade pass through the waters under the jurisdiction of the coastal states. Capacity building at the regional level requires cooperation and coordination, and talk and dialogue between regional countries. Thus capacity building initiatives might also be seen as maritime confidence and security building measures.

Maritime Security

Events of 11 September 2001 and subsequent perceptions of a terrorist threat to shipping and seaborne trade have forced a reappraisal of what we mean by maritime security. It has a traditional meaning for navies and defence forces which have the role of protecting the nation and its national maritime interests against traditional threats.¹ These threats are usually of a military nature and formulated on the basis of strategic assessments and military appreciations of the regional security environment. They recognise a government's first responsibility to provide for the security and well being of its citizens, including the protection of national sovereignty, both territory and people.

As well as direct national maritime security interests such as protection of sovereignty, offshore resources and shipping, a country has shared interests with its neighbours. These include maintenance of a stable maritime environment that will prevent threats arising and prevent the proliferation of weapons of mass destruction (WMDs). Nations have to talk about and agree on issues such as the principles of the law of the sea, the prevention of marine pollution, the conservation of fish stocks, the safety and security of shipping, and the delimitation of maritime boundaries. In implementing policies on these issues, nations have to take into account the interests and rights of their neighbours, as well as those of other countries, who legitimately send ships into and through their waters. Failure to address these issues on a cooperative basis fundamentally inhibits the development of a stable maritime security environment in the region.

The concept of maritime security has expanded since 2001. It is still about protecting the security and well being of its citizens but instead of overt threats from military forces, the threats of concern are veiled and perhaps even 'unthinkable'. This new focus for maritime security is apparent in the work of the International Maritime Organization

(IMO) and other international organisations concerned with making international shipping and seaborne trade more secure against the threat of maritime terrorism. This is not what naval officers and militaries think about when they talk of 'maritime security'; this is not their business. Conferences and meetings are held these days on maritime security and there is hardly a naval officer in sight. Navies see their business as protecting the nation beyond its shores and are not necessarily involved with the security of port facilities or ships in port. These activities are regarded as civil policing responsibilities and the task of marine police or the coastguard.

Concepts of Maritime Security

What is the interface (if any) between the traditional concept of maritime security and the new concept evident in the ISPS Code, and the focus on securing shipping and seaborne trade from the threat of terrorism? Navies have always been involved with the protection of shipping and clearly would provide the top end of the response capability in the event of an actual terrorist threat or the threat of such an attack. The Baltic and International Maritime Council uses the term maritime security to cover the risks associated with drug smuggling, piracy, and armed robbery against ships, stowaways, migrant smuggling and the threat of terrorism.² These are all activities that involve the criminal abuse of the maritime transportation system and might involve delays and disruption to the movements of commercial shipping. They relate to the meaning of 'security' in commercial law that has to do with instruments that affect the performance of a contract.

In criticising the US government's management of homeland security, Stephen Flynn, a former US Coast Guard officer and homeland security activist has argued that 'part of the problem is that Washington continues to treat domestic and national security as distinguishable from one another'.³ Similarly, he noted that 'in the case of the US Navy, until recently, this desire to stay out of the homeland defense business even applied to safeguarding its own fleet within US ports'.⁴ Thus Flynn claims that the Pentagon has distinguished between 'homeland defence' and 'homeland security' and has assigned itself the role of dealing with threats that emanate only from outside the United States.⁵ This distinction between domestic security (homeland security) and national security (or homeland defence) is instructive in helping us to understand concepts of maritime security as they relate to capacity building.

National security is equated with protecting the nation beyond its shores - or what might be seen normally as national defence - while domestic security refers to what takes place on land - the hardening of critical infrastructure, personnel identity documentation for people working on ships and in ports, and arrangements for port security both on the land side (perimeter fencing, access controls) and on the waterside with channel security and waterborne security patrols of the port area. Technical cooperation might involve assisting some countries to build their capacity to provide domestic security.

Border protection is a major dimension of national security. This involves both protecting against the maritime transportation system being used to import terrorist materials, including possible WMDs, or other illicit materials, such as drug, arms and even human beings, as well as surveillance, patrols and response at sea to protect sovereignty, to prevent illegal entry of people or goods and to enforce national laws against crimes at sea.

A distinction might be made between surveillance, patrol and response. Surveillance is most effectively undertaken by aircraft but satellites and land-based radars systems might also be used, such as the Marine Electronic Highway in the Malacca Strait. Consideration also has to be given to surveillance and identification systems for developing maritime situational awareness and for long range identification and tracking of vessels, including the use of automatic identification systems (AIS). Patrols might be conducted by both ship and aircraft and are mainly for deterrence purposes by demonstrating a physical presence in an area of interest although they also ensure that the means are available in the area to identify a suspicious target that has been detected by other means. Response invariably requires a surface ship to board and if necessary detain a suspicious vessel.

The enforcement of national laws at sea is conducted within the framework of domestic law and international law obligations. These are often referred to as ‘constabulary operations’ and may be conducted by a coastguard, as well as by conventional naval forces. Crimes at sea might be defined as a criminal offence connected to the sea or to ships.⁶ They are frequently transnational by nature with more than one national jurisdiction involved. There are many offences that might fall within this definition and constitute a breakdown in law and order at sea. Relevant offences might comprise piracy, maritime terrorism, drug trafficking, human smuggling, illegal fishing, and offences against the marine environment (such as ship-sourced marine pollution). Maritime violence is another term used in the current international environment where it is often difficult to make precise distinctions between different types of crimes at sea (particularly piracy and maritime terrorism). Thus the Model National Law on Acts of Piracy or Maritime Violence developed in the IMO includes a very comprehensive definition of what constitutes maritime violence.⁷

Considerations of national and domestic security also invite consideration of supply chain security. The container transport chain is a massively complex system with numerous players including the shipper, transport operators, specialised terminals and handling facilities, and freight integrators. Terrorists targeting the container transport chain might use one of two approaches: they might intercept a legitimate consignment and tamper with it (the hijack scenario) or will develop a legitimate trading identity to ship an illegitimate and dangerous consignment (the Trojan horse scenario).

Most of the attention with ensuring the security of the supply chain has so far focused on the intermediate stages in the chain, the port terminals and the ships. Concern is

now shifting to the inland carriers and freight integrators operating in the first few and last few links of the chain. These represent more of a security risk than their larger counterparts further down the chain (such as the terminal operators and shipping managers). These are issues which are being addressed by APEC and other regional forums.

Safety and Security

There is a close relationship between maritime safety and maritime security. While a distinction between the two meanings is apparent in English, in some languages they may almost be synonymous.⁸ In the past it was normal in the shipping sector to make a distinction between safety and security. The *International Convention for the Safety of Life at Sea 1974* (SOLAS Convention), for example, related to safety at sea, while the *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988*, and its Protocol related to offshore installations, were concerned with security at sea.⁹ However, this has all changed following the events of 11 September 2001 and safety and security have now become ‘inextricably linked’.¹⁰ Chapter XI of the SOLAS Convention has been retitled ‘Special Measures to Enhance Maritime Safety and Security’ and Part II of this chapter is entitled ‘Special Measures to Enhance Maritime Security’.

Maritime security in this context has been defined as:

Measures employed by owners, operators and administrators of vessels, port facilities, offshore installations, and other marine organisations or establishments to protect against seizure, sabotage, piracy, pilferage, annoyance or surprise.¹¹

On the other hand, a definition of maritime safety might be:

Those measures employed by owners, operators, and administrators of vessels, port facilities, offshore installations, and other marine organizations or establishments to prevent or minimize the occurrence of mishaps or incidents at sea that may be caused by substandard ships, unqualified crew, or operator error.¹²

Safety and security are not mutually exclusive. Maritime safety is part of comprehensive security and includes: maritime safety services (including search and rescue (SAR), rescue coordination centres and maritime safety communications); marine environmental protection (especially the prevention of and response to ship-sourced marine pollution); marine navigational aids and services; ship and personnel safety services (such as marine surveys, port state control, marine accident investigations, marine qualifications and identity documentation); and hydrographic surveying.

Summary

The dimensions of comprehensive - that is, both traditional and non-traditional - maritime security comprises the following activities:

- The maintenance of law and order at sea in the region, including the suppression and prevention of:
 - piracy
 - maritime terrorism
 - drug trafficking
 - human smuggling
 - ship-sourced marine pollution.
- The security and safety of international shipping and seaborne trade passing through the region.
- The provision of maritime safety services such as:
 - SAR operations
 - mitigation of natural hazards
 - disaster relief
 - rescue coordination centres
 - weather reporting
 - marine navigational aids
 - services and maritime safety communications.
- Marine environmental protection, particularly the prevention of and response to ship-sourced marine pollution.
- Maritime surveillance and information sharing, including the development of regional situational awareness.
- Regional cooperation, particularly through training and education programs and the promotion of maritime awareness, to promote supply chain security and assist countries with their domestic security arrangements.

Capacity Building

Capacity at a national level includes the ability to provide adequate protection for maritime infrastructure (ports and port facilities), security in waters under national jurisdiction and border protection, as well as the ability to implement new international standards in ship security, cargo and port security, and seafarers' documentation and to discharge the country's responsibilities as a flag state.¹³ Capacity at the sub-regional and regional levels will include arrangements for cooperation and coordination of maritime security arrangements, information exchange, and cooperative training and education, as well as the development of protocols and systems to facilitate such arrangements.

Developing countries in particular face considerable difficulties in developing their capacity to provide maritime security. A formal description of the process of capacity building may be found in Chapter 37 of *Agenda 21*.¹⁴ Although this description relates to capacity for managing and protecting the marine environment and its resources, it might also be usefully extended to capacity building for maritime security:

Specifically, capacity-building encompasses the country's human, scientific, technological, organisational, institutional and resource capabilities. A fundamental goal of capacity-building is to enhance the ability to evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of environmental potentials and limits and of needs as perceived by the people of the country concerned.¹⁵

Capacity building in developing countries requires cooperation between these countries and relevant international organisations, regional associations and with developed countries, as well as among the developing countries themselves. The aim of this process is to enhance the capacities of developing countries in the areas of data and information, scientific and technological means and human resource development. Capacity is usually regarded as including at least three elements: human resources, institutions and enabling environment. It is much more than simply training. Chapter 37 of *Agenda 21* goes on to note that:

Technical cooperation, including that related to technology transfer and know-how, encompasses the whole range of activities to develop or strengthen individual and group capacities and capabilities.¹⁶

The remainder of this section provides an overview of the capacity required for maritime security at both a national and regional levels, along with considerations in determining how the particular capacity should be developed.

National

Institutional Arrangements

- Public sector departments and agencies responsible for developing and implementing policy for all dimensions of maritime security and maritime safety with the avoidance of duplication and clear specification of responsibilities.
- Maritime security forces and law enforcement agencies (possibly also with capabilities for marine SAR). Again this is an area where duplication should be avoided. It makes no sense to have ships and aircraft of different agencies patrolling in the one area but for different purposes. Maritime security forces should have a cross-sectoral role.
- Arrangements for the collection, analysis and dissemination of intelligence and for the determination of risk assessments related to maritime security threats.
- National (and state or provincial) maritime security committee or maritime security task force that brings together policy and operational agencies and intelligence services:
 - might also be required at a state or provincial level
 - might also have intelligence and technology sub-committees.
- Information centres (national focal points, regional coordinating centres, maritime rescue coordination centres, information sharing centres).
- Arrangements for cooperation between the public and private sectors related to maritime safety and security.

Legal Frameworks

- Legislation and regulations for maritime security that:
 - identify entities with the legal authority to carry out investigations and arrests
 - establish jurisdiction over offences to address penalties establishing procedures for national and multilateral cooperation
 - strengthen criminal and extradition proceedings
 - strengthen prosecution procedures.

- Memorandums of understanding (MoUs) or other agreements for mutual support and cooperation among maritime safety and security agencies.

Resources

- National capabilities (ships, aircraft and systems, perhaps including land-based radars, AIS and surveillance satellites) for maritime surveillance, patrol and response in waters under national jurisdiction, as well as in the approaches to those waters.
- Personnel with the appropriate education and training.
- New technologies to provide situational awareness in adjacent maritime areas and to improve security in ports.
- Financial resources, including where appropriate, assistance from international financial institutions.

Regional

Institutional Arrangements

- Identify, strengthen and enhance existing cooperation among national focal points of contact.
- Arrangements at a regional and/or sub-regional level for information collection and exchange.
- Border control arrangements between neighbouring countries covering common measures with respect to certain activities that might occur at sea within the vicinity of their maritime boundaries and cross those boundaries.
- Heads of Asian Coast Guard Agencies Meetings that build cooperative relations among agencies and share information on maritime security in the Asian region.¹⁷
- Western Pacific Naval Symposium that brings together the navies of the western Pacific
- The *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* Information Sharing Centre in Singapore is an important facility for the collection and analysis of data on piracy and armed robbery against ships.

- A monitoring and surveillance regime for building up a regional picture of the incidence of operational ship pollution, as well as the processing of evidence to obtain a successful prosecution.

Legal Frameworks

- Multilateral or bilateral legal arrangements that facilitate apprehension, investigation, hot pursuit, prosecution and extradition, exchange of witnesses, sharing of evidence, inquiry, seizure and forfeiture of the proceeds of maritime crime.
- Maritime boundary agreements - regional states should move expeditiously to resolve existing boundary disputes to ensure that maritime jurisdiction might properly be exercised in the applicable zones. If boundaries cannot be resolved, countries should be prepared to enter into some form of provisional arrangements for maritime security in the disputed area without prejudice to their positions in the boundary negotiations.
- MoUs or other agreements between neighbouring countries covering border controls and coordinated sea patrols. As a further development, neighbouring countries might agree to enforcement of each other's laws, rules and regulations in each other's jurisdiction. The *Treaty of Nieu*, for example, provides a reciprocal enforcement regime for Pacific island countries.
- Border control arrangements between neighbouring countries might include the countries agreeing to common measures with respect to certain activities that might occur at sea within the vicinity of their maritime boundaries and cross those boundaries.
- Harmonisation, as far as possible, of national maritime laws and regulations.
- Technical cooperation to promote understanding and compliance with international obligations.
- Consideration might be given to the conclusion of bilateral protocols between neighbouring countries that are parties to the *Convention relating to Intervention on the High Seas in Cases of Oil Pollution Damage* to extend the Convention to their exclusive economic zones (EEZs); this would facilitate mitigation of the effects of ship-sourced marine pollution.
- Regional protocols on flag state responsibilities might be possible, as well as efforts to encourage regional states to ratify the *United Nations*

Convention on Conditions for Registration of Ships. Reciprocal ship boarding aspects might be covered by a series of bilateral treaties or a multilateral treaty under the auspices of the major convention granting states reciprocal rights of investigation automatically without the need to seek permission from the flag state.

- Common agreement on the application of high seas enforcement principles in the EEZ in respect of offences other than those related to resources and the environment.

Resources

- Training programs - enhanced cooperation and coordination in law enforcement and intelligence sharing with piracy and armed robbery at sea activities and other transnational crimes.
- Potential cooperative activities with combating marine pollution include the development of common operating and reporting procedures, training for enforcement professionals, increasing awareness of legal process and obligations, development of enforcement guidelines and collaborative research to identify high risk areas.
- Procedures for information sharing and dissemination to provide maritime situational awareness at the regional level. Specific areas of cooperation might include:
 - an internet-accessible regional data-base of national legislation dealing with maritime security
 - a regional register of vessels that transgress national and international laws
 - a web page of information and data related to law and order at sea in the region; this might include, for example, details of cooperative arrangements and status of relevant conventions.
- Procedures for coordinated response at the tactical and operational levels.
- Financial resources obtained by loans from international financial institutions and contributions from contracting governments. The principle of 'burden sharing' should be adopted between user states and coastal states adjacent to areas of high shipping density where maritime security threats are deemed to be higher.

Navies Versus Coastguards

In establishing capacity at a national level, consideration needs to be given to the relative roles of navies and coastguards. The core role of a navy is to conduct military operations at sea in defence of national security. This warfighting role and the capabilities it requires fundamentally underpin the ability of a navy to conduct constabulary operations or other activities at sea in accordance with foreign and domestic policy.¹⁸ Nonetheless, many of the world's navies are:

Not blue water, power projection, sea control navies - rather regional navies that also enforce laws, protect resources, conduct SAR, prevent environmental damage, and maintain aids to navigation.¹⁹

But on the other hand, major navies might be reluctant to become involved in policing against non-traditional security threats. As Flynn has described it, 'the reality is that our old national security dogs are having a difficult time learning new tricks' and 'senior officers reflexively protest that they are warriors, not cops, and have steadfastly resisted anything that looks like domestic law enforcement'.²⁰

Some countries might now prefer to use their coastguards in implementing maritime security regimes. Coastguard vessels may be more suitable than warships for employment in sensitive areas where there are conflicting claims to maritime jurisdiction and/or political tensions between parties. Regional coastguards are expanding rapidly.²¹ Bangladesh, the Philippines and Vietnam have all established coastguards and China, Malaysia and Indonesia are following suit. The anti-piracy operations by the Japan Coast Guard (JCG) in Southeast Asian waters demonstrate the use of coastguards as instruments of foreign policy. Similarly, the JCG has been handling the operational side of Japan's involvement in the Proliferation Security Initiative rather than the Japan Maritime Self-Defense Force.

There are a number of reasons for establishing a separate coastguard. Legal considerations are major ones. A coastguard should be a para-military organisation. Its officers must have the ability to enforce national maritime laws with wide powers of arrest over both foreigners and national citizens but in many countries, there are constitutional and political reasons why military forces should not be involved in policing duties against national citizens.²² In the United States for example, the military is constrained by the principle of *posse comitatus*.²³

Coastguard units are also more suitable than warships for employment in sensitive areas where there are conflicting claims to maritime jurisdiction and/or political tensions between parties. In such situations, the arrest of a foreign vessel by a warship may be regarded as highly provocative whereas arrest by a coastguard vessel may be accepted as a legitimate law enforcement measure. It signals that the arresting party views the incident as relatively minor. A basic clash also exists between the military ethos of applying maximum available force to resolve a situation and that of

law enforcement, which is more circumspect and usually involves minimum force. Lastly, there is the issue of costs with coastguard vessels and aircraft generally being less expensive than naval vessels. Furthermore, in developing countries the civil nature of the coastguard's role may support access to funding from international aid agencies to acquire new vessels.²⁴

Legal Frameworks

Developing countries face particular problems with determining whether to ratify particular conventions. In the field of maritime security and safety, the articulation and enactment of sound and effective legislation is extremely important. There are numerous areas of deficiency with regard to the state of ratification of conventions dealing with the marine environment, maritime safety and pollution from ships. These conventions are not considered to be self-executing.

States face a significant task in reviewing their position with regard to the various IMO conventions to determine whether it is in their interest to become parties to them. Furthermore, a number of countries which, although having ratified these conventions, have not given domestic effect to them. There appears to be a need for greater attention to these conventions, enhanced legal education and better domestic legislation. The intellectual capacity to redress these problems has not necessarily been established yet in many developing countries and there is scope for cooperation to assist in building the required skills and expertise.

A particular legal framework issue arises from the fact that the ISPS Code applies only to so-called 'SOLAS ships' - commercial ships over 500 gross tonnage that are employed on international voyages. Unless extended by national legislation, it does not apply to fishing vessels, ships under 500 gross tonnage, or to merchant ships employed only in the domestic trade.²⁵ The number of vessels to which the ISPS Code does not apply is particularly large in East Asia where there are large fishing fleets, many smaller trading vessels, and big domestic commercial fleets, particularly in China, Japan, Indonesia and the Philippines. Countries need to consider the feasibility of extending the ISPS Code to non-SOLAS ships.

Conclusions

This paper has explored the relationship in general terms between these different concepts of maritime security and the implications for navies, coastguards, national maritime administrations and so on. Generally it would seem that the new security challenges require greater flexibility and pose some challenges for established divisions of responsibility. These might lead to counter-productive battles between agencies on issues of 'turf'.

We should embrace both comprehensive and non-traditional security. Our concept of maritime security should cover the threats of piracy, terrorism, trafficking in drugs, arms or humans and some types of environmental threat, particularly ship-sourced marine pollution. It should include cooperative aspects of maritime safety and of national security (such as joint and coordinated patrols and cooperative approaches to surveillance and situational awareness), as well as cooperative measures to prevent the maritime transportation system being used for illegal purposes.

Capacity building should occur at all levels (national, subregional, regional, and international). It should cover the development of organisational, operational, legal, and human resources capabilities. There is a fundamental need for technical cooperation on maritime security. Developed countries need to assist less developed ones with building their capacity to deal with maritime security threats. This is not at the 'sharp end' with the better equipped countries sending their own forces to patrol in high threat areas but rather through assistance with training and resources to build up local infrastructure, establish systems and procedures, and train personnel.

The countries in need of assistance must feel that they are still retaining control over waters under their sovereignty and that they have some influence over the process of maritime regime building through their collective bargaining weight. Multidisciplinary and multinational education and training in maritime affairs conducted at a regional level would make an important contribution to building regional maritime awareness and an appreciation of the benefits of a collective regime. Maritime awareness is generally lacking in the region at present but is fundamental to the implementation of an effective maritime security regime.

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Notes

- ¹ The national maritime interests of a country include shipping and seaborne trade, marine resources, protection of sovereignty (including sovereignty over offshore territory), law and order at sea and protection and preservation of the marine environment.
- ² Ove Tvedt, 'Drug Trafficking, Refugees, and Illegal Immigrants' in Proshanto K Mukherjee, Maximo Q Mejia Jr and Gotthard M Gauci (eds), *Maritime Violence and Other Security Issues at Sea: Proceedings of the Symposium on Maritime Violence and other Security Issues at Sea*, August 2002, World Maritime University, Malmo, Sweden, p. 167.
- ³ Stephen Flynn, *America the Vulnerable: How our Government is Failing to Protect us from Terrorism*, Harper Collins Publishers, New York (in cooperation with the Council on Foreign Relations), 2004, p. 50.
- ⁴ Flynn, *America the Vulnerable*, p. 39.
- ⁵ Flynn, *America the Vulnerable*, p. 214.
- ⁶ The *Council for Security Cooperation in the Asia Pacific Memorandum No 5: Cooperation for Law and Order at Sea*, <[www.cscap.org/uploads/docs/Memorandums/CSCAP Memorandum No 5 – Cooperation for Law and Order at Sea.pdf](http://www.cscap.org/uploads/docs/Memorandums/CSCAP_Memorandum_No_5_-_Cooperation_for_Law_and_Order_at_Sea.pdf)>.
- ⁷ Maximo Quibranza Mejia Jr, 'Defining Maritime Violence and Maritime Security', in Mukherjee, *Maritime Violence and other Security Issues at Sea*, p. 36
- ⁸ Mejia, 'Defining Maritime Violence and Maritime Security', p. 28.
- ⁹ The *International Convention for the Safety of Life at Sea 1974* is generally regarded as the most important of all international treaties dealing with the safety of merchant ships. The main objective of the convention is to specify minimum standards for the construction, equipment and operation of ships, compatible with their safety.
- ¹⁰ William O'Neill, 'Safety and Security Now Inextricably Linked', *IMO News*, no. 4, 2001, p. 4.
- ¹¹ Mejia, 'Defining Maritime Violence and Maritime Security', p. 28.
- ¹² Mejia, 'Defining Maritime Violence and Maritime Security', p. 28.
- ¹³ Much of the breakdown in law and order at sea can be traced to the fact that some flag states are not discharging their responsibility in accordance with Article 94 of the *United Nations Convention on the Law of the Sea 1982* for vessels flying their flags when they commit offences at sea. This is the case for virtually all categories of maritime crime, but particularly illegal fishing, drug and arms trafficking offences against the environment and human smuggling.
- ¹⁴ UN Conference on Environment and Development (UNCED), 'Chapter 37: National Mechanisms and International Cooperation for Capacity Building in Developing Countries', *Agenda 21*, Rio de Janeiro (3-14 June 1992).
- ¹⁵ UNCED, 'Chapter 37', paragraph 37.1.
- ¹⁶ UNCED, 'Chapter 37', paragraph 37.2
- ¹⁷ The 'Heads of Coast Guard Agencies' means heads or acting-heads of:
 - Authorities responsible for conducting law enforcement activities of anti-piracy and armed robbery against ships and other unlawful acts at sea, including maritime terrorism, when within their charter and/or providing assistance to persons and/or ships in distress at sea as a result of such attacks.

AMARSECTIVE 2004 adopted at the Heads of Asian Coast Guard Agencies' Meeting on 18 June 2004 in Tokyo. Heads of Agencies attended from Bangladesh; Brunei; Cambodia; China; Hong Kong, China; India; Indonesia; Japan; Laos; Malaysia; Myanmar; Philippines; Republic of Korea; Singapore; Sri Lanka; Thailand; and Vietnam.

- ¹⁸ According to the eminent British strategic thinker, Ken Booth, modern navies have three functions: diplomatic, constabulary and military. Ken Booth, *Navies and Foreign Policy*, Croom Helm, London, 1977, especially pp. 15-16.
- ¹⁹ James Loy and Bruce Stubbs, 'Exporting Coast Guard Expertise', *Proceedings*, US Naval Institute, May 1997, p. 56.
- ²⁰ Flynn, *America the Vulnerable*, p. 39
- ²¹ For a discussion of the development and expansion of coastguards in the region see Sam Bateman, 'Coast Guards: New Forces for Regional Order and Security', *Asia Pacific Issues: Analysis from the East-West Center No 65*, East-West Center, Honolulu, January 2003.
- ²² Hugh Smith, 'The Use of Armed Forces in Law Enforcement' in Doug MacKinnon and Dick Sherwood (eds), *Policing Australia's Offshore Zones: Problems and Prospects*, Papers on Maritime Policy no. 9, Centre for Maritime Policy, University of Wollongong, Wollongong 1997, pp. 74-97.
- ²³ The *Posse Comitatus Act* in the United States embodies the traditional American principle of separating civilian and military authority and prohibits the use of the military in civilian law enforcement.
- ²⁴ An example of this process is the acquisition by the Philippines Coast Guard of two large (56m length) 'search and rescue vessels' that are clearly patrol vessels in every respect other than name. Bill Beecham, 'San Juan and Don Emilio', *Asia Pacific Shipping*, vol. 1 no. 4, January 2001, p. 18.
- ²⁵ *The Maritime Transport and Offshore Facilities Security Act 2003* in Australia, for example, extends *International Ship and Port Facility Security Code* provisions to all ships employed on interstate voyages but not to ones employed on intrastate voyages.

The Japanese Contribution to Global Maritime Capacity Building and Coalition Operations to Secure the Malacca Strait

Hideaki Kaneda

The characteristic of today's sea line of communication (SLOC) security is its tendency to lean towards multilateral coordination based on deepening maritime mutual dependencies due to the internationalisation and liberalisation of maritime transportation, increasing vulnerability and the emerging need for security cooperation.

Many countries continue to deepen their mutual maritime dependencies. With the ratification and enforcement of the *United Nations Convention on the Law of the Sea 1982*, the area of public waters to which no country can claim jurisdiction has shrunk to 60 per cent, and almost all energy transportation routes navigate through the seas within which coastal nations have rights and interests. Although there has not been any change in the status of each nation as a main actor in the international community, the world has seen an increasing number of issues beyond national borders, while the rapid development of network technologies and other advancements have accelerated globalisation. These factors are further deepening mutual dependencies between nations including those suffering from tensions or conflict revolving around ethnicity, religion, and territorial disputes.

Since the 1970s, Japan's international shipping has been carried less by those ships under the Japanese flag and with Japanese crews, which should be the core of Japan's commercial shipping fleets. In 2006, the number of Japanese nationally flagged ships was 95 (about 4 per cent of Japan's commercial fleet), with only 2650 crew, which is far short of the minimum requirement of about 450 vessels and 5500 crew. The issue of ships sailing under flags of convenience is shared by all nations to varying degrees.

In its statement *Ensuring Maritime Transportation and International Shipping in Case of National Emergency* presented to the Diet on 15 March 1983, the Japanese government stated that in case of a national emergency, the self-defence right of foreign ships would belong to the flag state, but the possibility of an enemy nation indiscriminately attacking third party ships that carry cargo for Japan would not be ignored; so the Self-Defense Forces could defend such ships within the scope of individual self-defence rights as a part of actions to defend the nation. Considering the current situation of Japanese-flagged ships, those ships subjected to national defence are mainly third-party ships that dominate Japan's commercial shipping fleets rather than Japanese-flagged ships both in name and reality.

There is an increasing dependency on and vulnerability of maritime transportation, especially in the critical navigation points of the Strait of Hormuz, the Malacca Strait and Lombok Strait, through which most resources from the Middle East to East Asia are shipped. This dependency is highlighted by the strategic importance of energy shipments for the economic development of India and China.

The location of wars and terrorist attacks occurring after the end of the Cold War, clearly overlap with energy transportation routes from the Middle East to Japan. The Middle East is the largest energy resource producing region, but political stability remains elusive. There are many piracy attacks occurring in the coastal waters of the Arabian Peninsula that stretch from the Suez Canal to the Gulf of Aden through the Red Sea, causing shipping insurance rates to multiply tenfold. There are also many other issues such as illegal drug trading, illegal immigrants and presence of disrupted nations.

The security environment of oceans and seas, such as securing oceanic rights and interests and the protection of SLOCs, has been more complicated than before, since not only nations but also various other actors have gained access to the seas due to the development of maritime transportation networks and advanced resource development technologies. In the future, the oceans and seas will be increasingly seen as international 'public goods', leading to increased regulation for their safety and stable utilisation.

The US Navy jointly with the US Marine Corps and the US Coast Guard released *A Cooperative Strategy for 21st Century Seapower* in October 2007 outlining the future direction of the US Navy. First, it stated that United States' sea power would presume 'victory in wars' but would focus on 'the prevention of wars' to protect the homeland, citizens and its national interests that expand worldwide. At the same time, it defined the key area of armed forces deployment in the western Pacific, and Arabian Gulf and Indian Ocean region, indicating that US maritime strategy would extend from the Middle East to Southeast and East Asia. Needless to say, these regions contain energy transportation routes from the Middle East and Africa to East Asia, coinciding with Japan's region of interest.

Moreover, the US Navy plans to promote cooperative relationships with an increasing number of nations as international partners, including their allies and friendly nations, in order to ensure maritime security and to provide humanitarian aid and disaster response. To successfully execute this maritime strategy, US efforts alone will not be sufficient to carry on, not only the wars against terrorism that will inevitably be prolonged and broadened, but also peacetime operations, mainly humanitarian aid. *A Cooperative Strategy for 21st Century Seapower* defines the key for success residing with the integration of US sea power, the improved mutual operability with the naval forces of other nations, and multilateral coordination. It especially recognises that maritime security is the means to protect the international system from various issues

and threats, ranging from peacetime responses against piracy and the provision of humanitarian aid to more critical situations such as the wars against terrorism.

During the Cold War, Japan and other maritime nations considered SLOC security as 'Linear (maritime transportation routes) Defence', mostly in times of emergency. As nations deepen their mutual dependencies, and realise that the safe and stable maritime use of the oceans in peacetime is in everyone's interest, a change in the concept of maritime security may be necessary. As an example SLOC security should be thought of as 'Area (maritime transportation areas) Security' to ensure the free use of the seas and oceans (including maritime transportation routes) through multilateral maritime security.

SLOC Protection

This is an era in which SLOCs are regarded as international public goods whose safety should be jointly secured by the multilateral cooperation of the international community. Stable maritime transportation is the cornerstone of existence for each nation.

The key to maintaining maritime security is rapid response to maritime crises as they arise, such as providing escorts to shipping against piracy along SLOCs, through the cooperation of domestic maritime agencies and navies. Preserving peace and stability through international cooperation in the region will also promote maritime security.

The critical transportation routes from Northeast Asia to the Middle East can be divided into four areas: Northeast Asia, Southeast Asia, South Asia and the Middle East.

Without doubt, Japan has a vital interest in maritime security along SLOCs. For Japan, it should be a political imperative that the Japan Maritime Self-Defense Force (JMSDF) joins multilateral security efforts along the routes from Northeast Asia to the Middle East. The goal of these maritime security activities is to build friendship and confidence with regional counterparts, and these efforts must be integrated into Japanese policy.

The international community has long recognised the need for cooperation to address regional and transnational conflict. Given its constitutional restrictions, there are concrete ways in which the JMSDF can contribute to international peaceful cooperative and humanitarian initiatives, including suppressing piracy, rescue and relief in natural disasters, medical and logistic support, navigation aids, intelligence gathering and so on.

Japan's neighbours also have a vested interest in the seas surrounding Japan due to the competition for seabed resources and fishing rights in the East China Sea.

Northeast Asia is the convergence point for many SLOCs. While this area is relatively free from piracy and terrorism, other security concerns remain. Accordingly, the JMSDF must conduct combined operations regularly with the US Navy while maintaining a continuous presence throughout the region. At the same time, the JMSDF should

also pursue its defence exchanges with regional partners to foster a greater mutual understanding.

The geographic domain of the Southeast Asian region is south of the Bashi Channel, all of Southeast Asia and Oceania. There are many factors causing regional instability, including Islamist militarism, terrorism, and piracy/sea robbery. For Japan, China or the Republic of Korea (RoK) which are heavily dependent on trade, specifically energy resources from the Middle East, peace and stability in this region is vitally important.

Southeast Asian countries are striving to maintain security and stability through bilateral and multilateral cooperation. However, with a few exceptions, most Southeast Asian countries are reluctant to accept foreign assistance or pursue military engagement. However, progress is being made in some multilateral cooperative exercises such as the Proliferation Security Initiative with the United States, Japan and Australia, and through other maritime security cooperative frameworks.

Accordingly, in this region, the JMSDF must collaborate with the maritime forces of like minded nations to integrate efforts on contemporary maritime concerns such as piracy, as well as cooperating with domestic maritime agencies such as the Japan Coast Guard. Through these efforts, Japan can demonstrate its reliable capacity to help its neighbouring maritime forces maintain the safety of crucial regional SLOCs.

The geographic region of South Asia runs from the western tip of the Malacca Strait to the Middle East, with its western theatre at the heart of the war on terrorism. In some areas, radical Islamic fundamentalism is rampant, complicating existing issues such as border disputes. As regional economies grow, so does military expansion. Nuclear development and the threat of proliferation of ballistic missile technology has also led to regional instability and insecurity. At present, the Pakistan Navy is the only Islamic Service to participate in the war on terrorism and host multilateral exercises, while the Indian Navy hosts multilateral naval exercises and launched the Indian Ocean Naval Symposium to promote regional (maritime) stability. India's national influence has increased in recent years, and as such the country will take a leading role in regional security affairs.

The JMSDF's efforts in this region began with ship visits and then participation in multilateral exercises. The recent involvement in international cooperative efforts against piracy in the western Indian Ocean by JMSDF units, consisting of surface combatants and maritime patrol aircraft, is an indication of increased efforts devoted to this region.

The war on terrorism has transformed into a sustained conflict in the Middle East. We can not rule out the possibility of a blockade of the Strait of Hormuz by Iran. Activities by Islamist fundamentalist groups committing maritime terrorism through attacks by small vessels, as well as regional hostility towards the United States over the Palestinian issue increases regional instability. Piracy off the Somali coast has

expanded from the eastern shore of the Arabian Peninsula through the Bab el-Mandab Strait to the Suez Canal.

NATO navies are conducting Operation ACTIVE ENDEAVOR in the Mediterranean Sea, and Operation ENDURING FREEDOM around the Arabian Gulf. Cooperation with NATO and regional ENDURING FREEDOM coalition partners will be essential to JMSDF regional maritime security efforts. Hence the JMSDF should steadily expand its effort by developing relationships with NATO and regional ENDURING FREEDOM coalition partners.

Pursuing Maritime Confidence Building

Any regional maritime nation needs to ensure the freedom of navigation and maritime security to allow unhindered maritime transportation; while avoiding and preventing armed conflict over competing maritime interests, and promoting the sustainable development of the oceans.

The oceans require comprehensive measures to solve any problems, hence cooperation among regional maritime countries is increasing in importance, especially in areas of military/security, resource/environmental protection, and the promotion of science and technology.

For many years, Japan has been an active participant in regional maritime security cooperation; its activities have been highly valued and welcomed by many regional nations. This has been especially the case for international cooperation activities among navies and coastguards that have made significant contributions to promoting the confidence, transparency and mutual understanding among nations, through their efforts to stabilise the regional maritime security environment. Examples include the Western Pacific Naval Symposium, hosted by Australia; and Japan has taken the initiative to hold the North Pacific Maritime Security Summit and the Head of Asian Coast Guards Agency Meeting.

Japan intends to continue expanding such international activities and build a multi-layered cooperative programs with regional countries.

Japan actively supports the US Navy global maritime partnership initiative, which aims to provide disaster relief, and prevent maritime terrorism, piracy, and the proliferation of the weapons of mass destruction, by working cooperatively with regional maritime forces. Furthermore, Japan supports the idea that activities should be promoted in the western Pacific region including Southeast Asia and Oceania, in addition to the waters surrounding Japan.

Japan continues its efforts, in cooperation with the United States, to develop maritime domain awareness as international public good. Moreover, it intends to cooperate

to prevent nations and non-state actors from mis-using this information as a way to hinder freedom of navigation.

Japan believes that the support activities necessary to ensure navigational safety in the Malacca and Singapore straits and neighbouring areas should be extended into the Indian Ocean, with the cooperation of India. Japan further plans to promote cooperation with the countries along the east coast of Africa, to the extent permissible for Japan to exercise in this area. As an example, Japan has been participating in international efforts to suppress piracy off the coast of Somalia and in the Gulf of Aden. This provides excellent opportunities for Japan to share cooperative activities, directly and indirectly, with many other countries participating in such efforts, including the United States, the European Union, India, Russia, Malaysia, Singapore, China, the RoK and so on. Japan considers these efforts may provide an ideal opportunity to develop a multilateral system to ensure the safety and security of SLOCs as an international public good.

Japan appreciates the role of the International Maritime Organization in addressing maritime security issues. In regard to piracy, Japan welcomes the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP)*, which is a regional cooperation framework for information exchange and data analysis activities, as well as capacity building support. ReCAAP could also be a valuable model for international cooperation in solving the piracy problem off the coasts of east and west Africa.

Japan considers it should further promote diplomatic efforts in offering cooperation to developing countries, especially in the fields of: coastal development, navigational safety and security in international waters and straits; support for environmental protection activities; training and education of coastguards; and information exchanges. Furthermore, Japan is currently assessing the possible mitigation of its three principles for the embargo of arms exports, to maintain maritime security by providing some useful assets such as flying boats or patrol boats to further enhance the effectiveness of navigational aids and general support to developing countries.

In addition, Japan intends to continue supporting and contributing to the maintenance and enhancement of several 'cooperative mechanisms' for securing navigation and conserving the environment around the Malacca and Singapore straits. Japan also hopes to continue promoting measures for enhancing cooperation among not only governments, but also shipping companies and maritime industries.

To prepare for any possible conflicts with neighbouring countries over the scramble for natural resources and energy, or in territorial disputes including the delimitation of maritime boundaries, Japan will develop a full crisis response system; while adopting various maritime security and confidence building measures to mitigate any tensions or conflicts.

Japan and the United States will jointly maintain and deploy robust maritime defence power in preparation for an unstable security environment, if the regional power balance collapses, especially if a nation seeks hegemony over the oceans. Both Japan and the United States will create an information-sharing exchange system in cooperation with other nations.

For the security of broader ranged SLOCs, international collaboration among maritime nations sharing common values and concerns will be essential. In order to develop and ensure international maritime security collaboration, Japan proposes to build a maritime security coalition that loosely binds these nations. Those nations participating in this maritime security coalition are required to comply with international norms or rules, at least, and to share a willingness to contribute to and cooperate with the international community.

It may be necessary to assume that armed conflicts will arise due to the effects of climate change, leading to a deterioration of the maritime security environment. Japan shall, in cooperation with other countries and international organisations, prepare for and take an initiative in responding to the events that may arise: refugees due to rising sea levels; conflicts due to fishery resource depletion; large scale disasters; the spread of diseases; and the large scale regression of coast lines.

Australian Global Maritime Capacity Building

Sam Bateman

Oceans affairs are rightly a central part of our broader political and strategic relations in the regions in which our neighbours have extensive maritime interests, including exclusive economic zones. They also have an urgent need to build their capacity to manage these areas.

Australia's Oceans Policy, 1998¹

Australia has a huge stake in global maritime capacity building. This is by virtue of its stewardship of a very large maritime domain; its great dependence on shipping and seaborne trade; and high national awareness of the importance of a clean marine environment. Australia's interest in global maritime capacity building is evident in the high profile Australia takes in international forums, such as the International Maritime Organization (IMO) and annual meetings of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and regional forums such as maritime related meetings and working groups of APEC, the Pacific Islands Forum, the range of regional fisheries management organisations, and the Western Pacific Naval Symposium.² Australia also gives extensive assistance to regional countries in the South Pacific and Southeast Asia to assist in building their capacity for maritime security and managing their maritime affairs.

Australia's Maritime Interests

Australia undertakes international maritime capacity building to support its strategic, political, economic and environmental maritime interests.³ They flow primarily from Australia's very large area of maritime jurisdiction: an exclusive economic zone (EEZ) of 8.15 million km² around the continental land mass and island territories. This is the third largest EEZ in the world, but it increases to 10.19 million km² if the EEZ around the Australian Antarctic Territory (AAT) is included. The legal continental shelf off the continent and territories has an area of 10.71 million km² (or 12.75 million km² if the one around the AAT is included). In April, 2008, the Commission on the Limits of the Continental Shelf adopted recommendations that confirmed the location of the outer limit of Australia's continental shelf in nine distinct marine regions, but, at the time, did not consider the submission relating to the continental shelf off the AAT.

Australia also has accepted responsibilities in areas of high seas well beyond its maritime zones of jurisdiction. It has a very large Search and Rescue (SAR) region, equivalent to about one-ninth of the earth's surface that extends well into the Indian Ocean and south to the Antarctic continent. It is also the area where Australia by

international agreement is the Security Forces Authority with responsibility for initiating action in response to an international security incident.

Strategic maritime interests are those that are:

- instrumental in providing a degree of security for Australia and its national interests, including its offshore island territories, some of which are located well away from the mainland of Australia in the Indian, Pacific and Southern oceans
- freedoms and rights of navigation and overflight, particularly through the archipelagos to its north and northeast
- the security of the sea-air gap between Australia and its island and archipelagic neighbours, which provides a barrier to unwanted incursions of illegal fishers, disease, illegal immigrants, drugs, animal or vegetable pests, and so on.

The safety and security of shipping and seaborne trade is both a strategic and economic maritime interest.

Political interests are both national and international. They include national arrangements for managing our maritime interests, as well as effective regional and international regimes for oceans governance and cooperation in managing the oceans around Australia and their resources. Australia has a clear interest in ensuring that good order prevails in its adjacent oceans and seas. There is a premium on regional cooperation and the various international regimes established to provide good order at sea. To some extent, the establishment of this good order at sea is the focus of Australia's global maritime capacity building efforts.

Economic interests are ones that bring economic benefit to Australia either now or potentially in the future. They include existing marine industry, particularly fishing and offshore oil and gas, as well as new or emerging industries, such as energy from wave or tidal power, carbon capture and storage, and exploitation of marine biological resources.

Environmental interests reflect stewardship of a large maritime domain and Australia's responsibilities for preserving and protecting the marine environment and conserving its living resources. Of fundamental importance is the need for marine scientific research to further understanding of the marine environment so as to be better prepared to meet the new environmental risks and threats that are emerging in the oceans, such as climate change, loss of marine biodiversity, sea level rise, species extinction, loss of marine habitats and ocean acidification. Ocean acidification is a huge and vastly under-appreciated problem that unless addressed, could lead to wholesale extinction of coral reefs and marine species.

The gathering of marine scientific data in the oceans and seas that surround Australia is fundamentally a cooperative activity for which greater capacity building efforts are required. These efforts are becoming of greater importance as there is greater appreciation that these non-traditional threats in the oceans should receive much more attention even relative to more conventional threats, including terrorism and the proliferation of weapons of mass destruction (WMD). Yet the global maritime partnership put forward by the US Navy, for example, focuses almost entirely on the more conventional threats and pays little attention to non-traditional or non-military maritime security threats.

But we could have our maritime security priorities wrong. *The Ocean: Our Future*, the major report on the oceans completed in 1998 by the Independent World Commission on the Oceans, recommended:

The role of navies and, where appropriate, other maritime security forces be reoriented, in conformity with present international law, to enable them to enforce legislation concerning non-military threats that affect security in the oceans, including their ecological aspects. Navies could also play a growing role in sharing the information and capabilities required to safeguard environmental security.⁴

However, in the ten years since that recommendation was made, many countries have continued moving in the wrong direction. Global military expenditure in 2008 reached a new international high of US\$1404 billion, an increase in real terms of about 4 per cent over 2007, and now represents about 2.4 per cent of global domestic product.⁵ A small proportion of current naval budgets around the world would, if allocated to marine scientific research, fighting illegal, unreported and unregulated (IUU) fishing, and the reduction of oceanic pollution go a long way towards enhancing global capacity to mitigate the serious environmental threats in the oceans.

2009 Defence White Paper

The Australian government released a new Defence White Paper in early May 2009 entitled *Defending Australia in the Asia Pacific Century: Force 2030*.⁶ It outlines plans for a major build-up in Australia's naval capabilities, but says little about capacity building as such. Of the three Australian military services, the Royal Australian Navy (RAN) has emerged the 'winner' with plans to double the size of the submarine force, and to acquire a new large strategic sea-lift ship, new frigates, long-range land-attack cruise missiles, and a new class of offshore patrol combatants, in addition to existing commitments to acquire three air warfare destroyers and two large air-capable amphibious ships.

As its title states, *Defending Australia in the Asia Pacific Century: Force 2030* looks out to the year 2030. It sees the world then as possibly being a more uncertain place. Nevertheless, it is not quite as hawkish on the issue of China's military expansion as

was anticipated.⁷ Rather than focusing on China, the policy paints a broader picture of regional uncertainty with a relative decline of US regional influence and the possibility of confrontation in the longer term between the emerging great powers of the region: China, India and Russia. It believes that it would be premature to judge that war among states, including the major powers, has been eliminated as a feature of the international system.⁸

Defending Australia in the Asia Pacific Century: Force 2030 anticipates that the Indian Ocean will have greater strategic significance in the period to 2030, including as a possible area for conflict between major regional powers.⁹ In noting that shows of force by rising powers could become more common as their military capabilities expand, the policy could have India in its sights almost as much as China.¹⁰ Indian Ocean littoral and island countries have received relatively little attention in Australia's international capacity building efforts as compared with South Pacific and Southeast Asian countries.

In a partial return to the earlier 'Defence of Australia' doctrine, *Defending Australia in the Asia Pacific Century: Force 2030* notes that the direct defence of Australia is the nation's most basic strategic interest.¹¹ Other important strategic interests are identified as:

- the security, stability and cohesion of our immediate neighbourhood
- an enduring strategic interest in the stability of the wider Asia-Pacific region, which stretches from North Asia to the Eastern Indian Ocean
- an international order that restrains aggression by states against each other, and can effectively manage other risks and threats, such as the proliferation of WMDs, terrorism, state fragility and failure, intra-state conflict, and the security impacts of climate change and resource scarcity.¹²

It is clear that all these strategic interests have a significant maritime dimension.

As an island nation, direct threats to Australia and its national interests must come from across the sea. However, rather than emphasising positive dimensions of Australia's regional links through the maritime domain, *Defending Australia in the Asia Pacific Century: Force 2030* sees the oceans and seas surrounding Australia mainly as a barrier to unwanted incursions from the region. Thus Australia is still seeking security against rather than with the region. Rather than taking a broader strategic perspective of the oceans, *Defending Australia in the Asia Pacific Century: Force 2030* has a narrow view of their significance to Australia's future prosperity and security. It sees capabilities to control the sea-air gap to the north of Australia as having the highest priority in capability planning.

Global Contributions

Australia takes a leading role within the IMO and in other international and regional forums to provide safer shipping, protect the marine environment and conserve its living resources. This is a reflection of Australia's heavy reliance on international shipping, public concern for a healthy marine environment, and its stewardship of a large maritime domain that includes significant marine ecosystems, particularly the Great Barrier Reef, that attract great community interest.

As *Defending Australia in the Asia Pacific Century: Force 2030* demonstrates, Australia wishes to be seen as a good international citizen that will contribute to a range of measures to preserve international order. Thus Australia has recently indicated that it will send a frigate and a maritime surveillance aircraft to the Horn of Africa as part of the international fight against piracy in that area.¹³

The main focus of Australia's capacity building efforts at the global level have been on marine environmental protection and the prevention of IUU fishing. For example, Australia took a leading role in both the development of *The International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing* and *The Regional Plan of Action to Promote Responsible Fishing Practices, including Combating IUU Fishing in the Region*.¹⁴ Fisheries in the oceans and seas around Australia are served by a plethora of regional bodies and agreements, many of which do not work well. Few deal effectively with IUU fishing and shared stock management.¹⁵

Australia could make a greater contribution to assist regional countries in their oceans management efforts. Currently, Australia makes no reference to maritime activities in the priorities for international aid. Other countries, including Canada and the United States, recognise the special strategic benefits of such aid. For example, Australia's current aid program makes special reference to Africa as a significant new area of engagement, and actions to assist East African and Indian Ocean island countries, in particular, with managing their extensive maritime interests could offer key opportunities.¹⁶ Australia already does this in the Pacific Ocean but has so far paid little attention to the Indian Ocean.

Regional Contributions

Australia's capacity building efforts must be seen in the context of its maritime interests, particularly the political and strategic ones. Australia has a clear strategic interest in helping to build good order and stability in the oceans and sea around Australia. Australia can do this by assisting regional countries to build their capacity to manage and protect their maritime interests. The forums in which this can be done include the ASEAN Regional Forum and APEC for the seas to Australia's north and the Pacific Ocean, as well as the Pacific Islands Forum. At this stage, there is no effective forum for the Indian Ocean.

The RAN plays a key role in capacity building for regional maritime security. This includes participation in a large number of international exercises and operations, the provision of training for personnel from regional navies, and support for the Pacific Patrol Boat Program (PPBP).¹⁷ The PPBP supplied 22 patrol boats to 12 Pacific island countries to provide them with a capability to patrol their very large maritime zones and enforce their maritime laws, as well as ongoing logistic support and training for patrol boat personnel. It is ‘the largest and most complex defence cooperation programme project ever funded by Australia and is the centrepiece of Australian defence cooperation in the South Pacific’.¹⁸

Australia has been extremely active in recent years extending cooperation with Indonesia and the Philippines, specifically on maritime security and counter-terrorism. The focus on Indonesia reflects geographical proximity and includes arrangements for border security and to counter illegal fishing. This focus reflects the economic significance of the liquefied natural gas (LNG) trade between northwest Australia and China that passes through the Sulu and Celebes seas - areas prone to piracy and where terrorist groups are active. Measures funded by Australia to enhance maritime security in the southern Philippines include improvements to sea surveillance systems, border controls and port security. Australia has also donated new patrol vessels to the Philippine Coast Guard. The Philippines-Australia Port Security Capacity Building Project involves working with the Philippines Office for Transportation Security to assist the Philippines to achieve *International Ship and Port Facility Security (ISPS) Code* compliance for its international ports, and to implement a similar security regime for domestic ports and ships, with an emphasis on domestic passenger ferries and ports located on the southern island of Mindanao.

Cooperation with neighbouring countries is an important part of countering illegal activity at sea. Australia holds regular dialogues with Indonesia to strengthen defence cooperation, especially in areas of maritime security and counter-terrorism, and organises coordinated fisheries patrols in the Arafura Sea to prevent illegal fishing.¹⁹ Similarly joint Customs patrols take place with Papua New Guinea in the Torres Strait region.²⁰

The Border Protection Command (BPC) liaises on operational matters with relevant government agencies in neighbouring countries, as well as with agencies in other regional countries with which we share common maritime security interests. Prevention is an important aspect of preventing illegal activity at sea, and Australia has developed whole-of-government efforts to prevent or disrupt security threats before they emerge. For example, the government has worked with Indonesia to establish the Bali Process to build regional cooperation to combat people smuggling and people trafficking, which now involves 42 countries.²¹

Australia has major export trades in LNG, iron ore and other minerals passing through the Indonesian and Philippine archipelagos. The southern Philippines and the Sulu

and Celebes seas, which LNG and ore carriers pass through en route between north-western Australia and southern China, have been the main focus of Australia's security assistance to regional countries.

The Australian approach focuses on building partnerships between individuals, governments, inter-government organisations, and private sector companies rather than establishing a donor-recipient relationship. This approach is evident in the work of the Australian Federal Police (AFP) in Southeast Asia with its programs of investigative and specialist training, and of the Australian Customs and Border Protection Service to help in improving border control capability and coordination. The AFP has also concluded memoranda of understanding with Indonesia, Thailand, the Philippines and Vietnam providing for cooperation and information sharing between law enforcement agencies on terrorism, piracy, people smuggling and trafficking, drug and arms trafficking, and economic crime such as money laundering and identity fraud. Australia also has a project to enhance immigration controls in the southern Philippines to provide data and communications links between border control posts.

The regions around Australia are particularly vulnerable to marine natural disasters, particularly tsunamis and cyclones. Australia has helped in building capacity to mitigate the effects of these by, for example, establishing the Australian Tsunami Warning Centre, which will extend seismic monitoring services to Indian Ocean countries, such as Indonesia, Malaysia, Sri Lanka, Maldives and Mauritius.²²

National Coordination

National management of maritime affairs can be a problem in a federal system of government, and Australia is no exception. A high-level coordinated approach to civil maritime security is provided through the Strategic Maritime Management Committee (SMMC). Established in early 2006 the SMMC, led by the Department of the Prime Minister and Cabinet (PM&C), consists of agencies with maritime security interests. The committee provides strategic direction for Australia's civil maritime security, overseeing and guiding the development and implementation of policy on a range of threats, particularly illegal fishing, people smuggling and terrorism. It oversees civil maritime domain awareness and regularly assesses threats to civil maritime security.

The SMMC provides for coordination between Australian government agencies. However, it is concerned only with border protection and illegal activity that is human initiated, and not with threats that arise from natural processes, including climate change, or with oceans management. Coordination of Australia's international capacity building efforts is provided through an inter-departmental committee on maritime security chaired by the Department of Foreign Affairs and Trade (DFAT), but it does not deal with oceans management or marine environmental threats and risks.

Responsibility for maritime capacity building in Australia is spread widely across a number of departments and agencies, the main ones are listed below:

- **The Department of the Prime Minister and Cabinet.** Coordinates government administration, including the work of the SMMC, and manages governmental relations and communications with state and territory governments. Its Associate Secretary (National Security and International Policy) provides a whole-of-government approach to homeland security and border protection.
- **The Department of Foreign Affairs and Trade.** Responsible for policy related to the international law of the sea, regional maritime security cooperation and for treaties with other countries, including maritime boundary agreements. This includes the Torres Strait Treaty with Papua New Guinea. DFAT chairs a Regional Maritime Security Cooperation inter-departmental committee providing whole-of-government visibility to Australia's regional maritime security activity.
- **Australian Defence Force.** The major supplier of Australian government resources for maritime security. Efforts to streamline the Australian Defence Force (ADF) contribution to offshore security were implemented in July 2006, with the consolidation of several separate operations for countering unauthorised arrivals, illegal fishing and smuggling, and for patrols in southern waters and around offshore installations into one mission: Operation RESOLUTE, directed by the BPC.
- **Australian Customs and Border Protection Service.** Responsible for maritime border protection. The Customs National Marine Unit has grown over the years in size and responsibilities, and includes a number of chartered vessels manned by civilian crews and Customs officers.
- **Border Protection Command.** Established in 2005, initially as the Joint Offshore Protection Command. A joint organisation of the ADF and the Australian Customs and Border Protection Service, the BPC coordinates the aerial surveillance program and surface response operations when required by 'client' agencies, develops intelligence systems for maritime surveillance and enforcement, and manages the Australian Maritime Identification System.
- **Office of Transport Security.** Located in the Department of Infrastructure, Transport, Regional Development and Local Government is the principal security regulator for maritime industry, including for the implementation of the ISPS Code by Australian ports and shipping, and for the offshore oil and gas industry. Its responsibilities include

making security risk assessments of ships sailing towards Australian ports. The Office of Transport Security (OTS) participates in the International Counter Terrorism Coordination Group led by DFAT, which coordinates capacity building agencies through the terrorism trilateral process that includes Australia, the US and Japan. OTS has officers in several Southeast Asia and South Pacific countries to maintain liaison and coordinate maritime security capacity-building projects in those countries.

- **Australian Federal Police.** Responsible for Commonwealth law enforcement, often in conjunction with state police forces. The AFP may be involved in the prosecution of offences against Commonwealth law in virtually all areas of maritime jurisdiction, such as fisheries, navigation, marine environmental protection, and illegal importation.
- **Australian Maritime Safety Authority.** Responsible for shipping safety and the prevention of ship-sourced pollution in Australian waters. This includes implementation of port state control measures in Australian ports. The authority provides maritime safety services in Australia and Australia's allocated area of SAR responsibility, including operations for vessels in distress and for aircraft at sea through Australian SAR. It undertakes a range of capacity building initiatives in the region to promote marine safety.

The report *Sea Change: Advancing Australia's Ocean Interests* made recommendations to provide a stronger and more integrated policy focus on Australia's maritime domain and interests. It recommended that an Australian Ambassador for the Oceans be appointed.²³ This position would help bring coordination and focus to our international maritime capacity-building efforts. Increased attention should be given to the Indian Ocean where all forms of maritime cooperation, including fisheries management, are currently underdeveloped.

The *Sea Change* report also recommended that an Office of Oceans and Maritime Affairs should be established in PM&C.²⁴ Such a location would properly reflect the importance of the oceans to Australia, and demonstrate a true whole-of-government approach to ocean issues. It would provide powerful inter-agency coordination at a central level, as well as for coordination with the states and territories.

Australia's Oceans Policy

In December 1998 *Australia's Oceans Policy* was released by Senator Robert Hill, the then federal Minister for the Environment.²⁵ This has been described as 'a brave attempt at whole-of-government strategic planning for the oceans'.²⁶ While the main focus was

on EEZ management, the policy also addressed Australia's interests in the high seas and maritime aspects of its relations with its neighbours.

The policy should have been the principal overarching document, which would include key principles for Australia's global maritime capacity building. Unfortunately, the high hopes for this policy were not realised.²⁷ Institutional barriers prevented integration across jurisdictions and sectors and some key institutional arrangements introduced to implement the policy have been disestablished. The policy encountered institutional barriers from within the Australian government with departments reluctant to concede any part of their ocean and maritime-related responsibilities to the National Oceans Office, which had been established to implement the oceans policy. Rather than reflecting an integrated approach to the oceans, *Australia's Oceans Policy* is now mainly an environmental policy focused on implementing a system of bioregional marine plans.²⁸

Conclusion

The Indo-Pacific region consists of a large proportion of global ocean space. Maritime issues will become more important and marine environmental threats more acute in the region in the future. Regardless of whether we take a traditional or non-traditional view of security, managing the oceans should figure prominently in global maritime capacity building. However, we need to ensure there is an appropriate balance between the resources expended on building the capacity to deal with more conventional or military threats, and those required to build capacity to handle non-traditional threats, particularly the emerging threats and risks in the oceans, such as climate change, pollution, ocean acidification, species extinction, loss of marine habitats and IUU fishing.

Australia's extensive maritime interests mean that it should play a big role in global maritime capacity building, particularly in the Indo-Pacific region. It already does a lot, but so far its efforts have been largely focused on Southeast Asia and the South Pacific, and sometimes have lacked coordination between agencies. It could do more to assist the Indian Ocean island and littoral countries. Also, Australia's rhetoric in the various international and regional forums does not always match its subsequent actions and resource allocations.

Notes

- ¹ Environment Australia, *Australia's Oceans Policy*, Canberra, 1998, Vol. 2, p. 39.
- ² The ninth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea was held from 23-27 June 2008, and focused on maritime security and safety. <www.un.org/Depts/los/consultative_process/consultative_process.htm>. Also Australia was instrumental in establishing the Western Pacific Naval Symposium - see Andrew Forbes, 'The Western Pacific Naval Symposium', in Andrew Forbes and Michelle Lovi (eds), *Australian Maritime Issues 2006: SPC-A Annual*, Papers in Australian Maritime Affairs No. 19, Sea Power Centre - Australia, Canberra, pp. 183-187.
- ³ Sam Bateman and Anthony Bergin, *Sea Change: Advancing Australia's Ocean Interests*, Australian Strategic Policy Institute, Canberra, 2009, especially Chapter 3.
- ⁴ Independent World Commission on the Oceans, *The Ocean: Our Future*, Cambridge University Press, Cambridge, 1998, p. 17.
- ⁵ Sam Perlo-Freeman, Catalina Perdomo, Elisabeth Skons and Petter Stalenheim, 'Military Expenditure', in *SIPRI Yearbook 2009*, Stockholm International Peace Research Institute, Stockholm, 2009, Chapter 5, <www.sipri.org/yearbook/2009/05>.
- ⁶ Department of Defence, *Defending Australia in the Asia-Pacific Century: Force 2030*, Canberra, 2009.
- ⁷ Prior to the White Paper going to print, there was a great debate in Australia about how to interpret and respond to China's military expansion. Assessments from the intelligence agencies were relatively benign about any threat from China, but the Department of Defence was expected to prevail with a much tougher assessment. Sam Bateman, 'The Great Australian Defence Debate: Is China a Threat?', *RSIS Commentaries 40/2009*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 24 April 2009.
- ⁸ Defence, *Defending Australia in the Asia-Pacific Century*, p. 22.
- ⁹ Defence, *Defending Australia in the Asia-Pacific Century*, p. 37.
- ¹⁰ Defence, *Defending Australia in the Asia-Pacific Century*, p. 22.
- ¹¹ Defence, *Defending Australia in the Asia-Pacific Century*, p. 12.
- ¹² Defence, *Defending Australia in the Asia-Pacific Century*, pp. 42-43.
- ¹³ 'Australia joins Somalian Piracy Fight', *The Australian*, 29 May 2009, <www.theaustralian.news.com.au/story/0,25197,25555890-31477,00.html>.
- ¹⁴ Food and Agriculture Organization, *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, Rome, 2001. Also Department of the Environment, Water, Heritage and the Arts, 'Agreement to fight illegal fishing in South-east Asia', *Ocean Action Bulletin*, Canberra, 1 June 2007.
- ¹⁵ Bateman, *Sea Change*, p. 45.
- ¹⁶ Bateman, *Sea Change*, p. 59.

