



NAVIGATING THE INDO-PACIFIC ARC

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Edited by
Euan Graham
and Henrick Z. Tsjeng

RSiS
Nanyang Technological University

S. RAJARATNAM
SCHOOL OF
INTERNATIONAL
STUDIES

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Note

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GLOSSARY

A2/AD	Anti-Access/Area Denial
ADMM-Plus	ASEAN Defence Ministers Meeting-Plus
AFP	Armed Forces of the Philippines
ANC	Andaman and Nicobar Command (India)
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
ASW	Anti-Submarine Warfare
C4ISR	Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance
CARAT	Cooperation Afloat Readiness and Training
CASS	Chinese Academy of Social Sciences
CBM	Confidence-Building Measure
CICIR	China Institutes of Contemporary International Relations
CNOOC	China National Offshore Oil Corporation
COBSEA	Coordinating Body on the Seas of East Asia
CS21	Cooperative Strategy for 21st Century Seapower (USA)
DOC	Declaration on the Conduct of Parties in the South China Sea
EEZ	Exclusive Economic Zone
HA/DR	Humanitarian Assistance/Disaster Relief
IBSAMAR	India, Brazil and South Africa Maritime Exercise
INCSEA	Incidents at Sea Agreement
IONS	Indian Ocean Naval Symposium
IOR	Indian Ocean Region
ISL	International Shipping Lane
ISR	Intelligence, Surveillance and Reconnaissance
JASDF	Japan Air Self Defense Force
JCG	Japan Coast Guard
JGSDF	Japan Ground Self Defense Force
JMSDF	Japan Maritime Self Defense Force
JSDF	Japan Self Defense Force

GLOSSARY

MALABAR	U.S.-India Naval Exercise
MCSBM	Maritime Confidence and Security Building Measures
MTDP	Mid-Term Defense Program (Japan)
MFA	Ministry of Foreign Affairs (People's Republic of China)
MMCA	Military Maritime Consultative Agreement
MOU	Memorandum of Understanding
MSO	Maritime Staff Office (Japan)
NDPG	National Defense Program Guidelines (Japan)
Nm	Nautical Miles
ONGC	Oil and Natural Gas Corporation (India)
PLA	People's Liberation Army (People's Republic of China)
PLAAF	People's Liberation Army Air Force (People's Republic of China)
PLAN	People's Liberation Army Navy (People's Republic of China)
ReCAAP	Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia
RIMPAC	Rim of the Pacific Exercise
ROKN	Republic of Korea Navy
SEACAT	Southeast Asia Cooperation Against Terrorism
SHADE	Shared Awareness and Deconfliction
SIMBEX	Singapore-India Maritime Bilateral Exercise
SLINEX	Sri Lanka-India Naval Exercise
SLOC	Sea Line of Communication
TPP	Trans-Pacific Partnership
UNCLOS	United Nations Convention on the Law of the Sea
VFA	Philippines–United States Visiting Forces Agreement

Foreword

Ambassador Barry Desker
Dean, S. Rajaratnam School of International Studies

It is with great pleasure that I welcome the launch of this Monograph, based upon the inaugural maritime joint conference between the S. Rajaratnam School of International Studies and the Center for Naval Analyses, held in Singapore in November 2011. I am delighted to see the budding of the RSIS-CNA partnership. It is through such linkages that RSIS is able to contribute to its mission of assisting policymakers develop comprehensive approaches to strategic thinking.

As was fitting for our first exchange of views, the scope of this conference was ambitious, encompassing a broad sweep of the Asian littoral from the Indian Ocean to the northwest Pacific. The “Indo-Pacific” is a relatively new concept compared with the “Asia Pacific” we have all become familiar with. Increasingly, the sub-regional divisions drawn between Northeast and Southeast Asia, as well as South Asia, are beginning to blur. To a considerable extent, these distinctions reflected colonial and Cold War constructs more than hard-and-fast divisions.

The over-arching theme of this conference concerns “strategic connectivity” between the various sub-regions, especially Northeast Asia, Southeast Asia and South Asia. Economic and strategic connectivity is most tangible in the maritime domain, reflecting Asia’s maritime geography and the sea’s enduring quality as a manoeuvre space. The clearest expression of this is the sea lines of communication themselves, which act as conveyors for energy, raw materials, food and manufactures along the length of Asia’s maritime arc. For all the talk of a “flat earth”, Asia still owes much of its economic success to shipping networks that are based upon the relentless pursuit of greater efficiencies and economies of scale plied along the length of the Indo-Pacific arc.

The potential vulnerability of shipping traversing this Indo-Pacific

arc is inevitably leading the major maritime states to extend their maritime strategic horizons through their diplomacy, energy policies and the development of ocean-going naval capabilities. At the western end of the arc in the Gulf of Aden, a large multinational naval force to which the Republic of Singapore Navy has made a significant contribution, has been deployed for several years against the malignant threat of piracy from the Horn of Africa. The sustained presence of so many navies there from far-flung states is also a clear marker that they see their major national interests at stake. Although piracy has not been eradicated from the western Indian Ocean, its significant reduction since 2012 would not have been possible without the cooperation of diverse maritime states in the face of a common threat to the security of global sea-borne trade.

On a more local scale, at the midway point along the Indo-Pacific arc, the Malacca Strait Patrols have also endured as a demonstration of a different mode of multinational action, where the littoral states have taken the lead in counter-piracy and the user states have played a supporting role. Within Southeast Asia, Singapore occupies a central, one might say pivotal, position on this Indo-Pacific arc as a centre for maritime commerce and, strategically, as a gateway between the South China Sea and the Indian Ocean. The Association of Southeast Asian Nations, ASEAN, as one of the more effective regional organisations, is well-placed to help anchor the eastern Indian Ocean region as a zone of stability. Strategically, we in Southeast Asia should be developing our connections with the Indian Ocean to close a vital link in the wider Indo-Pacific maritime arc.

The semi-enclosed South China Sea is arguably the key body of water in the Indo-Pacific arc, where the sea lines traverse overlapping territorial claims and pass through busy chokepoints. The South China Sea also brings the U.S. and Chinese navies into regular contact, occasionally polarised by their conflicting interpretations of freedom of navigation for naval vessels. Since the United States has stated its intention to “re-balance” to the Asia Pacific, the South China Sea has featured prominently.

At the north-eastern end of this long maritime arc are located the major economic and military powerhouses of China, Japan and South Korea—the major importers and exporters. If the maritime arc has a pendulum, this is where it sits. Northeast Asia contains major maritime

flashpoints. Disputed island territory and maritime boundaries in the East China Sea has seen spiralling tensions between China and Japan since 2010. A succession of armed provocations by North Korea in that year was a further reminder that conflict on the Korean Peninsula is not limited only to the land and air. These trouble spots are also more interconnected than in the past. Tensions between the Koreas are linked to the U.S.-China strategic dynamic, which extends into the Yellow Sea, across the Taiwan Strait and into the South China Sea. India, for its part, is also growing more active as a maritime player capable of projecting its navy into the western Pacific.

Introduction

Euan Graham

It is only appropriate that RSIS and CNA should begin their bilateral collaboration expansively by exploring maritime security across the broad Indo-Pacific macro-region, with the goal of investigating the value and implication of the strategic connectivity between its various sub-regions.

In Chapter One, Rear Admiral (retired) Thomas Carney provides an overview of regional maritime security and U.S. naval engagement across the Indo-Pacific, stressing the continuity of U.S. Navy commitments to its allies and partners in the region as a Pacific nation. These commitments have ranged from economic investments to humanitarian assistance and disaster relief to decisive military action. In this sense, RADM Carney refutes the perception that the U.S. is currently “returning” to the region as it has remained a key maritime player since 1945, if not before. The chapter details the evolving programme of U.S. Navy exercises in the region, including the bilateral Cooperation Afloat Readiness and Training series of exercises, which have recently expanded to embrace new partners within the Indo-Pacific Arc, such as Bangladesh. RADM Carney, who has since retired from the U.S. Navy, was at the time of writing in command of the U.S. Navy’s logistics task force in Singapore, COMLOG WESTPAC.

In Chapter Two, Rear Admiral (retired) Mike McDevitt zones in on the key maritime challenges emerging in the East China Sea, arguing that it is there that “the most serious regional security issues reside”. RADM McDevitt assesses how China’s key maritime interests are shaped in the East China Sea, including the influence of the cross-Taiwan Strait dynamic, and evaluates the comparative importance of the South China Sea as a factor in shaping China’s maritime strategy and thinking. This is then contrasted with Japanese and U.S. interests in the East China Sea, which RADM McDevitt argues are largely overlapping especially

on freedom of navigation concerns, while at the same time highlighting the sometimes under-appreciated importance of Taiwan in Japan's maritime strategic calculus. RADM McDevitt's sobering conclusion that the "East China Sea has all the ingredients necessary to become the cockpit of competition for East Asia for the foreseeable future" has been amply borne out by events since the time of writing, which have seen Japan-China maritime tensions rise to historical highs since relations were normalised in the 1970s.

Shifting our gaze westward, in Chapter Three Catherine Lea charts India's naval horizons and maritime engagement across the entire Indo-Pacific, but with the onus on the Indian Ocean Region (IOR). Lea argues that India's naval and maritime roles have been somewhat paradoxically conditioned by its growing political and economic power on the one hand and its history of non-alignment and aversion to military alliances on the other. As India's naval horizons have expanded, the Indian Navy has been tasked with new maritime security challenges in the IOR, namely piracy, maritime terrorism and great-power competition. India is increasingly wary of the Chinese naval presence in the Indian Ocean, with Delhi's maritime partnerships partially crafted to balance the latter. However, India aims to keep its balancing attitude discreet so as not to be perceived as provoking China. The Indian Navy has become an instrument of Delhi's "Look East" policy. Of particular note is India's growing cooperation with Vietnam in the South China Sea. The jewel in the crown of India's IOR-wide partnerships was the establishment, in 2007, of the Indian Ocean Naval Symposium (IONS), which provides a platform for navy-to-navy talks from countries in the Indian Ocean rim. Further afield, India's navy has been exploring linkages and exercises with Japan and South Korea. Despite its re-orientation towards East Asia, India has had to keep its eyes on the Middle East, the source of most of its imported energy. As part of its benign role, the Indian Navy has participated in Indian Ocean tsunami-relief efforts and has further offered to participate in a coordinated patrol in the strategically vital Malacca Strait with the littoral navies of Indonesia, Malaysia and Singapore. These partnerships serve well for India to align itself with international norms in the maritime domain. They also alleviate concerns, particularly among India's neighbours, about its growing naval expansion.

Bronson Percival evaluates U.S. perspectives on the South China

Sea in Chapter Four. While recent U.S. official policy towards the South China Sea has not deviated significantly from Washington's long-avowed fundamental interests in freedom of navigation and peaceful resolution of maritime territorial disputes, Percival argues that China's increasing assertiveness in the South China Sea has "presented the United States with an opportunity to re-affirm a principled stand" and to thus strengthen its alliances and partnerships with other states in Asia.

In Chapter Five, Li Mingjiang picks up the thread of China's approach in the South China Sea to chart how various strands of debate within China are shaping policy. Li highlights that Chinese analysts have frequently asserted that Washington has concocted the myth of "freedom of navigation" as a tool to pressure China. A further theme explored by Li concerns the growth of nationalistic sentiments in China, especially the role of "netizens", who while heaping criticism upon other claimants, particularly Vietnam and the Philippines, have also targeted the Chinese government for being too weak in handling the South China Sea issue. This latter trend has manifested itself in frequent calls for China to abandon its reactive stance and to adopt a more active posture in the South China Sea in terms of resource exploration. However, as a restraining factor, Li notes that sober-minded Chinese analysts have attempted to balance growing public nationalism and have cautioned against labelling the South China Sea as one of Beijing's designated "core interests" in national security. He concludes that in attempting to reconcile these various debates, the Chinese government has favoured diplomacy as the chief instrument in handling the South China Sea dispute and is likely to opt for an approach he characterises as "non-confrontational assertiveness". That being said, China's more recent activities in the South China Sea might persuasively be labelled as assertive and, at times, confrontational.

Sam Bateman maintains the focus on the South China Sea in Chapter Six, identifying ways in which rival claimants both can and should manage tensions and nationalistic assertions of sovereignty in favour of cooperative approaches to common maritime challenges. Bateman concentrates on how the guidelines for the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DOC) could be brought into effect by employing confidence-building measures as a way of breaking the impasse in the South China Sea. He identifies two levels at which action should be taken. First, a framework needs to be

developed by all parties that encourages cooperation to manage maritime resources in the South China Sea. Second, maritime confidence and security-building measures need to be developed between stakeholder states, including incidents at sea agreements (INCSEAs), personnel exchanges, and greater transparency in deployments and naval exercises. Bateman warns that a continuation of the current approach could lead to intensified militarisation in the South China Sea, pulling in the outside powers while risking “tragedy of the commons”, unless a framework can be embraced for the cooperative management of marine resources.

In Chapter Seven, Tetsuo Kotani explores how Japan’s maritime strategic outlook is evolving in an age of multi-polarity and increased tensions in Japan’s immediate neighbourhood, while at the same time continuing to manage maritime interests extending the length and breadth of the Indo-Pacific Arc. The year 2010 was marked by naval incidents and displays of maritime power in the East China Sea, underlining that Japan must take a leading role in building stability and security in the region. He outlines three principal objectives of the Japanese Maritime Self-Defense Force (JMSDF): to defend the waters surrounding Japan, to establish freedom of the seas, and to build a stable regional and global security environment. The JMSDF currently operates in four theatres: the Gulf/Middle East, South Asia, Southeast Asia, and closer to home in the “Tokyo-Guam-Taiwan Triangle”. According to Kotani, although the JMSDF is strengthening its southern defence posture within the overall concept of “dynamic defence”, it has not done so at the expense of maintaining maritime security elsewhere. While Japan’s South China Sea policy is not pro-active in the strictest sense, it is willing to act as a neutral arbiter between claimant parties, with an eye towards protecting the integrity of regional sea lines of communication. In the Indian Ocean, Japan is cooperating closely with India. Fundamentally, however, Japan’s future options in the region remain intimately tied to its cooperation with the United States. Hence, going it alone or accepting a “Pax Sinica” across East Asia’s waters would be counter-productive to realising Japan’s vision of establishing a cooperative and egalitarian security environment in the region.

Finally, in Chapter Eight, Captain (retired) Yoon Sukjoon presents a South Korean “middle power” viewpoint, closing out our survey of maritime connectivity along the Indo-Pacific Arc. CAPT Yoon argues

that South Korea's global economic interests and acute dependence upon sea lines of communication as a "de facto island" impel it to adopt a proactive maritime role in the wider Indo-Pacific region. However, North Korea's multiple provocations in 2010 have underscored immediate security challenges closer to home, and, despite the significant blue-water capability enhancements made to the South Korean navy in recent years, are forcing difficult choices upon the navy, given its resource constraints. Nonetheless, the South Korean navy recognises that it has a wider stake in safeguarding freedom of navigation, and treats it as a key part of its national security strategy. South Korea has promoted regional maritime cooperation with littoral states in the Asia Pacific and hosted numerous multilateral naval forums in recent years. The country has actively participated in anti-piracy initiatives in the Gulf of Aden. Taking into account the geographic realities of the Korean Peninsula, CAPT Yoon argues that South Korea needs to formulate a "middle-power" maritime strategy within the Indo-Pacific in order, firstly, to position itself as a key player in emergent multilateral regimes; secondly, to secure global sea lines of communication; and thirdly, to ensure that a safe and stable security order prevails throughout the Indo-Pacific Arc.

TENTATIVE CONCLUSIONS

While not all problems and challenges of maritime security are global or even regional in scope, the individual contributors to this monograph have collectively borne out the fundamental contention that maritime strategic connectivity is increasing along the Indo-Pacific Arc. This could be said to be a natural consequence of the trans-oceanic concept of the Indo-Pacific itself, as part Indian Ocean, part Pacific, with maritime Southeast Asia (and Australasia, though it lies largely out of the scope of this monograph) in between. The Indo-Pacific construct is forging new, multi-polar patterns of strategic and economic interaction among the traditional maritime players, as well as recent "blue-water" entrants such as South Korea and, of course, China. This dynamic has opened up new opportunities and obligations for cooperation, but has also seen the rise of significant tensions, especially in the South and East China Seas.

Employing a sub-regional lens for certain issues of maritime security is likewise justified, since not everything relates to a grand political architectural dynamic or great power rivalry. In Southeast Asia, there is a

complex set of maritime inter-relationships, not all of which relate to the South China Sea and some of which bode positively as models for confidence building and maritime security cooperation. Several contributors to this monograph highlight the flashpoint potential of the East China Sea as paramount. However, it is in the South China Sea—the centre of maritime gravity for the Indo-Pacific—that a complex matrix of transnational and inter-state concerns is drawing in territorial claimants as well as external players, who all see their maritime security interests as being at stake. Southeast Asia appears to be the fulcrum from which these power dynamics are playing out connectively across the Indo-Pacific Arc.

Maritime Security/Strategy

Focus on the Indo-Pacific

Rear Admiral (Retired) Thomas Carney

Maritime security is an extremely relevant topic, given current world events, and it opens the door to a wide range of security issues in Asia. In this opening chapter, I would like to cover a few aspects of U.S. engagement, and more specifically U.S. naval engagement, in the region.

As a Pacific nation with global interests, the United States has enduring commitments to our allies and partners in the region. These commitments have been longstanding, ranging from economic investments to humanitarian assistance and disaster relief to decisive military action. The United States has been active in the Pacific since shortly after our birth as an independent nation. In my office I have a copy of the ship's log from the USS Vincennes, which visited Singapore in 1836. We station military forces, along with their families, from all services and the Coast Guard all over the Pacific but largely concentrated in Japan, South Korea and some in Singapore. The U.S. Navy has its Seventh Fleet headquarters in Yokosuka, Japan, and the Third Marine Expeditionary Force in Okinawa. All told, we have roughly 170,000 sailors and marines stationed in the Pacific, which include our bases in Hawaii and the west coast of the United States. We also have numerous Army and Air Force posts in Japan and South Korea. Though the U.S. footprint in Southeast Asia is relatively small, in 2011 alone the U.S. military spent over 1,000 ship-days of engagement in the South China Sea. We interacted with countries in Southeast Asia during exercises, port visits, transits and other military-to-military engagements.

There has lately been a lot of public focus from a variety of sources stating that the "U.S. is back in Asia". While the focus of the U.S. national security leadership has been on the Middle East, and specifically on Iraq and Afghanistan, for the last several years, as a sailor who has spent most of his career in the Pacific, I take a bit of a different tack: I do not

believe we ever left. The United States has been engaged in trade, port visits and international commerce since well before the Second World War and has had a military presence in the Pacific to accompany that. In fact, we have been engaged in the region for over 150 years. Five of our treaty allies are in the Pacific, two of which are in Southeast Asia, namely, Thailand and the Philippines. Looking at our naval deployment and operating schedules over the last 10 to 15 years, aside from surges to support U.S. interventions in Afghanistan and Iraq, there has been little deviation. We have been deploying ships and aircraft throughout the Pacific and to the Middle East routinely since 1945.

