REGIONAL AND INTERNATIONAL FRAMEWORKS
FOR MARITIME SECURITY COOPERATION

By

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Introduction
The first two books of meeting proceedings from the Maritime Cooperation Working Group established by the Council for Security Cooperation in the Asia Pacific (CSCAP) had the titles, *Calming the Waters: Initiatives for Asia Pacific Maritime Cooperation*¹ and *The Seas Unite: Maritime Cooperation in the Asia Pacific Region*². These titles reflected an optimistic view that maritime cooperation in the region would ease tensions at sea. Unfortunately this has not been the case. While regional maritime cooperation has increased, particularly with fisheries, safety and marine environmental management, unfortunately the maritime security situation seems more dangerous now that it was in the early 1990s. The current surge in naval spending³ has more serious overtones than the increased naval expenditure of the early and mid-1990s prior to the economic downturn of the late 1990s. The “first round” of naval expansion appeared part of an understandable, non-threatening process of modernisation⁴. This does not seem the case with the “second round” of naval expansion that appears more based on assessments of threats posed by other regional countries. It has more of the characteristics of a naval arms race, particularly in East Asia⁵.

¹ Sam Bateman and Stephen Bates (eds), *Calming the Waters: Initiatives for Asia Pacific Maritime Cooperation*, Canberra Papers on Strategy and Defence No 114, Strategic and Defence Studies, Centre, Australian National University, Autumn 1996.
² Sam Bateman and Stephen Bates (eds), *The Seas Unite: Maritime Cooperation in the Asia Pacific Region*, Canberra Papers on Strategy and Defence No 118, Strategic and Defence Studies Centre, Australian National University, Spring 1996.
Despite the economic downturn of the late 1990s, the Asia Pacific is back on course to be the most dynamic region of the world over the next few decades. However, East Asia in particular faces an unprecedented period of strategic competition that has dangerous overtones for the security of the entire region probably spilling over into the Indian Ocean. Great power rivalries in the region may continue to grow and complicate maritime security cooperation. Much depends upon the nature of the relationships between the region’s major powers – China, Japan, India, Russia and the U.S.

The focus of strategic rivalry is China with apparent attempts by other regional powers to contain the strategic rise of China. These moves are most evident in the maritime domain. They are apparent in attempts to create a trilateral naval coalition in Northeast Asia, involving Japan, South Korea and the U.S.\(^6\), and in the U.S. proposal for a multilateral security relationship between the U.S. and its main Pacific allies: Australia, South Korea and Japan\(^7\). They are also suggested by Japan’s proposal for anti-piracy patrols in the South China Sea and involvement in the expanded multilateral exercises COBRA Gold conducted in Southeast Asia\(^8\), as well as by the annual Cooperation Afloat Readiness and Training (CARAT) exercises between the USN and Southeast Asian navies\(^9\). Similarly, Indian naval activities, such as naval ship visits and exercises East of Singapore, suggest the maritime containment of China.

However, these activities are a little like King Canute trying to hold back the rising tide. There is some inevitability about the rise of China’s strategic power and influence. The U.S., and particularly the U.S. in close alliance with Japan, cannot assume that East Asian countries (other than Japan itself) will support attempts to contain China. These countries are well aware of geo-strategic realities and may at least “sit on the fence” if not move into the Chinese “camp”. ASEAN nations, particularly Burma, Malaysia and Thailand, have a pragmatic view of China and are unlikely to be part of a containment process. With the prospects of closer economic and trade links between ASEAN and China, there are indications of acceptance, at least in Southeast Asia, of China as the dominant Asian power. From a Chinese perspective, efforts to contain China are threatening and justify increased military expenditure, particularly naval.

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\(^6\)\(^ As\ promoted\ in recent years by workshops jointly sponsored by the Center for Naval Analyses (US), the Korea Institute for Defense Analyses and the Okazaki Institute (Japan).
Regional Naval Developments

Most current trends with strategic initiatives and the development of naval capabilities are in the wrong direction in terms of impact on the future stability of the region. Dangerous waters could lie ahead. Expenditure on regional maritime forces (ships, submarine and aircraft) stands to increase generally in line with regional rates of economic growth with the consequence that, if current trends continue, some regional navies might become the most powerful in the world after the USN. These navies will be highly involved in capabilities such as information warfare and naval missile defence.