- ¹⁷ Andrew Forbes and Peter Leavy, 'RAN International Engagement', in Gregory P Gilbert and Nick Stewart (eds), *Australian Maritime Issues 2008: SPC-A Annual*, Papers in Australian Maritime Affairs no. 27, Sea Power Centre - Australia, Canberra, 2009, pp. 209-214.
- ¹⁸ Sam Bateman and Anthony Bergin, 'Maritime Security' in *Australia and the South Pacific*, ASPI Special Report, March 2008, Issue 12, p. 62.
- ¹⁹ 'RI, Australia strengthen defense cooperation', *Antara News*, 28 July 2008, <www.antara.co.id/en/print/?i=1217252194> (29 July 2008). Also 'Australia, Indonesia Organizing Joint Fishery Patrols', *Antara News*, 3 November 2007, <www.antara.co.id/en/print/?i=1194024650> (24 February 2008).
- ²⁰ 'Joint Customs Patrols Resume with PNG', *Australian Maritime Digest*, no. 166, 1 March 2008, p. 4.
- ²¹ Department of Immigration and Citizenship, *Fact Sheet 73 - People Smuggling*, Canberra, 20 May 2009.
- ²² Neville D'Cruz, 'Tsunami: Malaysia to Benefit From New Aussie Warning Centre', *Bernama*, 31 October 2008, <www.bernama.com/bernama/v5/newsindex.php?id=368474>.
- ²³ Bateman, *Sea Change*, p. 58.
- ²⁴ Bateman, *Sea Change*, p. 63.
- ²⁵ Environment Australia, *Australia's Oceans Policy*, 2 vols, Canberra, 1998.
- ²⁶ Bateman, *Sea Change*, p. 20.
- ²⁷ Bateman, *Sea Change*, p. 20.
- ²⁸ Bateman, *Sea Change*, p. 20.

US Navy Efforts in Supporting Partner Maritime Capacity Building: Refocusing a Tradition

Sam J Tangredi

The US Navy's efforts at supporting the maritime capacity building of its global partners long predate the October 2007 publication of its current strategic vision *A Cooperative Strategy for 21st Century Seapower*. In fact, these efforts have a long legacy and can be considered a naval tradition. However, the new strategy brings these efforts from the peripheral into the spotlight. Instead of support for partner maritime capacity building being seen as a by product of the US defence posture, it is now definitively identified as a primary element of US defence strategy. *A Cooperative Strategy for 21st Century Seapower* is a public statement recognising the US Navy (as well as the US Marine Corps and US Coast Guard) and its maritime partners are not simply 'in the same boat', but now are 'sharing the watch'.

History of cooperation

Over the years, American support of partner maritime capacity building has taken many forms. In the early 1800s, the young country deliberately sought to avoid involvement in foreign affairs, heeding the advice of President George Washington to avoid entangling alliances, and following (but not without some dissent) the principle espoused by John Quincy Adams that it is not America's responsibility to go abroad 'in search of monsters to destroy'.¹ This principle did not prevent the United States from cooperating with nations such as Great Britain and the Kingdom of the Two Sicilies in combating the Barbary pirates, although that action was justified on the grounds that it was directed at protecting American trade.

By the 1820s, Congress had enacted a bill to prevent the sale of US military equipment to any foreign belligerent. However, public sentiment supported the struggles for independence from colonial rule being waged in Latin America, Greece and elsewhere, while Congress often turned a blind eye (and sometimes supported) the private sale or donation of military hardware to the independence movements. In the case of Greece - where representatives of the independence movement had essentially been defrauded by English investors building warships in the United States - Congress directed the Department of the Navy to complete the construction of a frigate at US expense and turn it over to the Greeks.²

By mid-century, the United States began to take a more international attitude and provide moral support and allow limited material support for nations with whom

it maintained friendly relations. Generally, the material support was of a private nature - what would be referred to today as 'direct commercial sales' - with the US government's tacit approval or ignorance. Involvement in foreign naval matters followed the great expansion of overseas trade, surely an early form of globalisation. Markets were opened through naval activity with previously isolated states such as Japan, resulting largely from peaceful naval presence. But for trade to develop, the principle of freedom of the seas had to be codified and defended, and trading partners needed to have some control over the territorial and adjacent waters so that the incoming and outgoing merchant traffic would be protected against such hazards as pirates, wreckers, and potential insurgents. American trade tended to flow to those countries that avoided incorporation with a European colonial empire, particularly in the Pacific region, which meant that - with no imperial navy to assert order - it had to work with local governments to insure the protection of commerce. Sometimes failure resulted in armed disputes. Today, these conflicts would likely be defined as irregular warfare.

Some of the maritime support activities appear somewhat bizarre from today's perspective. During the period that Texas was an independent republic, it rented its entire naval force to the independence movement in the Yucatan (which ultimately failed).³ At the same time, American naval officers - most resigning their commissions but some with official approval - served in many foreign navies, including that of China and Korea. Following the American Civil War, involvement of individual Americans with foreign navies increased, spurred on in part by naval officers sent ashore (with half pay) from the shrinking post-war US Navy, and former officers of the now non-existent Confederate States Navy (obviously ashore with no pay).⁴ Many of these contract or expatriate officers were primarily involved in training or establishing the first formal training systems for the naval personnel of their new patrons - clearly a capacity building activity.

But the American support most prized by aspiring maritime powers was technological. Whereas the British Royal Navy was generally loathe to allow its new technology to pass into foreign hands (fearing that it might be used to challenge their dominant global naval power), the US naval establishment appeared to permit almost every new commercial development to eventually be sold overseas.⁵ In fact, the prospect of supporting foreign navies (generally at a profit) was often a spur to the developments themselves. Often forgotten is the fact that the acclaimed father of the modern submarine, John P Holland, built his initial prototype in New Jersey not for the US Navy, but for the forces of the Irish independence movement.⁶ By the time submarines could be factory produced, both Holland and his rival Simon Lake had almost more orders from Russia and South American countries than from the US Navy.⁷ The US government neither overtly supported nor attempted to prevent these foreign sales.

Direct US government support for partner maritime capacity began in earnest during World War II. Through the mechanism of the Lend-Lease Program, the United States

provided destroyers to the United Kingdom even before its own entry into the war (in exchange for base rights), and later, following entry, to the Soviet Union and several European governments-in-exile. Facing a surplus of military equipment at war's end, it was natural for the United States to supply a number of new Cold War allies with material. Mutual concern about Soviet expansionism led to the formation of formal alliances that facilitated capacity building by democratic or near-democratic nations that had been exhausted by war. The epitome of the formal alliance period - NATO - remains the most successful military alliance in modern history, performing admirably in supporting mutual capacity building.

The US Department of Defense term for such support was 'security assistance', but by the end of the Cold War, it was obvious that the formal partners were not in need of 'assistance'. During the administration of President George W Bush, the term was changed to 'security cooperation', to reflect mutual support for counter-terrorism operations/global war on terror and the emphasis shifted to support for capacity building by 'non-traditional' partners, such as former Soviet republics and states formerly 'non-aligned' during the Cold War. Although material assistance and training of foreign forces was justified as counter-terrorism programs, they supported partner capacity building in other security areas.

In 2005-06, then Chief of Naval Operations (CNO) Admiral Mike Mullen began public discussion of a concept he called the '1000 Ship Navy' consisting of a cooperative network of maritime partnerships intended to increase and sustain maritime security, primarily (but not exclusively) against transnational threats.⁸ In his construct, levels of cooperation would vary between the United States and other partners, with even a possible role for the navies of Russia and China. The term 1000 Ship Navy was a reference to the US Navy's goal of a 600 ship national naval force in the later stages of the Cold War. Because of Administration concerns, the terms 'maritime partnership initiative' or 'global maritime partnership' replaced 1000 Ship Navy.⁹

As noted, the US Navy codified this maritime partnership concept by placing it as the centrepiece of its new strategic vision *A Cooperative Strategy for 21st Century Seapower*, under new CNO Admiral Gary Roughead, in 2007. *A Cooperative Strategy for 21st Century Seapower* was also signed by the commandants of the US Marine Corps and the US Coast Guard, making maritime partnerships - which necessitated increased support for partner maritime capacity building via security cooperation - a top priority for all the US sea services.

Incentives for Cooperation

A cynical interpretation is that the United States' intent in helping building partner capacity is a reaction to inevitable reductions in the US defence budget. But while it is true that the US defence budget will likely go down in the post-Iraq era, there are

multiple incentives for the United States to increase its efforts in supporting maritime capacity building by its partners.

First is the fact that *A Cooperative Strategy for 21st Century Seapower* can only succeed if it has capable alliance and coalition partners that attempt to increase their own maritime capacities. This realisation follows the philosophy of America's Cold War-era support for alliance building. But the maintenance of naval/military partnerships is difficult in an era where there appears to be no direct security threat to the global system, perhaps more so when forging relationships with 'non-traditional' partners than maintaining the support of traditional allies. Even maintaining traditional solidarity is difficult, witness the lack of overall support for intervention in Iraq and the somewhat tepid NATO support for Afghan operations. This is why it emphasises the need for partners to deal with common maritime threats, something on which most nations would agree. This approach initially favours coalitions of the interested. Yet, despite the Bush administration's proclivity for using unilateral language, the United States remained well aware of the national security value of formal alliances, such as NATO and the ties with its long-standing Pacific partners.

To a considerable degree, the focus of this cooperation is on information sharing. The weakest area of capabilities for both the formal and informal partnerships remains command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR) capabilities in which the United States surpasses that of most partners. Following the 1990-91 Gulf War, officials and analysts expressed concern that some coalition members could not be integrated into actual combined operations because they could not keep up with the information flow generated by US systems. C4ISR therefore has become the central pole in building partner capacity. And current limits to its integration have become central justifications for helping to build partner capacity. C4ISR can also be perceived as 'non-threatening' capabilities because they are as useful, and necessary, for maritime safety and humanitarian assistance as they are for traditional military operations.

Second, is the recognition that, in the aftermath of the 2003 Iraq War, the US military cannot be everywhere, and that there are inevitable limits to its economic, political, and diplomatic power. This is not a new revelation nor necessarily represents new humility, but is a return to the Cold War concept that US policy goals could only be fully realised in terms of a democratic alliance against Soviet expansionism. Just because the threat is no longer the Soviet Union does not invalidate this need for partnership and cooperation to achieve security aims. This incentive for embracing cooperation is basically a return to tradition.

A third incentive is the realisation that other partner nations may possess political advantages in dealing with specific contingencies that the United States, perceived as the global hegemon, may be denied. Partners that share US goals for a region, but who have greater cultural affinity for the parties involved may be able to create options

that would not be available unilaterally. Also partners may possess a specific niche capability in which the United States may not have invested in order to save resources for other, perhaps more high intensity missions.

Fourth is the acceptance that potential partners may not have the same threat perceptions as the United States, but that areas of concern and cooperation can be identified that satisfies some of the US objectives as well as some of those of the potential partner. In addition to satisfying some objectives, cooperation normally fuels the spirit of cooperation, making partners more likely to forge common views out of previously uncommon perspectives. When dealing with non-traditional partners in particular, helping to increase their maritime capacities is usually a necessity to satisfy the common objectives.

None of these incentives are new. None of them have been entirely forgotten over past administrations. But recent events may have made them more obvious and have acted to propel their codification in the US naval strategic vision.

Strategic Vision

In a world in which governmental ‘white papers’ abound and routinely replace each other, why is the publication of *A Cooperative Strategy for 21st Century Seapower* considered particularly significant or indicative of a renewed commitment to supporting partner maritime capacity building?

The answer lies in the unique characteristic that the US Navy is traditionally not a doctrinal Service. That is, its operations rely more on ‘commander’s intent’ based on operational training, knowledge and experience than on written doctrine. Under those circumstances the ‘strategic vision’ of the Service leadership, when effectively vetted, discussed, and promulgated, has much greater impact on the future of the US Navy than such visions may have on services run more tightly on doctrine.¹⁰ The internal intellectual ‘chaos’ within the US Navy - purportedly an assessment by previous opponents - is an advantage in making the Service more open to the acceptance of a shift in objectives and priorities. This was the case of the famed *The Maritime Strategy* released during the later Cold War in 1986, which announced a change in naval priorities from concentrating on keeping the Atlantic sea lines of communication open to NATO Europe in the event of a war with the Soviet Union, to taking the naval battle into Soviet home waters and bastions. Whatever the analytical criticisms of *The Maritime Strategy* - and there were many (although in my opinion not many valid) - no one can deny that it was a loud and clear signal of intent. And the corresponding resources were made available to the Navy to make the vision into a reality.

This was also true of the initial post-Cold War naval vision ...*From the Sea*, which brought amphibious, expeditionary, and littoral operations to the forefront of naval

competencies. And, again, there was a shift in resources that allowed for improvements in the capabilities necessary for such competencies.

A Cooperative Strategy for 21st Century Seapower refers to itself as a ‘declaratory strategy’, a term analysts applied to the previous visions and indicates the focus upon which the Service expects to be publically understood and assessed. For the US Navy, this partnership-centric strategic vision is neither fluff nor boilerplate. Since the vision prioritises partnership and security cooperation, recent history indicates that greater funding (or a greater share of existing or possibly overall decreasing funding) will be going in that direction. If a shift in resources does not occur, it will likely be due to factors external to the Navy. In any event, naval organisations will make attempts to polish the tools of cooperation.

Tools of Security Cooperation

‘Tools’ – policies and activities – of the US sea services that can be identified as contributing to the development of maritime partnerships, include:

- Alliance and partnership activities; these interactions strengthen unity and interoperability among current allies and partners, but also may encourage other potential partners to join existing agreements, such as those governing NATO.
- Exercises with partner navies have long been one of the primary means of developing operational interoperability (as opposed to rhetorical interoperability). Additionally they are a mechanism to build trust between the partners that serves greatly to facilitate future cooperation. This is a continuing and iterative process. As *A Cooperative Strategy for 21st Century Seapower* states, ‘trust and cooperation can not be surged’.¹¹ On the operational level, the experience of exercises can generate this trust and cooperation.
- Global Fleet Stations are a new (or at least renewed) concept on how to facilitate training, military-to-military contacts, and direct support services to partner nations. The concept is to deploy a ship to a region of interest that will act as a ‘sea-base’ solely for training and support activities for regional partners. The selected ship will likely not be a cruiser/destroyer type combatant, but may be a military sealift command (USNS) ship, hospital ship or amphibious warship. The requirement is for a vessel with ample space for training, conferences and diplomatic meetings along with a capability to quickly and safely transport personnel back and forth from shore (generally requiring helicopter decks and superior small boat handling facilities). Training on or from the vessel could be provided by US Navy, Marine Corps or

Coast Guard personnel, or Department of Defense, Department of State or other agency component. Experimental Global Fleet Stations have been used in the Indonesian-Malaysian-Philippine archipelagic region using the hospital ship USNS *Comfort* and in the Gulf of Guinea using an amphibious warship.

- Military-to-military contacts, otherwise known as ‘staff talks’, are interactions that bring the leadership staffs of partners together to discuss issues of concern directly.
- Personnel exchanges with partner navies provide the most immediate and intimate knowledge of a partner capabilities and procedure.
- The 1000 Ship Navy concept and *A Cooperative Strategy for 21st Century Seapower* have resulted in a significant revitalisation of the Navy International Programs Office (NIPO), which as a Department of the Navy agency, also coordinates the international programs efforts of the Marine Corps, as well as the Coast Guard, and development of a strategic planning methodology for prioritising its efforts in accordance with regional Combatant Commander (COCOM) requirements. The following partner capacity building programs fall within NIPO’s responsibilities:
 1. Initiation of the coordination and Congressional approval process for foreign military sales (government-to-government sales of material, services, or contractual training) and direct commercial sales (contractor-to-foreign government sales) involving naval/maritime capacity begins with NIPO.
 2. Foreign military financing is the method by which the US Congress authorises foreign aid for the purposes of assisting other nations in foreign military sales purchases. To the present, much of foreign military financing is slated to two particular nations as a reward for maintaining friendly relations, and is not the global tool that it was envisioned.
 3. Cooperative acquisition programs are the primary method for mutual collaboration in the acquisition of new military systems. They are managed by a consortium of countries in which members pay for respective shares in developmental costs and have equal say in decision making. Perhaps the most successful cooperative program is NATO’s Evolved Sea Sparrow Missile, an ongoing effort. Such efforts usually involve ‘traditional’ partners, requiring high levels of technological capabilities and financing.

4. For the US sea services, excess defence articles largely consist of the transfer of decommissioned ships and aircraft to other nations on a grant or sale basis. If on a sale basis, the material is usually sold at 10 per cent of assessed current value. Although excess defence articles may project the image of the transfer of tired assets, the reality is that the ships and aircraft transferred were often decommissioned earlier than their expected operational life spans, such as the *Osprey* class mine hunters, *Oliver Hazard Perry* class frigates, and the S-3 Viking anti-submarine jet aircraft (retired at the halfway point of its expected life). For many partners, receipt of such assets represents a tremendous increase in mission capacity at very low cost.
5. Of all international programs, training of personnel creates the most conducive environment for partner capacity building. Unlike the transfer of platforms, training directly affects the thought-processes of participants and empowers them to understand issues from additional perspectives. Like exercises, personnel training generates trust (assuming the training is good). For the individual, however, knowledge gained in exercises is likely more perishable than individual training gained directly from a subject matter expert. Also, the experience of military education in settings such as war colleges builds a spirit of camaraderie that continues throughout one's military career, as does the ability to contact classmates years later when they have reached increased levels of authority and responsibility and might offer solutions to a partner's issues.
6. In the *2005 Defense Authorization Act*, a new provision (Section 1206) was inserted that allowed the Secretary of Defense to spend up to US\$200 million in the grant aid transfer of equipment to partner nations participating in joint/combined counter-terrorism operations or other activities that support US national security objectives. Unlike foreign military financing, this grant aid would not be acquired in the exact methodology of a foreign military sales case - that is, with the partner nation as the direct customer. Rather, the direct customer would be the US regional COCOM who would distribute this capacity to a partner in accordance with his preference and his Theater Security Cooperation Plan (TSCP). The Services act as the COCOM's executive agent for acquisition. This is a de facto work-around to problems with foreign military financing, and empowers the COCOMs to put direct resources behind their TSCPs. Subsequently, this provision

was incorporated into follow-on Defense Appropriation acts, with the dollar amount increased beyond US\$500 million.¹² Since its initial year, 1206 programs have become the COCOMs primary method of building partner capacity with ‘non-traditional’ partners that can not afford foreign military sales or direct commercial sale programs.

Criticisms

Critics, particularly domestic ones, of *A Cooperative Strategy for 21st Century Seapower* have identified at least five areas in which the strategic vision falls short, these being:

1. It does not provide enough detail concerning the Navy’s future planning.¹³
2. It does not discuss funding.
3. It does not ensure Congressional support for its objectives.¹⁴
4. It is not focused (exclusively or primarily) on irregular warfare, today’s primary threat.
5. It creates too much dependence on partners to help achieve American security.

The first three criticisms are to some extent true, but each of them expect too much for a document that is intended to be a strategic vision. Greater detail awaits a step-by-step plan to operationalise the vision. But such a plan would not necessarily be a public document (as is the vision). The example is *The Maritime Strategy*, which had an unclassified publically-released version (which was the version debated in the academic and popular press), and classified versions that provided greater levels of detail. Clearly the concepts involved can be debated publically without significantly greater detail.

Likewise, a discussion of funding awaits the submission of President Barack Obama’s future defence budgets. However, Secretary of Defense Robert Gates has made the Administration’s commitment to supporting bilateral and multilateral security cooperation with ‘non-traditional’ partners quite clear, stating in Singapore on 30 May 2009 that, ‘while the US has unparalleled capabilities, we also recognize that the best solutions require multiple nations acting with uncommon unity’.¹⁵ Having targeted several ‘big ticket’ defence programs for cancellation to fund irregular warfare capabilities, it is presumed that Secretary Gates will prioritise funding for security cooperation as well.

Although no Service vision is publically announced without previous behind the scenes discussion with senior Defence and interagency leadership - and perhaps members of the Congressional Armed Service committee - no plan is destined to gain Congressional

unanimity and there may be unrelated reasons that Congress withholds publically expressing support. But that is called democracy - all significant government initiatives are going to be vetted in the forum of politics as well as in the press. Support can never be presumed, even when initially offered.

The charge that *A Cooperative Strategy for 21st Century Seapower* does not focus primarily, nor exclusively, on irregular warfare - the hottest topic among defence intellectuals - is also true. But neither does Secretary Gates, who has stated his prescription that only 10 per cent of US defence force structure is devoted exclusively to irregular warfare.¹⁶ In addition to identifying the need for maritime partnerships to deal with transnational threats, *A Cooperative Strategy for 21st Century Seapower* discusses naval roles in both 'regular' and 'irregular' warfare, spanning the range across the naval mission set. Notably it adds formally maritime security and humanitarian assistance and disaster response - two areas identified as requiring maritime partnerships - to the traditional naval core competencies of forward presence, deterrence, sea control, and power projection. While giving irregular warfare its due, the US Navy also recognises that major war is always a possibility - but that too requires partnership within coalitions.¹⁷

The view that *A Cooperative Strategy for 21st Century Seapower* places too much dependence for American security on the capacity and willingness of maritime partners represents an alternative worldview that rejects many of the premises on which the strategy is based.

Future of Maritime Partnerships

What is the future of the US Navy's efforts at helping to build partner maritime capacity?

Based on *A Cooperative Strategy for 21st Century Seapower*, these efforts are expected to be strongly supported and expanded (dependent, of course, on Congressional appropriations). It is a strategic vision in the mould of *The Maritime Strategy*, so - future events notwithstanding - it should provide effective direction for the sea services (having been also signed by the Marine Corps and Coast Guard Commandants, the first such vision to have all three Service chiefs as signatories). It has articulated the need and desire for greater cooperation in the form of maritime partnerships, and is in consonance with the Department of Defense priority on security cooperation.

It is also in consonance with the theatre security cooperation efforts of the regional Combatant Commanders (often referred to as the 'warfighters', to which all defence support efforts are directed), and reflects their greater authority in security cooperation matters.

A Cooperative Strategy for 21st Century Seapower also acknowledges the complexity of the current security environment in which potential partners may disagree as to what constitutes the primary security threats, but suggests that common interests may be

found that can lead to greater cooperation even with previously unlikely partners. Transnational threats are recognised as being the focus of most foreign naval services, the implication is that being transnational these threats ‘cannot simply be overcome by one or two countries, no matter how wealthy or powerful.’¹⁸ This being the case, partnerships are therefore a prerequisite. The end goals for the partnerships are mutual solutions to multilateral problems of as *A Cooperative Strategy for 21st Century Seapower* optimistically puts it, ‘Seapower will be a unifying force for building a better tomorrow’.¹⁹

Maritime partnerships are also linked to the statement that ‘preventing wars is as important as winning wars’. But, of course, that is also an admission that despite the deterring and dissuading effects of networks of maritime partnerships - with continuing support for building partner capacity - a major war can never be discounted. That realisation is also a tradition upon which policy occasionally needs to refocus.

Notes

- 1 Quincy Adams was President Thomas Jefferson’s Secretary of State at the time of this statement, coming from a speech he made to the US House of Representatives on 4 July 1821.
- 2 This was the one-time flagship *Hellas*, later destroyed in an internal Greek government dispute. See James A Feld, *America and the Mediterranean World: 1776-1882*, Princeton University Press, Princeton, 1969, p. 120.
- 3 See online resources of the Texas State Library, <www.tsl.state.tx.us/exhibits/navy/alliance.html>. It should be noted that, contrary to the way that the Texas revolution is taught by some modern professors (as Anglo imperialism), numerous other Mexican states also revolted over General Santa Ana’s unilateral abrogation of the existing Mexican Constitution, to which the Texans had sworn allegiance. However, Texas was the only Mexican state that was successful.
- 4 At that time, the movement of sailors between navies was considered routine. As an example, most of the officers of the famous Confederate States Navy commerce raider CSS *Alabama* were indeed citizens of the southern states, however, the vast majority of sailors were citizens of Britain and France.
- 5 An example of the British attitude towards the potential of commercial technology challenging their naval superiority even appears in the fictional annals of Sherlock Holmes, particularly *The Adventure of the Bruce-Partington Plans*, <<http://sherlock-holmes.classic-literature.co.uk/the-adventure-of-the-bruce-partington-plans/>>.
- 6 See for example <www.history.navy.mil/photos/pers-us/uspers-h/j-holland.htm>.
- 7 On Simon Lake’s sale of submarines to Imperial Russia, see <www.simonlake.com/html/us_russian_sub.htm>.

- ⁸ Admiral Mike Mullen was influenced by his prior experience as Commander, US Naval Forces Europe and Commander Allied Forces (NATO) South, in which naval cooperation between allies and coalition partners was his primary concern. This concern was expressed to the author during a discussion in Athens, Greece in 2005.
- ⁹ A critical analysis of the initiative from an Australian perspective can be found in Chris Rahman, *The Global Maritime Partnership Initiative: Implications for the Royal Australian Navy*, Papers in Australian Maritime Affairs no. 24, Sea Power Centre - Australia, Canberra, 2008.
- ¹⁰ Agreement with my view that *A Cooperative Strategy for 21st Century Seapower* is a strategic vision (or 'strategic concept') rather than a strategy can be found in Robert O Work and Jan van Tol, *A Cooperative Strategy for 21st Century Seapower: An Assessment*, Center for Strategic and Budgetary Assessments Backgrounder, Washington DC, 26 March 2008, pp. 3-6.
- ¹¹ *A Cooperative Strategy for 21st Century Seapower*, October 2007. The document is not paginated, but the quote may be found under the 'Foster and sustain cooperative relationships with more international partners' subsection of the on-line version.
- ¹² The significance of the change from *Defense Authorization to Defense Appropriations* acts is that, if the provision appears only in the *Defense Authorization Act*, then the Secretary of Defense (SECDEF) needs to find the money within his own existing budget - that is, the money has to come from some other existing program. As a practical matter, US\$200 million in the US defense budget would be considered 'sweep up' money; money that can be put together from scraps left over from major programs. But if the provision also appears in the *Defense Appropriations Act*, then the money is specifically designated by Congress to be applied only to 1206 programs. Presumably this might result in the SECDEF getting more money in his budget, but the reality is that the Congress may have made its own choices as to which existing programs the money comes from.
- ¹³ Work and van Tol, *A Cooperative Strategy for 21st Century Seapower*, pp. 3-6.
- ¹⁴ Work and van Tol, *A Cooperative Strategy for 21st Century Seapower*, p. 25.
- ¹⁵ Robert Gates, 'A Shift in U.S. Strategy' (speech), *Defense News*, 8 June 2009, p. 44.
- ¹⁶ US Department of Defense, DoD News Briefing with Secretary Gates from the Pentagon, <www.defenselink.mil/transcripts/transcripts.aspx?transcriptid=4396> (6 April 2009).
- ¹⁷ For a discussion of the strategic concepts from a post-Cold War point of view, see Sam J Tangredi and Randall G Bowdish, 'Core of Naval Operations: Strategic and Operational Concepts of the United States Navy', *The Submarine Review*, January 1999, pp. 11-23
- ¹⁸ Gates, 'A Shift in US Strategy', p. 44.
- ¹⁹ The document admits that 'the strategy focuses on opportunities - not threats; on optimism - not fear; and on confidence - not doubt'.

With a Little Help from My Friends: Maritime Capacity Building Measures in the Malacca Strait

Nazery Khalid

Straddling approximately 800km along the east coast of the island of Sumatra in Indonesia and the west coast of peninsular Malaysia is the Malacca Strait, one of the world's most pivotal seaborne trade lanes. The world's busiest and longest sea lane used for international navigation,¹ the Malacca Strait hosts over 70,000 ships annually,² and provides a crucial link between east and west trade. A staggering 15 million barrels of oil - a third of the world's oil trade - passed along it in 2006.³

The frequent use of the term 'littoral states' in the discourse of the strait may suggest uniformity of views among Indonesia, Malaysia and Singapore, however, there exist differing interests and perceptions among them. Indonesia takes a strong stand on protecting its jurisdictional sphere and sovereign rights in the strait which it deems crucial to its national defence, and is conscious that the Sumatran side of the strait is not as well developed compared to the other parts. Malaysia views the strait as an important facilitator of trade and a provider of resources and recreation. Meanwhile, Singapore, whose economy depends on its port and the shipping traffic traversing through the strait, views it as an economic lifeline and is more interested in the southern part that juts into the Singapore Strait.

One position they indisputably have in common is this: the sea lane holds tremendous socioeconomic importance and strategic value to them. This view is core to the cooperation forged among the littoral states over the years to collectively maintain order and to ensure that it is open to shipping, while observing their own national interests.

The importance of the strait extends beyond the littoral states as the international community views the waterway as a strategic sea line of communication (SLOC) and an important passage for global trade.

These views - call them 'soft' perceptions - could not be more distinctive than those of other users of the strait and external powers of the sea lane. The strait is perceived by external powers in 'hard' terms as a shipping lane that should be kept open at all times and as a pivotal SLOC of immense value to their strategic interests and to the regional maritime balance of power. China, which depends on the strait to facilitate much of its international trade, continuously emphasises the need to secure shipping in the waterway. Likewise Japan, which relies on imported oil, much of which is transported through the strait. India considers its navy as a stabilising force in the Indian Ocean, of which the strait is a part. The US Navy, through the Fifth Fleet's use of the Changi

Naval Base in Singapore, has a presence in the strait and the US State Department even has a program called the Malacca Strait Initiative.

Given that Southeast Asia, where the strait is located, is essentially a maritime area, it is not surprising that the region's states place strong emphasis on maritime security as a key component of regional security. Through ASEAN, they have acknowledged that maritime cooperation among them is fundamental to the evolution of the ASEAN security community.⁴ Although in the past, maritime security cooperation among ASEAN states was not accorded high priority, there is a growing realisation among them that they are bound together by their maritime features and share a common destiny at sea.

Despite not seeing eye to eye on numerous issues regarding their maritime realm, most glaringly in the area of security, the littoral states have undertaken several initiatives to boost maritime cooperation. Nowhere is such cooperation more evident than in the Malacca Strait which cuts right through Southeast Asia and borders three of ASEAN's founding member nations. Decades of negotiations - at times heated - and compromise have resulted in the establishment of a navigation management regime in the strait that has proven to be a viable and efficient institutional arrangement for three states with different interests and views.

Such is the strategic importance of the strait that it draws the attention and interests of many states, with some even openly professing their 'interest' in it as part of their maritime strategies. The strong views of the littoral states in protecting their sovereign rights in the strait stems from their anxiety that external powers may have ulterior motives regarding their role in the strait. Although the littoral states welcome external assistance and support initiatives to boost navigation safety and to protect the environment in the strait, they are wary of any offer of help by outside parties that might be deemed as potentially undermining their sovereignty.

At times, the interests of these outside states and users of the strait collide with those of the littoral states. The differences in perceptions and interests in this sea lane are most notable in the issue of securing the strait from threats. Users of the strait often cite their rights of passage through the strait to justify their involvement in matters pertaining to security in the waterway to ensure that their ships and trade are protected. In sharp contrast to this position, the littoral states have always reiterated that the responsibility of securing the strait is theirs alone, while never denying the rights of transit passage to others.⁵ On numerous occasions, the littoral states have had to re-state their inviolable position that any security initiatives in the strait should never impinge on their sovereign rights and sovereignty.⁶ Although supportive of collaborative efforts to maintain the strait, the littoral states are mindful of the tendency of external powers to include the strait in their strategic calculations and to draw up a regional security architecture that may pose a challenge to their sovereignty.

All ships enjoy the right to use the Malacca Strait, as provided for in Article 38 of the *United Nations Convention on the Law of the Sea 1982* (LOSC) pertaining to transit passage through straits used for international navigation.⁷ Although this provision guarantees the right of international users to traverse the strait, the burden of maintaining and securing the waterway has largely been shouldered by the littoral states. The littoral states are dismayed that international users have thus far not matched their extensive usage of and their interests in the strait with a proportionate contribution to the costs of maintaining the waterway.

Dire Strait: Threats Faced by the Malacca Strait

As the economies of East Asia grow and trade volume in the region increases, there is growing concern over the rising traffic volume in the strait and the risk of accidents and pollution. Such incidents could result in the disruption of the transportation of a significant amount of global seaborne trade through the sea lane. This could potentially have an adverse impact on global shipping and world trade.

Several studies have projected that it would not be too long before the strait reaches its maximum carrying capacity of shipping traffic, and warned that beyond this threshold level, the strait would no longer be safe for navigation.⁸ This worry is warranted as the funnel-shaped strait contains sandbanks, shoals and shallow parts which pose navigation challenges to large ships.

The projected growth in traffic brings to light the critical need to enhance traffic management systems to ensure navigation safety. This has raised serious concern among the littoral states of the huge burden that they will have to bear to ensure navigational safety, and the ramifications of shipping incidents on the environment and their national interests. The growing number, size and sophistication of ships traversing the strait and the increasingly huge volumes and diversified types of cargo they carry also add to the challenge for the littoral states to ensure safe and efficient traffic management. This must be provided at a considerable financial cost that thus far has been largely borne by the littoral states without much assistance from the users who benefit from it.

When one considers that most of the ships passing through the strait do not call at ports along it and therefore do not bring economic benefit to the littoral states, one could perhaps appreciate the unhappiness of the littoral states in having to bear the burden of largely maintaining it themselves. The cost of putting in place navigation aid equipment and systems, of undertaking measures to provide navigational security and to protect its environment is already burdensome to the littoral states and will no doubt rise further with increasing traffic.

The environmental impacts arising from pollution and unsustainable development in the strait could inflict serious harm to economic activities in and along the sea lane. A

polluted strait could be especially damaging to the coastal zones and to the fisheries and tourism industries of the littoral states. Many of the vital economic activities of the areas bordering it require its waters and coastal zones to be free from pollution. There would be a high socioeconomic and even political price to be paid for serious environmental degradation in the strait that could affect the interests of the littoral states and the international community.

Some of the threats faced by the strait are complex in nature as they are asymmetrical, multidimensional and transnational and hence, can only be realistically addressed through a multilateral approach that characterises maritime capacity building measures. As global trade volume grows and nations begin to flex their naval might across the world oceans, the strategic importance of a SLOC like the Malacca Strait becomes more pronounced. The strait has not only emerged as one of the world's most critical maritime trade paths, but also an unwitting chessboard on which strategic calculations are played out by the world's key powers. With growing global attention and international stake in this key waterway, new challenges have emerged that require the littoral states to manage them in a way that satisfies the multiple and at times conflicting interests of the strait's stakeholders. The littoral states cannot be expected to manage the strait by themselves without help from more prosperous and technically advanced nations that use it intensively and benefit from it.

In addition to the threats from shipping incidents and pollution, the strait faces several other threats that can adversely impact the littoral states:

- smuggling of people, weapons, illicit materials, drugs and contraband goods
- degradation of coastal zone habitats such as mangroves, coral reefs and seagrass beds through erosion caused by human activities or natural causes
- unsustainable/destructive fishing practices
- illegal fishing
- illegal sand mining
- unchecked land reclamation
- introduction of alien species to the strait's waters
- territorial/boundary disputes
- illegal removal of shipwrecks
- natural disasters such as tsunamis
- intelligence gathering activities

- aggressive naval manoeuvrings.

These threats, if not addressed, could destabilise security and the balance of power in the strait, degrade its environment, affect regional and international trade, and threaten the socioeconomic prosperity and territorial integrity of the littoral states. In preventing, addressing and neutralising these threats, it is crucial that the international community extend assistance - in cash and in kind - to the littoral states via capacity building measures. This should only be fair given that the users of the strait benefit greatly from their patronage in the sea lane and from the efforts of the littoral states to keep it safe, secure, peaceful and clean. However, it must be strongly emphasised that assistance must be rendered in accordance with international laws and the spirit of LOSC Article 43 that calls for cooperation by the littoral states and the users of the strait to cooperate in maintaining the sea lane, and in a way that does not infringe on the sovereign rights of the littoral states and compromise their national interests.

One for All, All for One: International Cooperation in the Strait

The strait is not always a lightning rod for conflicts and an unwilling theatre of tension among the stakeholders. It also provides a stage on which the actors work together on issues of common concerns with regard to their usage of it and cooperate with one another to ensure that it is safe for traffic and its environment protected.

The convergence of multiple interests, and the realisation of the importance of cooperation among the littoral states and user states to manage the strait, has led to cooperation on various initiatives. This is done by way of bilateral, multilateral and international collaboration to ensure that the strait is safe, well-managed and open to all. At the same time, the littoral states also actively engage international bodies such as the International Maritime Organization (IMO) and the World Bank in various efforts to maintain the safety and security of the sea lane.

Tracing back international efforts in the strait over the years, they were initially focused on promoting navigational safety and environmental protection. As new challenges emerged from rising traffic volumes, greater use of the strait by more types of users, changing seaborne trade patterns, and geo-strategic issues, international efforts in the strait have grown in scope and complexity. These efforts today include joint and coordinated patrols involving naval forces and various security agencies of states, intelligence sharing and capacity building.

The watershed event that triggered inter-state cooperation in the strait is the Joint Statement adopted by the littoral states on 16 November 1971. This statement adopted a common stand among the governments of Indonesia, Malaysia and Singapore on matters relating to the strait, where they agreed, *inter alia*:

- that the task of providing navigational safety to shipping traffic in strait is the responsibility of the littoral states
- that there is a need for a tripartite cooperation in providing navigational safety in the strait
- that a body to coordinate efforts on navigational safety in the strait should be established and should consist of only the littoral states.

This Statement was followed by another adopted on 24 February 1977 that contains measures to enhance navigational safety and to promote close cooperation and coordination in efforts to curb pollution in the strait.

Over the years, several nations have extended assistance in cash and in kind to the littoral states to manage the strait. Their contributions to fund expensive projects and to donate and extend assistance in efforts in the strait are a welcome source of aid to the littoral states which consist of developing countries with many pressing socioeconomic issues.

From the point of view of the littoral states, the users of the strait have a moral obligation to give their backing to efforts to manage it, given that the users gain much economic benefit from their intensive use of the sea lane. The costs of managing traffic in the strait, largely borne by the littoral states, have increased as the number of ships traversing the waterway has increased. As the use of the strait by the international community intensifies, they have come to expect the littoral states to provide navigational safety along it at all times. This ‘free rider’ mentality is a sore point for the littoral states as they incur more economic cost than gain from the heavy use of the strait. On the other hand, the littoral states will have to bear much of the consequence of shipping accidents and pollution in the strait on their own. In view of this, the littoral states adopt a welcoming stance to assistance from the user states of the strait in efforts to ensure the safe passage of vessels traversing the sea lane, and the protection of its environment.

At the forefront of nations which have been generous in helping the littoral states is Japan which has extended both technical and financial assistance in various initiatives to maintain the strait. It has provided expertise and funding in areas such as navigational safety, maritime security and environmental protection. Japan contributed 400 million yen to set up a Revolving Fund in 1981 with the littoral states to combat oil spills in the strait. It also initiated the formation of the Oil Spill Preparedness and Response Team that is based in major seaports along the waterway. Japan has also assisted in hydrological surveys and electronic mapping of the strait, and infrastructure development projects to improve navigational safety in the sea lane. Even its private sector has contributed significantly in various strait-related initiatives.

Using the Nippon Foundation, a prominent non-government organisation, Japan established the Malacca Straits Council in 1969 to contribute to efforts to provide and boost navigational safety in the strait - funding is provided by the Nippon Foundation and the Japan Maritime Foundation. The activities of the Council include carrying out surveys in the strait and producing hydrographic charts, installing and maintaining navigation aids, and replacing buoy tender vessels for the littoral states. The Japan Coast Guard, the Ship and Ocean Foundation, the Japanese Association of Marine Safety, and the Japan International Cooperation Agency have contributed in various capacities to various projects in the strait. Japan has also extended support to projects initiated by others to boost navigational safety and environmental protection in the strait such as the IMO-led Marine Electronic Highway (MEH) project.⁹

Beyond contributing resources to projects specific to the strait, Japan has also chipped in to enhance security by initiating the Grant Aid Program for Cooperation on Counter-Terrorism and Security Enhancement, pledged US\$70 million for the ASEAN Integration initiative during the Japan-ASEAN Summit Meeting in 2005, and set up the Japan-ASEAN Integration Fund which can be used to fund efforts to maintain the strait. Japan has also extended help to Indonesia by donating three patrol boats to the Indonesian marine police in 2007 to boost its patrolling capability in the strait. More recently, Japan donated approximately US\$15 million to Indonesia to establish a Vessel Traffic System to collect data on traffic in the strait.

China depends on trade that passes through the strait, and as such has become more visible in supporting efforts to manage its shipping traffic. It contributes to the Aids to Navigation Fund set up by the littoral states and has indicated its willingness to provide training on capacity building for hazardous and noxious substances (HNS) preparedness and response in the strait. China has also committed to help replace the aids to navigation which were damaged by the 2004 tsunami, and has provided technical assistance in the setting up of a tide, current and wind measurement system in the sea lane. The Republic of Korea (RoK) also provides financial support of US\$100,000 to the Aids to Navigation Fund and its support is also critical in the development and implementation of the MEH project. Not to be outdone is the United States which contributed 15 patrol boats to Indonesia's marine police which, in turn, has deployed several of these vessels to patrol the strait. The United States is also a supporter of the project on capacity building for HNS preparedness and response in the strait. It also provides funding and expertise to the Southeast Asia Regional Center for Counter-Terrorism (SEARCCT) which is based in Kuala Lumpur.

It can be argued that the international assistance rendered to several initiatives has not always led to resounding success. However, with the establishment of the 'cooperative mechanism' that provides a solid platform to facilitate cooperative efforts among the international stakeholders of the strait, these efforts in the upkeep of the waterway may now be conducted in a more coordinated and efficient manner.

It has to be pointed out that while the littoral states welcome assistance from the international community, they will only accept help which is unconditional and not intended to fulfil any agendas. The littoral states have been very consistent in their stand that any aid from the international community must not impinge on their sovereign rights. In this respect, the help extended by Japan can be seen as a model of the type of sincere, unconditional and consistent support which is appreciated by the littoral states.

Maritime Capacity Building Measures in the Strait

Capacity building may mean different things to different people - more so when applied in different situations and context.¹⁰ In the maritime realm, the phrase 'maritime capacity building measures' entails assistance rendered to entities such as states - usually developing states - in specific areas in which those entities are not proficient or do not have the resources to undertake such measures on their own. In this context, assistance is given by user states and users of the strait - such as the shipping industry and stakeholders such as non-governmental organisations - to the littoral states to enhance their ability to manage and maintain the busy sea lane.

Various measures have been undertaken in the strait which have contributed significantly to the efforts and abilities of the littoral states to enhance the navigational safety and to protect the environment in the waterway. These measures are initiated in the interest of keeping the strait clean, open and safe to all the users, and are rendered either directly to the governments of the littoral states (such as the donation of vessels by Japan to Indonesia's coastguard) or through participation in multilateral efforts (such as the MEH project). These measures are also conducted by the littoral states to counter emerging threats and challenges in the straits and to change mindsets, attitudes and approaches of how it is perceived, used and managed.

In essence, maritime capacity building measures in the strait involve:

- donation of resources such as cash to purchase assets and of systems and equipment, for example to boost navigational safety and to protect the environment in the strait
- extension of technical expertise and advisory in areas such as fighting pollution in the strait
- provision of training to equip agencies and officials with the necessary information and expertise to manage the strait more efficiently
- conducting naval exercises in the strait to improve security and strengthen cooperation among enforcement agencies
- sharing intelligence, information and knowledge to enhance security and safety in the strait

- setting up legal framework and institutional structures to help boost management efficiency in the strait.

Rather than viewing these measures in the narrow and condescending context of the rich assisting the poor, they should be seen as a means to provide the littoral states with the resources and new approaches to manage the sea lane more efficiently in a manner that meets their national interests and the expectations of the users of the straits. These measures help the littoral states in obtaining the necessary finances, assets, expertise and administrative capabilities and prioritising their resources and efforts to respond to ever increasing and more complex challenges faced by the strait emanating from its use and the convergence of various interests therein.

It is a measure of the perceptive vision of past leaders of the littoral states that they had thought of the need to put in place institutional arrangements that facilitate maritime capacity building measures to manage the challenges faced by the strait today. In the 1960s, when oil tankers entered the 'supersize' era, the littoral states were determined to protect the strait from incidents involving these vessels traversing the sea lane. The *Torrey Canyon* incident, which resulted in massive oil spill off the coast of France in 1967, was a wake up call for the littoral states to act to avoid a similar incident in the narrow, shallow and long strait. An accident involving an oil tanker could lead to disastrous consequences to the coastal environment and population. Adding to this worry is that growing shipping traffic in the strait increases the possibility of incidents that may cause serious repercussions to shipping, trade and the socioeconomic interests of the littoral states.

The establishment of the Tripartite Technical Experts Group (TTEG) by the littoral states in 1971 was a pivotal development in the management of traffic and protection of the environment in the straits and sowed the seed for the facilitation of maritime capacity building measures in the sea lane. The TTEG has been the official platform that facilitates efforts to promote safety of navigation and environmental protection in the sea lane. Through the TTEG, the littoral states, in concert with the IMO and Japan have undertaken the following initiatives:

- Conducting hydrographic surveys to develop better and more accurate charts of the strait.
- Developing better understanding of the marine environment of the strait such as its tidal and current patterns.
- Putting in place the necessary navigational aids and modernising and upgrading them in tandem with rising shipping traffic in the strait.
- Establishing an under keel clearance of 3.5 meters for ships traversing the strait to promote safety of navigation.
- Establishing a Revolving Fund to combat oil spills.

- Introducing a voluntary reporting system and a pilotage system in some areas in the strait.
- Developing contingency plans for marine pollution, and search and rescue operations.
- Establishing cooperation to fight illegal activities at sea, including cooperation against armed robbery and smuggling.

If the current global economic recession continues, it may impact on efforts underway in the strait. States which have extended help may cut or hold back assistance as they grapple with the effects of the financial downturn. This may have a negative impact on costly capacity building projects that depend on external funding such as wreck removal and HNS preparedness and response.

Providing navigation safety to ships traversing the straits is a core maritime capacity building measure in the strait, which complements the tireless efforts of the littoral states, whether taken individually or collectively, in this area. Among the initiatives related to navigational safety in the strait are:

- The introduction of a Traffic Separation Scheme (TSS) in the strait by the littoral states in 1971; adopted by IMO in 1977 and officially established in 1981.
- The installation of an automatic identification system (AIS) by the Marine Department Malaysia to track vessels transiting the strait, including an identification system for aids to navigation.
- The setting up of Vessel Traffic Systems (VTS) by the littoral states, to provide information from shore-based control centres to ships to help them navigate safely through the strait, and as an essential component of ship routing in the busy waterway.
- The introduction of the Straits of Malacca and Singapore Ship Reporting System in 1998. This was recommended by the littoral states and was adopted by IMO; it requires masters of ships of certain features and dimensions to report to the VTS Control Centre along the strait information such as the name of their ships, their call signs, their IMO classification numbers, hazardous cargo carried, and deficiencies affecting the ships that may pose a navigational hazard.
- The setting up of a Differential Global Navigation Satellite System by the Marine Department of Malaysia in 2003, which consists of two reference stations and an integrity monitoring station in locations along Malaysia's side of the strait to enhance vessel positioning within the sea lane.

- The establishment of a Global Maritime Distress and Safety System that transmits navigational and meteorological warnings to ships traversing the strait to enhance safety of navigation.

Various initiatives have also been undertaken to boost security in the strait, including:

- The establishment of the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* (ReCAAP), a grouping of nations providing a platform for the sharing of intelligence on crimes at sea in the strait. ReCAAP was initiated by Japan during the ASEAN plus 3 Summit in Brunei in 2001 and was set up in Singapore in 2006. Consisting of 16 members, it is the first government-to-government set-up that aims to enhance cooperation among participating nations to share information to prevent and address crimes in the strait. Although Malaysia and Indonesia have not ratified the initiative, they support the idea of international cooperation to combat piracy.
- The adoption of a statement for *Cooperation against Piracy and other Threats to Maritime Security* by the ASEAN Regional Forum in 2001.¹¹ The statement places emphasis on maritime security as an indispensable and fundamental pillar for the construct of economic welfare and security in the ASEAN region.
- The establishment of the ASEAN Defence Ministers' Meeting which was convened for the first time in Kuala Lumpur in May 2006, to facilitate discussion on trans-boundary and transnational crimes at the ASEAN level.
- The conduct of a multilateral shore exercise, first held in Singapore in January 2007, to boost security cooperation in the strait among the littoral states.
- The adoption of post-11 September 2001 maritime security measures by the littoral states such as the *International Ship and Port Facility Security Code* introduced by the IMO and the Container Security Initiative introduced by US Customs.
- The setting up of SEARCCT in 2003. The Kuala Lumpur-based centre organises discussions and forums on addressing terrorism in the region and promotes maritime capacity building measures among the littoral nations to create a peaceful and stable environment in the strait.
- The introduction of the Eyes-in-the-Sky initiative in 2005 - a joint air-sea surveillance patrol by the armed forces and maritime enforcement agencies of the littoral states to provide an assured presence to ships traversing the strait.

United We Stand: The ‘Cooperative Mechanism’

The introduction of a ‘cooperative mechanism’ to implement projects to promote and enhance navigation safety and protect the strait from environmental threats marks a new dawn in cooperation and maritime capacity building measures in the strait. The Kuala Lumpur Meeting on the Strait of Malacca in September 2006 planted the seed for the formation of this commendable effort which represents a quantum leap in the management of the strait. The meeting was part of an ongoing series of meetings between the littoral states and user states to discuss issues related to its management.

The Kuala Lumpur Meeting was a culmination of similar meetings in Batam, Indonesia in August 2005 and in Jakarta in December 2005. A meeting in Singapore in September 2007 affirmed the establishment of the cooperative mechanism which provides a platform for the littoral states and user states of the strait to participate in activities and exercise corporate social responsibility to ensure navigational safety and environmental protection in the sea lane.

The Kuala Lumpur Meeting was notable for the agreement reached among the littoral states to implement six projects to boost navigational safety and environmental protection in the strait. They are:

- the removal of identified wrecks in the TSS in the strait
- capacity building on HNS preparedness and response
- the demonstration Project of Class B AIS on small ships
- the setting up of tide, current and wind measurement system
- the replacement of aids to navigation
- the replacement of seven aids to navigation damaged by the 2004 tsunami.

It is a measure of the close cooperation among the littoral states and the prevailing amicable mood in their relations that the cooperative mechanism has been realised and made operational. The setting up of the mechanism lives up to the spirit of LOSC Article 43.

The principles the cooperative mechanism is built on are:

- the sanctity of the territorial sovereignty, sovereign rights and jurisdiction of the littoral states of the strait
- the need to conform with LOSC Article 43
- the role of the TTEG as a focal point for efforts to promote navigational safety and environmental protection in the strait

- the acknowledgment of the interests of the users and other stakeholders in the strait and of their roles and contributions in efforts to maintain the sea lane.

With these principles, the architects of the cooperative mechanism have placed solid pillars on which efforts to manage shipping traffic in the strait and to protect the waterway from pollution can be undertaken. They have taken an inclusive approach to engage the users of the strait in maintaining the waterway while at the same time placing utmost importance on their own interests in the sea lane. The mechanism is designed to make its structure uncluttered and to facilitate smooth implementation of maritime capacity building measures. It is also flexibly structured to accommodate new developments that may require a quick and pragmatic response from the stakeholders. While the cooperative mechanism provides for multilateral cooperation among strait stakeholders, it does not hamper bilateral cooperation on specific projects to improve management of the waterway.

The cooperative mechanism consists of the following components:

- A cooperation forum which provides a platform for dialogue, exchange of information, open discussion and burden sharing between the littoral states and the strait's users; the first meeting of this forum was conducted in May 2008 which discussed:
 - the status of aids to navigation in the strait
 - the state of navigational safety in the strait
 - updates on initiatives to protect the strait's environment, especially efforts to respond to oil spills
 - updates on the MEH demonstration project
 - developments of the six projects agreed upon by the littoral states and user states during the Kuala Lumpur Meeting in 2006.
- A Project Coordination Committee which facilitates the implementation of the above mentioned six programs by the littoral states and the program sponsors. The Committee had its first meeting in Kuala Lumpur in May 2008 and discussed the six projects. Although the meeting did not manage to gain a commitment from any party to fund the removal of identified wrecks project, there have been expressions of commitment by China, Australia and the United States to support capacity building on HNS preparedness and response. The meeting also heard that Japan and the RoK were committed to help replace aids to navigation which have suffered from wear and tear. China also expressed its commitment to replace aids to navigation damaged by the 2004 tsunami.

- An Aids to Navigation Fund which can be used to fund projects and put in place equipment and systems to improve navigation safety in the strait. This fund realises the notion of burden sharing on the cost of implementing projects in the straits based on the 'user pays' principle. The littoral states have high hopes that user states including the shipping industry, the oil and gas industry, international organisations and even non-government organisations will come forward and contribute to the fund to help finance navigation safety and environmental protection programs. The fund will be managed by the littoral states on a rotational basis and will have a committee, whose members consist of representatives from the littoral states and contributors to the fund, to ensure accountability and transparency. The first meeting of the fund was held in Penang, Malaysia in April 2008, and agreed on the terms of reference, rules of procedures and other arrangements of the Fund. Contributions to the fund, amounting to US\$3.5 million, came from the Nippon Foundation, Middle East Navigational Aids Services, the United Arab Emirates, the RoK, China, Greece and Japan. The IMO Trust Fund is a supporter of the Aids to Navigation Fund, lending a much needed high-level endorsement to the latter and increasing its credibility to attract contributors. Meanwhile, the Japan-based Malacca Strait Council has been asked to advise the Fund Committee on discharging its duties.

Beyond the Blue Horizon: The Voyage Ahead

It is encouraging to see maritime capacity building measures efforts in the strait taking shape and gaining momentum. The flourishing efforts among the littoral states and with other users of the strait augurs well for safe navigation and the prevention of pollution, while preserving the sovereign rights of the littoral states.

While any proposal to boost cooperation in the strait deserves a fair hearing, any ideas to establish new regional arrangements should not undermine existing initiatives and duplicate the efforts already in place. More importantly, they should not in any way pose a challenge to the undisputed sovereign rights of the littoral states, as the rightful guardians of the strait, and be dismissive of their national and collective interests.

Although it is no secret that the littoral states do not always see eye to eye with one another on all issues regarding the strait, they have demonstrated an admirable degree of compromise to reconcile their various positions and to promote maritime capacity building measures in the interest of maintaining order in the strait. Through platforms such as the TTEG, they have managed to continuously ensure safe navigation and the environmental protection of the strait. The littoral states have also been remarkably

successful in balancing the need to meet the expectations of users of the strait without compromising their own national interests.

On that score, it is most encouraging to note the willingness of the littoral states to find an amicable resolution to maritime disputes among themselves. The settlement of the claims on the islands of Sipadan and Ligitan between Malaysia and Indonesia, and on Pulau Batu Putih Island (Pedra Branca) between Malaysia and Singapore, at the International Court of Justice reflects growing maturity to use diplomatic options to find an agreeable solution to their disputes. This commendable spirit holds promise for stronger cooperation among the littoral states in matters concerning the management of the strait. It would not be conducive to promote maritime capacity building measures in the strait to meet growing and increasingly complex challenges in the sea lane if the littoral states take an adversarial position with one another and treat each other with apprehension.

Despite the differences in views, priorities and interests concerning the strait among the littoral states and other stakeholders, it is encouraging to see that there is an open and inclusive attitude prevailing among them. The littoral states are especially resolute in protecting their sovereign rights and national interests in the strait but at the same time always observant and respectful of the rights of other stakeholders to use it. The littoral states are also consistent in upholding and applying the relevant international laws in the strait while working towards strengthening cooperation among themselves and between themselves and with users of the strait.¹² In this respect, they acknowledge and appreciate the role and authority of the IMO in supporting initiatives to keep the strait safe, clean and secure. This augurs well for cooperation among stakeholders undertaking maritime capacity building measures to manage the strait based on their converging interests in enhancing the navigational safety and in protecting the environment of the sea lane which is in keeping with LOSC Article 43.

The strait will be faced with more challenges in the years ahead as it becomes used more intensely by more parties. Compounding this is the fact that the strait is located in an area subjected to many complex strategic calculations, and the fact that the littoral states are not always in agreement with one another in matters pertaining to it. However, this in no way implies that the challenges are insurmountable. The success of maritime capacity building measures in the strait thus far, as evidenced by the setting up of the cooperative mechanism, paints an optimistic picture of challenges in the sea lane being met resolutely by way of closer cooperation among the stakeholders. Barring any dramatic developments that may lead to the deterioration of relations among the littoral states or with the user states, one would wager a bet that there would be closer collaboration to foster maritime capacity building measures in the strait in the future.

That said, it would be all too easy to get carried away with the current feel-good factor in multilateral efforts in the strait and the success of measures therein. The stakeholders have their work cut out for them to address the challenges of providing the resources,

putting in place the infrastructure and systems, and reconciling the multiple interests present to ensure that the strait remains safe for navigation, protected from pollution and a passageway of prosperity instead of a crossroad for conflict. They must set aside differences, reconcile perspectives and develop common and coherent vision to create a favourable environment for it to be managed in the most optimal and efficient fashion to meet the manifold, complex challenges it faces.

The challenge is on for the littoral and user states of the Malacca Strait to make further progress and to sustain and enhance cooperation to encourage maritime capacity building measures in an inclusive manner. Existing initiatives and institutional arrangements to manage the strait must be strengthened, instead of adding more to them and cluttering the process. The plurality of perceptions and the intensity of interests in the strait among its many stakeholders must never be allowed to get in the way of functional cooperation in realising common objectives. They must create synergy among existing efforts and empower arrangements like the cooperative mechanism and institutions like TTEG to take on more roles in functional areas such as navigational safety and environmental protection. At the same time, they must be wary not to create 'donor fatigue' in asking for assistance to fund initiatives and in promoting maritime capacity building measures in the strait. They must be judicious in prioritising efforts that require financial or technical help from the international community.

Most importantly, any maritime capacity building measures to maintain the strait must be in accordance with international law and must never violate the sovereign rights of littoral states and deprive them of their stakes in this monumentally important sea lane. Befitting its prominence, importance and significance, the strait should act as a canvas for cooperation rather than a channel for conflict among its many stakeholder in order to maintain its safety, security, environmental integrity and overall prosperity for the benefit of all.

Notes

- ¹ In the context of this paper, the term 'sea lane' is used to describe an established maritime passage used by ocean shipping. The definition of 'shipping lanes' can be clarified by referring to Article 41 of the *United Nations Convention on the Law of the Sea 1982* (LOS) which concerns shipping lanes and shipping traffic separation schemes.
- ² Statistics from Marine Department Malaysia (2007).
- ³ US Energy Information Administration, *World Oil Transit Chokepoints*, <www.eia.doe.gov/cabs/World_Oil_Transit_Chokepoints/Malacca.html> (1 June 2009).
- ⁴ The ASEAN website states:

Recognising the strong interconnections among political, economic and social realities, the ASEAN Security Community acknowledges the principle of comprehensive security, and commits to address the broad political, economic, social and cultural aspects of building an ASEAN Community (ASC). It is also acknowledged that political and social stability, economic prosperity, narrowed development gap, poverty alleviation and reduction of social disparity would constitute strong foundation for a sustained ASC given its subscription to the principle of comprehensive security. The realisation of ASC would ensure that countries in the region live at peace with one another and with the world at large in a just, democratic and harmonious environment. The ASC would be based on shared norms and rules of good conduct in inter-state relations; effective conflict prevention and resolution mechanisms; and post-conflict peace building activities. The ASC promotes an ASEAN-wide political and security cooperation in consonance with the ASEAN Vision 2020 rather than a defence pact, military alliance or a joint foreign policy. (<www.aseansec.org>).
- ⁵ With regard to straits used for international navigation, Article 34(1) of the LOS accords the sovereignty and jurisdiction of states bordering the straits over such waters (including their airspace, bed and subsoil), while Article 38 prescribes the right for all ships and aircrafts to enjoy the right of transit passage through the straits.
- ⁶ When it was controversially suggested in 2005 that external naval forces be allowed to patrol the strait should piracy attacks in the sea lane reach pandemic levels, the littoral states strongly condemned the idea as an attempt to encroach into their jurisdiction. Likewise when private security companies provided escort to merchant ships traversing the strait, the littoral nations protested vehemently and saw their presence as undermining the authority of their own maritime security enforcement agencies.
- ⁷ It can be said that the strait consists of two legal regimes: the transit passage regime, set out in Part III of LOS, which provides for military powers the freedom to transit through straits used for international navigation to enjoy navigation and overflight without having to pass through the territorial sea of the littoral states. The regime also states that the littoral states have the duty of not hampering or suspend transit passage; and the innocent passage regime which maintains that passage through the Malacca Strait should be considered as passage through the territorial waters of the littoral states, hence allowing them to deny passage deemed to be prejudicial to their peace, good order and security.
- ⁸ The Japan International Transport Institute estimated in a 2006 study that traffic in the sea lane could reach 200,000 ships a year by 2015.