The security, prosperity and vital interests of the United States are increasingly coupled to those of other nations. Our nation's interests are best served by fostering a peaceful global system comprising inter-dependent networks of trade, finance, information, law, people and governance. We prosper because of this system of exchange among nations, though we recognise that it is vulnerable to a range of disruptions that can produce cascading and harmful effects far from their sources. Major-power wars, regional conflicts, terrorism, lawlessness and natural disasters have the potential to threaten U.S. national security and world stability and prosperity.

Our most senior leaders have travelled to the region to engage in multilateral forums and discussions, which provide a path to building trust, confidence and transparency. Through regular engagement and support, I believe we are contributing to a more stable and secure region. In response to the "challenge" question sometimes asked of the United States, "Is this rhetoric or reality and is this dialogue credible?", I believe the answer is in the affirmative.

In 1995, the U.S. Navy initiated Cooperation Afloat Readiness and Training (CARAT), which is run by my staff here in Singapore. These bilateral exercises are designed to improve theatre security cooperation, enhance military professional skills, and build relationships, which hopefully will pay dividends for us in the future. We recognise that although our forces can surge when necessary to respond to crises, our maritime strategy highlights that trust and cooperation cannot be surged. They must be built over time so that the strategic interests of the participants are continuously considered while mutual understanding and respect

are promoted. We accomplish these goals through military exercises and engagements to include the softer side of military presence such as medical seminars and fieldwork, engineering engagements, military law and public affairs interactions, and community-relations projects. Over the years, each exercise has become increasingly complex. In 2011, the United States and participating nations committed 81 ships, 75 aircraft and almost 20,000 personnel to the exercises.

CARAT has been attracting significant interest throughout the Indo-Pacific region. Cambodia, Bangladesh and Timor Leste have joined as CARAT partners. Our navy-to-navy engagement with Vietnam, although not a CARAT participant, is significant and increasing. CARAT continues to evolve and develop as a significant maritime exercise and is an increasingly attractive venue that promotes trust and confidence building.

CARAT is but one example of U.S. commitment to the region. Talisman Sabre, Cobra Gold, Pacific Partnership and the QUAD partners alliance, where Australia, New Zealand, France and the United States work with Pacific Island nations on fisheries protection and other areas of maritime security, are critically important examples of international maritime engagement to enhance regional security and stability. Southeast Asia Cooperation Against Terrorism, better known as SEACAT, is a multilateral naval exercise that is designed to promote maritime domain awareness and highlight the value of information sharing, while giving participating navies training in practical maritime interception operations. Nations are taught to identify and track trans-national threats—terrorists and extremists; proliferators of weapons of mass destruction; pirates; traffickers of people, drugs, and conventional weapons; and other criminals—in order to constrain their movement and intercept them when necessary. Lastly, I would mention the Rim of the Pacific Exercise (RIMPAC), where two dozen countries from all over the Pacific participate in the largest maritime exercise in the world every two years in the waters off of Hawaii.

Between CARAT Bangladesh, increased port visits and broadening engagement with Sri Lanka, and as alliance treaty partners with Australia, we are active in the Indian Ocean as well. There has been a recent focus to work with the Maldives to improve their maritime domain

awareness and counter piracy from expanding, as Somali pirates begin to encroach on their territorial waters. Our interactions with India have also increased. MALABAR is our big exercise with India, and it has been expanded to include participation from the Japan Maritime Self Defense Force. Unfortunately, the March 2011 earthquake, tsunami and the launch of Operation Tomadachi understandably put paid to Japanese participation that year.

This demonstrates a level of U.S. commitment, measured in billions of dollars as well as thousands of people, ships and aircraft. None of these various exercises and engagements in the Asia Pacific was initiated recently. They have become relatively routine operations, which demonstrate our enduring commitment to the Asia Pacific region.

I once worked for a senior leader in the Pentagon who used to say that a decision was not properly made until you had put a dollar behind it. In my previous assignment, I was responsible for the financial resources for the Pacific Fleet. Our operating and maintenance budget for the Pacific Fleet alone—fuel, spare parts, port fees, and exercise support costs— was roughly US\$12 billion. That should be a convincing indication of the decisions we have made in regard to commitment to the region.

Human suffering moves us to act, and the expeditionary character of maritime forces uniquely puts us in a position to provide assistance. Relations between the United States and both Indonesia and Malaysia has improved considerably after a devastating earthquake and tsunami struck the Indian Ocean in December 2004, acutely affecting hundreds of thousands of people across more than six nations. Although the event was horrific, resulting in considerable tragedy and loss of life, it highlighted the importance of multilateral cooperation and the ability of concerned nations and allies to mitigate further damage and destruction through effective disaster relief efforts. The initial military-to-military engagement opened the door to increased bilateral government-to-government discussions at higher levels, resulting in a more open and mutually beneficial relationship.

Our Chief of Naval Operations, Admiral Jonathan Greenert, is committed to the Pacific. He has had three tours in the Pacific as a flag officer, the most significant being commander of the Seventh Fleet. In his guidance to the Navy, an unclassified, publically available document, he

stated that operating forward to ensure freedom of navigation was one of his top priorities. Nowhere is that more important than in the Asia Pacific region. Also in 2011, Admiral Greenert emphasised his focus on the region in front of the House Committee on Armed Services, stating that maintaining a presence here would be “the centre of focus” of the U.S. Navy.

The U.S.-China relationship and how it impacts the Pacific is often the focus of worldwide attention. We currently interact at sea and at professional regional international expositions like IMDEX, BRIDEX, LIMA, as well as several other multilateral consortia, and look for further opportunities to increase our level of interaction. China has a large footprint throughout Southeast Asia and has developed significant maritime capability over the past several years. Recently, they exhibited a more visible maritime presence, particularly in the South China Sea. Despite the media focus on the U.S.-China “tension”, which sometimes runs the range from provocative to hysterical, we are not on the verge of armed conflict with China. Senior leadership on both sides understand that no other disruption is as potentially disastrous to global stability as a war among major powers. Those who would say that China’s military development is a result of U.S. distraction with wars in Southwest Asia fail to give the Chinese credit for pursuing their national goals independent of U.S. presence in Asia or world reaction. It is fair to say that we have differing interpretations of maritime operations and the United Nations Convention on the Law of the Sea (UNCLOS) specifically. Although the United States has not ratified UNCLOS, it has consistently displayed its dedication to freedom of navigation and the principles defined by the convention. Our position has been that territorial disputes in the South China Sea can be resolved in a peaceful manner, and in accordance with accepted international law.

The United States is not leaving Southeast Asia. We have been increasing our naval capability in the Pacific for years. Of our attack submarines, 60 per cent are now stationed in the Pacific. We have replaced older frigates stationed in Japan and Hawaii with newer guided-missile destroyers. In the next few years, we will be phasing out our older P-3 maritime patrol aircraft in favour of the newer P-8s, and the first region that they will be deployed to and operate out of is the western Pacific. Our carrier air wing in Japan is being upgraded to reflect our newest

acquisitions in fighter/attack, airborne early warning, and electronic warfare aircraft. We have been steadily upgrading our forward deployed aircraft carriers. In 2008, we replaced the USS Kitty Hawk with a nuclear-powered aircraft carrier, the USS George Washington. Both Secretary Gates and Panetta have highlighted the rotational deployment of the U.S. Navy's Littoral Combat Ships to Singapore.

CONCLUSION

Defence dialogues in Washington and in forums throughout the region have centred on the importance of military presence in the Pacific. Although our presence is sometimes dictated by outside forces, such as the ongoing threat posed by North Korea, our goal is to find and maintain the right balance between presence with a purpose and never having any host nation ask the question, "Why are they here?", or say, "It is time for them to go." The U.S. military presence in Asia continues to be a source of stability and cooperative engagement that opens the door to long-lasting relationships between the United States and countries in the region across the broad spectrum of geo-political engagement. It is not a question of whether the United States can afford to maintain a credible presence in the Western Pacific and Indian Ocean; it is a question of whether we can afford not to.

Maritime Developments in the East China Sea

Rear Admiral (Retired) Michael McDevitt

INTRODUCTION

On 29 December 2010, the *People's Daily* published an interview with China's former Defence Minister General Liang Guanglie. He stated, "Looking at the current world situation, a full-scale war is unlikely, but we cannot exclude the possibility that, in some local areas, unexpected events may occur, or military friction may take place due to a 'misfire.'" Events over the past few years have made clear that disputes over small, largely unoccupied islands and the attendant sovereign rights to resources in or under the sea in the East China and South China Seas fit within General Liang's definition of "unexpected events or military frictions".

Recent years have been filled with these frictions as China and some of its larger neighbours—Japan, Vietnam and the Philippines—have experienced a series of confrontations in the seas that include "China" in their name. These confrontations, which have raised concerns throughout East Asia as well as in the United States, could perhaps be a glimpse into the future—a future in which a Chinese economic power-house that fields an equally strong military is willing to "throw its weight around" the region.

While the South China Sea has received a great deal of attention because of the increasing assertiveness of China, Vietnam and the Philippines in supporting their respective claims in the Spratly Islands, I argue in this chapter that it is the East China Sea where the most serious regional security issues reside.

THE CHINA-TAIWAN FACTOR AND THE EAST CHINA SEA

Taiwan and its strait are at the southern extremity of the East China Sea. Accordingly, the East China Sea is where the most plausible Sino-

American flashpoint resides and is the focal point for serious contingency planning for both militaries.

America's relationship with China is unique and is very different from any other bilateral relationship that Washington maintains. On many different levels, the Sino-U.S. relationship is normal; sometimes difficult, sometimes cordial, but overall, mutually productive and central to the peaceful development of Asia and the economic health of the world. However, a black cloud of war hovers in the background of the relationship because of Taiwan. Fortunately, the prospect of a war over Taiwan seems very low today, and arguably, the political relationship between Taipei and Beijing is as good as it has ever been. But because Beijing has not taken the use of force off the table, the possibility of conflict looms in the background.

The use of force is deliberately stated as a viable Chinese option while Taiwan remains at the centre of the Sino-American security universe. Directly or indirectly, it is the cause of the vast majority of past security-related issues between China and the United States. Because Taiwan remains the only plausible potential trigger for war between China and the United States, it is the most important factor in China's military modernisation and the development of what the U.S. Department of Defense has called "China's area denial strategy". The Taiwan contingency is also the main reason behind the gradual build-up of U.S. forces in that area of the Pacific Ocean over the past six years.

While the positive trends in cross-strait relations are welcome, there is a growing sense that as much as policymakers might wish it, it will be very difficult to maintain the current status quo indefinitely. There are already voices in China arguing that China "cannot wait forever", and to do so would be tantamount to a "peaceful separation".¹ In the future, a

1 See comments by PLA Major General Luo Yuan, which indicate that China "cannot wait forever" for reunification. Beijing will not stand for an indefinite delay that could result in peaceful "separation", quoted in Lin Cong Sheng, "Jiefangjun Shaojiang Pi Ma Heping Fenlie" [PLA Major-General Criticises Ma Ying-jeou on Peaceful Separation], *World Journal*, 22 November 2009, accessed 16 June 2014, http://www.worldjournal.com/pages/full_news/push?article-%E8%A7%A3%E6%94%BE%E8%BB%8D%E5%B0%91%E5%B0%87+%E6%89%B9%E9%A6%AC%E5%92%8C%E5%B9%B3%E5%88%86%E8%A3%82%20&id=4677047&instance=m3.

wild card possibility is that impatience over Taiwan's reluctance to begin discussions related to reunification, combined with a growing sense of Chinese self-confidence in its military prowess, could tempt Beijing to force the issue of reunification. The worst of all possible outcomes would be the dangerous brew of a calculation in China that the military upper hand has been achieved, including self-belief that the People's Liberation Army's area denial system will work in deterring the United States from military intervention; impatience with the progress of reunification with Taiwan; and an overweening sense of confidence that Beijing can use coercive military force in East Asia without regard to the consequences. Today it seems improbable that Beijing would be willing to take such a step, but it is something that bears watching.

China's security interests in the South and East China Seas

For China, security along its maritime frontier has been a 150-year-old problem. Vulnerability to attack from the sea has been a problem dating back to at least 1842, when the Treaty of Nanking ended the First Opium War. This three-year conflict with Great Britain exposed imperial China's military weakness to sea-based attacks and triggered a sequence of military and diplomatic humiliations perpetrated by Westerners and the Japanese that came primarily from the sea.

Today, China's concerns with maritime security is based on four primary factors: (i) the fact that China's economic centre of gravity is its eastern seaboard which makes it vulnerable to attacks from the sea; (ii) the need to deter Taiwan's independence and, if necessary, to deter or defeat an approaching U.S. Navy relief force if China elects to attack Taiwan; (iii) the historically novel situation for China in which international seaborne trade is what drives the economic growth of China, including the fact that China's economic development is increasingly dependent on oil and natural gas delivered by ships; and finally, (iv) the reality that China's global economic interests have translated into global political interests that can often best be reinforced by a navy capable of operating globally on a sustained basis.

The importance of unresolved maritime issues was highlighted by the December 2004 Chinese Defence White Paper which swept aside assumptions regarding land-force pre-eminence when it stated that the

People's Liberation Army (PLA) Navy (the PLAN), the PLA Air Force (PLAAF) and the ballistic missile force (the Second Artillery) are to receive priority in funding. Further, it explicitly lays out its ambitions for the PLAN, PLAAF and the Second Artillery:

While continuing to attach importance to the building of the Army, the PLA gives priority to the building of the Navy, Air Force and Second Artillery Force to seek balanced development of the combat force structure, *in order to strengthen the capabilities for winning both command of the sea and command of the air, and conducting strategic counter-strikes* [emphasis by author].²

For any maritime strategist, an explicit requirement in an official document to win command of the sea raises the immediate questions of how much of the sea, and what distance from the mainland of China, is the PLA thinking about? To my knowledge, nothing official has been published to date that would clarify this point. However, during many conversations over the years with Chinese interlocutors, I have come to the judgment that, for the moment, China's vision of command or control of the seas is closely related to the ability to provide land-based air cover out to around 200–250 nautical miles (nm) from its coast—in other words, the operational radius of its fighter aircraft.

If you accept this formulation, in geographic terms it results in a requirement for the PLAN to “control” the Yellow Sea, much of the East China Sea (at least up to the 100 fathom curve), the Taiwan Strait, the Tonkin Gulf, and at a minimum, the northern portion of the South China Sea. This sea control area also encompasses China's Exclusive Economic Zone (EEZ) and generally follows the contour of the so-called “first island chain” that stretches south from Japan, through the Ryukyus, Taiwan, and the Pratas and Paracel islands in the northern portion of the South China Sea.

Not surprisingly, this notional sea control zone is where most of the recent maritime incidents between the United States and China have

2 “China's National Defense in 2004”, Information Office of the State Council of the People's Republic of China, December 2004, accessed 16 June 2014, english.gov.cn/official/2005-07/28/content_18078.htm.

taken place, including the April 2001 EP-3 incident, the March 2009 Impeccable incident, and China's 2010 protests over the participation of the *George Washington* Carrier Strike Group in military exercises in the Yellow Sea.

THE UNITED STATES AND JAPAN'S STRATEGIC INTERESTS IN THE EAST CHINA SEA

There is a great deal of overlap in Japanese and American interests in the East China Sea, which can be briefly stated as: (i) non-interference with the high-seas freedoms associated with the use of international waters; and (ii) acceptance of the international norms concerning the freedom of navigation for military purposes that were negotiated in the development of the United Nations Convention on the Law of the Sea (UNCLOS).³

For the United States, the freedom of navigation for military purposes includes the right to conduct surveillance. For Washington, the reality is that as long as China refuses to renounce the use of force against Taiwan, the requirement for up-to-date intelligence will exist. Thus, American air and naval reconnaissance missions, which are the major irritants to China, are likely to continue to take place.

U.S. reconnaissance missions have been the cause of the most serious Sino-U.S. military incidents over the past decade, and are likely to be the most plausible cause of the next military incident with China. In early 2009, Beijing seemed to have decided to make the then newly-inaugurated Obama Administration aware of its unhappiness about these missions. Between March and May, Washington was presented with a

3 Peter Dutton. "Three Disputes and Three Objectives." *Naval War College Review* 64, No. 4 (Autumn 2011): 53, accessed 16 June 2014, http://home.comcast.net/~lionelingham/592_DisputesandThreeObjectivesChina.pdf. See also Hillary Rodham Clinton et al., "Joint Statement of the Security Consultative Committee – Towards a Deeper and Broader U.S.-Japan Alliance: Building on 50 Years of Partnership." U.S. Department of State, 21 June 2011, accessed 16 June 2014, <http://www.state.gov/r/pa/prs/ps/2011/06/166597.htm>. The meeting included in its list of approved "Common Strategic Objectives" the following: "Maintain safety and security of the maritime domain by defending the principle of freedom of navigation, including preventing and eradicating piracy, ensuring free and open trade and commerce, and promoting related customary international law and international agreements."

series of aggressive Chinese actions against two civilian manned U.S. Navy ocean surveillance ships (the *USNS Impeccable* in the South China Sea and the *USNS Victorious* in the Yellow Sea) operating in international waters but within China's EEZ.

There are fundamental disagreements between China and the United States over what military activities are permitted by UNCLOS within the 200-nm EEZ of China or any nation. The United States believes that nothing in UNCLOS or state practice changes the right of military forces of all nations to conduct military activities in EEZs without coastal state notice or consent. China disagrees; it claims reconnaissance activities undertaken without prior notification and permission are in violation of Chinese domestic law and international law.⁴

Professor Peter Dutton of the U.S. Naval War College has written an excellent summation of this issue:

The creation of the exclusive economic zone in 1982 by UNCLOS ... was a carefully balanced compromise between the interests of the coastal states in managing and protecting ocean resources and those of maritime user states in ensuring that high seas freedoms of navigation and overflight, including for military purposes. Thus in the EEZ the coastal state was granted sovereign rights to resources and jurisdiction to make laws related to those resources, while high seas freedoms of navigation were specifically preserved for all states, to ensure the participation of maritime powers in the convention.⁵

Despite the clear negotiation record, China is attempting to undo this carefully balanced compromise between coastal states and user states. Until agreed-upon rules for Sino-U.S. maritime interactions in China's EEZ are established, China's desire to limit military activity in its EEZ is likely to create repeat incidents in the future.

Clearly, an accident at sea or in the air would create a tense situation. For example, neither U.S. reconnaissance aircraft nor ocean surveillance ships are armed. To prevent aircraft from being shot down or civilian manned surveillance ships from being boarded and seized, the United

4 Raul Pedrozo. "Close Encounters at Sea: The USNS Impeccable Incident." *Naval War College Review* 62, No. 3 (Summer 2009): 102. Accessed 16 June 2014.

5 Dutton. "Three Disputes." 54.

States could elect to provide armed escorts. Depending on what rules of engagement the escorting forces operate under, a miscalculation of what constitutes “hostile intent” could result in air-to-air engagements or warships of each side exchanging fire.

Quite apart from the issue of surveillance, it is my contention that the East China Sea is also the nexus of Sino-Japanese distrust and strategic competition. The United States and Japan see eye to eye on matters of peace and stability, freedom of navigation and a desire for peaceful resolution to the Taiwan situation. However, the United States has elected not to take a position on the maritime resource disputes between China and Japan, which is one of the prime areas of disagreement. Finally, while the public policy statements of both Tokyo and Washington regarding the possibility of Taiwan-mainland reunification are closely aligned—i.e. peacefully arrived at with the consent of the Taiwanese people—because of geo-strategic concerns, I suspect that Tokyo, unlike Washington, would not be comforted by a peaceful reunification in the near future because of China’s tendency to either ignore or try to remake the accepted rules of international behaviour.

