

DOWNLOAD PDF MARITIME ACTIVITIES: THE CONFIDENCE AND COOPERATION IN SOUTH ASIAN WATERS PROJECT

Chapter 1 : A Code of Conduct for Maritime Security - The Asia Foundation

December Confidence and Cooperation in South Asian Waters: An Outline History Description. Confidence and Cooperation in South Asian Waters is a regionally initiated project that currently focuses on maritime issues affecting India and Pakistan.

Background and Objectives Countries have different interpretations of the provisions of the United Nations Convention on the Law of the Sea concerning the use of ships and aircraft to conduct surveys of resources, hydrographic measurements, military exercises, and data collection in the exclusive economic zone EEZs of other countries. Such differences have created discord between coastal and user States, not only hindering the freedom of navigation but also leading to the destabilization of the maritime security environment. The OPRF, recognizing the need for a common international understanding of the articles prescribing the conduct of ships and aircraft in the EEZs of other countries sponsored four international conferences [2] between fiscal and to draft the Guidelines for Navigation and Overflight in the Exclusive Economic Zone. The Guidelines, representing the collective views of the participants, were subsequently presented to relevant organizations and research institutes both in Japan and around the world. While the Guidelines were introduced in a number of foreign journals and attracted considerable attention, they did not lead to an internationally recognized arrangement. Despite the obvious need for an agreement like the Guidelines, as demonstrated by the EP-3 collision, conceivably there were aspects of the document that were unacceptable to some countries. Another thought was that the international situation had undergone great changes since the Guidelines were drafted: In , a year before the Impeccable incident, the Chinese Navy regularly began conducting activities in the western Pacific. Thus there had been an undeniable shift in the balance of military power in East Asia and the western Pacific since the issuance of the Guidelines in Another major change in the security environment was the intensification of disputes in the East and South China Sea involving the dominion of islands and establishment of maritime boundaries. There was a need to address such changes before the Guidelines would be embraced by the international community. In response, the OPRF implemented a research project over fiscal and to review and revise the Guidelines to better reflect the changing circumstances. The United States, Britain, and other traditional maritime states, meanwhile, believe that the seas beyond territorial watersâ€”including the EEZâ€”are free, in principle, and that military activities are allowed. Around â€”05, when the Guidelines were being drawn up, the biggest threats in the maritime domain were pirates around the Strait of Malacca and the islands of Indonesia and terrorism in the seas of the Middle East. The biggest destabilizing factors todayâ€”namely, disputes in the South China Sea and around the Senkaku Islands, as well as Chinese advances into the western Pacificâ€”had not yet become prominent. For this reason, most of the Southeast Asian participants in the Guidelines discussions took the position of coastal statesâ€”that military and data collection activities by other states in the EEZ should not be recognized. The participant from China took a similar stance. As a result, the Guidelines admittedly failed to give enough attention to purely military considerations. A decade ago, a key topic at international conferences on maritime issues was the clarification of the legal status of the EEZ. For this reason, deliberations on the Guidelines were marked by lively debate on how the vaguely worded UNCLOS provisions on the rights and duties of coastal and user States should be interpreted. Today, however, international conferences gloss over the ambiguities in UNCLOS and give, in what is regarded as a more realistic approach, greater attention to establishing international regimes for resource and environmental protection in the EEZ and to stabilizing the security environment through confidence-building measures and enhanced military transparency. Consequently, it may have resulted in conduct in the EEZ being prescribed too narrowly. In the light of the transformed security environment since the Guidelines were formulated, participants for the workshops in fiscal and to update the document were selected with a view to providing new perspectives on approaches to stabilizing the highly fluid security environment. Project Overview and Results During the first year of the project, an international drafting

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committee comprising a small number of core members met [3] to review the Guidelines and identify areas for revision. A draft outline was created, which was subsequently presented to relevant foreign organizations to gain their input. In fiscal , a second international meeting was held [4] to deliberate on the draft outline prepared the previous year and to draw up the Principles for Building Confidence and Security in the Exclusive Economic Zones of the Asia-Pacific as the final report of this project. Principles was chosen for the title, rather than Guidelines, to avoid restricting activities in the EEZ more than necessary. The title also explicitly points to the importance of building confidence among the relevant parties. The full text of the Principles can be found as Attachment 1.

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Confidence and Cooperation in South Asian Waters Report Page 3 of 6 families are being better managed. The group will maintain its watchful interest in the human.