- ⁹ The Marine Electronic Highway is an innovative marine information and infrastructure system that integrates environmental management and protection systems and maritime safety technologies. Funded by the World Bank, the US\$17 million conglomeration of systems and technologies aims to enhance maritime services, improve navigational safety standards, integrate marine environment protection and promote sustainable development of coastal and marine resources.
- ¹⁰ The United Nations Development Program (UNDP) defines capacity building as ‘the creation of an enabling environment with appropriate policy and legal frameworks, institutional development, including community participation (of women in particular), human resources development and strengthening of managerial systems’. It adds that ‘UNDP recognizes that capacity building is a long-term, continuing process, in which all stakeholders (ministries, local authorities, non-governmental organizations and water user groups, professional associations, academics and others) participate’.
- ¹¹ The ASEAN Regional Forum is a platform established by ASEAN to foster constructive dialogue and consultation on political and security issues of common interest and concern among ASEAN members and to make significant contributions to efforts towards confidence-building and preventive diplomacy in the Asia-Pacific region.
- ¹² These laws include LOSC, various International Monetary Organization conventions, *Convention on International Trade in Endangered Species of Wild Fauna and Flora*, *Convention for the Prevention of Pollution From Ships 1973/1978* and its Annexes, *Basel Convention on the Control of Transboundary Movement of Hazardous Waste and their Disposal 1989*, and the ASEAN Oil Spill Response Action Plan.

The Answer may be on your Luncheon Plate: The Dilemma of Piracy in the Horn of Africa

Gary E Weir

For months we have rarely seen a day end without a pirate glaring at us through our television screen from another part of the world. In April 2009 the curious timing of Somali pirates punctuated the importance of the issue by seizing SS *Maersk Alabama* in the middle of a conference on Horn of Africa Piracy hosted by the US National Maritime Intelligence Center (NMIC). The seizure set off an international drama that resulted in the death of two pirates and the arrest of another. In the midst of this high profile confrontation, the intelligence professionals at NMIC took steps to form a community of interest on this issue through a group of participants invited from industry, defence, intelligence, and policy, all drawing additional energy, motivation, and determination from the captive American crew. For three days the conference explored the domestic politics of Somalia, the origins of piracy, possible tactical remedies to counter pirate operations, the policy implications of planned or proposed actions, piracy from the commercial viewpoint, and ultimate solutions.

The preliminary conference conclusions did not come as a surprise, but certainly defined the problem and its challenges precisely. Crafted by intelligence analysts at the NMIC they included some of the following observations:

- Piracy off the Horn of Africa is a self-sustaining, low-risk/high-payoff proposition; as a result, pirate recruiting and the frequency of attacks will continue to grow.
- The strategic answer to this problem lies ashore, that is, the institution of a stable and effective Somali government able to stem piracy from within; unfortunately, this will require international engagement and lots of time.
- Accordingly, until a government in Somalia is established and is able and willing to counter piracy indigenously, the only sustainable, long-term alternative is a deliberate Horn of Africa counter-piracy maritime campaign, one actively informed by intelligence capabilities and organisations supporting decision-makers, operational planners, mariners and operators alike.
- At the operational level, a better understanding of Somali pirates, pirate vessels, and the effects of weather and other operational factors is needed. Equally compelling, the pirate business model onshore and the

potential for international policy changes offshore need to be explored to impede the relative freedom of action enjoyed by Somali pirates.

- The best defence against a Somali pirate attack is the ready response of mariners acting in defence of their own ship. However, counter-measures take time and cost money, and likely will take an extended period of time to effect.¹

Clearly, the strategic answer to the national sickness called piracy lay on shore with the Somali people and their government, while the tactical effort to address the symptoms will have an immediate naval and maritime flavour. What might the ultimate solution look like? Recent history can suggest some possibilities.

The Way Ahead

On 22 April 2008, France, the United Kingdom, and the United States called for a United Nations resolution to support those nations determined to fight piracy off Somalia. Only one week before, the French armed forces captured six Somali pirates after they seized the French-owned luxury yacht *Le Ponant* and held the crew of 22 captive for a week hoping for ransom. The French government had the pirates taken to France for interrogation. Apparently undeterred by the French action, another contingent of pirates took a ship moving through the region from Dubai on 21 April while the Spanish Navy pursued a seized Spanish tuna boat taken with a crew of 26 off the Somali coast. The French ambassador to the UN, Jean-Maurice Ripert commented to the press that his country had no desire to endanger the law of the sea. The French, the Americans, and the British simply wanted a mandate from the United Nations to take action against piracy in the name of the international community.² In his comment to the press he explained:

The idea is to give a mandate, to call on states of the United Nations to tackle piracy by organizing patrols, reacting to acts of piracy, to take as many preventive measures as possible.³

In response to the increased threat of piracy off Somalia, on 2 June 2008, the UN Security Council adopted Resolution 1816, with the consent of Somalia, which 'lacks the capacity to interdict pirates or patrol and secure its territorial waters'. This resolution authorised foreign naval vessels to enter Somali territorial waters for an initial period of six months, although this period could later be lengthened by mutual agreement. This resolution also allows foreign naval vessels to use 'all necessary means' to repress acts of piracy and armed robbery at sea, consistent with relevant and existing provisions of international law.⁴

While this resolution enhanced efforts at the time to arrest piracy, it did not address the underlying problems that created this activity in the first place. In looking for a solution,

we need to recall the problem's history. The Somali case emerged from the foreign exploitation of traditional fisheries and the inability of local fishermen to preserve their resources and livelihood. Thus, the long-term solution to this problem must go beyond traditional coalitions, formal alliances, the power of regional neighbours, and the destruction of individual targets. An international framework of common applicable law, common enforcement, and common policy must extend beyond regional boundaries and political borders.⁵ The solution must also speak to that lost livelihood that so profoundly affected many of the men who turned to piracy as an alternative.

Rather than reinventing the wheel, taking the opportunity to build upon existing regional, civilian fisheries agreements might present the best model for not only strengthening those agreements but also extending them to provide greater security against maritime crime and piracy.⁶ It might also present the possibility of necessary validation for any recovering government in Somalia. An initially weak and challenged Somali administration would benefit from international recognition and support in an area so vital to the daily well being of its citizens. Developed in this way, the collaboration would feel inclusive, mostly civilian, and military only in a minimal sense. It would also feel culturally friendly, as many of the participating nations share common languages, borders, and religious beliefs. In Asia, the forms of cooperation developed by the South Pacific Forum Fisheries Agency, whose members have already agreed to surveillance collaboration, would certainly provide the basis for a framework that would address piracy and armed robbery at sea.⁷

In the immediate region of Somalia, concerned nations might look, for example, to the Regional Commission for Fisheries (RECOFI). This UN-sponsored international association counts among its members, Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.⁸ Their objectives include the development, conservation, and management of marine resources and the promotion of aquaculture. At the same time they have decided to regulate fishing methods and fishing gear as well as the seasons for fishing and the extent of the catch.

Many of their primary concerns and goals address the issues of central control, national economic rights, and the threat of foreign exploitation that triggered the so-called coastguard actions off Somalia by local fishermen. RECOFI has also embraced the need 'to keep under review the economic and social aspects of the fishing industry.' Regardless of its present nature, in Somalia large scale, increasingly deep-ocean piracy originated from the need of poor communities for a livelihood. In its present form RECOFI cannot entirely address the problem at hand, but it certainly might provide a framework upon which to build. Other associations like RECOFI, sponsored by the UN Food and Agriculture Organization (FAO), also address the fisheries issue. The Southwest Indian Ocean Fisheries Commission (SWIOFC), to which Somalia nominally belongs, includes Comoros, France, Kenya, Madagascar, Mauritius, Mozambique, Seychelles, and Tanzania. Many other agreements exist that might serve the same

purpose and they touch every part of the world ocean.⁹ If RECOFI and SWIOFC can decide via policy and mutual agreement to enhance the security measures protecting fisheries and the local communities working those waters, Somalia can benefit from FAO sponsorship, as well as direct assistance based in neighbouring countries, coming from culturally friendly sources who are themselves part of the Islamic world.

The same common civilian and commercial interest that may lead nations to agreements on fisheries management and security under the aegis of RECOFI or SWIOFC can help to address maritime crime. Any framework must include all nations affected, regardless of political perspective or bilateral commitments. Agreements such as these can help preserve the integrity of the people, their right to make a living locally, and provide international support and validation for any new viable government emerging within Somalia.

For their part, navies can inform and tactically support any regionally-composed security frameworks built upon agreements like RECOFI. More immediate, tactical responses might include enabling both local authorities and corporate countermeasures. Naval forces can provide mine countermeasure vessels to address mines laid by criminals in choke points or ports. Navies should also offer to increase or enhance exercises, training, and cooperation to assist regional or secondary maritime forces in undertaking these tasks. Naval experience with unmanned aerial vehicles (UAVs) and ship security systems can help enhance the spread of best practices in the use of methods suggested by the International Maritime Organization, such as the Inventus UAV, ShipLoc, and Secure Ship. These measures would dovetail well with the strategy of supporting a regional framework.

Any effort to make the desired frameworks viable via international collaboration would obviously require equally collaborative, multinational naval support. Addressing the 17th International Seapower Symposium on 21 September 2005 at the US Naval War College, then Chief of Naval Operations, Admiral Mike Mullen, began to explore the possibilities open to global navies:

As we combine our advantages, I envision a 1,000-ship Navy - a fleet-in-being, if you will, made up of the best capabilities of all freedom-loving navies of the world ... This 1,000-ship Navy would integrate the capabilities of the maritime services to create a fully interoperable force - an international city at sea.¹⁰

For some naval historians the admiral's statements seemed timely indeed. The Combined Operations Project led in 2005-06 by the Contemporary History Branch of the US Naval Historical Center examined the nature of effective naval coalitions and their ability to address the varied threats on the high seas.¹¹ In each of the case studies conducted by these American, Canadian, Australian, and British historians, communication and trust emerge as paramount. Without the trust engendered by

effective, well-trained liaison officers and frequent collaborative exercises at sea, combined operations can quickly become an exercise in futility.

Deliberate, frequent, and regular contact allowed people to broker the mutual understanding that served Vice Admiral, Viscount Nelson so well within his own fleet two centuries ago. This dynamic has become even more necessary today given the potential contemporary barriers of language, culture, technology, and operational experience. The history of recent combined operations repeatedly speaks to these critical, but often overlooked, personal aspects. In short, history suggests that in naval operations as well as in international, civilian maritime policy 'you cannot surge trust'.¹²

In the combined operations naval study human relations and networks emerged strongly as the primary asset or resource needed to bring peace and enforcement to the maritime commons, including the Horn of Africa. Naval component commander Commodore James Stapleton, RAN, once made this very same point in reflecting on the reasons for success in East Timor in 1999. In that conflict, the naval component of the multinational UN Task Force supporting Operation STABILISE achieved a very high level of interoperability. Their effective communication and division of labour brought to the effort in East Timor the kind of success currently sought off the Somali coast. In a 2004 oral interview with the author, Stapleton recalled that:

They'd all come from a major exercise that was called off, the one that I was going to go to. So they'd had time in company and they'd worked with [USS] *Mobile Bay* before, they'd worked with [HMS] *Glasgow* ... they'd worked with [HMNZS] *Te Kaha* ... I'd worked with these ships before, I knew the COs [Commanding Officers], I knew the capabilities of each of the ships. So we'd worked together pretty much for a lot of the time.¹³

Combining proved relatively easy, as long as the relationships remained fresh and current and drew on strong common experience:

It was very much a one-on-one ... with every country, but the way I spoke to them and the operation order for communications, the operation order for the flying program ... was the standard NATO signal which they all have.¹⁴

Each knew the other and had clearly understood mutual expectations.

Measures were consciously designed to build and renew the human network between ships and people, which cannot have the flavour of a single nation alone, as Stapleton stated:

[I had people] from each country on my staff ... I had a Frenchman ... I had a Canadian or two, engineers. I had New Zealanders. This became a problem for me then about classification, and what I could leave lying

around ... Issues like that. And what was privileged information, and what wasn't ... It does make problems, but if you don't manage it, and I didn't have those guys and girls on my staff, for sure, then the coalition thing doesn't work.¹⁵

It had to become as natural as the first cup of coffee in the morning, a fit so well engineered over time, socially and professionally, that it could become second nature:

You hear people say, 'I'm an Australian', but people in Australia still know what you mean when you say 'I'll have a brew', a coffee, 'I'll have a NATO standard' (that's white and two [sugars]). Maybe that's because that reflects my age ... and I did a lot of training in the UK. So I knew NATO, and I know the publications. But if you're using ATP, the tactical publications, you can talk to any navy in the world, because everyone's got Allied Tactical Publications. You can also use international codes. So it was never really an issue about integration. ... Everybody just fitted in.¹⁶

Ignoring these experiences, history strongly suggests that we have very often placed our emphasis elsewhere or viewed naval personnel as extensions of platforms and technologies. In addition, we must recognise that the cultural expectations shaping a naval career have long mitigated against the role the international community - especially those interested in subduing maritime crime and piracy - needs many officers to play; the very same roles that can make combined action against Somali piracy most effective.¹⁷

As 2009 dawned, the region needed officers to play these roles more than ever. On 8 January 2009, in the shadow of the US\$3 million ransom paid to free the Saudi supertanker *Sirius Star* from Somali pirates, Vice Admiral William Gortney, USN, the American Combined Maritime Force Commander, announced the creation of Combined Task Force 151, dedicated exclusively to anti-piracy operations.¹⁸ Four days later Commodore Stapleton's homeland announced that it would join other international forces, including those of the United States and China, in the new dedicated mission against pirates in the Gulf of Aden and near the Horn of Africa.¹⁹ A force adequate to address the symptoms of piracy seems near.

Conclusions

A long-term solution to Somali piracy must come from within a country currently characterised by chaos, rival authorities, dismemberment, and poverty. Any attempt to revive a stable government responsive to the Somali people will depend very heavily on international support and recognition given in very practical ways. Restoring the fishing industry in Somalia would provide many of the coastal unemployed in the most desperate portions of the country with a reason both to respect a new Somali

administration and to hope for a more productive and less violent future. As the piracy problem in the Horn of Africa began with the loss of the fisheries to foreign exploitation, so too the solution must begin with the revival of that industry and way of life. Solutions based upon a possible framework supplied by RECOFI or SWIOFC would draw upon existing resources and agreements with culturally familiar partners, while keeping the solution regional. This must represent part of a strategic plan to arrest piracy, while naval forces address the immediate tactical challenges.

Are naval patrols the answer to piracy? Although Malaysia and China, for example, have traditionally opposed combined piracy patrols in the Asian-Pacific region their reluctance to collaborate has not truly tested the approach. Patrols can address some symptoms, but not the cause. If regional agreements on fisheries management form the basis for comprehensive security agreements to protect resources and regional economies, navies may then play a variety of high and low profile roles to enable the agreements to take hold. Not all of the measures that will ensure a safe, healthy, and shared ocean will take the form of overt naval action. Some of the roles navies will play still await definition and may recall times past when a modest naval presence directly advanced local economic interest in many and varied ways.²¹ It is not hard to see this as the point of creating a community of interest within the American defence and commercial communities at the conference hosted by the NMIC in April. The proceedings made it obvious that the solution would come from a blend of international influences, combined naval forces, and support from those engaging in regional commerce, but most of all from on-shore local solutions and the restoration of a local economy in some degree of harmony with international interests. In the end, the solution to piracy is as local as the lost livelihood of a pirate recruit in one of the Harardhere camps along the Somali coast and as global as Admiral Mullen's international city at sea. If we can see the connection and act on it, the region can once again find both the rule of law and a way to sustain itself.

Notes

- ¹ National Maritime Intelligence Center, *Conference Report - Horn of Africa Piracy Conference, 7-9 April 2009*, 14 May 2009. Copy in possession of the author.
- ² 'France, US, UK draft Somalia Piracy Resolution', 22 April 2008, <www.reuters.com/articlePrint?articleId=usn2234394720080422> (22 April 2008); 'Pirates on French Yacht Captured', 11 April 2008, <<http://english.aljazeera.net/News/asp/print.htm>> (22 April 2008).
- ³ 'France, US, UK draft Somalia Piracy Resolution'.
- ⁴ <www.un.org/News/Press/docs/2008/sc9344.doc.htm>.
- ⁵ Sam Bateman, 'Regional and International Frameworks for Maritime Security Cooperation', <www.apan-info.net/maritime/ket_terrorism_view.asp> (29 November 2005).
- ⁶ Bateman, 'Regional and International Frameworks for Maritime Security Cooperation'.
- ⁷ Professor MJ Peterson, University of Massachusetts, Amherst, e-mail to author, 30 November 2005.
- ⁸ Regional Fisheries of the World, <www.fao.org/fi/body/rfb/RECOFI/recofi_mapandmem.htm> (30 November 2005).
- ⁹ Regional Commission for Fisheries Objectives: <www.intfish.net/orgs/fisheries/recogi.htm> (28 April 2008); Southwest Indian Ocean Fisheries Commission, Background, Members, and goals, <www.fao.org/fishery/rfb/swiofc/en> (22 May 2009).
- ¹⁰ Admiral Mike Mullen, 'Remarks as delivered for the 17th International Seapower Symposium', Naval War College, Newport, RI, 21 September 2005, <www.navy.mil> (9 April 2007).
- ¹¹ The United States (US) Naval Historical Center has since become the US Navy History and Heritage Command. Although delayed, the final report of the Combines Operations Project should go to press in 2010.
- ¹² Dr Steven Harris, Canadian Forces Senior Historian in the Directorate of History and Heritage, coined this phrase during one of the Combined Operations Project's analytical sessions in Canberra, Australia in July 2005.
- ¹³ Gary E Weir, 'Interview with Commodore James R Stapleton, RAN', 14 December 2004, copy in author's possession.
- ¹⁴ Weir, Interview with Commodore James R Stapleton, RAN.
- ¹⁵ Weir, Interview with Commodore James R Stapleton, RAN.
- ¹⁶ Weir, Interview with Commodore James R Stapleton, RAN.
- ¹⁷ While a 21 July 2008 report in *USA Today* describes recently successful collaborative arrangements between the US Navy and local authorities to restrict piracy and maritime crime in Asian waters, it notes the difficulty of implementing similar solutions in Africa because of the absence of a legitimate, empowered Somali government. Citing the International Maritime Organisation, reporter Donna Leinwand states that, 'African waters account for 56% of all pirate attacks, spiking from 27 attacks in the first half of 2005 to 64 attacks since January'. If order cannot return to Somalia in the near future it may be that only a regional arrangement can provide the authority to bring enforcement to the Horn of Africa.
- ¹⁸ Special Navy News Service for Thursday, January 08, 2009, 'New Counter-Piracy Task Force Established', <www.navy.mil/search/display.asp?story_id=41687> (8 January 2009).

- ¹⁹ 'Australian warship could be sent to Indian Ocean in piracy purge', *The Australian*, 12 January 2009.
- ²⁰ 'France, US, UK draft Somalia Piracy Resolution'; 'Pirates on French Yacht Captured'; Piracy figures were up 20 per cent in the first quarter of 2008, 'Piracy Figures up by 20% for first quarter of 2008', <www.icc-ccs.org/main/news.php?newsid=109> (21 July 2008).

Capacity Building and the Indian Navy

Probal Ghosh

We look way beyond ... Our maritime strategies have to take into account the complete matrix of economic interest, military threats and other national interests.

Admiral Arun Prakash, IN¹

The dynamic and evolving nature of maritime threats and challenges have had tectonic effects on the agencies involved with providing maritime security. The term 'maritime security' has undergone a change in perception and in its nuances. While it is still about protection associated with the maritime domain, instead of overt threats from military forces, the present threats are more amorphous by nature and at times veiled in format.² In most cases such threats are directly linked to events occurring on land but that is not an abiding principle. Probably this is the reason why there is a new-found focus on maritime security in the work of the International Maritime Organization and other international organisations concerned with making international shipping and seaborne trade more secure against threats in the maritime domain.³

Maritime security is a term with a large ambit and the Baltic and International Maritime Council uses it to cover the spectrum of risks associated with drug smuggling, piracy, and armed robbery against ships, stowaways, migrant smuggling and the threat of terrorism.⁴

Navies, given their capabilities, have always been involved with the protection of shipping and seemingly provide the best response strategy in the event of a maritime threat. However navies, coastguards and agencies such as marine police operating in the littorals are fraught with measures to overcome these challenges, the portent effects of which not only indicate a foreboding for maritime security in particular but overall security in general.

Unfortunately the amorphous nature of evolving threats combined with the large areas involved, means that resource constrained agencies are stretched to the maximum. Given that a mistake in ensuring safety can prove costly and lead to loss of life and property, and have a detrimental effect on national economy, there exists a natural demand for creating a robust maritime security system. Media scrutiny has led to this becoming an issue of great public importance.

This error free syndrome and a demand for a high level of protection have consequently led to a primary response, revolving around a requirement for greater capacity building and cooperative approaches for countering threats, which has consequently heralded a change in the traditional roles of navies and coastguards.

These fundamental changes have ensured a transformation at the organisational level of these institutions. Historically, navies were entrusted with four primary functions: military warfighting, constabulary or policing functions, diplomacy in its coercive or non-coercive forms and force projection.⁵ Currently, with the change in forms of threat appreciation and perception, the constabulary function (often delegated to coastguards by the respective navies) has become the primary role. The geographical boundaries demarcating the responsibilities of these national maritime agencies have also been partly erased. Hence roles that were earlier distinct with no fear of crossovers have now become indistinct, complicating the scope of individual turf wars. Within this atmosphere the focus of organisational response strategies are directed at enhancing maritime capacity while the realisation that cooperative approaches can only enhance the effectiveness of such efforts, especially with regards to threats that have a transnational bearing.

The Indian Navy

India's national maritime agencies have been at the forefront of such complex and nuanced transformations. While the recent Mumbai terrorist attack provided an impetus for rethinking organisational structure responsible for the security of the Indian coastline, simultaneously it has enhanced the jurisdiction of, and constabulary functions carried out by, the Indian Navy.

The other aspect of transformation has been in the form of capacity enhancement to the fleet. Hence the Indian Navy has emerged as one of the most capable navies in the Indian Ocean region with increased responsibilities.

Given India's unique geographical position with respect to maritime and geo-strategic importance, it oversees the vital chokepoints in the Indian Ocean that ensure passage of trade and energy resources to East and North Asia. In such circumstances the role of the Indian Navy assumes enhanced importance in providing both national and, to an extent, domestic security, which had earlier been the forte of other agencies like the Indian Coast Guard.⁶

Hence the Indian Navy, the world's fourth largest navy, has to defend a 7517km coastline and protect the 358 islands of Lakshadweep as well as the 723 islands of the Andaman and Nicobar chain from hostile maritime activity with increasing emphasis on constabulary functions; duties that were previously the preserve of the coastguard.⁷

Capacity Building and Modernisation of the Indian Navy

The dynamic process of the Indian Navy's modernisation and inventory enhancement has been a thoroughly planned one, implemented in phases in consonance with the strategic vision of the force and its role in handling emerging challenges. Contextually, the maritime doctrine published in 2004, was an important policy document that

articulated a strategic vision for the future of the Indian Navy. This was followed by much introspection and debate that finally led to the formulation of the *Maritime Capability Perspective Plan*, a classified blueprint for capacity enhancement that envisaged force-level structures to support the Navy's plans to 2020.⁸ *Freedom to Use the Seas: India's Maritime Military Strategy* - the final part of the trilogy - was released by the then Defence Minister Shri Pranab Mukherjee in October 2006. An unclassified version followed in May 2007, which articulated the rationale for the growth of the Navy's maritime capability and the adoption of a capability-based approach for growth rather than a threat-based model.⁹

The Indian Navy has also published a set of three guidance documents. The first, and overarching one, was titled the *Vision Statement of the Indian Navy*; the second, *What Does Transformation Mean for the Indian Navy?*, provided the contextual meaning of the term 'transformation' and identified its drivers in the Navy.¹⁰ The third, and the most contemporary one, *Strategic Guidance for Transformation*, was released in 2006.¹¹

At the heart of the Indian Navy's vision document is a three-dimensional, technology-enabled and networked force capable of projecting combat power across the littoral.¹² Its area of strategic interest was clearly articulated by former Prime Minister Atal Vajpayee to military commanders in November 2003 as 'stretching from the Persian Gulf and Red Sea to Malacca and possibly beyond'.

Departing from traditional wisdom that predicated a strategy on definite specified threats, the navy's maritime strategy has preferred to adopt a generic capacity building approach.

In 2008, Vice Chief of Navy, Vice Admiral Raman P Suthan, stated in an interview with *SPs Naval Forces* that the *Maritime Capability Perspective Plan* adopted a *de novo* approach to force development emphasising a holistic capability build-up rather than a mere increase in numbers - an aspect also enunciated in the maritime strategy.¹³ It is the road map for force modernisation over the next three plan periods (that is, to 2022), and aims at providing the Navy with the means to meet contemporary and future challenges in that period. It is based on an anticipated availability of funds (based on a minimum 6.5 per cent gross domestic product growth, and a naval share of the defence budget of 17.7 per cent).¹⁴

Indian Naval Efforts at Global Capacity Building

The Indian Navy has been keenly aware of adopting cooperative approaches towards solving regional maritime security problems. Hence it has been closely involved in helping littoral and less developed navies enhance their capacities. This cooperation and assistance has not only been in the form of helping in inventory enhancement but so too naval personnel training and organisational restructuring; a few cases of such cooperation are outlined below.

The Maldives

India's bilateral relations with the island nations of the Indian Ocean, especially the Maldives, have been close. India has been helping the Maldives in maritime capacity building for a long time, initially in the area of maritime security, as well as ensuring the re-establishment of the democratically elected government of President Abdul Gayoom in Operation CACTUS, and more recently on general maritime issues. On 16 April 2006, the Indian Defence Minister Shri Pranab Mukherjee handed over the fast attack craft INS *Tillanchang* to the National Security Service with the ship to be renamed *Huravee*. This fast attack craft is to be used for surveillance and patrolling of its extensive exclusive economic zone. Teams of maritime personnel from the Maldives were also trained by the Indian Navy.¹⁵

Recently, in response to a request from the Maldives, the Indian Navy sent 30 doctors to assist them on a temporary basis to work at the Indira Gandhi Memorial Hospital in Male.¹⁶ Of this the Indian Ministry of Defence stated that 'India and Maldives have decided to develop "a privileged partnership" between the two countries'.¹⁷

Seychelles

The Indian Navy has, in many ways, helped the island nation of Seychelles enhance its maritime capacity. India's relations with the country run deep and recently the Navy completed the refit of the Seychelles Coast Guard ship *Topaz* that had been gifted to them in 2005. In response to an urgent request from Seychelles, India also sent its survey vessel INS *Nirdeshak* to patrol its maritime region after several incidents of Somali pirates operating near the nation were reported.

Mauritius

Marine cooperation between the two countries has taken many forms. India has helped the island nation enhance its maritime capacity through the sale and service of equipment, secondment of Indian Navy officers and the training of Mauritian security personnel.

The foundation of the Mauritian marine security capability was laid with the gifting of INS *Amar* in 1974, which formed the first unit of the Mauritius Navy before being christened the National Coast Guard.

In 2001, the Indian government provided Mauritius with the interceptor patrol boat, INS *Observer* on free lease for five years. India has also undertaken, at its own cost, extensive repairs to Mauritius's Chilean-built flagship CGS *Vigilant*. The National Coast Guard purchased a Dornier DO-288 maritime aircraft from Hindustan Aeronautics Limited on 25 April 2004, and the government is seriously considering further purchases of advanced light helicopters

Another important component of cooperation between the two countries is the long-term secondment of senior Indian Navy officers to the National Coast Guard. These officers are deputed under an agreement concluded in 1974. Under the Indian Technical and Economic Cooperation Program, extensive training facilities in Indian Navy training establishments are provided to Mauritian personnel.¹⁸

Indonesia

India and Indonesia have been fairly active in ensuring regional maritime security stability. They signed a *Bilateral Agreement on Cooperative Activities in the Field of Defence* in January 2001 to combat maritime terrorism and piracy in and around the Malacca Strait.¹⁹ The key components of this agreement have been visits of Indian Navy warships to Indonesian ports and vice-versa, conducting joint naval exercises, and escorts of Indonesian ships in the Andaman Sea. India has conducted bilateral search and rescue (SAR) operations with Indonesia under INDO PURA SAREX. Since 1997, the bilateral SAR exercise has been converted into a multilateral maritime exercise involving India, Indonesia, Malaysia and Singapore.²⁰ Since September 2002, these navies have conducted a cooperative exercise called INDINDON CORPAT (Indo-Indonesia Coordinated Patrol) involving safety of shipping at sea and patrolling the Malacca Strait's western approaches, but they are now held infrequently.

Singapore

Similarly, India has also been engaged in maritime cooperation with Singapore and has been helping them enhance their naval capacity and capability. Most of these efforts are aimed at training personnel and include joint naval exercises, extensive submarine and anti-submarine warfare (ASW) training and bilateral exchanges aimed at the safety of shipping in the Malacca Strait.

Sri Lanka

India's maritime relations with Sri Lanka are dynamic and hinge on effective cooperation. Despite two maritime agreements signed in 1974 and 1976, there are some irritants between the two states; the main one revolves around the status of a small island called Katchchativu, in the Palk Bay area, which is an area rich in fish. However, this has not prevented the two navies from coordinating their activities. India has helped the Sri Lankan Navy enhance its capacity by training its personnel. Apart from this they have shared actionable information and carried out coordinated patrols against asymmetric threats such as the sea-based activities of the Tamil Sea Tigers. Such coordinated efforts have resulted in the capture of large amounts of arms and ammunition that assisted the Sri Lankan armed forces in the elimination of the Tamil Sea Tigers and the Liberation Tigers of Tamil Eelam.

Apart from the Indian Navy activities fostering cooperation with the littoral states, the Indian Coast Guard has also conducted bilateral visits and SAR exercises with the Japan Coast Guard and more recently with the Philippines Coast Guard.²¹

India is keen to involve as many littoral states as possible in any effort to reduce the growing asymmetric challenges to maritime security in the Indian Ocean region. It is expanding its participation in all multilateral security initiatives as well as deepening its bilateral cooperation with all key regional actors. As part of this effort, the External Affairs Minister Shri Pranab Mukherjee at the 14th ASEAN Regional Forum (ARF) meeting in Manila, offered a training module to all member states on maritime security issues, including anti-piracy, anti-smuggling, SAR and narcotics control.²² The basis for the offer was to encourage capacity building to meet the emerging challenge of terrorism.

Recent Indian Navy Initiatives

In recent times, in its desire to play an active role of a balancing power in the region the Indian Navy has taken some initiatives to enhance regional maritime cooperation and capacity.

Realising the centrality of cooperative engagement in the Indian Ocean region as a primary means for ensuring and assuring safety, stability and security, the Indian Navy decided to take on the role of a lead facilitator in setting up a regional Track I forum of navies (and coastguard organisations). Donning the role of an ‘unobtrusive fulcrum’ this forum was named the Indian Ocean Naval Symposium (IONS).

Thus as part of the inaugural efforts of this Track I initiative, the IONS Seminar 2008 was held in New Delhi on 14-15 February 2008. The event was co-sponsored with the National Maritime Foundation, and was designed to be a specific vehicle by which the overall IONS initiative was to be launched. Once the regional forum had been created, subsequent seminars would be subsumed into the set of IONS activities. Thus, each subsequent seminar would be an important subset of IONS.

The IONS Seminar 2008 saw 26 chiefs of navy (or, in the case of countries without navies, coastguards) along with their delegations attend. Internationally renowned maritime analysts from around the globe participated in the event with many of them presenting research papers during the seminar. The Prime Minister of India, Shri Manmohan Singh, inaugurated this seminar at the Plenary Hall of the Vigyan Bhavan.

The seminar was conducted over six sessions which included an inaugural session. A separate Chiefs Conclave was undertaken on 15 February with the idea of having an informal session exclusively for the attending naval chiefs to discuss maritime priorities and the likely IONS charter. The primary reason for setting up IONS was to

have a common board to discuss contemporary maritime issues such as the evolving threats and challenges in the region.

On 21-22 May 2009 an IONS Technical Meeting was held in Colombo, Sri Lanka, titled Practical Cooperative Mechanisms for Technical Support within the Indian Ocean Region, the meeting was attended by delegates from 18 countries and focused on the constructive engagement theme and was. This meeting, which was considered a great success, had the following objectives:

- To focus on formulation of standards for interoperability and technical cooperation.
- Understanding procedures, maintenance and repair methodologies being followed in IONS countries.
- Leveraging logistic support within the Indian Ocean region for ships on deployment.
- Harnessing 'information technology' towards shorter refits, privatisation of repair/refit infrastructure.
- Performance based logistics for life-time support of ships and optimisation of technical manpower onboard ships with emerging technologies.

In 1995 the Indian Navy commenced another initiative called MILAN.²³ Taking its name from the Hindi word for meeting, MILAN is a biennial gathering of navies the primary objective of which is to build friendship and mutual understanding between participating navies of Southeast Asia (and Australia). MILAN has been met with an encouraging and growing response and has proven to be an effective forum to discuss common maritime concerns while forging cooperation initiatives.

Regional Initiatives

India has subscribed to some of the important global and regional maritime initiatives that ensure better sea governance and preserve order at sea while helping to overcome the numerous security challenges in the maritime dimension. Hence India abides by the Container Security Initiative (CSI). The Jawaharlal Nehru Port Trust, which handles nearly 58 per cent of container traffic to and from India, is CSI-compliant. All major ports and some minor ports implemented the *International Ship and Port Facility Security Code* before the 1 July 2004 compliance deadline.²⁴

Another regional effort, the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* (ReCAAP) is a multilateral initiative that brings together 16 countries in a common framework to share information in coping with piracy in the region (mainly the Malacca Strait).²⁵ The ReCAAP Information Sharing

Centre, located in Singapore, collects, collates, analyses and disseminates related information and alerts in the event of potential threats. India is an active member of ReCAAP, with the Indian Coast Guard the designated agency.

Exercises with Foreign Navies

The notion of capacity building for maritime security cooperation, and for enhancing interoperability, has long been the rationale behind bilateral and multilateral naval exercises.²⁶ Consequently, India has participated in a number of exercises with foreign navies ranging from simple passage exercises to complex tactical exercises with Algerian, Royal Netherlands, German, Russian, Israeli, Turkish, Portuguese, Spanish, Moroccan, Hellenic, Egyptian and other navies. Exercise KONKAN with the Royal Navy and Exercise VARUNA with the French are scheduled in June and July 2009. As part of enhancing capacity and interoperability, the main thrust of KONKAN and VARUNA is expected to be ASW operations, while surface warfare, special forces operations and the like will also figure in planned serials.²⁷

The much hyped Exercise MALABAR 2007 had an extensive marine interdiction serial involving visit, board, search and seizure, as well as normal 'combat' serials.²⁸ These exercises enabled a closer understanding amongst the participating navies (the key maritime nations operating in the Indian Ocean region) and have been described by Defence Minister Pallam Raju as being 'directed at ensuring security of the sea lines of communication'.²⁹

The Importance of Indian Ocean Shipping Lanes

The Indian Ocean contains some of the most important sea lines of communication (SLOCs), through its maritime chokepoints and international shipping lanes pass nearly half of world trade by volume and 65 per cent of energy flows. A fundamental factor contributing to the rise of Asia's economic clout has been the free passage of commercial shipping along the Indian Ocean sea lanes. A dramatic expansion in the volume of commerce flowing into and out of the region has sharply enhanced the security value of these shipping lanes.

While the best approach to SLOC security obviously lies in extensive cooperation, the fact remains that SLOCs arouse different response strategies amongst different people. To a military analyst, SLOCs are related to the maritime instruments of power, and maritime geography becomes the pivot on which forces must be deployed. To a politician, on the other hand, SLOCs signify the state of relations with countries located along the sea route traversed, while for an economist it is just the shortest and most economical travel distance between two destinations. Thus sea lane security requires comprehensive strategies encompassing differing perceptions and national interests of concerned states.

Most of the maritime cargo emerging from the Arabian Gulf or East Africa, and those from Europe to South and Southeast Asia transit the Indian Ocean. The generic pattern of shipping consists of large volumes of low-value resources shipped east along SLOCs to advanced economies in Northeast Asia, which manufacture finished or semi-finished products. These value-added goods are then shipped west along SLOCs in relatively smaller tonnages. However energy (mainly crude oil) transiting SLOCs is the single largest cargo in terms of volume, while finished goods dominate in terms of value.

The rise in seaborne trade and maritime commercial traffic has often been closely linked to the associated rise in the variety and intensity of asymmetric threats that challenge this domain, including piracy, maritime terrorism, smuggling, pollution, accidents and inter-state conflicts.

Sea Lines of Communication Security in the Indian Ocean Region

Given the rise in asymmetric threats and the economic dependence of the littorals (including India) on SLOC trade flows, all aspects of SLOC security assume primary importance.

In the case of India, with nearly 89 per cent of its energy imports coming by sea, it is inevitable that the SLOCs must be secure. This security angle is enhanced since most of the oil originates from West Asia meaning the SLOCs pass through areas likely influenced by Pakistan. To add to this complex scenario there is considerable political turbulence in the energy producing regions of the Gulf that might impact on oil supplies. In the past, supplies from this region have been disrupted on at least seven different occasions, all due to political causes, and none were market driven.³⁰ The challenge for ensuring smooth energy supplies is a vital challenge for the Indian Navy. The recent effort in forming combined SLOC patrols on a multilateral basis is the correct direction to take. In late 2002, the Indian Navy undertook an escort mission for the US-flagged 'high-value' vessels in the Malacca Strait, and the United States further proposed that it enable SLOC protection patrols from Aden to Malacca.³¹ However the sovereignty concerns expressed by certain Southeast Asian states put that plan in abeyance.

With a near blue water capable navy, a competent coastguard along with other maritime assets, India is well suited to play the role of a stabilising power in the Indian Ocean by providing a positive influence in the region and ensuring the safety of commercial shipping in both the centres of gravity as well as the southern reaches of the Indian Ocean. This would be done multilaterally, by encouraging collaboration between the maritime agencies of capable littoral states to undertake patrols of vital SLOCs.

While regional initiatives and those undertaken by the Indian Navy will be discussed later, it should be noted that the Indian Navy has long expressed interest in joining anti-piracy and SLOC patrols in the Malacca Strait especially coordinated efforts like

the MALSINDO patrols which have yielded good results along with the Eyes-in-the-Sky program. Indonesia has invited India to join the security arrangement in the Malacca Strait Security Initiative so as to be able to enhance its efforts against asymmetric threats.³²

However despite the success of MALSINDO some contentious issue such as hot pursuit remain, as operations in other states' territorial waters raises sovereignty sensitivities. In such a situation it is important that multilateral forum like the ARF be involved, along with countries like India with their larger maritime capability, in specifically solving these issues. This would not only lower the vulnerability threshold of the SLOCs and chokepoints but also ensure that they remain secure and free from threats of any kind.

Indian Navy Anti-Piracy Efforts in the Gulf of Aden

Piracy has become the bane of the modern seafarer. In October 1999 a Panama registered merchant ship MV *Alonda Rainbow* was captured by pirates. Using information from the International Maritime Bureau Piracy Reporting Centre, INS *Prahar*, following a coastguard attempt, rescued the vessel off Bombay after a chase of 300nm on 16 November. This incident proved to be a benchmark of sorts. It clearly demonstrated the evolving and complex nature of the constabulary functions of national maritime agencies for providing security to seaborne commerce while cooperating at various intra- and inter-governmental levels for the achievement of desired results. The crux of the solution was effective information sharing, maritime cooperation and utilisation of assets gained through capacity building. This also clearly demonstrated the Indian Navy's steely determination in rooting out the problem of piracy.³³

In the current context, the dramatic rise in cases of piracy and sea-jackings off Somali waters, despite the presence of a multitude of naval forces tasked with anti-piracy agenda, has shaken the world. The associated problems of prosecuting the captured pirates, or even attempting to root out the issue seemly nurtured by the lawlessness associated with the failed state of Somalia and the alienated Puntland, are exceedingly complex and inextricable. Hence it is unsurprising that currently there are innumerable groups, task groups and individual warships attempting to address the problem with little success.³⁴

The sharp increase in cases of piracy is evident in that there was a total of 134 piracy-related incidents in the region of the Horn of Africa during 2008. Of these 49 were successful sea-jackings and the remaining 85 were attempts that were evaded or beaten back by the crews of the ships. By 10 May 2009, there were 115 incidents of piracy of which 79 were evaded or beaten back and the remaining 36 were successful.³⁵

Given the alarming situation around Somali waters, the Indian Navy deployed the new warship INS *Tabar* to the area to conduct surveillance and patrol operations. Given the sensitivities and dynamics associated with coalition building, *Tabar* was expected to

closely coordinate its efforts with other friendly task forces in the region, and share information, but was not a part of any group or task force.

The United Nations Secretary-General Ban Ki-moon welcomed the decision by India and other countries to cooperate with Somalia in the fight against piracy in its waters. In a report on Somalia submitted to the UN Security Council, Ki-moon said:

I welcome the decision of the governments of India and the Russian Federation to cooperate with the Transitional Federal Government of Somalia to fight piracy and armed robbery against ships.³⁶

After arriving in the Gulf of Aden on 2 November 2008, *Tabar* carried out stellar work. From 2-19 November, the ship successfully escorted 35 ships during their transit through these pirate-infested waters and later sank a pirate mother ship in self defence.³⁷ On 20 November the Indian Navy announced that *Tabar* would be replaced in the Gulf of Aden by the larger destroyer INS *Mysore*.³⁸ A senior naval commander told Agence France-Presse, 'currently, our mandate is general patrol and escort duties but we are prepared in case the profile changes to engagements, pursuits and combat in the region'.³⁹ Under present conditions the Indian government has approved the continuous deployment of one warship in the area to patrol the route followed by Indian-flagged ships between Oman and Yemen.

Tsunami and other Natural Calamities

The Indian Ocean region has been particularly affected by numerous natural calamities often with devastating effect on human lives and property. Following the 2004 tsunami, despite India suffering over 15,000 deaths and vast destruction, the Indian Navy sent aid to the Maldives as well as to the worst hit areas of Sri Lanka and Indonesia. India sent 32 ships, 21 helicopters, 8 Dornier aircraft and more than 5500 personnel to assist the affected littoral nations.⁴⁰ Approximately 730 tons of relief supplies were distributed to the victims. Ships were rushed to the Sri Lankan ports of Galle and Trincomalee which had been badly affected. In Indonesia, Indian Navy ships were deployed off Meulaboh Port south of Banda Aceh on the west coast of Sumatra. Indian ships offloaded emergency rations, medicines, tents and first-aid kits worth US\$1 million and established two field hospitals in the worst hit area of Aceh.

Taking note of India's prompt response to this devastating event in the neighbourhood, the United States invited India to join the four-nation 'core group' to assist in tsunami rehabilitation and assistance along with it, Japan and Australia.⁴¹ This gave rise to speculation that India had been co-opted into an aid coalition that attempted to usurp the leadership role of the UN in disaster relief in favour of the United States, India refused and on its request the group was disbanded.⁴²

Similarly in May 2009, as Cyclone Nargis battered neighbouring Myanmar leaving thousands dead, the Indian Navy was the first to respond. Under Operation SAHAYATA, IN Ships *Rana* and *Kirpan* delivered aid supplies to Yangon Port. It was the latest demonstration of the ability of the Indian Navy to efficiently deliver aid in times of distress.

While the primary motivation of such effort was the humanitarian aspect, at the strategic level it was a way of engaging in capacity building and capability enhancing, and a direct way of increasing influence in the entire region.

Conclusion

Given the unique geo-strategic positioning of the country and its vast coastlines, along with dispersed island territories, the Indian Navy has considerable maritime responsibilities. Consequently the challenges of being one of the major navies operating in the Indian Ocean are also varied and numerous. On one hand they emerge from the security challenges posed by the lack of enforcement of maritime order at a time when piracy, drug and gun trafficking, and narco-terrorism have started to have serious consequences on the region's security environment. On the other hand they emerge from the requirement of ensuring energy security and unhindered trade flows (along SLOCs) for a nation whose energy demands are steadily growing and where any interruption in its supply chain would prove disastrous for the growing economy. The natural disaster prone region, home to earthquakes and tsunamis, is another major factor that poses a challenge for the Indian Navy.

Under these circumstances the Indian Navy has been adopting cooperative approaches and making sustained efforts to enhance maritime cooperation and assist in maritime capacity building for all friendly littoral states of the region. Eager to play the role of an unobtrusive fulcrum and a balancer of power in the region the Indian Navy has been at the forefront of initiatives designed to raise maritime capacities and awareness for overall societal benefit and common good.

It is key that maritime efforts to enhance security in the region are successful at a time when the threats are becoming more amorphous and challenging. This, in turn, leads to considerable debate about the type and format of viable response strategies against them. In such a scenario it is important for more capable countries to assist the less developed ones with building their maritime capacity, this is a prominent belief within the Indian Navy.

Afterall, the secure and free seas are for the common good and the ultimate aim of all littoral states.

Notes

- ¹ Arun Prakash, 'Indian Navy to be Balanced in Ten Years', *India Defence*, 7 August 2006.
- ² Sam Bateman, 'Capacity Building for Maritime Security Cooperation: Concepts and Requirements', *Maritime Affairs*, vol. 1, no. 1, Winter 2005, p. 6.
- ³ Bateman, 'Capacity Building for Maritime Security Cooperation', p. 6.
- ⁴ Ove Tvedt, 'Drug Trafficking, Refugees, and Illegal Immigrants', in Proshanto K Mukherjee, Maximo Q Meija, Jr, and Gotthard M Gauci (eds), *Maritime Violence and Other Security Issues at Sea*, Proceedings of the Symposium on Maritime Violence and other Security Issues at Sea, August 2002, World Maritime University, Malmo, Sweden, p. 167.
- ⁵ PK Ghosh, 'Fleet Reviews and Goodwill Visits as an Extension of Foreign Policy', *Commentary Strategic Analysis*, April 2001, p. 136.
- ⁶ National security is equated with protecting the nation beyond its shores while domestic security refers to what takes place on land - the hardening of critical infrastructure, personnel identity documentation for people working on ships and in ports, and arrangements for port security both on the land side (perimeter fencing and access controls) and on the waterside with channel security and waterborne security patrols of the port area. See Bateman, 'Capacity Building for Maritime Security Cooperation', p. 7.
- ⁷ The details of the statutory duties and responsibilities of the Indian Coast Guard are listed in Section 14 of the *Coast Guard Act*. Also see 'The Coast Guard', Coast Guard Headquarters, 1993, pp. 1-2.
- ⁸ As stated by Admiral Arun Prakash during his talk on his vision of India's Maritime Power in the 21st Century, 'Rightfully the doctrine should have been followed by the maritime strategy, however compulsions of budget and time intervened and we had to first produce a Maritime Capabilities Perspective Plan'. *USI Journal*, October-December 2006.
- ⁹ Rajev Sawhney, 'Modernising India's Navy', *SP's Military Year Book 2009*, SP Guide Publications, New Delhi, 2009.
- ¹⁰ Sawhney, 'Modernising India's Navy'.
- ¹¹ *Press Info Bureau*, 16 October 2006 also see Sawhney, 'Modernising India's Navy'.
- ¹² The Indian Navy's Vision Document which was issued in May 2006 and is available on its website, <<http://indiannavy.nic.in/vision.pdf>>.
- ¹³ *SP's Naval Forces*, 4/2008.
- ¹⁴ Alok Bhatnagar, 'Challenges - Optimum Resource Utilisation and Interservice Allocation - Naval Perspective', Paper presented to the IDSA Seminar on Defence Budget, 20 November 2008. The current naval allocation is 18.25 per cent of the defence budget, an increase of 0.2 per cent since 2006-07. Also see Laxman Kumar Behera, 'The Indian Defence Budget 2007-08', IDSA Updates March 2009.
- ¹⁵ See <<http://indiannavy.nic.in/pres04.htm>>.
- ¹⁶ See <www.topix.com/travel/maldives/2009/02/indian-navy-to-provide-doctors-to-maldives>.
- ¹⁷ Vivek Raghuvanshi, 'India and Maldives move towards a Privileged Partnership', <www.defensenews.com/story.php?F=1717348&C=asiapac> (24 April 2006).

- ¹⁸ 'Visit of Indian Naval Ship Sharda' <http://indiahighcom.intnet.mu/prl_13_IndianNaviSharda.htm> (18 April 2005).
- ¹⁹ The Memorandum of Understanding was signed in 1995, however, it is yet to be ratified by the Indonesian Parliament.
- ²⁰ V Shekar, 'India Indonesia Relations: An Overview', *IPCS Special Report No 38*, March 2007.
- ²¹ The Indian Coast Guard and the Philippines Coast Guard recently had an exercise on 12 June 2007; prior to the exercise, the Indian Coast Guard exercised with the Japan Coast Guard. See 'Philippine Coast Guard and Indian Coast Guard Joint Passing Exercise', <www.coastguard.gov.ph/content/?p=55>.
- ²² PS Suryanarayana, 'India's Offer on Maritime Security', *The Hindu*, 3 August 2007.
- ²³ MILAN has been held six times to date. They were held in 1995, 1997, 1999, 2003, 2006 and 2008. The event was not conducted in 2001 or in 2005 as, in 2001 the Indian Navy was hosting a significant international event: the International Fleet Review whereas in 2005, the region was recovering the 26 December 2004 tsunami. <www.indiannavy.nic.in/Milan%202008.htm>. In 2008 in addition to Indian Navy vessels, naval vessels from Australia, Bangladesh, Indonesia, Myanmar, Singapore, Sri Lanka and Thailand participated in the exercise. Naval delegations from Brunei, Malaysia, New Zealand and Vietnam arrived by air. For the first time that an Australian ship was deployed to the exercise along with the participation of Brunei, New Zealand and Vietnam. <www.bharat-rakshak.com/NAVY/Articles/Article11.pdf>.
- ²⁴ The other states to implement the *International Ship and Port Facility Security Code* prior to the deadline include Australia and Singapore.
- ²⁵ The Asian countries that are party to *The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* are: Bangladesh, Brunei, Cambodia, China, India Indonesia Japan, Republic of Korea, Laos, Malaysia, Myanmar, Philippines Singapore, Sri Lanka, Thailand and Vietnam. Indonesia and Malaysia have not yet ratified the agreement. China is not a member.
- ²⁶ Bateman, 'Capacity Building for Maritime Security Cooperation', p. 3.
- ²⁷ Rajat Pandit, 'Navy steams to foreign shores to build bridges, project power', *Times of India Online*, <<http://timesofindia.indiatimes.com/India/Navy-steams-to-foreign-shores-to-build-bridges-project-power/articleshow/4598351.cms>> (31 May 2009).
- ²⁸ The 13th Exercise MALABAR was conducted in the Bay of Bengal from 4-9 September 2007. Participating nations were the United States (13 warships including the aircraft carrier USS *Nimitz*), India (seven warships including aircraft carrier INS *Viraat*), Japan (two destroyers), Singapore (one frigate) and Australia (two warships).
- ²⁹ 'Major Naval Drill Kicks off in Indian Ocean', AFP, 4 September 2007.
- ³⁰ PK Ghosh, 'Maritime Security Environment in SE Asia and the Indian Ocean Region', (unpublished), paper presented at the 10th Council for Security Cooperation in the Asia Pacific Maritime Cooperation Working Group Meeting, Kuala Lumpur, May 2001.
- ³¹ *Defence News*, 27 October 2003.
- ³² 'Indonesia Invites India to Join Maintaining Security in Malacca Strait', *People's Daily Online*, <<http://english.people.com.cn/90001/90777/90851/6607221.html>> (5 March 2009).
- ³³ PK Ghosh, 'Let the Indian Ocean Unite the Rim', *The Financial Express*, 12 December 2000; also see International Maritime Bureau, *Piracy and Armed Robbery against Ships: Annual Report 1 January to 31 December 1999*, pp. 12-13.

- ³⁴ For details of various warships and task groups operating in the area as on 11 May 2009 see B Raman, 'Somalian Piracy Update (as on 11 May 2009)', Paper no. 3190, South Asia Analysis Group, <www.southasiaanalysis.org/%5Cpapers32%5Cpaper3190.html>.
- ³⁵ Raman, 'Somalian Piracy Update'.
- ³⁶ 'Ban Ki-moon welcomes India's decision', *The Economic Times*.
- ³⁷ 'Indian Navy frigate sinks Somali pirate ship', <<http://sify.com/news/fullstory.php?id=14801616>>.
- ³⁸ 'Larger Indian warship to fight pirates off Aden', hindu.com, <www.hindu.com/thehindu/holnus/001200811202331.htm>.
- ³⁹ See <www.defence.pk/forums/india-defence/16155-indian-navy-anti-piracy-efforts.html>.
- ⁴⁰ See <<http://indiannavy.nic.in/press05.htm>>.
- ⁴¹ The core group was announced by President George W Bush at his Crawford, Texas ranch on 29 December 2004 as he tried to dispel criticism that his initial reaction to the disaster was slow and the initial United States financial aid of US\$15 million, stingy.
- ⁴² See 'Why is Bush Dismantling the Tsunami Core Group?', <<http://timesofindia.indiatimes.com/articleshow/981792.cms>> (5 January 2005).

The Roles of Maritime Forces in Protecting Energy Flows

Andrew Forbes

The Asia-Pacific region is now universally regarded as the primary driver of global economic growth focused on North Asia, with major contributing economies being China, Japan, the Republic of Korea (RoK) and Taiwan. Importantly, they all rely on seaborne trade and significantly for some of them, a very high dependence on imported energy which comes, in the main, from the Middle East. These energy shipments are vulnerable to disruption, although actual threats vary between transit sectors and potential attackers (state and non-state actors). As most disruption scenarios could occur at sea, maritime forces (navies, coastguards and marine police) would have a major role in deterring such attacks or responding to them. But the maritime battlespace, for want of a better term, has grown increasingly complex, with varying jurisdictions, maritime boundary disputes, an opaque international shipping industry, and widely disparate capabilities and responsibilities of maritime forces.

This paper examines the issues associated with the protection of North Asian seaborne energy flows and how these maritime forces might work better together. The paper comprises three sections. First, it outlines the general vulnerability of shipping to attack or disruption; second, it examines the vulnerabilities of North Asian energy imports; third, it considers issues associated with maritime cooperation and how/whether they could be improved; the conclusion summarises the proposed improvements into general principles for further action.

But first it is important to outline the differences between navies and coastguards, before examining respective capabilities and capacities to determine how they might operate together. An important initial point is that the capabilities that navies and coastguards bring to the protection of shipping are complementary and are not in competition, although this might not yet be evident in the financial resources allocated to each of them by a government.

Looking first at navies, they have a very long lineage and can be classified by the capabilities they possess and the geographic areas in which they can operate: blue water, green water and brown water. At the high-end of naval capability are blue water navies which operate far into the open ocean with extended range and endurance. Green water navies are more of a coastal force that operate in the littoral (up to 200nm from land); while brown water navies focus on riverine warfare. Overlaying this geographical consideration are the warfighting skills in each navy. Again at the high end of capability, navies exercise sea control to enable power projection, which may be on the open ocean and then projecting power ashore (through the littoral).

Medium level capability navies may be able to conduct sea control with limited power projection, but more often may practice sea denial.

Turning to coastguards, their history is more recent with the past 15 years seeing a number of coastguards created, or marine police converted into coastguards within Asia. This seems due to the need to enforce a possible 200nm exclusive economic zone (EEZ) under the *United Nations Convention on the Law of the Sea 1982* (LOSC). Combined with these responsibilities are the notional coastguard roles of marine safety, maritime law enforcement and marine environmental protection, aspects of the latter could dovetail with port security, which might be a marine police responsibility. However, not all coastguards are the same in size, capabilities and the roles they might undertake, including whether they are an armed paramilitary force, or an unarmed maritime safety agency.¹ Thus more powerful coastguards might have a similar geographical focus as green water navies, albeit with vastly differing capabilities; while smaller coastguards (and marine police) equate to the capabilities of brown water navies. Where some of these coastguards are paramilitary forces involved in ocean management and perhaps port security, they are complementary to navies where they both exist. But this raises the dilemma of whether these coastguards are an inshore or an EEZ force, whether they are armed and what their law enforcement role might be.

But what happens when a country only has one organisation? If it only has a navy, then it will have to be able to operate across as much of the spectrum of conflict as possible, recognising that low-end capabilities might be more important to the state than high-end capabilities. What is generally termed the ‘trinity of naval roles’ (military, diplomatic and constabulary) indicates navies have traditionally undertaken tasks now conducted by some coastguards. The question becomes whether some navies have to be weaned from high-end activities (and capabilities) to meet the changing priorities of their governments, or whether a coastguard should also be created. If there is only a coastguard or maritime police force, the question becomes its warfighting capabilities and the range and endurance of its vessels, that is, how far from port can its vessels operate and what they can do.

Shipping Vulnerability

In order to understand the vulnerability of shipping to attack or disruption, this section examines the types of attacks that might occur and where; historical examples of traditional threats to shipping; and which organisations are best placed to respond to such attacks.

Security planners considering the protection of shipping face the difficulty that the potential perpetrators of attacks have changed, as have the potential methods of attack. This is partially offset, however, by a corresponding expansion of the organisations and/or capabilities to counter these threats. Traditionally, navies are concerned with

countering high-end threats to shipping, conducted by nation states using military forces, usually in a declared war. Coastguards and maritime police are concerned with the low-end threats usually presented by non-state actors, such as individuals and criminal gangs, and terrorist organisations/entities. These activities are generally regarded as a law enforcement role, although these organisations may of course also have a major role in maritime safety and regulation. New to the threat matrix, however, are non-state actors who may become capable of high-end attacks on shipping, necessitating a military response to a law enforcement problem.

Shipping is vulnerable to attack or disruption by a variety of groups with differing means and motives including pirates and criminal gangs (potentially state-supported), terrorist groups and, least likely at the moment, nation states. These groups may engage in:

- attacks on ships
- the hijacking of cargo, the actual ship and increasingly the ship's crew (for ransom)
- sinking ships, either to block narrow passages, port entrances or other focal points, or to create an environmental disaster
- using the ship as a weapon, either to attack land infrastructure through a collision or explosion, or by incapacitating the crew so that the ship continues underway along a busy strait, risking collision with other ships
- the smuggling of drugs, weapons, or people in shipping containers.

Specific ship types are vulnerable to some threats more than others. Oil tankers have high economic value and could be hijacked for their cargo, or turned into an explosive weapon; the move to double hulls might have a positive mitigating effect here, limiting the ability to breach the hull. Liquefied natural gas (LNG) carriers also have a high economic value, but they are apparently difficult to set on fire, as the conditions necessary to ignite a vapour spill are very limited; however, LNG carriers are at heightened risk when they are loading/unloading in port. Bulk carriers have a lower economic value but as larger ships they can be used as weapons (especially if carrying fertiliser) to crash into other ships/infrastructure, or could be sunk to block access to ports. General cargo ships can inadvertently become weapons if hazardous chemicals are incorrectly recorded and stored in close proximity to each other, and container ships may have a high economic value but their greatest threat is what is carried in a container.²

Historical Examples

The rationale for attacking an enemy's commerce is to pressure them into making concessions or into withdrawing from a war, by depriving them of essential imports while restricting their revenue-raising exports. This strategy targets the ability of an adversary to both finance and support its participation in a war. It came close to success with the advent of the submarine, torpedo and sea mining in the twentieth century. During both world wars, Germany employed this coercive strategy against Britain (and her Allies), targeting her imports of food and necessary war materiel in order to drive her out of the war.³ In World War II (WWII), the United States destroyed most of the Japanese merchant marine and thereby most of Japan's food and war materiel imports, crippling her ability to prosecute the war.⁴ There have been a number of attacks on shipping since the end of WWII, the most notable of which occurred during the 1980-88 Iran-Iraq War and the 1984 mining of the Red Sea and the Suez Canal.

In the 1980-88 Iran-Iraq war, a stalemate on land between the countries led to attacks on oil refining industries, port facilities and international shipping, in an attempt to damage the economic ability of the other to continue in the war. Over the eight year period, 411 ships were attacked from land, air, sea and mines, with about 400 seamen killed and tens of millions of dollars worth of damage to ships. Since the end of WWII, the international shipping industry had moved to flags of convenience and such an approach, while considerably lessening costs to shippers, was also thought to provide protection in case of war (that is, they would be considered neutral). Instead, both Iran and Iraq attacked this shipping with no intervention by the international community for six years. In late 1986 Kuwait approached the US Coast Guard about reflagging its ships under the US flag. By April 1987, the United States had agreed and the US Navy began escorting the Kuwaiti ships. However, the reasons for US intervention had little to do with the protection of shipping. US domestic politics played a major role, as the decision to reflag came soon after a failed US-Saudi arms deal and increasing revelations about the Iran-Contra connection. Cold War rivalries also played a role as the United States was concerned that if it did not intervene, the Soviet Union would enhance its position in the region at US expense.

In 1984 the Red Sea and Suez Canal were mined, with the perpetrator allegedly Libya, using the roll-on/roll-off vessel *Ghat*. As a result 19 merchant ships from 15 countries were damaged by sea mines, leading to sharp increases in marine insurance rates. NATO countries, but not the organisation itself, then conducted mine hunting and clearance operations to ensure safe navigation in the affected waters.⁵

Generally, the threat of state attacks against shipping appear to be low or even non-existent, while of course shipping remains vulnerable to such attacks. If they were to occur, navies are trained to react, although it is not clear these days which countries should be responsible for responding to such attacks. This is due to the use of flags

of convenience - where the shipowner, owner of the cargo, insurer and crew may all come from different countries - in lieu of traditional national fleets.

The following analysis of where shipping might be attacked adopts a geographical perspective in order to delineate the responsibilities of maritime forces for the protection of shipping.

The Open Ocean

The historical experience of attacks on shipping has been by a state using its military forces, the best example of which is the Battle of the Atlantic during WWII, which saw warships, submarines and aircraft attacking merchant shipping (supplemented by the use of mines). With current technology, attacking forces could also use missiles instead of naval gunfire and bombs, as well as unmanned combat aerial vehicles. This enables attacks over the horizon rather than within line of sight, albeit with the difficulty of ship identification. A critical issue is the capability of an enemy force to locate and identify its desired target (the merchant ship), before electing whether to attack it. This is compounded by the difficulty in determining the ship's destination, so as to avoid indiscriminate and counterproductive attacks against third party shipping.