Japan’s Taiwan factor

Tokyo has long been aware that the location of Taiwan has made it strategically important to Japan. It was the Imperial Japanese Navy that persuaded its government to insist on the annexation of Taiwan in 1895. As early as 1879, Tokyo resolved the issue of whether China or Japan enjoyed sovereignty over the Ryukyu Kingdom by annexing this island chain. Japanese strategists recognised the importance of having control over the islands that were spread along the major sea lane between Japan and Southeast Asia.⁶

This geo-strategic reality still applies more than a century later. Tokyo still realises that its economic viability is dependent on the maritime trade routes that pass through waters proximate to Taiwan. As far

6 The Ryukyu Kingdom had been a Chinese tributary since 1372 and concurrently a district of the Southern Japanese Satsuma domain since 1609. When negotiations between Tokyo and Peking to resolve the status proved fruitless Japan unilaterally annexed them. See S. C. M. Paine, *The Sino-Japanese war of 1894–1895: Perceptions, Power and Primacy* (Cambridge: Cambridge University Press, 2003), 90–91.

as Japan is concerned, Taiwan sits astride its main maritime lifeline from the Middle East and Southeast Asia. Because a hostile power in possession of Taiwan could easily disrupt maritime traffic bound for Japan, Taiwan is strategically significant to Japan. As a major trading and energy-importing nation, unimpeded navigation on the high seas is central to Japan's economic survival.⁷

Hence, the domination of Taiwan and its surrounding waters by an unfriendly power is perceived in Tokyo as a threat to Japanese security. The publication of the *1997 Guidelines for U.S.-Japan Defence Cooperation* introduced the concept of "the area around Japan" as a basis for mutual cooperation and planning because "a situation in areas surrounding Japan may develop into an armed attack against Japan", and as a result there is a close relationship between defending Japan proper and the use of force against Taiwan.

Beijing believes that Taiwan has gone from being an implicit to an explicit focus of Japanese military policy. As Japan takes on larger responsibilities within the alliance, military planners in Beijing seem increasingly focused on the potential Japanese role in a military confrontation over Taiwan. As a result, naval operations in the East China Sea by both China and Japan have implications that go beyond peacetime operations. That is one reason why what would normally be considered routine naval operations by one side or the other take on heightened significance in the East China Sea. Over 10 years ago, when the term "area around Japan" first appeared, the main Chinese threat to Japan was an air or missile attack on the U.S. Air Force Base at Kadena, Okinawa. While that threat remains, what is new is a far more capable PLA Navy that can interdict Japanese sea lanes in conjunction with a PLA attack on Taiwan.

As a result, it is perfectly predictable that Japan's latest National Defence Program Guidelines include a major focus on anti-submarine warfare (ASW), increasing Japan's submarine force from 16 to 22 boats while improving its surveillance capabilities.

7 Its vulnerability to economic isolation is not simply a conceptual problem to Tokyo. The very successful U.S. submarine campaign in World War II that economically isolated Japan remains a real-world reminder of the importance of preventing a disruption to maritime commerce.

THE EAST CHINA SEA IS HOME WATERS TO BOTH JAPAN AND CHINA

As the number of China's surface warships stationed in its North and East Sea Fleets grows in size and technical sophistication, those ships will want to conduct operations and exercises in the deeper and less congested waters of the Philippine Sea. To do so, they must pass through the various narrow straits of the Ryukyu Islands.

The proximity of significant numbers of Chinese warships to Japanese territory is a relatively recent phenomenon. The April 2010 encounter between two Japan Maritime Self-Defense Force (JMSDF) destroyers and eight PLAN warships and two submarines received public attention at the time because it was the largest number of Chinese warships to transit through Japanese waters. That this incident was merely a portent of the PLAN's ambitions to gain open-ocean experience is suggested by the numerous PLAN transits that have since taken place through the Ryukyu chain.

The passage through the Ryukyus is the shortest way to more open and deeper waters and as such should be considered a normal operating pattern. When China makes these deployments it will attract surveillance attention from the JMSDF and serve to send an important signal to Japan that the PLAN is becoming a credible force, and that Japan now has to take into account in its defence planning an ever more capable naval force that will be operating in "the area around Japan".

East China Sea resource issue

In his recent book *The Perils of Proximity: China-Japan Security Relations*, Richard Bush writes, "China and Japan disagree on just about everything with respect to which nation has a right to the oil and gas resources of the East China Sea. Each party seeks to interpret international law in the most self-serving way in order to maximise its access to the resources." In the area of gas fields, Tokyo and Beijing disagree on how to divide the oil and gas lying beneath their respective EEZs, which overlap since the East China Sea is less than 400 nm wide.⁸

8 Richard Bush. *The Perils of Proximity: China-Japan Security Relations*. Washington D.C.: Brookings Institution Press, 2010, 67.

They also disagree on how to interpret the extent of the Asian continental shelf. The Chinese argue that it stops short of the Ryukyu Chain, at the deep water known as the Okinawa Trench, meaning it is China's and not a shared shelf with Japan. For its part, Japan argues that the overlapping Japanese and Chinese EEZs in the East China Sea should be divided equally by a median line.

At issue is how to characterise economic sovereignty over the Chunxiao/Shirakaba gas field. After a number of incidents involving warships of both countries steaming around or through the disputed area, a preliminary "Principled Consensus" was reached in 2008 for the joint development of the fields.

Five years earlier, China started drilling in this field, inflaming tensions with Japan, which continues to argue that Beijing is actually siphoning gas from the part of the field Japan considers as its side of the line. Nothing has come of the 2008 agreement, and since Beijing has never compromised on its belief that it holds complete sovereignty over the field (based on its continental shelf interpretation), it has proceeded unilaterally to exploit the field.⁹

In March 2011, Mr Song Enlai, then Chairman of China National Offshore Oil Corporation's (CNOOC) board of supervisors, told reporters in Beijing that the state-controlled company was already pumping oil from the Chunxiao gas field. Asked about the Chunxiao field, he said: "We've said that we are ready for cooperation in the disputed area. We are developing in the area which we believe is our sovereign area."¹⁰

At this point there is no reason to expect that China will be willing to compromise on the issue of sovereignty, nor is it likely to agree to independent arbitration, were Japan so inclined to seek it. Frankly, it is not clear to me that Japan has any leverage in this case. Short of using force, it appears that the best that Japan can do is to gain some economic

9 The trough basin in the East China Sea, where the gas fields are located, is estimated to hold nearly 17.5 trillion cubic feet of natural gas and could also hold 20 million barrels of oil, according to Chinese estimates.

10 Yoko Kubota, Aizhu Chen, and Xu Wan, and Andrew Marshall (Ed.), "Japan says China oil production in disputed field regrettable." *Reuters*, 9 March 2011. Accessed 16 June 2014, <http://www.reuters.com/article/2011/03/09/japan-china-idUSL3E7E90ER20110309>.

benefit by going forward with joint exploration, which means setting aside the issue of sovereignty, which in turn boils down to a de facto acquiescence of China's claims.

Senkaku/Diaoyu

In response to a reporter's question at a State Department press briefing on 24 April 2004, Deputy Spokesman at that time, Adam Ereli, stated that the U.S. Government does not take a position on the question of the ultimate sovereignty of the disputed Senkaku/Diaoyu Islands. Ereli noted that this had been the government's "longstanding view" and that the United States expects both China and Japan to "exercise restraint" and resolve this issue through peaceful means.

This statement was an elaboration of former Deputy Secretary of State Richard Armitage's statement earlier that year. At a news conference at the Japan National Press Club in Tokyo on 2 February 2004, Armitage noted that the Japan-U.S. Security Treaty "would require any attack on Japan, or the administrative territories under Japanese control, to be seen as an attack on the United States", with the phrase "administrative territories under Japan's control" appearing to be an implicit reference to the Senkaku/Diaoyu islands.¹¹

The basis for this conclusion on the part of Washington was the fact that the United States had administered the islands from the end of the Second World War until 1971, when they were returned to Japanese control via the Okinawa Reversion Agreement. The text of this agreement lists the geographic coordinates of the range of islands that the United States returned to Japanese control and the Senkaku/Diaoyu Islands are incorporated into this range. However, during the ratification of the Agreement in the U.S. Senate, the United States specified that the Reversion Agreement did not affect the determination of ultimate sovereignty over "disputed islands".

So while the United States has not reached a policy position on ultimate sovereignty, Washington has concluded that so long as they are

11 Richard L. Armitage. "Remarks and Q & A at Japan National Press Club." U.S. State Department Archive, 2 February 2004. Accessed 16 June 2014, <http://2001-2009.state.gov/s/d/former/armitage/remarks/28699.htm>.

under Japanese administrative control, they are part of Japanese territory that the United States is treaty-bound to defend. Any ambiguity regarding the U.S. position was removed in October of 2010 when U.S. Secretary of State Hillary Clinton publically affirmed that in fact the Senkaku were covered under Article 5 of the U.S.-Japan Security Treaty.

This means that Washington has committed itself to a possible conflict with China in defence of the islands. While this is an important step in reassuring Japan, deterring any Chinese impetuosity and indirectly signalling to other U.S. allies in Asia that Washington would not abandon its friends when they faced Chinese pressure, it has created another potential Sino-U.S. flashpoint in addition to Taiwan.

CONCLUSION

The East China Sea is an important factor in the security calculations of Beijing, Tokyo and Washington because it is a body of water where unresolved sovereignty issues that could lead to conflict co-exist with crucial sea lanes for both countries (six of China's ten largest commercial ports can only be accessed via the East China Sea) in what are effectively the "home waters" of Asia's two most powerful countries.¹² The East China Sea has all the ingredients necessary to become the cockpit of competition for East Asia in the foreseeable future.

12 Shanghai, Qingdao, Ningbo, Tianjin, Xiamen and Dalian.

India's Extending Naval Horizons and Partnerships

Catherine Lea

INTRODUCTION

India is purposefully developing new partnerships and initiatives that capitalise on the strategic advantage of the maritime domain and on the Indian Navy as a tool of national power. India's extending naval horizons and maritime partnerships combine its growing political and economic power on the one hand with its history of non-alignment and aversion to military alliances on the other. In fact, India's naval horizons and maritime partnerships are extending broadly and deeply enough to suggest that they will be limited only by India's civilisational and political ambitions.

By and large, other countries in Asia and beyond embrace and welcome India's extending naval horizons and are responding with encouragement because India's values of democracy, pluralism and respect for the rule of law are widely shared. Furthermore, India's naval cooperation tends to be decidedly low key in that its international initiatives stress partnership on benign issues such as disaster response and maritime domain awareness versus traditional naval missions such as sea control and power projection.

As discussed below, India's maritime economic presence was the initial catalyst for expanding its maritime partnerships and consequently its naval horizons.

THE ECONOMIC ROOTS OF INDIA'S MARITIME FOOTPRINT

India's naval horizons and maritime partnerships have expanded dramatically as a result of its economic growth since the liberalisation policies of

the early 1990s, and they continue to expand as India's economy develops. Growth has caused India to develop an increased focus on the Indian Ocean in general and its international shipping lanes (ISLs) in particular. India's 2007 Maritime Military Strategy succinctly states the importance of ISLs to India as follows:

The Indian Ocean accounts for the transportation of the highest tonnage of goods in the world with almost 100,000 ships transiting its expanse annually. On its waters are carried two-thirds of the world's oil shipments, one-third of bulk cargo traffic and half the world's container shipments. According to the current estimates the value of two-way international trade that passes through these sea lanes amounts to nearly a trillion U.S. dollars.¹

India's economic growth largely depends on the trade that comes via the Indian Ocean ISLs, and that trade has been expanding at a rate of 8 to 10 per cent per year for over a decade.² The 2009 Indian Maritime Doctrine underscores the importance of trade to India in the following terms:

More than 90% of Indian trade by volume and 77% by value is transported over the seas. As a growing economy seeking new markets worldwide, these trade figures will only spiral upwards in the years to come.³

A crucial—arguably the most crucial—component of India's sea-borne trade is its oil imports. India imports 3.1 million barrels of oil per day, which literally fuels its economy.⁴ It is these economic realities that have contributed to the development of a maritime perspective in India, which, in turn, has led to expanded naval horizons and maritime partnerships.

1 *Freedom to use the Seas: India's Maritime Military Strategy*. New Delhi: Integrated Headquarters, Ministry of Defence (Navy), 2007, 44. Accessed 17 June 2014. http://www.irfc-nausena.nic.in/irfc/ezine/maritime_strat.pdf.

2 "India." *The World Factbook*. Central Intelligence Agency. Accessed 2009. *Export-Import Data Bank*. India: Department of Commerce, Government of India. June 2010. Accessed 2009. <http://commerce.nic.in/eidb/Default.asp>. *BP Statistical Review of World Energy: June 2010*. London: British Petroleum PLC, 2010.

3 *Indian Maritime Doctrine*. New Delhi: Integrated Headquarters, Ministry of Defence (Navy), 2009, 63.

4 "India." *The World Factbook*; *Export-Import Data Bank*.

INDIA'S MARITIME SECURITY CHALLENGES

As India's naval horizons expand, it is encountering security challenges in the maritime domain that require responses by its navy. The most immediate and ongoing challenge for the Indian Navy is participation in multinational counter-piracy operations. This participation was initially only limited to the Gulf of Aden but it has recently reached closer and closer to Indian shores. India has responded by deploying its navy ships to patrol the pirate-infested waters of the Indian Ocean since November 2008, when the UN Security Council approved sanctions against Somalia over piracy and urged countries with naval capabilities to deploy ships to fight piracy in the region.⁵

Since beginning these operations in October 2008, the Indian Navy has safely escorted over 1,000 foreign ships and has taken robust action when confronting pirates.⁶ Initially, Indian Navy counter-piracy patrols were not integrated into larger international counter-piracy naval operations such as the Combined Task Force 151. The Indian Navy, however, has been participating in the multinational Shared Awareness and Deconfliction (SHADE) meetings, along with other international navies that take part in counter-piracy operations. In early 2012, the navies of India, China and Japan, with the assistance of SHADE, began coordinated counter-piracy patrols in the Indian Ocean in order to fill existing coverage gaps.⁷

A more pressing maritime challenge for India is sea-borne terrorism, which was seared into its national consciousness by the 2008 Mumbai attacks. After the attacks, the Indian government placed its navy in charge of coastal security, although this was—and still is—typically a coastguard mission. In response, the Indian Navy has expanded its counter-terrorism training to include inter-agency partners as well as foreign navies. The Eastern Fleet, for instance, has carried out a counter-terrorist exercise

5 Thomas A. Bowditch et al. *A U.S. Navy-Indian Navy Partnership for the Future*. Alexandria, VA: Center for Naval Analyses, November 2010. *CNA Research Memorandum*. D0023588.A2/final. Alexandria, VA: Center for Naval Analyses, 49.

6 Bowditch et al., *A U.S. Navy-Indian Navy Partnership*, 52.

7 "Indian, Chinese Navies Unite to Tackle Piracy." *The Times of India*, 2 February 2012. Accessed 17 June 2014. <http://timesofindia.indiatimes.com/india/Indian-Chinese-navies-unite-to-tackle-piracy/articleshow/11720769.cms>.

with Indian state agencies.⁸ In addition, in its bilateral exercises with the United States, the Indian Navy conducts anti-terrorist drills. As part of its 2010 MILAN exercise, the Indian Navy joined eight Asian nations in anti-terrorist discussions as well as an exercise on sea-lane security in the vicinity of the Andaman and Nicobar islands.⁹

India is also keeping a wary eye on the activities of the Chinese People's Liberation Army Navy (PLAN), although India has not explicitly identified the PLAN as a threat to Indian maritime security. India historically has felt uncomfortable with the naval presence of external powers in the Indian Ocean. This discomfort is rooted in India's colonisation at the hands of the British, who came by sea and applied naval pressure to control India's sea communications, and thus India's economic life.¹⁰ This historical experience colours India's approach to the presence of external navies in the Indian Ocean in general and the PLAN in particular.

Since the end of 2008, the PLAN has sent flotillas to the region on four occasions to participate in counter-piracy operations. During their first deployment, the operations were stressed by the lack of friendly supply depots. The first PLAN flotilla, for example, remained at sea for 124 days without pulling into port.¹¹ This experience demonstrated to the PLAN the necessity of having re-supply ports if it is going to continue to participate in international anti-piracy efforts.

An ongoing PLAN presence in the Indian Ocean supported by one or more re-supply bases is a prospect that conjures up visions of a "string of pearls" encirclement of India. At the same time, logistics support will be a key enabler for both PLAN and Indian Navy units operating in the Indian Ocean in the future.

India's extending maritime horizons and partnerships have encountered China's own, both within and outside the Indian Ocean. Some of these encounters have proved uncomfortable for India. A prominent

8 Bowditch et al. *A U.S. Navy-Indian Navy Partnership*, 53.

9 P. Murugesan. Interview by Dzirhan Mahadzir, *Jane's Defence Weekly* correspondent; *Press Trust of India*, 5 February 2010; "America's Navy." *U.S. Navy*. Accessed April 2010. www.navy.mil/local/guam.

10 James R. Holmes, Andrew C. Winner and Toshi Yoshihara. *Indian Naval Strategy in the Twenty-First Century*. Abingdon: Routledge, 2009, 23.

11 Bowditch et al. *A U.S. Navy-Indian Navy Partnership*, 21.

Indian commentator summed up Indian concerns about Chinese maritime presence in the following terms: “India’s new non-territorial conception of the seas stands in contrast to the maritime philosophy of China. Beijing is not only asserting its expansive territorial claims in the South China Sea but has declared that these waters which connect the Indian Ocean to the Pacific form a ‘core national interest’ of China.”¹²

INDIA'S MARITIME PARTNERSHIPS

India has a wide variety of maritime partnerships with countries inside and outside the Indian Ocean Region (IOR). These partnerships vary in depth and type of cooperation, depending on the maritime security interests that each country has in common with India.

Indian Ocean naval presence and partnerships

India has increased its naval presence in the Indian Ocean by expanding its own naval bases in order to increase its maritime domain awareness. Notably, India established its first joint command—the Andaman and Nicobar Command (ANC)—at Port Blair in the Andaman Islands in 2001. The mission of the ANC is greater local intelligence, surveillance and reconnaissance (ISR) as well as operational support.¹³ Furthermore, under a 2010 plan, military facilities in the Andaman and Nicobar Islands have been receiving upgrades that support operations by larger and more advanced Indian ships and aircraft. The Lakshadweep Islands, which have been the site of Somali pirate activity, are similarly receiving upgrades to their military facilities. Specifically, an existing patrol craft base is being transformed into a full-fledged naval base able to host fast-attack craft, planes and helicopters in the near future.¹⁴ The Indian Navy’s Eastern Command, headquartered at Visakhapatnam, has likewise grown

12 See C. Raja Mohan, “India and the Changing Geopolitics of the Indian Ocean,” *Maritime Affairs* 6, No. 2 (Winter 2010): 10. Mohan continues as follows, “The PLAN is also focused on developing anti-access and area-denial strategies that could constrain the operations of the United States and other maritime powers like India.”