Developments with regional navies are marked by two clear trends. The first is that most regional navies are concentrating strongly on war-fighting capabilities and the exploitation of modern naval technology. They are not being diverted into less demanding constabulary and peacekeeping roles. The second is that separate coast guards are being developed to meet exclusive economic zone (EEZ) surveillance and offshore sovereignty protection tasks that might otherwise have justified naval expansion. Regional nations that have coast guards are building them up, and those that did not previously have coast guards are now establishing them. With the expansion of both regional navies and coast guards, it is a “boom” time for maritime security forces. Both types of force stand to grow in the future in Asian regions.

As a result of major developments in technology, particularly with the collection and processing of information, fundamental changes are occurring in the ways that advanced defence forces operate in peacetime and will fight in any future war. However, these developments at present only affect high technology navies that can afford the relevant capabilities. They widen the difference between “high tech” and “low tech” navies and potentially inhibit maritime security cooperation. At present the navies that can exploit technology to the full are mainly in Northeast Asia, except for Singapore and to a lesser extent, India and Malaysia. China currently lacks but aspires to having “revolution in military affairs” (RMA) type capabilities. Wide-area space-

based, airborne, ground and sea-based sensors and a networking of their outputs can make the air, surface and sub-surface environments far more transparent. When linked together with ships, submarines and aircraft, we have the capability for Network Centric Warfare (NCW).

Developments with separate coast guards are very evident in South and East Asia. These reflect recognition of the significance of increased maritime jurisdiction and the potential political sensitivity of law enforcement at sea. Some new coast guards are fairly recent (e.g. Bangladesh, the Philippines and Vietnam). The Japan Coast Guard, formerly the Japanese Maritime Safety Agency (JMSA), and the Indian Coast Guard are prime examples of para-military marine constabulary forces adopted by countries with extensive maritime interests and a reluctance to use conventional military forces in routine maritime enforcement. During 2000 and 2001, Japan has been actively exploring the scope for Japan Coast Guard vessels and aircraft to participate in anti-piracy activities in Southeast Asian waters\(^\text{14}\). Following the success of the Indian Coast Guard in retaking the pirated Japanese vessel *Alondra Rainbow* in November 1999\(^\text{15}\), India has also been promoting joint action on Asian piracy\(^\text{16}\). Thus coast guards are emerging as significant national institutions in the Asia Pacific with the potential to make a major contribution to both oceans governance and regional security cooperation. They are an important new element to consider in maritime security cooperation.

**Frameworks for Maritime Security Cooperation**

*Maritime security cooperation* refers in this paper to any cooperation between regional countries at sea or associated with the sea, conducted by military or non-military institutions, with the objective of improving regional security. The process is underdeveloped at present in the Asia Pacific with the exception of the South Pacific where the strong common interests of island countries have provided a firm foundation for cooperative endeavours. Different levels of maritime security cooperation can be identified that take account of varying political levels, or intensity, of strategic commitment, shared policy objectives and cooperation, and different threat assessments. This paper recognises four levels of cooperation: *alliances, coalitions, non-*


\(^{15}\) In October 1999 the cargo ship *Alondra Rainbow* was taken by pirates after leaving an Indonesian port for Japan. On 16 November 1999 the Indian Coast Guard intercepted the vessel under another name off Goa and was successful in boarding the ship and arresting the pirates. IMO, “Piracy and armed robbery at sea”, *Focus on IMO*, January 2000, pp.1 and 7.

\(^{16}\) “India calls for joint action on Asian sea piracy”, *The Times of India* online, 16 February 2001, http://www.timesofindia.com
coalition naval cooperation and maritime cooperation. These different levels of cooperation are not mutually exclusive and some types of activity might overlap different levels.

The first two levels, alliances and coalitions, constitute a higher tier of maritime security cooperation where some degree of political commitment must be present. Coalitions are more limited in scope than formal alliances and imply a lower level of political commitment. Naval operations by an alliance might encompass the entire span of maritime operations from peacetime exercises and training through to the highest level of naval war-fighting in a multi-threat environment. Comprehensive standard operating procedures and doctrine will be agreed between the participating forces. NATO is the prime example of an alliance and the doctrine and procedures developed under the auspices of NATO underpin most multinational naval operations and exercises. The bilateral alliance relationships between the U.S. and Japan, South Korea and Australia are regional examples of alliances that are the basis of regular combined naval exercises and doctrine development.