Convoying of merchant shipping was the response, with the aim of not just protecting shipping from attack, but also to draw adversary forces to the convoy in order for naval forces to destroy them and thereby lessen the ability of an adversary to attack ships in the future. However, it is important to note that convoying is a very resource intensive operation, both from the point of view of the warships involved and the extensive administrative structure required.⁶

Independent sailing of fast ships remains an option (if it is assessed they can travel faster than the possible threat, such as a submarine). From a trade perspective, the advantage is that the ship can sail as soon as it is loaded, proceed at its own speed, and can usually be unloaded immediately upon arrival at its destination. Whereas, if the ship were part of a convoy there would be numerous delays waiting for the convoy to form, sailing at the speed of the slowest ship, and probably delays in port waiting to unload cargo. A disadvantage is that if this ship is caught in the open ocean, the adversary will invariably sink it. While some current and planned merchant ships can sail faster than their naval escort, advances in torpedo technology and nuclear propulsion in submarines may offset this speed advantage.

Rerouting involves longer transit times that will have a two-fold effect: it adds to the operating cost of the voyage and has a time penalty that impacts negatively on the overall shipping capacity of the merchant fleet. This means that extended voyages may require additional ships to meet contracted delivery times.⁷ However, the attraction of this option is that it is usually difficult to find ships on the open ocean, somewhat mitigated by their vulnerability in focal points (such as outside a port).

As presently defined, merchant ships on the open ocean require both extended range and endurance, as do both attacking and defending forces, which remain in the province of the state (albeit including rogue and failing states). Therefore the protection of merchant shipping on the open ocean remains with blue water navies. That said naval forces no longer appear to conduct Naval Control of Shipping (NCS) training specifically, although their regular work-ups and exercises provide the basic skill set; generally the NCS task, in an administrative sense, has been passed to the Naval Reserve. Significantly, after a hiatus of a number of years, some navies have recently recognised the importance of anti-submarine warfare, primarily due to the increasing number of submarines (actual and planned) in the Asia-Pacific region, and resources are being devoted to rebuilding this complex skill.

Focal/Chokepoints

While on the open ocean a merchant ship could be anywhere (within the obvious confines of the most economical route), but an adversary could always be sure that at some stage shipping would pass by or through a focal/chokepoint (such as outside the entrance to a port or an international strait). Again, conventional military forces would be used for attack - submarines, warships and aircraft, with a probable increased use of mines - and the same countermeasures as for the open ocean would apply. However this is where the complexity for the security planners comes into play, as non-state actors can obtain the necessary capabilities to attack shipping in focal/chokepoints - mines, fast boats, missiles, and onboard sabotage of the ship by infiltrating the ship's crew.

The difficulties for a defending force are the different types of attack that might occur, and critically, the reduced warning time of such an attack. Against a conventional attack, the defending force would know they were in a hostile area and good maritime battlespace awareness should provide adequate notice of attacking forces and/or the actual attack. As non-state actors will not have conventional military forces, the defender's battlespace awareness might not have the sensitivity to identify an intruder, such as a fast boat, in time to take preventative action. Further, such attacks (as regularly demonstrated by sea robbery and piracy in the waters of and surrounding the Malacca Strait) will take place in crowded shipping lanes and anchorages where the sheer number of ships (and the available radar shadows they cast) and legitimate small craft will make it almost impossible to accurately identify threats.⁸

Navies can deal with a conventional military threat as they are trained and equipped to fight that type of battle, but might have difficulties dealing with an unconventional threat as their weapons systems, sensors, training and rules of engagement may not be optimised against this type of threat. Adding to the complexity is the rise of armed robbery at sea which generally occurs in focal/chokepoints; this is a maritime law enforcement issue and not necessarily the role of navies to deal with. This would

suggest that both navies and coastguards have a role to play in protecting shipping in a focal/chokepoint, depending on the nature of the threat.

Ports

Where the security planning domain has changed is when the ship enters port and berths. In conventional warfare, an adversary attack on a port and its approaches would be heavily defended (while attacks outside the port have been discussed above under focal points). But with terrorist groups apparently having ready access to low-end technology, they have a range of options available to attack shipping. There is also an increased political imperative to deterring such attacks as a successful attack would be visible to the public (whereas attacks on the open ocean or in a chokepoint are over the horizon) and would have a much greater psychological impact on the public (which would be one of the aims of such an attack). The vulnerability in ports is two-fold: attacking ships and using the ship as a weapon against the port.

Security countermeasures are more problematic and revolve around the long range identification of a ship that might be used for this purpose, in order to delay, divert, intercept and inspect it as far from the port as possible. Two days steaming (calculated at 20 knots) from port is generally regarded as the minimum warning time to allow a state to assess whether a ship constitutes a threat, and to make arrangements to intercept or divert it. This particular circumstance requires a detailed knowledge of all shipping movements in a state's waters, as well as intelligence advice of a possible suspect ship, while naval forces would be required for long-range interception and inspection. Closer to shore, an armed coastguard may carry out a similar function.

These types of attacks against shipping are best demonstrated by what happened to the USS *Cole* and the MV *Limburg*, which were attacked by fast boats laden with explosives. Mines are also readily available and can be used, but it is thought that terrorists do not yet have this capability. Shoulder-fired missiles are also readily available, while the use of improvised explosive devices placed against a ship's hull remains a possibility. Onboard sabotage or taking of the ship if terrorists have infiltrated the crew is also a possibility.

As these types of attacks may occur within a port and may be conducted by non-state actors, it would appear to be a law enforcement issue in the first instance (that is, stop a possible attack by arresting the alleged perpetrators, or capture then after an attack), albeit with a requirement for security measures within the port to hinder any attack.⁹ These security measures would involve the ability of a merchant vessel or warship to force away any vessel impinging its security zone (or in naval parlance, force protection), with waterborne security patrols to monitor events within the port. Blue water navies are built to operate at the medium to high-end of capability, and while they are able to operate across most of the conflict spectrum, they are not optimised to operate at the lower end of their capabilities. As such they are not optimised for

security activities within ports, and as these activities are a law enforcement problem, it would appear that responsibility for port security would rest with maritime police or a coastguard.

Shipping Routes from the Middle East to North Asia

This section examines the implications of Asia's dependence on energy imports from the Middle East, the vulnerabilities of oil and gas tankers during transit, and which countries might work together to protect this shipping.

It is oft stated that North Asian countries rely heavily on energy imports and that this may constitute their greatest strategic vulnerability. So what is their dependence? Judgements are relative, including the sources used to make such an assessment. This paper adopts an indicative approach to give a broad outline of this energy dependence in 2008.

China produced 3795 thousand barrels per day (tbd) of oil but consumed 8293tbd; importing 4393tbd, of which 1844tbd came from the Middle East and 996tbd from Africa. Looking at natural gas, China produced 76.1 billion cubic metres (bcm) but consumed 83.3bcm, with the majority of its imports coming from Australia. Importantly however, notwithstanding these energy imports, the majority of China's energy usage is domestic coal, so China's energy dependence and thus its energy security must be questioned.¹⁰

Japan has very limited, if any, natural resources and thus relies on imports. In 2008 Japan consumed 4845tbd of oil but actually imported 4925tbd accounting for refining and strategic stockpiles; 3960tbd came from the Middle East and 422tbd from elsewhere within the Asia-Pacific. Similarly Japan consumed 93.7bcm of natural gas; where about 25 per cent was imported from the Middle East and the majority coming from Australia and Southeast Asia.¹¹

The RoK consumed 2291tbd of oil, all imported and consumed 39.7bcm of natural gas; with imports of the latter split roughly 50/50 between the Middle East and Australia/Southeast Asia. Taiwan consumed 1074tbd of oil, all imported and consumed 12.8bcm of natural gas, where Southeast Asia supplied over 60 per cent.¹²

Importantly, it is Japan, the RoK and Taiwan that have the greater dependency on imported energy resources, not China, and this dependency, in the main, is met by energy exporting countries of the Middle East. So, how do these energy shipments transit to North Asian countries?

The Arabian Gulf and the Red Sea

The Arabian Gulf countries produce over a quarter of the world's oil while holding over half of the world's crude reserves. Ninety per cent of Arabian Gulf oil is transported by tanker through the Strait of Hormuz into the Indian Ocean. About 17 million barrels per day (mbpd) transit the strait daily, of which 15mbpd is bound for Asia. LNG exports from the Arabian Gulf come from Oman, Qatar, and the United Arab Emirates; while those from Africa predominantly use the Red Sea and come from Algeria, Egypt, and Libya, with Nigerian exports predominantly heading to Europe and North America.

The maritime security risk in the Arabian Gulf is a combination of port and focal/chokepoint security, primarily due to Iranian control of the Strait of Hormuz, along which all tanker traffic in the Arabian Gulf must pass. The Strait of Hormuz consists of two 3nm wide channels for inbound and outbound tanker traffic, as well as a 2nm wide buffer zone. If the strait was to be closed, some oil could be transported via pipelines to ports on the Red Sea, entailing longer routes and increased costs. The greatest threat comes from Iran, which has threatened on many occasions to close the Strait of Hormuz, and regularly harasses shipping. The laying of sea mines is generally regarded as the method that Iran would adopt, which would require the use of mine countermeasure (MCM) vessels to clear any mine fields. Importantly, any such action would trigger an immediate response from the United States. Given the nature of the threat in the Arabian Gulf, it is navies rather than coastguards which take on the security role.

At the moment there appears to be no maritime security risk in the Red Sea, which contains the Bab el-Mandab Strait that is the link into the Gulf of Aden and the Arabian Sea, although endemic piracy off the Somali coast has the potential to impact tankers leaving the Red Sea. The use of mother ships, from which smaller boats operate to attack targets, extends the range of sea robbers/pirates, complicating tanker security as crews must remain vigilant for longer periods at the beginning of their transit. Any security issues could be handled by regional coastguards in the first instance, supplemented by navies if a higher level threat eventuates.

There are a multiplicity of navies and coastguards from the region's littoral states, but it is not evident how capable their forces are and whether they work together, either at the state level or across states. External powers also have an interest in ensuring the continued export of energy resources and thus monitor maritime activities in these waters. The US Navy Fifth Fleet is based in Bahrain, while coalition forces operate in the Arabian Gulf in support of Iraq.

In reaction to the more brazen acts of piracy off Somalia against international shipping, many external powers have sent their navies to conduct anti-piracy patrols under the auspices of the United Nations Security Council. NATO has supplied naval forces and a new task force has been created by the United States to manage some of these

operations. Critically, Japan, China and the RoK have committed their navies to the task, but it is not evident there is much cooperation between them.

The Indian Ocean

Oil tankers exiting the Strait of Hormuz and oil and LNG tankers departing from African ports, are predominantly on the open ocean when transiting the Indian Ocean, except where Strait of Hormuz traffic skirts the Malabar coast off India near Bassas de Pedro before passing Dondra Head near Sri Lanka (tankers from the Red Sea skirt the island of Suqutra before transiting via the Eight Degree Channel to Dondra Head), and around the Andaman and Nicobar islands near the entrance to the Malacca Strait.

India, Pakistan, Bangladesh, Sri Lanka and Australia are the major littoral navies in the Indian Ocean, with South Africa having a medium sized navy but it does not engage much with other navies. The US Navy has a significant presence in the Indian Ocean through its leased base on Diego Garcia, while the Chinese and Japanese navies have deployed forces to the region. Coalition forces in the Arabian Gulf might be re-tasked to supervise shipping transiting the Indian Ocean, and some form of regional cooperation may be required if a real threat to shipping were to emerge there. The Indian Navy has extended its exercise programs with other regional navies, and more recently, the Indian and Indonesian navies agreed to conduct joint naval patrols in the Andaman Sea close to the entrance to the Malacca Strait. However, China's evolving relationship with Myanmar and Pakistan, particularly concerning the naval base at Gwardar, complicates naval planning.

On the open ocean, the threats to shipping are at the high-end of capability, directed by a state (that is, a naval attack due to range/endurance requirements). In regional capability terms, Iran, Pakistan and India have the capacity to interdict shipping, but a motive is not evident except for Iran, which is at odds with other countries in the region and with western states. Thus, in the main, the Indian Ocean remains in the purview of navies, not least due to range/endurance issues.

The Malacca Strait and the Indonesian Archipelago

Southeast Asia contains the major international sea lanes for seaborne trade, while also possessing a complicated maritime geography, adjoining territorial seas and unresolved boundary delimitation issues. There is considerable intra-regional trade in LNG, through which Australia, Brunei, Indonesia, and Malaysia transport natural gas throughout the region, and there are LNG pipelines linking Singapore with Indonesia and Malaysia, and Thailand with Myanmar.

It is difficult to determine shipping traffic in the Malacca Strait, but it is at least 70,000 ships transiting annually; but oil tankers that exceed 222,000 deadweight tonnage

must divert through the Lombok Strait. Importantly, Australia's energy exports to North Asian countries go through the Indonesian archipelago.

A state attack on shipping in the strait is possible but appears unlikely as there would be an immediate international response. Certainly it is difficult to think that any of the littoral states would attack this shipping, so any such attack would be by an external power, but again why? China is very concerned that the United States might interdict Chinese energy imports transiting the strait, but there is no evidence to support this Chinese threat perception.

The greater threat remains armed robbery at sea and the minor possibility of maritime terrorism. Critically, it is cross-strait traffic that is being robbed, with the majority of attacks occurring when the ship is berthed or at anchor.

The littoral states of Malaysia, Singapore and Indonesia have responsibility for maritime security in the straits, but the international community remains concerned with their ability to manage sea robbery. In mid-2005, Malaysia, Singapore and Indonesia instituted the MALSINDO patrols in the Malacca Strait; however, as these patrols are coordinated not joint, their utility is questionable. They also instituted the Eyes-in-the-Sky program of joint maritime surveillance along the strait. The littoral state response is a mixture of naval and coastguard forces.

In the unlikely event of a state-directed attack in the strait, the United States would intervene, with India, China and Japan retaining the option to intervene if necessary. China is developing its relationship with Myanmar presumably to enable China to exercise some influence at the entrance to the Malacca Strait. The littoral states have rejected any Japan Maritime Self-Defense Force (JMSDF) patrols but have been willing to cooperate with the Japan Coast Guard (JCG).

It is not evident that littoral state navies could cope with maritime terrorism, which would then require an international response. The defence forces of Britain, Singapore, Malaysia, Australia and New Zealand regularly exercise under the auspices of the Five Power Defence Arrangements (FPDA). In 2005, to meet the emerging security challenges in the region, some serials for the FPDA maritime exercises were reorientated towards anti-piracy and counter-terrorism activities.

However, many of the issues in these waters can best be described as having a law enforcement focus, and given geographical conditions, can best be managed by coastguards; hence the recent creation of the Malaysian Maritime Enforcement Agency.

The South China Sea

A similar number of ships transit the South China Sea as the Malacca Strait, but shipping traffic becomes more congested as LNG tankers from Australia and Southeast Asia begin their transit to North Asia.

There are disputed territorial claims and competition over presumed oil and gas reserves. State-directed action against tankers is more likely given these tensions between the bordering countries. What such action would achieve is not clear but miscalculation is a possibility. Threats from non-state actors are comparable to the Malacca Strait. Given the possibilities of escalation, security responses would be by naval forces.

Both Japan and China are keen to ensure the smooth flow of their energy supplies. In 1981 Japan declared it would protect its sea lines of communication (SLOCs) out to 1000nm, although the direct military application of this has never really been tested. Japan has adopted a maritime capacity building approach in Southeast Asia, using the JCG to assist with training and exercises. The greater concern remains China and the potential future reach of its maritime forces in protection of its trade.

Various confidence building measures have been proposed or implemented to obviate miscalculations in these waters. The United States would take the lead in securing shipping in the South China Sea, in conjunction with Japan, and less likely, with Australia. However, this would be at odds with China, which would likely assume a role and could lead to tension or conflict in the region.

The East China Sea, the Yellow Sea and the Sea of Japan

The East China Sea, the Yellow Sea, and the Sea of Japan are critical SLOCs for North Asia but are not well known to the rest of the world. Many maritime boundaries are contested and when combined with historical differences the possibility of resolving these varied issues appears slim. Both North Korea and China have declared extensive maritime security zones that are not in accordance with LOSC and which complicate naval activities in this area.

Economic and political competition between China and Japan, tensions between China and Taiwan, and US involvement in the region, impact on regional stability. The United States perceives China as a peer competitor, is committed to an independent Taiwan, and has a security treaty with Japan. The RoK is in dispute with Japan over maritime boundaries and natural resource usage. Moreover, the test firing of missiles by North Korea, and that regime's nuclear program, make this area a strategic flashpoint.

State-directed attacks against tankers are highly conceivable in all these seas, but a direct response by the United States and affected states would be expected. It is not clear presently whether the North Asian countries are willing or able to work together to protect their energy imports; if they are not, miscalculation could see increased tensions and inadvertent attacks on each other's cargoes. The United States would necessarily take the lead in any SLOC protection role in this area, in conjunction with Japan in the first instance, if its trade was threatened.

Maritime Forces Cooperation

This section considers issues associated with maritime cooperation and how/whether it needs to be improved.

It is generally taken as a given that if North Asian energy flows were interdicted, the global economy would be affected, either directly through disruptions to trade or indirectly from more generalised consequences, such as an economic slowdown or downturn. From this flows the rationale for regional maritime cooperation, as it is in the region's collective economic interest to ensure that energy continues to flow to North Asia.

But the protection of seaborne trade is a complex task and will almost always involve more than one country. Consequently, some form of cooperation is necessary and clearly it would be beneficial having the necessary agreements in place before an incident occurs. Generally, blue water navies are the tools of choice for the protection of shipping in the first instance, and if this protection role is to include port security, then coastguards have an important supplementary role, as might marine police. Moreover, given the possibility of non-state actor attacks on shipping, there is a need for inter-agency cooperation for the protection of shipping.

Naval Cooperation

Following WWII many navies adopted the NCS administration framework and used the *Allied Naval Control of Shipping Manual* which covered the mandatory reporting, routing and organisation of merchant vessels in times of tension or major conflict. Naval authorities provided the organisation for controlling and protecting shipping, while the management, operation and crewing of merchant ships remained the responsibility of shipping companies. However, there were changes during the 1990s when naval planners recognised that with the demise of many national fleets and the adoption of flags of convenience, countries were limited in their ability to 'control' shipping. NCS then became Naval Cooperation and Guidance of Shipping (NCAGS), using the *Naval Cooperation and Guidance for Shipping Manual* issued by NATO, focusing on military cooperation, guidance, assistance and supervision to enhance the safety of merchant shipping, including mandatory rerouting, control of movement and/or convoy of merchant shipping. At the planning and coordination level, there are two shipping working groups: NATO and the Pacific and Indian Oceans Shipping Working Group (PACIOSWG). Working group efforts are designed to ensure all participants know how each views trade protection, to develop common strategic and operational level concepts, and to test communications links annually.

A number of countries have a natural claim to involvement in the protection of energy flows from the Middle East to North Asia. The most suitable framework for the protection of shipping in the Asia-Pacific region might be the adoption of NATO NCAGS standards.

While it would not be possible to reach the political agreement and military integration of NATO forces, adoption of these standards would assist the Asia-Pacific region as the doctrine, administration framework and training requirements already exists (they would necessarily be modified to suit the Asia-Pacific's political, geographic and military capability requirements).

However, it is not clear that regional neighbours would necessarily work together for coordinated protection of shipping transiting their region. This implies that external power involvement might be necessary, as there is no mechanism for relevant multilateral activities in the Asia-Pacific to deal with this issue. This means that countries such as the United States or Australia would train with other countries on a bilateral or limited multilateral basis. For the United States this would be with Australia under the Radford-Collins Agreement, with Japan under the US-Japan Security Treaty, and with the RoK, Taiwan and relevant Southeast Asian navies under bilateral agreements. Australia trains with Malaysia and Singapore under the FPDA, and conducts bilateral exercises with most ASEAN nations. The policy question is whether these bilateral exercises can be modified, as necessary, to include NCAGS procedures.

Notwithstanding the limited administrative arrangements that exist for the protection of shipping, a greater need is for regional navies to exercise together, either bilaterally or multilaterally to develop trust and understanding as well as practicing naval skills. This has become evident in the anti-piracy operations off Somalia, where despite a large international naval presence, piracy attacks continue and interaction between the navies is low.

At a multilateral level, the Western Pacific Naval Symposium (WPNS), created in 1988, is the only appropriate forum that includes most navies in the Asia-Pacific region. The WPNS has conducted three MCM and diving exercises (in 2001, 2004 and 2006), which included mine hunting and mine sweeping operations, clearance diving, sea riding, medical exchange programs, maritime explosive ordnance disposal training, live mine charge firings at sea, shore-based training on formation minesweeping tactics, and mine clearing in the coastal waters of the South China Sea.¹³ However it is only recently that the WPNS began conducting these exercises, and while they are useful for the protection of shipping, it is not evident that all members (particularly China) would be amenable to conducting coalition NCAGS exercises.

In February 2008, the Indian Ocean Naval Symposium was created, broadly based (administratively) on the WPNS it brought together all the maritime forces of the littoral countries of the Indian Ocean. Importantly, the United States and North Asian countries are not members but might gain observer status in the future. As a new initiative, it is not yet clear how the grouping will operationalise in the future, given the disparity of maritime forces it contains.

Maritime Forces

There is a role for both navies and coastguards in the protection of shipping, but it is necessary to examine their respective capabilities and capacities to determine how they might cooperate together. Where both organisations exist, a delineation of roles which would impact on their respective capabilities is required. As a general principle, protection of shipping responsibilities could transition between navies and coastguards based on geography, the threat and relevant capabilities. Open ocean protection would remain a navy responsibility given range/endurance and capability factors. Navies would also have primacy against state-directed attacks using high-end capabilities in focal/chokepoints, and where a coastguard also existed, it would have a role with regard to possible maritime terrorist attacks. In practice however, this delineation is fraught with difficulties, and considerable effort will be required by governments, navies and coastguards to ensure their procedures are optimised to meet the perceived threat. Protection of ships when they enter and berth in ports would be a coastguard responsibility as a conventional military threat would be low, albeit recognising that navies might be involved in long-range interception of suspect ships before they enter port.

How can coastguards and navies work best together? Significantly, the first step is recognition by both that they are complementary forces, although it is suspected this will be harder for navies to acknowledge. Second, a further range of factors need to be considered.

The varying level of capability across regional navies and coastguards provides the rationale for cooperation and assistance, but is also a hindrance if this assistance impacts upon national sensitivities. Scalability of capability packages and support is a prerequisite as is consideration of the manner in which assistance is offered.

Taking political sensitivities into account, this is where those states with more comprehensive capabilities should assist countries with lesser capabilities (if they are willing to accept assistance). But the mixing of capabilities is important - it is more appropriate at a capability level for the JCG to operate in Southeast Asia, rather than the JMSDF (there are of course obvious political sensitivities as well). Similarly it is the patrol boats of the Royal Australian Navy (RAN) and not major surface combatants that train with forces in the Southwest Pacific.

But what are the technical issues involved in the protection of shipping and how do they impact on navies and coastguards?

Equipment

The most contentious issue relates to equipment, and filling capability gaps in a state's maritime forces. The initial problem is how the equipment is provided to other countries, and of course whether they will accept it. It can be provided for free (gift or aid), sold at a discount rate or sold at full cost recovery prices. Importantly for the receiving state it does not matter how the equipment is obtained, however, it must meet certain criteria, an aspect that has often been ignored in the past to the detriment of its policy goals. Questions that should be asked include: does the new equipment integrate with existing equipment? Can it be supported by local industry? Can it be maintained? And what training is provided with it? Failure to consider any of these issues will impact on the ability of the receiving state to use the equipment.

Maritime Domain Awareness

In order to manage its maritime security a state must know what merchant shipping is transiting its waters and whether it constitutes a threat, as well as the presence of any foreign naval forces or non-state actor threats.¹⁴ In naval terms this would be maritime battlespace awareness, but the terminology has been softened given the probable paramilitary role of the coastguard, and expanded to include identification of merchant shipping (that is, the 'white picture').¹⁵

Importantly, the basic maritime picture will be compiled ashore, using both civil and military information and incorporating ship tracking and reporting data, as well as in addition to surveillance data from aircraft, radar and satellites; the picture will then be distributed to those requiring the information. Surface wave radar would be used for port security, including longer-range surveillance outside the port. Quality intelligence is also necessary to determine the probability of terrorist attacks on ports, as well as identifying any suspect ships.

Critically, both navies and coastguards must have access to this information, although it will more likely be the case that only limited information would be transmitted to a coastguard vessel (assuming limited communication capabilities), while the naval vessel would have the capacity to receive the full picture as well as the ability to supplement it with its own sensors.

Communication and Data Links

All agencies involved in maritime security must be able to communicate with each other. This will be critically important for the coastguard if their vessels lack sensors and have to rely on the battlespace picture being transmitted to them. Effective communications are important to allow for the change in responsibility for ship protection as ships transit the open ocean through a chokepoint into port. Importantly, the coastguard must also be able to communicate with the harbour master and civil and law enforcement

authorities, to ensure effective port security. Ideally, all relevant agencies should have the same equipment and the same training/procedures.

Training

All agencies must train together to better understand their responsibilities and the changeover in responsibilities. If the nature of the threat is high enough, navies could be operating in ports in conjunction with coastguards, so cooperation is essential. Many naval skill sets will be relevant to coastguards and there will need to be a mechanism for shared training, where appropriate and necessary. However, there must be some compatibility between the equipment of the respective forces to enable them to train and work together.

Conclusion

First, before cooperation can be contemplated, there needs to be agreement on what the actual common threats are facing each country in order to demonstrate a common purpose. From this flows the identification of possible responses to the common threat, leading to assistance in developing relevant capabilities if required. This is perhaps the most critical issue, as there is no apparent general agreement on a common (maritime) threat assessment in the Asia-Pacific. Until some level of agreement is reached, the following options will be difficult to implement.

Second, maritime domain awareness is vital to identify if, when and where an attack might occur. This will involve the fusing of intelligence and surveillance information and its transmission to those who need access to it. This will entail inter-agency cooperation within each country, evolving over time to a combined activity between countries.¹⁶

Third, where navies and coastguards co-exist, it would be prudent for governments to consider interoperability issues when developing their respective forces. Basic equipment and communications are a first step, followed by logistic support and training. An option where both organisations exist is to have a senior naval officer on secondment command the coastguard. As examples, an Indian Navy vice admiral commands the Indian Coast Guard, while a RAN rear admiral commands Border Protection Command (an interagency organisation responsible for Australia's offshore maritime security). Officers of this rank are utilised for their greater experience and the ability to 'link' both organisations.

Fourth, training, exercises and exchanges are important, initially to improve individual skill sets, then collectively across a vessel and then between vessels. An inter-agency approach to training is required so that all agencies concerned with maritime security are involved in all relevant training and importantly gain an understanding of individual agency culture.

Fifth, joint exercises and then patrols enable navies and coastguards to work together. Basic passage exercises and then more involved serials provide the skill sets for basic sea keeping tasks for surveillance, interception and eventually enforcement. At this level, both organisations should be able to communicate with each other and more importantly, understand each other, with a thorough knowledge of each other's doctrine and operating procedures.

Sixth, joint and/or combined operations centres which fuse the intelligence and surveillance picture, but also plan and conduct exercises, planning and operational activities. Importantly, the common threat assessment must be high enough to justify this level of cooperation.

Seventh, the most suitable framework for SLOC protection in the Asia-Pacific might be the adoption of NATO NCAGS standards, as the doctrine, administration and training already exists. The PACIOSWG could be the administrative mechanism to bring these standards into effect, while also providing the framework for command post exercises to test administrative procedures, as well as exercises to test NCAGS scenarios.

Notes

- ¹ See Sam Bateman, 'Regional Coast Guards: A Growing Contribution to Maritime Order and Security' paper delivered to the *Maritime Security Challenges in the Asia-Pacific Region in the Post 9/11 Era*, Maritime Forces Pacific, Victoria, BC, Canada 5-7 May 2005.
- ² Philippe Crist, *Security in Maritime Transport: Risk Factors and Economic Impact*, Maritime Transport Committee, Organisation for Economic Co-operation and Development, Paris, July 2003, provides a good introduction to these issues.
- ³ In World War I, Britain lost 7,759,090 gross tonnage of shipping (gts), of which 442,702gts was lost due to attacks by warships; 6,635,059gts due to submarines; 673,417gts due to mines; and 7912gts to aircraft. C Ernest Fayle, *Seaborne Trade Vol III, The Period of Unrestricted Submarine Warfare*, History of the Great War, Imperial War Museum, London, 1924, Table 1b, p. 467. In World War II Britain lost 2919 merchant ships to submarines, comprising 14,593,987 gross tonnage. Clay Blair, *Hitler's U-Boat War Vol 1 - The Hunters: 1938-1942*, Random House, New York, 1996, Appendix 18, p. 771 and *Vol 2 - The Hunted: 1942-1945*, Random House, New York, 1998, Appendix 20, p. 820.
- ⁴ Japan lost a total of 8,433,389 gts, comprising 4,765,600 lost to attacks by submarine; 3,252,522 to other agents; and 415,267 in non-combat losses. Mark M Parillo, *The Japanese Merchant Marine in World War II*, Naval Institute Press, Annapolis, 1993, Table A-9, pp. 243-244.

- ⁵ John J Rios, *Naval Mines in the 21st Century: Can NATO Navies meet the Challenge?*, Naval Postgraduate School Thesis, Monterey, June 2005, p. 40.
- ⁶ Norman Friedman, *Seapower as Strategy*, Naval Institute Press, Annapolis, 2001, p. 87.
- ⁷ Kazumine Akimoto, 'Re-routeing Options and Consequences' in A Forbes (ed) *The Strategic Importance of Seaborne Trade and Shipping*, Papers in Australian Maritime Affairs no. 10, Sea Power Centre - Australia, Canberra, 2003, pp. 121-122.
- ⁸ These smaller craft (less than 500 gross tons) have long been recognised as a security problem, either because they constitute a threat to shipping, or because they are vulnerable to attack. The International Maritime Organization (IMO) plans to examine these security issues in the context of a possible amendment to the *International Convention for the Safety of Life at Sea 1974* (SOLAS Convention).
- ⁹ In December 2002 the SOLAS Convention was amended with the introduction of Chapter XI-2: *International Ship and Port Facility Security Code*, creating a regulatory code for ports, port facilities and international shipping in order to mitigate maritime security threats.
- ¹⁰ BP, *BP Statistical Review of World Energy*, London, June 2009, pp. 8, 11, 20-21, 24, 27, 30, 41.
- ¹¹ BP, *BP Statistical Review of World Energy*, pp. 8, 11, 20-21, 24, 27, 30.
- ¹² BP, *BP Statistical Review of World Energy*, pp. 8, 11, 20-21, 24, 27, 30.
- ¹³ Andrew Forbes, 'The Western Pacific Naval Symposium', in Andrew Forbes & Michelle Lovi (eds), *Australian Maritime Issues 2006: SPC-A Annual*, Papers in Australian Affairs no 19, Sea Power Centre - Australia, Canberra, 2007, pp. 183-188; '21 Pacific navies begin anti-sea mine exercise in South China Sea', *The China Post*, 7 June 2006.
- ¹⁴ As an example, in December 2004 Australia announced the Australian Maritime Identification System, requiring shipping information 1000nm from Australian shores.
- ¹⁵ The IMO amended the SOLAS Convention to create a Long-Range Identification and Tracking system.
- ¹⁶ Canadian, Singapore and Malaysia, to name but a few countries, have created such centres.

Capacity Building with the Littoral States: Internally, Regionally and Internationally

Andrew TH Tan

Since the 11 September 2001 terrorist attacks in the United States, concerns over maritime security in the Malay Archipelago have been heightened due to the perceived vulnerability of maritime shipping to terrorism. With the world's largest Muslim population, there were fears in the west that Al Qaeda terrorists fleeing security action in the Middle East and elsewhere could find refuge there. More seriously, the vulnerability of the aviation industry to a devastating terrorist attack drew attention to the much more insecure maritime industry, upon which global commerce depends.

In the Malay Archipelago, concerns were raised over the vulnerability of the Malacca Strait, the world's most strategic waterway and chokepoint, which is located within this region. The Malacca Strait, 800m wide at its narrowest point, is extremely narrow. It is also very congested, as a quarter of the world's trade, half the world's oil and two-thirds of its natural gas trade pass through its waters. By way of comparison, oil flows through the strait are three times greater than that through the Suez Canal, and 15 times greater than that which flows through the Panama Canal. The Malacca Strait is also the vital economic lifeline through which oil, gas and other supplies flow and which sustains the booming economies of Northeast Asia. Some 70 per cent of Japan's oil, for instance, traverses the strait. Other important sea lanes also can be found in the region, such as the Lombok and Makassar straits, through which some oil traffic passes. The waters in the South China Sea, off the Philippines, are also part of the long sea lines of communications (SLOCs) between Northeast and Southeast Asia.

Unlike the aviation industry, the maritime industry is comparatively unregulated and insecure. There is, for instance, no proper scrutiny or certification of shipping crew, and ships, unlike aircraft, are not tracked in real time. In particular, in view of the trend towards increasing links between transnational organised crime and terrorism (recently reinforced by pirate attacks off Somalia), concerns have been heightened that vulnerable, high risk and high value shipping, such as cruise ships and chemical tankers, could be tempting terrorist targets. Ships, and particularly containers, could also be used to smuggle terrorists as well as weapons of mass destruction (WMDs). One scenario is the hijack of a chemical tanker and its use as a floating bomb to devastate ports - a maritime version of 11 September 2001.¹ Given the global economy's overwhelming dependence on seaborne trade and just-in-time manufacturing processes, any major disruption of this seaborne trade, such as an attack on a super container hub (such as Singapore) would have a devastating impact.

There is evidence that Al Qaeda has been aware of the vulnerability of seaborne vessels, as it has carried out maritime terrorist attacks, such as on USS *Cole* in 2000 and the French oil tanker MV *Lindberg*, off the coast of Yemen in 2002. Within Southeast Asia, there has been evidence of possible terrorist intentions. A strike on shipping by Al Qaeda-linked Jemaah Islamiyah is not implausible, in view of its plans to attack US naval vessels in late 2001 as part of an abortive bomb plot in Singapore.² A senior Al Qaeda operative captured by the United States in 2002 also revealed that the masterminds of the *Cole* attack had planned to attack a US ship visiting Malaysia.³ The Singapore government also subsequently revealed that the Iranian-backed Hezbollah movement had recruited five Singaporeans as part of an unsuccessful plan to attack US warships passing through the Singapore Strait in 1995.⁴

The militant Abu Sayaff Group (ASG) in the Philippines has also carried out seaborne terrorist attacks although these took place further away from the main sea lanes in the Malacca Strait. They include the spectacular kidnapping of 21 hostages (including 12 Western tourists) on the Malaysian resort of Sipadan in 2000.⁵ In 2004, it carried out a joint attack with Jemaah Islamiyah - a devastating ferry bombing in Manila Bay, in which over 100 people were killed.⁶ The ASG, the insurgent Moro Islamic Liberation Front (MILF) and Jemaah Islamiyah have established operational linkages, leading to the development of a danger zone in the Sulawesi-Mindanao maritime tri-border area between Malaysia, Philippines and Indonesia. According to one RAND study, this region has become a key logistical corridor and theatre for jihadist operations.⁷

Sulawesi has been an important base of operations for Jemaah Islamiyah on account of sectarian Christian-Muslim violence there, and its members have found refuge in MILF-held territory in the southern Philippines. The spate of successful, and highly profitable, pirate attacks off Somalia in 2008 have also raised fears of similar attacks in Southeast Asia. Although it will be difficult to do so effectively in the Malacca Strait given the functioning governments along its littorals, there are concerns that this could be much more easily carried out in this maritime tri-border area. In particular, the Makassar Strait, which is increasingly used by very large crude carriers (VLCCs), has the potential to become a piracy flashpoint, as the Sulu and Celebes seas have become increasingly notorious for illegal maritime activities, such as smuggling and piracy.⁸ Moreover, the ASG's capabilities in carrying out maritime terrorism indicate the potential to carry out joint maritime attacks with Jemaah Islamiyah in the Malacca Strait. Thus, the Philippines need to be included with the littoral states of the Malacca Strait in any discussion on counter-terrorism and maritime security capacity building.

Given the growing nexus between organised crime and terrorism, there has been growing concern over the possibility that pirates, with their vast maritime knowledge, and terrorists could easily join forces to carry out a devastating attack on either a ship or a port. Indeed, the waters around Indonesia, until recently, suffered from the world's highest incidences of piracy.⁹ There was a dramatic increase in such cases during the

crisis of governance following the fall of the Suharto regime in Indonesia in 1998. According to a RAND study, of the 2463 actual or attempted acts of piracy between 2000 and 2006, 21 per cent occurred in waters around the Malay Archipelago.¹⁰ The high rates of piracy, the threat of terrorist activity and the presence of Al Qaeda-linked militant groups in the vicinity raised increasing fears over maritime security in the region.

In June 2005, therefore, Lloyd's Market Association's Joint War Committee briefly classified the Malacca Strait as an area in danger of wars and related perils, on the grounds that the modus operandi of pirates operating there are now similar to modern-day terrorists. This had the effect of raising insurance premiums, which in turn raised the anxiety of industry and regional governments.¹¹ Although the RAND study found no evidence to support fears of extremist groups linking up with pirates for their operations, governments, international organisations and shipping interests remain concerned that extremist groups could exploit the same vulnerabilities in maritime trade that attracted piracy. The RAND study also noted the modest but highly discernible spike in high-profile terrorist incidences at sea over the period 2000-06; with several significant maritime terrorist plots forestalled.¹²

The challenges are clearly great. The entire logistical chain, including ships, ports and containers, has to be secured. The sea lanes and their littorals need to be adequately protected and regularly patrolled. The terrorist groups and organised criminal elements that could threaten ship and port security need to be contained. Clearly, multilateral, cooperative measures to improve maritime security are required. In addition, the littoral states, including the Philippines needed to improve maritime security capabilities.

Capacity building by the littoral states has been carried out in the context of international and regional initiatives, and responses designed to improve maritime security after 11 September 2001. The states themselves have responded unilaterally or in close cooperation with each other to improve both cooperation and capacity. Finally, external powers with interests in the security and stability of the region's sea lanes have also intervened to improve maritime security. However, in the context of the growing strategic rivalry between the United States and Japan on the one hand, and a rising China on the other, this has raised fears of great power tensions and competition in the Malay Archipelago.

International and Regional Initiatives

Ports in the region have moved quickly to implement the requirements of the *International Ship and Port Facility Security (ISPS) Code*, which was adopted by the International Maritime Organization (IMO) in December 2002, and amendments to the *International Convention for the Safety of Life at Sea 1974 (SOLAS Convention)*, which came into effect on 1 July 2004. Under the new measures, ships and ports are

required to have improved security measures to ensure better control and monitoring of the movement of people and cargo. Ships are required to have permanent identity markings, automatic identification systems and a ship-to-shore alert system. Ports are required to have security assessments, plans and officers, as well as measures to control access.¹³ In October 2005, new Protocols were added to the *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation 1988* (SUA Convention). These protocols established the basis for boarding and inspecting ships in international waters as well as the prosecution of individuals found to be engaged in terrorist activities or the smuggling of WMDs.¹⁴ Malaysia, Singapore and the Philippines are party to the SUA Convention, but both Malaysia and Indonesia have not signed the 2005 Protocols due to concerns over sovereignty.

The IMO has taken a number of initiatives to improve the safety of navigation in the Malacca Strait and has also sponsored a number of conferences to bring together littoral as well as user states to discuss maritime security issues. These have resulted in the adoption of amendments to the existing traffic separation schemes in the Malacca and Singapore straits; amendment of rules for vessels navigating through the straits; and the establishment of a mandatory ship-reporting system in the straits. The IMO has also sponsored the Marine Electronic Highway Project. This consists of providing electronic navigational charts for the area, the supply of navigational information on a real-time basis, including tidal and current data, and automatic identification system shore stations, among other projects.¹⁵ In addition, the International Maritime Bureau established a Piracy Reporting Centre in Malaysia, a 24-hour information centre acting as the focal point against acts of piracy and armed robbery.¹⁶

Regionally, ASEAN has moved to improve maritime security through cooperative measures against piracy, organised crime and terrorism. The Bali Accord in 2003 acknowledged that maritime issues are transnational in character and therefore had to be addressed regionally and in a comprehensive manner.¹⁷ The action plan for the proposed ASEAN Security Community, which was adopted in the Bali Accord, included recommendations to improve border patrols to combat terrorism, piracy and smuggling.¹⁸ Various Track Two meetings, such as those of the Council for Security Cooperation in the Asia Pacific (CSCAP) involving policy analysts, government officials, academics and think tanks, have also been held to further discuss measures to improve maritime security. Its study group on Capacity Building for Maritime Security Cooperation in the Asia Pacific has enumerated the principles for capacity building. Importantly, the study group acknowledged the following broad principles:

- The application of basic international and regional conventions and institutional frameworks for cooperation.
- A holistic approach to threats to maritime security including safety of navigation and environmental protection.

- Improving human resources and gearing up institutions and legal frameworks.
- Private sector cooperation (particularly the shipping and insurance industries) in maritime security activities.¹⁹

The study group highlighted the importance of institutional arrangements for maritime security, although it also pointed out that cooperation was still far below that which was desirable, due to disputes over sovereignty.²⁰ CSCAP Memorandum No. 12 has also pointed out that maritime knowledge and awareness are the basic foundations of maritime security in the Asia-Pacific, and recommended steps to enhance them, such as better institutional arrangements for regional cooperation, coordination between maritime security forces, the encouragement of public and private sector partnerships on maritime security, legal workshops, and multi-agency training at the national and regional levels.²¹ It thus reiterated a broad conception of capacity building.

Initiatives by the Littoral States

The littoral states have also adopted unilateral measures to improve maritime security. Leading the way has been Singapore, which has the world's largest container port and is a super-hub for the global economy. Any major disruption to seaborne trade as a result of a terrorist attack would seriously affect its economy. Indeed, the threat from Jemaah Islamiyah has been clear. Until its cell was disrupted in early 2002, Jemaah Islamiyah had planned a major series of terrorist attacks in Singapore targeting western embassies, several key US companies, ships and military personnel, and local military facilities.²² Had the attacks taken place, it would have been the largest terrorist attack since 11 September 2001. Because Singapore is closely identified with the United States on political, security and economic issues, hosts a naval logistics facility that has supported US naval and military operations in the Indian Ocean, Arabian Gulf and Afghanistan, and is home to many US multinationals operating in the region, Singapore is a prime target of radical Islamists. Singapore's response to the threat of terrorism has thus been vigorous. Apart from measures designed to improve homeland security, Singapore has taken vigorous and comprehensive steps to improve maritime security.

Singapore has moved swiftly to implement the requirements of the ISPS Code, and the amendments to the SOLAS Convention. It is a signatory to all relevant international agreements on maritime security, including the SUA Convention. Singapore has, however, gone further than the requirements of such international regimes with a series of measures to coincide with the implementation of the ISPS Code, such as requiring all ships of 500 tonnes and above to comply with Pre-Arrival Notification of Security (PANS) procedures 24 hours in advance. PANS includes information on whether the vessel is in possession of a valid International Ship Security Certificate, the current security level of the ship, the last 10 ports of call and whether any additional security

measures were taken during any ship-to-port or ship-to-ship interface. Ships which arrived from non-ISPS compliant ports would also be subject to an IMO checklist on additional security measures.²³ Singapore also quickly implemented a satellite-based ship tracking system as well as ship-to-shore alert systems.²⁴

Singapore's comprehensive, technology-based approach to security explains its responsiveness to the United States initiative launched in 2005 of achieving maritime domain awareness. According to a Singaporean naval officer, 'there is operational utility for knowledge built around vessel-tracking information that enhances the awareness in real time for priming responsive action against maritime threats.'²⁵ As this would require international collaboration, there is thus scope to build-up relevant information-sharing expertise and capacity in order to facilitate more responsive collaboration between national agencies and the world's maritime centres.²⁶

As a close US ally, Singapore has supported all US-led initiatives. It was the first Asian port to join the US Customs-led Container Security Initiative (CSI) when it signed an agreement to do so in 2002 and launched a program in March 2003 to screen US-bound containers and inspect suspicious cargo.²⁷ In 2004, Singapore also joined the US Coast Guard-led International Port Security Program, which will allow the coastguard to inspect Singapore's port facilities and verify their implementation of the ISPS Code.²⁸ Singapore also welcomed the US Pacific Command's Regional Maritime Security Initiative (RMSI), which was floated in March 2004 as a plan to deal with transnational maritime threats in the Asia-Pacific region, although the plan was met with objections from Malaysia and Indonesia since it suggested that US forces would be directly involved.²⁹ Singapore's strong support for the United States has led to perceptions in Indonesia and Malaysia that Singapore is the US's stalking horse in the region. Indeed, as JN Mak noted, both countries saw Singapore's discourse on maritime security after 11 September 2001 as having the effect of internationalising security in the Malacca Strait by giving external powers the potential political space to manage the waterway.³⁰

Singapore and the United States have established very close security ties. In 2000, Singapore opened a new naval base at Changi with facilities that could accommodate US Navy aircraft carriers.³¹ The Pentagon's *East Asian Strategy Report* (1998) has thus observed that 'Singapore has been Southeast Asia's leading advocate of a continued US military presence', praising the fact that Singapore has actively searched for ways to keep the United States engaged in the region.³² In October 2003, both countries also began negotiations for a comprehensive *Framework Agreement for the Promotion of a Strategic Cooperation Partnership in Defence and Security* that would expand the scope of current bilateral security cooperation in areas such as counter-terrorism, counter-proliferation of WMDs, joint military exercises and training, policy dialogues and defence technology.³³ Both countries, together with Thailand and Japan, have also been increasingly drawn into multilateral security cooperation through the aegis of the

COBRA GOLD series of military exercises, which, in the aftermath of 11 September 2001, has taken on a counter-terrorism and peace enforcement focus.³⁴ The scope and depth of bilateral cooperation has made Singapore a defence ally in all but name.

Operationally, Singapore has three agencies that are responsible for maritime security: the Maritime and Port Authority, the Police Coast Guard and the Republic of Singapore Navy (RSN). The three are linked through a Maritime Security Task Force which helps coordinate their activities. Practical measures include having naval patrol craft escort high-risk merchant vessels, such as oil tankers, gas carriers and cruise ships, through the Singapore Strait. Restrictions have also been placed barring all unauthorised sea traffic from waters around sensitive areas such as petrochemical installations, as well as the movement of ships and boats at night.³⁵ Singapore has the capacity to contribute to maritime security on account of its relatively substantial economic resources and its emphasis in recent years on developing its naval capabilities. For a small island-state, the RSN is sizeable by regional standards. In 2007, the navy deployed:

- three *Lafayette* class 'stealth' frigates (three more are currently on order) armed with Harpoon anti-ship missiles, Aster 15 anti-missile defences, anti-submarine torpedoes and an embarked S-70-B Seahawk helicopter
- six corvettes armed with Harpoon anti-ship missiles and Barak anti-missile defences
- six fast missile boats armed with Harpoon anti-ship missiles
- four submarines (with two others currently on order)
- 11 modern patrol vessels
- four modern *Endurance* class landing ships, and 4 minehunters.

In addition, the Air Force operates E2C Hawkeye Airborne Early Warning aircraft as well as a fleet of five F-50 maritime patrol aircraft.³⁶ These significant capabilities indicate that Singapore has the resources to build the necessary capacity to meet maritime security challenges not just regionally but also contribute to global efforts. Thus, in response to the dramatic escalation of piracy off Somalia in 2008, Singapore despatched in early 2009 a landing ship with 200 personnel and two helicopters to participate in international anti-piracy patrols. As Joshua Ho noted, contributing to global security would pave the way for a reciprocal international commitment to the region in the future should the need arise.³⁷ Singapore also evidently perceives that terrorism threats as well as piracy will increase due to the global economic crisis in 2008-09. As Defence Minister Teo Chee Hean stated, 'these problems are now compounded and made more acute by the severe economic crisis that the world is facing'.³⁸

Malaysia has always taken pro-active measures against any militant threat to security, using the country's draconian Internal Security Act, for instance, to pre-empt any threat.

There have been a string of violent incidents involving Muslim militants in Malaysia since 1978.³⁹ In July 2000, for example, 15 members of the extremist Al-Ma'unah raided a military armoury in Sauk. They were overpowered by army commandos after murdering two of their non-Muslim hostages.⁴⁰ A further 39 members of the militant group were subsequently arrested under the Internal Security Act.⁴¹ In 2000, the *Kampulan Militan Mujahideen* was uncovered when a Malaysian was arrested in Jakarta for attempting a bomb attack on a shopping mall. A group of 25 members were subsequently arrested in June 2001.⁴²

Malaysia is also very concerned with maritime security, given that the bulk of its trade passes through the Malacca Strait. Its approach to maritime security has emphasised navigational safety, environmental security and anti-piracy. Regional and international concerns over maritime security, led by the United States in the aftermath of 11 September 2001, have had the effect of galvanising action on the part of Malaysia. The RMSI, which the United States had floated, also alarmed Malaysia as it feared that its sovereignty over its own waters would be compromised. In 2007, Deputy Prime Minister Najib Razak thus suggested the need for greater intelligence cooperation to combat both piracy and possible maritime terrorism.⁴³

However, Malaysia's efforts at improving maritime security have evolved over the years, especially after the Sipadan hostage crisis sparked by the ASG in 2000. In the same year, Malaysia established an anti-piracy task force with 24 craft and a tactical response unit of marine police officers. Since 2005, it has placed armed police officers on board selected tugboats and barges that use the waterway.⁴⁴

Malaysia has also built radar tracking stations along the Malacca Strait to monitor traffic, as part of new security systems being put into place, including the Malaysian Sea Surveillance System, Malaysian Vessels Traffic System and Mandatory Ship Reporting System.⁴⁵ In 2006, Malaysia established the Malaysian Maritime Enforcement Agency (MMEA), which amalgamated five existing agencies into one. The MMEA took over some 70 patrol craft and is responsible for the maritime security of Malaysian waters in peacetime, including search and rescue, intelligence, patrol and anti-piracy.

Malaysia has also made significant efforts to modernise and expand its navy. In June 2002, Malaysia signed an agreement to buy two French-made *Scorpene* submarines.⁴⁶ In 2007, the Malaysian Navy deployed a modern fleet of:

- two *Lekiu* class frigates armed with Exocet anti-ship missiles and Sea Wolf anti-missile defences
- four *Laksamana* class corvettes armed with long-range Otomat anti-ship missiles
- two MEKO corvettes armed with Exocet anti-ship missiles (with another four on order)
- eight fast missile boats also armed with Exocet anti-ship missiles.⁴⁷

The continuing development of its navy has resulted in enhanced maritime security and power projection capabilities, which are essential as patrolling the long coastlines and defending extensive maritime territories have presented daunting security challenges. Malaysia has also had boundary disputes with all its neighbours, important offshore oilfields, problems with piracy in the South China Sea and the Malacca Strait, as well as refugee and migrant inflows, notably illegal immigrants from Indonesia and refugees from the separatist conflict in the southern Philippines. Despite having a relatively sophisticated navy and marine police, Malaysia requires continued improvements in its capacity to adequately meet the many challenges of ensuring maritime security.

Malaysia has cooperated with Britain, Australia, New Zealand and Singapore through the Five Power Defence Arrangements (FPDA). From 2005, FPDA multilateral military exercises have focused on maritime security, particularly on countering terrorist threats.⁴⁸ In 2009, the MMEA also proposed an exchange program with the US Coast Guard.⁴⁹ However, Malaysia has been wary to be seen to be responding to US pressure, or cooperating too closely with it, given domestic sensitivities as a result of anti-US sentiment. Another on-going concern has been the potential loss of jurisdiction over its own maritime waters should external powers become directly involved in maritime security. Malaysia has thus been wary of any suggestion that foreign powers such as the United States or Japan be allowed to patrol the Malacca Strait, even if this was conducted jointly with the Malaysian Navy. However, Malaysia has indicated that it welcomed capacity building assistance, for instance, in the form of intelligence and surveillance technology.⁵⁰

Indonesia suffered from a crisis of governance after the epochal events of 1998, when riots and a severe economic crisis forced the end of the Suharto regime. This political upheaval was accompanied by internal strife, in places such as Aceh, Kalimantan, West Papua, Maluku and Sulawesi, as communal ethnic and religious tensions threatened to tear the country apart. The more democratic environment following Suharto's ouster has led to greater political involvement by Islamist groups, whose voice had been long suppressed under the Suharto government. Severe economic stress, social strains, political instability and the crisis of governance in Indonesia have driven a minority to extremism. The first major terrorist attack after 11 September 2001 was carried out by Jemaah Islamiyah in October 2002 in Bali, Indonesia, killing 202 people, many of whom were Australians.⁵¹ Jemaah Islamiyah has been responsible for a number of deadly terrorist attacks in Southeast Asia, in addition to the 2002 Bali bombing, these include the Marriott Hotel attack in Jakarta in 2003, the bomb attack on the Australian High Commission in Jakarta in 2004, and the second Bali attack in 2005.⁵² Jemaah Islamiyah has been involved in sectarian Muslim-Christian violence on the Indonesian islands of Maluku and Sulawesi, where a state of civil war from 1999 to 2002 led to the deaths of over 10,000 people.⁵³ Since being uncovered in early 2002, over 400 alleged Jemaah Islamiyah operatives have been arrested throughout the region, the majority in Indonesia.⁵⁴ Despite concerted and successful counter-terrorism operations, Jemaah

Islamiyah remains dangerous, given the presence of ex-Mujahideen from Afghanistan, new recruits from local conflict areas such as in Sulawesi and Maluku, and the fact that several key Jemaah Islamiyah figures remain at large.

Apart from the radical terrorist threat, weak institutions and economic underdevelopment have also contributed to a high rate of piracy. Until recently, its waters suffered from the highest incidences of piracy in the world. In 2005, for instance, 79 cases of piracy occurred in Indonesian waters, out of a total of 276 worldwide.⁵⁵ There are increasing concerns that piracy could be much more easily carried out in the maritime tri-border area around Borneo, Sulu and Sulawesi. In particular, the Makassar Strait, which is increasingly used by VLCCs, has the potential to become a piracy flashpoint, as the Sulu and Celebes seas have become increasingly notorious for illegal maritime activities, such as smuggling and piracy.⁵⁶

The sprawling archipelagic waters of Indonesia, with over 17,000 islands and over 55,000km of coastline, present a daunting security challenge given the comparative deficiency of resources. Indonesia simply lacks the capacity to patrol its own waters. In 2007, its navy had 2 German-made Type 209 submarines, 11 frigates, 18 corvettes, and 41 patrol and coastal vessels.⁵⁷ The economic crisis of 1997-98 had a severe and negative impact on defence spending and procurement. Although the economy has gradually recovered, Indonesia's naval and patrol capabilities remain far short of what is needed to adequately secure the vast archipelago. In 2005, the Navy Chief of Staff stated that Indonesia only had 129 patrol vessels, much less than the estimated 302 vessels needed to monitor its territorial waters.⁵⁸ In 2009, the Navy stated that it must have 274 vessels by 2024 to adequately ensure its maritime security.⁵⁹

Indonesia's management of its maritime security has also been hampered by the lack of a unified approach. There are 13 agencies which claim jurisdiction, the most prominent of which are the Navy, the Marine Police and the Sea Communications Guard and Rescue Directorate. The various agencies reportedly do not share intelligence nor communicate regularly with each other. To complicate the picture, local authorities also have maritime security responsibilities, with provinces having jurisdiction for up to 12nm of their coastal waters, and regencies having up to 3nm. Thus, one analyst concluded that the confusing web of its maritime command structure has made it 'difficult for other countries to work with Indonesia, given the agencies' competing interests and overlapping authority, on enhancing cooperation in the Straits'.⁶⁰ Indonesia has recognised the problem and has started the process of integrating maritime security into one coastguard agency, Bakorkamla. This will provide a single point of reference in the necessary regional cooperation with littoral states and user states to ensure the safety and the security of the Malacca Strait.⁶¹ This has, however, proven to be a very slow process, leading the Navy Chief of Staff to issue a call in February 2009 for its rapid establishment so that Indonesia could maintain its territorial integrity. According to Admiral Tedjo Edhy Purdijatno, current maritime security and law enforcement

arrangements are not as effective as they could be and that various authorities have been too egotistical, in giving priority to their own interests over national interests.⁶²

Indonesia has acknowledged the threat of piracy, smuggling and terrorism. Being a maritime nation, it is aware that maritime security is a strategic priority. Although Indonesia has a much smaller economic stake in the Malacca Strait compared to Singapore and Malaysia, as much of its trade passes through the Lombok and Sunda straits, it has acknowledged that the Malacca Strait is strategically important due to the interests of major external powers and the fact that any diminution of sovereignty there as a result of external intervention could have an effect on the rest of the Indonesian archipelago. It has thus made significant efforts to improve its own capacity to monitor and secure the strait. Regular patrols and operations by its Western Fleet have improved security in Indonesian waters around the strait. Military modernisation has stressed the development of rapid reaction forces and the ability to deploy rapidly throughout the Indonesian archipelago. Indonesia is also planning to buy up to 60 new vessels between 2006 to 2015 as its present fleet of 129 naval and patrol vessels is insufficient.⁶³ The current plan is to eventually have 274 vessels by 2024.⁶⁴ Indonesia has also formed Navy Control Command Centers (Puskodal) in Batam and Belawan with the necessary equipment and special forces to handle any armed hijacking or piracy problem in the Malacca and Singapore straits.⁶⁵ Regencies bordering important waterways, of which there are 16, have also been the subject of 'denial programs' which aims to increase local awareness of laws and regulations, the strengthening of local monitoring and control mechanisms, improving early warning systems and the alleviation of poverty which is the root cause of piracy.⁶⁶

Indonesia has also been open to accepting assistance from external powers, although it has made clear that it would not tolerate the presence of foreign troops or vessels in its waters, and would not compromise on its territorial sovereignty. Thus, Indonesia has been the grateful recipient of capacity building assistance from, principally, the United States and Japan. Starting in 2005, the United States has provided assistance to establish an Integrated Maritime Surveillance System in the Malacca and Singapore straits. A dozen coastal surveillance stations have been built, equipped with radar, ship-identification systems, long-range cameras and communication systems. All Western Fleet vessels have also received upgraded communications systems.⁶⁷ In addition, the United States restored International Military Education and Training (IMET) and enhanced operational exercises, such as the annual CARAT exercises. Counter-terrorism exercises have been held with the US Navy, and the United States has provided funding to train Indonesia's Marine Police.⁶⁸ However, Indonesia has declined to join the US-led Proliferation Security Initiative (PSI), as this could involve foreign interdiction of vessels passing through Indonesian territorial waters.⁶⁹ Following the dramatic upsurge in pirate attacks off Somalia in 2008, Indonesia also rejected a US proposal for United Nations authorisation to pursue pirates ashore in Somalia due to its implications for Indonesia and key straits within its territory.⁷⁰

Indonesia's economic recovery and development will give it some resources needed to improve its maritime security capabilities. However, Indonesia is likely to use its scarce resources carefully and selectively, such as to improve maritime patrol capabilities in the form of more patrol vessels and maritime patrol aircraft, and ensuring that it has the capacity to respond quickly to any crisis in its far-flung archipelago. However, as a former top naval commander also noted, 'neither Indonesia nor other littoral states, on their own, have the resources or the expertise to explore the undersea wealth or the means to preserve the marine environment'. According to him, cooperation in maritime security is therefore essential, particularly in the areas of maritime surveillance and the exchange of intelligence.⁷¹

Apart from international cooperation, the Indonesian Navy Chief of Staff has also stated that it would welcome assistance in the form of intelligence, equipment, weapons, navigational aids and training. However, it should be noted that:

Indonesia is always open for cooperation offered by others as long as they not tend to internationalize the management of the Malacca Straits and as long as they are consistent with and respect Indonesian sovereignty and sovereign rights as a coastal state (sic).⁷²

The Philippines is similar to Indonesia in many respects. A sprawling archipelagic state, it has over 7000 islands and 17,000km of coastline. Although it is far from the Malacca Strait, it lies astride the SLOCs that connect Northeast and Southeast Asia. The southern corridor, which borders Sabah in Malaysia, and Indonesia, has been problematic due to the ongoing Muslim separatist insurgency in the southern Philippines. The brash hostage-taking at Sipadan by the ASG has highlighted the security challenges along this corridor. Indeed, the Sulu and Celebes seas have become increasingly notorious for illegal maritime activities, such as smuggling and piracy.⁷³

However, the Philippines has problems with governance, given weak institutions and economic underdevelopment. Its ability to secure its own maritime domain has been hampered by problems of smuggling, piracy and illegal fishing, the sheer size of the archipelagic waters, and the lack of resources. The withdrawal of US forces from their huge Subic Bay naval facility in 1992 also meant that the Philippines had to provide for its own security, a daunting task given its vast maritime territory. The 1997 economic crisis and continuing economic difficulties after that have also seriously affected planned military modernisation programs.

The three lead institutions responsible for maritime security, namely, the navy, the coastguard, and the Bureau of Fisheries and Aquatic Resources, have thus been starved of funds and equipment. Besides, the Philippines has much more pressing security concerns on land. It has had to battle the Maoist New People's Army, and Muslim insurgent and terrorist groups in the south, such as the ASG, and the insurgent MILF. In 2007, the Navy deployed 59 patrol and coastal vessels as well as a single frigate, while

the coastguard had 43 patrol vessels. The Air Force has no fighter aircraft, deploying 15 OV-10 Bronco aircraft in a counter-insurgency role and some UH1H helicopters. It has no modern maritime patrol aircraft, deploying one F-27 Fokker.⁷⁴ Force modernisation has revolved around the refurbishment of already obsolescent naval vessels and the provision of basic equipment such as trucks and communications equipment for land forces. Obtaining modern naval vessels and other maritime surveillance platforms and equipment has proven difficult due to the lack of funds. This situation is likely to persist for some time given economic constraints and the focus on counter-insurgency operations. The situation in the Philippines with regards to maritime security is thus far dire in comparison to Indonesia.