13 “India’s String of Pearls.” In *In Focus*. Canada: Office of the Asia Pacific Advisor, Maritime Forces Pacific, Royal Canadian Navy, September 2011.

14 *Ibid.*

considerably in recent years. In 2005, it had 30 warships under its command; six years later, that number had grown to 50, roughly a third of the Indian Navy's entire fleet strength, and it is poised to expand further.¹⁵ The Indian Navy is moreover assigning its most advanced and capable warships to the Eastern Naval Command. This includes an amphibious landing dock, *INS Jalashwa* (formerly *USS Trenton*), indigenously manufactured stealth frigates, the P8I Poseidon long-range maritime patrol aircraft, and the new fleet tanker, *INS Shakti*.¹⁶

In its relations with the small island-nations in the Indian Ocean, India tends to favour deployments of smaller assets such as aircraft and coastal patrol craft. In the Maldives, for instance, the Indian Navy deployed a Dornier aircraft to Male for three weeks in 2011 in order to conduct anti-piracy maritime reconnaissance and patrolling and protection of the Maldives' Exclusive Economic Zone (EEZ). An Indian Navy fast-attack ship also conducted similar missions in the Maldives.¹⁷ In addition, the Indian Navy has deployed a Dornier aircraft to the Seychelles since February 2011 to conduct maritime security missions.¹⁸ In Mauritius, India took a somewhat different approach by installing six coastal surveillance radars and assigning a naval officer as a maritime security advisor there.¹⁹ With Sri Lanka, India holds the SLINEX exercise, which has the purpose of improving interoperability between the two navies.²⁰

India's maritime partnerships and naval interactions in the Indian Ocean extend to the east coast of Africa. India has a Defence Cooperation memorandum of understanding (MOU) with Mozambique, which

15 Sudha Ramachandran. "Indian Navy Pumps Up Eastern Muscle." *Asia Times*, 20 August 2011. Accessed 4 November 2011. www.atimes.com/atimes/South_Asia/MH20Df02.html.

16 Ibid.

17 "Navy to Deploy Aircraft, Ships in Maldives Zone." *The Pioneer*, last modified 18 October 2011, http://archive.dailypioneer.com/index.php?option=com_k2&view=item&id=44089:navy-to-deploy-aircraft-ships-in-maldives-zone&Itemid=549.

18 Ibid.

19 Ibid.

20 "Indian Navy and Sri Lankan Navy conclude exercise." *Indian Defence Online*, 24 September 2011. Accessed 21 October 2011. <http://www.indiandefence.com/indian-navy-sri-lankan-navy-conclude-exercise-20110924/>.

provides for joint maritime patrolling of the Mozambique coast as well as training and technology transfer.²¹ During the African Union summit in Mozambique in 2002, the Indian Navy provided seaward security.²² India is also reportedly planning to set up a high-tech monitoring station in northern Madagascar in order to tackle piracy and terrorism, while keeping an eye on China and the sea lanes critical to New Delhi's economy and security at the same time.²³ The Indian Navy conducts goodwill port visits and exercises with the countries on the east coast of Africa as well. In September 2010, for example, the Indian Navy deployed four ships on a goodwill visit to the South Indian Ocean. The ships exercised with the navies and coastguards of Tanzania, Kenya, South Africa, the Seychelles and Mauritius, and made port calls at Reunion and Mozambique. The Indian Navy furthermore conducts the biennial India, Brazil and South Africa maritime exercise (IBSAMAR), a biennial naval exercise with the three countries.²⁴

Looking East to maritime partnerships

India's "Look East" policy, which seeks to engage the nations of East Asia economically, has a security dimension that has extended India's naval horizons and its maritime partnerships. This has been somewhat of a departure for India, which until now has considered its core interests as being within the Indian Ocean. This viewpoint, though, is changing and the Indian Navy is leading the charge.

India is actively developing partnerships with Southeast Asian navies. India and Malaysia are planning more extensive cooperation on the maintenance and operations of their French-origin Scorpene submarines.²⁵ Indonesia and India are developing a maritime partner-

21 Steven J. Forsberg. "India Stretches Its Sea Legs." *Proceedings* 133, No. 3 (March 2007): 38–43.

22 Sudha Ramachandran. "Delhi All Ears in the Indian Ocean." *Asia Times*, 3 March 2006. Accessed 17 June 2014, http://www.atimes.com/atimes/South_Asia/HC03Df02.html.

23 Ibid.

24 Bowditch et al. *A U.S. Navy-Indian Navy Partnership*, 50.

25 P. S. Suryanarayana. "India, Malaysia to Step Up Defence Ties." *The Hindu*, 8 January 2008. Accessed 18 October 2011. www.hindu.com/2008/01/08/stories/2008010856131200.htm.

ship that includes enhanced cooperation in capacity building, technical assistance and information sharing between the agencies responsible for their respective EEZs.²⁶ The Indian and Singapore navies, likewise, have been conducting the SIMBEX exercise since 1994.

India and Vietnam have developed an even broader strategic relationship, of which naval cooperation is a key component. During the October 2011 visit of Vietnamese President Truong Tan Sang to India, the two countries signed an agreement to promote oil exploration in the South China Sea. The pact between the Indian and Vietnamese state-owned oil companies includes new investments and the exploration and supply of oil and gas to the two countries.²⁷ This is a contentious issue because China claims the areas that Vietnam and India have identified for oil exploration.

Vietnam and India have a long-standing cooperation in oil and gas exploration. Specifically, India's state-owned oil company, ONGC Videsh Limited, and Vietnam's Petro-Vietnam have had a joint venture for oil exploration in Vietnam's territorial waters and EEZs since 1992.²⁸ India and Vietnam's shared maritime economic interests have evolved into a maritime security partnership. India has agreed to provide help to Vietnam in its capacity building for repair and maintenance of its platforms, including its submarines. For its part, Vietnam has made available maintenance and repair facilities at Vietnamese ports to Indian vessels.²⁹ In addition, the Indian Navy has been making port visits to Vietnam since 2001, including the 2011 visit by *INS Airavat*, which occasioned

26 "Joint Declaration between the Republic of India and the Republic of Indonesia." Ministry of External Affairs, Government of India, 25 November 2005. Accessed 17 June 2014. <http://mea.gov.in/bilateral-documents.htm?dtl/7067/Joint+Declaration+between+the+Republic+of+India+and+the+Republic+of+Indonesia>.

27 "India, Vietnam Sign Pact for Oil Exploration in South China Sea." *The Hindu*, 13 October 2011. Accessed 4 November 2011. www.thehindu.com/news/national/article2532311.ece.

28 S. D. Muni. "The Turbulent South China Sea Waters: India, Vietnam, and China." *ISAS Insights* 140, 11 October 2011: 8. Accessed 17 June 2014. http://www.isas.nus.edu.sg/Attachments/PublisherAttachment/ISAS_Insights_140_-_The_Turbulent_South-China_Sea_Waters_13102011121226.pdf.

29 Sitanshu Kar. "India and Vietnam to Expand Defence Cooperation Covering All Three Services." Press Information Bureau, Government of India, 13 October 2010. Accessed 20 October 2011. pib.nic.in/newsite/erelease.aspx?relid=66302.

the reported warning by Chinese authorities that the ship was in China's waters.

India is establishing maritime partnerships with key countries in Northeast Asia. India and Japan have converging interests in that the economies of both countries are dependent on energy supplies that transit the Indian Ocean ISLs. Over the past few years, the two countries have been developing a closer bilateral relationship, including bilateral naval exercises to enhance cooperation and core capabilities for maritime operation and disaster relief, multilateral naval exercises as and when possible, passing exercises and navy-to-navy staff talks.³⁰ Japan and India have conducted joint counter-piracy patrols around the Malacca Strait.³¹ New Delhi and Tokyo held their fifth round of strategic dialogue in 2011, with maritime security and securing of the sea lanes topping the agenda.³² Furthermore, the Japanese and Indian defence ministers met in Tokyo in November 2011, and some of the issues that dominated the meeting were maritime security, anti-piracy measures, freedom of navigation, and the maintenance of the security of sea lines of communication (SLOCs) to facilitate unhindered trade through the sea routes.³³

India has a less well-developed relationship with the Republic of Korea (R.O.K.). Nevertheless, the fact that these two emerging—yet geographically separated—powers are finding common ground on maritime

30 "Action Plan to Advance Security Cooperation Based on the Joint Declaration on Security Cooperation." Ministry of External Affairs, Government of India, 29 December 2009. Accessed 20 October 2011. www.mea.gov.in/mystart.php?id=530515442.

31 Sandhya Sharma. "India, Japan to Conduct First Ever Bilateral Naval Exercise Next Year." *The Pioneer*, 11 October 2011. Accessed 17 June 2014. http://archive.dailypioneer.com/index.php?option=com_content&view=article&id=12352:india-japan-to-conduct-first-ever-bilateral-naval-exercise-next-year&catid=295:nation&Itemid=543.

32 "Indo-Japan Dialogue on Maritime Security." *The Pioneer*, 26 October 2011. Accessed 19 June 2014. http://archive.dailypioneer.com/index.php?option=com_k2&view=item&id=44262:indo-japan-dialogue-on-maritime-security. See also, "Fifth Japan-India Foreign Ministers' Strategic Dialogue (Overview)." Ministry of Foreign Affairs of Japan, 29 October 2011. Accessed 28 March 2012. www.mofa.go.jp/region/asia-paci/india/meeting1110_2.html.

33 K. V. Prasad. "India, Japan to Step Up Defence Cooperation." *The Hindu*, 3 November 2011. Accessed 17 June 2014. <http://www.thehindu.com/news/international/india-japan-to-step-up-defence-cooperation/article2593792.ece>.

security issues is notable. Former Indian Prime Minister Manmohan Singh and former South Korean President Lee Myung-bak agreed on the need for greater cooperation between their respective navies and coastguards in areas pertaining to the safety and security of international maritime traffic.³⁴ In 2010, India and South Korea signed two MOUs, which included provisions for SLOC security and cooperation between like-minded countries working together in the Gulf of Aden.³⁵

India has critical economic and security interests in East Asia. These interests were first evidenced by India's Look East policy and now are underscored by its developing maritime partnerships and naval interactions in the region.

Looking West to maritime Middle East partnerships

In 2005, former Indian Prime Minister Manmohan Singh initiated the Look West policy, which builds on the earlier success of the Look East policy and recognises the importance of the greater Middle East to India's interests. While the Look West policy, like the Look East policy, is first and foremost an economic cooperation policy, it has an important security dimension. This is because, in addition to their obvious common economic interests and geographic proximity, India and its maritime Middle Eastern partners also perceive common security threats, including Islamic extremism, terrorism and maritime piracy.³⁶ The natural consequence of the Look West policy has been for India to expand its naval horizons and maritime partnerships into the maritime Middle East. At the same time, India has adopted a cautious approach to security issues in the region so as not to be viewed as interventionist by Middle Eastern countries.³⁷

34 "India-Republic of Korea Joint Statement: Towards a Strategic Partnership." Institute for Defence Studies and Analyses, 25 January 2010. Accessed 17 June 2014. <http://idsa.in/resources/documents/India-KoreaJointStatement.25.1.10>.

35 Sitanshu Kar. "India and South Korea Sign Two Landmark Defence MoUs to Boost Defence Cooperation." Press Information Bureau, Government of India, 3 September 2010. Accessed 20 October 2011. pib.nic.in/newsite/erelease.aspx?relid=65522.

36 Prasanta Kumar Pradhan. "Accelerating India's Look West Policy in the Gulf." *IDSAs Issue Brief* (3 February 2011): 5.

37 *Ibid.*, 8.

India's closest partners in the maritime Middle East are Oman and Qatar. Immediately on the heels of the Look West policy, in December 2005, India and Oman signed a defence MOU primarily aimed at improving maritime security cooperation. This MOU was followed by upgraded joint naval exercises such as Tamar-al-Tahir (Benign Fruit), which was renamed Naseem-al-Bahar (Sea Breeze).³⁸ Oman has also offered the Indian Navy access to berthing facilities for its ships conducting anti-piracy operations in the Gulf of Aden.³⁹ India similarly concluded a defence cooperation pact with Qatar in November 2008 that included maritime security, counter-piracy and intelligence sharing on terrorism. It also established a structure for joint maritime security and training as well as an exchange of visits.⁴⁰ In response, an Indian official was quoted as saying that the accord "is just short of stationing troops".⁴¹

In its relations with Iran, there is a nascent maritime component that has the potential to mature into a partnership over time. India is investing substantially in the Iranian port of Chabahar, which potentially can offer India access to the mineral wealth in the interior of Afghanistan. India has constructed a 200-km road to the port⁴² and is finalising plans for a 900-km rail link from Chabahar Port to the mineral-rich Hajigak region of Afghanistan.⁴³ Progress at Chabahar Port, however, has been slow—much to India's frustration. India's naval ties with Iran are limited to occasional port visits and training exchanges.⁴⁴ Chabahar Port has the potential to

38 Sandeep Dikshit. "India, Oman Still Studying Undersea Pipeline." *The Hindu*, 30 October 2009. Accessed 21 October 2011. www.thehindu.com/news/national/article40600.ece.

39 Ibid.

40 Pradhan. "Accelerating India's Look West Policy." 2.

41 "India, Qatar Ink Key Defence Pact." *Financial Express*, 11 November 2008. Accessed 21 October 2011. www.financialexpress.com/news/india-qatar-ink-key-defence-pact/383907.

42 Sanjeev Miglani. "India, China's Rivalry and a Tale of Two Ports." *Reuters*, 25 March 2011. Accessed 17 June 2014. <http://in.mobile.reuters.com/article/worldNews/idINIndia-55875920110325?feedType=RSS&feedName=worldNews>.

43 "India Firming Up Big Plans on Afghanistan." *Zee News*, 1 November 2011. Accessed 17 June 2014. http://zeenews.india.com/news/nation/india-firming-up-big-plans-on-afghanistan_739308.html.

44 Harsh V. Pant. "India's Relations with Iran: Much Ado about Nothing." *Washington Quarterly* 34, No. 1 (Winter 2011): 62. Accessed 17 June 2014, DOI:10.1080/0163660X.2011.534964.

provide India with raw materials to feed its growing economy as well as logistics support to Indian Navy ships. The Indian Navy's relationship with the Iranian Navy holds less promise due to the concern that it creates in Washington and the limited benefit of this relationship to India.

The United States

India's relationship with the United States has undergone a renaissance since both countries signed the 2006 Strategic Partnership Agreement, along with a separate Maritime Security Cooperation Agreement in the same year. The overall "strategic partnership" has thus far focused on an improved bilateral relationship.⁴⁵ Both the strategic partnership and the maritime security relationship have room for growth and offer India the opportunity to further extend its naval horizons. The U.S.-India maritime security partnership is mainly limited to the Indian Ocean, although the two navies conduct activities, including exercises, outside of the Indian Ocean.

In the area of security, U.S. and Indian interests clearly converge in the Indian Ocean. In the near term, both countries are interested in stemming international terrorism and piracy in South Asia and the IOR. In the longer term, both the United States and India view their strategic partnership as a potential counterweight to Chinese assertiveness in the IOR.⁴⁶ As the United States and India strive to solidify their "strategic partnership" over the next decade, the United States will increasingly be looking not just at the bilateral relationship but also at India's contribution to maintaining stability and protecting the commons in the Indian Ocean littoral.⁴⁷

LIMITED MULTINATIONAL MARITIME PARTNERSHIPS

India has a decided preference for bilateral maritime partnerships in order to avoid the appearance of forming coalitions against other nations. It has, however, initiated some low-key multilateral initiatives that are specifically designed to be benign and as inclusive as possible.

45 Bowditch et al. *A U.S. Navy-Indian Navy Partnership*, 36.

46 *Ibid.*, 14.

47 *Ibid.*, 43.

Multinational exercises

India advances its maritime partnerships through numerous bilateral and multilateral naval exercises. It holds regular bilateral naval exercises with countries with which it has long-standing ties, including France (Varuna), Russia (INDRA), Singapore (SIMBEX), the United States (Malabar) and the United Kingdom (Konkan).⁴⁸ The Indian Navy has been exercising with the Republic of Singapore Navy for more than a decade, with the Indonesian Navy since 2004, and with the Royal Thai Navy since 2010. Likewise, to its west, it has been holding joint exercises with the navies of Kuwait, Iran, Oman, Bahrain, Saudi Arabia and the United Arab Emirates (UAE)⁴⁹ and in the Gulf of Oman, the Gulf of Aden and the Arabian Sea.⁵⁰

India participates in two large multilateral naval exercises. As previously mentioned, the Indian Navy conducts the annual IBSAMAR exercise with the navies of Brazil and South Africa. It also regularly conducts the multinational MILAN exercise off Port Blair in the Andaman Islands.⁵¹ The eighth iteration of MILAN was held off the Andaman and Nicobar Islands in February 2012, with participation by 14 Asia Pacific navies. The focus of MILAN 2012 was on maritime terrorism, piracy, poaching, humanitarian and search and rescue operations, and capacity building.⁵²

The Indian Ocean Naval Symposium

Arguably, India's crowning initiative in advancing maritime partnerships is the establishment of the Indian Ocean Naval Symposium (IONS). IONS provides a regional forum through which the chiefs-of-navy of all the littoral states of the IOR can meet on a biennial basis to construc-

48 Ibid., 50.

49 Pradhan. "Accelerating India's Look West Policy." 6.

50 Sudha Ramachandran. "India's Quiet Sea Power", *Asia Times*, 2 August 2007. Accessed 21 October 2011. www.atimes.com/atimes/South_Asia/IH02Df01.html.

51 Yogesh V. Athawale. "The IONS Initiative and Its Prospects for Security Cooperation within the IOR." *Maritime Affairs* 6, No. 1 (Summer 2010): 105. Accessed 17 June 2014. DOI:10.1080/09733159.2010.508245.

52 "Navy to Host 14-nation 'MILAN' Exercise from Feb 1." *Times of India*, 31 January 2012. Accessed 28 March 2012. timesofindia.indiatimes.com/india/navy-to-host-14/nation-Milan-exercise-from-Feb-1/articleshow/11693159.cms.

tively engage one another.⁵³ India hosted 26 nations at the first IONS conference in New Delhi in 2008. By 2010, IONS included the navies of 32 IOR nations, including nations in Africa, South Asia, Southeast Asia and Oceania. IONS is intended to be a consultative mechanism on maritime security issues that are most pressing in the IOR, and the Indian Navy has taken the lead in focusing members' attention on key issues facing their navies.⁵⁴

The Indian Navy, however, does not dominate IONS and is not proprietary about it as a forum. At the 2010 IONS meeting held in Dubai, India transferred chairmanship to the UAE. This astute diplomatic move by India cleared the way for Pakistan to attend, thus assuaging the Pakistanis' fears that IONS was an anti-Islamic grouping.⁵⁵ Although IONS membership is open only to Indian Ocean countries, other countries, including the United States, are permitted to attend IONS events as observers.

INDIAN NAVY SUPPORT TO THE MARITIME COMMONS

India's numerous and varied maritime partnerships and its growing multilateral initiatives underscore that the country is a responsible stakeholder in the international system, whose ability to provide security to the maritime commons will only grow over time. India not only has participated in multilateral exercises and meetings, it is also making limited forays into multilateral operations. The Indian Navy currently provides security in the maritime commons through disaster-relief efforts and maritime patrol in the Malacca Strait.