This paper is Chapter 4 of The Quad Plus: It is reprinted here with the permission of the publisher. Insistence on control in enclosed seas or half enclosed seas which have marine resources lends itself to use of drastic measures. In turn, the resulting interference in marine transportation causes serious damage to neighbour countries; even if they are not directly related to underlying resource disputes. Seaborne transportation is still the dominant mode of transportation used in trade, because ships can carry large cargos across long distances without crossing borders. The threats to sea lanes are not only maritime threats. Others include natural disasters, shipwrecks and piracy. These threats cannot be solved by a single country; multilateral cooperation is needed to treat the threats and to secure safe navigation. In the s, multilateral security cooperation in Asia expanded both geographically and substantially, to include efforts to build track two consultations among Japan, the US and South Korea. At the same time, however, cooperation over that period also demonstrated major limitations. This paper demonstrates the limitations of the multilateral security framework in Asia by following its development, and suggesting how to make it more effective. Development of Multilateral Security Cooperation Multilateral security cooperation was not only born out of a need for security. The idea of multilateral security cooperation was apparent in the work of the League of Nations following World War I. The Covenant of the League of Nations prohibited war and systemised collective security in which participating nations imposed sanctions jointly against aggressor nations. The security system of the League of Nations, however, failed to prevent World War II because it entrusted the designation of war and sanctions to each nation. The provisions concerning imposition of military sanctions were not binding. To address this fault, the United Nations UN tried to build a powerful and centralised security system by establishing the Security Council which consisted of the five nations which were part of the World War II. Under the UN regime, the Security Council designates the war, and its resolution binds all member nations. This was intended to protect international security. But the divisions of the Cold War contributed to a situation where permanent members of the Security Council so liberally exercised their veto power that they prevented the United Nations Security Council from working. This situation demonstrates the difficulty in translating threat perception into multilateral action. International society started to appreciate the need for security systems which were not based on the UN. One is non-UN organised peace keeping operations PKO and the other is regional or sub-regional security systems. PKO is characterised by third parties providing forces to intervene in disputes by sending disengagement observers or monitoring forces with the agreement of disputing parties and host nations. On the other hand, regional or sub-regional security systems seek to avoid the clash by disputing parties in the first place. They can survive only together. They must achieve security not against the adversary but together with him. International security must rest on a commitment to joint survival rather than on a threat of mutual destruction. The Soviet Union was the first nation which proposed to build a security framework in Asia-Pacific region. This proposal was refused by Japan and the US because it would have split the Western Bloc, and by China because it appeared to encircle it. But Japan, the US and China recognised that applying it to Asia was improper because of the differences in Asian and European historical experiences and the specific nature of their security problems. These proposals, however, presented opportunities for Japan and ASEAN governments to consider a formal regional security system in Asia. The Japanese came up with the idea of developing regional security talks outside the framework of ASEAN talks from the s. The second meeting also established track two activities to be carried out by strategic institutes and relevant non-governmental organisations NGOs. They also changed the conference pattern from a one-sided Chairman-directed discussion to a discussion guided by Chairman. Repeated clashes over control of features and EEZs in the SCS testified that multilateral security cooperation in this area would not suffice. It has a

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structure similar to CSCE. But it is very difficult for members to share threat perceptions, because the scale of territory, population, military force and economy are quite asymmetric between China and ASEAN countries. The Chinese Navy went into Spratly Islands in and engaged in an artillery battle with Vietnam Navy, with the result that two Vietnamese ships were sunk and 80 Vietnamese soldiers killed. The Chinese Navy also posted a territorial marker on Gaven Reef. This asymmetric perception of threat is different from CSCE. The threat which West and East blocs shared was mass destruction by nuclear weapons, and both blocs had the capability to contribute to that outcome. There was a possibility that mutual nuclear attack, which both blocs did not want, would occur. China changed its behaviour and tried to concern itself with the ARF positively in China prefers bilateral talks to multilateral talks for discussions of the dispute in South China Sea because it recognises that multilateral talks will result in it losing advantage over individual ASEAN countries. On the other hand, the problems it creates for multilateral security cooperation isolates China in international society. Chinese marine surveillance ships cut the exploration cables of a Vietnamese oil and gas survey ship Binh Minh 02 nautical miles off the Vietnamese central coast on 26 May There were protests in the Philippines as well against Chinese activity in the Spratly Islands. The cooperative security which the ARF aims to realise is different from the concept of common security which envisions cooperating with adversaries. Once the antagonism becomes apparent among participating parties, it is difficult to treat it within the framework of cooperative security. It is also difficult to share the perception of threat basic to common security. There is a regional limitation too. However, the ARF can function as an effective maritime multilateral security framework only for natural disasters, shipwrecks and crimes on ocean, etc. However, neither is there any effective alternative multilateral security framework in the Asian region. There is no other security framework which has regular meetings by governments in East and South Asia. Each government is studying the framework mainly through the Track II meetings. None of the countries can entrust their national security to multilateral security cooperation. Every country needs the functions of deterrence and reaction. Therefore, they must seek solutions other than multilateral security cooperation. The expansion of armaments is one such solution. And it can be seen in these areas. But it is not the only solution. Bilateral security cooperation is another solution. Japan is representative of a country which depends on bilateral security cooperation. Japan has only one ally, the US. The Japan-US alliance is at the core of its security. Japan asserts that multilateral security cooperation is a supplement to the Japan-US alliance. The US and South Korea, not just Japan, also puts bilateral security cooperation at the core of its security. India, a major power in South Asia, recognises that its main threat is from Pakistan. India recognised the insufficiency of its armaments vis-a-vis Pakistan before the Kargil conflict in , and then continued to expand its armaments including its nuclear weapons. US-India security cooperation was developed after the Cold War. Security cooperation in South Asia, regardless of whether it is multilateral or bilateral, is not as prominent a feature of the security environment as it is in East Asia. Multilateral security cooperation framework faces many contradictions in Asia. But there are hints of success in the present environment. There are effective bilateral security cooperation frameworks that can be networked. In this network, every country which has some bilateral cooperation with other countries in the region will be involved in every issue at each level. It can choose the participating parties dependent on the issue and build ad hoc multilateral security cooperation. Each country in Asia tries to secure the function of deterrence and reaction by strengthening bilateral security cooperation. This is because of difficulties in sharing the perception of threat among all of the participants in the multilateral security cooperation system, particularly in dealing with severe disputes. It is easier to achieve the common perception of threat in the context of bilateral security cooperation. Maritime security will not allow each country to wait for the development of a multilateral security cooperation framework. On the other hand, bilateral security cooperation is not effective enough. Therefore, each country has to work toward building a network of bilateral security cooperation. Each country has to take concrete measures with a country which shares its threat perception and try to involve other countries by adjusting their interests based on bilateral security cooperation on an issue by issue basis. Conclusion Maritime security requires multilateral cooperation, but