This means that foreign assistance in capacity building and cooperation has assumed much greater importance in the Philippines. The United States has provided assistance in combating the Moro rebellion in the southern provinces; including transport aircraft, helicopters, patrol craft, armoured personnel carriers, assault rifles and anti-terrorism training.⁷⁵ The United States has carried out regular training exercises with the Philippines such as BALIKATAN and CARAT, and also provides limited training assistance through IMET. The Philippines also resumed large-scale military exercises with the United States in 1999, following the ratification of the Visiting Forces Agreement. With this, the Philippines could access discarded or surplus US equipment under the excess defence articles program.⁷⁶ In January 2002, US troops, including special forces, arrived to assist the Philippine Armed Forces against the ASG.⁷⁷ Australia has also provided assistance in the form of 28 patrol boats and an annual grant of \$4 million for training.⁷⁸

However, the overall level and amount of external assistance is clearly insufficient. The Philippines requires much greater help in capacity building given the scale of its security challenges, particularly in ensuring maritime security in its vast archipelagic waters.

Cooperation by the States in the Region

The three littoral states of the Malacca Strait have developed close naval cooperation. Malaysia and Indonesia conduct a coordinated patrol (MALINDO CORPAT) four times a year. Indonesia and Singapore also conduct coordinated patrols (INDOSIN CORPAT) four times a year. Both Singapore and Indonesia have also cooperated to establish a technical system under Project SURPIC, which is designed to share information between the two countries in order to achieve a common operating picture.⁷⁹ The three littoral states have, since 2004, carried out coordinated year-round patrols, linked by communications hotlines, as well as joint air patrols under the Eyes-in-the-Sky program.⁸⁰ The Malacca Strait Patrols are multilateral in nature and have been deliberately restricted in scope to avoid sovereignty issues. Thus, the patrols are coordinated, not joint, with a handing off procedure and without the right of hot pursuit. The Eyes-in-the-Sky initiative consists

of combined maritime air patrols by the three littoral states as well as Thailand. These aircraft can over-fly each other's territory. However, to allay any mutual suspicion, an officer of the country over which a patrol would fly would also be present on board.⁸¹ Regional capacity has been boosted by Thailand's participation in the Malacca Strait Patrol from 2009.⁸² Given its very capable navy, Thailand's addition to the regional initiative could be seen as helping not just its neighbours but also the United States, since Thailand is a close US ally. The four countries today coordinate their efforts through a Joint Coordinating Committee. There is also an Information Exchange Group comprising naval intelligence agencies of the four countries. The littoral states have also developed the Malacca Straits Patrol Information System which shares information about shipping to improve maritime security in the Malacca Strait.⁸³

Although the willingness to cooperate with others exists, the issue of sovereignty is clearly paramount for Malaysia and Indonesia. Thus, the foreign ministers of Malaysia, Indonesia and Singapore meeting in August 2005 in Batam, Indonesia, to discuss the safety of navigation, environmental protection and maritime security in the Malacca Strait reiterated in their Joint Statement that the primary responsibility over the safety of navigation, environmental protection and maritime security in the Malacca and Singapore straits would lie with the littoral states.⁸⁴

Initiatives by External Powers

Since the events of 11 September 2001, the United States has been at the forefront of global initiatives to improve maritime security. The region has been gradually responding to US-led initiatives designed to improve port and container security as part of preventive measures against terrorism. Under the CSI, US-bound containers would be inspected at source by US Customs.⁸⁵ The Customs-Trade Partnership Against Terrorism is also led by US Customs. This program focuses on improving the security of the supply chain through compliance with security guidelines.⁸⁶ Under a separate International Port Security Program, US Coast Guard inspectors would be permitted to inspect the region's port facilities and verify their implementation of the ISPS Code.⁸⁷ The United States also pushed for regional participation in its PSI, which involves the interdiction of ships on the high seas suspected of carrying WMDs. The PSI has not been welcomed by a number of states in the region, especially Indonesia and Malaysia (although Malaysia has observed several of the exercises), which have perceived this initiative to be an infringement on their sovereignties.⁸⁸ On the other hand, Singapore and the Philippines are PSI participants.

Both Malaysia and Indonesia have been strong supporters in the war on terrorism. In Indonesia's case, initial reservations and scepticisms were overcome following the series of Jemaah Islamiyah terrorist attacks on its soil. Nonetheless, there remain deep domestic sensitivities as a result of popular anti-US sentiments. They were therefore upset when there were suggestions that the United States might station special forces

in the vicinity of the Malacca Strait to carry out counter-terrorism operations.⁸⁹ But the prospect of a more active US role also galvanised the littoral states to do more on their own in order to forestall this. Thus, the littoral states declared in July 2004 that they would carry out coordinated year-round patrols, linked by communications hotlines, to ensure the security of the sea lanes.⁹⁰

Japan has a huge stake in the security of the Malacca Strait, given that it is its oil and economic lifeline. Any prolonged disruption or instability would damage Japan's economic interests. Another concern has been the evident rise of China, which challenges Japan's position in the region. Thus, Japan's security role and presence in Southeast Asia has increased over the past decade. In 1998, Japan dispatched transport planes and patrol ships to Singapore for the possible evacuation of Japanese citizens in Indonesia during its political and economic crisis. In May 2000, Japan Self-Defense Agency Chief Tsutomu Kawara concluded a visit to Singapore with the advance approval to use Singapore's military bases for any regional emergencies. This included the evacuation its citizens abroad and any assistance to UN peacekeeping operations in the region. Access to Singaporean bases would give Japan a greater ability to protect its vital Malacca Strait SLOC.⁹¹

Regional anti-piracy and counter-terrorism cooperation has been effected not by the Japan Self-Defense Force but through the Japan Coast Guard, which has provided training, equipment, and funding to all the coastal states of the region. It has also conducted joint counter-terrorism training exercises with a number of Southeast Asian states. Japan has also participated in multilateral security exercises in the region, for instance, through the aegis of the COBRA GOLD exercises, which has taken on a counter-terrorism and peace enforcement focus after 11 September 2001.

Given its constitutional constraints on the deployment of military forces in the region, and mindful of any lingering mistrust as a result of World War II, Japan has emphasised capacity building and governance as a more acceptable means of improving maritime security. This capacity building approach has taken the form of the provision of training and equipment in the areas of immigration control, aviation security, customs cooperation, export control, law enforcement cooperation and measures against terrorism financing.⁹² Thus, following heightened concerns over maritime security after the abduction of a Japanese tugboat crew in the Malacca Strait in March 2005, Japan offered to provide Indonesia with high-speed patrol boats for anti-piracy missions.⁹³ Japan has also funded the installation and maintenance of navigational aides and buoy-tenders, provided technical assistance to upgrade marine safety data management systems and conducted hydrographical surveys.⁹⁴ The Nippon Foundation has contributed patrol boats to both Indonesia and Malaysia. In 2005, Japan also proposed multinational patrols in both territorial and international waters as a counter-piracy measure. However, this was met with opposition by Indonesia and Malaysia due to concerns over sovereignty.⁹⁵

Japan also sponsored a regional initiative in 2001 that subsequently became the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia* (ReCAAP), which was signed by 16 countries in 2004 and entered into force in September 2006. ReCAAP lays out mechanisms for achieving international cooperation, sets out the obligations of member countries to prevent piracy, and also takes up capacity building initiatives. ReCAAP is built around the pillars of information sharing, capacity building and cooperative arrangements, and has established an Information Sharing Centre (ISC) in Singapore. The ISC has developed a web-based information network system to support the exchange of information between the ISC and ReCAAP member states. In total, 14 countries including Japan, Philippines and Singapore have ratified ReCAAP.⁹⁶ However, Indonesia and Malaysia have not ratified ReCAAP due, primarily, to sovereignty issues despite being parties to the agreement in 2004.

Regardless, ReCAAP has proven to be useful as it has forced member states to establish a focal point within each country for dealing with piracy and other related matters, thus leading to greater inter-agency cooperation. Its capacity building program, focusing on training exercises, workshops and technical assistance programs that share best practices, has helped to improve the capacity of regional states in managing maritime security. By entering into cooperative agreements with government agencies, non-government organisations, bodies that represent commercial interests, and international organisations, it helps to coordinate regional capacity building and improve information sharing.⁹⁷

Australia has also placed great strategic importance on the Malay Archipelago, on account of the terrorist threat to Australia that was demonstrated by the two Bali bombings and the bombing of the Australian High Commission in Jakarta in 2004. Australia has provided Indonesia with forensic and other police assistance in investigating the various Jemaah Islamiyah terrorist bombings. It also helped establish the Center for Law Enforcement Cooperation in Jakarta. In addition, Australia and ASEAN issued a *Joint Declaration for Cooperation to Combat International Terrorism* in 2004, in which both sides pledged to exchange intelligence, strengthen capacity building, stem document and identity fraud, and choke off terrorism financing, among other measures.⁹⁸ Australia also signed the Lombok Treaty in 2006, which established a framework for cooperation in the areas of defence, law enforcement, counter-terrorism, maritime security and disaster response. In 2008, the armed forces of both countries also signed an agreement to improve intelligence, maritime and counter-terrorism cooperation.⁹⁹

Concerns over maritime security and terrorism have thus attracted the attention of external powers with an interest in maintaining stability in the region. However this has the potential of turning the region into an arena for great power rivalries. The United States, Japan and Australia have felt the need to coordinate their strategy and approach, resulting in the emergence of a trilateral security nexus that has at its core a

common interest in securing the vital waterways of the region, containing the threat of radical terrorism and dealing with an emerging China. The Trilateral Security Dialogue partners have met regularly to discuss security issues. However, this evolving alliance has been perceived by China to be directed against it.

In December 2008, China despatched a small naval force of two destroyers and a supply ship to the Gulf of Aden due to Somali piracy attacks, it was a symbolic but seminal development signalling China's emerging blue water capabilities and its rise as a global power.¹⁰⁰ The rise of China's naval reach has been watched with anxiety by some in the west. An article in *The Australian* in August 2008 was, for instance, sensationally entitled 'Menace of the Growing Red Fleet'.¹⁰¹ China's rise as a political, economic and military power threatens the dominant position of the United States in the region. Thus, conservative circles in the United States have promoted the idea of a concert of democracies, comprising the US, Japan, Australia and India, directed at containing China.¹⁰² Apart from terrorism concerns, tensions between China and Japan due to historical animosities and strategic competition have also been a driving force behind Japan's more proactive regional approach. Given the increased role of the United States and its allies in the region's security after 11 September 2001, China has expressed concern over the ability of the United States to disrupt its access to energy supplies in what has been dubbed China's 'Malacca Dilemma.' Energy security, particularly the security of its oil supplies, has become a major concern for China, which imports some 60 per cent of its oil from the Middle East. This oil transits the Malacca Strait or via the Lombok and Makassar straits. China is also concerned with terrorism and piracy threats but is uneasy with what it feels has been the use of such threats as a pretext by the United States and Japan to expand their naval presence in the Malay Archipelago.¹⁰³ China has thus tried to reduce its vulnerability in this respect by building an oil pipeline in Myanmar that would run from the port of Sittwe to Kunming in southern China as an alternative oil transport route.¹⁰⁴ Globally and regionally, strategic rivalry between China and the United States is clearly growing and would have significant security implications for the region.

Conclusions

As a result of major efforts by regional states, the international community and external powers, the incidence of piracy in Southeast Asian waters has declined significantly. In the first quarter of 2008, there were 11 incidents, the lowest in five years.¹⁰⁵ In the whole of 2007, there were in fact no recorded cases of pirate attacks in the Malacca Strait.¹⁰⁶ Thus, overall, the various measures undertaken seem to have worked. However, while attention has been shifted to maritime security in Somali waters, there remains genuine concern over the possible nexus of terrorism and piracy in the Malay Archipelago, given the presence of Islamist terrorist networks in the region. The greater danger lies in the Sulu-Celebes area, which has become a transit point for

smuggling and insurgents between Mindanao and Sulawesi, potentially threatening the safety and security of the Makassar Strait. Complacency thus should not be allowed to creep in, and continuing efforts must be made to improve maritime security and to secure the entire logistical chain.

In this context, capacity building is important if the states in the region are to improve their ability to secure sea lanes that are vital to regional and global commerce. It is clear from the above analysis that while Singapore and Malaysia possesses the necessary resources and institutional capabilities to help improve regional maritime security, both Indonesia and the Philippines have difficulties due to governance issues, the lack of resources, and their sheer archipelagic spread.

Capacity building should also be seen in broader terms, not just aimed at the prevention of a piracy/terrorism nexus as a result of the events of 11 September 2001 or carried out at the prompting of the United States. Indeed, a broad approach had been the recommendation of the CSCAP Study Group on Capacity Building for Maritime Security Cooperation in the Asia Pacific.¹⁰⁷ As Malaysian analyst Nazery Khalid noted, much effort has been made by the littoral states to improve maritime security in the Malacca Strait despite the fact that not a single maritime terrorist attack has taken place. Nazery thus called for more assistance and cooperation in the areas of improving navigational safety, capacity building and pollution prevention.¹⁰⁸ Capacity building should not be confined merely to training, equipment and funding but also include intelligence sharing, achieving domain awareness, building institutional and legal frameworks both nationally as well as regionally and internationally, and enacting cooperative mechanisms. Beyond these, a general improvement in governance and development is needed, particularly in the Philippines and Indonesia, in order to address the root causes of piracy in the region, which is often traced to economic underdevelopment, poverty and alienation.

External stakeholders, particularly key users of the region's waterways, such as Japan, the United States and China, cannot be kept out and must necessarily take a greater role given their interests and resources. However, since the cooperation of the key littoral states, particularly Malaysia and Indonesia, is essential, and given their strong concerns over any diminution of their sovereignty over their own maritime territory, this can only take place in the context of bilateral and multilateral cooperation. External powers must therefore respect the sensitivities of the littoral states regarding any possible internationalisation of the Malacca Strait, or any external role in waters under their jurisdiction. While the position of Malaysia and Indonesia imposes limits, it also clarifies where the opportunities are. These lie with capacity building efforts, which will have the benefit of improving local governance and capabilities, leading to greater stability and a more secure and safe maritime environment.

The danger is that the growing roles of external powers could spark great power rivalries in the sea lanes of the region, given the growing strategic rivalry between

the United States and its allies on one side, and China on the other. On the other hand, competition is no bad thing, provided the littoral states are able to manage this rivalry and extract the benefits of the competition. It may well be time for a more inclusive and systematic approach to regional capacity building, instead of the haphazard, unilateral and *ad hoc* measures thus far. A more coordinated approach by the Trilateral Security Dialogue partners will produce a more rationalised and economical strategy towards capacity building. At the same time, the littoral states may need to involve China more actively in regional maritime security, including in capacity building, to assuage its fears as well as benefit from its resources.

Notes

- ¹ See for instance Graham Gerard Ong, 'Pre-empting Maritime Terrorism in Southeast Asia', *ISEAS Viewpoints*, Institute of Southeast Asian Studies, Singapore, 29 November 2002.
- ² *Straits Times*, 12 January 2002.
- ³ Yun Yun Teo, 'Target Malacca Straits: Maritime Terrorism in Southeast Asia', *Studies in Conflict and Terrorism*, vol. 30, 2007, p. 547.
- ⁴ 'Hizbollah Recruited Singaporeans', *Sunday Times* (Singapore), 9 June 2002.
- ⁵ *Straits Times*, 27 April 2000, p. 20.
- ⁶ Andrew TH Tan (ed), *The Politics of Terrorism*, Routledge, London, 2006, pp. 116-117.
- ⁷ Angel Rabasa, 'Case Study: The Sulawesi-Mindanao Arc', in Angel Rabasa, John E Peters, Jennifer Moroney, Peter Chalk, Theodore Karasik, Kim Cragin, Kevin A O'Brien and Steven Boraz, *Ungoverned Territories: Understanding and Reducing Terrorism Risks*, RAND Corporation, Santa Monica, 2007, p. 116.
- ⁸ Andrew Marshall, 'Analysis - Somali Strategy Could Spur Asian Pirate Attacks', *Reuters*, 19 November 2008.
- ⁹ Frederick Chew, 'Piracy, Maritime Terrorism and Regional Interests', *Geddes Papers 2005*, Australian Command and Staff College, Canberra, p. 73.
- ¹⁰ Peter Chalk, *The Maritime Dimension of International Security: Terrorism, Piracy, and Challenges for the United States*, RAND Corporation, Santa Monica, 2008, pp. 6-8.
- ¹¹ Catherine Zara Raymond, 'The Threat of Maritime Terrorism in the Malacca Straits', *Terrorism Monitor*, Vol. 4, iss 3, p. 8, <www.jamestown.org/terrorism/news/uploads/TM_004_003.pdf> (9 February 2006).
- ¹² Chalk, *The Maritime Dimension of International Security*, p. 20.

- 13 'IMO Adopts Comprehensive Maritime Security Measures', *Conference of Contracting Governments to the International Convention for the Safety of Life at Sea (1974)*, <www.imo.org/Newsroom/mainframe.asp?topic_id=583&doc_id=2689> (December 2002). See also 'Keeping the Seas Safe', *Straits Times*, 22 January 2003.
- 14 *Protocol of 2005 to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation*, <www.state.gov/documents/organization/58426.pdf> (1 November 2005).
- 15 J Ashley Roach, 'Enhancing Maritime Security in the Straits of Malacca and Singapore', *Journal of International Affairs*, Fall, 2005, p. 107, <[www.southchinasea.org/docs/Enhancing Maritime Security in the Straits of Malacca and Singapore.pdf](http://www.southchinasea.org/docs/Enhancing%20Maritime%20Security%20in%20the%20Straits%20of%20Malacca%20and%20Singapore.pdf)>.
- 16 International Maritime Bureau Piracy Reporting Center, <www.marisec.org/piracy/imb.htm>.
- 17 Declaration of ASEAN Concord II (Bali Concord II), 7 October 2003, <www.aseansec.org/15159.htm>.
- 18 ASEAN Security Community Plan of Action, <www.aseansec.org/16826.htm>.
- 19 Council for Security Cooperation in the Asia Pacific (CSCAP) Study Group on Capacity Building for Maritime Security Cooperation in the Asia Pacific, <www.cscap.ca/Maritime_Cooperation_SG_Dec05_Report.doc>.
- 20 Summary Report, Second Meeting of the CSCAP Study Group on Facilitating Maritime Cooperation in the Asia Pacific, 2-3 April 2008, Seoul, South Korea, <[www.cscap.org/uploads/docs/Facilitating Maritime Coop/2MaritimeCoopMtgRptApr08.pdf?phpMyAdmin=jBX72H9Re0blXKb%2CZ50SBIWGwq1](http://www.cscap.org/uploads/docs/Facilitating%20Maritime%20Coop/2MaritimeCoopMtgRptApr08.pdf?phpMyAdmin=jBX72H9Re0blXKb%2CZ50SBIWGwq1)>.
- 21 CSCAP, 'Maritime Knowledge and Awareness: Basic Foundations of Maritime Security', *Memorandum no. 12*, <[www.cscap.org/uploads/docs/Memorandums/CSCAP Memorandum No 12-MaritimeKnowledgeandAwareness.pdf](http://www.cscap.org/uploads/docs/Memorandums/CSCAP%20Memorandum%20No%2012-MaritimeKnowledgeandAwareness.pdf)> (December 2007).
- 22 'US Brands Indonesian Group Terrorist', *CNN.com*, <<http://edition.cnn.com/2002/WORLD/asiapcf/southeast/10/23/indonesia.terror/>> (23 October 2003).
- 23 'Singapore Issues 24-hour Security Rule for Ships', *Business Times*, 25 June 2004.
- 24 'Satellite-based Ship Tracking System Soon', *Channel News Asia*, 22 January 2003.
- 25 Irvin Lim Fang Jau, *Comprehensive Maritime Domain Awareness: An Idea Whose Time Has Come?*, Working Paper No. 141, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 16 October 2007, p. 2.
- 26 Irvin Lim Fang Jau, 'Comprehensive Maritime Domain Awareness', p. 2.
- 27 'Singapore Begins Screening US-Bound Containers', *Straits Times*, 17 March 2003.
- 28 'Singapore First to Take Part in US Port Security Plan', *Business Times*, 1 June 2004.
- 29 'US Plan to Secure Key Shipping Lane Upsets SE Asia', *CNSNews.com*, <www.cnsnews.com/ForeignBureaus/Archive/200404/FOR20040406a.html> (6 April 2004).
- 30 JN Mak, 'Unilateralism and Regionalism: Working Together and Alone in the Malacca Straits', in Graham Gerard Ong-Webb (ed), *Piracy, Maritime Terrorism and Securing the Malacca Straits*, Institute of Southeast Asian Studies, Singapore, 2006, p. 158.
- 31 Andrew Tan, *A Dictionary of Politics and Economics of Southeast Asia*, Europa/Taylor and Francis, London, 2004, pp. 260-261.

- ³² Cited in L Edgar Prina, 'Singapore: An Important in US Navy Forward Presence', Navy League of the United States, <www.navyleague.org/seapower/singapore.htm>.
- ³³ 'Singapore and US Team Up on Terror, Health Threats', *Straits Times*, 22 October 2003.
- ³⁴ 'Cobra Gold Officially Comes to a Close', Cobra Gold 2005, <www.apan-info.net/cobragold/fullstory.asp?id=109> (13 May 2005).
- ³⁵ Straits Times Interactive, <www.straitstimes.asia1.com> (5 November 2002). And 'Singapore Steps up Port Security, Restricts Vessel Movements by Night', *Channel News Asia*, 20 March 2003.
- ³⁶ International Institute for Strategic Studies, *The Military Balance 2008*, London, 2008, pp. 401-402.
- ³⁷ Joshua Ho, 'Singapore's Gulf Anti-Piracy Operations: A Shift in Strategic Thinking', *RSIS Commentaries no. 20*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 24 February 2009.
- ³⁸ *Straits Times*, 18 February 2009.
- ³⁹ Recounted in Andrew Tan, *Armed Rebellion in the ASEAN States: Persistence and Implications*, Canberra Papers on Strategy and Defence, No. 135, Strategic and Defence Studies Centre, The Australian National University, Canberra, 2000, pp. 96-102.
- ⁴⁰ *Straits Times*, 3 July 2000.
- ⁴¹ *Straits Times*, 10 July 2000.
- ⁴² *Straits Times*, 5 January 2002.
- ⁴³ *Straits Times*, 3 September 2007.
- ⁴⁴ Yun Yun Teo, 'Target Malacca Straits: Maritime Terrorism in Southeast Asia', p. 547.
- ⁴⁵ Iskandar Sazlan, 'Malaysia's Perspective', in Swati Parashar (ed), *Maritime Counter-Terrorism: A Pan-Asian Perspective*, Dorling Kindersley, Delhi, 2008, p. 112.
- ⁴⁶ *New Straits Times*, 6 June 2003.
- ⁴⁷ The International Institute for Strategic Studies, *The Military Balance 2008*, p. 393.
- ⁴⁸ *The Age*, 22 November 2005.
- ⁴⁹ 'Maritime Agencies Plan Exchange Programmes with US Coast Guard', *New Straits Times*, 9 February 2009.
- ⁵⁰ Graham Gerard Ong, 'Charting a Course for Safer Seas', *Straits Times*, 25 June 2005.
- ⁵¹ The term 'Islamist' does not refer to all Muslims; it refers only to those who subscribe to radical, violent interpretations of Islam, a distinct minority amongst Muslims.
- ⁵² Tan, *The Politics of Terrorism*, p. 165.
- ⁵³ 'Indonesia: Tackling Radicalism' in Poso, *Asia Briefing no. 75*, International Crisis Group, pp. 1-2, <www.crisisgroup.org> (22 January 2008).
- ⁵⁴ Tan, *A Political and Economic Dictionary of Southeast Asia*, pp. 136-137.
- ⁵⁵ 'Piracy attacks drop in 2005 - International Maritime Bureau', *Forbes.com*, <www.forbes.com/markets/feeds/afx/2006/01/31/afx2488462.html> (31 January 2006).
- ⁵⁶ Marshall, 'Analysis - Somali Strategy Could Spur Asian Pirate Attacks'.

- 57 The International Institute for Strategic Studies, *The Military Balance 2008*, p. 382.
- 58 'Indonesian Navy Plans Fleet Expansion', *ABC News online*, <www.abc.net.au/news/newsitems/200502/s1301509.htm> (12 February 2005).
- 59 'Navy Launches Two New Vessels, Needs Another 128', *The Jakarta Globe*, 9 January 2009.
- 60 Yun Yun Teo, 'Target Malacca Straits: Maritime Terrorism in Southeast Asia', p. 551.
- 61 Rosihan Arsyad, 'Cooperation Amongst the Littoral States, User States' Navies and Coast Guards to Safeguard Shipping Through the Malacca Strait', in Andrew Forbes (ed), *Asian Energy Security: Regional Cooperation in the Malacca Strait*, Papers in Australian Maritime Affairs no. 23, Sea Power Centre - Australia, Canberra, 2009, p. 182.
- 62 'Indonesia Navy Chief Calls for Establishment of Coast Guard', *Media Indonesia*, Jakarta (in Indonesian), 1 February 2009, in BBC Monitoring Asia Pacific, 4 February 2009.
- 63 'Indonesian Navy Plans Fleet Expansion'.
- 64 'Navy Launches Two New Vessels, Needs Another 128'.
- 65 Bernard Kent Sondakh, 'National Sovereignty and Security in the Straits of Malacca', Paper presented at the Maritime Institute of Malaysia, Kuala Lumpur, Malaysia, 12 October 2004, p. 8.
- 66 Robert Mangindaan 'Indonesia's Perspective', in Parashar, *Maritime Counter-Terrorism: A Pan-Asian Perspective*, p. 127.
- 67 Arsyad, 'Cooperation Amongst the Littoral States', p. 181.
- 68 Yun Yun Teo, 'Target Malacca Straits: Maritime Terrorism in Southeast Asia', p. 554.
- 69 Juwono Sudarsono, 'US Secretary of Defense', Juwono Sudarsono: Integrity in its Strictest Sense, 13 June 2006, <www.juwonosudarsono.com>.
- 70 'RI Rejects US Anti-Piracy Proposal', *Jakarta Post*, 17 December 2008.
- 71 Arsyad, 'Cooperation Amongst the Littoral States', p. 182.
- 72 Bernard Kent Sondakh, 'National Sovereignty and Security in the Straits of Malacca', pp. 12-13.
- 73 Marshall, 'Analysis - Somali Strategy Could Spur Asian Pirate Attacks'.
- 74 The International Institute for Strategic Studies, *The Military Balance 2008*, p. 399.
- 75 *Far Eastern Economic Review*, 6 December 2001, pp. 24-25 and *Time*, 28 January 2002.
- 76 *Asian Defence Journal*, July 1999.
- 77 'Next Stop Mindanao', *Time*, 28 January 2002, pp. 20-21.
- 78 'Australia Gives RP 28 Boats, \$4 million Grant', *Philippines Today*, 5 March 2009.
- 79 'Closer Bonds with Project SURPIC', *Cyberpioneer* (Ministry of Defence, Singapore), <www.mindef.gov.sg/imindef/publications/cyberpioneer/news/2005/may/27may05_news2.html> (27 May 2005).
- 80 'Malacca Straits Anti-Piracy Patrols Start Next Week', MIMA News Flash, July 2004 <www.mima.gov.my/mima/htmls/mimarc/news/newsflash_files/news-cut/july04.htm> (19 August 2007). Also 'Joint air patrols over Malacca Strait to start next week: Indonesia', AFP, 8 September 2005.

- ⁸¹ Willard Payne, 'Crossfire War: Malacca Strait - Joint Air Patrols Instituted by Four Nations', *News Blaze*, <<http://newsblaze.com/story/20050916092021nnnn.nb/topstory.html>>.
- ⁸² 'Maritime Security New Frontier for Thailand', *The Nation*, 6 October 2008.
- ⁸³ Joshua Ho, 'Piracy in the Gulf of Aden: Lessons from the Malacca Straits', *RSIS Commentaries no. 9*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, <www3.ntu.edu.sg/rsis/publications/Perspective/RSIS0092009.pdf> (22 January 2009).
- ⁸⁴ The Batam Joint Statement of the 4th Tripartite Ministerial Meeting of the Littoral States on the Straits of Malacca and Singapore, Media Resource Center, Ministry of Foreign Affairs, Singapore, <http://app.mfa.gov.sg/2006/press/view_press.asp?post_id=1406> (2 August 2005).
- ⁸⁵ US Department of Homeland Security, 'Container Security Initiative', <www.dhs.gov/xprevprot/programs/gc_1165872287564.shtm>.
- ⁸⁶ Customs and Border Protection and US Department of Homeland Security, 'C-TPAT: The Customs-Trade Partnership Against Terrorism', <http://cbp.gov/xp/cgov/trade/cargo_security/ctpat/>.
- ⁸⁷ United States Coast Guard, 'International Port Security Program', <<https://homeport.uscg.mil/mycg/portal/ep/browse.do?channelId=-18389>>.
- ⁸⁸ Charles Wolf, Brian G Chow and Gregory S Jones, *Enhancement by Enlargement: The Proliferation Security Initiative*, RAND Corporation, Santa Monica, 2008, pp. 7-13.
- ⁸⁹ 'US Plan to Secure Key Shipping Lane Upsets SE Asia', *CNSNews.com*, <www.cnsnews.com/ForeignBureaus/Archive/200404/FOR20040406a.html> (6 April 2004).
- ⁹⁰ '3-Nation Patrols of Strait Launched', *Straits Times*, 21 July 2004.
- ⁹¹ 'Japan Gains Access to Singapore Bases', *Stratfor Analysis*, <www.singapore-window.org/sw00/000503sf.htm> (3 May 2000).
- ⁹² 'Japan's Counter-Terrorism Assistance', Ministry of Foreign Affairs, Japan, <www.mofa.go.jp/policy/terrorism/assist0306.html>.
- ⁹³ 'Japan: Pirates and Force Projection in the Straits of Malacca', *Stratfor*, 18 March 2005.
- ⁹⁴ David Rosenberg, 'Dire Straits: Competing Security Priorities in the South China Sea', *Japan Focus*, <<http://japanfocus.org/article.asp?id=254>> (April 2005).
- ⁹⁵ 'Malaysia Won't Allow Japan Coast Guard to Patrol Malacca Straits', *Japan Today*, 18 March 2005.
- ⁹⁶ ReCAAP Information Sharing Centre, <www.recaap.org/index_home.html>.
- ⁹⁷ Joshua Ho, 'Combating Piracy and Armed Robbery in Asia: Boosting ReCAAP's Role', *RSIS Commentaries no. 69*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, <www3.ntu.edu.sg/rsis/publications/Perspective/RSIS0692008.pdf> (23 June 2008).
- ⁹⁸ ASEAN Secretariat, <www.aseansec.org>.
- ⁹⁹ 'Australia and Indonesia Sign Agreement to Improve Security Cooperation', *The Jakarta Globe*, 13 January 2008.
- ¹⁰⁰ 'Piracy Draws China Back to the Ranks of Maritime Giants', *AFP*, 25 December 2008.
- ¹⁰¹ Cameron Stewart, 'Menace of the Growing Red Fleet', *The Australian*, 23 August 2008.

- ¹⁰² Brahma Chellaney, 'Obstacles to Overcome in the Development of a Concert of Asia-Pacific Democracies', *Japan Times*, <<http://search.japantimes.co.jp/cgi-bin/eo20080220bc.html>> (20 February 2008).
- ¹⁰³ Ian Storey, 'China's Malacca Dilemma', *China Brief*, Jamestown Foundation, 12 April 2006, p. 4.
- ¹⁰⁴ Morten B Pedersen, 'The Future Takes Form - But Little Change in Sight', in Daljit Singh and Lorraine C Salazar (eds), *Southeast Asian Affairs 2007*, Institute of Southeast Asian Studies, Singapore, 2007, p. 234.
- ¹⁰⁵ Jane Chan and Joshua Ho, *Report on Armed Robbery and Piracy in Southeast Asia: First Quarter 2008*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 2008, p. 1, <www.rsis.edu.sg/research/PDF/Armed_Robbery_and_Piracy_in_SEA-1stQtr08.pdf>.
- ¹⁰⁶ 'Malacca Straits Pirate-Free Last Year Due to Joint Patrols', AFP, 13 April 2008.
- ¹⁰⁷ CSCAP Study Group on Capacity Building for Maritime Security Cooperation in the Asia Pacific, <www.cscap.ca/Maritime_Cooperation_SG_Dec05_Report.doc>.
- ¹⁰⁸ Nazery Khalid, 'Asia's Suez: Whose Straits of Malacca?', *Opinion Asia*, <www.opinionasia.org/AsiasSuez> (21 July 2008).

China's Strategic Presence in the Southeast Asian Region

Nong Hong and Wenran Jiang

China's naval and maritime capacity has expanded significantly over recent years. The dispatch of Chinese warships to the Gulf of Aden in 2009 marked a new chapter in the People's Liberation Army Navy's (PLAN) projection of its forces to distant parts of the world. China is also intensifying its efforts to secure its energy shipping routes from Africa and the Middle East, which demonstrate its growing strategic presence in both the Indian Ocean and Southeast Asia.

The South China Sea is home to a number of territorial disagreements, both bilateral and multilateral, which have been ongoing for decades. In total seven parties are now involved - China, Vietnam, the Philippines, Malaysia, Indonesia, Brunei, and Taiwan - and major issues underlying the dispute include historical sovereignty claims, significance of its geographic location, and perceived threats to maritime security. External players such as the United States, Japan, India, Russia and Australia, all with significant economic and strategic interests in the region, are also involved. Moreover, there have been new, overlapping maritime claims resulting from the *United Nations Convention on the Law of the Sea 1982* (LOS). Hence, the South China Sea is vitally important in maintaining regional and international stability. This paper explores China's role in Indian Ocean and South China Sea security from two perspectives: energy supply and maritime disputes.

Energy Security

The South China Sea is a major sea lane for international shipping, and has acquired added significance in recent years because of expectations that it contains large energy reserves. But as so little drilling has been conducted in the area, experts lack sufficient data to make reliable assessments of untapped energy supplies. China's Ministry of Geology and Mineral Resources, the most optimistic of all assessors, has reported that the South China Sea holds as much as 130 billion barrels of oil - an amount greater than the combined reserves of Europe and Latin America.¹ Although confirmation of these and other estimates requires extensive survey work, many countries in the region are sufficiently impressed with the energy potential of the South China Sea to make ambitious territorial claims in the area.

In large measure, the energy conflict in the South China Sea is a dispute over the Spratly Islands, located in its southern part, and comprising about 400 or so islets, cays, reefs, and rocks - many visible only at low tide - and distributed over some 207,199km² of ocean. Although the Spratlys are too small to support a permanent population, six

states - Brunei, China, Malaysia, the Philippines, Taiwan and Vietnam - stake a claim to this area based on historic links. The Philippines and Malaysia base much of their claims on proximity and the continental shelf principle. Also citing the continental shelf principle, Brunei declares sovereignty over one island.²

The Spratlys hold minimal intrinsic value, but sovereignty is contested for another reason: possession of the islands could be used to legitimise claims to surrounding waters - and to their seabed resources - interested nations have attempted to assert control over as many of these bodies as possible. Sovereignty is also contested because the Spratlys occupy an important strategic location, close to the vital sea lines of communication (SLOCs) that link the Pacific and Indian oceans. More than a quarter of the world's trade traverse these SLOCs, including tankers that supply 70 per cent of Japan's energy needs and 65 per cent of China's.³

Driving the struggle for control over the South China Sea's seabed energy reserves is the extraordinary economic growth of the Asia-Pacific region. For decades, economic growth in Asia has required ever-expanding amounts of energy. For most of the 1990s, energy consumption in East Asia's ten leading economic centres - China, Hong Kong, Indonesia, Japan, Malaysia, the Philippines, Singapore, the Republic of Korea (RoK), Taiwan, and Thailand - grew by a rate of 5.5 per cent per year - approximately ten times the rate of the rest of the world.⁴

China's oil consumption rose by 15.8 per cent in 2004 alone and shows no sign of abating.⁵ For example, Chinese demand for motor vehicles rose by 56 per cent in 2002 and a staggering 75 per cent in 2003, yet ownership levels stand at only around eight cars per 1000 people as compared with the global average of 120. China, a net oil importer since 1993, is now the second largest consumer of oil after the United States. China's imports of crude oil have risen from 20 million tons in 1996 to 122 million tons in 2004. Future growth predictions vary, but all show demand spiralling upward: conservative estimates put China's crude oil imports at 150 million tons by 2010 and 250-300 million tons by 2020.⁶

In this context, exploration for seabed hydrocarbon resources is often seen as a key to reduce supply uncertainty, a fact which gives maritime jurisdictional disputes an energy security dimension. Energy security concerns have also translated into increased apprehension over access to, and control over, the key SLOCs.

There are 13 large and medium sediment basins in the disputed region of South China Sea, with a total area of 619,500km², among which 417,000km² is within China's U-shaped line.⁷ Within this area are an estimated 23.5 billion tons of oil and 10,000 billion steres of natural gas. In 1999, the Guangzhou Marine Geological Survey discovered gas hydrates in the Paracel Islands, while a seismic survey in 2000 showed that an area of 8000km² may contain gas hydrates equal to 80 billion tons of oil, covering 50 per cent of the total oil reserves in China.⁸ However, China's optimistic view of the

South China Sea's hydrocarbon potential is not shared by most non-Chinese analysts. In 1993-94, the United States Geological Survey estimated the sum total of discovered reserves and undiscovered resources in the offshore basins of the South China Sea at 28 billion barrels. Using the same rule-of-thumb, these reserves could yield a peak oil production level for the Spratly Islands of 137-183 thousand barrels per day, the same order of magnitude as current production levels in Brunei or Vietnam.⁹

The race for oil started in 1969-70, when an international report held out the prospect of finding huge reserves of oil and gas in the South China Sea. Both foreign and regional companies are today operating in the South China Sea, often through joint ventures. Most of the oil production is taking place in areas that are not contested, however, commercial discoveries of gas have been made within the outer limits of the Chinese U-shaped line by companies operating under concessions from other governments:

- Malaysia is already producing in the Central Luconia gas fields off the coast of Sarawak.
- The Philippines operates within the Camago and Malampaya fields, northwest of Palawan.
- Indonesia has the Natuna gas field, with its pipeline to Singapore.
- The Vietnamese Lan Tay and Lan Do gas fields are being operated by BP in a joint venture with the Indian oil company ONGC and PetroVietnam.

Clearly, energy security is critical for both China and the ASEAN states, the two opposing blocks in the South China Sea dispute. The increasing dependence on energy for sustainable economic development constitutes common ground for China and ASEAN. Beijing claims that its strategy of 'peaceful rising' and its aim of strengthening relationships with its neighbouring ASEAN states on a friendly, harmonious and cooperative manner will eliminate the need for military force as a means to settle the dispute. It will be argued, in the following section, that recent developments in the South China Sea, most of which relate to cooperation on resources development, indicate a promising short-term dispute settlement to the present stalemate.

Gaining access to energy resources can generate both competition and cooperation among states. Many security analysts believe that competition is the norm, and that enhancing energy security is a zero sum game - every barrel of oil that one country acquires is one less for another. There have been, of late, several prominent examples of this phenomenon in the Asia-Pacific region. China and Japan have been actively courting Russia in an effort to tap into its vast oil reserves located in eastern Siberia. More serious tensions between China and Japan are brewing in the East China Sea, over access to natural gas.

Nevertheless, the exploitation of energy resources can also foster cooperation among states. The South China Sea disputes have rendered infeasible any resource exploration

and development in the contested areas; an outcome which is in no country's interest. Any successful exploitation of these areas requires not only a stable political environment among the countries concerned but also much joint venturing, with high levels of international cooperation and foreign investment.

China's future oil and gas needs are clearly one of the factors shaping its foreign policy *vis-à-vis* its ASEAN neighbours. Most of them have so far been net energy exporters, but may soon find themselves in a similar position to China - looking for new sources of imports.¹⁰ ASEAN countries provide both crude supplies and transit terminals for oil shipments from other countries to China, which, due to shallow waters, has poor ports. Indonesia currently supplies about a quarter of China's crude energy imports. The realisation of an ASEAN pipeline grid may be a distant prospect but, if it occurs, China may also be linked into it via Thailand and Myanmar.

To break the South China Sea stalemate and gain access to new oil and gas fields is in the interests of both China and other claimant states. China's late leader Deng Xiaoping moved China in this direction in the early 1990s, when he initiated his famous proposal to 'shelve disputes and go for joint development' in the South China Sea. This proposal adhered to the code of conduct agreements such as the *Declaration on the Conduct of Parties in the South China Sea 1992*, and LOSC Article 123, which also called for cooperation in South China Sea development.¹¹

However, some argue that the Chinese appeal for joint development was, and remains today, a very ambiguous concept without any specific indication of what is meant as:

China has never specified exactly what it means by 'joint development', nor has China clarified where such joint development might take place. Furthermore, at the multilateral workshops, the Chinese delegation has had a limited mandate, and been allowed only to discuss joint development schemes which do not infringe on China's territorial claims.¹²

Those who are sceptical about China's lack of a clear plan on joint development, however, should also look at other potential obstacles to its implementation. First, the involvement of major external powers has added to its complexity and the internationalisation of the Spratly Islands dispute, has set up potential obstacles to the implementation of joint development proposals. The United States is the most powerful player due to its great strategic interest in Southeast Asia.

After the 11 September 2001 terrorist attacks on New York and Washington, the US government strengthened its military presence in the South China Sea. Japan is another key external power, and the Japan Coast Guard has operated in the South China Sea by cooperating with some ASEAN countries on non-traditional security issues.

Adding more complexity to the regional security situation is India, now a nuclear power, and gradually implementing a 'major power' strategy and enhancing its influence in regional and international affairs. In promoting its 'orientation' policy in Southeast Asia, India has improved its comprehensive relationship with ASEAN. Considering geographical politics, and the history of enmity between the two states, India carefully watches China's increasing influence in Southeast Asia - which could be perceived as a security threat not only to India but other South Asian nations. India has held military exercises in the South China Sea and has recently expressed interest in doing so again in the future.¹³ Working to restrict China's role in the area, India has become one of the latest players involved in the South China Sea dispute.

The problems in defining areas for joint development, as well as the involvement of oil companies based outside the region, have impacted the level of joint development. So far, there are more than 200 oil companies involved in oil and gas exploitation in the South China Sea, most of which are from the United States, Netherlands, Britain, Japan, France, Canada, Australia, Russia, India, Norway and the RoK. They have invested heavily in the region, and their presence adds to the complexity and internationalisation of the South China Sea dispute.

Despite these difficulties, the Chinese government has made efforts in recent years to put Deng's proposition into practice, frequently collaborating with ASEAN partners on specific issues such as oceanic environmental protection, maritime scientific research, and fishing. Two events are seen as milestones for Deng's policy: the *Declaration on the Conduct of Parties in the South China Sea 1992*, and an agreement in 2004 between China, Vietnam and the Philippines to conduct joint seismic studies.

In August 2004, the Philippines announced that, in a departure from previous practice, it would no longer oppose exploration for hydrocarbon deposits in disputed waters.¹⁴ While in March 2005, the oil companies of the Philippines, China and Vietnam signed a landmark tripartite agreement to conduct a joint seismic survey of the oil potential in disputed areas of the South China Sea.¹⁵ This Philippines announcement paved the way for a landmark agreement between it and Beijing to conduct seismic studies in order to identify areas for oil and gas exploration.

The agreement - the Joint Marine Seismic Undertaking (JMSU) - was signed during Philippine President Gloria Macapagal Arroyo's visit to China during September 2004. The JMSU represented a 180-degree turn on the part of the Philippines, which had previously advocated a united-ASEAN front in the face of Chinese assertiveness in the South China Sea.¹⁶ Several reasons account for this change of policy. First, the Philippines identified the spiralling cost of oil as a threat to national security, and since oil prices are likely to remain high for the foreseeable future, the Philippines believes it is imperative to exploit energy resources in its own backyard. Second, by the turn of the twenty-first century, the South China Sea dispute had reached a status quo, with none of the disputants possessing the military power to enforce their claims.¹⁷

However, since the early 1990s, the PLAN has been undergoing a major modernisation program, resulting in both quantitative and qualitative improvements.¹⁸ Within a decade or less, it will be in a far stronger position to enforce China's sovereignty claims in the South China Sea. Some advocate that before this occurs, it is better to lock China into joint exploration and exploitation agreements. Third, since coming to power in 2001, President Arroyo has made the rejuvenation of the Philippine economy her government's number one priority. Increasingly, China is viewed as the regional economic dynamo that can help pull it out of its economic malaise. Initially, Vietnam condemned the JMSU as a violation of the *Declaration on the Conduct of Parties in the South China Sea*. However, it later entered into negotiations with the Philippines and China, and on 14 March 2005 the three state-owned oil companies of China, the Philippines and Vietnam signed a new JMSU to jointly prospect for oil and gas in the disputed waters of the South China Sea.¹⁹ Although it is a secret document, according to the *People's Daily* the three-year agreement covers an area of 143,000km² and will cost an estimated US\$15 million to conduct seismic surveys.²⁰

These activities are an important confidence building measure envisaged by the *Declaration on the Conduct of Parties in the South China Sea*. An encouraging sign is that none of the other disputants - Malaysia, Brunei or Taiwan - has objected to the JMSU.²¹ On the other hand, the three disputants have emphasised that the JMSU is a commercial agreement that does not change their basic territorial claims.

Maritime Security

China remains something of an enigma both to the west and to its neighbours. It is impossible to determine with any certainty whether the offensive/assertive or the defensive/reactive interpretation of Chinese policy, including its defence policy is correct.²² However, Chinese acquisitions of major weapons systems from abroad (especially from Russia) are known with some certainty from various sources, despite gaps in the reporting to the United Nations Register of Conventional Arms.²³ Indigenous weapon production is more difficult to monitor, but it appears implausible that any major changes would go undetected. China adopted a new military doctrine in 2007, placing the main emphasis on the ability to fight minor wars in its immediate vicinity.²⁴ It has been striving for some time to build a genuine blue water navy; and if successful, it may be in a position to exercise sea control in the South China Sea.

China issued a white paper entitled *China's National Defense in 2008*, tracing shifts in its defence budget since the nation first implemented its open door policy in 1978.²⁵ The dramatic increase in defence spending over the past 30 years is striking. The annual US Department of Defense report on the military power of China was highly critical of Chinese military expansion. The report produced a strong response from China condemning the American analysis and the provocative message that China thought it sent.²⁶

However, China's naval position in the Spratlys remains weak due to its limited power projection capabilities. China has not increased its ability to sustain naval operations away from its mainland bases. David Shambaugh writes that the People's Liberation Army (PLA) 'does not seem to have made much progress in enhancing its power projection capabilities, nor do these seem to be a priority'.²⁷ China has no aircraft carrier battle group to project power; it has few destroyers and its submarines usually remain within its territorial waters.²⁸ Most features in the Spratlys are also too small to offer bases for further naval activities. Hence, China does not possess the necessary capabilities to control the Spratlys; and it does not yet possess the technology, military and power projection capabilities to impose naval hegemony in Southeast Asia.²⁹ Importantly, command over the maritime communication routes that cross the South China Sea can only result from a significant naval dominance and superiority in the region, rather than the occupation of tiny features that may not offer a legitimate basis for claiming maritime jurisdiction.³⁰ It is important therefore to dissociate the military control of reefs that can only generate limited maritime zones from the control of SLOCs and wider naval areas. The latter are obviously more significant strategically. Chinese military theorists conceive of two island 'chains' as forming a geographic basis for China's maritime defensive perimeter. The precise boundaries of these chains have never been officially defined by the Chinese government, and so are subject to some speculation. By one account, China's green water extends eastward in the Pacific Ocean out to the first island chain, which is formed by the Aleutian Islands, the Kurile Islands, Japan's archipelago, the Ryukyu Islands, Taiwan, the Philippines and Borneo. Further eastward is blue water extending to the second island chain running from the north at the Bonin Islands and moving southward through the Mariana Islands, Guam, and the Caroline Islands.

The former Deputy Chief of the General Staff of the PLA, General Zhang Li, recommended China build an airport and seaport on Mischief Reef located in the Spratly Islands. The additional facilities, Zhang said, would enable China to conduct aircraft patrols of the area, support Chinese fishing vessels and demonstrate the country's sovereignty over the disputed islands.³¹ Zhang described the situation in the South China Sea as 'very grim', and recommended that the Chinese Navy add vessels and boats that have a displacement of 3000 tons or higher for the navy and naval police that operate in the disputed area. According to Zhang, the PLAN only has eight operational naval vessels that are deployable to the region, and these vessels are usually executing other missions in different areas, thus their capability to respond to any contingency that develops there is very limited.³² If the airport and seaport are constructed, Zhang said that China will then be able to control the Spratlys and provide a platform for Chinese naval vessels to bypass the Malacca Strait, which Chinese military strategists consider a strategic chokepoint for the country's national security.

China's Regional Military Cooperation

China has made notable progress in participating in joint maritime search and rescue (SAR) exercises with a wide range of countries in recent years. China and India held their first naval joint SAR exercise in 2003 in the East China Sea. The military exchanges between the two powers have gradually increased ever since, with a second joint SAR exercise conducted in the Indian Ocean in December 2005.³³ In July 2005, China, the RoK and Japan held a joint SAR exercise in China's offshore area. In September and November 2006, the Chinese and American navies conducted two SAR exercises off the west coast of the United States and in the South China Sea respectively.³⁴ This was the result of eight years of consultation between the two countries and a major breakthrough in the past 20 years.³⁵ China participated in the first ASEAN Regional Forum maritime security shore exercise hosted by Singapore in January 2007. In March 2007, two Chinese missile frigates, together with naval forces from Bangladesh, France, Italy, Malaysia, Pakistan, Turkey, the United Kingdom and the United States participated in the four-day sea phase of Exercise PEACE 2007 in the Arabian Sea. In May 2007, a missile frigate took part in a Western Pacific Naval Symposium exercise; a grouping that also involves Australia, Japan and the United States. Although China joined this group over 20 years ago as one of its founding members, this was the first time it was involved in a live exercise.³⁶ Joint SAR exercises were also conducted with Australia and New Zealand in October 2007.

These joint SAR exercises provided experience for the PLAN, and gradually changed the Chinese military decision makers' mindset on naval cooperation, leading to the decision to commit forces for an anti-piracy mission in the Gulf of Aden. Moreover, this naval cooperation has encouraged China to participate in a range of other regional maritime cooperative activities.

China is no longer an outsider when it comes to East Asian maritime cooperation. In Northeast Asia, China helped North Korea train its personnel and provided it with various types of equipment for its navy; they also engaged in some research projects in the Yellow Sea. China and the RoK signed a memorandum of understanding (MoU) on joint oceanic research in 1994 and set up a joint research centre on marine science the following year; they have been collaborating quite closely on the management of offshore areas, marine environmental protection and information exchange. China and Japan, over the past years, cooperated on a range of studies related to oceanic currents; Japan provided equipment and trained Chinese personnel.³⁷

In Southeast Asia, China agreed to various binding arrangements to facilitate closer maritime cooperation with neighbouring states, either on a bilateral or multilateral basis; including the *Joint Declaration of ASEAN and China on Cooperation in the field of Non-Traditional Security Issues 2002*, and its MoU signed in 2004. Bilaterally, China has attempted to strengthen maritime cooperation with Vietnam, Thailand, Malaysia, the Philippines, and Indonesia. With Vietnam, discussion and cooperation

was conducted through the joint marine experts group, major areas of cooperation included forecasting waves in the South China Sea, offshore environmental protection, exchange of information, and coastal area management capacity building. China and Thailand are negotiating a formal agreement to further institutionalise and deepen their cooperation in maritime affairs.³⁸ During a visit to Southeast Asia in 2004 by Wang Shuguang, the former director of China's State Oceanic Administration, China reached agreements with Malaysia, the Philippines, and Indonesia on cooperation on marine environmental protection, oceanic resources management, and oceanic science and surveys. Wang also proposed that maritime ministers of countries surrounding the South China Sea meet regularly.³⁹ China claims that it intends to further engage ASEAN countries in disaster reduction and relief, seminars on oceanic studies, and eco-monitoring training programs in the South China Sea area.⁴⁰

At the broader international level, China participates in the United Nations Environmental Programme's Regional Seas Programme, specifically in the 'action plans' for the East Asian Seas and the Northwest Pacific.⁴¹ Regarding the latter, in December 2007, following an oil spill off the coast of the RoK, China joined the relief work under the emergency response mechanism of the plan while in September 2008, China and the RoK held a joint emergency exercise in dealing with SAR and ocean oil spills.⁴² China joined the Head of Asian Coast Guards Agency Meetings in 2004, four years after its inception. The forum provides a platform for international coastguard leaders to interact regularly and also initiated at-sea combined exercises beginning in 2005. China actively participates in six areas of cooperation: anti-drug trafficking, joint actions, counter-illegal immigration, maritime security, information exchange, and law enforcement on the sea; which resulted in China hosting the seventh experts' meeting in 2006.⁴³ China's participation is particularly significant since it provides a valuable forum for China and the United States to communicate and exchange views on various maritime issues.⁴⁴

All these new policies reflect a changing mindset among Chinese decision makers. Some Chinese analysts believe that cooperation with other militaries, including that of the United States, on various non-traditional security issues is an inevitable trend as China further integrates itself into the international community. Military exchanges with other countries are also important as the Chinese military might become more frequently involved in protecting China's overseas interests and evacuating Chinese nationals in emergent foreign conflicts. Exchanges with foreign militaries, especially the United States would lay a good foundation for cooperation and limit misunderstanding in the future.⁴⁶

ASEAN Military Modernisation

The ASEAN states have made tremendous efforts to enhance their defence capability. Vietnamese Prime Minister Nguyen Tan Dung, during his visit to the Philippines in

August 2007, agreed to a bilateral joint patrol with the Philippines Navy. Malaysia, establishing a frontier defence team, cooperated with the Thai military to maintain and enhance Malaysia-Thailand border security. In July 2008, the heads of the ASEAN states' armed forces agreed to strengthen the military cooperation through information sharing, intelligence cooperation, military exercise and workshops. At the second ASEAN National Defence Ministers meeting in November 2007, the ASEAN states expressed the hope to establish an ASEAN Security Community by 2015.

Besides these joint efforts, individual ASEAN states bordering the South China Sea also accelerated their own maritime defence capabilities. Vietnam passed the *2020 Vietnam Ocean Strategy*, the main focus of which is to develop its maritime economy, build Vietnam into a maritime power, enhance ocean management and emphasise naval shipbuilding. Its naval forces stationed in its offshore islands require improved training. Military expenditure is increasing, and focuses on building up its forces in the occupied islands in the South China Sea, while US\$3.8 billion is to be invested to build 30 to 40 400-ton warships. A large military harbour is being built at Haiphong and will be the second largest Vietnamese naval base after Cam Ranh Bay; it will have the capacity to berth 40,000-ton warships and 40 to 60 naval vessels and submarines.

Since the early 1990s, Malaysia has begun modernising its forces, concentrating on shifting the military from an army-driven, counterinsurgency force to a structure with a more equal emphasis on all three services. The shopping list includes Polish battle tanks, Russian and British surface-to-air missiles and mobile military bridges, Austrian Steyr assault rifles, and Pakistani anti-tank missiles. Kuala Lumpur is also negotiating to buy several F/A-18 aircraft, three French submarines, and an unspecified number of Russian Sukhoi Su-30 fighter aircraft. The decision to spread its orders around reflects Malaysia's use of arms purchases as part of its foreign policy, even though the range of equipment from so many different sources creates maintenance and logistic problems. The military modernisation program is partially aimed at narrowing the gap with neighbouring Singapore, which has an annual military budget roughly twice that of Malaysia. Malaysia is concerned about increased Chinese influence in the South China Sea, combined with a growing concern over ASEAN organisational weakness. This has been interpreted by policymakers in individual ASEAN countries as dictating increases in military spending as a counter-weight to China's military modernisation efforts.

Southeast Asia countries may feel less threatened by the expansion of China's military power than many western commentators allege. This was demonstrated during the recent visit by senior ASEAN military officers to China.⁴⁶ Southeast Asians 'recognize the inevitability of the rise of China while continuing to seek the involvement of the U.S. as a balancing force'.⁴⁷ There were several press reports in 2007 about Chinese proposals for joint military exercises with ASEAN and the reception received by these proposals. A newspaper article quoted the commander of the US marine forces in

the Pacific, characterising China's military bid as a 'positive overture', leading one to conclude that these reports must be more than good copy or the exercise of journalistic license. But as one analyst pointed out, ASEAN is in a difficult position. China has very effectively engaged it since reaching a temporary political understanding on the South China Sea several years ago. The 'ASEAN-way' is consensus-based and accommodating. This works against rejecting an overture from an increasingly close partner like China. China's charm offensive in Southeast Asia has essentially put ASEAN in a box.⁴⁸

Recent Developments in the South China Sea

March 2009 saw three major developments that stirred up controversy in the South China Sea, and highlighted the difficulties in maintaining regional stability. In mid-February 2009, the Philippines Congress passed a *Territorial Sea Baseline Bill*, laying claim to Scarborough Shoal (Panatag Shoal) and a number of islands in the South China Sea. On 5 March, Malaysia's Prime Minister Abdullah Ahmad Badawi landed on Swallow Reef and Ardasier Reef and announced Malaysia's claim to sovereignty over the islands. China condemned both actions. The third development was the clash on 8 March between Chinese vessels and an ocean surveillance ship from the US Military Sealift Command in China's exclusive economic zone. The US Department of Defense claims that five Chinese vessels, ranging from two small trawlers to three larger vessels, deliberately interfered with the operations of the unarmed USNS *Impeccable* while it was conducting surveillance in international waters some 120km south of Hainan Island. Chinese officials did not deny the details of the incident, but characterised the American surveillance activities as fundamentally improper and arrogant. Chinese denunciations continued after US warships were ordered to escort the *Impeccable* and the other unarmed surveillance ships operating near China; this again threatens fragile US-Sino military relations. One analyst claims that if the military planners' nightmare scenario of a superpower war in Asia were ever to come true, the South China Sea might very well be where it starts.⁴⁹

Because China is a major player in these developments, there has been a new round of criticism of China by western commentators, which increased when China announced it would strengthen its marine surveillance force in the South China Sea, albeit with civil patrol vessels rather than warships.

Conclusions

Southeast Asian countries used to view China as a clear and present danger to their security. Today all Southeast Asian countries have diplomatic relations with China. Despite disagreements and differences, ASEAN and China have had occasion to work together on specific issues, such as energy supplies and maritime security. China and ASEAN represent two blocs stuck in a long running dispute in the South China Sea dispute. The exigencies of energy security are sure to play an important role in the

positions they ultimately adopt. Notwithstanding maritime boundary disputes, the lure of potential access to seabed oil and gas resources may be a motivating factor, prompting a desire to resolve the dispute swiftly, so that exploration can proceed as soon as possible.

Likewise, maritime security threats in the South China Sea region point to an opportunity for China to be more involved in the Southeast Asian security. China and ASEAN recognise that they have shared interests in ensuring the resources and sea lanes of the South China Sea are used effectively. Nevertheless, a possible Chinese presence in the Southeast Asia security framework is sometimes challenged by some ASEAN states, demonstrating concerns over China's real intentions in the region.

With continued rapid economic growth, strong Chinese influence and involvement in the Southeast Asian region will continue. The Chinese military's pace of modernisation will remain fast as its strategic interests in the region and beyond increase. China's quest for superpower status will continue, with an emphasis on regional security first, thus making China-Southeast Asian relations one of Beijing's primary foreign policy priorities. But their need for more energy and resources will inject an element of tension for all parties involved in the South China Sea dispute, but there are also dynamics that will foster cooperation. It also remains to be seen how other major powers such as the United States, Japan and India come into the regional security framework. But one thing is certain: China's strategic interaction with Southeast Asia will be more dynamic and fast-moving.

Notes

- ¹ The May 1989 issue of the *China Geology Newspaper*, as cited in Michael Leifer, 'China's Economic Reform and Security Policy: The South China Sea Connection', *Survival*, vol. 37, no. 2, Summer 1995, p. 44.
- ² Michael T Klare, *Resource Wars: The New Landscape of Global Conflict*, Holt Paperbacks, New York, 2002, p. 121.
- ³ Clive Schofield and Ian Storey, 'Energy Security and Southeast Asia: The Impact on Maritime Boundary and Territorial Disputes', *Harvard Asia Quarterly*, vol. IX, no. 4, Fall 2005.
- ⁴ Klare, *Resource Wars*, p. 121.
- ⁵ Schofield and Storey, 'Energy Security and Southeast Asia'.
- ⁶ Ingolf Kiesow, *China's Quest for Energy: Impact Upon Foreign and Security Policy*, Report Number FOI-R-1371-SE, Swedish Defence Research Agency, Stockholm, November 2004.