The Indian Navy has played a leading role in disaster response in the IOR. During the 2004 Indian Ocean tsunami, although India itself suffered over 15,000 deaths and vast destruction, the Indian Navy was

53 Indian Navy Website. *Indian Navy*. Accessed 1 November 2011. indiannavy.nic.in/ion.htm.

54 Bowditch et al. *A U.S. Navy-Indian Navy Partnership*, 51.

55 *Ibid.*, 50.

quick to rush aid to the Maldives as well as Sri Lanka and Indonesia.⁵⁶ The Indian Navy once again led disaster relief in 2008 in the aftermath of Cyclone Nargis in Myanmar, when it was the first to send relief supplies. *INS Rana* and *INS Kirpan* offloaded sea-borne aid supplies at Yangon.⁵⁷ This latter disaster-relief effort is significant because the military junta in Myanmar at the time did not initially permit international aid shipments to enter the country immediately following the disaster.

The Indian Navy has contributed to the security of the Malacca Strait by patrolling the key international strait to curb piracy and escort high-value units. Notably, in 2002, the Indian Navy escorted 24 high-value U.S. Navy units through the Malacca Strait.⁵⁸ U.S. officials often cite this incidence of international cooperation as a shining example of the U.S. Navy's cooperation with the Indian Navy. In 2005, when India participated in multinational patrols of the Malacca Strait, the Chief of Naval Staff at the time, Admiral Arun Prakash, described Indian Navy operations as follows, "We have no intention of patrolling (unilaterally) in the Malacca Strait. We believe in working with the Singapore, Malaysian and Indonesian navies with whom we have joint programmes."⁵⁹ These coordinated patrols with the three navies have become emblematic of India's commitment to the security of the Malacca Strait. This was also a significant change from India's long-standing preference for unilateral

56 Ritu Sharma. "Indian Navy Wins Friends, Expands Influence in Indian Ocean Region." *NewKerala.com*, 28 August 2008. Accessed 2 November 2011. www.newkerala.com/topstory-fullnews-15929.html. Sharma continues as follows, "About 1,000 Indian relief personnel and five naval ships were sent to Trincomalee, Galle and Colombo ports in Sri Lanka, with medical teams and immediate relief material. The Indian Air Force and navy helicopters ferried packed food, medicines and drinking water and undertook rescue operations in Sri Lanka. Two field hospitals were established in Galle and Colombo before any other aid could reach the island country. The Indian Navy and the Coast Guard also undertook relief work in the Maldives post-tsunami. Apart from conducting aerial surveys to search for survivors, India provided relief material. In Indonesia, Indian ships offloaded emergency rations, medicines, tents and first-aid kits worth USD 1 million and established two field hospitals in the worst hit area, Aceh."

57 *Ibid.*

58 Arun Prakash. *From the Crow's Nest*. New Delhi: Lancer Publishers, 2007, 173.

59 Sujan Dutta. "Navy Touches Up Friendly Face." *The Telegraph* (Calcutta), 23 July 2005, 4.

maritime security operations. The Indian Navy thus emerged as an important contributor to regional maritime security initiatives in the Malacca Strait.⁶⁰

The Indian Navy's support of disaster-relief operations and contributions to maritime security in the Malacca Strait represents a step towards multilateral operations. At the same time, India has acted with careful consideration so as not to appear threatening to other countries.

CONCLUSION

India's expanded naval horizons and maritime partnerships provide a net benefit to the international community. India has consistently demonstrated its willingness to abide by international norms in the maritime domain by providing for the security of its partners and contributing to international efforts. India's low-key non-interference approach to maritime partnerships has largely played well in the global community. The maritime security challenges that India is confronting are largely those of the wider regional maritime community writ large—piracy, terrorism and Chinese assertiveness. India has responded by drawing closer to the international community through forming maritime partnerships and expanding its naval horizons rather than shrinking from a maritime perspective. India, though, is still in the process of establishing its maritime strategic space as its global economic presence grows. As the twenty-first century progresses, India can further expand its naval horizons by making more robust contributions to multilateral maritime efforts, especially when doing so is in its interests.

60 Donald L. Berlin. "India in the Indian Ocean." *Naval War College Review* 59, No. 2 (Spring 2006): 58-89. Accessed 17 June 2014. DOI:10.1177/097152319700400112.

U.S. Perspectives on the South China Sea

Here to Stay?

Bronson Percival

INTRODUCTION

China has presented the United States with an opportunity to reaffirm a principled stand on the South China Sea issue and to thus strengthen its alliances and partnerships with other states in Asia. Beijing's excessive claim and assertive behaviour by elements of China's maritime agencies in the South China Sea have alienated many governments in the region.

While the United States has not sought a more prominent role in the South China Sea, it has responded to and taken advantage of China's tactical mistakes. From an American perspective, Beijing is playing directly into American strengths, principled support for freedom of navigation and overwhelming naval capabilities.

For a decade, the South China Sea was a potentially significant security issue waiting to rise to the surface of American policymakers' consciousness. In the time between the collision of a Chinese jet fighter with an American surveillance airplane in April 2001 and Chinese harassment of the *USNS Impeccable* in March 2009, the South China Sea had disappeared from the U.S. policy agenda. China's actions have reawakened interest and provoked a reaffirmation of U.S. policy.

South China Sea issues rose to the surface at the same time the current U.S. administration declared America's return to Asia. They have become a major component of U.S. policy in Asia. Former U.S. Secretary of State Hillary Clinton and former Secretary of Defense Robert Gates repeatedly affirmed a "national interest" in the freedom of navigation and the peaceful settlement of disputes in the South China Sea.

In her November 2011 article in *Foreign Policy*, Clinton outlined a plan to "pivot" to Asia, as America withdraws its armed forces from Afghanistan. She argued that the Asia Pacific has become the key driver

of global politics and sketched out a new American regional strategy.¹

For the United States, developments in the South China Sea now apparently rank alongside such traditional issues as North Korea, Afghanistan, Pakistan and Iran in Clinton's discussions with her Chinese counterparts. An internal debate about the depth of U.S. interests in the South China Sea and the potential impact of U.S. South China Sea policies on Sino-U.S. relations now appears to have been at least temporarily resolved.

Diplomacy is playing the leading role in the implementation of U.S. policy, though Washington is also seeking to enhance the capabilities of several Southeast Asian states' armed forces and adjust the U.S. force posture in the region. The goal is not to contain China but to influence its behaviour in the South China Sea and, more broadly, in Asia. At the same time, the United States reaps benefits from improved relations with Asian countries that are also concerned about China's growing influence and military power.

The gap between U.S. and Chinese perceptions on South China Sea issues is wide. The South China Sea is likely to remain a significant foreign policy issue for the United States in the foreseeable future.

U.S. RETURN TO ASIA

A recurring theme of President Obama's administration has been its commitment to "return" to Asia. Breaking with precedent, Clinton's first official visit was to Asia. The United States has continued to strengthen ties with its key allies and deepen strategic and comprehensive partnerships with such emerging Asian powers as India and Indonesia. Washington has bet on New Delhi. The two capitals have intensified a previously anaemic bilateral dialogue and now plan to include Japan in this process. A Trans-Pacific Partnership (TPP) trade agreement is moving forward, and several additional Asian countries are interested in joining this arrangement.

1 Hillary Clinton. "America's Pacific Century." *Foreign Policy*, November 2011. Accessed 17 June 2014. www.foreignpolicy.com/articles/2011/10/11/americas_pacific_century?

This return requires more extensive interaction with China. After an initial deterioration in the relationship following U.S. President Obama's assumption of office, Sino-U.S. relations rebounded. Former Chinese President Hu Jintao's early 2011 visit to the United States was a success. A new Strategic and Economic Dialogue was launched with China.

With regard to Southeast Asia, Washington has signed ASEAN's Treaty of Amity and Cooperation. The Obama administration has stated that it views ASEAN as the "fulcrum" for regional issues and has appointed an ambassador to ASEAN. President Obama participated in the East Asia Summit for the first time in November 2011. In addition, bilateral ties have been significantly strengthened with Indonesia, Malaysia, the Philippines, Singapore and Vietnam. Moreover, the Obama administration's commitment to a "geographically distributed, operationally resilient and politically sustainable force posture" in Asia requires Washington to examine "how we can increase our operational access in Southeast Asia and the Indian Ocean region and deepen our contacts with allies and partners".²

Clinton harked back to the U.S. post-World War II legacy of strong trans-Atlantic ties and compared the successful American initiatives of that era, such as NATO, with current opportunities in Asia. She asserted that "the time has come for the United States to make similar investments as a Pacific power".

Clinton referred repeatedly to the South China Sea as an issue of equal importance with such long-standing flashpoints such as the Korean Peninsula, which directly, legally and strategically implicate core American interests. She wrote, "Strategically, maintaining peace and security across the Asia Pacific is increasingly crucial to global progress, whether through defending freedom of navigation in the South China Sea, countering the proliferation efforts of North Korea, or ensuring transparency in the military activities of the region's key players."

A striking feature of the article is the statement, "We have made strides in protecting our vital interests in stability and freedom of navigation and have paved the way for sustained multilateral diplomacy among the many parties with claims in the South China Sea, seeking to ensure

2 Ibid.

disputes are settled peacefully and in accordance with established principles of international law.”

In late October, in Bali at a meeting of ASEAN defence ministers, then U.S. Secretary of Defense Leon Panetta said, “Even with the budget constraints that we are facing in the United States”, there is “no question that the Pacific will be a priority” in order to “protect international rights to be able to move across the oceans freely”³

However, launching America’s pivot to the Asia Pacific also depended upon its ability to extricate U.S. forces from Afghanistan, to manage a difficult relationship with Pakistan, and to maintain sufficient capabilities in the Middle East to curb Iranian adventurism. It needed to overcome bureaucratic challenges to realign its armed forces and budgets to meet the conventional—primarily naval—challenges in Asia.

U.S. INTERESTS IN THE SOUTH CHINA SEA

A few American commentators have questioned the priority currently assigned in U.S. foreign policy to the freedom of navigation through a sea on the other side of the world that is filled with disputed features claimed by a number of states. One argument is that Sino-Japanese maritime disputes over the Diaoyu/Senkaku Islands are of greater importance because of U.S. treaty obligations to Japan. Others find the new emphasis on the South China Sea overdrawn, particularly in comparison with U.S. treaty obligations in Asia and decades-old commitments involving cross-strait issues and North Korea. On the other hand, one influential author has argued, “East Asia can be divided into two general areas: Northeast Asia, dominated by the Korean peninsula, and Southeast Asia, dominated by the South China Sea.”⁴ He went on to make a case that the struggle for primacy in the Western Pacific will dominate U.S. national security policy in the coming decade.

3 Elizabeth Bumiller. “U.S. to Sustain Military Power in the Pacific, Panetta Says.” *New York Times*, 23 October 2011. Accessed 17 June 2014. http://www.nytimes.com/2011/10/24/world/asia/panetta-tells-pacific-countries-that-us-will-keep-strong-presence.html?_r=0.

4 Robert D. Kaplan. “The South China Sea is the Future of Conflict.” *Foreign Policy*, September/October 2011, 76–85.

Scepticism and hyperbole can be found on both ends of the spectrum. The dominant view in Washington lies somewhere in the middle, but stresses that the U.S. has been dealt a winning diplomatic hand. In the current competition with China for influence in Asia, Washington can only benefit from upholding the principles of freedom of navigation and the peaceful settlement of disputes. China is in an embarrassing position, with a claim that is untenable under international law. As long as incidents in the South China Sea do not threaten to escalate out of control, U.S. foreign policy, national security and economic interests are fulfilled by current policy.

In terms of foreign policy, the South China Sea issue provides the United States with leverage in discussions and negotiations with China. Since escalating rivalries in the South China Sea pose the most intractable security problem in Sino-Southeast Asian relations, U.S. support for basic principles and the American security shield provide ample reason for many Southeast Asian countries to seek to improve bilateral relations with Washington. The U.S. role is also seen as supportive of ASEAN's cohesion.

In terms of security, the United States has made or planned several responses to protect American interests in the region. The United States depends on free passage through the waters and airspace of the South China Sea to deploy its armed forces between the Pacific and Indian Oceans. The United States also needs to keep track of Chinese naval deployments. Though the ability of the People's Liberation Army Navy (PLAN) to project naval power remains limited, China has constructed a major naval base on Hainan Island. This base improves the Chinese navy's ability to stage naval forces into the South China Sea. However, adjustments in U.S. force posture are not exclusively tied to the South China Sea.

Finally, the United States has significant economic interests in Southeast Asia and the South China Sea. Through the South China Sea passes more than half of the world's annual merchant fleet tonnage and about one-third of global maritime commerce. A large percentage of oil and gas imports to China, South Korea and Japan pass through the South China Sea. The seabed may also become a major source of energy supplies that are essential to the further economic development of East Asia, though

U.S. estimates of potential energy reserves are considerably smaller than those of China.⁵ Southeast Asia is the home to US\$160 billion in investments by U.S. companies and is America's fifth-largest trading partner.

U.S. POLICY

U.S. policy regarding the South China Sea has remained consistent since it was articulated in 1995 but U.S. interest in this body of water waned as China and several ASEAN states shelved conflicting claims in the South China Sea while Beijing courted its southern neighbours. As the strategic situation evolved, the United States has reacted pragmatically and in accordance with long-standing policy.

The two elements of U.S. policy for the South China Sea are distinct and should not be conflated. First, the United States "takes no position on the legal merits of the competing claims to sovereignty" in the South China Sea. Second, maintaining freedom of navigation is a fundamental U.S. national interest. The United States maintains that states may not restrict military survey operations within their Exclusive Economic Zone (EEZ).⁶

In 2008, China's confrontational approach in the South China Sea provoked a response from the United States, which gradually escalated as China persisted with its actions, which were interpreted as a campaign to coerce other interested parties. In 2009, former U.S. National Intelligence Director Admiral Dennis Blair called China's harassment of the *USNS Impeccable*, while conducting a military survey off Hainan Island, the most serious military dispute between China and the United States

5 Chinese energy companies, which may earn more than 90% of the "profits" of Chinese state owned enterprises, are widely believed to influence China's policies in the South China Sea. These companies want to participate in the discovery and exploitation of energy resources in the South China Sea.

6 Approximately 25 of the 164 states that have signed UNCLOS do not fully acknowledge the right to unrestricted military survey operations with their EEZs, including India, Malaysia, Myanmar, and Thailand.

since 2001.⁷ On the other hand, the appropriate pattern and frequency of U.S. military surveys within these waters appear to be the subject of some debate within U.S. councils. A senior American thinker has commented, “Having the legal right to do something does not make it wise to rub others’ noses in it.”⁸

At the July 2010 ASEAN Regional Forum (ARF) meeting, the United States and 11 other countries criticised Chinese actions in the South China Sea, which led to a diplomatic stand-off with China. Afterward, Clinton told the press that the United States has a national interest in freedom of navigation, open access to Asia’s maritime commons and respect for international law in the South China Sea. Clinton also offered to facilitate negotiations on a Code of Conduct among all the claimants in the South China Sea.

China responded by seeking to reassure Southeast Asian states through visits to the region by former Prime Minister Wen Jiabao and other Chinese leaders, and by exercising restraint in the South China Sea. For eight months, no significant incident occurred. China also agreed to meetings of the ASEAN-China Joint Working Group to implement the Declaration on the Conduct of Parties in the South China Sea (DOC), although these were no more productive than previous meetings.

The United States also “took its foot off the accelerator” on South China Sea issues. At the ASEAN Defence Ministers Meeting-Plus

7 “China and the United States have fundamentally different interpretations of the United Nations Convention on the Law of the Sea (UNCLOS). One major difference is over whether and which type of military activities are permitted within the 200-nautical mile exclusive economic zone (EEZ) of a nation. China’s national interests and growing confidence lead to an expansive view of its EEZ and a narrow view of which military activities are permissible for a foreign nation to undertake within an EEZ. Such activities must be peaceful and Chinese nationalists don’t consider intelligence gathering even by non-warships to be peaceful. The United States, on the other hand, not only contends that such information gathering is entirely within international law, but also that the United States has an obligation to periodically test the premise in order to maintain what it considers the global public good of freedom of the seas.” Patrick Cronin, “How China, US See Each Other at Sea,” *The Diplomat*, 29 May 2011, accessed 17 June 2014, <http://thediplomat.com/2011/05/how-china-us-see-each-other-at-sea/>.

8 Chas Freeman (remarks, U.S. Naval War College Maritime Studies Institute Annual Conference, Newport, Rhode Island, 10 May 2011).

(ADMM-Plus) initial meeting in October 2010 in Hanoi, former U.S. Secretary of Defense Gates “echoed recent statements by Clinton that the U.S. would not take sides in competing claims, but would insist on open access to international waters and shipping lanes.”⁹ Gates accepted an invitation to visit Beijing in January 2011. American press reports suggested that the tone of the U.S.-Chinese dispute over the South China Sea issue had softened. Later that month, at the East Asia Summit in Hanoi, Clinton and Wen also appeared to “soften their stances”, though the Secretary reaffirmed the basic U.S. positions on the South China Sea.¹⁰

By the time former Chinese President Hu Jintao visited Washington in January 2011, tensions between Washington and Beijing had eased and bilateral relations improved. The joint statement contained no direct mention of the South China Sea. Subsequently, U.S. officials publicly stressed cooperative ties.

By May 2011, however, new Chinese actions had aroused fresh concerns. Nonetheless, Gates focused on America’s enduring commitments to Asia in his speech at the June 2011 Shangri-La Dialogue meeting in Singapore. He re-stated the U.S. position on the South China Sea, saying, “We have a national interest in freedom of navigation, in unimpeded economic development and commerce, and respect for international law.”¹¹ However, the South China Sea did not dominate the Secretary’s remarks as it had at the 2010 Shangri-La dialogue.

Gates announced that U.S. “Littoral Combat Ships” would be deployed to Singapore and pledged increased maritime capacity-building

9 Craig Whitlock, “Gates: The U.S. has ‘National Interest’ in Asian Sea Disputes.” *Washington Post*, 12 October 2010. Accessed 17 June 2014. <http://www.washingtonpost.com/wp-dyn/content/article/2010/10/12/AR2010101201295.html>.

10 Abdul Khalik, “US, China Soften Stances While RI Takes Regional Leadership,” *Jakarta Post*, 31 October 2010, accessed 17 June 2014, <http://www.thejakartapost.com/news/2010/10/31/us-china-soften-stances-while-ri-takes-regional-leadership.html>.

11 Robert Gates, “Emerging Security Challenges in the Asia-Pacific” (speech, First Plenary Session of 10th IISS Asia Security Summit/Shangri-La Dialogue 2011, Singapore, 4 June 2011), accessed 17 June 2014, <http://www.iiss.org/en/events/shangri%20la%20dialogue/archive/shangri-la-dialogue-2011-4eac/first-plenary-session-1fea/robert-gates-e986>.

support for regional states.¹² In response to a specific question referencing recent Chinese actions that had led to protests by Hanoi and Manila, Gates stressed the need to find a mechanism to adjudicate disputes, which “need to be resolved peacefully and within the framework of international law”.¹³

Following the Shangri-La Dialogue, Clinton commended the July 2011 agreement between China and ASEAN on implementing guidelines to the DOC that facilitated confidence-building measures in the South China Sea. At the July ASEAN Regional Forum that year, she “called on all parties to clarify their claims in the South China Sea”, while reaffirming the U.S. view that “claims to maritime space in the South China Sea should be derived solely from legitimate claims to land features”.¹⁴ The next step is for ASEAN and China to negotiate a binding code governing their conduct in the South China Sea. Thus far, China has employed delaying tactics, informing ASEAN that China will work towards a code “at an appropriate time”.¹⁵

DIFFERENT INTERESTS BUT COMMON VIEWS

For the United States, the South China Sea is a complex diplomatic and security challenge. Various parts of the U.S. government and commercial communities have different interests, though there is no evidence of coherent opposition to current U.S. policy within the United States.