Coalitions may be of a formal, established nature covered by treaty arrangements (e.g. the Five Power Defence Arrangements or FPDA, and U.S. commitments to the external security of Thailand and the Philippines), or less formal with a lower level of political commitment. Naval operations conducted by a coalition may be ad hoc, such as the UN INTERFET operation in East Timor and those now being conducted as part of the war on terrorism. For such operations, ships may not have to be integrated into the same force where high levels of interoperability are required but rather a niche approach might be possible with different navies or groups of navies providing particular capabilities. For example, “low tech” or more politically constrained navies might perform logistic support, patrolling and blockading tasks while war-fighting capabilities against high level threats are provided by “high tech” coalition partners.

Naval peacekeeping operations are a particular example of coalition operation. Traditional peacekeeping is carried out under the authority of Chapter 6 of the UN Charter (Pacific Settlement of Disputes) and is conducted with the agreement of the opposing forces. The types of maritime task may include the supervision of a marine or riverine demarcation line, the monitoring of a cease-fire afloat and the patrol of a buffer zone at sea. Peace enforcement operations are those conducted in accordance with a UN Security Council resolution under Chapter 7 of the UN Charter (Action with respect to Threats to the Peace, Breaches of the

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17 This part of the paper draws on a recent monograph: Chris Rahman, Naval Cooperation and Coalition Building in Southeast Asia and the Southwest Pacific: Status and Prospects, Working Paper No.7, Royal
Peace, and Acts of Aggression). These are operations carried out to restore peace between belligerent parties who may not have consented to intervention and may be engaged in combat. They require capable, “high tech” naval forces well experienced in the technologies of modern maritime warfare. The types of naval operation involved might include air defence and the maintenance of no fly zones; the opposed evacuation of nationals and casualties; the enforcement of sanctions and a blockade; and amphibious support for ground operations. The problems associated with peacekeeping can be complex, particularly when the navies involved have little or no experience of working together previously.

“First track” regional arrangements provide possible frameworks for maritime security cooperation. These include Asia Pacific Economic Cooperation (APEC), the Association of South East Asian Nations (ASEAN) and the ASEAN Regional Forum (ARF). In the Indian Ocean region we have Indian Ocean Marine Affairs Cooperation (IOMAC), the Indian Ocean Rim-Association for Regional Cooperation (IOR-ARC) and the South Asian Association for Regional Cooperation (SAARC). However, all face a range of political problems and limitations in their ability to address maritime security cooperation, particularly those in the Indian Ocean. In the Pacific, various working groups established under the auspices of APEC are addressing problems of the marine environment, maritime safety and fishing and the ARF has sponsored several meetings of maritime experts to consider maritime security issues, particularly small “s” security problems, including piracy. The ARF (and CSCAP at a “second track” level) are important forums for the engagement of China on regional security issues. China uses its participation in these forums as a CBM while still being hesitant to implement many of the measures discussed except for low-key naval ship visits and the like.

The lower tier of maritime security cooperation, non-coalition naval cooperation and maritime cooperation, encompasses cooperative activities between countries which do not necessarily

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share any specific common political or strategic objective other than a common interest in for example, confidence-building, preventive diplomacy or law and order at sea. Cooperation will be focused on non-controversial issues, including basic interoperability requirements to facilitate cooperation on activities such as search and rescue and humanitarian relief. *Maritime cooperation* encompasses any cooperative activity associated with an interest in the sea, the protection of the marine environment or a use of the sea or its resources. The objectives of maritime cooperation are twofold:

- firstly, to provide a “building block” for regional stability by easing tensions and reducing the risks of conflict at sea; and
- secondly, to help promote a *stable maritime regime*\(^\text{22}\) in the region with the free movement of seaborne trade and nations able to pursue their maritime interests and exploit their marine resources in accordance with agreed principles of international law.

*Naval cooperation* is a subset of the broader concept of *maritime cooperation*. It has wide scope and may be bilateral or multilateral. At the lower end are low-key, confidence-building activities (e.g. ship visits, fleet reviews, personnel exchanges, navy-to-navy talks, and multilateral naval conferences). More ambitious activities might include information/intelligence exchanges, joint doctrine development, standard operating procedures (SOPs), combined exercises, avoidance of incident at sea (INCSEA) agreements, and cooperation on tasks such as marine scientific research and anti-piracy. The top end of *naval cooperation* might include cooperative maritime surveillance, standing regional naval forces, cooperative sea lines of communication (SLOC) protection, and mine-countermeasures.