- ⁷ The U-shaped line was officially drawn in the South China Sea in December 1947 by Bai Meichu, an official of what was then the Republic of China. Areas within the line were claimed as historic waters. For more details see Peter Kein-Hong Yu, 'The Chinese (Broken) U-shaped Line in the South China Sea: Points, Lines and Zones', *Contemporary Southeast Asia*, vol. 25, no. 3, 2003, pp. 405-430.
- ⁸ Shichun Wu and Hong Nong, 'Energy Security of China and the Oil and Gas Exploitation In the South China Sea', in Myron H Nordquist, John Norton Moore and Kuen-chen Fu (eds), *Recent Developments in the Law of the Sea and China*, Martinus Nijhoff Publishers, Leiden, 2006.
- ⁹ 'South China Sea Oil and Natural Gas', <www.globalsecurity.org/military/world/war/spratly-oil.htm>.
- ¹⁰ Mark J Valencia, *China and the South China Sea disputes*, Adelphi Paper no. 298, Oxford University Press, 1995, pp. 15-16.
- ¹¹ See Article 123 of the *United Nations Convention on the Law of the Sea 1982*:
States bordering enclosed or semi-enclosed seas should cooperate with each other in the exercise of their rights and in the performance of their duties under this Convention. To this end they shall endeavour, directly or through an appropriate regional organization: (a) to coordinate the management, conservation, exploration and exploitation of the living resources of the sea; (b) to coordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment; (c) to coordinate their scientific research policies and undertake where appropriate joint programmes of scientific research in the area; (d) to invite, as appropriate, other interested States or international organizations to cooperate with them in furtherance of the provisions of this article.
- ¹² Lai To Lee, 'The South China Sea, China and multilateral dialogues', *Security Dialogues*, Vol. 30, part 2, 1999, p. 167.
- ¹³ Schofield and Storey, 'Energy Security and Southeast Asia'.
- ¹⁴ 'RP won't Block Oil Searches in Spratlys', *Today*, 23 August 2004.
- ¹⁵ Schofield and Storey, 'Energy Security and Southeast Asia'.
- ¹⁶ Schofield and Storey, 'Energy Security and Southeast Asia'.
- ¹⁷ Ralf Emmers, *Maritime Disputes in the South China Sea: Strategic and Diplomatic Status Quo*, Working Paper No. 87, Institute for Defence and Strategic Studies, Nanyang Technological University, Singapore, September 2005.
- ¹⁸ See Lyle Goldstein and William Murray, 'China emerges as a maritime power', *Jane's Intelligence Review*, October 2004.
- ¹⁹ 'Thee Nations Sign Pact for Joint Spratlys Survey', *Straits Times*, 15 March 2005.
- ²⁰ 'Turning "Sea of Disputes" into "Sea of Cooperation"', *People's Daily*, 16 March 2005.
- ²¹ According to the Philippine Department of Foreign Affairs, all ASEAN members have been briefed on the agreement's contents; see Schofield and Storey, 'Energy Security and Southeast Asia'.
- ²² Bjorn Moller, 'Military Aspects' in Timo Kivimaki (ed), *War or Peace in the South China Sea?*, Nordic Institute of Asian Studies Press, Copenhagen, 2002, p. 64.

- ²³ Bates Gill and Taeho Kim, 'China's Arms Acquisitions from Abroad: A Quest for 'Superb and Secret Weapons'', *SIPRI Research Report*, no. 11, Oxford University Press, Oxford, 1995; Srikanth Kondapalli, 'China's Naval Equipment Acquisition', *Strategic Analysis*, vol. 23, no. 9, IDSA, New Delhi, December 1999, pp. 1509-1530.
- ²⁴ Gurmeet Kanwal, *China's New War Concepts for 21st Century Battlefields*, Issue Brief No. 48, Institute of Peace and Conflict Studies, New Delhi, July 2007.
- ²⁵ Information Office of the State Council of the People's Republic of China, *China's National Defense in 2008*, Beijing, January 2009, <www.fas.org/programs/ssp/nukes/2008DefenseWhitePaper_Jan2009.pdf> (22 July 2009).
- ²⁶ Sam Bateman, 'Commentary on Energy and Geopolitics in the South China Sea by Michael Richardson', <www.iseas.edu.sg/aseanstudiescentre/ascdf2c1.pdf> (5 October 2009).
- ²⁷ David Shambaugh, 'China Engages Asia: Reshaping the Regional Order', *International Security*, vol. 29, no. 3, Winter 2004/05, p. 64.
- ²⁸ Jonathan Power, 'The So-called Rise of China', *International Herald Tribune*, 8 April 2005.
- ²⁹ See, The International Institute for Strategic Studies, *The Military Balance 2004-2005*, Oxford University Press, Oxford, 2004, pp. 161-162, 170-173.
- ³⁰ Michael Leifer, 'The Maritime Regime and Regional Security in East Asia', *The Pacific Review*, vol. 4, no. 2, 1991, p. 130.
- ³¹ *Ming Pao* [Hong Kong], 22 June 2009.
- ³² *Ta Kung Pao* [Hong Kong], 18 June 2009.
- ³³ *Liaowang Xinwen Zhoukan* [Outlook News Weekly], 10 May 2004.
- ³⁴ Luo Yuan, 'Zhong mei junshi guanxi feng xiang he fang' [Where is the Sino-US Military Relationship Headed], *Heping yu Fazhan* [Peace and Development], Issue 2, 2008, pp. 9-14.
- ³⁵ *Outlook News Weekly*, 27 November 2006.
- ³⁶ Eric McVadon, 'China and the United States on the High Seas', *China Security*, vol. 3, no. 4, Autumn, 2007, pp. 3-28.
- ³⁷ *Zhongguo Haiyang Bao* [China Ocean Newspaper], 12 December 2006.
- ³⁸ *Zhongguo Haiyang Bao*, 7 October 2008.
- ³⁹ *Zhongguo Haiyang Bao*, 24 December 2004.
- ⁴⁰ *Zhongguo Haiyang Bao*, 12 December 2006.
- ⁴¹ United Nations Environment Programme, 'The Regional Seas Programmes', <www.unep.org/regionalseas/about/default.asp>.
- ⁴² *Zhongguo Shui Yun Bao* [China Water Transport Newspaper], 3 September 2008.
- ⁴³ *Renmin Gong'an Bao* [People's Public Security Newspaper], 31 March 2006.
- ⁴⁴ McVadon, 'China and the United States on the High Seas'.
- ⁴⁵ *Liaowang Xinwen Zhoukan*, 27 November 2006.
- ⁴⁶ Christopher Bodeen, 'Southeast Asia Military Delegates Tour China base', *Seattle Post-Intelligencer*, 31 March 2009, <www.seattlepi.com/national/1104ap_as_china_southeast_asia.html> (1 April 2009).

- ⁴⁷ Sam Bateman, 'Commentary on Energy and Geopolitics in the SCS by Michael Richardson', <www.iseas.edu.sg/aseanstudiescentre/ascdf2c1.pdf> (26 May 2009).
- ⁴⁸ Walter Lohman, 'The Trap of China-ASEAN Military Cooperation', <www.heritage.org/research/asiaandthepacific/wm1451.cfm>.
- ⁴⁹ Richard Lloyd Parry, 'Analysis: so much more than a naval water fight', <www.timesonline.co.uk/tol/news/world/asia/article5879033.ece#cid=OTC-RSS&attr=797093> (13 May 2009).

A Pacific Perspective on Maritime Capacity Building

Thomas B Fargo

My first assignment in Washington DC was in 1976, as a young lieutenant in the US Navy. I was the aide to an admiral named Bob Long who later went on to be the Commander-in-Chief Pacific Command (CINCPAC), the same job I held some 20 years later. He called me in during my first day on the job and sat me down to outline my responsibilities. He said 'you know Tom, I did not hire you to carry my bags, I hired you because you are smart and can make a real contribution to this organisation'. I beamed a little but then he went on to say, 'you are going to carry the bags too, and by the way, you are the speech writer!'

As you can imagine at that point in my career after four years at sea on submarines, I had not written a lot of speeches, in fact, I had not heard a lot of speeches. So I went off and found a more senior officer, a lieutenant commander - he must have been at least 30 years old - and asked for some advice. He said it is simple: every speech has to have a beginning, middle and an end. I was still a little puzzled but as it turns out, it was really pretty good advice. I will try to follow that advice and talk to three subjects that hopefully will help frame our discussion on maritime capacity building.

First, I would like to review briefly some of the key points from the previous conference, Asian Energy Security, to see whether those assumptions, if you will, have held up. As I mentioned earlier, I think we really are building here on the Asian Energy Security and International Cooperation in the War Against Terror conferences. So we should renew the context for these discussions.

Second, it is important to understand, in this case from the US Navy perspective, the programs we have in place today in the Pacific that contribute to maritime capacity building, as well as assess to some degree their objectives and effectiveness.

And last, we have to look forward. You are aware there are a number of significant changes in force structure and strategic direction that US Defense Secretary Robert Gates has proposed in the 2010 budget which I think will impact on maritime capacity building in positive ways.

So hopefully, I will have faithfully followed the advice of that lieutenant commander back in the mid-1970s, who by the way remains a close friend today, a retired admiral.

Key Points from Previous Conferences

In March 2006, our topic was International Cooperation in the War Against Terror.¹ I talked to six trends in Asia-Pacific security. The first judgment was that ‘when you step back and take stock, it is hard not to be impressed with the democratisation of Asia’. Going forward from that point I think you would have to say it has been a little bit of mixed bag. We have been disappointed with the military coups in both Fiji and Thailand and the general political chaos in both countries. While the democracies in Japan and the Republic of Korea (RoK) are solid, waging political consensus has been difficult. I believe since our session in 2006, we have had four different prime ministers in Japan. Honeymoons are short and approval ratings drop like a rock at the first signs of crisis.

However, there have been bright spots as well and I would single out Indonesia as one and India as another. President Susilo Bambang Yudhoyono’s party has won re-election, formed a strong coalition, and fashioned a stable and well-functioning government. He will stand for re-election next month against his former Vice President and former President Megawati Sukarnoputri. The recent election in India was remarkable for lots of reasons and was the first time in almost 50 years that India’s voters have re-elected an incumbent full term prime minister.

A second theme was ‘modern, moderate Islam flourishes in this region’; a third was ‘Japan is adopting a worldwide view of security, more appropriate for a global economic power’; while a fourth dealt with ‘the rise of China’. These trends continue in essentially the same direction and I will address specifically how these countries are contributing to maritime capacity building both with the United States and each other later.

Certainly, multilateral approaches to security are more common but frankly the progress in this area is not what it needs to be. A specific example is dealing with piracy in the Horn of Africa and Northern Arabian Sea where there is clearly cooperation and a great deal of resources being brought to bear, but we are far from where we need to be in terms of policy, organisation, efficiency and outcome.

The last theme dealt with the ‘war against terror in the Asia-Pacific region’ itself. On this score, I would provide relatively high marks. Indonesia has been effective against Al Qaeda affiliated Jemaah Islamiyah. Cooperation within Southeast Asia and with the United States is much improved. Appropriate intelligence sharing agreements appear to be in place. The Abu Sayaff Group in the Philippines still conducts hostage taking, but the capacity building efforts both ashore and at sea have essentially relegated them to criminal activity. Generally, the number of attacks is down; much of the terrorist leadership has been captured or marginalised. The exception of course is the horrific attack in India.

That brings us to our second conference: Asian Energy Security.² In October 2007 I talked on the subject of ‘securing Asian sea lanes and imperatives for maritime security in the 21st century’. As we reflect on the steps taken in the past few years toward

cooperation in the Malacca Strait, it is easy to acknowledge the progress and applaud the results. The International Maritime Bureau's 2007 *Annual Report on Piracy and Armed Robbery* said:

Over the last five years there has been a significant drop in incidents reported in Indonesia, Malaysia, the Malacca and Singapore straits have also seen a steady decline in reported incidents.

We have discussed the impetus for the cooperation we are seeing between Indonesia, Singapore, Malaysia, Thailand and Bangladesh. Clearly, progress has been made and it sets the stage for a thorough analysis of maritime capacity building.

Maritime capacity building flows from habitual relationships - habits of cooperation - that are established over many years, through exercises, personnel exchanges, combined training, foreign military sales, financial as well as international military education, and more. So let us look at this in more depth.

Programs and Progress in Maritime Capacity Building

As we have discussed at the two previous conferences, the navies of the world continue to get smaller. A decade into my career we had 568 ships in the US Navy and today we number some 283. Nothing has changed. The complexity of new ships, increased acquisition costs borne of multiple factors, the pressure on budgets due to resources required for Iraq and Afghanistan as well as federal funds required to deal with a worldwide economic crisis - all suggest force levels will continue to decline.

On the positive side of the equation, if there is one term universally embraced by essentially every country in the Pacific, it is 'capacity building'. We all recognise sensitivities over sovereignty, and operations within the claimed water space of littoral countries but my experience is that efforts made through an approach of 'maritime capacity building' can often bridge these concerns.

There is probably no better example than the work done in the Malacca Strait over the past three years. The countries that border this hugely important sea lane and chokepoint, where some 15 million barrels of oil transit each day, are cooperating at an unprecedented level to provide surveillance, share both information and intelligence, and take action when appropriate. They recognise the importance of sustained and persistent cooperation and collaboration, a term underscored in *A Cooperative Strategy for 21st Century Seapower*.

Progress here reflects both a change in attitude as well as years of building capacity through training and exercises on a bilateral and multilateral level. CARAT exercises have been conducted in Southeast Asia now for over a decade and includes the United States and six Southeast Asian nations. It is designed to build relationships and enhance the operational readiness of forces. Some previous barriers are gone. Training and

equipment money, which previously was not available for Indonesia, now can help provide patrol boats, radar units for coastal sites, radios, and command and control integration with other forces. At the Shangri-la Dialogue in 2009, Singapore opened their new multinational Command and Control Centre which fits squarely into a vision of improving regional maritime capacity to deal with a range of challenges from piracy, to humanitarian assistance and disaster relief, to protecting energy resources, to dealing with the full range to transnational threats like drugs, trafficking in humans, and violent extremists.

Moving to Northeast Asia, we find a long history of close cooperation between the United States, Japan, and the RoK that has resulted in the development of top-notch maritime capability in AEGIS-based combat systems; mature anti-submarine warfare platforms; and intelligence, surveillance and reconnaissance assets for maritime patrol that fit well into potential regional security architectures. Japan and the RoK have operated in support of international efforts in Southwest Asia combating both terror and piracy as well as contributing to a multitude of humanitarian assistance and disaster relief efforts including the 2004 tsunami response. In the immediate future the depth and maturity of these capabilities will play a key role in both missile defence and nuclear non-proliferation as the international community fashions a response to North Korea's threat to stability in Asia.

It goes without saying that equal and in some cases even greater capacity to contribute has been built by Australia through their robust programs and partnerships like the Five Power Defence Arrangements. Most important, and they do not get enough credit for it, is their leading role with the Pacific Island nations. Sam Bateman mentioned the Pacific Patrol Boat Program which has been an exceptionally strong initiative but Australia's work across the board has been essential to stability in this vast area of the Pacific.

So how did all this maritime capacity building come to pass? In most cases, it started with bilateral relationships, and some were treaty or alliance partnerships. But in the past ten years we have built capacity through multilateral exercises which have vastly improved our collective ability to respond to current world challenges.

As an example, Exercise RIMPAC in June 2008 was the worlds largest maritime exercise and saw 35 ships, six submarines, and 150 aircraft from 10 nations, including the active participation of Australia, Canada, Chile, Japan, the Netherlands, Peru, the RoK, Singapore, the United Kingdom and the United States. While present as observers were Russia, Mexico, and Columbia.

In May 2008 Exercise COBRA GOLD was hosted by Thailand with 15,000 personnel participating from five nations. It focused on multilateral peacekeeping and humanitarian assistance and disaster relief. Importantly, these same forces transitioned immediately into the Myanmar disaster response. There were ten nations observing this exercise including Pakistan, India, and China. So this is probably the best segue

into the question everyone asks: What is role is of China and India in the effort to expand regional maritime capacity?

Regarding India the answer is pretty clear. We have observed the very steady and positive contributions to international crisis. They were a major and effective player in the 2004 tsunami response. Since then they have expanded both bilateral and multilateral exercises. Exercise MALABAR is an excellent example of a meaningful exercise which will build needed interoperability with the Indian Navy.

In my view it is much less clear with China. From the standpoint of Pacific Command, it is fair to say we have actively worked to engage China, especially on the maritime front, since Admiral Chuck Larson was CINCPAC in the early 1990s; that is quite a while ago. China has been invited to every Shangri-la Dialogue and Chiefs of Defence Conference and to the Western Pacific Naval Symposium, but they have not sent their senior leadership. So it is not a matter of the United States or regional maritime nations not desiring a more substantive contribution; it is China's to choose. I believe we all recognise that China's current and growing naval capability should play a role, starting with humanitarian assistance and disaster relief. So it is not a question of how the rest of the world is going to engage China, it is how will China engage the rest of the world.

The peaks and troughs in these relationships have largely resulted from China's response to political events, such as arms sales to Taiwan, the collision between a Chinese fighter and a US Navy maritime patrol aircraft, and others that go back a ways. In some cases Chinese responses have been inappropriate. For example, the denial of safe harbour to ships in weather and last minute cancellations of port calls.

But hopefully, as China matures so will their willingness to engage consistently in multinational maritime coordination and capacity building. One of the key indicators will be their acceptance of the internationally agreed interpretation of the *United Nations Convention on the Law of the Sea 1982*.³

Looking Forward

So let us talk about the future, and where the US Navy is headed in terms of its ability to support and improve on maritime capacity building. I mentioned at the outset that Secretary Gates has made a number of significant changes in force structure and strategic direction reflected in the 2010 budget that are relevant to this discussion and we will see more in the upcoming Quadrennial Defense Review. On the force structure front there are three especially worth mentioning.

Gates has made a clear commitment to the Littoral Combat Ship (LCS) by increasing near term acquisition and setting a goal to acquire 55 of those ships. The LCS is, in his words, 'a key capability for presence, stability and counter insurgency operations in coastal regions'. These ships are built to operate in shallow water and to deploy

off-board systems. They are modular in concept and use a 'mission bay' - a huge space - that can be configured for a wide range of missions. As a result, my sense is they will match up well with a wide range of their partner navies. And they can be kept current as the demand for maritime capacity evolves.

I have toured LCS-2 which was designed by Austal USA in Mobile, the US subsidiary of the Australian shipbuilder, along with General Dynamics. A second LCS variant, a monohull, is operating today and headed to San Diego and I suspect will deploy soon. When you look at where we expect to operate with our coalition partners, these ships fit our strategy.

Many of you may be aware of the Westpac Express, another shallow draft, high-speed ship built by Austal. It has provided service and support to the US Marine Corps for the past five years in the Western Pacific. We have leased similar ships to conduct 'theatre security cooperation' with our allies and specifically to support capacity building in the Sulu Sea and Philippine Archipelago with the Philippine Navy for counter-insurgency operations. The next generation is the 'joint high speed vessel' specifically designed to provide intra-theatre logistic support and support to theatre security cooperation efforts is scheduled to be introduced into service in 2012.

Missile defence is one area that I, as an operational commander, felt greater emphasis was required on theatre capabilities. To protect both our forces and those of our allies, Secretary Gates added US\$700 million to field more of our most capable theatre missile defence systems. In terms of at sea capability it will specifically enhance the standard missile program (SM-3). Further, six additional AEGIS-ships will be converted to provide missile defence capability. As mentioned, early cooperation on missile defence with Japan is a true collaboration success story.

Every bit as important as force structure is the clear understanding and commitment to a strategy that recognises the vast majority of future security threats will be dealt within a diplomatic, collaborative and multinational fashion. The 2010 budget includes an additional half a billion dollars to 'boost global partnership capacity efforts'. The warfighting supplement just passed by Congress has US\$700 million that will immediately go to similar work.

You will hear Secretary Gates discuss on a regular basis the importance of increasing budgets at the State Department to ensure we can properly support programs that work in unison with our strategy to build partner capacity.

My view is that many of these 'soft power' strategies have been in place for years in the Pacific. A good example is the now annual deployments of hospital ships and medical capability under Exercise PACIFIC PARTNERSHIP - but what I am sure is true in each of our nations - real commitment to this strategy is reflected when we put real money against it; and we are!

Fundamentally, the Asia-Pacific region is a maritime environment - much too large for any one nation to protect. We have to build maritime capacity at home and we clearly have to build capacity with our partners.

Notes

- ¹ Some of the papers presented at that conference were published in Andrew Forbes (ed), *Australian Maritime Issues 2007: SPC-A Annual*, Papers in Australian Maritime Affairs No. 21, Sea Power Centre - Australia, Canberra, 2008.
- ² Andrew Forbes (ed), *Asian Energy Security: Regional Cooperation in the Malacca Strait*, Papers in Australian Maritime Affairs No. 23, Sea Power Centre - Australia, Canberra, 2009.
- ³ A brief outline of China's interpretation of international maritime law can be found in Stuart Kaye, *Freedom of Navigation in the Indo-Pacific Region*, Papers in Australian Maritime Affairs No. 22, Sea Power Centre - Australia, Canberra, 2008, p. 31.

The Taiwan Conundrum: Maritime Security Capacity Building in East Asia before a Taiwan Strait Settlement

John J Tkacik, Jr

It is no longer a question of 'if' Taiwan and China will ever reach a 'peace accord' that will finally resolve Taiwan's status within the Chinese political state, but 'when'. And the 'when' will probably come sooner - within a few years - rather than later. Over the next three years, East Asian littoral states will have to come to terms with imminent Chinese pre-eminence in their maritime space. However, East Asian governments may have an opportunity to shape - while they still can - the post-China/Taiwan 'peace accord' maritime environment by integrating Taiwan into cooperative regional maritime arrangements that will preserve the status quo.

Beijing and Taipei are on the verge of a momentous geopolitical tectonic shift in the western Pacific. By the end of 2009, Taiwan's President Ma Ying-jeou wants to implement an Economic Cooperation Framework Agreement that promises to integrate Taiwan's entire economy with China's yet this will not be amenable to popular referendum.¹ Ma proposes adopting China's 'simplified character' writing system in Taiwan schools, a move that convinces his political opponents of his intention to merge Taiwan's educational system with China's.² By 2012, or even sooner, President Ma hopes to have signed a 'peace agreement' with his Chinese Communist Party (CCP) counterpart.³ Beijing has no doubt Ma's new status as Kuomintang (KMT) Party Chairman will allow him to negotiate 'on an equal footing' with his CCP counterpart.⁴

Given the current correlation of forces in Asia, such as China's determination to absorb Taiwan; American and Japanese unwillingness to object to Taiwan's ultimate integration with China; and the fact that there are no national level elections in Taiwan until 2012, it seems unlikely that Taiwan will persist long as an independent political actor in the region.

This presents virtually all other East Asian and Southeast Asian littoral states with a profound albeit subtle conundrum: how to deal with a China that has expanded territorial and exclusive economic zone (EEZ) claims in the western Pacific and the South China Sea. This raises several questions:

- Will the Taiwan Strait become a Chinese 'inland waterway'?
- Will the EEZ and territorial seas encircling Pratas Island govern shipping and fisheries in the Bashi Channel and collide with the interests of the Philippines?

- Will the substantial Taiwan infrastructure on Itu Aba Island (also known as Taiping Island) in the southernmost part of South China Sea become a Chinese baseline from which to enforce Beijing's peculiar territorial and EEZ demarcations in conflict with Vietnam, Malaysia, the Philippines and possibly Indonesia?
- How will a new China/Taiwan entity address ongoing fisheries and seabed delimitations with Japan in the East China Sea?

Japanese-Chinese frictions over the Senkaku Islands (Diaoyutai) are well understood, but EEZ, fishery and territorial sea claims between northeastern Taiwan and Japan's southernmost islands, Yonaguni Miyako and Yaeyama, are also in flux. The 2003 'temporary enforcement line' agreed upon between Taiwan and Japan in waters east of Taiwan is just that, temporary.⁵

A China/Taiwan accommodation will leave all coastal East Asian states from Indonesia to Japan - as well as other global actors including the United States and India - facing an entirely new geopolitical context that will influence core national interests from fisheries, sea and air transportation routes, seabed resource exploitation, security and piracy cooperation, and environmental protection to naval power balances.

Taiwan's Maritime Context

One could devise an algorithm that included size of merchant fleet, shipbuilding capacity, seaport cargo tonnage, size of coastguard and navy, international transit of sea lanes within national jurisdiction, pelagic area within its jurisdiction, and make a case that Taiwan is among the top ten maritime nations of the world. Taiwan has the 11th largest merchant fleet, the fourth largest builder of bulk carriers by tonnage, and one of the largest coastguard operations in East Asia.⁶ Taiwan's Coast Guard Administration (CGA) operates in 50,000km² of territorial and adjacent waters immediately surrounding Taiwan; 6800km² around Pratas Island (400km from Taiwan); and a theoretical 2900km² around Itu Aba in the Spratly Islands chain (1200km from Taiwan) although coastguard operations in Taiping are limited by Chinese maritime activities that virtually surround Taiping.

While the Taiwan CGA shows the Senkaku/Diaoyutai islands on maps of its area of operations it does not list the Senkakus among the islands within its 'mission areas'.⁷

The Taiwan Strait is arguably the single busiest waterway on the globe - depending on how one counts it. In the year ending 15 August 2002, a total of 259,086 civilian aircraft transited the Taiwan Air Defence Identification Zone while 246,015 international commercial ships transited the Taiwan Strait and the East Taiwan maritime route, averaging 675 ship transits daily - compared to the Dover Strait which averages 400-500 ships over 300 tons.⁸ Annually, 90,000 ships pass through the Strait of Gibraltar

whereas 50,000 ships a pass through the Malacca Strait.⁹ The Suez Canal processes about 55-60 transits a day while the more constricted Panama Canal manages just 40-44 transits daily.¹⁰ Three of the world's major container ports (Kaohsiung, Hong Kong, Shenzhen-Yantian) abut the Strait, and virtually all Japanese and the Republic of Korea (RoK) fossil fuel supplies follow that route. One study done in 2002 suggested that China, Hong Kong, and Taiwan together will process 86 million twenty-foot equivalent units (TEUs) by 2010, much of which will 'come from increased cross-Strait cargo', and 'will account for over 40 per cent of Asia's total container cargo and about 20 per cent of the world's total container cargo'.¹¹ (Chinese ports alone accounted for 80 million TEUs by 2006.)

Important or promising seabed hydrocarbon deposits are also within Taiwan's maritime jurisdiction - or claimed jurisdiction. Like China, Taiwan's 'Republic of China' government persists in a broad territorial sea claim in the South China Sea, which includes several potential undersea gas fields within the EEZ surrounding Itu Aba Island and neighbouring Chinese-occupied islets. Itu Aba, of course, is the biggest of the South China Sea islands, and the only one with a functioning airstrip - a 1150m concrete pad suited for military operations.¹² Similarly, there are seabed hydrocarbon deposits within the EEZ surrounding Pratas Island. China has also claimed seabed gas fields within the EEZ of Japan's Senkaku Islands - a claim that Taipei articulated in 1969 - even before Beijing knew the islands were there.

Most recently, Chinese and Taiwan oil companies have signed memoranda of understanding on exploration of potential hydrocarbon deposits in the Wu-ch'iu, Nan-chih sectors along the mid-line of the Taiwan Strait.¹³

Regardless of how one juggles the data, Taiwan is a jurisdiction of immense importance in international maritime operations and a future confederation with China will logarithmically enhance China's comprehensive maritime power.

Taiwan's Maritime Enforcement Capacity

As mentioned above, the CGA is one of Asia's most sophisticated coastguards. While the powerful legislative caucus of Taiwan's KMT party opposed defence spending during the eight years when Taiwan's executive branch was controlled by the pro-independence (and hence, anti-China) Democratic Progressive Party, under constituent pressure from Taiwan's fisheries and merchant marine industries, the KMT tended to approve civilian maritime capacity building. The CGA was organised in 2000, and in 2009 the new KMT-controlled Executive Yuan announced plans for a Ministry of Ocean Affairs that seems likely to transfer significant maritime security responsibilities from the Navy to the coastguard.¹⁴

While such a move makes little sense in terms of enhancing Taiwan's national security *vis-à-vis* a Chinese military threat, it is certainly a major step in establishing Taiwan

as one of the most progressive maritime jurisdictions in East Asia. The new Ministry of Oceans Affairs will supervise and enforce Taiwan's maritime traffic structures, sea search and rescue (SAR), disaster relief, fisheries patrols and protection, coastal and maritime environmental conservation and protection, and counter-smuggling (including human trafficking) and anti-piracy operations.¹⁵

That the CGA has the capacity to operate in blue waters far from Taiwan's coastline was amply demonstrated in February 2008, when literally half of Taiwan's naval and coastguard assets, including two *Kidd* class destroyers and two submarines were deployed to Itu Aba Island to provide security for the visit of then-President Chen Shui-bian to the island. The CGA also maintains a 200 man contingent on Pratas Island to perform valuable environmental protection and fishery administration missions.¹⁶

Training is a core mission for the CGA which is a highly professional and dedicated law enforcement instrument. In early June 2009, the CGA conducted expanded anti-terrorism exercises in Kaohsiung Harbor which involved the coordination of 995 personnel, 8 helicopters and a total of 37 cruisers, cutters and other ships (although the CGA apparently has about 27 dedicated vessels in its inventory).¹⁷ Similarly elaborate drills occur each year around scenarios as varied as anti-hijacking, small arms smuggling, oil spills and SAR.¹⁸

One demonstration of the professional competence and morale among CGA personnel came on the evening of 14 April 2007, when the CGA deployed a 40-man underwater team in waters off Kaohsiung Harbor for an at-sea stakeout of a black-market diesel oil ship. Because the ship delayed its movement into the stakeout area, the 40 frogmen remained on air-tanks treading water for roughly seven hours from 1900 hrs to 0200 hrs the next morning. At one point, the underwater team commanders ordered the frogmen back to base fearing they were becoming exhausted. But the divers insisted on carrying out the mission, successfully boarding the illegal diesel tanker and arresting 30 suspects.¹⁹ Taiwan's newspapers seem satisfied with the performance of the CGA judging from the lack of critical reportage - compared to cynical coverage of National Police Administration and Taiwan's military. The CGA homepage, admittedly not an unbiased observer, tabulates an impressive list of law enforcement, SAR and environmental conservation statistics.²⁰

The CGA and customs services are members of the Proliferation Security Initiative. In August 2003, at the request of US intelligence agencies, Taiwan customs and CGA at Kaohsiung Harbor intercepted a North Korean shipment of chemical weapon precursors and missile fuel components.²¹ North Korean ships have tended to avoid Taiwan since then. The CGA has also cooperated smoothly with the United States and other agencies in maritime interdiction of North Korean narcotics smuggling operations.²²

The CGA's effectiveness, together with the determination of the Ma government to reduce the chance of naval confrontation with China, has persuaded Taiwan's legislature

to move additional naval responsibilities to the new Ministry of Ocean Affairs. The Ma government will appropriate an additional US\$767 million before 2017 to acquire larger vessels for the CGA. In explaining this move, President Ma said:

The traditional wisdom has been ‘on the sea we count on the Navy’, but in protecting security on the seas, one can’t rely only on the Navy, we must also rely on the policing strength of the Coast Guard.²³

The shift of focus of Taiwan’s government toward coastguard capacity building and away from naval strength suggests that this will become an increasingly important policy initiative in Taiwan’s ongoing rapprochement with Beijing on the other side of the strait.

Taiwan’s Maritime Independence

Given that Taiwan is a major East Asian maritime jurisdiction in law enforcement, environmental preservation, marine safety and transportation management, how will the island nation’s impending realignment with China impact Taiwan’s maritime neighbours? Will Taiwan be able to retain its international personality unchanged? Will Taiwan’s place in littoral Asia be diminished partially, or eclipsed totally, by Chinese authority? Is there anything that the rest of non-China Asia can (or should) do about it?

The prospect of a re-established China-Taiwan condominium over the entire South China Sea should give pause not only to governments of the sea’s littoral nations, but to Japan and the RoK, both of which rely on sea lanes that traverse the sea. From the end of the Chinese Civil War in 1949 until at least 1988, Taiwan and China were said to have had a ‘tacit agreement’ to reinforce each other’s claims to the sea, claims which are peculiar to them, and which seem to have no foundation under international law or the *United Nations Convention on the Law of the Sea 1982* (LOSC). Admittedly, Chinese (both Republic of China and People’s Republic of China (PRC)) South China Sea claims apparently antedate World War II and were asserted without reference to customary international maritime law. China formally but vaguely defined its territorial sea claims in 1992, but its LOSC accession letter deposited stated that:²⁴

The People’s Republic of China reaffirms the sovereignty over all its archipelagos and islands as listed in Article 2 of the Law of the People’s Republic of China on the Territorial Sea and Contiguous Zone which was promulgated on 25 February 1992.²⁵

This language effectively delineated China’s boundary around the entire periphery of the South China Sea and claimed all islands, atolls, reefs and rocks, as well as the claim of continental shelf EEZ rights within the boundary.²⁶

China’s looming dominion over the South China Sea cannot be viewed with equanimity, as its behaviour in the South China Sea has a 35-year history of belligerence. It used military force to seize the Paracel Islands from South Vietnam in 1974. It seized, again

with armed force, several islands in the Spratly chain controlled by the Vietnamese military in 1988. In 1992, People's Liberation Army Navy (PLAN) units again seized more Spratly islets claimed by Vietnam. In 1995, the PLAN occupied Mischief Reef, claimed by the Philippines. And the PLAN has since adopted the habit of visiting as many islands, islets, rocks, reefs and sandbars in the South China Sea as it possibly can, and planting stone markers identifying them as Chinese territory. Chinese naval and maritime patrol craft still routinely board and seize non-Chinese fishing boats in those waters.

All of this is rather unsettling for ASEAN nations who, in July 2003, had thought China would ease-off once it signed the *Treaty of Amity and Cooperation* and the attendant code of conduct under the *Declaration on the Conduct of Parties in the South China Sea 1992*.²⁷

Paradoxically, within the context of Chinese territorial assertions in the South China Sea, Taiwan's role has been central. Its government reportedly opened up the Taiwan Strait to PLAN warships as early as 1974 in support of a Chinese attack on South Vietnamese forces on the Yongle island group in the Paracel Islands.²⁸ In March 1987, according to the Chinese media, PLAN warships docked for a week at Itu Aba Island, a Taiwanese base, to take on food supplies during their battle with Vietnamese forces then occupying Chigua Reef. At the time, Taiwan's Defense Minister Cheng Wei-yuan, under orders from President Chiang Ching-kuo, 'openly declared that if there was another war [in the Spratly chain] the Nationalist Army would assist the Liberation Army in a battle of resistance'.²⁹ Supposedly, as late as 1993, Taiwan military officers would not rule out cooperation with China in the 'development and management' of the Spratlys.³⁰

For this reason, the Chinese media in 2006 blasted Taiwan's former President Chen Shui-bian and his predecessor Lee Teng-hui for 'junking the tacit understanding' that preserved Chinese sovereignty over the Spratlys.³¹ Chen Shui-bian's sin was to build a modern airstrip on Itu Aba without consulting Beijing. China responded by menacing the island with constant PLAN surveillance as the construction commenced.³²

Will the new Ma government restore that 'tacit understanding' with China as part of a new peace settlement?

Two possible scenarios might help predict the degree of Taiwan's maritime independence over the coming decade. Perhaps President Ma intends to effect an expeditious rapprochement with China which would reduce Taiwan's international personality to one similar to Hong Kong's and Macao's (as appears to be the case). On the other hand, perhaps Ma's ulterior motive is - having adjudged that, without firm United States and Japanese support and broad international approbation, Taiwan has no hope of resisting absorption by China - to delay the inevitable and to score the best deal possible with China.

If President Ma is, deep down, a Chinese nationalist bent on securing the territorial seas and sovereignty attributes of Taiwan for the great Chinese nation, then the first scenario is more likely to play out. Ma himself is a talented legal mind with expertise in the law of the sea. His doctoral dissertation at Harvard Law School examined the details of seabed delimitations in the East China Sea and its conclusions reflected a sympathetic eye for Chinese nationalist claims in the region and a certain antipathy toward Japan's claims.³³ Indeed, Ma remains rather proud of his role as a student leader in nationalist demonstrations against Japan's occupation and administration of the Senkaku Islands in the East China Sea following the reversion of Okinawa to Japan in 1972.³³

Taiwanese claims to Pratas reef in the northern sector of the South China Sea, and to Itu Aba in the sea's southern reaches actually antedate by several decades their claims to Japan's Senkaku Islands, and no doubt President Ma can be counted on to reassert Chinese sovereignty there on behalf of Taiwan whenever appropriate.³⁵

The question is whether Ma's government, or any future Taiwan government, will be able to administer the South China Sea islands independently of Beijing's direction following the type of 'peace agreement' that Ma envisions.

In January 2008, as Ma campaigned for Taiwan's presidency, he outlined his strategy for rapprochement with China:

The peace agreement, which will terminate the state of hostilities across the Taiwan Strait, which could last for 30 or 50 years, and which will include, critically, the confidence-building measures, particularly in the military field. And the last one ... is about Taiwan's international space ... Looking from broader terms, there is no reason for mainland China to further squeeze or suffocate Taiwan in the international community. We are not threatening them in terms of legitimacy or competing over the ruler of China ... I think that we should really sit down and think about what should be the future mode of cross-Strait relations on the diplomatic front.³⁶

One presumes, of course, that the Ma government will strive to preserve Taiwan's 'international space' as he 'sits down and thinks about what should be the future mode of cross-Strait relations on the diplomatic front'. But if Ma's vision of cross-Strait peace involves the demilitarisation of Taiwan in return for a Chinese pledge not to use military force against the island for '30 or 50' years, the terms of that trade do not logically lead to success. That is, it does not seem likely that China would agree to a 50 year limit on hostilities when Taiwan would be thoroughly defenceless after a mere 30 - if not considerably sooner - with an obsolescent navy buttressed by a modern coastguard responsible for Taiwan's maritime security. Certainly, Taiwan would be

obliged to bow to whatever China demanded once Taiwan's defences faded beyond any credible deterrent value.

In fact, given the current state of Taiwan's military and naval defences, Taiwan is already hopelessly outgunned.³⁷ This is due both to the Bush administration's arms sales policy neglect and the wilful obstruction of defence budgets for several years by Taiwan's former opposition parties, who still see no need for Taiwan's defences if Taiwan did not intend to become independent.³⁸

In the course of negotiating a 'peace agreement' with China, it is problematic whether Ma would have any leverage at all with Beijing that would permit him to secure Taiwan's independence of action in maritime affairs. Nonetheless, Taiwan's continued maritime independence is obviously in the interests of Taiwan's neighbours in East and Southeast Asia - if only to keep the real estate presently administered by Taiwan out of China's hands.

Taiwan's Role in East Asian Maritime Capacity Building

Taiwan's civilian maritime administration and law enforcement infrastructure is very advanced and well-funded by Asian standards; Taiwan is a major Asian maritime power, and seeks acceptance in the Asian maritime community as a contributor to regional security, safety and rule of law. For all these reasons, Taiwan has an outsized capacity and motivation to participate in East Asian regional maritime capacity building.

Moreover, Taiwan's current maritime jurisdiction impacts quite directly - yet benignly - on virtually all other seafaring nations in the region. The high likelihood that Taiwan's maritime jurisdiction will either change dramatically or be subsumed altogether into China's sphere of influence within a matter of years, suggests that Taiwan's East Asian neighbours should begin immediately to regularise Taiwan's involvement in maritime capacity building in a context that is separate from Beijing's control.

Alas, it would have been easier for non-China Asia to do this with the previous, independence-oriented Taiwanese government. Had it been done then, cooperative maritime relations would have been difficult for any subsequent Taiwanese government to abandon. But there is still the opportunity - provided that President Ma's government is serious about the continuity of Taiwan's international personality.

Japan, for example, may want to consider formal and permanent demarcation of the 'temporary enforcement lines' off Taiwan's east coast. Japan could inaugurate frequent and meaningful joint exercises of the sort that two normal nations would undertake such as SAR, smuggling interdiction and environmental disaster drills as well as joint fisheries enforcement. Direct coastguard service-to-service exchanges including visits by both sides could be justified as pursuant to legitimate law enforcement or commercially-related, 'non-official' interests and would be reasonably non-violative

of either side's 'one China policy' (whatever they may be). Ma will not be receptive to any new entente with Japan regarding the Senkaku Islands (in contrast to Chen Shui-bian or Lee Teng-hui), but Ma certainly has a vocal constituent base in Taiwan's east coast fisheries community. He would be under considerable pressure to accommodate fishermen if Japan were to pursue regularisation of their status in eastern Taiwan-Ryukyuan waters.

The South China Sea littoral states would also be well advised to pull Taiwan into existing regional maritime dialogues, exchanges and exercises for the same reason.

China might object, but the goal would be to integrate Taiwan into formal and regular networks of maritime interaction that hopefully would be grandfathered into any post-'peace accord' arrangements between Taipei and Beijing. The alternative is to wait until a Taiwan-China peace settlement is over, and negotiate with Beijing instead.

Notes

- ¹ Ko Shu-ling, 'No Referendum is Needed on ECFA Proposal: Ma', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2009/05/20/2003444073> (20 May 2009). This is not to say that Taiwan's opposition party will not put up a fight: see Lin Zhengzhong, 'ECFA Referendum Bill to be Completed by August, DPP Decisive Battlefield says Tsai Ing-wen', *Shijie Ribao*, 1 June 2009.
- ² Ko Shu-ling and Rich Chang, 'Anger rises over Ma's statement on Chinese text', *Taipei Times*, <www.taipeitimes.com/News/taiwan/archives/2009/06/11/2003445914> (11 June 2009).
- ³ Ko Shu-ling, 'Ma would Consider Peace Talks in 2012', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2009/05/12/2003443382> (12 May 2009). See also Tang Xiaomin, 'Ma: Absolutely no Unification Consultations in his Term', *Shijie Ribao*, 11 May 2009, where Ma confirms that during his tenure he 'doesn't rule out political consultations, that is, a peace agreement' which would last 50 or so years.
- ⁴ Cui Xiaohuo, 'Ma's move Paves way to Meet Hu', *China Daily*, <www.chinadaily.com.cn/china/2009-06/11/content_8270182.htm; Mo Yan-chih> (11 June 2009); 'Pressure builds for Ma-Hu meet', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2009/06/12/2003445963> (12 June 2009).
- ⁵ For a deeper exploration of the Taiwan-Japan maritime demarcation issue see Chen Hurng-yu, 'Water claims shouldn't ignore UN', *Taipei Times*, <www.taipeitimes.com/News/editorials/archives/2006/12/29/2003342528> (29 December 2006).
- ⁶ At least as of 2007. See 'Taiwan Ships form World's 11th Largest Merchant Fleet in 2006: UNCTAD', *Taiwan Central News Agency*, 16 December 2007. Also, different nations organise

their maritime enforcement in different ways, with customs often separate from maritime navigation missions. Rather than compare apples and oranges, one may simply note that Taiwan's Coast Guard Administration employed over 15,000 officers, ranks and civilian officials including compulsory national service conscripts in 2003. The Japan Coast Guard, which is organised somewhat differently, claims about 12,000 employees. Indonesia's coastguard is part of its navy. And coastguard missions in some East Asian nations are simply under-resourced. According to the 27 November 2008, *Manila Times*, 'the current force and capabilities of the 5000-strong Philippine coastguard is grossly inadequate, considering we have one of the most world's most extensive coastlines spread over 7107 islands', <www.manilatimes.net/national/2008/nov/27/yehey/opinion/20081127opi5.html>.

- 7 Schematic Maps are available at the Taiwan Coast Guard Agency (CGA) website, <www.cga.gov.tw/EN/PUO/PUO_03.asp>.
- 8 Taiwan Ministry of National Defense, briefing for members of the Trilateral Dialogue Conference, PowerPoint Presentation, 26 August 2002, p. 7. See also, United Kingdom Maritime and Coast Guard Agency, <<http://nds.coi.gov.uk/content/detail.asp?NewsAreaID=2&ReleaseID=398825>> (17 April 2009).
- 9 Figures for 2006, Gibraltar Port Authority, <www.gibraltarport.com/maritime_services.cfm>. See also US Department of Energy, Energy Information Database, <www.eia.doe.gov/cabs/World_Oil_Transit_Chokepoints/Malacca.html> (January 2008).
- 10 Egyptian Maritime Data Bank for 2008, <www.emdb.gov.eg/english/inside_e.aspx?main=suezcanal&level1=totals>. Panama Canal Authority for 2008, <www.pancanal.com/eng/maritime/reports/table01.pdf>.
- 11 Ji Guoxing, *Asian Pacific SLOC Security: The China Factor*, Working Paper No. 10, Sea Power Centre - Australia, Canberra, 2002. Also, 'Evergreen Marine's Chairman Sees Container Market Continuing to Flourish', *SeaportsPress Review*, <www.seaportspr.com/viewir.cgi?newsletter_id=102&article_id=3378> (2 November 2007).
- 12 Shih Hsiu-chuan, Hsu Shao-hsuan and Jimmy Chuang, 'President Visits Disputed Islands', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2008/02/03/2003400014> (3 February 2008).
- 13 The Taichao and Nanridao Basin. See Jerome Cohen and Chen Yu-jie, 'If all Goes well Direct Flights are just the Start. Next comes Cross-strait Oil Co-operation', *South China Morning Post*, 10 July 2008.
- 14 Rich Chang, 'Ma plans Ocean Affairs Ministry', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2009/06/08/2003445655> (8 June 2009).
- 15 For an excellent overview of the new Ministry's proposed scope of authority see Raymond Chen, 'Establishing a Marine Department', *Taipei Times*, <www.taipeitimes.com/News/editorials/archives/2008/02/19/2003401957> (19 February 2008).
- 16 Peter Enav, 'Taiwan Demilitarizes Picturesque Offshore Islet', *Associated Press*, <<http://abcnews.com/International/wireStory?id=5439259>> (24 July 2008). Also author's notes from visit to Pratas, September 2006.
- 17 'Ma Plans Ocean Affairs Ministry'. See also CGA home page at <www.cga.gov.tw/about_cga/WAI_01.asp> for a partial list of vessels.
- 18 See for example 'Coast Guard Units hold Exercises', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2007/05/28/2003362752> (28 May 2007).

- ¹⁹ 'Coast Guard Divers bust Black-market Oil Traders in South', *Taipei Times*, <www.taipeitimes.com/News/taiwan/archives/2007/04/16/2003356840> (16 April 2007).
- ²⁰ <www.cga.gov.tw/Statistics/RS/Statistics/F09_09804.pdf>.
- ²¹ 'US lauds Taiwan for Confiscating Perilous Chemicals', *Taipei Times*, <www.taipeitimes.com/News/taiwan/archives/2003/08/14/2003063677> (14 August 2003).
- ²² Jay Solomon and Jason Dean, 'Heroin Busts Point to Source of Funds for North Koreans', *The Wall Street Journal*, <<http://online.wsj.com/article/0,SB105106006946882000,00.html>> (23 April 2003).
- ²³ Chen Jinsheng, 'President Ma: We will Establish an Oceans Ministry', *Lianhe Bao* internet edition. <www.udn.com/2009/6/7/NEWS/NATIONAL/NAT1/4948585.shtml>.
- ²⁴ A text is available at 'Law on Territorial Waters, Adjacent Areas', OW2602150292 Beijing Xinhua Domestic Service in Chinese at FBIS-CHI-92-040, 28 February 1992.
- ²⁵ Mark Valencia, 'China and the South China Sea Disputes', *Adelphi Paper*, No. 298, Oxford University Press, Oxford, October 1995.
- ²⁶ Michael Richardson, 'Beijing has much to do to Clarify its Boundary Claims', *The Straits Times* (Singapore), <www.iseas.edu.sg/viewpoint/mr18may09.pdf> (18 May 2009).
- ²⁷ For an interesting discussion of the Treaty of Amity and Cooperation and China's obligations, see Alan Boyd, 'South China Sea Pact Won't Calm Waters', *Asia Times*, <www.atimes.com/atimes/China/EG02Ad03.html> (2 July 2003).
- ²⁸ 'PRC Media Blasts Taiwan: Challenge to Tacit Understanding re Spratly Islands, Taiwan plans Airstrip on Itu Aba'. *Shijie Ribao*, citing a report in Xinhua's *International Herald Leader*, <www.xinhuanet.com/herald> (7 January 2006).
- ²⁹ 'PRC Media Blasts Taiwan: Challenge to Tacit Understanding re Spratly Islands.'
- ³⁰ 'PRC Media Blasts Taiwan: Challenge to Tacit Understanding re Spratly Islands.'
- ³¹ 'PRC Media Blasts Taiwan: Challenge to Tacit Understanding re Spratly Islands.'
- ³² Wu Mingjie, 'Island Reefs Surrounding Taiping all Occupied'; Wu Mingjie, 'Taiwan Military Alarmed: PRC Ships Encroach on Spratly Island Waters', both in *Zhongguo Shibao*, 11 July 2005.
- ³³ His dissertation was edited and published in 1984 as Ying-jeou Ma, 'Legal Problems of Seabed Boundary Delimitation in the East China Sea', *Occasional Papers/Reprints Series in Contemporary Asian Studies*, No. 3 - 1984 (62), School of Law, University of Maryland, 1984.
- ³⁴ 'Ma Ying-jeou Admits he had been on Blacklist', *Shijie Ribao*, 20 December 2007. Gao Chengyan, 'On the Scene Defending the Diaoyu Islands', *Ziyou Shibao*, <www.libertytimes.com.tw/2008/new/feb/12/today-o6.htm> (12 February 2008). Ma spoke movingly about his involvement in the 'Defend Diaoyu Movement' in an interview with Voice of America. See Yan Qing, 'Complete Transcript of Exclusive Interview with Guomindang Chairman Ma Ying-jeou', *Voice of America* Mandarin Service, <www.voanews.com/chinese/w2005-12-29-voa28.cfm> (29 December 2005).
- ³⁵ Neither Chinese Communists in Beijing nor Chinese Nationalists in Taipei ever indicated any desire for the Senkaku Islands until 1969 after a United Nations Economic Commission for Asia and the Far East study noted that 'The best prospect for large new petroleum discoveries are believed to be the mature and youthful continental margins off eastern Asia and off northern Asia'; cited in Ying-jeou Ma, 'Legal Problems of Seabed Boundary Delimitation in

the East China Sea', p. 19. The only known reference to the Senkaku Islands in the Chinese media prior to 1969 is the opening sentence of an article Beijing *People's Daily* commentary of June 1953, which enumerated the 'Jiangezhu' (pronounced 'Senkaku' in Japanese) islands as part of the Ryukyu Islands. See 'The struggle of the Ryukyu Archipelago people against the American occupation', *Renmin Ribao*, 8 January 1953, p. 4. Maps printed in Taiwan before 1969 either failed to depict them entirely, failed to name them or included boundary delineations to the west of the islands (inferring they were in Japanese waters). Plate 18 of People's Republic of China Provincial Map of 'Fujian Province, Taiwan Province' published in 'confidential' form by the Headquarters, National Surveillance Bureau, Beijing, 1969, which identifies the islands as the islands 'Jiange Qundao' rather than the Chinese name 'Diaoyu'. 'Jiange Qundao'. Another map, Zhonghua Renmin Gonghe Guo Ditu (Map of the People's Republic of China), seventh edition, published January 1973, which depicts the islands, but identifies them only with numerical footnotes, '1' and '2'. Those footnotes are the only ones on the map, and identify the islands by their Chinese names.

³⁶ For an English language version of his comments see Wendell Minnick, 'Taiwan Candidate Would Seek Peace Pact With Beijing', *Defense News*, 21 January 2008.

³⁷ The Pentagon's 2009 public assessment (likely somewhat rosier than its real assessment) of the balance across the Taiwan Strait reads, *inter alia*:

In the 2002 report, the Department of Defense assessed that Taiwan 'has enjoyed dominance of the airspace over the Taiwan Strait for many years'. This conclusion no longer holds true. With this reversal, China has been able to develop a range of limited military options to attempt to coerce Taipei.

See *Annual Report to Congress, the Military Power of the People's Republic of China, 2009*, Office of the Secretary of Defense, <www.defenselink.mil/pubs/pdfs/China_Military_Power_Report_2009.pdf> (26 March 2009).

³⁸ On 12 May 2005, Chinese Communist Party leader Hu Jintao and senior Taiwan opposition party leader, James Soong, (very nearly elected Taiwan's president in 2000 and its vice-president in 2004), issued a 'joint news communiqué' in Beijing declaring that 'Military conflicts shall be effectively avoided so long as there is no possibility that Taiwan moves toward 'Taiwan independence'. 'Hu Jintao and Song Chuyu Reach a Six-item Consensus', *Renmin Wang* 'People's Daily Net', Beijing, 12 May 2005. See also 'No 'Taiwan Independence'', No Military Conflicts: Communiqué', *Xinhua News Agency*, Beijing, <http://news.xinhuanet.com/english/2005-05/12/content_2951496.htm> (12 May 2005). See also James Soong, 'Two Sides do not need Military Mutual Confidence Mechanism, Calls for "Establishment of Economic Mutual Confidence Mechanism"', Jia Qinglin proposes four point cooperation agreement', New York *Shijie Ribao* (in Chinese), 16 September 2005; see also 'Taiwan Businessmen Urge James Soong to trade Arms Budget for Direct Links, Slap in Face to Taiwan Affairs Officials, Questions Sharp', New York *Shijie Ribao* (in Chinese), 16 September 2005, p. 2.

Multilateral Cooperation in the Asia-Pacific Region and the Role of the US-Japan Alliance

Sumihiko Kawamura

Currently, nations are attempting to repair their economies from the serious damage incurred when the American housing bubble burst in 2008. This global financial crisis is likely to accelerate a shift in power to the Asia-Pacific region, although economic recovery may take some time.

To date, the basis of economic activity has been the steady flow of trade in essential goods such as energy and food resources. It is certain that the economic orientation in the Asia-Pacific region on maritime shipping will remain important, not only to pull the global market and the real economy out of the slump, but to further expand it once the current economic crisis is resolved. To that end, both secure maritime shipping, as well as regional stability must remain indispensable to protect a stable global trade regime. Thus, the stability of sea lanes should continue to grow in importance as a fundamental political issue in the Asia-Pacific region.

Sea lanes need to be protected, but no one country can secure every ocean and waterway around the world. All nations have a vital interest in ensuring that the global maritime domain is secure and open. We have entered an era that will be defined by the extent of success that various nations can achieve in continuing to cooperate together in a way that will ensure safe sea lanes and adequately provide for their shared use.

Vulnerability of the Sea Lanes

Sea lanes can function as a vast transportation network for shipping with relative ease, so long as loading and unloading terminals and vital sea routes are maintained. However, at the same time, these sea lanes remain very fragile and prone to external disruption.

Dominant factors that may obstruct the free use of the sea lanes can be divided into six categories:

- Disruption due to accidents or disaster at sea.
- Unilateral declaration restricting specific waters.
- Disruption due to regional conflict by third countries.
- Damage due to piracy.
- Disruption due to terrorism.

- Intentional obstruction by denial forces.

The first three obstacles do not necessarily mandate a military response. However, the remaining obstacles remain difficult to resolve without the employment of a military response.

As seen with anti-piracy operations in both the Malacca Strait and the waters off Somalia, it takes cooperation to secure the oceans and waterways of the world. All nations have a vital interest in ensuring the maritime domain remains secure and open. This is exactly why international coalition forces have come together to protect shipping and are waging a war against pirates in the waters off Somalia and the Gulf of Aden.

The Current State of Multilateral Cooperation

The Asia-Pacific region is not yet ready for a multilateral security arrangement due to differences in strategy, threat perception, fiscal constraints and territorial disputes - particularly regarding the Malacca Strait and the Spratly Islands. These impediments make a multilateral cooperation arrangement unfeasible.

However, regional multilateral cooperation frameworks do exist, in the form of United States bilateral security treaties with Japan, the Republic of Korea (RoK), Australia, Thailand and the Philippines, as well as the US-led joint multilateral military exercises COBRA GOLD and CARAT.

In addition to the above, there are several multilateral maritime cooperation frameworks in the Asia-Pacific region such as the ASEAN Regional Forum (ARF), the Council for Security Cooperation in the Asia Pacific (CSCAP) Working Group on Maritime Cooperation, the Western Pacific Naval Symposium (WPNS), the Five Power Defence Arrangements (FPDA) and coordinated patrols in the Malacca Strait by Malaysia, Singapore and Indonesia (MALSINDO).

The ARF is the principal forum for security dialogue in Asia, complementing various bilateral alliances and dialogues. It provides a setting in which ASEAN members and ten dialogue partners can discuss current regional security issues and develop cooperative measures to enhance peace and security in the region. The ARF is characterised by consensus decision making and minimal institutionalisation. In its first fifteen years, the ARF focused on confidence building measures and has made modest gains in building a sense of strategic community. But efforts to develop tools of preventive diplomacy and conflict management are still at an early stage.

CSCAP is organised for the purpose of providing a structural process for regional confidence building and security cooperation among countries and territories in the Asia-Pacific region. Its working group on maritime cooperation was created in 1995 with the objectives of fostering maritime cooperation and dialogue among the states of the Asia-Pacific and contributing to a stable maritime regime in the region in order to

reduce the risk of regional conflict. The working group has worked hard on multilateral maritime cooperation through the development of confidence building measures on maritime information exchange.

The WPNS is another mechanism that has been instituted for regular dialogue among navies in the Asia-Pacific region. The WPNS was created by the Royal Australian Navy in 1988 as a forum for frank exchange of views on a wide range of issues including sea line of communication (SLOC) protection. It is unique and significant forum that marks a step forward for better understanding between regional navies.

However, in the Asia-Pacific region, arrangements such as NATO's Standing Naval Force are unlikely to be realised in the foreseeable future because of insufficient assets, legal constraints, lack of interoperability and, in particular, the absence of mutually held doctrine, which inhibits the formation of regional maritime cooperation.

The FPDA remains effective among the United Kingdom, Australia, Malaysia, Singapore and New Zealand. Today, the regular deployment of Australian naval and air units combined with regular joint exercises provides a continuing commitment to common defence concerns. The current dominant activity under the FPDA is an integrated area defence system which is the continuing basis for Malaysia, Singapore, Australia, and New Zealand to operate together for the air defence of the Malay Peninsula and Singapore.

Since its foundation in 1967, ASEAN has emphasised regional solidarity and exclusion of outside influences. As to SLOC security issues among Indonesia, Malaysia and Singapore, resistance to foreign involvement is most prominent in the cases of Malaysia and Indonesia who view actions in the Malacca Strait as sovereignty issues. On the other hand, in a striking contrast, Singapore has promoted security cooperation with the United States, including US Navy port visits. This is because Singapore has placed more emphasis on security in the strait as a national strategic interest while Indonesia and Malaysia hold a different set of security priorities.

In July 2004, Malaysia, Singapore and Indonesia, under the auspices of MALSINDO, commenced naval patrols in the Malacca Strait as a response to piracy in one of the busiest waterways in the world. These patrols allow each country to evaluate one another's strengths and weakness and to coordinate patrols while maintaining sovereignty. As part of the operation, each of the three navies is committed to providing between five and seven ships to patrol the Malacca Strait. They have also established a hotline that allows them to communicate in order to better coordinate operations, particularly when a vessel from one of the countries is in pursuit of pirates. While Singapore wanted international support from a fourth country - meaning the United States - Indonesia and Malaysia were opposed to this foreign intervention.

The number of attacks by pirates in the strait decreased sharply from 43 in 2004 to 10 in 2008 due to the increased and aggressive patrols by the littoral states. However, at

the present time, there are no indications as to how long the coordinated naval patrols will continue.

In the Asia-Pacific region, bilateral security arrangements have done a better job in adapting to post-11 September 2001 challenges than the region's multilateral security institutions.

The US-Japan alliance has been revitalised to meet the requirements of the war on terror. While the ANZUS Treaty has been used by Australia to justify its support to the United States in Afghanistan, the US-Japan alliance has garnered Japanese support. The United States has strengthened its bilateral security cooperation with Singapore, ensuring greater access to military facilities there. Thailand and the Philippines have been accorded major non-NATO ally status.

In addition to the above, the United States has conducted CARAT and counter-terrorism exercises. US forces conduct these bilateral exercises each year with the navies of Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand. The exercises focus on improving interoperability, multinational coordination and information sharing, and increasingly include maritime interdiction and maritime counter-terrorism scenarios.

Outlook for Multilateral Cooperation

There are several multilateral regional cooperation mechanisms that deal with maritime security issues in the Asia-Pacific region.

However, it should be noted that consensual and non-binding approaches along the lines practiced by ASEAN simply cannot work if all parties do not work together. The FPDA and the coordinated naval patrols in the Malacca Strait among the three littoral states aside, the scope of planned cooperation remains limited to non-military aspects such as environmental protection, search and rescue (SAR), safety of navigation and disaster relief measures.

To date, except for Malacca Strait patrols, ASEAN's efforts have failed to touch on multilateral cooperation necessary for dealing with the remainder of potential disruptions threat categories listed above.

It is true that the existing key regional organisations such as ASEAN, APEC and ARF are evolving and have taken new tasks and roles. However, it is not likely that such changes in these organisations characterised by weak leadership and weak institutionalisation constitute a shift in the promotion of regional security.

Status of Possible Participants

Before going into the details on a new multilateral cooperation framework, it is important to recognise the existence of solidarity in ASEAN and two strong bilateral security relations: the US-Japan alliance and the ANZUS Treaty in the Asia-Pacific region.

Southeast Asia is one of the areas of concern to global maritime security because of its strategic location and instability, including such factors as potential disruption of good order at sea, international trade and energy supplies, and the potential to foster the growth of terrorists.

ASEAN solidarity against intervention by external powers such as the United States, China, India and Japan is an important factor of the coastal states' mentality. The best way for ASEAN countries to counter undue influence by external powers would be to cooperate with all of them on a limited basis in order to balance influence.

When it comes to multilateral security cooperation in the Malacca Strait, it will be best for external powers to play a supporting role to the ASEAN countries, leaving enforcement to the littoral states.

The United States interest is to maintain a balance of power in the Asia-Pacific region, acting as pivot for a security structure that includes Japan, Australia and the RoK while providing leadership to encourage stable and profitable democracies to foster economic development in Southeast Asia, particularly through ASEAN. Acting in this manner the United States has played an increasingly important role in regional security.

Australia has been involved in most major US-led military endeavours since World War II including the Korean War, the Vietnam War, the 1991 Gulf War and the 2003 Iraq War - all without the invocation of the ANZUS Treaty. The alliance has only been formally invoked once, after the 11 September 2001 terrorist attacks on the United States.

Australia and Japan are crucial allies to the United States in the Asia-Pacific region, and the relationship between Australia and Japan could evolve into a strategic framework that will strengthen the US-Japan alliance, enhancing Japan's security cooperation activities overseas.

In 2007 when Indonesia made it clear that it was inadequately equipped to patrol the Malacca Strait, the United States gave Indonesia 15 high-speed boats. Japan also provided Indonesia with US\$18 million to build three coastguard ships.

Japan has made considerable efforts by helping Indonesia and Malaysia to develop coastguards, build capability, conduct joint coastguard exercises against terror and piracy, hold a series of international conferences involving Asian maritime nations and develop an information sharing mechanism.