Officials concerned with vital U.S. strategic interests in East Asia and the growing capabilities of the Chinese armed forces tend to see developments in the South China Sea in the context of Sino-U.S. relations. Differences over the relative priority to be assigned to the South China

12 Ibid.

13 Robert Gates, “Emerging Security Challenges in the Asia-Pacific: Q&A” (response, First Plenary Session Q&A of 10th IISS Asia Security Summit/ Shangri-La Dialogue 2011, Singapore, 4 June 2011), accessed 17 June 2014, <http://www.iiss.org/en/events/shangri%20la%20dialogue/archive/shangri-la-dialogue-2011-4eac/first-plenary-session-1fea/qa-1453>.

14 Andrew Quinn. “U.S. Calls for More Clarity on S. China Sea Claims.” *Reuters*, 23 July 2011. Accessed 17 June 2014. <http://mobile.reuters.com/article/politicsNews/idUSTRE76MOKS20110723>.

15 Barry Wain. “China Faces New Wave of Dispute.” *The Straits Times*, 17 October 2011.

Sea among the vast number of issues in the U.S.–China relationship appeared to surface in debates about whether China had identified the South China Sea as a “core interest”.

According to U.S. and Japanese press reports, in March 2010 Chinese officials told two visiting senior U.S. officials that China had elevated the South China Sea to a “core interest” of sovereignty and would not tolerate outside interference.¹⁶

In the absence of a public, official Chinese statement confirming that China had raised the South China Sea to a “core interest” on par with Taiwan or Tibet, many American experts began to question the meaning of China’s alleged definition of the South China Sea as a “core interest”. Some Chinese officials and academics subsequently suggested that China’s position had been misunderstood and sought to “walk back” China’s alleged position that the South China Sea constitutes a “core interest”.

As this debate within American policy circles died down, it became apparent that the priority accorded to the South China Sea in the basket of Sino-U.S. issues would vary depending on tactical considerations. There is no reliable evidence, however, of a lobby within the U.S. government that seeks to consistently downplay the South China Sea as an issue. Moreover, support for U.S. policy appears to be solid across party lines in the Senate and House of Representatives.

Other U.S. officials focus on the South China Sea as an element in U.S. relations with ASEAN states, and stress the value of being perceived by U.S. allies and friends in Southeast Asia as reliable and supportive. The Obama administration’s determination to rebuild ties with Southeast Asia that had atrophied during the Bush era has increased the relative weight accorded to South China Sea issues and American interest in supporting its allies and partners in Southeast Asia.

16 “China Tells U.S. that S. China Sea is ‘Core Interest’ in New Policy” *Kyodo News*, 3 July 2010. *Kyodo* reported that “China conveyed the new policy to visiting U.S. Deputy Secretary of State James Steinberg and Jeffrey Bader, senior director for Asian affairs on the National Security Council, in early March, according to the sources. The two U.S. officials met with Chinese State Councilor Dai Bingguo, Chinese Foreign Minister Yang Jiechi and Vice Foreign Minister Cui Tiankai in Beijing, and Bingguo is believed to have relayed the policy to the U.S. side given that he provides overall management in foreign affairs.”

In addition, the new American “mental map” of an Asia Pacific stretching from India to the Pacific shores of America (often called the Indo-Pacific region) accords the South China Sea a role as a crucial hinge in the overall U.S. security structure in Asia, as distinctions between East and South Asia are seen to be of diminishing relevance. One commentator has labelled it the “centre of maritime Eurasia”.¹⁷

The South China Sea episodically attracts the attention of the community concerned about the consistency in the U.S. position on international legal questions. The relevant legal community is supportive of U.S. policy and, in fact, argues for periodic reaffirmations of the U.S. position on military surveys within China’s EEZ. U.S. commercial interests include supporting U.S. energy companies that seek to compete on an equal basis to explore and extract energy and other mineral resources in the South China Sea. The renewal of U.S. interest in the South China Sea began with an attempt by elements of the Chinese government to place pressure on energy companies doing business both in China and the South China Sea. No energy lobby in the United States has called for a policy that would seek to accommodate Chinese views on South China Sea issues.

In summary, policymakers’ opinions have coalesced. U.S. policy on the South China Sea issue is not controversial in the United States.

POLICY INSTRUMENTS

The primary instrument of U.S. policy on the South China Sea has been diplomacy. Clinton led the effort to define and coordinate U.S. policy. The emphasis has been on tapping widespread international concern about China’s actions in the South China Sea to forge coalitions of like-minded states. One U.S. goal is to help convince Beijing, in China’s own interest, to reassess Chinese tactics and goals. Nonetheless, the United States also has additional instruments to support U.S. policy. The United States has worked particularly closely with the Philippines and Vietnam.

The 1951 U.S.-Philippines Mutual Defense Treaty obliges the United States to “act to meet common dangers” embodied in attacks on the territory of the Philippines or “its armed forces, public vessels or aircraft

17 Kaplan. “The South China Sea is the Future of Conflict.” 80.

in the Pacific". The applicability of this treaty in the event of armed conflict involving the Philippines in the South China Sea is ambiguous. According to the treaty, the parties are required to consult in the event of an attack on the territory of the Philippines, which, as of 1951, did not include Manila's claims in the South China Sea that were only advanced several years later. One expert believed, "Regarding the Armed Forces of the Philippines (AFP) specifically, the treaty is unambiguous. During consideration of the 1999 Visiting Forces Agreement (VFA), then Ambassador Thomas Hubbard formally represented to the Philippines that the treaty was applicable to any attack on the AFP, referencing assurances made by Secretary of State Cyrus Vance in 1977."¹⁸

The United States will not commit itself to specific actions based on hypothetical situations. It has responded to the Philippine government's apparent determination to "stand up" for itself under President Benigno Aquino and provided assistance, including two re-conditioned ex-U.S. Coast Guard cutters, to increase the basic capacity of the Philippines to monitor and patrol its claimed waters. However, U.S. policy must remain nuanced and ambiguous, both because the United States does not support the claims of any particular state in the South China Sea and Philippine sensitivities about U.S. military presence in the Philippines.

Although not a treaty ally, the United States is also in the process of building a closer military-to-military relationship with the Vietnamese armed forces. Thus far, both sides have been cautious, adopting a gradual, incremental approach. The United States is prepared to move forward at a pace that Vietnam finds comfortable, while taking into account all issues in U.S.-Vietnam relations.

For the region as a whole, Washington has several options. It can expand on an already robust programme of capacity building and defence exercises with selected Southeast Asian states, many of which have seen their defence budgets grow substantially in the past few years. It can also share additional information to increase maritime domain awareness among Southeast Asian states.

18 Walter Lohman. "Sorting American Priorities in the South China Sea." Heritage Foundation WebMemo No. 3297, 20 June 2011. Accessed 17 June 2014. <http://www.heritage.org/research/reports/2011/06/sorting-american-priorities-in-the-south-china-sea>.

When it assumed office, the Obama administration realised the U.S. force posture in Asia was “unbalanced”. It has subsequently moved towards its goal of having more geographically distributed and politically sustainable forces. That said, the U.S. force posture in Southeast Asia and nearby countries is not dictated exclusively by concerns about the South China Sea.

Nonetheless, the United States can also increase its presence in the South China Sea. A simple step would be to publicise routine and continuous transit by the U.S. Navy through the South China Sea and other elements of U.S. presence. As noted earlier, a number of U.S. littoral combat ships will be hosted by Singapore. In addition, talks are now underway to rotate U.S. marines through an Australian base in Darwin, with the potential to deploy some of these forces to help selected Southeast Asian countries increase their capacities through joint exercises and training.

CONCLUSION

The American pivot to Asia is inevitable, though it may not proceed quite as smoothly as predicted by former Secretary Clinton. Nonetheless, the era of costly U.S. military interventions in pursuit of real and alleged terrorists is finally coming to an end. After a decade of combating insurgency, domestic political support for America’s intervention in Afghanistan has been waning. There is light at the end of the tunnel.

As the U.S. shifts to focus on the geographic space between India and Japan—the Indo-Pacific or the newly re-defined Asia Pacific—Southeast Asia and the South China Sea may not become the “cockpit of the globe” but this region will assume greater prominence for the United States.

The South China Sea may not be a “litmus test” of China’s intentions or of U.S. consistency in Asia. Nonetheless, it is a helpful issue for the United States from a policy perspective. U.S. support for freedom of navigation and the peaceful settlement of disputes highlights China’s embarrassingly excessive claims and episodic resort to coercive tactics in the South China Sea while it simultaneously strengthens U.S. alliances and partnerships with other states in Asia. On the other hand, the wide gap between U.S. and Chinese perceptions of each other’s goals and actions in the South China Sea is a cause for concern. However, the current pat-

tern of sporadic incidents in the South China Sea is likely to continue. As long as these “maritime skirmishes” do not escalate into serious conflicts, the cost to the United States is low. No domestic opposition to current U.S. policy is discernible.

For these reasons, the South China Sea is likely to remain a useful issue. Only agreement between ASEAN and China on an enforceable “Code of Conduct” or a radical revision in China’s nine-dash claim would return the South China Sea to the bottom of U.S. policymakers’ in-boxes. If it turns out that China is set on a path of “incremental imperialism” on the water, the South China Sea is likely to remain high on the American agenda in Asia.

China Debates Its South China Sea Policy

Li Mingjiang

INTRODUCTION

International observers frequently regard China as a monolithic entity when it comes to foreign policymaking, especially when examining China's policy and behaviour in territorial disputes. This prism of observation is largely based on the assumptions that the Chinese political system is highly centralised and China's decision-making process is largely opaque. These assumptions, in many respects, reflect the reality. Significant changes, however, have taken place in China's foreign policymaking in the past two decades that warrant efforts to look into the Chinese "black box" and explore how foreign policy issues and national security issues are debated in order to better understand the trend.

This chapter attempts to examine the domestic debate in China concerning the South China Sea disputes since 2009. The high tensions and strategic and diplomatic pressures mounted on Beijing have prompted Chinese policymakers and analysts to think seriously about the disputes, to review the policies of other countries, and to deliberate on China's appropriate responses and future policy options. Thus, it may be pertinent to have an overview of domestic debate from which we can derive some useful indicators as to how China is going to handle the South China Sea dispute in the coming years.

Several themes have emerged from the Chinese debate in the past few years. First, contrary to the outside world's accusation of China becoming more assertive, it is commonly believed in China that all the tensions and disputes are mainly attributable to the collusion between the United States and regional claimant states. Second, it has been frequently suggested that China should be more active in the South China Sea in order to change its current reactive posture. Third, the majority

of Chinese analysts believe that the disputes in the South China Sea in the past few years have led to the worsening of China's regional security environment. Fourth, most Chinese analysts suggest a relatively moderate policy towards the South China Sea in the near future. Based on these observations, I conclude that Beijing is likely to practise non-confrontational assertiveness in the South China Sea dispute.

HOW CHINA VIEWS TENSIONS IN THE SOUTH CHINA SEA

The debate in China reveals sharp differences between Chinese perceptions and the outside world's understanding. The predominant view in China is that regional claimant states and the United States have staged a "collusion" against China, which largely explains the tensions and conflicts in the South China Sea.

It has become popular among Chinese analysts to argue that the chief culprit of the disputes in the South China Sea in recent years is Washington's "pivot to Asia" strategy.¹ Many Chinese scholars are convinced that the main objective of the U.S. pivot to Asia is to pursue soft containment against China's rise by supporting countries that have territorial disputes with China.² Wu Shicun, President of the Hainan-based National Institute for South China Sea Studies, notes that China faces two major challenges in the South China Sea. First, the United States is increasingly involved in the South China Sea, which is largely a result of regional states such as Vietnam and the Philippines pulling Washington in. Second, regional claimant states have stepped up their efforts in actual administration over the islands under their occupation and have accelerated their efforts in exploring the oil and gas resources in the South China Sea.³

One particular point frequently made by Chinese analysts is that

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- 1 Over 10 leading Chinese scholars interviewed by Li Mingjiang, Beijing and Shanghai, May-June 2011.
 - 2 Wang Xi. "Zhongguo Zai Nanhai Qiaomiao Fanji Meiguo 'Ruan E Zhi'" [China Smartly Fights Back at American 'Soft Containment']. *National Defence Times*, 5 August 2011.
 - 3 Ji Peijuan. "Zhongguo Xu Jiasu Kaifa Nanhai" [China Needs to Accelerate Development in the South China Sea]. *National Defence Times*, 29 June 2011.

Washington has concocted the myth of “freedom of navigation” and used this concern as a tool to pressure China, intervene in the South China Sea dispute and maintain its military superiority in the region.⁴ Many Chinese analysts believe that American rhetoric about freedom of navigation in the South China Sea is essentially about American insistence on freedom of military survey activities in China’s Exclusive Economic Zone (EEZ), as demonstrated in the March 2009 *USNS Impeccable* incident.⁵

Rear Admiral Yang Yi’s views may well represent the growing negative views in China towards the United States. Yang accused the United States of exacerbating its containment policy against China, claiming that, “[Washington] is engaging in an increasingly tight encirclement of China and constantly challenging China’s core interests”⁶

China has also been cognizant that developments in the South China Sea have had major impacts on its security relations in the region. The annual White Paper on China’s Diplomacy, published by China’s Ministry of Foreign Affairs (MFA), and the Asia Pacific Blue Paper, published by the Chinese Academy of Social Sciences (CASS) in January 2011, suggested that China was facing unprecedented security challenges in 2010.⁷ A group of analysts at CASS also concluded that the American pivot to Asia had pulled neighbouring countries away from China and decreased trust between China and its neighbouring states.⁸

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- 4 Li Xiaokun. “Navigation in South China Sea ‘Not a Problem.’” *China Daily*, 23 October 2010. Accessed 17 June 2014. http://www.chinadaily.com.cn/china/2010-10/23/content_11448511.htm.
 - 5 Zhang Jie et al. “*Mei Qiang Tui Nanhai Wenti Guojihua, Yang Jiechi Qi Bo Xilali ‘Wailun’*” [U.S. Forcefully Pushes Internationalisation of South China Sea Issue, Yang Jiechi Uses Seven Arguments to Counter Hillary Clinton’s ‘Incorrect Points’]. *Dongfang Zaobao* [Oriental Morning Post], 26 July 2010.
 - 6 Chris Buckley. “Chinese Admiral Says U.S. Drill Courts Confrontation.” Reuters, 13 August 2010. Accessed 17 June 2014. <http://uk.reuters.com/article/2010/08/13/uk-china-usa-idUKTRE67C0NV20100813>; *PLA Daily*, 13 August 2010; Yang Yi. “Cold War Mindset Harms Peace.” *China Daily*, 13 August 2010; see also Willy Lam, “Hawks vs. Doves: Beijing Debates ‘Core Interests’ and Sino-U.S. Relations.” *China Brief* 10, No. 17 (19 August 2010): 2–4.
 - 7 Shen Dingli. “A Chinese Assessment of China’s External Security Environment.” *China Brief* 11 No. 5 (25 March 2011).
 - 8 Zhang Jie et al. “*Zhoubian Anquan Xingshi Si Da Bianhua Yu Zhongguo Duice*.” [Four Changes in Regional Security Situation and China’s Responses]. *Shijie Zhishi* [World Knowledge], 15 January 2011, 14–21.

CHARTING AN APPROACH

The tensions and disputes in the South China Sea have contributed to the growth of nationalistic sentiments in China. Chinese “netizens” have constantly expressed extremely harsh views towards other claimant states, particularly Vietnam and the Philippines, as well as against the United States. They have criticised the Chinese government for being too weak in handling the South China Sea issue. China’s *Global Times*, notorious for profiting from commercial nationalism, has published many hardline articles and editorials in response to rising tensions in the South China Sea. In an editorial that has attracted a lot of attention, the newspaper proclaimed, “If these countries don’t want to change their ways with China, they will need to prepare for the sounds of cannons. We need to be ready for that, as it may be the only way for the disputes in the sea to be resolved.”⁹

It appears that the military’s position regarding the South China Sea dispute has also hardened. Soon after the bickering exchange of words between Chinese and American officials at the ASEAN Regional Forum (ARF) in July 2010 in Hanoi, the People’s Liberation Army Navy (PLAN) organised large-scale exercises in the South China Sea. The three fleets of the PLAN carried out a large-scale joint exercise instead of conducting separate missions as they would usually do for the celebration of the PLA’s founding anniversary on 1 August. Major General Luo Yuan commented, “Regional claimant states should not continue to be pushy ... Otherwise there will be consequences that may be more serious than ‘muscle flexing.’”¹⁰

In the midst of all the hawkish rhetoric and remarks, many Chinese analysts have been sober-minded and have advocated a fairly moderate approach to the South China Sea issue. In early June 2011, Liu Jianguo, a security analyst at Tsinghua University, noted that China should attempt to reconcile its “low profile” [*tao guang yang hui*] with “doing something” [*you suo zuo wei*] in the South China Sea dispute. The guidelines for China’s security policy in East Asia

9 “Don’t Take Peaceful Approach for Granted.” *Global Times*, 25 October 2011.

10 Luo Yuan. “*Zhongguo Zai Nanhai Wenti Shang Yijing Yi Ren Zai Ren.*” [China has Tolerated Time and Again in the South China Sea Issue]. *National Defence Times*, 20 June 2011.

should be to strive for long-term cooperation and development, while preventing threats.¹¹

Wu Shicun noted that using forceful means to resolve the South China Sea dispute is unrealistic. He believed that in the future, the resolution of the South China Sea problem would most likely be through peaceful means, particularly via negotiations on the basis of international law. He stressed that China had to strike a balance between protecting its own rights and maintaining stability in the South China Sea, with a focus on maintaining overall stability in order to sustain China's period of strategic opportunity.¹²

One Chinese scholar surmised that U.S. intervention in the South China Sea might be an American conspiracy to drag China into a protracted and unnecessary regional war to weaken it, and therefore China should be cautious not to fall into the trap.¹³ Chinese analysts have also argued that from a geo-political point of view, China's major security focus should still be Taiwan and Japan. Southeast Asian countries should remain cooperative partners.¹⁴

Wu Xinbo at Fudan University noted that China should continue to emphasise peaceful means to resolve disputes, while further engaging with regional states militarily to enhance military mutual confidence or the United States would always find some excuse to intervene.¹⁵ Xue Li, a strategist at CASS, argued that, should China use force to resolve the South China Sea disputes, it would have to face enormous diplomatic pressure from the international community for challenging international

11 Shang Hao. "Nanhai You Cheng Redian, Zhongguo Ying Ruhe Yingdui." [South China Sea Becomes a Hotspot Again, How Should China Respond]. *Huaxia Shibao* [China Times], 6 June 2011.