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there are a wide variety of issues involved. Some of them can be treated by multilateral security frameworks like the ARF, and some cannot. The nature of the seas is such that their security and safety cover vast areas and are connected with other seas. Therefore, maritime security requires the flexible multilateral cooperation of countries across the areas concerned; a permanent framework with fixed participating parties cannot function. Bilateral cooperation between countries is developing concrete measures against common threats. Multilateral frameworks require consensus before taking action. But in the bilateral framework, two countries with shared threat perception can take action quickly. And if every country has bilateral security cooperation with another, then those countries can cooperate on a multilateral basis issue by issue. They thereby create an ad hoc multilateral security cooperation framework. Ad hoc multilateral security cooperation based on bilateral security cooperation can be one of the solutions to maritime security in the Asian region, and it can influence the behaviour of countries which threaten security. The countries in the region need reasons to cooperate. If a country can benefit by cooperating with another country, then the country has incentive to cooperate. This kind of incentive will compensate the differences of threat perception among countries. And then they can create the layers of cooperative network. The layers of network which lap over the region will make security cooperation more effective.

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Chapter 3 : Trump appears to have forgotten the South China Sea in | Asia Times

Report Page | 1 Confidence and Cooperation in South Asian Waters 7th Symposium. Bangkok, Thailand, April Introduction. The seventh symposium to foster confidence and cooperation in South Asian Waters was.

With more than , ships passing through the Straits of Malacca, Southeast Asia is a critical maritime region for commerce and resources. However, none of these disputes will be resolved at the EAS and most likely not for several years to come. Despite these differences, EAS member countries should not lose sight of the important role that regional cooperation plays in protecting the global commons. With 60 percent of Southeast Asians living and relying on maritime zones, the maritime domain is critical for the economic development of not just Southeast Asia, but the entire Asia-Pacific region. Currently, a lack of good order at sea has resulted in a constant threat of illegal activities such as piracy, armed robbery, human trafficking, and maritime terrorism. Ineffective national legislation by littoral states, poor coordination between national agencies, a shortage of trained personnel, and the lack of clear maritime boundaries further compound this problem. Another major problem is rampant illegal, unregulated, and unreported IUU fishing in the region. The South China Sea and other Southeast Asian waters are breeding grounds for expensive fish, including the yellow fin tuna. However, over time, the continued overharvesting of fish in Asian waters could cause a food security crisis – fish remains the primary source of protein for millions of Asians. Moreover, as Southeast Asian waters link the Indian and Pacific oceans and its sea-lines of communication SLOCs are some of the most important in the world, freedom of navigation needs to be ensured. Energy is a major component of this shipping industry. All of this is seaborne. Maritime security is increasingly becoming a global issue much like climate change and counter-terrorism. ASEAN needs to more effectively carry out institutional and individual capacity-building in the effort to strengthen norms and establish a rule-making system. This will require more than countries abiding by the U. Perhaps introducing such a measure at the East Asia Summit in Kuala Lumpur would give impetus to the process, but it would ultimately have to be legally binding in order to be successful. There also needs to be a region-wide assessment of the marine environment in Southeast Asia, including the South China Sea and the Gulf of Thailand. Given the importance of Southeast Asian seas to world commerce, the United States, China, Japan, Australia, ASEAN nations, and other EAS members could work together in conducting this assessment in the effort to help conserve and protect these waters and promote good order at sea. But this will require ASEAN to have a common vision and agreement on marine environmental protection for regional seas, and a willingness to commit to a regional agreement to protect common areas, including the South China Sea. Bilateral cooperation is not enough. He can be reached at john. The views and opinions expressed here are those of the author and not those of The Asia Foundation.