The multilateral Western Pacific Naval Symposium (WPNS) is a leading example of *non-coalition naval cooperation*\(^\text{23}\). However, a host of other activities, both bilateral and multilateral also fit within this category (e.g. passage exercises when ships of one nation visit another or an international fleet review is held such as the one hosted by India in February 2001\(^\text{24}\)). The main thrust of the WPNS has been the harmonisation of existing procedures rather than multilateral naval operations although a major recent achievement has been the inaugural Western Pacific Mine Countermeasure Exercise and First Western Pacific Diving Exercise held in and around

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\(^\text{23}\) WPNS member countries are: Australia, Brunei, Cambodia, China, Indonesia, Japan, Malaysia, New Zealand, Papua New Guinea, Philippines, South Korea, Russia, Singapore, Thailand, Tonga, United States and Vietnam; and observer countries are: Canada, France, India and Chile.

\(^\text{24}\) “India all set for naval extravaganza”, *The Times of India* online, 15 February 2001, http://www.timesof

Seaborne trade, the protection of shipping and the security of SLOCs stand out as common interests of countries in Southeast and Southwest Asia that might provide a bridge between the two regions and lead to maritime security cooperation becoming more of a reality. International maritime commerce is the classical multilateral maritime security interest. Its protection always involves at least two countries (i.e. the exporter and the importer), and perhaps a third (i.e. the Flag State of the ship carrying the cargo). Historically, as we have seen with convoy operations in two world wars, the development of NATO maritime doctrine, and arrangements for the naval control of shipping (NCS), it has provided the fundamental rationale for multinational security cooperation. It also provides the most basic demonstration of how a nation's maritime security interests extend beyond its own waters (e.g. the interest of Japan in the security of SLOCs in Southeast Asian waters). As the security of SLOCs is such an important common interest of regional nations, it could be an important basis for maritime security cooperation.

The Pacific and Indian Oceans Shipping Working Group (PACIOSWG) is an existing arrangement to promote common doctrine and procedures for the naval control of shipping (NCS) in the Pacific and Indian Oceans. The core membership of PACIOSWG comprises Australia, Canada, U.K. and the U.S. Chile and South Korea joined in 1989, initially as observers, and France is an occasional participant. There may be potential to extend the membership of PACIOSWG.

“Second track” forums have utility for establishing maritime security frameworks, particularly by spreading awareness of problems and potentially identifying solutions that may be too sensitive or embryonic for consideration at a “first track” level. Notable “second track” maritime security...
forums include the CSCAP Maritime Cooperation Working Group, the biennial international SLOC conferences, and the annual Workshops for Resolving Potential Conflict in the South China Sea. The main contributions of the CSCAP Working Group have been the development of CSCAP memoranda on Guidelines for Regional Maritime Cooperation28 and Cooperation for Law and Order at Sea in the Asia Pacific29. The Working Group is now working on a prospective memorandum on the Law of the Sea in the Asia Pacific.

The SLOC conferences date back to the 1980s and have the objective of fostering the common interest in the security of SLOCs.30 Recent conferences have been held in Taipei, Tokyo and Seoul with the last in Canberra in April 2001. Unfortunately despite attempts to secure participation in these conferences from China, so far these have not been successful. However, as there is no formal membership procedures for participation in the SLOC process, it is unlikely that the non-participation by China is due to the involvement of Taiwan in the process.

Limitations on Maritime Security Cooperation

It is not hard to find problems with strengthening maritime security cooperation. Some countries may have suspicions concerning the capabilities and intentions of their neighbours. There are no obvious naval “partners” in Southeast and Southwest Asia. Problems exist with common doctrine, language and interoperability of equipment. Regional navies acquire their ships, submarines and aircraft from a wide range of sources. The problems involved become even more acute as the technological levels of navies increase. Navies are at different stages of technological development. Technical deficiencies in some navies may significantly inhibit cooperation with less advanced navies being reluctant to engage in operational cooperation for fear that their deficiencies will be too apparent. The level and use of combat data systems are particular areas where differences will appear. Language may be a problem. Clearly it is important to ensure that all participants in a cooperative activity have a common understanding of what they were talking about. Or not talking about!