12 Ji. ["China Needs to Accelerate Development."]

13 Zhuang Liwei. "Nan Zhongguo Hai Duice Ying Fucong Zhanlüe Daju." [South China Sea Policy should Follow the Overall Strategic Situation]. *Dongfang Zaobao* [Oriental Morning Post], 18 March 2009.

14 Yuan Huajie. "Nanhai Fengbo Pinqi, Zhongguo Shishi 'Liang Jian'." [Tensions in the South China Sea Rise, China to Show Sword at the Right Moment]. *CASS Bulletin*, 19 March 2009.

15 Zhang et al. ["U.S. Forcefully Pushes Internationalization of South China Sea Issue."]

law. This would destroy the stable neighbourhood environment for China's peaceful development.¹⁶

At the official level, the Chinese government clearly still favours diplomacy as the chief means to handle its disputes with other claimant states in the South China Sea. The MFA has played the leading role in handling the disputes and favours a moderate policy. When asked to comment on the above-mentioned *Global Times* editorial, an MFA spokesperson said that the media had its right to edit and comment, adding that she believed the Chinese media would report on the basis of truth, objectivity and a responsible attitude. The spokesperson then reiterated China's peaceful intentions in its neighbourhood and emphasised talks and negotiations as the means to stabilise the situation.¹⁷ The spokesperson's statement can be interpreted as disapproval of the *Global Times'* editorial.

MFA official Zhang Yan, responding to criticism that Chinese policy in the South China Sea has been too weak, defended China's foreign policy on the grounds that it was supposed to serve the domestic goal of building a prosperous society.¹⁸ Zhang Jiuheng, the former director-general of the Department for Asian Affairs at the MFA, was also defensive of the official policy, highlighting that "no one wants to see tensions in the region".¹⁹

After the summer of 2010, China began to take action to play down the dispute in the South China Sea. At the China-ASEAN Summit in October, former Premier Wen Jiabao reaffirmed China's willingness

16 Tu Fei and Xu Xin. "Zhongguo Ying Jianli Guojia Haishi Weiyuanhui Bao Nanhai." [China Should Set Up a State Maritime Commission to Protect the South China Sea]. *National Defence Times*, 7 October 2011.

17 Zhou Chuqing and Zhou Nan (Eds.). "Waijiaobu Jiu Han Kou Wo Yuchuan, Nanhai Wenti, Zhong Yin Bianjie Deng Dawen." [Question-and-Answer Session by the Ministry of Foreign Affairs on South Korea's Seizure of Chinese Fishing Boat, the South China Sea Issue, Sino-Indian Border and Other Issues]. Xinhua News Agency, 25 October 2011. Accessed 17 June 2014. news.xinhuanet.com/world/2011-10/25/c_111123305_2.htm.

18 Shang. ["South China Sea Becomes a Hotspot Again."]

19 Deng Yajun. "Xin Ba Guo Lianjun Tumou Guafen Nanhai." [New Group of Eight Countries Plotting to Divide the South China Sea]. *National Defence Times*, 3 August 2011.

to work with ASEAN countries to implement the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC). At the inaugural ASEAN Defence Ministers Meeting-Plus (ADMM-Plus), former Chinese Defence Minister Liang Guanglie responded in mild terms when the South China Sea issue was raised. In November, then Vice President Xi Jinping, during a visit to Singapore, attempted to reassure regional states of China's peaceful intentions in the region.

By the end of 2010, many observers expected relative calm in the South China Sea as the claimant parties were discussing implementation guidelines for the DOC. But a series of actions by Chinese law enforcement agencies against Philippine and Vietnamese economic activities in the South China Sea again ignited the flames of dispute from March to June 2011. Before the conflicts escalated further, Beijing and Hanoi agreed to talk. In June 2011, Vietnam sent a special envoy to Beijing. The two sides agreed to resolve their dispute through negotiations, to refrain from actions that would escalate tensions, to oppose third-party intervention, and to actively lead public opinion in their own countries.²⁰ The two countries took the opportunity to mitigate tensions by issuing a joint statement that was reconciliatory in tone, with both sides pledging to abide by the DOC.

The visit by the Vietnamese Communist Party leader to China in October 2011 was particularly significant. During the visit, the two countries decided to open a telephone hotline between their leaders, suggesting that both countries were keen to better handle any crisis that might emerge in the future. China and Vietnam further pledged to seek a fundamental and long-term solution to their maritime disputes, and agreed to actively discuss temporary solutions that would not affect the position and claims of either side, including joint development.²¹

During Philippine President Benigno Aquino's visit to China in late

20 PRC Ministry of Foreign Affairs website, PRC Ministry of Foreign Affairs. Accessed 10 December 2011. www.fmprc.gov.cn/chn/gxh/tyb/fyrbt/jzhs/t834597.htm.

21 "Guanyu Zhidao Jiejue Zhongguo He Yuenan Haishang Wenti Jiben Yuanze Xieyi." [Basic Principles of the Agreement to Guide Settlement of the South China Sea Issue between China and Vietnam]. Xinhua News Agency, 12 October 2011. Accessed 17 June 2014. news.xinhuanet.com/politics/2011-10/12/c_122144683.htm.

August and early September of 2011, the two countries downplayed their dispute in the South China Sea. The Joint Statement publicised during the visit simply mentioned that the maritime dispute should not affect the overall bilateral cooperative relationship between the two countries. The two countries' leaders reiterated that they would seek to resolve the dispute through peaceful negotiations and observe the DOC.²² China and the Philippines instead focused on business and economic ties.

After the China-ASEAN Foreign Ministers Meeting in July 2011 passed the implementation guidelines for the DOC, a *People's Daily* article hailed it as an indication "that China and ASEAN countries have the resolve, confidence, and capability to promote peace and stability in the South China Sea."²³

Many observers have claimed that China's maritime law enforcement agencies have become more assertive and tougher in protecting what they believe are Chinese interests in the South China Sea. While certainly true, it is worth noting that the Chinese patrol vessels seem to have exercised some self-restraint, being careful not to engage with the law enforcement or naval forces of other regional states in a standoff. On 2 March 2011, after warning the Philippine survey ship *MV Veritas Voyager* near Reed Bank, the two Chinese patrol vessels immediately left the scene before the Philippine aircraft and coastguard boats arrived. The Chinese vessels did not return to the scene.

In the two cases of China cutting the cables of the Vietnamese oil survey ships in May and June, the Chinese handling of the events was slightly different. In the first case in late May, the crew of the Chinese marine surveillance ship bluntly cut the cable of a Vietnamese survey vessel. In the second case in early June, according to Chinese MFA spokesperson, China's fishing boats were pursued by armed Vietnamese ships, and in the process of running away the fishing net of one of the Chinese boats got entangled with the exploration cable of the Vietnamese oil exploring vessel. The Chinese fishing boat was dragged for more

22 PRC Ministry of Foreign Affairs website, PRC Ministry of Foreign Affairs. Accessed 12 December 2011. www.fmprc.gov.cn/chn/pds/gjhdq/gj/yz/1206_9/1207/t854349.htm.

23 Wang Muke. "Zhongguo, Nanhai Hezuo De Jiji Tuidong Zhe." [China: An Active Promoter of Cooperation in the South China Sea]. *People's Daily*, 2 August 2011.

than an hour before the cable was cut and the boat set free. The second case, if proved true as China had claimed, would indicate that China had attempted to be more skilful in avoiding direct confrontation in its spat with Vietnam.

LOOKING TO THE FUTURE

The Chinese debate also addressed some important questions for China's future handling of the South China Sea issue: the South China Sea as a core interest; the involvement of multilateral institutions; Chinese exploitation of the resources in the South China Sea; the legal approach in solving the disputes; and dealing with the United States in the disputes.

Core interest?

Since the summer of 2010, Chinese analysts have had a tense debate on whether China should regard the South China Sea as its core interest. While some less well-known scholars applauded the notion of core interest, many prominent Chinese analysts cautioned that China should refrain from labelling the South China Sea as such immediately after the notion surfaced in American and Japanese media in 2010. Han Xudong, a senior security analyst at the National Defence University, did not support the idea of including the South China Sea as one of China's core interests.²⁴ Da Wei, an America watcher at China Institutes of Contemporary International Relations (CICIR), argued that China should stick to a "minimalist definition" of core interest.²⁵

Peking University Professor Zhu Feng believed that the media in Japan and the United States had misinterpreted China's rhetoric of core interest in relation to the South China Sea. He argued that the Chinese officials used the term "core interest" in the context that the resolution of the South China Sea dispute through peaceful means concerns China's

24 *Liaowang Zhoukan* [Outlook Weekly], 25 July 2010; and Xinhua News Agency, 25 July 2010.

25 *People's Daily*, 27 July 2010; and *Global Times*, 27 July 2010. See also Willy Lam, "Hawks vs. Doves." Category: China Brief, Willy's Corner, Home Page, China and the Asia-Pacific, Foreign Policy, Military/Security.

core interest.²⁶ Analysts at the Institute of Asia-Pacific Studies at CASS similarly contended that such remarks about “core interest” neither had any official source nor were substantiated by any official.²⁷ Chinese analysts believe that the American definition of the South China Sea being a U.S. “national interest” was a direct response to the reported Chinese rhetoric of “core interest”.²⁸

It seems likely that Chinese officials have never linked the South China Sea issue with China’s core interest. When asked in Japan about whether Chinese officials used the term “core interest” during his visit to China in March 2011, former U.S. official James Steinberg said, “I didn’t come away from our visit there as a decision that they were now defining the South China Sea as a core interest.”²⁹

Despite the fact that prominent scholars in China do not support the idea of regarding the South China Sea as China’s core interest, tensions in recent years have certainly further facilitated the growth of Chinese nationalism. A survey by the official website of the *People’s Daily* in January 2011 found that 97 per cent of nearly 4,300 respondents agreed that the South China Sea should be regarded as China’s “core interest”.³⁰

Multilateralism?

In the process of negotiating the implementation guidelines of the DOC, China has succeeded in persuading ASEAN countries to drop words such as “multilateral” and “international” in the final document. Beijing regards this as a success in its diplomacy.³¹ China also resisted for almost half a year

26 Zhu Feng. Interview by Li Mingjiang, Beijing, May 2011.

27 Zhang et al. [“Four Changes in Regional Security Situation and China’s Responses.”]

28 CASS and SIIS scholars. Interviews by Li Mingjiang, CASS, Beijing, and SIIS, Shanghai, June 2011.

29 Yoichi Kato. “Interview/James Steinberg: U.S. Leadership Restored in 10 Years After 9/11.” *Asahi Shimbun*, 23 September 2011. Accessed 17 June 2014. ajw.asahi.com/article/views/opinion/AJ2011092111598?page=5.

30 Edward Wong. “China Hedges Over Whether South China Sea is a ‘Core Interest’ Worth War.” *New York Times*, 30 March 2011. Accessed 17 June 2014. <http://www.nytimes.com/2011/03/31/world/asia/31beijing.html>.

31 Zhong Feiteng et al. “*Nanhai Ce: Jieshi Quan Yu Haiquan Yi Ge Buneng Shao*.” [South China Sea Policy: Interpretation Rights and Maritime Rights Must not be Excluded]. *Huaxia Shibao* [*China Times*], 8 August 2011.

the request by regional claimant states that it should sign the implementation guidelines with ASEAN. China's MFA has repeatedly announced that China is only agreeable to bilateral negotiations in the territorial disputes.

But in the course of the debate in the past few years, dissenting views on how China should handle the South China Sea are often heard. Pang Zhongying, an academic at Renmin University, for instance, argued in August 2010 for a multilateral approach, saying that the South China Sea dispute could be better resolved through multilateral means, involving ASEAN, the United States, Japan and the United Nations.³²

In response to Pang Zhongying's idea of allowing a multilateral approach, Liu Zhongmin, a long-time analyst on the South China Sea, countered that on the substantive issue of sovereignty over the islands and the demarcation of maritime zones, Beijing should always stick to bilateral talks. Only non-traditional security issues, such as the safety of navigation and counter-piracy, could be addressed multilaterally.³³

Zhang Yunling of CASS argued that the situation in the South China Sea has undergone significant changes, and therefore China should not adhere to its traditional line of thought. He proposed that it might be wise to discuss some concrete measures on the demarcation of the EEZ in the South China Sea in accordance with UNCLOS. Relevant parties can discuss and identify disputed and non-disputed areas, with no party engaging in exploitation in the disputed areas, though joint development can be discussed. In order to avoid conflict, disputed islands and reefs may not be entitled to any EEZ.³⁴ Zhang's ideas are quite different from official Chinese positions.

Other scholars have urged the separation of traditional and non-traditional security issues in the South China Sea, arguing that China could

32 Pang Zhongying. "Nanhai Wenti, Bufang Huanghe Silu." [No Harm in Changing Thinking on the South China Sea Issue]. *Global Times*, 2 August 2010. Accessed 17 June 2014. http://www.360doc.com/content/10/0803/17/363711_43422399.shtml.

33 Liu Zhongmin. "Nanhai Wenti, Buneng Jiandan Tan Duobian." [South China Sea Issue: Impossible to Simply Discuss Multilateralism]. *Xinhua*, 4 August 2010. Accessed 17 June 2014, http://big5.xinhuanet.com/gate/big5/news.xinhuanet.com/world/2010-08/04/c_12408834.htm.

34 Zhou Biao and Jiao Dongyu. "Nanhai Boyi Xiyibu." [The Next Step in the South China Sea Game]. *National Defense Times*, 17 August 2011.

choose to achieve a breakthrough in pushing for cooperation in various non-traditional security arenas, such as the safety of navigation and marine environmental protection. These analysts note that at a previous ARF meeting, China proposed several cooperative initiatives, including hosting a seminar on freedom of navigation and setting up three special technical committees on marine research and environmental protection, safety of navigation, search and rescue, and countering crimes at sea. China also agreed to continue to implement the three projects that had been agreed upon.³⁵

Coping with the United States

Many Chinese scholars have suggested that Beijing will have to give priority to coping properly with a U.S. presence in the South China Sea. Liu Jianfei, an expert at the Central Party School, argued that Sino-U.S. coordination is the most important factor in the South China Sea issue. If Sino-U.S. coordination does not go well, regional claimant states will be able to play Sino-U.S. differences to their advantage.³⁶

Jin Canrong at Renmin University has suggested that in addition to efforts in stabilising China's periphery, Beijing should put a premium on working with the United States. He argues that some of the regional states are simply "opportunistic" and improving relations with these countries would not solve problems because, if the overall situation favours the United States, it would be useless no matter how well China treats its neighbours. As long as China can exercise certain leverages over the United States [*chi ding*], regional states will make appropriate choices.³⁷

Resource exploitation

Chinese analysts have also suggested that China should start to be more active in exploring for resources in the South China Sea. They argue that China cannot always practise its "low profile" posture in resource exploitation in the region, and that maintaining some level of deterrence is necessary to protect China's exploitation activities.³⁸

35 Zhong et al. ["South China Sea Policy: Interpretation and Maritime Rights Must not be Excluded."]

36 Zhou and Jiao. ["The Next Step."]

37 Shang. ["South China Sea Becomes a Hotspot Again."]

38 Zhang et al. ["U.S. Forcefully Pushes Internationalisation of South China Sea Issue."]

Wu Shicun has contended that since regional states were unwilling to participate in “joint development”, China should take the opportunity to accelerate its own development of energy resources in the South China Sea. He reasoned that the later China starts its development in the disputed waters, the weaker China’s influence would be, and the higher the cost of China protecting its interests in the Spratlys.³⁹

Another observer commented that China possessed financial and technological advantages over other claimant states in the South China Sea. If China could mobilise its resources to drill a few oil and gas wells in the Spratlys area, the whole situation would immediately be reversed.⁴⁰ General Zhang Li, the former deputy chief of the General Staff of the PLA, suggested in 2009 that China should build an airport and seaport on Mischief Reef, which would uphold Chinese sovereignty over the islands in the Spratlys.⁴¹

With the growth of China’s deep-water oil and gas exploration technologies and its rapidly growing law enforcement capabilities, these proposals may become a reality in the near future.⁴²

Clarifying the Nine-Dash Line?

China’s ambiguity in its claims in the South China Sea has caused confusion among outsiders as to what exactly China has attempted to claim. Some observers believe that China claims “historical waters” within the “Nine-Dash Line” in the South China Sea.⁴³

Some Chinese analysts have also advocated the need for China to

39 Ji. [“China Needs to Accelerate Development.”]

40 Yang Xiyu. “*Nanhai Wenti Zhong De San Ge Cengci Maodun*.” [The Three-Layered Contradictions in the South China Sea Issue]. *Economic Observation Newspaper*, 20 June 2011.

41 “*Qian Fu Zong Canmou Chang Xu Nansha Jian Jichang*.” [Former Deputy Chief of Staff Calls for Construction of Airport in Nansha]. *Ming Pao* (Hong Kong), 21 June 2009. Accessed 17 June 2014. dailynews.sina.com/gb/chn/chnoverseamedia/mingpao/20090621/1424374671.html.

42 Russell Hsiao. “China Intensifies Maritime Surveillance Missions.” *China Brief* 11, No. 10 (3 June 2011) Category: China Brief, In a Fortnight, Home Page, Military/Security, China and the Asia-Pacific, 1–3.

43 Nguyen Hong Thao and Ramses Amer. “A New Legal Arrangement for the South China Sea?” *Ocean Development and International Law* 40, No. 4 (2009): 333–349. Accessed 17 June 2014. DOI:10.1080/00908320903077209.

clarify its claim in the South China Sea. One analyst has argued that “currently the biggest and most urgent challenge for China is how to interpret the Nine-Dash Line because the ambiguity associated with this line concerns ASEAN countries and other countries the most.”⁴⁴

Professor Sun Zhe at Tsinghua University noted that the South China Sea was very important for China, but at the same time it should not be treated as China’s internal lake, given that much of it comprises international waters. He suggested that China would need to avoid being perceived by the rest of the world as attempting to control the South China Sea as its own internal lake.⁴⁵

In the past years, the Chinese official position has always been: “China has indisputable *sovereignty over the islands* in the South China Sea and the *adjacent waters*, and enjoys *sovereign rights and jurisdiction over the relevant waters* as well as the seabed and subsoil thereof.”⁴⁶ More recently, when asked to justify Chinese actions in opposing other claimant states’ exploration of energy resources in the South China Sea, Chinese officials have used the term “jurisdictional waters” or “jurisdictional rights.”⁴⁷

Legal approach?

Despite that fact that the Chinese government has openly and formally ruled out the option of submitting the South China Sea to international arbitration, some scholars have suggested that China should be prepared to consider such a legal approach. A veteran Chinese maritime lawyer at CASS, Liu Nanlai, suggested that war was no longer an option for China, and while political negotiation was currently China’s basic approach, it

44 Zhong et al. [“South China Sea Policy: Interpretation Rights and Maritime Rights Must not be Excluded.”]

45 Zhang et al. [“U.S. Forcefully Pushes Internationalisation of South China Sea Issue.”]

46 Communication by China with regard to the submission made by Vietnam to the Commission on the Limits of the Continental Shelf, Permanent Mission of the People’s Republic of China to the United Nations, 7 May 2009. Accessed 19 June 2014. http://www.un.org/depts/los/clcs_new/submissions_files/vnm37_09/chn_2009re_vnm.pdf.