Regional Multilateral Cooperation

In order to realise a widespread desire among the regional states for international maritime cooperation to ensure safe and stable shipping in the Asia-Pacific region, a multilateral cooperation scheme is desirable.

The development of a multilateral cooperative framework for the security of sea lanes will aid not only in dealing with piracy and terrorism but also the goal of deterring local conflicts and preserving regional stability. Moreover, such a scheme should have as its goal the freedom and safety of navigation to ensure smooth economic access to and within the region.

The new multilateral cooperation framework should best be achieved through a combined effort. The United States should take a leading role, with Japan as its closest partner. But it should involve other democratic sea powers, notably Australia in the Asia-Pacific region, and ideally India and NATO partners like the United Kingdom more globally.

A new regional maritime security cooperation scheme should be formed by a combined effort on a burden-sharing basis and can be established by making use of the existing bilateral alliances between the United States and Japan as well as the United States and Australia and inviting the littoral states as coalition members. Needless to say, the United States should take a leading role, with Japan and Australia as its closest partners. A new framework can be formulated by placing the United States at the hub, allowing two bilateral security systems - the US-Japan Alliance and ANZUS - to function as a hub and spokes structure. The other littoral states, in concert with the United States, Japan and Australia, can then be responsible for protecting their own adjacent waters.

The roles of the participating states can be described as follows. The United States is situated in the centre of the framework with responsibility for coordinating close contact with regional countries and acting as a key strategic player in the waters throughout the Asia-Pacific region. The US Navy's role in peacetime engagement is to maintain a forward presence in support of regional efforts to shape the security environment in ways that promote regional economic and political stability. US naval forces are engaged in the region in peacetime as a vital tool for peace and stability, and their global presence ensures freedom of navigation of global sea lanes.

Both Japan and Australia should be assigned as regional promoters of maritime cooperation bearing extra roles suited to their capabilities and geographical locations. Both countries should conduct shipping protection including surveillance and SAR beyond their exclusive economic zones (EEZs). The rationale for these responsibilities are:

- high proficiency level as blue water navies
- long experience of close cooperation with the US Navy

- high level of interoperability with the US Navy
- high degree of dependence on sea lane safety and freedom of navigation
- sufficient capabilities in long-range surveillance and shipping protection beyond their EEZs.

In the Southern hemisphere, Australia's greater commitment to help shape the wider regional security environment certainly encourages Japan to play an enhanced political role in Southeast Asia.

The presence of Australia and Japan in their respective hemispheres has significant implications to support the US presence in the Asia-Pacific region, and underscores the increasing importance of closer cooperation between the two countries for pursuing peace and stability in the region.

Australia-Japan relations are generally warm, substantial and driven by mutual interests, and have expanded beyond strong economic and commercial links to other spheres, including culture, tourism, defence and science cooperation.

Annual Japan-Australia Joint Foreign and Defence Ministerial Consultation to discuss global and regional security as well as the state of relations between the two countries started in June 2007.

In the proposed multilateral cooperation framework, Australia and Japan would act as regional coordinators responsible for operational coordination among the rest of littoral states and for protection of shipping including surveillance in the waters beyond their EEZs in the northern and southern hemispheres, respectively.

The littoral states are expected to protect shipping by means of surveillance, SAR, and law enforcement within their areas of responsibility in concert with the United States, Japan and Australia, and support US forward presence by means of host nation support programs and access agreements.

As mentioned above, the ideal formulation of a regional maritime security cooperation framework can be established making use of bilateral security arrangements with the United States.

In addition to the membership of the new framework, it is important to promote cooperation among the participants, particularly between the US-Japan-Australia triumvirate and the other partners in Southeast Asia. The former can help the latter develop capabilities for maritime law enforcement and protect the safety of navigation and the environment in the Malacca Strait.

It is certain that financial and technical assistance and bilateral training with the US-Japan-Australia will be welcomed. Related calls for assistance can be found in dual-use

areas of civilian and military technologies, such as satellite intelligence gathering, maritime traffic monitoring and real-time information sharing.

The Role of the US-Japan Alliance

In formulating a new multilateral cooperation framework, the naval cooperation aspect of the US-Japan alliance can be a working model.

During the Cold War era, the United States and Japan acted together to check the ambitions of the Soviet Navy. Soviet gateways to the Pacific Ocean were practically blocked by the unified presence of Japan and the United States with the Sea of Japan becoming a 'pond'. It was at that time when Japan introduced 100 P-3C anti-submarine patrol aircraft as well as AEGIS ships under the concept of 1000nm sea lane defence.

When Japan and the United States formed a powerful naval alliance to check Soviet expansion, only then did the overall alliance come to true maturity and Japan grew in that period to build its own sea power capabilities. The naval alliance, therefore, has become a public good endowing the Japan Maritime Self-Defense Force with sufficient proficiency as a blue water navy and having a high level of interoperability with the US Navy.

Conclusion

The Japanese have learned that a friendly and reasonable relationship with China can only be maintained when the US-Japan Alliance is unshakable.

It is of vital importance for the peace and stability of Japan and the rest of the Asia-Pacific region that both maritime nations, Japan and the United States, stand side by side.

In order to make the US-Japan Alliance firm while giving due consideration to geopolitical developments, it is critically important for both countries to strengthen their mutually complementary relationship by advancing their respective roles not only in security but also economic and industrial areas.

For the same purpose, it is equally important for Japan to revise the official constitutional interpretation which restricts the exercise of its right of collective self-defence on one hand, and to bear a qualitatively equal defence burden with the United States under its bilateral arrangements.

In the process of building a multilateral cooperation framework in the Asia-Pacific region, the establishment of a 'virtual trilateral alliance' among the United States, Japan and Australia would reinforce the bonds connecting the three countries, and help strengthen the US-Japan alliance and the stability of the region. It is also certain to widen the scope of Japan's diplomacy.

With the US-Japan-Australia trilateral framework as a stepping-stone, these three countries should strive to strengthen cooperation by widening cooperative relations with the other countries in the Asia-Pacific region.

In order to help build up the capabilities of the littoral states along major sea lanes, it is important that the US-Japan alliance, in concert with Australia, unite to give these states further assistance.

It is sincerely hoped that, at the first step, the concept of building a multilateral cooperation framework for maritime security will be adopted as agenda topic at the highest level on security consultations both between the US-Japan and Australia-Japan.

The Republic of Korea and Maritime Capacity Building

Seo-hang Lee

The sea, and issues concerning the sea, is the dominant feature of the strategic scene in the north Pacific and the East Asian region. They are an important part of international relations both amongst regional countries themselves and between these countries and the rest of the world.¹ Most regional countries are dependent on the sea for security, foodstuffs, energy, trade and longer term economic prosperity. This region also encompasses a number of strategic straits, some of which lie across the vital oil supply routes from the Arabian Gulf.

In these circumstances, it is well known that the region is a community of maritime nations. There are few states that do not have significant maritime frontiers and important maritime interests. This strong maritime orientation dictates the security, political and economic outlooks of all states in the region. Any analysis of the geopolitics of the region must account for this maritime character which for a long time has been taken for granted. As the economies of the region have developed and extra-regional influences have declined, so have governments turned their attention more closely to the security of their own maritime interests. As a result, maritime issues are at the forefront of current security concerns of each regional state.

The Republic of Korea (RoK), which is located in the northeast of the Asian continent and has land borders only with North Korea, is not an exception. Surrounded by seas in three directions, the RoK is heavily dependent on the sea in terms of economy, particularly in terms of transportation of its exports and imports.

The importance of the sea to the RoK can be seen when the proportion of seaborne trade is compared with that of airborne trade. In terms of volume, seaborne trade accounts for more than 99 per cent of the total foreign trade (see Table 1). Almost no cargo movement over land was reported as the RoK does not have much trade with the communist regime of North Korea. Hence, the importance of the sea as a means of foreign trade transportation cannot be underestimated, and the sea lines of communication (SLOCs) are the lifelines of the RoK economy.

Recognising the importance of the sea lanes for RoK survival, the objective of this paper is three fold: to examine RoK national maritime interests; to analyse the emerging threats to SLOC security; and to explain RoK current efforts to enhance maritime capacity building in the region.

Year	Total Volume (unit 1,000 tons)	Seaborne Trade		Airborne Trade	
		Volume	%	Volume	%
2005	757,553	754,936	99.7	2617	0.3
2006	812,684	809,830	99.6	2854	0.4
2007	856,661	862,523	99.6	3138	0.4

Table 1: Republic of Korea dependency on seaborne trade²

Republic of Korea Maritime Interests

In the national policy of most states, security interests receive priority. Given its continued confrontation with North Korea, RoK maritime policy undoubtedly follows this pattern. Security considerations have played an important role in shaping its maritime programs in the past decades. At the present time, there is a tacitly accepted policy that security interests have priority over all other national maritime interests and programs.

The RoK has long articulated its maritime interests largely in terms of the security-development doctrine. This doctrine emphasises the defence of Korean waters, thereby providing a stable environment favourable for economic development.³ Thus, the doctrine links national economic growth to the expansion of security responsibilities. Adequate security measures are required to provide a congenial environment for economic development; as economic development proceeds, security responsibilities will need to grow accordingly. Such a broad, expansive definition of national security also encourages involvement of the armed services, including the navy, in economic development tasks, especially those tasks vital for integration and progress but not easily carried out by the private sector or civilian ministries.

Like many navies, the primary purpose of the RoK Navy is to deter war and protect national and maritime sovereignty. To achieve this objective, the navy conducts a variety of missions, the first of which is to prevent any sea-based threats in Korean waters.

On the basis of the strength of naval forces, the RoK Navy is classified as a coastal navy when compared to those of the major maritime powers. The coastal navy is principally intended to protect the coast, to defend the state against maritime attack, and to enforce maritime regulations. Thus, the major mission of the RoK Navy includes increased surveillance of the 12nm territorial sea limit in order to discourage or prevent foreign infiltration, particularly by North Korean vessels. Other related duties are to deny the enemy knowledge of coastal defences; to prevent unauthorised mapping or research of the continental shelf and superjacent waters for possible military uses; and, in

general, to enhance RoK maritime defence against possible North Korean intrusion off the Korean coast.

The second naval mission in Korean waters is the defence of economic resources, especially fishing and other maritime assets. In the early 1950s, the need for protection of fishing resources was one of the reasons cited for declaring the 20-200nm 'peace line'.⁴ Naval deployment for the protection of fishing resources includes protection of fishermen from seizure by North Korea. Since 1972, the RoK Navy has established and controlled two security zones near the Northern Limit Line, the northernmost outer limit of RoK territorial waters. It has extended patrolling to protect fishing resources and fishermen from seizure by North Korea.⁵ In addition, with a proclaimed 200nm exclusive economic zone (EEZ) and a fishery agreement with Japan and China based on the EEZ concept concluded in the late 1990s, the defence of marine resources - primarily fish - within the EEZ has also become increasingly important.

However, RoK maritime security interests are not merely confined to coastal defence. The defence of major maritime trade routes - those seaborne foreign trade routes linking the RoK with its major trading partners and ocean routes used to import strategic commodities - has been greatly emphasised in recent years. Its economic viability completely depends upon foreign seaborne trade. As noted, seaborne trade accounts for more than 99 per cent of foreign trade by volume. Exports and imports carried by the merchant marine have played a key role in its continuing economic expansion, and have contributed to greater interest in the defence of sea lanes.

Factors Threatening Sea Lines of Communication Security

It is apparent that RoK sea lanes are vulnerable, not only because they are near to the Asian landmass, but more importantly, because they pass through narrow chokepoints. Ships of regional states sailing to the Indian Ocean or the Arabian Gulf must either pass through the narrow Malacca Strait or one of many Indonesian passages such as the Sunda or the Lombok straits. At every one of these chokepoints, they could be subject to an attack from various adversaries.

Simply put, these sea lanes are not highways without dangers. For instance, in the South China Sea there are disputed islands with local conflict always possible, during much of the route the potential for piracy exists, and in areas of Southeast Asia and the Indian Ocean there are pockets of terrorism. This paper examines a wide range of the existing factors which pose a serious threat to RoK regional SLOC security.

Maritime Territorial Disputes and Regional Naval Expansion

It has been pointed out that disputes over territory have been the most important single cause of war between states in the last three centuries. It is often stated that there is a psychological importance to territory that is quite out of proportion to its intrinsic values: economic or strategic. The danger of confrontation is all the more obvious when important natural resources are at stake.

In seeking to protect their coastlines, and maritime territories which are in dispute, regional countries have expanded their navies, taking advantage of the exceptional mobility and flexibility of maritime power. From China and Japan to Southeast Asia to India, regional maritime forces have been adding new capabilities that they did not possess earlier, and therefore the capacity for new roles and missions, to their inventories. In particular, these navies have acquired new types of ships (both surface and undersea) and aircraft that have given them capabilities for force projection and expeditionary operations that they previously lacked. For example, most countries in the region are in the process of greatly expanding their open ocean-capable navies with modern submarines and surface warships.⁶

Currently, there are several major maritime territorial disputes in the region.⁷ In realistic terms, an interruption to SLOC security could arise as a side effect of armed clashes between coastal states engaged in pressing claims to maritime jurisdiction, particularly those to mid-sea islands. Therefore, the existing maritime territorial disputes in the region, unless carefully dealt with, could end up as major threats to SLOC.

Coastal State Issues: Interdiction of Navigation and Extended Maritime Jurisdiction

On the basis of limited historical experience in the region, coastal state issues could be another major threat to SLOC security in the region. In particular, the potential threats to shipping could arise from:

- coastal states' attempts to control freedom of passage for national security reasons in international straits
- domestic instability in coastal states
- contention over maritime jurisdiction in international waters.

In East Asia in particular, there are a number of straits with international significance. The Malacca, the Sunda and Lombok straits are the main thoroughfares between the Indian and Pacific oceans. The latter two straits are in the archipelagic waters of Indonesia, while the former is part of the territorial sea of Indonesia and Malaysia. In these straits any attempt to hinder or block passage of ships by coastal states, if the

experience of the Suez Canal and the Arabian Gulf is any guide, could pose a threat to regional SLOC security. In this regard, it is noteworthy that Indonesia once sought to designate three special sea lanes running in a north-south direction that international shipping could use with minimal restriction to pass through its archipelagic waters.

Extended maritime jurisdictions by coastal states or the contention over maritime rights among countries in international waters (including EEZs) also raise sometimes troubling questions for the international community regarding access to sea lanes in the region. A recent incident between China and the United States highlights this issue; in March 2009, the survey ship USNS *Impeccable* was conducting routine operations in international waters in the South China Sea, but five Chinese ships harassed *Impeccable*. The incident centred on China's conception of its legal authority over other countries' vessels operating in its EEZ.⁸

Piracy

Piracy is one of the newly emerging threats to regional SLOC security. While acts of piracy are in decline in the north Pacific and East Asia, they are rising rapidly in Africa, namely the Gulf of Aden and in Somali waters. Rampant piracy off the north-eastern coast of Somalia and other areas of Africa has surfaced as a matter of key international concern for several reasons.

Besides the obvious fact that this is the only region that has witnessed a precipitous increase in acts of piracy, armed robbery on the high seas is taking a heavy toll on international trade because SLOC security in the Bab el-Mandab Strait and the Gulf of Aden - vital passageways for merchant and cargo vessels from all over the world - cannot be ensured.

Particularly in East Asia, piracy attacks take the form of intruders coming alongside a ship underway, usually during the night, boarding it and then taking possession of whatever cash and negotiable valuables come easily to hand. The notable feature of this type of attack is the degree of skill that is used to board the ship, coupled with the fact that violence is not normally used unless resistance is offered.

In recent years, three noticeable characteristics were found between regional piracy attacks and those off the African coast. First, the pirates are becoming increasingly well equipped. They usually use small speedboats and often have modest radar systems to help them locate their targets. Access to machineguns, mortars and grenades have become easier, increasing the potential for violence during raids. Second, pirates in this region sometimes seize a merchant vessel, dispose of the crew by setting them adrift or even killing them, then bring the stolen ship into port. There the vessel is repainted, given a new name and provided with fake registration documents. Once refurbished, the 'phantom ship' offers its service to careless cargo owners. Third, pirates in this region are becoming increasingly organised through support networks. That

is to say, piracy in the region tends to be more sophisticated and can be considered as a lucrative crime, supported by organised criminal gangs. Hence, transnational crime syndicates, who often commit other transnational crimes such as illegal drug trafficking and human smuggling, have masterminded some attacks.⁹

These are totally new trends and developments compared to what has been called 'Asian piracy' in the past, where ships are boarded and cash and valuables stolen from the ship's safe and crew with a minimum use of force.

Maritime Terrorism

In the years since the terrorist attacks of 11 September 2001, there has been a modest yet highly discernible spike in high-profile terrorist attacks and plots at sea. Based on the various terrorist activities at sea, maritime terrorism can be referred to as the undertaking of terrorist acts and activities: within the marine environment; using or against vessels or fixed platforms at sea or in port, or against any one of their passengers or personnel; and against coastal facilities or settlements, including tourist resorts, port areas, and port towns or cities.¹⁰

According to a recent study on maritime terrorism, five main factors explain the presumed shift in extremist focus to water-based environments.¹¹ First, many of the vulnerabilities that have encouraged a higher rate of pirate attacks also apply to terrorism. Second, the growth of commercial enterprises specialising in maritime sports and equipment has arguably provided terrorists with a readily accessible conduit through which to gain the necessary training and resources for operating at sea. Third, maritime attacks offer terrorists an alternate means of causing mass economic destabilisation. Disrupting the mechanics of the contemporary 'just enough, just in time' cargo freight trading system could potentially trigger vast and cascading fiscal effects, especially if the operations of a major commercial port were curtailed. Fourth, sea-based terrorism constitutes a further means of inflicting mass coercive punishment on enemy audiences. Cruise ships and passenger ferries are especially relevant in this regard because they cater to large numbers of people who are confined in a single physical space. Finally, the expansive global container-shipping complex offers terrorists a viable logistical conduit for facilitating the covert movement of weapons and personnel in two critical respects. Since much of the maritime trading system is designed to be as accessible and flexible as possible (to keep costs low and turnover high), there is no strong incentive to enact a stringent (and disruptive) regime of security measures. In addition, the highly complex nature of the containerised supply chain, combined with the ineffectiveness of point-of-origin inspections, creates a plethora of openings for terrorist infiltration by providing extremists with numerous opportunities to stuff or otherwise tamper with boxed crates.

Oil Spillage and Marine Pollution

The Asia-Pacific region contains huge maritime and highly congested sea areas - one of the most complicated areas of maritime geography in the world. In terms of marine pollution the following general observations need to be made: first, the littoral and adjoining areas have the heaviest population concentration in the world. Second, these areas have one of the heaviest concentrations of coastal zone industry in the world. Third, this area has a very heavy concentration of shipping routes, with their susceptibility to pollution from collision, groundings, discharge from tank cleaning, leaks or human error a major concern. Finally, there is considerable potential for oil and gas deposits offshore.

With these conditions, the region obviously faces the potential for large scale deterioration, which could interrupt ship navigation. The coastal waters of the Yellow and East China seas already suffer from heavy contamination caused by dangerous cargo pollutants and from the fast growing industrial activities of the coastal states, in particular, China. The South China Sea is also showing serious signs of pollution, particularly from illegal dumping at sea and ship-sourced marine pollution. There are occasional reports of incidents of ship-sourced marine pollution both in the Malacca Strait and the South China Sea. As public and national awareness of the importance of the environment grows, marine environmental degradation could constitute a serious potential source of threat to regional SLOCs.

There are also many other sources of threats to regional SLOCs that cannot be ignored. The Northeast Asian region in particular is an area of high military tension, yet one where the littoral states have managed to coexist with relatively few incidents. The existing significant military preparations in the region have the potential to spark open conflict, thus posing a threat to SLOC security. For instance, North Korea fired a series of short and long-range missiles off its east coast amid a nuclear standoff in April and June 2009, and this seriously threatened SLOC security and civil aviation.¹² Another example is that China conducted ten days of guided missile launches and heavy artillery tests in the East China Sea north of Taiwan in August 1995 and March 1996 respectively, which hindered ships from passing that area.

Efforts to Enhance Maritime Capacity Building

The RoK Navy has a substantial role to play in SLOC defence and other maritime interests as a whole, not only against conventional attack, but also against threats posed by illicit use of the sea. In March 2001, to enhance maritime capacity building at the national level, then-President Kim Dae-jung stated in a speech at the Naval Academy that the RoK was creating a 'strategic mobile fleet' with the capability to 'protect state interests in the five big oceans and play a role of keeping peace in the world'.¹³ It was a plan to build up the naval forces for protection of RoK global commercial interests

insofar as seaborne trade was concerned, as well as to expand its contribution to regional and world peace. Under *Defense Reform 2020* promulgated in 2005, the RoK Navy was directed to simplify its command structure, establish a separate submarine operations command, a naval aviation operations command and to move its naval headquarters from Jinhae to Busan.

Maritime capacity building to defend SLOCs and combat various threats at sea, however, cannot be achieved through unilateral means. Since maritime security threats are essentially transnational in nature, cooperation with neighbouring and other countries in the region is fundamental to fight against these factors. Against this backdrop, the RoK has long been interested in building and participating in institutional frameworks in the region to promote such cooperation.

South Korea's efforts to promote cooperation in this direction are grouped into three levels:

- Bilateral.
- Regional (multilateral).
- Global.

Bilateral efforts include the joint naval exercise and the navy-to-navy talks with the United States, the closest ally of Seoul, and other friendly countries in the region. For instance, the RoK has been engaged in a search and rescue exercise with Japan since 1999 to foster the abilities of taking measures against maritime disaster. The bilateral efforts also include such arrangements as information exchange coordination with China and Japan, which is a minimal form of cooperation to prevent various non-military threats at sea.

Regional measures, in which the RoK is actively involved, include the two regional joint naval manoeuvres (RIMPAC and PACEX) and various multilateral cooperative initiatives to combat maritime crimes such as piracy, drug trafficking, illegal migration and others. The main forms of these cooperative activities embrace, *inter alia*, the development of common operating and reporting procedures, establishment of information and data bases, and joint training for enforcement professionals. Over the past years, many regional cooperative measures have been actualised notably in the Malacca Strait and to some extent in the waters off Southeast Asia. For instance, the *Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia*, agreed in November 2004, is a very significant achievement that provides the basis for regional cooperation to counter piracy and armed robbery against ships. All ASEAN nations (except Indonesia and Malaysia), the RoK, Japan, China, India, Bangladesh and Sri Lanka are members of the agreement, and it includes an information network and a cooperation regime to prevent piracy and armed robbery against ships in Asian waters.

In facilitating regional measures to enhance maritime capacity building, however, there exist some stumbling blocks. For example, regional countries are generally reluctant to agree to cooperative activities if they appear to be compromising or qualifying national sovereignty or sovereign rights. In addition, political suspicions are still rife in the region, which adversely affects the political frameworks that promote cooperative maritime security.¹⁴

Third, in view of the nature of security threats at sea, counter-measures are necessary at the global level to fight them. Through the initiatives of the United Nations and other specialised agencies, a variety of international conventions and resolutions such as the *Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation 1988* and a series of UN Security Council resolutions on Somalia in 2008 have been adopted to combat violence at sea which poses a threat to SLOC security. In recognition of such international actions, the RoK is ready to cooperate fully with those international instruments and take all necessary measures to implement them. For instance, it has been participating in international efforts for the suppression of piracy off the coast of Somalia and the Gulf of Aden. This provides excellent opportunities for it to share cooperative activities, directly and indirectly, with many other countries including the United States, Japan, China and many nations from the European Union. The RoK believes that these efforts may provide an ideal opportunity in developing a multilateral system to ensure the safety and security of SLOCs as international public goods.

Conclusion

A combination of geography and politics has, in effect, made the RoK an island nation, much like its neighbour, Japan. With almost all of the country's raw materials such as crude oil being imported by sea, a strong navy seems a logical necessity for independence, sovereign autonomy and industrial development. Clearly in the new century it is not enough for it to wait passively, isolated in its corner of Northeast Asia. The idea of the RoK as an emerging player on the regional and global security scene is manifest in its ambitious plan for an expanded navy to fight against various threatening factors to SLOC security.

However, maritime capacity building to defend SLOCs and combat against various threats at sea cannot be achieved through unilateral means. Since maritime security threats are transnational in character, a cooperative approach with neighbouring and other countries is fundamental to fight against those threatening factors. Against this background, the RoK has long been interested in building and participating in institutional frameworks in the region to promote such cooperation.

Today the RoK is more than ready to take its position as a global middle power state under the title of 'Global Korea'. It strongly believes that maritime issue-based cooperation through institutional frameworks will provide a rare opportunity to

cultivate confidence and trust among regional countries. Such cooperation will also serve as a useful venue to strengthen bilateral relationships within the region. Maritime cooperation through an institutional framework, however, will be further facilitated if each regional country has in place appropriate national legislation and arrangements at the domestic level.

Notes

- ¹ Sam Bateman, 'Sources of Conflict at Sea in the Context of the Western Pacific: The Deadly Triangle of Economic Growth, Marine Resources and Naval Arms', in Seo-Hang Lee and Jin-Hyun Paik (eds), *Conflict and Order at Sea*, Institute of East & West Studies, Yonsei University, Seoul, 1998, p. 55.
- ² Ministry of Land, Transport and Maritime Affairs, *Statistical Yearbook*, Seoul, 2008.
- ³ Seo-Hang Lee, 'Maritime Strategy of the Republic of Korea', in Jurgen Schwarz, Wilfried A Herrmann and Hanns-Frank Seller (eds), *Maritime Strategies in Asia*, White Lotus Press, Bangkok, 2002, pp. 265-266.
- ⁴ The establishment of the Northern Limit Line (NLL) aimed at preventing over-fishing by neighbouring countries in the waters off the Korean peninsula.
- ⁵ In June 1999 and 2002, there were naval clashes between North Korea and the RoK due to several North Korean fishing and patrol boats crossing the NLL to catch crabs.
- ⁶ Richard A Bitzinger, 'A New Arms Race? The Political Economy of Maritime Military Modernization in the Asia-Pacific', *The Economics of Peace and Security Journal*, vol. 4, no. 2, 2009, p. 23.
- ⁷ The maritime disputes in the region are of three main types: territorial disputes over small islands; maritime boundary delimitation between adjacent and/or opposite coastal states; and the allocation and sustainable use of maritime resources.
- ⁸ For more details of the USNS *Impeccable* incident, see Paul Pedrozo, 'Close Encounters at Sea: The USNS Impeccable Incident', *Naval War College Review*, Summer 2009, pp. 101-111.
- ⁹ For more details on piracy in East Asia, see Adam J Young, 'Roots of Contemporary Maritime Piracy in Southeast Asia', in Derek Johnson and Mark Valencia (eds), *Piracy in Southeast Asia: Stratus, Issues and Responses*, Institute of Southeast Asian Studies, Singapore, 2005, pp. 2-33.
- ¹⁰ The definition was adopted at the 2002 meeting of the Council for Security Cooperation in the Asia Pacific Working Group, which was held in Seoul, Korea.
- ¹¹ Peter Chalk, *The Maritime Dimension of International Security: Terrorism, Piracy, and Challenges for the United States*, RAND Corporation, Santa Monica, 2008, p. xiii.
- ¹² *The Dong-A Ilbo*, 9 June 2009, p. A6.
- ¹³ *The Korea Herald*, 20 March 2001, p. 1.
- ¹⁴ Sam Bateman, 'Regional Responses to Enhance Maritime Security in East Asia', in SLOC Group-Korea (ed), *Shipping and SLOC Security in East Asia*, Institute of East & West Studies, Yonsei University, Seoul, 2006, pp. 209-210.

Cooperative Security at Sea in the Waters between the Middle East and the Asia-Pacific

Andrew Brown

The world's economies are now inextricably interlinked. No one economically developed nation provides everything that its economy needs let alone what its populations have come to expect. While many countries grow, mine or produce large amounts of commodities and/or manufactured goods, they are dependant on exporting them in order to remain competitive in the current world market.¹ Nations that, in economic terms, have transitioned to 'service' economies from 'manufacturing' ones are not immune. The provision of services may generate income, but people that provide those services still need to eat, be clothed, housed, transported and provided, one way or another, with the myriad of tangible goods that they have come to expect and which they largely now see as being their right to possess.

There are only two ways to move large amounts of cargo (whether it be containers or bulk) economically and in a timely fashion: by rail for transcontinental cargoes or by sea for international cargoes.² For the nations that border or occupy the Indian Ocean and those that make up the Asia-Pacific region the only option is to move goods by sea.

Ensuring that trade reaches its destination in a timely and efficient manner is now in every nation's interest. Various steps must be taken to ensure that this occurs, but relevant to this paper, nations must ensure that trade is not interfered with (at least, not to an unacceptable level) as dramatic interference resulting in a trade route being severed, or low level yet continuous harassment leading to the increasing undesirability of a particular trade route's use, can have serious financial repercussions. This not only affects the parties and the nations at either end of the trade route concerned but also those nations along the route which derive significant income from providing services to those using that route.

The waters between the Middle East and the Asia-Pacific region fall into two distinct zones: the Indian Ocean (including the Arabian Sea and the Bay of Bengal) and what might be collectively referred to as the archipelagos through which funnel the various straits that lead from the Indian Ocean to the South China Sea, the western Pacific Ocean and the Arafura Sea.

Aspects of the Indian Ocean

The Indian Ocean area is developing both economically and strategically. India itself has grown into a regional power and is a potential future superpower. Its gross domestic product has approximately doubled in the last five years. While the global financial

crisis has taken its toll, India appears to be recovering some of its lost economic ground.³ Strategically, India's military has obtained increased funding since the recent terrorist attack in Mumbai and overall defence spending has risen from approximately 2.5 per cent to 3 per cent of gross domestic product.⁴

India's comparatively new found economic and strategic power aside, the world's reliance on the Indian Ocean for its trade cannot be ignored. Half of the world's container traffic travels across the Indian Ocean as does 70 per cent of the world's petroleum trade on its way from the Middle East to the Asia-Pacific region.⁵

Yet since at least the closing days of World War II (WWII), the Indian Ocean has largely been ignored so far as maritime trade protection is concerned. Although once covered by various military alliances conceived shortly after WWII and in the early days of the Cold War, it largely faded into geopolitical obscurity until recently, while even today it seems to be ignored in many geopolitical discussions. There were and probably still are several reasons for this. The Cold War was, aside from what might almost be termed strategic distractions in the Malayan Emergency, Indonesian Confrontation and Vietnam War, overwhelmingly strategically focused on Europe and north Asia. War plans, which included maritime trade control and protection, were developed by the United States as part of the United Nations Command for the reinforcement and resupply of the Korean Peninsular in the event of attack by the Democratic People's Republic of Korea. NATO-led planning for Europe in the event of an attack by members of the Warsaw Pact. Strategic nuclear strike was openly discussed while the use of nuclear weapons at operational and tactical levels were routinely mentioned in specialised media and on occasion so too in the popular press.

The Indian Ocean rarely featured in these discussions, except for US use of the airfield and support facilities located on Diego Garcia in the British Indian Ocean Territory. Although the Indian Ocean was theoretically suitable for ballistic missile submarine operations, it was not practical to do so due to range limitations on the Polaris and later Poseidon missiles. This changed with the arrival of the Trident missile. Even today it is unlikely that the US Navy will deploy their ballistic missile submarines to the Indian Ocean due to lengthy transit times. Consequently, there are no international institutions in the area that might serve as foci for trade protection operations.⁶

While historically the Indian Ocean might have been thought to be a strategic vacuum this is certainly no longer the case. India and Pakistan both have active nuclear weapons programs. In addition to the strong and sustained economic growth of India, China has been moving for some time now to lock in the resources it needed for its future economic development from mining and similar operations in the Middle East and Africa.⁷ It has also been quietly developing bilateral relationships not only with the nations upon whose raw materials it will come to rely but also with nations who can offer port facilities and logistic support for the People's Liberation Army Navy which may be called upon to engage in trade protection duties for materials in the years ahead.⁸

Regrettably, if one subscribes to what might be described as the Mearsheimer 'theory of great power politics', China and India's interests in the Indian Ocean will clash one way or another.⁹ Both nations require large amounts of oil if their economic development is to meet existing demand, let alone grow. This 'oil cliff' is undoubtedly fast approaching. Despite the current relatively low price for crude oil, there is a growing body of evidence that the world will soon reach what is known as 'peak oil' and 'peak gas' if it has not already done so.¹⁰ The world has probably already arrived at peak gas, and the latest studies suggest peak oil will arrive sometime between 2020 and 2030.¹¹

Proposed overland pipelines might alleviate some of the tension that will inevitably arise over the potential interruption to oil supplies, but the trade that requires protection if a nation is to survive economically is much more than just oil supplies. In any event, overland pipelines are by their nature fixed targets and are easy to destroy.

It must not be forgotten that in addition to serving as a trade highway the Indian Ocean is also full of resources. Unlike, for example, much of the southern and eastern Pacific Ocean most of the Indian Ocean is constituted by high seas with no territorial claims or exclusive economic zones (EEZs). Unfortunately from a diplomatic and a trade protection viewpoint the major shipping routes are located within the northern Indian Ocean, an area subject to many EEZ claims but whose nations, with the exception of India, Pakistan and those in the Middle East, are largely commercially underdeveloped.

Aspects of the Archipelagos

Unlike the Indian Ocean the archipelagos have no large competing power blocs primarily because the region is still, broadly speaking, within the strategic orbit of the US and also because there are very little high seas. From the time any vessel enters the various EEZs that lie to the west of the Malacca Strait until it exits well to the north or east of the Philippines it will be in one nation or another's EEZ and frequently will be within a nation's territorial sea or its internal waters.¹² There are areas, especially in the South China Sea, where various nations have overlapping claims. Out of necessity, sometimes borne of pollution or piracy concerns but just as often due to economic pressure, certain nations have cooperated to establish some form of control or at least coordinated maritime patrols in areas such as the Malacca Strait.¹³ The various straits are, of course, choke points and are largely unavoidable unless delay and extra shipping costs can be tolerated. The region is rich in both resources, especially oil and gas in areas such as the Spratly Islands and on the continental shelf east of Hong Kong, and in aggressively pursued competing territorial and EEZ claims. However, like the Indian Ocean few countries in the archipelagos are economically well developed.

Monitoring Merchant Shipping - Pitfalls and Ways Ahead

The monitoring of merchant shipping in any country's EEZ is, these days, not particularly difficult. Many countries, such as the United States and Australia, require merchant shipping destined for their respective ports to give full details of their destination, crew and cargo while they are still well out to sea. For those ships that are just passing by, so to speak, a variety of remote methods are regularly used to identify each ship and to obtain its course, speed and probable destination. With more complex systems, like those used in Australia, it is even possible to ascertain the information that is attached to every container that makes up the cargo.

All that information about a ship, its crew, cargo, course and speed is valuable and helps compile a detailed, real time merchant shipping plot. Nearly all of that information will arrive at a naval or civilian headquarters automatically, much of it, depending upon the systems involved, with little or no human intervention. It is detailed, reasonably complete and with appropriate systems will display a prognostic shipping plot for all in the headquarters or in an operations room to consider.¹⁴ And if that is the sum total of the information sources, it can be extraordinarily dangerous to rely on it.

One of the largest challenges in training junior officers and sailors about how they should properly monitor merchant shipping is to make them appreciate the complexity of their task given the sheer number of vessels that are active in any given area. The duty staff does not have the luxury of being able to analyse in depth each and every ship on the plot: there are simply too many.¹⁵ It is therefore essential when an automated merchant shipping plot is generated its shortcomings are allowed for:

- Any automated system is only as good as the information that has been fed into it; in the case of merchant shipping this is especially true of cargo manifests. It is an old saying but worth repeating: beware of 'garbage in, garbage out'!
- The fact that a ship is displayed as being at a certain position with a certain speed and heading does not, even if all that information is correct, necessarily mean that vessel is where it ought to be or that it is heading in the direction that it ought to be heading or following the route that is usual for that class of vessel or a vessel with that type of cargo.
- Be aware of the problems associated with what is known as 'track discrimination'. This is where various sources provide inputs into a computerised system that lead the computer (or the human operator) to think that there are a number of merchant vessels on parallel (or nearly parallel) courses, or that several vessels are following each other on a common course. When this occurs the background data needs to be closely looked at to ascertain how many ships there truly are.

- Do not become complacent and overly reliant on the computerised plot. Duty staff under pressure can receive correct and operationally important information about a merchant vessel only to dismiss that information far too quickly by inadequately applying track discrimination techniques. The result is that a non-reporting merchant vessel (or an enemy warship or terrorist vessel) may slip through the surveillance net and be forgotten about. It must always be remembered that while a merchant shipping plot should tell you what is there, it will not tell you what is missing that ought to be displayed.¹⁶
- Duty staff must be aware of what ships are carrying ‘strategic cargoes’ (sometimes also referred to as ‘immediately vital cargoes’), why those particular cargoes are classed as ‘strategic’ and be able to locate those vessels at all times.¹⁷

The amount of information is clearly enormous and while it is possible for many nations to comprehensively monitor all shipping around their coast or in an area of interest for short periods of time. The highly automated systems involved are expensive and manpower is still required to monitor them, make tactical decisions about the information displayed, service the equipment and to manually process the incoming data into a usable format. Even during peacetime the manpower burden can be overwhelming. Inevitably some sectors on the plot are virtually ignored in favour of others, usually on the basis that limited resources require priorities to be established. The process by which these priorities are established can be flawed: part of the process of assessing risk and thereby allocating resources based on that assessment is that all the required information has been considered. To do this the plot, in its entirety, needs to have been analysed and that analysis briefed to the decision maker.

Maritime trade protection requires a different mindset to just about all other types of naval operations. Usually, naval operations involve a friendly force engaging an enemy force and defeating it. The defeated enemy then limps home to lick its wounds and the friendly naval force considers itself victorious. However, things are not so simple when it comes to maritime trade protection. It is utterly pointless if the ships you are protecting leave your ports and, indeed, your area of operations unscathed yet fail to arrive at their destination in a timely manner. Unless those same ships will always be travelling within their home navy’s area of operations (which will almost always never be the case) at least two nations’ navies must be involved in the protection of those ships. For most voyages there will be many more nations involved along the way.

When the number of ships that require monitoring and possible protection is considered against the need to ensure that, one way or another, those ships are always monitored it is rapidly appreciated that no one nation can do this task on its own, not even a nation with the resources, of say, the United States. Further, effective monitoring and protection will not occur just because various geographically-adjacent nations assume

that role: they must interact with each other, establish lines of communications, understand each other's basic procedures and, most importantly, foster a culture or understanding that if a nation refers a trade protection issue to them then they must take ownership of that problem and immediately take steps to address it.

Building Regional Capacity - A Basic Roadmap

Once it is appreciated that no one navy can protect its nation's maritime trade by itself - a fundamental tenet of maritime trade protection - the conclusion is inevitably made that some form of working relationship with like-minded nations must be developed. After all, it is in such nations' interests to do so.

An example of such a working relationship is the Pacific and Indian Oceans Shipping Working Group (PACIOSWG). Its antecedents from the days of the Cold War are well known but it still exists precisely because its member nations appreciate that cooperation is still the key to success in matters of maritime trade protection. PACIOSWG exists without any formal charter and it has no central secretariat, the chair rotates annually amongst member nations and every member has an equal vote. Votes must be unanimous and any vote against will veto a proposal. Its current membership includes Australia, Canada, Chile, Republic of Korea, South Africa, the United Kingdom (PACIOSWG's link to the NATO Shipping Working Group) and the United States. It is hoped that in the near future New Zealand will be readmitted into the fold. Singapore has been granted observer status a number of times but, regrettably, remains somewhat ambivalent about a permanent relationship. France was originally a member but quietly severed its links. Australia is hopeful that in the near future nations such as Japan (currently looked after by the United States), Papua New Guinea, India and China may be invited to observe and perhaps one day join as members. It is known that Indonesia is also being assessed for observer status.

Of course a common working group by itself will never be sufficient. Experience has shown over time that for such a working group to be successful each of its members should commit to all of the following:

- There must be a basic acceptance that a threat to one nation's trade today will likely mean a threat to another's tomorrow. Therefore, all nations concerned must take ownership of whatever information is passed to them by others in the working group and action it accordingly. This is probably both the most fundamental and politically difficult issue to bed down. Once a group of navies accept that they have ownership of a problem passed to them by any other member of the group in their 'area' then much can be achieved. Of course, this does not mean navies will operate independently of their nation's established policies or that they will necessarily react to any given incident in a set fashion

as sovereignty must remain intact and not be inhibited in any way. It is, however, put in the strongest terms that rarely will an issue of a perceived threat to sovereignty arise within the group.¹⁸

- They must be prepared to train together on a regular basis (at least annually) and to share basic information not only about the specifics of their own maritime trade but also their broad security concerns in the context of that trade and the way their navies interact with that trade. Most of this information is unclassified and freely available but much time is saved if it is prepared to be discussed freely during working group meetings.
- There is a need to maintain a cadre of specialist naval officers (by whatever name and in whatever organisation) who are familiar not just with merchant shipping movements but also with how each particular trade and major ports that support that trade operate.¹⁹ There are never many people with the requisite experience available and time needs to be taken to bring them into (usually into the reserve structure of) the navy.
- nations with experience and expertise in this area must be prepared to train other nations' navies in basic procedures and communications protocols and give freely of their experience in dealing with Merchant Masters and others upon whose expertise any worthwhile maritime trade protection system depends.

Groups such as these can work well not only without formal treaties but also without the need to try and work through the myriad of procedural and diplomatic difficulties that must be addressed when forming a multinational task force (like those currently conducting anti-piracy operations in the Gulf of Aden) such as command structures and rules of engagement, always a perplexing issue, even amongst close allies.

Building Regional Capacity - Some Observations from Current Operations

There is no doubt that it is near impossible to make basic maritime trade protection concepts sound interesting to most naval officers let alone to governments. There exists a tendency to undersell the importance of the task, the recent lessons of history notwithstanding.²⁰ Further, it is almost inevitable that when trade protection measures are mentioned discussion seems to turn very quickly to forming, and consequently the difficulties associated with, multinational task groups, escorting procedures and (somehow or another) to the Battle of the Atlantic in WWII.

This is, of course, all fine and good but it almost guarantees that discussions will not be taken further. The amount of effort required to establish a multinational task force operating independently of an established international body such as the United Nations or NATO, for example, is almost overwhelming. Such operations are by their very nature costly, divert scarce resources such as ships and personnel from planned tasking and while they can appear to work successfully it requires a lot of effort and resources to ensure that they do so.

The current anti-piracy operations centred on the Gulf of Aden and the Horn of Africa are good examples of the difficulties faced by *ad hoc* multinational naval operations. Combined Task Force (CTF) 151 was established as a dedicated anti-piracy force early in 2009. It is hoped that 20 countries will ultimately join the CTF but to date only Australia, Canada, Denmark, France, the Netherlands, Pakistan, Singapore, Turkey and the United Kingdom have pledged support. This level of involvement is very low considering membership of CTF 151 is open to all nations, the immediacy of the piracy problem and that pirates are attacking any merchant ship they can lay their hands on. This low level of support can be largely explained by two factors: the presence of other multinational naval forces and the preference for some nations to assist but not to formally join any multinational force.

CTF 151 is but one of three multinational naval forces currently operating in and around the Gulf of Aden. The others are the European Union's Operation ATALANTA consisting of France, Germany, Italy, the Netherlands, Norway, Spain, Sweden and the United Kingdom and CTF 150, a NATO-led task force with Australia, Canada, Denmark, France, Germany, Italy, the Netherlands, New Zealand, Pakistan, Portugal, Spain, Sweden, Turkey, the United Kingdom and the United States participating. In addition, Chinese, Indian, Iranian and Russian naval ships are conducting independent anti-piracy patrols in the region. India and Russia have both stated that their forces will cooperate with those of the European Union.

These anti-piracy forces demonstrate several points. Firstly, there are few Indian Ocean navies attached to these forces. Although trade protection is in everyone's interests the money invested in maritime trade overwhelmingly does not come from the Indian Ocean area. This is demonstrated by the lack of naval capacity to protect trade. Secondly, those forces that are present each have their own method of generating a merchant shipping plot, although it is known that much information is sourced from the Royal Navy's Naval Cooperation and Guidance for Shipping office in Dubai and the US Navy's Maritime Liaison Office in Bahrain. Thirdly, it is safe to say that while shipping traffic in the vicinity of the Gulf of Aden is being closely monitored (as is that in the Arabian Gulf, albeit for different reasons), the balance of the Indian Ocean is largely unmonitored for all practical purposes.

It should be a cause for concern that the international community has found it necessary to establish three multinational naval task forces yet there is no unified merchant

shipping plot across all three, as before merchant ships under threat of piracy attack can be protected their position and voyage plans must first be ascertained.²¹

From the point of view of a systematic response to piracy attacks and, therefore, the protection of maritime trade generally, the current task forces in the Indian Ocean are not good examples. True, it is when faced with previously unconsidered threats that nations must take whatever steps they can with the resources available, but it is worth considering that we are fortunate that the threat in this case is piracy and, for that matter, a very commercial form of piracy.²² If the threat was not commercial and focused on the disruption of oil supplies from the Middle East to the Asia-Pacific region by a rogue state (or by a non-state actor sponsored by a rogue state) then the same initial difficulties of establishing a merchant shipping plot would arise, but with a more militarily orientated adversary the outcome would undoubtedly be wholly different.

Multinational task forces are at the high end of trade protection. It is suggested that the simpler, far cheaper and less controversial starting point for regional cooperation on trade protection is for nations to immediately commence actively monitoring merchant shipping within their area of interest and to regularly share that information with likeminded nations. To do so basic maritime trade operations rooms need to be established using the ability of computers to network which, with the appropriate safeguards in place, can be maintained separately for national, naval purposes. These operations rooms can be connected online and, as they are established separately from more secure areas, they can be used for multinational trade protection exercises.²³ In addition, nations can establish shipping working groups or apply to join the PACIOSWG. For the benefit of all, the essence of the proposal is that it is cheap and simple to execute, as long as those nations with experience in merchant shipping protection assist those who need it and providing nations agree to share the information on their respective plots.

Conclusions

Capacity building for maritime trade protection need not be expensive but it can take time. It can be achieved through more experienced nations (such as Australia and the United States) assisting with the training of those less experienced. It can also be attained by more experienced nations taking steps to bring all nations that should be concerned about the trade protection into appropriate working groups. The training will demonstrate that most basic trade protection activities are affordable and are transportable back to the trainee countries where they can be readily implemented. This enables those trainee nations to assume, over time, an achievable level of ownership of and responsibility for the protection of maritime trade in their own area of interest. Most importantly such steps build capacity not just by boosting the knowledge base of all the navies concerned, but also by building professional relationships and professional trust between them.

From a trade protection officer's point of view what this can, over time, translate into is the confidence if their opposite number needs to be contacted in a navy half a world away and relay details of an incident that clearly requires a response, it is known that action will be taken. Such a reassurance, in the world of trade protection, would be a pearl beyond price.

Notes

- ¹ For an excellent overview on how the world's supply chains now function and the direction they will continue to take (the current global financial crisis notwithstanding) see TL Friedman, *The World is Flat: A Brief History of the Twenty-First Century*, Penguin, UK, 2006.
- ² However in countries like Australia, where most of the freight distribution centres are located on or near the coast, rail constantly competes with coastal shipping for the carriage of freight between major centres. By its very nature air freight is and will always remain prohibitively expensive for all but the most time sensitive, appropriately sized and valuable of cargoes.
- ³ India's economy is currently growing at about 5 per cent, down from an average of just over 9 per cent during the past few years. See *Press Trust of India* as repeated in Business Standard, <www.business-standard.com/india/news/india-economic-growth-to-moderate-to-5-in-2009-10-adb/57684/on> (31 March 2009). *India Brand Equity Foundation Report*, <www.ibef.org/economy/economyoverview.aspx> (20 May 2009).
- ⁴ Press TV report, <www.presstv.ir/detail.aspx?id=85845§ionid=351020402> (16 February 2009). Pakistan though behind India economically, should not be forgotten, as its per capita gross domestic product is only a little less than India's and it is also a nuclear armed nation.
- ⁵ R Kaplan, 'Center Stage for the 21st Century - Rivalry in the Indian Ocean', *Foreign Affairs*, US Council on Foreign Relations, March/April 2009.
- ⁶ Two organisations arguably used to do so during most of the Cold War: the Central Treaty Organisation (CENTO) and the Southeast Asia Treaty Organisation (SEATO). CENTO was probably the least successful of the various Cold War alliances, had few members and was geographically centred on the Arabian Gulf and Strait of Hormuz; it was effectively destroyed as an alliance by the Iranian Revolution in 1979 and was formally dissolved in that year. SEATO was, in truth, not much more effective than CENTO due to inherent structural weaknesses and was formally dissolved in 1977.
- ⁷ See DH Shinn, 'Comparing Engagement with Africa by China and the United States (US) - Remarks', *China in Africa Symposium*, Indiana University, March 2009.
- ⁸ Included is Australia, where Chinese state owned corporations are actively pursuing takeovers of large Australian mining corporations. Nations upon which China relies for port facilities and logistic support are often referred to as part of China's 'string of pearls'. Currently the string of pearls is believed to include extensively developed or expanded port facilities and/

or airstrips in the Indian Ocean area to assist with the development of China's trade routes and for the use of the People's Liberation Army Navy including: Gwadar, Pakistan; Ormara, Pakistan; Marao, Maldives; Hambantota, Sri Lanka; Chittagong, Bangladesh; Sittwe, Myanmar; and Great Coco Island, Myanmar. For an overview of the expansion of China into Southeast Asia, the Indian Ocean and Africa see CJ Pehrson, *String of Pearls: Meeting the Challenge of China's Rising Power Across the Asian Littoral*, Strategic Studies Institute, US Army War College, June 2006.

- ⁹ The author discloses that he does subscribe to this theory, though he wishes there was a more realistic and pleasant theory on offer. See JJ Mearsheimer, *The Tragedy of Great Power Politics*, Norton, New York, 2001.
- ¹⁰ See the Association for the Study of Peak Oil and Gas at <www.peakoil.net>. The terms 'peak oil' and 'peak gas' refers to the maximum rate of production of oil or gas, given that it is a finite natural resource subject to depletion.
- ¹¹ See AE Kontorovich, *Russian Geology and Geophysics*, vol. 50, no. 4, April 2009. Earlier estimates from other researchers have suggested that the world will arrive at 'peak oil' within a matter of years from now.
- ¹² Indonesia, for example, claims all waters within the Indonesian archipelago as part of its internal waters.
- ¹³ Only 1.3nm wide at its narrowest point, approximately 80 per cent of oil and gas imports for Northeast Asia transit the Malacca Strait. Ultra large crude carriers that are too big to use it travel through the Indonesian archipelago via the Sunda or Lombok straits, joining ships from Australia carrying oil and gas exports destined for China and Northeast Asia.
- ¹⁴ Unless a merchant ship is continually reporting its position with a Position and Intended Movement signal or similar in much the same manner as a warship - which is rare - all merchant shipping reports should be regarded as prognostic aside from those rare occasions when the ship is required to regularly and positively report its position (which even if it happens is never as often as a duty maritime trade officer would like).
- ¹⁵ For example, there can be anywhere from 400 to 500 merchant ships in the Australian Reporting Area at any one time.
- ¹⁶ Australia regularly experiences non-reporting merchant vessels in its area of operational interest and entering its exclusive economic zone or its territorial waters. Usually these are illegal fishing vessels or suspected vessels engaged in people smuggling, but also include the four-day pursuit, initially by police vessels and later by HMAS *Stuart*, of the North Korean flagged MV *Pong Su* that was caught in April 2003 unloading heroin in Bass Strait and was finally apprehended by force in the Tasman Sea and escorted into Sydney.
- ¹⁷ Strategic cargo is that which is vital to an aspect of the national interest, however, this will vary from place to place. Usually strategic cargo is defined in economic terms (crude oil supplies) but can be defined politically as well as it is suggested that passenger cruise liners will always be classed as a 'strategic'.
- ¹⁸ Put another way, if a nation believes its sovereignty to be threatened by another it would be better if it did not join in the first place.
- ¹⁹ This cadre can be located in the coastguard in some countries, but it must be accepted for what it is and it must be used as such. Experience has shown that in some countries - and the US is one - the interaction between the navy and the coastguard on maritime trade issues has not always been as positive as might be hoped.

- ²⁰ See J Winton, *Convoy: The Defence of Sea Trade 1890-1990*, Michael Joseph, London, 1983, Chapter 20 for an excellent analysis on the devastating effect the US Navy's *guerre de course* had on the Japanese economy in World War II, made largely successful by the Imperial Japanese Navy's disinterest in appropriate trade protection measures.
- ²¹ Indeed, Spain proclaimed via Notice to Mariners that it was establishing its own merchant shipping plot solely for Spanish-flagged vessels.
- ²² The Baltic and International Maritime Company's Chief Security Officer, Giles Noakes, is one of several people who are regularly reported as stating that Somali pirates adhere to a 'business model'. See *Fairplay Daily News*, 26 May 2009.
- ²³ It is, of course, quite practical to link such basic operations rooms to a nation's main naval operations room should that be required.

Indonesia's Maritime Interests and Maritime Capacity Building Requirements

Rosihan Arsyad

Indonesia is the largest archipelagic country in the world, stretching over 4900km from Sabang Island in the west to Merauke, West Papua in the east. It has over 17,500 islands and with cumulative shorelines of 95,181km, it has the second longest coast in the world.

Indonesia lies at the strategic crossroad of two continents and two oceans, harbouring many important sea lines of communication for global trade. As it has jurisdiction over more than 5.8 million km² of water, Indonesia regards its seas as its bloodlines and a unifying factor for the country.

Historically, Indonesia had great influence in Southeast Asia, made possible by strong maritime forces under Srivijaya Kingdom in the seventh century and Majapahit Kingdom in the twelfth century. Consequently, the two kingdoms were able to exert their sovereignty, power and influence over an area even larger than the present day Indonesia. Indonesians realise that seas and oceans must not only be regarded as territorial entities, but also as the means for economic development, a medium for transportation, a sphere of political influence, a security arena and the most important factor in determining its national strategy. With such a strategic geographic position and dependency on the sea, Indonesia's maritime interest is a major consideration in directing its national policy.

Indonesia observes three basic principles in its national interest and policy, which include territorial integrity, political independence, as well as betterment of the wellbeing of its people. As a sovereign nation, Indonesia must protect its people, territory and institutions from external threats as well as internal dangers. The mission of the Indonesian government and its people is clearly stated in the preamble of its Constitution:

Whereas freedom is the inalienable right of all nations, colonialism must be abolished in this world as it is not in conformity with humanity and justice;

And the moment of rejoicing has arrived in the struggle of the Indonesian freedom movement to guide the people safely and well to the threshold of the independence of the state of Indonesia, which shall be free, united, sovereign, just and prosperous;

By the grace of God Almighty and impelled by the noble desire to live a free national life, the people of Indonesia hereby declare their independence. Subsequent thereto, to form a government of the state of Indonesia which shall protect all the people of Indonesia and their entire native land, and in order to improve public welfare, to advance the intellectual life of the people and to contribute to the establishment of a world order based on freedom, abiding peace and social justice, the national independence of Indonesia shall be formulated into a constitution of the sovereign Republic of Indonesia which is based on the belief in the One and Only God, justice and humanity, the unity of Indonesia, democracy guided by the inner wisdom of deliberations amongst representatives and the realization of social justice for all of the people of Indonesia.

Challenges and Perceived Threats

With a fast-growing importance as the world's highway and growing interests in ocean resources, the sea opens itself to a wider variety of challenges, and Indonesia must take into account many pressing threats. Because it lies at the crossroad of two oceans and two continents, Indonesian waterways are highly accessed by international shipping. Psychologically, Indonesia perceives this as a challenge to its sovereignty. Therefore, the sea under Indonesia jurisdiction is 'jealously' guarded as, given its size, territorial integrity is the highest priority.

Sea-based resources are growing in importance but so is the vulnerability of society to the threat posed by drugs and arms smugglers as well as illegal immigration. These are crucial to Indonesia's security measures. Indonesia and coastal states face increasingly intense and severe major oil spills from foreign tankers in their seas. In addition, there are possibilities of catastrophic accidents involving carriers of ultra-hazardous cargoes such as plutonium, when such vessels pass through Indonesian waters.

Indonesia's security priorities are:

- crackdown on drugs trafficking and arms smuggling
- boat people
- pollution control
- resource supervision
- illegal, unreported, and unregulated fishing
- sea robbery and terrorism at sea
- other low-level security threats.

Marine resources are steadily becoming more important to the growing needs of the world. For this reason, Indonesia is putting more efforts toward all aspects of preventing environmental degradation, marine pollution and resource depletion.

Indonesia must also help resolve territorial disputes and claims, and work towards territorial delimitation with neighbouring countries. There is always the danger that disputes, if not resolved, can erupt into conflicts, thereby endangering not only regional, but also international peace and security. In a broad maritime security arrangement, it is a great challenge that Indonesia must tackle.

Indonesia's Maritime Interests

The highest priority for Indonesia, which is also the most important task for its government and society, is to ensure territorial sovereignty and integrity in addition to unhindered economic development so as to bring prosperity to its people. Only then can the nation march on in a peaceful environment and attain its destiny as stated in its constitution.

Indonesia has compelling reasons to see the world - and in particular Asia - as an area where political and economic stability prevails so that there is justice and mutual benefit shared by all. Therefore, Indonesia would like to maintain a positive security and strategic environment in the region and to strengthen regional resilience through bilateral, multilateral, regional and international cooperation. Indonesia's interest, derived from the nation's Constitution, is to contribute to the establishment of a world order based on freedom, abiding peace and social justice.

Indonesia's overall defence policy is to be a truly pacifist nation without any extra-territorial ambitions. Therefore, Indonesia plans to maintain only minimum essential forces in its arsenal. Indonesian naval forces are designed only to meet the requirement of sea control in its own waters. However, Indonesia has remote island territories in the Natuna and Sulawesi seas and some areas with border delimitation problems and disputed areas. Therefore, contingencies must also be envisioned, where Indonesia may be compelled to navigate its seas to protect its island territories and territorial integrity.

To successfully achieve its national purpose, Indonesia must have 'some degree of freedom to use the seas for its national purposes and the means and ways to safeguard its maritime interests under all circumstances'.

Taking this aspiration into consideration, Indonesia's most important maritime interest is to ensure national security and territorial integrity and provide protection from external interference, so that the vital tasks of fostering economic growth and undertaking development activities can take place in a secure and peaceful environment.

From the fundamental belief that Indonesia must contribute to the establishment of world order based on freedom, abiding peace and social justice, while recognising its important position in the world's maritime transportation, Indonesia gives high priority to maintaining safety and security of the sea lanes under its responsibility.

Whether it is the Malacca and Singapore straits or the three archipelagic sea lanes namely Sunda and Gaspar straits, Lombok and Makassar straits, the Wetar and Maluku straits and the Natuna Sea, these seas are vital for the world economy. It is also important to note that security and safety of these waters are also important for the Indonesian economy, since most of Indonesia's commerce transit these straits.

Safety and Security of Indonesian Waters

Due to Indonesia's commanding geographic location, its main role in the international community is to ensure free flow of oil and commerce through its sea lanes, especially from the Arabian Gulf to the Asia-Pacific region. Indonesia realises that its waters are the 'gateway' to Asia. The shipping routes from the Middle East, Australia, and Africa to China, Japan and the Republic of Korea (RoK) must be kept secure and safe. Indonesia is committed to this cause.

Safety, security and protection of the maritime environment in the Malacca and Singapore straits are vital to Indonesia, Malaysia and Singapore. Fundamentally, these three littoral states take full responsibility and put forth their best efforts to safeguard safety, security and the marine environment in the Malacca Strait, but they always welcome the participation of user states. These three littoral states have established both routine coordinated patrols and a mechanism for such cooperation. In addition, they have also equipped, improved and maintained better navigation aids and established a traffic scheme, especially for very large crude carriers and large vessels, allowing safer sea navigation.

Under the recent Malacca Strait Security Initiative (MSSI), they have intensified their cooperation and conduct the Malaysia-Singapore-Indonesia Coordinated Patrol; the Malaysia-Indonesia Coordinated Patrol; and the Indonesia-Singapore Coordinated Patrol. They actively support other MSSI projects, such as the Malacca Strait Identification System, Eyes-in-the-Sky, Integrated Maritime Surveillance System, Intelligence and Information Exchange, Public Information Campaign and Margin of Allowable Hot Pursuit. Indonesia understands that every security measure taken to safeguard navigation in those waters must follow international standards, rules and regulations, and of course, be in accordance with national law. Indonesia has done a lot to keep up with this huge responsibility.

Indonesia has expressed strong commitment and collaboration to fight crime at sea, for example, through the *Declaration on Transnational Crime*, the *Declaration on Joint Action to Counter Terrorism* and its action plan, ASEAN Regional Forum, APEC and

the Western Pacific Naval Symposium, to name just a few. In legal aspects, Indonesia also has ratified almost every convention regulating security and safety of navigation and sea transportation.

Indeed, there were some failures in Indonesia's effort to secure its waters, and sometimes its actions were not always successful in fulfilling international expectations. Indonesia does have limitations and constraints. Currently, the only organisation that has an integrated strategic maritime security arrangement in Indonesia is the Indonesian Navy, and its operational activities have long been the backbone of comprehensive sea security efforts.

Besides conducting its nation-wide routine sea patrols on daily basis, the Indonesian Navy Sea Security Group Commander controls operations of Sea Security Operational Command under Bakorkamla (Coordinating Body for Sea Security) on an *ad hoc* basis and conducts sea exercises and coordinated patrols with neighbouring counterparts, especially Malaysia and Singapore.

As the backbone of maritime security arrangements in Indonesian waters, the Indonesian Navy has a fleet of only around 130 medium and smaller vessels, deemed insufficient to patrol the world's largest archipelagic nation, which was the world's top piracy 'black spot' until Somali pirates off the coast of Africa assumed the title.