Another problem is that cooperative activities may be used to gain intelligence on the capabilities of another country. It is well known that even innocuous naval port visits provide an opportunity to gather intelligence both by the host nation collecting information about visiting

29 This memorandum was published in February 2001 as CSCAP Memorandum No.5.
ships and by visiting ships about the host nation. This might include signals intelligence gained by listening in on the host nation’s naval communications while a foreign warship is in port. Normally it is standard practice for a host nation to close down sensitive transmissions while a “potential intelligence collector” (PIC) is in port. Expert intelligence collectors can obtain much vital information on another navy, particularly data on weapons, sensors and communications systems (including the possible identification of highly sensitive frequencies to support prospective electronic warfare), during operations with ships and aircraft of another country.

In view of the increasing number of submarines in the region\textsuperscript{31}, the safety of submerged submarine operations is of particular concern. The regional ASW capability is also increasing with the consequent probability that “intruder” submarines may be detected. This may create a potentially serious situation if there is tension between the countries that could be involved or if the detection is made in a sensitive area. It may be necessary to consider the establishment of a regional submarine Movement Advisory Authority (or water space management regime\textsuperscript{32}) along the lines of the procedures currently followed by NATO and other Western navies but this will be difficult in view of the essentially sensitive nature of submarine operations. The concern for submarine safety in the region was demonstrated by the four-nation combined submarine rescue exercise held in the South China Sea in October 2000\textsuperscript{33}.

Prospective limitations on maritime security cooperation in Southeast and Southwest Asia are evident both at a political level and a technological one. Navies may be uncomfortable about discussing operational and doctrinal issues and prefer to keep dialogue, at least initially, to the small “s” side of the security spectrum and the lowest tier of maritime security cooperation. A cautious approach to maritime security cooperation is indicated. Cooperation between coast guards may be particularly beneficial in overcoming some of the political sensitivities with navies.

There is a presumption in this paper and in fact in the theme of this conference that maritime security cooperation is beneficial. But this may not always be so. Rather than being a “building block” for regional security, the pursuit of cooperation could also be a “stumbling block” that heightens insecurity and increases regional tensions. This could occur, for example, through increased awareness of strengths and weaknesses leading to a naval arms race or by the

\textsuperscript{33} Participating countries in this exercise, “Pacific Reach 2000”, were South Korea, Japan, Singapore and the U.S. “Korean Navy to Join Submarine Rescue Drill in Pacific”, \textit{The Korea Times National} online, 5 September
creation of alliances or coalitions among some countries and apparently aimed at others. For example, China has high sensitivity, if not hostility, towards potential Korean-U.S.-Japanese security cooperation. The search for cooperation can also have the undesirable effect of emphasising differences in security perceptions and capabilities. This is not to say that cooperation should not be pursued but rather to highlight the need for caution.

In terms of the frameworks for maritime security cooperation suggested in this paper, the pursuit of the higher tier of alliances and coalitions risks sending the wrong messages through implications of exclusiveness. The basis of exclusiveness might be political or technological. For this reason, the WPNS and other forms of non-coalition naval cooperation offer ongoing potential as inclusive activities that can overcome problems and sensitivities before proceeding too far with maritime security cooperation. Similarly, maritime cooperation (including cooperation between regional coast guards) should be encouraged recognising that this will largely be facilitated through non-security frameworks such as APEC and IOR-ARC. “Second track” arrangements, such as CSCAP, are particularly useful and might even be extended to forums for the management of regional oceans and seas.

Conclusions
The risks are high of sustained confrontation between major regional powers. In these circumstances, East Asian countries have ample justification to expand their military forces, particularly their naval capabilities, and a naval arms race is increasingly evident in the region. The current trends will only be reversed through a sustained process of confidence and trust building facilitated by the development of strong regional multilateral structures and frameworks. However, this requires a change in the political mindset to that evident in the region at present. Where possible, the focus of new initiatives should be on inclusive multilateral maritime security frameworks rather than exclusive ones. Virtually by definition, this suggests an emphasis on non-coalition naval cooperation and maritime cooperation rather than on alliances and coalitions (except for ad hoc coalitions for peacekeeping purposes). There is a particular need to pursue cooperative relations with China and to make clear that strategies of containment and exclusion have no place in policies towards China.