Indonesia is perhaps one of the bigger naval forces in Asia in numbers of vessels, but it lags behind its Asian peers in terms of modern armament and technology. The Indonesian Navy is limited by a lack of training, minimum level of readiness, obsolete weaponry and the lack of modern fighting equipment needed in sea operations including electronic warfare capability, over-the-horizon maritime intelligence and weapon guidance. Indonesia also does not possess good strategic maritime intelligence and maritime domain awareness to make a long-term evaluation, to deter maritime crime and to prepare for contingencies at sea. Other Asian countries have smaller fleet strength but their warships are newer and have a higher mobility, while most Indonesian vessels are obsolete and some are second-hand.

Since 2003 the Indonesian Navy has acquired 13 new vessels and has budgeted to buy five to six new boats each year, which may increase to an annual purchase of 10 ships if the economy strengthens over the next few years. With its plans to buy up to 60 modern vessels over the next decade, the Indonesian Navy intends to strengthen maritime security and to catch up with its technologically advanced regional counterparts.

Indonesia also needs to aggressively seek out centres of excellence, whether in public or private sectors, which will allow Indonesian industry to support its warship building endeavours by producing marine quality steel and a wide variety of ships and shipboard systems. Total self-reliance is a goal that is still very distant, but it is one that Indonesia must aim for. Indonesia has learned many bitter lessons about the

disadvantage of dependence on foreign sources as it brings uncertainty, unfair pricing, dubious quality and incomplete warfare systems.

The huge task in maritime security which Indonesia is undertaking is further complicated by the fact that Indonesia has not yet adopted an integrated national ocean policy, nor has it developed an integrated maritime security strategy. The maritime sector is no longer confined to shipping and ports only, but is more broad-based and complex with the introduction of more advanced technology and the discovery of new ocean resources and with greater security challenges that go with it. Therefore, Indonesia's maritime security arrangements have to be properly arranged to meet these new challenges. The end product of an integrated national ocean policy is to obtain maximum net gains to the country, which will also reduce waste and duplication of efforts.

Currently, the responsibility to establish state sovereignty and sovereign rights at sea and to maintain safety and security of navigation, resource supervision and law enforcement at sea against armed sea robbery, smuggling, illegal entry, illegal fishing, immigrations and quarantine are distributed among 11 agencies. The Indonesian Navy is responsible for enforcing state sovereignty and sovereign rights at sea, and deals with all low-level security threats at sea. The Custom and Excise Service enforces anti-smuggling, the Indonesian Immigration Service prevents illegal entry, and the Ministry of Ocean and Fishery is tasked with marine resource supervision. There is also the Indonesian Marine and Air Police that conduct patrols to establish general law and order. Each agency develops exclusive concepts for operations and planning, which frequently does not connect with other agencies, as these agencies cater to their own purposes only. It is even questionable whether some of these agencies meet all requirements and have a legal basis to enforce laws at sea. Certainly, it is confusing and unclear which agency has the authority to enforce which law at sea!

Bakorkamla was established to solve these problems, but this agency does not place all other agencies under one coordinated command and control centre and does not have a comprehensive framework for maritime security arrangements. The efforts of each fleet from each agency are wasted because each is trying to enforce its own responsibilities without coordination across agencies. Most of the time, they operate concurrently in the same area at the same time but doing different tasks. Consequently, other areas of Indonesian waters are left unguarded as they are not being patrolled.

It is hopeful that the 'new' Bakorkamla that was reaffirmed with Presidential Regulation Number 81 in 2005 will be able to forge integrated security arrangements. But, again, it has no direct logistic support and operational capability under its responsibility and perhaps is best to operate at the policy-making level to synergise maritime security strategies with other strategic national interests. Fortunately, the new shipping law indicates that Indonesia must revitalise its Sea and Coast Guard, and the steps toward its realisation have been started.

Maritime Economy, Industry, Facilities and Ocean Technologies

Indonesia must enhance its capabilities and capacity in maritime industries and facilities. Currently Indonesia is at an energy-intensive stage of its development, meaning that industry is developing and good maritime infrastructure is a necessity. Today, Indonesia is a net oil importer and it is estimated that by 2050 Indonesia will import most of its oil requirements. However, Indonesia will still be in position to export a huge amount of liquefied natural gas, other raw materials and consumer goods. There is always a possible threat to safety and security of navigation while these goods are being transported and potential delay caused by inefficiency and unavailability of maritime facilities. For this reason, waterways must be kept open, safe and secure, and maritime industries and facilities must be made available and strengthened to achieve sustainable maritime economy development. Imagine the importance to the Indonesian economy when oil, gas, commodities and other consumer goods are transported for foreign export and domestic markets.

Indonesia is projected to become the growth engine for Asia, even though it will take a while before it can become one region's of the leading economies. The tremendous scope for further growth of Indonesia can be imagined when considering that its present share of world trade is not significant. Needless to say, imports and exports generated by this growth will be transported mostly by sea and may need protection.

The security of Indonesian ports, merchant ships and the sea lanes that they transit represent vital maritime interests for Indonesia. Indonesia needs to improve most of its ports and general ship security to comply with the *International Ship and Port Facility Security (ISPS) Code*. This requirement must be adhered to so that goods can be safely transported to and from foreign countries directly, which results in Indonesia getting a bigger share in the international shipping industry. Safety of navigation in Indonesian waters also needs to be enhanced and improved by installing more navigational aids and reliable monitoring systems.

Another facet of the ocean, which presents the prospect of wealth and prosperity, and yet contains the seeds of future conflict, is sea and undersea resources. Indonesia has rich fishery resources, with more than 6 million tons of sustainable potential, but it lacks the capacity to harvest even 4 million tons. Indonesia also has mineral rich areas and other undersea wealth in its exclusive economic zone (EEZ) currently extending over 2.4 million km². The successful exploitation of these resources could lift Indonesia from its economic backwardness. But again, Indonesia lacks the capacity to harvest its undersea wealth, so it must push for a stronger cooperation for deep-sea mining with countries with advanced knowledge and capacity in this field.

Indonesia's Merchant Marine

Indonesia's merchant fleet is the backbone of its commodities transport. It is the component of the maritime industry that can be leveraged in the future and though small for its needs, remains an important factor in Indonesia's maritime development. Relatively speaking, it constitutes a little more than 1 per cent of the world shipping tonnage. Indonesian ships are able to carry only about 5 per cent of its foreign trade and about half of Indonesia domestic cargo movement; Indonesia is estimated to lose about US\$40 billion per annum in its balance of payments.

The dominance of the foreign shipping industry in Indonesia's international and domestic trade is caused not only by the limited capacity of Indonesia's merchant marine, but also a combination of other major factors, including the difficulties in developing and acquiring more ships, raising bank loans and corresponding higher than normal interest rates. In addition, Indonesia has not applied cabotage principles; adoption of freight-on-board terms of trade for exportation and cost-and-freight for importation. The openness of many Indonesian ports allows unsupervised access to foreign registered vessels. Monopoly practices in Indonesian ports have also been a handicap for the development of Indonesian maritime infrastructure and harbours.

The current development of Indonesia's maritime transportation could lead to the strengthening of its maritime economy. Under the current legal reformation on shipping, Indonesia has revised its shipping laws with a new shipping law No. 17, enacted on 7 May 2008. It reaffirms the implementation of cabotage and ownership principles. Hence, new regulations on shipping services should ensure fair treatment for Indonesian ship owners. As the new law accommodates shipping mortgages, financial institutions shall have assurance on the reliability of Indonesian shipping, and in turn the willingness to facilitate vessel acquisition financing.

Marine Mega Biodiversity Protection

Indonesia needs to safeguard its marine mega biodiversity because it has a rich and diverse marine coral species and ecosystems. Studies indicate that Indonesia has over 80,000km² of coral reef, accounting for approximately 14 per cent of the world's coral reef. It was also recorded that 480 hard coral species were found in the eastern part of Indonesia with more than 1600 coral fish species inhabiting these coral reef ecosystems. Together with the Philippines and Papua, the region made up about 35 per cent of the world's coral reef. It is a home to 77 per cent of the world's coral species, over 50 per cent of all reef species and 58 per cent of tropical marine molluscs, making the region a worldwide priority for conserving marine biodiversity in the Asia-Pacific area known as the 'Coral Triangle'.

There are at least 25,000km² of mangrove ecosystems in Sumatra, Java, Bali, Kalimantan, Sulawesi, Maluku and Papua. Mangroves serve as a nursery, spawning

and feeding ground for fishes, shrimps and other marine organisms such as crabs, clams and snails. They also protect the coastal area and prevent erosion. The mangrove ecosystem supports wildlife such as primates, birds, small mammals and reptiles. In addition, mangroves produce timber for construction, charcoal, chips, and chemicals for tanning and dyes.

Seagrass ecosystems also flourish in many parts of Indonesia's coastal area; there are at least 12 species of seagrass plant in Indonesia. They perform many ecological functions that benefit coastal and marine organisms such as producing nutrients, binding sediments and stabilising soft substrate, serving as a nursery and feeding ground for shore fishes and home for animal species such as dugong and green turtle. Seagrass also provides food and substance for pharmaceutical industries.

Indonesia is currently facing a continuous high degradation of its coral reef ecosystem. Consequently, mega biodiversity in the Asia-Pacific region is also endangered because Indonesia's mega biodiversity, especially in the east, becomes the source of marine mega biodiversity in many parts of Asia-Pacific waters. Coral reefs are an amazing invaluable ecosystem; they are not only important as part of nature but also represent a high value for humankind. Yet, the reefs are now under heavy pressure; within the last 50 years, there has been a 50 per cent decrease in their size, and a sampling study in 2000 suggests that only 23 per cent of coral reefs are in good condition. Without immediate and effective action, Indonesia's coral reefs are predicted to disappear within 20 to 40 years.

Studies reveal that the primary cause of reef damage is due to destructive fishing (53 per cent), while coastal development and sedimentation accounted for 20 per cent of reef damage across the country. Coastal and estuarine pollution accounts for 30 per cent of damage. But the recent El Nino Southern Oscillation and perhaps global warming have caused coral reef bleaching in eastern Sumatra, Java, Bali and Lombok; and in the Seribu Islands off northern Jakarta, it has increased up to 95 per cent, causing a sharp decline in reef fish populations in the area.

Excessive fishing and destructive fishing activity is not only occurring in reef areas, but studies suggest that such practices also take place in the sea area beyond 12nm, particularly in the Java Sea. It is estimated that approximately 85 per cent of Indonesian fishermen operate in the Java Sea, making the catch per unit effort of each fisherman substantial. Violation of fishing regulations occurs in many parts of the country reflecting a lack of enforcement. The methods used for fishing, including explosives, poison, and wide trawls with small mesh and without windows opening occur in many coastal areas, killing almost all organisms living in the reef and coastal areas.

Problems have also occurred in the mangrove ecosystems. Mangrove ecosystems have declined at the rate of more than 100km² per annum. Over the past 20 years Indonesia has lost approximately 27,000km² of mangrove areas, due to land conversion for

brackish pond fisheries or shrimp farms, seaports and industrial construction, coastal tourism, and forest concessionaires. The latter has caused a large degradation of the mangrove ecosystem, from which timber was logged as raw material for the pulp and paper industries.

There is no integrated upland coastal spatial plan in place. Pollution in coastal areas near industrial cities on the major islands across the country has reached alarming levels; mercury concentrations in Jakarta Bay were recorded at between 0.005 parts per million (ppm) to 0.029ppm, higher than the threshold level (0.003ppm). Such pollution could easily damage the coastal ecosystem and eventually severely deplete the coastal fishery.

Indonesia's Maritime Capacity Building Requirements

Indonesia's maritime strategy has a direct relationship, not just with the overall military strategy, but also with its economic and diplomatic initiatives. In peacetime, Indonesia needs to project power to patrol its vast waters as part of its maritime law enforcement jurisdiction, ensuring safety and security, and asserting its presence. Indonesia's maritime force also needs to capitalise on partnerships through maritime capability, building trust and interoperability through joint operations and conducting international maritime assistance. Safe and secure Indonesian waters will allow for smooth flow of the world's trade and a supportive environment for the Indonesian economy to develop. Occasions may arise when Indonesia is required to use coercion to achieve its national aims, and maritime power is best suited for a 'measured escalation'.

In its diplomatic strategy, Indonesia's first priority is to build strong relations with its immediate neighbours and countries of strategic interest in the Asia-Pacific region. The Navy is ideal for 'enhancing friendship and exerting influence'. Indonesia must lead the way in maritime cooperation in response to large-scale disaster relief efforts. Indonesia should propose a standing procedure for maritime cooperation, enabling neighbours and other countries to participate in such operations. The 2004 tsunami response provided a classic demonstration of the positive role that the Navy can play in relief efforts. Navy detachments can provide medical assistance, cleanup of a city, restoration of infrastructure, and supply food and water. Consequently, part of Indonesia's maritime strategy will be the capability to provide humanitarian assistance, particularly in its waters, and if required, to also provide help to its neighbours.

Apart from combating piracy and terrorism at sea, Indonesia also has responsibilities for surveying and mapping of its archipelagic waters and the surrounding seas, providing a search and rescue service to those in distress, coordinating navigational warnings over a vast oceanic area and many other minor, but vital tasks that keep the global maritime industry and economy operating efficiently. But Indonesia is also lacking capacity to manage these tasks.

Capacity Building Requirement for Indonesian Maritime Forces

The capacity and capability of the Indonesian Navy should be configured to deal with perceived threats to its security on the basis of long term interests, the capabilities that could match those existing in our neighbourhood, and the ability to meet emerging challenges. Basically, if a capability is available or being developed by a country with which Indonesia shares boundaries or interests, it could have a bearing on security, should circumstances or intentions change.

To cater for the contingencies outlined earlier, the Indonesian Navy should possess a three-dimensional capable force able to operate across the entire conflict spectrum. To meet the required force levels will take several years, which Indonesia must achieve by 2025. Otherwise, Indonesia cannot guarantee the attainment of its maritime interests, which in most circumstances are also the interests of global maritime community. Aerial surveillance in the area of Indonesia's maritime interests is another priority; Indonesia must have sufficient knowledge at all times, of what is happening. Currently there are many weaknesses in Indonesia's maritime surveillance capability, and this should be addressed as a priority, with good coordination with the Indonesian Air Force, tailored to meet the advancement of Indonesia's maritime interests.

The Indonesian Navy and maritime forces can be a catalyst for peace, tranquillity and stability in its immediate region and beyond, across a wide range of peacetime conditions and circumstances. Therefore, the Indonesian Navy should be used strategically and be well equipped to do these tasks, so it can engage with other maritime nations. Its robust presence in a particular area or region could contribute to stability and ensure peace. A stronger Indonesia poses no regional threat; instead it will be a better and more useful partner in Asia for the region's peace, wealth and stability.

To improve the readiness of the Indonesian Navy, there are many capability gaps that can be filled through maritime capacity building. It requires at least 300 warships and 170 aircraft to enhance the security of its sea lanes and to protect its territorial integrity. Experts in naval planning estimate that at least US\$2.7 trillion will be necessary for this purpose. Indonesia's economy cannot support the required level of purchases. Thus the Indonesian Navy recognises that its fleet can sail but not fight because of ageing propulsion systems and weaponry. In 2008, the Indonesian government planned to buy two submarines equipped for modern warfare; however, this did not occur as the program was aborted due to budgetary constraints.

Indonesia lacks sufficient numbers of modern vessels, and perhaps this is not of concern to other countries. But, if we observe the fact that the capability of Indonesian maritime forces determines the security of critical global sea lanes, then maybe we should think of a way to address this issue together. There have been precedents for how to solve this through good cooperation. For example, in the early 1970s, the United States gave Indonesia four destroyers, which had been decommissioned after 15 years service in the

US Navy. They were transferred to the Indonesian Navy in 1974 and served relatively well until 1999. Throughout their service life, these ships performed many important sea patrols, peacekeeping operations, maintained Indonesian territorial integrity, and were the medium for technology transfer, enhanced operational and maintenance capability to the rest of the Indonesian Navy of that era.

Starting in the early 1970s, Australia provided the Indonesian Navy with a squadron of 15 metre coastal patrol ships and 12 Nomad sea coastal surveillance aircraft. A total of 22 Nomad aircraft were in operation, and together with these ships, they patrolled Indonesia's vast waters, providing tactical observation for the safety and security of navigation. In 2008 Japan gave Indonesia one patrol vessel, but unfortunately, it was given to the Police Air and Sea Unit, instead of to Bakorkamla or to the Sea and Coast Guard, which is being revitalised. Indonesia would welcome similar arrangements to build up its maritime forces to meet the minimum essential force levels, especially to replace its 37 ex-East German ships and to expedite the revitalisation of its Sea and Coast Guard.

In 2005, due to the urgent need to suppress the increased armed sea robbery and its possible link with terrorism, the United States started giving financial grants and assistance to Indonesia to establish an Integrated Maritime Surveillance System for the Indonesian Navy in the Malacca and Singapore straits. This program was completed in 2008, with 12 radar stations built along the Malacca Strait, and has significantly increased Indonesian capability to maintain security and safety of navigation in the straits. The program is being expanded to include other important sea lanes, starting with the Makassar Strait and hopefully it will be continued to cover all three archipelagic sea lane passages.

Indonesia also needs to build the capacity of its maritime industry, such as domestic shipyards to build warships, where Indonesia needs to build a degree of self-reliant capability. For example, when acquiring warships, only the first should be built overseas with the rest built in an Indonesian shipyard. Indonesia also needs to develop capacity in marine engineering, marine architecture, weapon and command, control, communications and intelligence design, production and maintenance, naval warfare and operational expertise. This can be done through training, technology transfer and personnel exchanges. To increase its readiness, the government should allow the Indonesian Navy to participate in joint exercise with major naval powers, but might need assistance to do so.

Security cooperation amongst Indonesia and neighbouring countries, and major powers is very important, since stability, security and safety of Indonesian and surrounding waters is paramount. Security cooperation should initially be aimed at increasing the transparency of security policies and plans among countries, thus creating confidence building measures. Maritime surveillance and intelligence sharing is an important area in which major powers and regional states can cooperate.

Indonesia also needs support as it improves its maritime security arrangements. As Indonesia revitalises the Sea and Coast Guard, it welcomes support to establish and operate a Coast Guard Academy and related training facility. Indonesia is still studying the most suitable structure and organisation for the Sea and Coast Guard. To be able to conduct its task, the coastguard will need more than 200 patrol ships, helicopters, and if possible, light aircraft for coastal surveillance. There are no acquisition plans in place to achieve these requirements, although the Indonesian Navy has pledged to transfer most of its smaller unsophisticated ships to the Sea and Coast Guard when it is in a position to accept them. Nonetheless, maintenance of ships and associated basing for ships, their crews and families has not been addressed.

Capacity Building Requirements for the Maritime Economy

The development of Indonesia's maritime industry and economy will enable it to meet its international obligation as one of the biggest countries in Asia. Maritime economic development will also help address the issues of economic marginality and poverty reduction, and enable it to meet its destiny as stated in its Constitution:

The state of Indonesia shall protect all the people of Indonesia and their entire native land, and in order to improve public welfare, to advance the intellectual life of the people.

The Indonesian merchant marine and marine industry sectors are believed to have greater leverage when growing Indonesia's maritime economy. Indonesia is aiming for a better and more fair share in international shipping, as the Indonesian merchant fleet currently only transports about 5 per cent of its foreign trade and slightly higher than 50 per cent of domestic trade. It is imperative that Indonesia, as the largest archipelagic country in the world, increase its merchant fleet numbers from the current 971 ships of over 1000 deadweight tonnage to at least double that number. Inter-islands transportation is still an adventurous experience marked by many fatal accidents at sea due to the lack of adequate numbers of ships, leading to overloading of passenger numbers which is considered normal, and because the ships are obsolete, poorly maintained, and in most cases not designed for ocean transport.

The new shipping law removed monopoly practices in Indonesian ports, reaffirmed the implementation of cabotage, ownership principles, and shipping mortgages so that financial institutions can finance for acquisition of new vessels. However, the implementation of this law requires support. One goal is that after a three year transition period, all domestic maritime transportation shall be carried by Indonesian-flagged vessels. In order to achieve this, assistance is needed in the areas of better financial support arrangements including low interest bank loans, tax holidays, and improvements in domestic shipyards to enhance their management capacity and increase efficiency. In this way, more ships can be built at economical prices and used to transport Indonesia's domestic and international seaborne trade.

Indonesia needs to improve its port and ship security to comply with the ISPS Code, and support could be provided by funding or conducting a study of how to improve the security of at least 25 strategic ports, as well as for Indonesian-flagged ocean going ships. Indonesia also needs equipment, better procedures and more extensive training of personnel both in shore facilities and for ship crews, to meet the standard for accreditation and compliance with the ISPS Code.

Indonesia also needs to complete installation of all necessary navigational aids, marks and buoys, and to remove abandoned offshore oil drilling facilities and shipwrecks in many important Indonesian waters, especially in the Malacca Strait, to improve the safety of navigation. China has confirmed that it will fund and manage the replacement of navigational aids that were damaged in the 2004 tsunami.

Under Article 43 of the *United Nations Convention on the Law of the Sea 1982*, cooperation is encouraged between user states and states bordering straits in establishing, maintaining or improving necessary navigational and safety aids for international navigation; and for the prevention, reduction and control of ship pollution. In this context, Japan has cooperated with the three littoral states to install navigational aids, conduct joint hydrographic surveys and other means to promote the safety of navigation in the Malacca and Singapore straits. Obviously, cooperation or assistance from other user states to prevent, reduce, and control ship pollution and to improve navigational aids in Indonesian waters is still needed. The international community must realise that these measures should be regarded as 'other improvement in aids of international navigation'. Although Article 43 deals with the promotion of safety of navigation and control of pollution in straits used for international navigation, hopefully it could also be applied for cooperation in the archipelagic sea lane passages should Indonesia request it.

One problem that might not be encountered by developed countries is the maintenance of navigation aids and protection of those buoys and marks from being stolen or dismantled. Many less educated fishermen find that parts of these instruments make their life easier, or some steal them out of curiosity. So, Indonesia also needs navigational aids monitoring system devices.

In addition, maintenance of dredged channels is also a big problem, especially for river ports all around the islands of Indonesia.

Cooperation in social and economic aspects of maritime security must also be considered. At the moment, Indonesia finds it very difficult to prevent illegal, unregistered and unregulated fishing in its waters. Indonesia also needs to develop its fishing vessel fleet and related industry, including fish processing factories and fishing vessel production. Indonesia requires about 22,000 fishing vessels that are able to operate in the Arafura and Natuna seas, in its EEZ and on the high seas. But Indonesia does not own ships even close to that number. Worse is that most of the modern ocean-going vessels are not made in Indonesia. Imagine the trickle down

and snowballing effect for the Indonesia economy if Indonesian shipyards could be mobilised to produce more modern fishing vessels. It is estimated that Indonesia loses about US\$18 billion per annum from illegal fishing and other illegal activity at sea, such as illegal exports and smuggling of timber logged illegally.

Indonesia also needs support to develop its coastal area marine development, such as aquaculture, brackish pond fishery or shrimp farm industry, marine tourism, and in certain areas, industrial parks. There are many fish and shrimp farms along the coast of Indonesia, especially in Sumatra, Java and Sulawesi, but they are very traditional in nature, lacking in technology and infrastructure, they are not efficient, and are often destructive to the environment.

As for deep seabed mining, exploration and exploitation including scientific research, neither Indonesia nor other developing regional countries, on their own, have the resources or the expertise to explore the undersea wealth. They also do not possess sufficient resources and the means to preserve the marine environment. Therefore, cooperation in education, research and development, grants and aid, and technology transfer in marine and maritime sciences is a good start, because activities related to these fields can and should provide the basis for broad based regional security cooperation in the Asia-Pacific region.

Capacity Building to Secure Indonesia's Marine Mega Biodiversity

To date, there are more than 40 Marine Protected Areas in Indonesia ranging from national parks to strict nature reserves, covering approximately 30,000km² or about 1.3 per cent of Indonesian waters. Many of these areas have been persistently under pressure by destructive fishing activities, heavy pollution and the construction of coastal developments. This leaves only a very small number of areas that have complete protection.

Although Indonesia has been known as a centre of marine biodiversity, people believe that there are many more undiscovered marine species. If that is the case, fishing, pollution and coastal development may cause their extinction before they can be identified. Therefore immediate action is needed to rescue Indonesia's marine ecosystems.

Marine tourism could be a potential focus for capacity building in the maritime industry. Looking at the very developed marine education that incorporates marketing in the United States, Japan and other major powers, it would be helpful for Indonesia if advanced countries cooperated in this area.

Indonesia also needs assistance to safeguard its Marine Protected Areas through training and infrastructure support. Indonesia wants to develop a turtle-based tourism network in Indonesia in conjunction with other countries. Perhaps Japan can conduct a long term comprehensive study of the Indonesian turtle population and their key

nesting beaches, and at the same time can develop management capacity of the locally managed turtle nesting sites and develop responsible tourism protocols, where Japanese tourists can have a first hand experience in turtle biology and other marine biodiversity. Indonesia would also welcome support in research and development of its marine mega biodiversity.

Conclusion

For Indonesia, the basic principle that must be observed in its national interests and associated policies is the maintenance of its territorial integrity and political independence, as well as the betterment of the wellbeing of its people. But, as stated in its constitution, Indonesia also has an obligation to the international community to contribute to the establishment of a world order based on freedom, abiding peace and social justice. Considering the geo-strategic importance of Indonesia for the global economy and Indonesia's obligation and commitment to contribute to the stability, safety and security of the Asia-Pacific region, it is important that other countries help Indonesia in its maritime capacity building.

Indonesian maritime capacity building must cover three main purposes:

- To improve its maritime forces to a level that can protect all the people of Indonesia and their territory, and can sustainably operate effectively in its waters to safeguard safety and security of the areas under its jurisdiction and surrounding waters as a contribution to the establishment of world order.
- To enhance its maritime economy in order to provide for and to improve public welfare, to advance the intellectual life of the people and to gain sufficient financial support for sustainable contribution in international relations.
- To safeguard its marine mega biodiversity for the purpose of ensuring a sustainable maritime economy and to contribute to the sustainability of the world ecosystem.

There are many possibilities for cooperation in those fields, but the most important is to start with a common understanding and perception that a stronger Indonesia poses no threat to its neighbours, instead it will make it possible for Indonesia to fulfil its obligation to the world community as one, among other, big countries in Asia.

Bibliography

Books and Papers

Akimoto, K, 'Re-routing Options and Consequences' in Forbes, A (ed) *The Strategic Importance of Seaborne Trade and Shipping*, Papers in Australian Maritime Affairs No. 10, Sea Power Centre - Australia, Canberra, 2003.

Arsyad, R, 'Cooperation to Safeguard Shipping Through the Malacca Strait', in Forbes, A (ed), *Asian Energy Security: Regional Cooperation in the Malacca Strait*, Papers in Australian Maritime Affairs No. 23, Sea Power Centre - Australia, Canberra, 2009.

Bateman, S, 'Sources of Conflict at Sea in the Context of the Western Pacific: The Deadly Triangle of Economic Growth, Marine Resources and Naval Arms', in Lee, SH and Paik, JH (eds), *Conflict and Order at Sea*, Institute of East & West Studies, Yonsei University, Seoul, 1998.

Bateman, S, 'Coast Guards: New Forces for Regional Order and Security', *Asia Pacific Issues: Analysis from the East-West Center No. 65*, East-West Center, Honolulu, January 2003.

Bateman, S, 'Regional Coast Guards - A Growing Contribution to Maritime Order and Security' paper delivered to the *Maritime Security Challenges in the Asia-Pacific Region in the Post 9/11 Era*, Maritime Forces Pacific, Victoria, British Columbia, Canada 5-7 May 2005.

Bateman, S, 'Regional and International Frameworks for Maritime Security Cooperation', <www.apan-info.net/maritime/ket_terrorism_view.asp> (29 November 2005).

Bateman, S, 'Regional Responses to Enhance Maritime Security in East Asia', in SLOC Study Group-Korea (ed), *Shipping and SLOC Security in East Asia*, Institute of East & West Studies, Yonsei University, Seoul, 2006.

Bateman, S and Bergin, A, 'Maritime Security' in *Australia and the South Pacific*, Australian Strategic Policy Institute, Special Report, March 2008, Iss. 12.

Bateman, S and Bergin, A, *Sea change - Advancing Australia's Ocean Interests*, Australian Strategic Policy Institute, Canberra, 2009.

Bhatnagar, A, 'Challenges - Optimum Resource Utilisation and Interservice Allocation - Naval Perspective', Paper presented to the *IDSAs Seminar on Defence Budget*, 20 November 2008.

Blair, C, *Hitler's U-Boat War Vol. 1 - The Hunters: 1938-1942*, Random House, New York, 1996.

Blair, C, *Hitler's U-Boat War Vol. 2 - The Hunted: 1942-1945*, Random House, New York, 1998.

Booth, K, *Navies and Foreign Policy*, Croom Helm, London, 1977.

Chew, F, 'Piracy, Maritime Terrorism and Regional Interests', *Geddes Papers 2005*, Australian Command and Staff College, Canberra, 2006.

Department of Defence, *Defending Australia in the Asia-Pacific Century: Force 2030*, Canberra, 2009.

Department of Immigration and Citizenship, *Fact Sheet 73 - People Smuggling*, Canberra, 20 May 2009.

Emmers, R, *Maritime Disputes in the South China Sea: Strategic and Diplomatic Status Quo*, Working Paper No. 87, Institute for Defence and Strategic Studies, Nanyang Technological University, Singapore, September 2005.

Environment Australia, *Australia's Oceans Policy*, Australian Government Printing Service, Canberra, 1998, Vol. 2.

Fayle, CE, *Seaborne Trade Vol III, The Period of Unrestricted Submarine Warfare*, History of the Great War, Imperial War Museum, London, 1924.

Feld, JA, *America and the Mediterranean World: 1776-1882*, Princeton University Press, Princeton, 1969.

Flynn, S, *America the Vulnerable - How our Government is Failing to Protect Us from Terrorism*, Harper Collins Publishers, New York, 2004.

Food and Agriculture Organization, *International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, Rome, 2001.

Forbes, A, 'The Western Pacific Naval Symposium', in Forbes, A and Lovi, M (eds), *Australian Maritime Issues 2006: SPC-A Annual*, Papers in Australian Maritime Affairs No. 19, Sea Power Centre - Australia, Canberra, 2007.

Forbes, A (ed), *Australian Maritime Issues 2007: SPC-A Annual*, Papers in Australian Maritime Affairs No. 21, Sea Power Centre - Australia, Canberra, 2008.

Forbes, A (ed), *Asian Energy Security: Regional Cooperation in the Malacca Strait*, Papers in Australian Maritime Affairs No. 23, Sea Power Centre - Australia, Canberra, 2008.

Forbes, A and Leavy, P, 'RAN International Engagement', in Gilbert, GP and Stewart, N (eds), *Australian Maritime Issues 2008: SPC-A Annual*, Papers in Australian Maritime Affairs No. 27, Sea Power Centre - Australia, Canberra, 2009.

Friedman, N, *Seapower as Strategy*, Naval Institute Press, Annapolis, 2001.

Friedman, TL, *The World is Flat - A Brief History of the Twenty-First Century*, Penguin, 2006.

- Independent World Commission on the Oceans, *The Ocean - Our Future*, Cambridge University Press, Cambridge, 1998.
- International Institute for Strategic Studies, *The Military Balance 2004-2005*, Oxford University Press, Oxford, 2004.
- International Institute for Strategic Studies, *The Military Balance 2008*, Oxford University Press, London, 2008.
- Guoxing, Ji, *Asian Pacific SLOC Security: The China Factor*, Working Paper No. 10, Sea Power Centre - Canberra, 2002.
- Kanwal, G, *China's New War Concepts for 21st Century Battlefields*, Issue Brief No. 48, Institute of Peace and Conflict Studies, New Delhi, July 2007.
- Kaye, S, *Freedom of Navigation in the Indo-Pacific Region*, Papers in Australian Maritime Affairs No. 22, Sea Power Centre - Australia, Canberra, 2008.
- Klare, MT, *Resource Wars: The New Landscape of Global Conflict*, Holt Paperbacks, New York, 2002.
- Lee, SH, 'Maritime Strategy of the Republic of Korea', in Schwarz, J, Herrmann, WA and Seller, HF (eds), *Maritime Strategies in Asia*, White Lotus Press, Bangkok, 2002.
- Lim, IFJ, 'Comprehensive Maritime Domain Awareness: An Idea Whose Time Has Come?', *Working Paper No. 141*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 16 October 2007.
- Ma, YJ, 'Legal Problems of Seabed Boundary Delimitation in the East China Sea', *Occasional Papers/Reprints Series in Contemporary Asian Studies*, Number 3 - 1984 (62), School of Law, University of Maryland, 1984.
- Mak, JN, 'Unilateralism and Regionalism: Working Together and Alone in the Malacca Straits', in Ong-Webb, GG (ed), *Piracy, Maritime Terrorism and Securing the Malacca Straits*, Institute of Southeast Asian Studies, Singapore, 2006.
- Mangindaanm, R, 'Indonesia's Perspective', in Parashar, S (ed), *Maritime Counter-Terrorism: A Pan-Asian Perspective*, Dorling Kindersley, Delhi, 2008.
- Mearsheimer, JJ, *The Tragedy of Great Power Politics*, Norton, New York, 2001.
- Ministry of Land, Transport and Maritime Affairs, *Statistical Yearbook*, Seoul, 2008.
- Moller, B, 'Military Aspects' in Kivimaki, T (ed), *War or Peace in the South China Sea?*, Nordic Institute of Asian Studies Press, Copenhagen, 2002.
- National Maritime Intelligence Center, *Conference Report - Horn of Africa Piracy Conference, 7-9 April 2009*, 14 May 2009.

Parillo, MM, *The Japanese Merchant Marine in World War II*, Naval Institute Press, Annapolis, 1993.

Pedersen, MB, 'The Future Takes Form - But Little Change in Sight', in Singh, D and Salazar, LC (eds), *Southeast Asian Affairs 2007*, Institute of Southeast Asian Studies, Singapore, 2007.

Pehrson, CJ, *String of Pearls: Meeting the Challenge of China's Rising Power Across the Asian Littoral*, Strategic Studies Institute, US Army War College, June 2006.

Perlo-Freeman, S, Perdomo, C, Skons, E, and Stalenheim, P, 'Military Expenditure', in *SIPRI Yearbook 2009*, Stockholm International Peace Research Institute, Stockholm, 2009.

Rahman, C, *The Global Maritime Partnership Initiative: Implications for the Royal Australian Navy*, Papers in Australian Maritime Affairs No. 24, Sea Power Centre - Australia, Canberra, 2008.

Raman, B, 'Somalian Piracy Update', Paper No. 3190, South Asia Analysis Group, at <www.southasiaanalysis.org/papers32/paper3190.html> (11 May 2009).

Rios, JJ, *Naval Mines in the 21st Century: Can NATO Navies meet the Challenge?*, Naval Postgraduate School Thesis, Monterey, June 2005.

Sazlan, I, 'Malaysia's Perspective', in Parashar, S (ed), *Maritime Counter-Terrorism: A Pan-Asian Perspective*, Dorling Kindersley, Delhi, 2008.

Sawhney, R, 'Modernising India's Navy', *SP's Military Year Book 2009*, SP Guide Publications, New Delhi, 2009.

Shekar, V, 'India Indonesia Relations: An Overview', *IPCS Special Report No 38*, March 2007.

Shinn, DH, 'Comparing Engagement with Africa by China and the United States - Remarks', *China in Africa Symposium*, Indiana University, March 2009.

Smith, H, 'The Use of Armed Forces in Law Enforcement' in MacKinnon, D and Sherwood, D (eds), *Policing Australia's Offshore Zones - Problems and Prospects*, Wollongong Papers on Maritime Policy No. 9, Centre for Maritime Policy, University of Wollongong, 1997.

Sondakh, BK, 'National Sovereignty and Security in the Straits of Malacca', Paper presented at the Maritime Institute of Malaysia (MIMA), Kuala Lumpur, Malaysia, 12 October 2004.

Tan, ATH, *Armed Rebellion in the ASEAN States: Persistence and Implications*, Canberra Papers on Strategy and Defence No. 135, Strategic and Defence Studies Centre, The Australian National University, Canberra, 2000.

Tan, ATH, *A Dictionary of Politics and Economics of Southeast Asia*, Europa/Taylor and Francis, London, 2004.

Tan, ATH (ed), *The Politics of Terrorism*, Routledge, London, 2006.

Tvedt, O, 'Drug Trafficking, Refugees, and Illegal Immigrants' in Mukherjee, PK, Meija, MQ, and Gauci, GM (eds), *Maritime Violence and other Security Issues at Sea*, Proceedings of the Symposium on Maritime Violence and other Security Issues at Sea, August 2002, World Maritime University, Malmo, Sweden.

UN Conference on Environment and Development, 'Chapter 17: Protection of the Oceans, All Kinds of Seas, Including Enclosed and Semi-enclosed Seas, and Coastal Areas and the Protection, Rational Use and Development of their Living Resources' in *Agenda 21*, Rio de Janeiro (3-14 June 1992).

US Energy Information Administration, *World oil transit chokepoints*, <www.eia.doe.gov/cabs/World_Oil_Transit_Chokepoints/Malacca.html>.

US Navy, US Marine Corps, US Coast Guard, *A Cooperative Strategy for 21st Century Seapower*, Washington DC, October 2007.

Valencia, M, *China and the South China Sea Disputes*, Adelphi Paper, No. 298, Oxford University Press, October 1995.

Winton, J, *Convoy - The Defence of Sea Trade 1890-1990*, Michael Joseph, London, 1983.

Work, RO and Tol, J, *A Cooperative Strategy for 21st Century Seapower: An Assessment*, Center for Strategic and Budgetary Assessments Backgrounder, 26 March 2008.

Wu, S and Nong, H, 'Energy Security of China & the Oil and Gas Exploitation in the South China Sea', in Nordquist, MH, Moore, JN, and Fu, FU (eds), *Recent Developments in the Law of the Sea and China*, Martinus Nijhoff Publishers, Leiden, 2006.

Young, AJ, 'Roots of Contemporary Maritime Piracy in Southeast Asia', in Johnson, D and Valencia, M (eds), *Piracy in Southeast Asia: Stratus, Issues and Responses*, Institute of Southeast Asian Studies, Singapore, 2005.

Articles

Bateman, S, 'Capacity Building for Maritime Security Cooperation: Concepts and Requirements', *Maritime Affairs* Vol. 1, No. 1, Winter 2005.

Bateman, S, 'The Great Australian Defence Debate: Is China a Threat', *RSIS Commentaries 40/2009*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 24 April 2009.

Behera, LK, 'The Indian Defence Budget 2007-08', *IDSA Updates*, March 2009.

Bitzinger, RS, 'A New Arms Race? The Political Economy of Maritime Military Modernization in the Asia-Pacific', *The Economics of Peace and Security Journal*, Vol. 4, No. 2, 2009.

Ghosh, PK, 'Fleet Reviews and Goodwill Visits as an Extension of Foreign Policy', Commentary *Strategic Analysis*, April 2001.

Goldstein, J and Murray, W, 'China Emerges as a Maritime Power', *Jane's Intelligence Review*, October 2004.

Ho, J, 'Combating Piracy and Armed Robbery in Asia: Boosting ReCAAP's Role', *RSIS Commentaries no. 69*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 23 June 2008.

Ho, J, 'Piracy in the Gulf of Aden: Lessons from the Malacca Strait', *RSIS Commentaries no. 9*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 22 January 2009.

Ho, J, 'Singapore's Gulf Anti-Piracy Operations: A Shift in Strategic Thinking', *RSIS Commentaries no. 20*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 24 February 2009.

Kaplan, R, 'Center Stage for the 21st Century - Rivalry in the Indian Ocean', *Foreign Affairs*, US Council on Foreign Relations, March/April 2009.

Kondapalli, S, 'China's Naval Equipment Acquisition', *Strategic Analysis*, Vol. 23, No. 9, IDSA, New Delhi, December 1999.

Kontorovich, AE, *Russian Geology and Geophysics*, Vol. 50, Iss. 4, April 2009.

Leifer, M, 'The Maritime Regime and Regional Security in East Asia', *The Pacific Review*, Vol. 4, No. 2, 1991.

Leifer, M, 'China's Economic Reform and Security Policy: The South China Sea Connection', *Survival*, Vol. 37, No. 2, Summer 1995.

Lee, LT, 'The South China Sea, China and Multilateral Dialogues', *Security Dialogues*, 30 (2), 1999.

Loy, J, and Stubbs, B, 'Exporting Coast Guard Expertise', US Naval Institute *Proceedings*, May 1997.

McVadon, E, 'China and the United States on the High Seas', *China Security*, Vol. 3, No. 4 Autumn 2007.

Pedrozo, P, 'Close Encounters at Sea: The USNS *Impeccable* Incident', *Naval War College Review*, Summer 2009.

- Raymond, CZ, 'The Threat of Maritime Terrorism in the Malacca Straits', *Terrorism Monitor*, Vol. 4, Iss. 3, 9 February 2006.
- Roach, JA, 'Enhancing Maritime Security in the Straits of Malacca and Singapore', *Journal of International Affairs*, Fall, 2005.
- Rosenberg, D, 'Dire Straits: Competing Security Priorities in the South China Sea', *Japan Focus*, <<http://japanfocus.org/article.asp?id=254>> (April 2005).
- Schofield, C and Storey, I, 'Energy Security and Southeast Asia: The Impact on Maritime Boundary and Territorial Disputes', *Harvard Asia Quarterly*, Vol. IX, No. 4, Fall 2005.
- Shambaugh, D, 'China engages Asia: Reshaping the Regional Order', *International Security*, Vol. 29, No. 3, Winter 2004/05.
- Storey, I, 'China's Malacca Dilemma', *China Brief*, Jamestown Foundation, 12 April 2006.
- Tangredi, SJ and Bowdish, RG, 'Core of Naval Operations: Strategic and Operational Concepts of the United States Navy', *The Submarine Review*, January 1999.
- Teo, YY, 'Target Malacca Straits: Maritime Terrorism in Southeast Asia', *Studies in Conflict and Terrorism*, Vol. 30, 2007.
- Yu, PK-H, 'The Chinese (Broken) U-shaped Line in the South China Sea: Points, Lines and Zones', *Contemporary Southeast Asia*, Vol. 25, No. 3, 2003.
- Yuan, L, 'Zhong mei junshi guanxi feng xiang he fang' [Where is the Sino-US Military Relationship Headed], *Heping yu Fazhan* [Peace and Development], Iss. 2, 2008.

Websites

- Association of Southeast Asian Nations, <www.aseansec.org>.
- ASEAN Security Community Plan of Action, <www.aseansec.org/16826.htm>.
- 'Container Security Initiative', US Department of Homeland Security, <www.dhs.gov/xprevprot/programs/gc_1165872287564.shtm>.
- 'C-TPAT: The Customs-Trade Partnership Against Terrorism', Customs and Border Protection, US Department of Homeland Security, <http://cbp.gov/xp/cgov/trade/cargo_security/ctpat/>.
- Council for Security Cooperation in the Asia Pacific, <www.cscap.org>.
- Declaration of ASEAN Concord II (Bali Concord II), <www.aseansec.org/15159.htm> (7 October 2003).
- IMB Piracy Reporting Center, <www.marisec.org/piracy/imb.htm>.

'International Port Security Program', United States Coast Guard, <<https://homeport.uscg.mil/mycg/portal/ep/browse.do?channelId=-18389>>.

'Japan's Counter-Terrorism Assistance', Ministry of Foreign Affairs, Tokyo <www.mofa.go.jp/policy/terrorism/assist0306.html>.

ReCAAP Information Sharing Centre, <www.recaap.org/index_home.html>.

RECOFI Objectives, <www.intfish.net/orgs/fisheries/recogi.htm> (28 April 2008).

Regional Fisheries of the World, <www.fao.org/fi/body/rfb/RECOFI/recofi_mapandmem.htm> (30 November 2005).

'South China Sea Oil and Natural Gas', <www.globalsecurity.org/military/world/war/spratly-oil.htm>.

SWIOFC, background, members, and goals, <www.fao.org/fishery/rfb/swiofc/en> (22 May 2009).

UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea <www.un.org/Depts/los/consultative_process/consultative_process.htm>.

United Nations Environment Programme, 'The Regional Seas Programmes', <www.unep.org/regionalseas/about/default.asp>.

Reports, Presentations and Media Releases

Office of the Secretary of Defense, *Annual Report to Congress, the Military Power of the People's Republic of China, 2009*, <www.defenselink.mil/pubs/pdfs/China_Military_Power_Report_2009.pdf> (26 March 2009).

'Australia and Indonesia Sign Agreement to Improve Security Cooperation', *The Jakarta Globe*, 13 January 2008.

'Australia Gives RP 28 Boats, \$4 million Grant', *Philippines Today*, 5 March 2009.

'Australia, Indonesia Organizing Joint Fishery Patrols', *Antara News*, 3 November 2007, <www.antara.co.id/en/print/?i=1194024650> (24 February 2008)

'Australia Joins Somalian Piracy Fight', *The Australian*, 29 May 2009, <www.theaustralian.news.com.au/story/0,25197,25555890-31477,00.html>.

'Australian Warship could be sent to Indian Ocean in Piracy Purge', *The Australian*, 12 January 2009.

Beecham, B, "'San Juan" and "Don Emilio"', *Asia Pacific Shipping*, Vol. 1 No. 4, January 2001.

- Bodeen, C, 'Southeast Asia military Delegates Tour China Base', *Seattle Post-Intelligencer*, 31 March 2009, <www.seattlepi.com/national/1104ap_as_china_southeast_asia.html> (1 April 2009)
- Boyd, A, 'South China Sea Pact Won't Calm Waters', *Asia Times*, <www.atimes.com/atimes/China/EG02Ad03.html> (2 July 2003).
- BP, *BP Statistical Review of World Energy*, London, June 2009.
- Chalk, P, *The Maritime Dimension of International Security: Terrorism, Piracy, and Challenges for the United States*, RAND Corporation, Santa Monica, 2008.
- Chan, J and Ho, J, *Report on Armed Robbery and Piracy in Southeast Asia: First Quarter 2008*, S Rajaratnam School of International Studies, Nanyang Technological University, Singapore, 2008, <www.rsis.edu.sg/research/PDF/Armed_Robbery_and_Piracy_in_SEA-1stQtr08.pdf>.
- Chang, R, 'Ma Plans Ocean Affairs Ministry', *Taipei Times*, <www.taipetimes.com/News/front/archives/2009/06/08/2003445655> (8 June 2009).
- Chellaney, B, 'Obstacles to Overcome in the Development of a Concert of Asia-Pacific Democracies', *Japan Times*, <<http://search.japantimes.co.jp/cgi-bin/eo20080220bc.html>> (20 February 2008).
- Chen, HY, 'Water Claims shouldn't Ignore UN', *Taipei Times*, <www.taipetimes.com/News/editorials/archives/2006/12/29/2003342528> (29 December 2006).
- Chen, R, 'Establishing a Marine Department', *Taipei Times*, <www.taipetimes.com/News/editorials/archives/2008/02/19/2003401957> (19 February 2008).
- Cui, X, 'Ma's move Paves way to Meet Hu', *China Daily*, <www.chinadaily.com.cn/china/2009-06/11/content_8270182.htm> (11 June 2009).
- 'Closer Bonds with Project SURPIC', *Cyberpioneer* (Ministry of Defence, Singapore), <www.mindef.gov.sg/imindef/publications/cyberpioneer/news/2005/may/27may05_news2.html> (27 May 2005).
- 'Coast Guard Divers bust Black-market Oil Traders in South', *Taipei Times*, <www.taipetimes.com/News/taiwan/archives/2007/04/16/2003356840> (16 April 2007).
- 'Coast Guard Units hold Exercises', *Taipei Times*, <www.taipetimes.com/News/front/archives/2007/05/28/2003362752> (28 May 2007).
- 'Cobra Gold Officially Comes to a Close', *Cobra Gold 2005*, <www.apan-info.net/cobragold/fullstory.asp?id=109> (13 May 2005).
- Cohen, C and Chen, YJ, 'If all goes well Direct Flights are just the Start. Next comes Cross-strait Oil Co-operation', *South China Morning Post*, 10 July 2008.

Crist, P, *Security in Maritime Transport: Risk factors and Economic Impact*, Maritime Transport Committee, Organisation for Economic Co-operation and Development, Paris, July 2003.

CSCAP, *CSCAP Memorandum No.5 - Cooperation for Law and Order at Sea*, <www.cscap.org>.

CSCAP, *CSCAP Memorandum No. 12 - Maritime Knowledge and Awareness: Basic Foundations of Maritime Security*, <www.cscap.org> (December 2007).

CSCAP, *Summary Report, Second Meeting of the CSCAP Study Group on Facilitating Maritime Cooperation in the Asia Pacific*, 2-3 April 2008, Seoul, Republic of Korea, <www.cscap.org>.

D'Cruz, N, 'Tsunami: Malaysia to Benefit From New Aussie Warning Centre', *Bernama*, <www.bernama.com/bernama/v5/newsindex.php?id=368474> (31 October 2008).

Department of the Environment, Water, Heritage and the Arts, 'Agreement to fight illegal fishing in South-east Asia', *Ocean Action Bulletin*, Canberra, 1 June 2007.

Enav, P, 'Taiwan demilitarizes picturesque offshore islet', *Associated Press*, <<http://abcnews.com/International/wireStory?id=5439259>> (24 July 2008).

'Evergreen Marine's Chairman Sees Container Market Continuing to Flourish', *SeaportsPress Review*, <www.seaportspr.com/viewir.cgi?newsletter_id=102&article_id=3378> (2 November 2007).

'France, US, UK draft Somalia Piracy Resolution', <www.reuters.com/articlePrint?articleId=usn2234394720080422> (22 April 2008).

Gates, R, 'A Shift in U.S. Strategy' (speech), *Defense News*, 8 June 2009.

Ghosh, PK, 'Let the Indian Ocean Unite the Rim', *The Financial Express*, 12 December 2000.

Gill, B and Kim, T, *China's Arms Acquisitions from Abroad: A Quest for 'Superb and Secret Weapons'*, SIPRI Research Report, No. 11, Oxford University Press, Oxford, 1995.

'Hizbollah Recruited Singaporeans', *Sunday Times* (Singapore), 9 June 2002.

'Indian Navy Frigate Sinks Somali Pirate Ship', <<http://sify.com/news/fullstory.php?id=14801616>>

'Indonesia Invites India to Join Maintaining Security in Malacca Strait', *People's Daily Online*, <<http://english.people.com.cn/90001/90777/90851/6607221.html>> (5 March 2009).

'Indonesia Navy Chief Calls for Establishment of Coast Guard', *Media Indonesia*, Jakarta (in Indonesian), in BBC Monitoring Asia Pacific, 4 February 2009.

'Indonesian Navy Plans Fleet Expansion', *ABC News online*, <www.abc.net.au/news/newsitems/200502/s1301509.htm> (12 February 2005).

'Indonesia: Tackling Radicalism' in Poso, *Asia Briefing No. 75*, International Crisis Group, <www.crisisgroup.org> (22 January 2008).

Information Office of the State Council of the People's Republic of China, *China's National Defense in 2008*, Beijing, <www.fas.org/programs/ssp/nukes/2008DefenseWhitePaper_Jan2009.pdf> (22 July 2009).

International Maritime Bureau, *Piracy and Armed Robbery against Ships-Annual Report 1 January to 31 December 1999*.

'Japan Gains Access to Singapore Bases', *Stratfor Analysis*, 3 May 2000.

'Japan: Pirates and Force Projection in the Straits of Malacca', *Stratfor*, 18 March 2005.

'Joint Air Patrols over Malacca Strait to Start Next Week: Indonesia', *AFP*, 8 September 2005.

'Joint Customs Patrols Resume with PNG', *Australian Maritime Digest*, No. 166, 1 March 2008.

'Keeping the Seas Safe', *Straits Times*, 22 January 2003.

Khalid, N, 'Asia's Suez: Whose Straits of Malacca?', *Opinion Asia*, <www.opinionasia.org/AsiasSuez> (21 July 2008).

Kiesow, I, *China's Quest for Energy: Impact Upon Foreign and Security Policy*, Report Number FOI-R-1371-SE, Swedish Defence Research Agency, Stockholm, November 2004.

Ko, SL, 'Ma would Consider Peace Talks in 2012', *Taipei Times*, <www.taipetimes.com/News/front/archives/2009/05/12/2003443382> (12 May 2009).

Ko, SL, 'No Referendum is Needed on ECFA Proposal: Ma', *Taipei Times*, <www.taipetimes.com/News/front/archives/2009/05/20/2003444073> (20 May 2009).

Ko, SL and Chang, R, 'Anger rises over Ma's statement on Chinese text', *Taipei Times*, <www.taipetimes.com/News/taiwan/archives/2009/06/11/2003445914> (11 June 2009).

'Larger Indian warship to fight pirates off Aden', <www.hindu.com/thehindu/holnus/001200811202331.htm>.

'Law on Territorial Waters, Adjacent Areas', OW2602150292 Beijing Xinhua Domestic Service in Chinese at FBIS-CHI-92-040, 28 February 1992.

Lohman, W, 'The Trap of China-ASEAN Military Cooperation', <www.heritage.org/research/asiaandthepacific/wm1451.cfm>.

'Major naval drill kicks off in Indian Ocean', *AFP*, 4 September 2007.

'Malacca Straits Anti-Piracy Patrols Start Next Week', *MIMA News Flash*, July 2004 <www.mima.gov.my/mima/htmls/mimarc/news/newsflash_files/news-cut/july04.htm> (19 August 2007).

'Malacca Straits Pirate-Free Last Year Due to Joint Patrols', *AFP*, 13 April 2008.

'Malaysia Won't Allow Japan Coast Guard to Patrol Malacca Straits', *Japan Today*, 18 March 2005.

'Maritime Agencies Plan Exchange Programmes with US Coast Guard', *New Straits Times*, 9 February 2009.

'Maritime Security New Frontier for Thailand', *The Nation*, 6 October 2008.

Marshall, A, 'Analysis - Somali Strategy Could Spur Asian Pirate Attacks', *Reuters*, 19 November 2008.

Minnick, M, 'Taiwan Candidate Would Seek Peace Pact With Beijing', *Defense News*, 21 January 2008.

Mo, YC, 'Pressure builds for Ma-Hu meet', *Taipei Times*, <www.taipetimes.com/News/front/archives/2009/06/12/2003445963> (12 June 2009).

Mullen, M, 'Remarks as delivered for the 17th International Seapower Symposium', Naval War College, Newport, RI, <www.navy.mil> (9 April 2007).

'Navy Launches Two New Vessels, Needs Another 128', *The Jakarta Globe*, 9 January 2009.

'Next Stop Mindanao', *Time*, 28 January 2002.

'No "Taiwan independence", No Military Conflicts: Communiqué', *Xinhua News Agency*, Beijing, <http://news.xinhuanet.com/english/2005-05/12/content_2951496.htm> (12 May 2005).

O'Neill, W, 'Safety and Security now Inextricably Linked', *IMO News*, No. 4, 2001.

Ong, GG, 'Pre-empting Maritime Terrorism in Southeast Asia', *ISEAS Viewpoints*, Institute of Southeast Asian Studies, Singapore, 29 November 2002.

Ong, GG, 'Charting a Course for Safer Seas', *Straits Times*, 25 June 2005.

Pandit, R, 'Navy Steams to Foreign Shores to Build Bridges, Project Power', *Times of India Online*, <<http://timesofindia.indiatimes.com/India/Navy-steams-to-foreign-shores-to-build-bridges-project-power/articleshow/4598351.cms>> (31 May 2009).

- Parry, RL, 'Analysis: So much more than a Naval Water Fight', *The Times*, <www.timesonline.co.uk/tol/news/world/asia/article5879033.ece#cid=OTCRSS&attr=797093> (13 May 2009).
- Payne, W, 'Crossfire War: Malacca Strait - Joint Air Patrols Instituted by Four Nations', *News Blaze*, <<http://newsblaze.com/story/20050916092021nnnn.nb/topstory.html>>.
- 'Philippine Coast Guard and Indian Coast Guard Joint Passing Exercise', <www.coastguard.gov.ph/content/?p=55>.
- 'Philippine Military seeks a Bigger 'War' Budget', *The Brunei Times*, <www.bt.com.bn/en/asia_news/2008/09/30/philippine_military_seeks_bigger_war_budget>.
- 'Piracy Attacks Drop in 2005 - International Maritime Bureau', <www.forbes.com/markets/feeds/afx/2006/01/31/afx2488462.html> (31 January 2006).
- 'Piracy Draws China Back to the Ranks of Maritime Giants', *AFP*, 25 December 2008.
- 'Piracy Figures up by 20% for First Quarter of 2008', <www.icc-ccs.org/main/news.php?newsid=109> (21 July 2008).
- 'Pirates on French Yacht Captured', <<http://english.aljazeera.net/News/aspx/print.htm>> (22 April 2008).
- Prakash, 'Indian Navy to be Balanced in Ten Years', *India Defence*, 7 August 2006.
- Power, J, 'The So-called Rise of China', *International Herald Tribune*, 8 April 2005.
- Prina, LE, 'Singapore: An Important in US Navy Forward Presence', Navy League of the United States, <www.navyleague.org/seapower/singapore.htm>.
- 'Q&A: Somali Piracy', *BBC News*, <<http://news.bbc.co.uk/2/hi/africa/7734985.stm>> (13 January 2009).
- Rabasa, A, 'Case Study: The Sulawesi-Mindanao Arc', in Rabasa, A, Peters, JE, Moroney, J, Chalk, P, Karasik, T, Cragin, K, O'Brien, KA, and Boraz, S, *Ungoverned Territories: Understanding and Reducing Terrorism Risks*, RAND Corporation, Santa Monica, 2007.
- Raghuvanshi, V, 'India and Maldives move Towards a Privileged Partnership', <www.defensenews.com/story.php?F=1717348&C=asiapac> (24 April 2006).
- 'RI, Australia Strengthen Defense Cooperation', *Antara News*, <www.antara.co.id/en/print/?i=1217252194> (accessed 29 July 2008).
- 'RI Rejects US Anti-Piracy Proposal', *Jakarta Post*, 17 December 2008
- Richardson, M, 'Beijing has much to do to Clarify its Boundary Claims', *The Straits Times* (Singapore), <www.iseas.edu.sg/viewpoint/mr18may09.pdf> (18 May 2009).
- 'RP won't Block Oil Searches in Spratlys', *Today*, 23 August 2004.

'Satellite-based Ship Tracking System Soon', *Channel News Asia*, 22 January 2003.

Shih, HC, Hsu, SH and Chuang, J, 'President Visits Disputed Islands', *Taipei Times*, <www.taipeitimes.com/News/front/archives/2008/02/03/2003400014> (3 February 2008).

'Singapore and US Team Up on Terror, Health Threats', *Straits Times*, 22 October 2003.

'Singapore Begins Screening US-Bound Containers', *Straits Times*, 17 March 2003.

'Singapore First to Take Part in US Port Security Plan', *Business Times*, 1 June 2004.

'Singapore Issues 24-hour Security Rule for Ships', *Business Times*, 25 June 2004.

'Singapore Steps up Port Security, Restricts Vessel Movements by Night', *Channel News Asia*, 20 March 2003.

Solomon, J and J Dean, 'Heroin Busts Point to Source of Funds for North Koreans', *The Wall Street Journal*, <<http://online.wsj.com/article/0,,SB105106006946882000,00.html>> (23 April 2003).

Special Navy News Service for Thursday 8 January 2009, 'New Counter-Piracy Task Force Established', <www.navy.mil/search/display.asp?story_id=41687> (8 January 2009).

Stewart, C, 'Menace of the Growing Red Fleet', *The Australian*, 23 August 2008.

Suryanarayana, PS, 'India's Offer on Maritime Security', *The Hindu*, 3 August 2007.

Taiwan Ministry of National Defense, briefing for members of the Trilateral Dialogue Conference, PowerPoint presentation, 26 August 2002.

'Taiwan Ships form World's 11th Largest Merchant Fleet in 2006: UNCTAD', *Taiwan Central News Agency*, 16 December 2007.

The Batam Joint Statement of the 4th Tripartite Ministerial Meeting of the Littoral States on the Straits of Malacca and Singapore, Media Resource Center, Ministry of Foreign Affairs, Singapore, <http://app.mfa.gov.sg/2006/press/view_press.asp?post_id=1406> (2 August 2005).

'3-Nation Patrols of Strait Launched', *Straits Times*, 21 July 2004.

'Three Nations Sign Pact for Joint Spratlys Survey', *Straits Times*, 15 March 2005.

'21 Pacific Navies begin Anti-sea Mine Exercise in South China Sea' *The China Post*, 7 June 2006.

'Turning "sea of disputes" into "sea of cooperation"', *People's Daily*, 16 March 2005.

US Department of Defense, DoD News Briefing with Secretary Gates from the Pentagon, <www.defenselink.mil/transcripts/transcripts.aspx?transcriptid=4396> (6 April 2009).

'US Brands Indonesian Group Terrorist', <<http://edition.cnn.com/2002/WORLD/asiapcf/southeast/10/23/indonesia.terror/>> (23 October 2003).

'US Lauds Taiwan for Confiscating Perilous Chemicals', *Taipei Times*, <www.taipeitimes.com/News/taiwan/archives/2003/08/14/2003063677> (14 August 2003).

'US Plan to Secure Key Shipping Lane Upsets SE Asia', <www.cnsnews.com/ForeignBureaus/Archive/200404/FOR20040406a.html> (6 April 2004).

'Why is Bush Dismantling the Tsunami Core Group?', *Times of India*, <<http://timesofindia.indiatimes.com/articleshow/981792.cms>> (5 January 2005).

Wolf, C, Chow, BG, and Jones, GS, *Enhancement by Enlargement: The Proliferation Security Initiative*, RAND Corporation, Santa Monica, 2008.

Unpublished Documents

Ghosh, PK, 'Maritime Security Environment in SE Asia and the Indian Ocean Region', Paper presented at the 10th CSCAP Maritime Cooperation Working Group Meeting, Kuala Lumpur, May 2001.

Weir, GE, 'Interview with Commodore James R. Stapleton, RAN', 14 December 2004.

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