47 PRC Ministry of Foreign Affairs website, PRC Ministry of Foreign Affairs. Accessed 10 December 2011. www.fmprc.gov.cn/chn/gxh/tyb/fyrbt/t861266.htm.

would be possible and even necessary for China to consider arbitration and adjudication in the future. China should begin to study its feasibility and prepare for international arbitration.⁴⁸

Li Jinming, a veteran South China Sea expert, argued that China might not be able to refuse international arbitration forever. The longer the South China Sea dispute drags on, the more disadvantaged China will be. Therefore, China should start to prepare accumulating sufficient documentation to prove that the South China Sea indeed belongs to China.⁴⁹

CONCLUSION

The views and policy proposals that have been put forward by Chinese analysts on the South China Sea are diverse and wide-ranging. The majority of Chinese analysts seem to have a consensual view regarding the origins of the conflicts in the South China Sea—blaming regional states for failing to respect Chinese interests and for colluding with external powers. This is perhaps an indication that China is unlikely to significantly amend its policy in the South China Sea. However, the pressure for a tougher policy does not come from the mainstream scholarly community, but from popular nationalists.

New developments in China, including the growth of nationalism, the growth of capabilities and the compartmentalisation of administrative duties among different agencies are likely to prompt China to speed up its efforts to consolidate its economic and military presence in the South China Sea. Consequently, frequent skirmishes and conflicts are likely to be a recurring feature.

Nonetheless, China's concerns about its relations with Southeast Asia, its strategic rivalry with the United States and its priority for domestic economic development are likely to constrain Beijing from becoming openly confrontational.

48 Nie Xiushi. "Wo Yuan Xuezhè Biaoshi: Faliú Caijue Huo Ke Jiejue Nanhái Wenti." [CASS Scholar: Legal Adjudication may Solve the South China Sea Problem]. *CASS Bulletin*, 23 April 2009.

49 Zhang et al. ["U.S. Forcefully Pushes Internationalisation of South China Sea Issue."]

Confidence-Building Measures for the South China Sea

Sam Bateman

INTRODUCTION

The situation in the South China Sea deteriorated in 2010. Incidents involving patrol vessels, military aircraft, fishing vessels or seismic research vessels of the claimant countries have become regular occurrences. China has been involved in most of these incidents, leading to perceptions of increased Chinese assertiveness,¹ although it is not clear to what extent this assertiveness may have been provoked by the actions of other claimants. These developments have led to a description of the area by a study from the Lowy Institute in Australia as “a regional security flashpoint and one which might draw in the United States and perhaps even other geographically distant stakeholders such as Australia”².

Fortunately, escalation has not occurred so far. It is probably only a matter of time, however, before an incident gets out of control and leads to serious loss of life and the sinking of ships. Such an incident would trigger a wider crisis, possibly even armed conflict. More military activity in the South China Sea, including the proliferating use of submarines, increases the risks of escalation. It is of serious concern that the region currently lacks arrangements both to prevent a dangerous incident from occurring and to manage the aftermath of such an incident should one occur.

Possible ways of preventing an unfortunate incident require actions

- 1 Carlyle A. Thayer. “China-ASEAN and the South China Sea: Chinese Assertiveness and Southeast Asian Responses.” Paper presented at the international conference on “Major Law and Policy Issues in the South China Sea – European and American Perspectives”, Academia Sinica, Taipei, Taiwan, 6–9 October 2011.
- 2 Rory Medcalf, Raoul Heinrichs and Justin Jones. *Crisis and Confidence: Major Powers and Maritime Security in Indo-Pacific Asia*. Sydney: Lowy Institute for International Policy, 2011, 23.

at two levels. First, moves are required to create a more favourable environment in the South China Sea that fosters a cooperative approach to managing the sea and its resources. This clear obligation of the littoral countries to cooperate is reflected in the 1982 UN Convention on the Law of the Sea (UNCLOS) and the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DOC).

Second, there is a need for operational maritime confidence and security-building measures (MCSBMs), such as incidents-at-sea (INCSEA) agreements, personnel exchanges and greater transparency with exercises and deployments. This chapter focuses more on the first requirement. Three key players contributed to the deterioration of the situation in the South China Sea in 2010: China, the United States and Vietnam. China and Vietnam are key players, due to the extent of their sovereignty claims, recent assertive actions and the recurring tensions between them. The claims by China and Vietnam to all the features of the sea are the most intractable aspect of their sovereignty disputes.

The claim by Vietnam to all features is a particularly difficult aspect because it includes islands and reefs also claimed by Malaysia, the Philippines or Brunei. This claim handicaps the ability of ASEAN to reach a common position on the disputes, other than in the most general terms.

The United States has emerged as a new key player in the South China Sea. It has declared preserving freedoms of navigation through the South China Sea a “national interest” and has sought to internationalise the dispute by suggesting that China’s actions threaten the security of sea lines of communication and create uncertainty and concern for oil and gas companies seeking to develop resources of the sea.³ It is unfortunate that the South China Sea has become caught up in broader strategic tensions, particularly between the United States and China, and between China and India.

THE LEGAL STATUS OF THE SOUTH CHINA SEA

The South China Sea is a “semi-enclosed sea” covered by Part IX of UNCLOS. The use of the words “should co-operate” and “shall endeavor

3 Nicole Gaouette and Daniel Ten Kate. “Global Response to S. China Sea Risks Needed.” *Bloomberg*, 24 July 2011.

our” in Article 123 of UNCLOS places a strong obligation on the littoral states to coordinate their activities as defined in the sub-paragraphs of that article. While resource management, protection of the marine environment and marine scientific research are mentioned specifically as areas for cooperation, the opening sentence of Article 123 creates a more general obligation to cooperate. That responsibility may be interpreted to include security and safety, including the maintenance of law and order at sea.⁴

It is also relevant to note that the South China Sea is not “international waters”.⁵ Rather it mostly comprises the Exclusive Economic Zones (EEZs) of the several littoral countries, including China, which have significant rights and duties in the sea, as set out in UNCLOS Part V, which defines the EEZ regime. The EEZ is a separate type of maritime zone (*sui generis*) subject in accordance with UNCLOS Article 55 to its own specific legal regime.⁶

The United States includes the EEZs within its operational definition of “international waters” because, in accordance with UNCLOS Article

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- 4 “CSCAP Memorandum No. 13 – Guidelines for Maritime Cooperation in Enclosed and Semi-Enclosed Seas and Similar Sea Areas of the Asia Pacific.” *Council for Security Cooperation in the Asia-Pacific*, 2 June 2008. Accessed 17 June 2014. www.cscap.org/uploads/docs/Memorandums/CSCAP%20Memorandum%20No%2013%20--%20Guidelines%20for%20Marit%20Coop%20in%20Enclosed%20and%20Semi%20Enclosed%20Seas.pdf. The guidelines are a set of fundamental, non-binding principles to guide maritime cooperation in the enclosed and semi-enclosed seas of the region, and to help develop a common understanding and approach to maritime issues in the region.
 - 5 The U.S. use of the term “international waters” goes dangerously close to taking the world back to the pre-UNCLOS era when the United States and other maritime powers argued that the extended offshore resources zone (which became the EEZ) should be an extension of the high seas while coastal states tended to see it as an extended territorial sea. The solution was an EEZ that is *sui generis*, i.e. a zone all of its own, neither high seas nor territorial sea. Using the term “international waters” derogates from the agreed nature of the EEZ. This has been recognised by a prominent U.S. expert on the law of the sea, see Raul Pedrozo, “Preserving Navigational Rights and Freedoms: The Right to Conduct Military Activities in China’s Exclusive Economic Zone,” *Chinese Journal of International Law* 9, No. 1 (March, 2010), 19, accessed 17 June 2014, DOI: 10.1093/chinesejil/jmq007.
 - 6 Donald R. Rothwell and Tim Stephens. *The International Law of the Sea*. Oxford: Hart Publishing, 2010, 84.

58(1), other states have the freedom of navigation and overflight in the EEZ of a coastal state, as well as the freedom to lay submarine cables and pipelines, and other internationally lawful uses of the sea related to those freedoms. However, UNCLOS Article 58(3) requires that, in exercising these freedoms, other states should have “due regard” to the rights and duties of the coastal state. In practice, it is difficult to define an operational test to distinguish between an action that has due regard to the rights and duties of the other party, and one that does not.⁷

OBLIGATIONS TO COOPERATE

A major problem with the South China Sea that requires greater recognition is that it still has no effective regime for cooperative marine management and good order at sea. This is despite the obligation of all countries bordering a body of water, such as the South China Sea, to cooperate in accordance with Part IX of UNCLOS, to which all the littoral countries are parties.⁸

The trans-boundary issues in the South China Sea that require cooperation include five activities identified in the DOC as requiring cooperation pending a comprehensive and durable settlement of the dispute.⁹

The demands for effective management regimes in the South China Sea will become more pressing in the future. The volume of shipping traffic will continue to increase, with greater risks of marine pollution

7 Sam Bateman. “Solving the ‘Wicked Problems’ of Maritime Security: Are Regional Forums up to the Task?” *Contemporary Southeast Asia* 33, No. 1 (2011): 7.

8 “CSCAP Memorandum No. 13.”

9 “2002 Declaration on the Conduct of Parties in the South China Sea”, Article 6 (declaration adopted by the Foreign Ministers of ASEAN and the People’s Republic of China at the 8th ASEAN Summit, Phnom Penh, 4 November 2002). Accessed 17 June 2014. <http://cil.nus.edu.sg/rp/pdf/2002%20Declaration%20on%20the%20Conduct%20of%20Parties%20in%20the%20South%20China%20Sea-pdf.pdf> (unofficial text by Centre for International Law, National University of Singapore). The activities are: (i) marine environmental protection; (ii) marine scientific research; (iii) safety of navigation and communication at sea; (iv) search and rescue operations; and (v) combating national crime, including, but not limited to, trafficking in illegal drugs, piracy and armed robbery at sea, and illegal traffic in arms.

from ships and shipping accidents. There will be increased pressure on the resources of the South China Sea, as well as growing concerns for the protection and preservation of the sea's sensitive ecosystems and marine biodiversity.¹⁰

Very little progress has been made on implementing the required cooperation and many of the South China Sea littoral countries are still not party to the relevant international conventions that provide the framework for good order at sea,¹¹ nor has any effective regional organisation been established for managing the South China Sea.¹²

The Coordinating Body on the Seas of East Asia (COBSEA) is not well supported. Attempts to implement the UNCLOS Part IX obligations to cooperate in the management of enclosed and semi-enclosed seas have not achieved the desired outcomes in the Mediterranean and Caribbean seas, and the experience so far with the East Asian Seas Action Plan steered by the COBSEA gives little ground for optimism that successful outcomes will be achieved.¹³ These programmes have tended to have a single sector focus on pollution whereas a more multi-sector approach to ocean and coastal management is required.¹⁴

The South China Sea needs a standing Track 1 regional forum to address issues of cooperation and management, and to discharge the obligations of

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- 10 Song Yann Huei. "The Study of Marine Biodiversity in the South China Sea; Joint Efforts Made in the SCS Workshop Process." Paper presented at the international workshop on "The South China Sea: Cooperation for Regional Security and Development", Ho Chi Minh City, Vietnam, November 2010.
 - 11 Sam Bateman, Joshua Ho and Jane Chan. *Good Order at Sea in Southeast Asia – Policy Recommendations*. Singapore: S. Rajaratnam School of International Studies, April 2009, 29, Table 5. The lack of adherence to the International Search and Rescue (SAR) Convention is particularly noteworthy, with only China, Singapore and Vietnam, among the littoral countries to the South China Sea, being parties at present.
 - 12 Jon M. Van Dyke. "Regional Maritime Cooperation in the South China Sea." Paper presented at the international conference on "Major Law and Policy Issues in the South China Sea – European and American Perspectives", Academia Sinica, Taipei, Taiwan, 6–9 October 2011.
 - 13 Alfred Hu Nien Tsu. "Semi-enclosed Troubled Waters: A New Thinking on the Application of the 1982 UNCLOS Article 123 to the South China Sea." *Ocean Development and International Law* 41, No. 3 (2010), 281–314.
 - 14 Van Dyke. "Regional Maritime Cooperation in the South China Sea."

littoral countries under UNCLOS Part IX.¹⁵ This idea has been around for a long time. In the late 1990s, it was a central recommendation in the fine work by Van Dyke, Valencia and Ludwig on regime building in the South China Sea, which remains very relevant to present circumstances.¹⁶

In a related proposal, Philippine President Benigno Aquino has called for the South China Sea to become a Zone of Peace, Freedom, Friendship and Cooperation, which would provide a framework for collaborative activities.¹⁷ China has also proposed the establishment of technical committees on three areas: (i) marine scientific research and environmental protection; (ii) navigational safety and search and rescue; and (iii) combating transnational crime at sea.¹⁸ All three are areas where cooperation is urgently required but ASEAN has not accepted the Chinese proposal and appears to want an agreed Code of Conduct first. Unfortunately, the drive for a Code of Conduct has diverted attention from the requirement for cooperation in the sea. More focus is now required on cooperation that comprises effective arrangements for the management of the sea and activities within it.

The ASEAN-China Summit meetings and the Joint Declaration on the ASEAN-China Strategic Partnership for Peace and Prosperity provide solid political foundations for forums specifically focused on management and cooperation in the South China Sea.

DECLARATION ON CONDUCT OF PARTIES

The Declaration on the Conduct of Parties in the South China Sea (DOC) is an agreed-upon “soft law” that invites the littoral countries to

15 An international conference organised by the Centre for Asian Studies – India (CASS-India) in 2011 prepared a draft Code of Conduct for the South China Sea, which included a proposal for a Maritime Security Authority to act as a dispute settlement body, including the prevention and management of incidents at sea. Such a body would be focused on security issues and thus would be different to the regional forum suggested in this paper, which would have a focus on maritime cooperation more generally as required by UNCLOS Part IX. The draft code is available at cassindia.com/Summary.aspx.

16 Mark Valencia, Jon M. Van Dyke and Noel A. Ludwig. *Sharing the Resources of the South China Sea*. The Hague: Martinus Nijhoff Publishers, 1997.

17 Thayer. “China-ASEAN and the South China Sea.”

18 Barry Wain. “China Faces New Wave of Dispute.” *The Straits Times*, 17 October 2011.

cooperate on certain marine activities. It was a pragmatic move to put disputes in the background and bring ASEAN-China economic ties to the fore.¹⁹ However, it is non-binding and falls short of constituting a successful regime for providing security and cooperative marine management in the South China Sea.²⁰ While it has been successful until recently in containing disputes and tensions in the South China Sea, it has not contributed to cooperative activities in the way that was hoped, nor led to appropriate confidence-building measures (CBMs).²¹ After the verbal confrontations at ARF meetings and elsewhere in 2010, there was some improvement in the negotiations between ASEAN and China in 2011. At the ARF meeting in Bali in July 2011, China and ASEAN agreed upon guidelines for developing a code of conduct between the claimant countries in the South China Sea.²²

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- 19 Christopher Chung. "Southeast Asia and the South China Sea Dispute." In *Security and International Politics in the South China Sea*, edited by Sam Bateman and Ralf Emmers. Abingdon: Routledge, 2009, 95.
 - 20 The DOC commits parties to peaceful modes of dispute settlement, the application of international law, the need for building up confidence and trust, and the recognition of the freedom of navigation and overflight in the South China Sea.
 - 21 Ian Storey. "Implementing CBMs in the 2002 DOC: A Roadmap to Managing the South China Sea Dispute." Paper [resented at the international workshop on "The South China Sea: Cooperation for Regional Security and Development", Ho Chi Minh City, Vietnam, November 2010.
 - 22 "Guidelines for the Implementation of the Declaration on the Conduct of Parties in the South China Sea" (guidelines adopted at the ASEAN-China Senior Officials' Meeting, Bali, Indonesia, 20 July 2011). Accessed 17 June 2014, thejakartapost.com/news/2011/07/21/south-china-sea-guidelines-agreed.html. The guidelines state: "(1) The implementation of the DOC should be carried out in a step-by-step approach in line with the provisions of the DOC; (2) The Parties to the DOC will continue to promote dialogue and consultations in accordance with the spirit of the DOC; (3) The implementation of activities or projects as provided for in the DOC should be clearly identified; (4) The participation in the activities or projects should be carried out on a voluntary basis; (5) Initial activities to be undertaken under the ambit of the DOC should be confidence-building measures; (6) The decision to implement concrete measures or activities of the DOC should be based on consensus among parties concerned, and lead to the eventual realization of a Code of Conduct; (7) In the implementation of the agreed projects under the DOC, the services of the Experts and Eminent Persons, if deemed necessary, will be sought to provide specific inputs on the projects concerned; (8) Progress of the implementation of the agreed activities and projects under the DOC shall be reported annually to the ASEAN-China Ministerial Meeting (PMC)."

The guidelines have been met with mixed reception. Some have seen them as disappointing and not going far enough, particularly with the easing of tensions and resolution of the disputes,²³ while others have welcomed them as sound progress towards greater stability in the South China Sea.

CONFIDENCE BUILDING AND PREVENTIVE DIPLOMACY

Confidence building and preventive diplomacy are obvious requirements to ease tensions and ensure stability in the South China Sea. However, this chapter argues that there has been too much emphasis on resolving the sovereignty disputes and establishing a code of conduct, rather than getting on with building a cooperative management regime for the sea. Such a regime would itself be a major contribution to preventive diplomacy in the area. Operational CBMs remain a short-term requirement to ease the current tensions and mitigate the risks of escalation.

Resolving the disputes

It is a mistaken notion that sovereignty disputes over the islands and reefs in the South China Sea can be resolved on a multilateral basis. Sovereignty is fundamentally a bilateral political issue for resolution between the states that claim a particular feature. While arrangements for cooperation in managing the South China Sea and its resources can be discussed multilaterally, sovereignty remains a matter for bilateral discussion between the disputing parties.

China is regularly criticised for seeking to discuss the sovereignty disputes in the South China Sea bilaterally. Along with Taiwan and Vietnam, China lays claim to all the insular features of the sea, except the islands in the far south that are under either Malaysian or Indonesian sovereignty, and the islands close to the coast of Vietnam. Some of the disputed features are also claimed by Brunei, Malaysia and the Philip-

23 Christian Le Miere. "Can ASEAN Ease Tensions with China? Progress Slow on Deal over South China Sea." *Defense News*, 15 August 2011; Barry Wain. "A South China Sea Charade – China Continues Stalling Multilateral Efforts to Resolve Territorial Disputes." *Wall Street Journal*, 22 August 2011. Accessed 17 June 2014. <http://online.wsj.com/news/articles/SB10001424053111903461304576521891051250036>.

piners. These claims cannot be discussed multilaterally and are unlikely to be resolved in the foreseeable future.

As Ambassador Tommy Koh has pointed out, “ASEAN as a group does not support or oppose the claims of the four ASEAN claimant states.”²⁴ Hence ASEAN as a regional grouping cannot discuss sovereignty over particular features with China. Bilateral resolution of disputes between the ASEAN members would be a major step forward, which could then allow for subsequent bilateral negotiations with China. However, this step is unlikely as long as countries are focused on asserting their individual claims.

UNCLOS is not intended to address sovereignty disputes. The law of the sea only comes into play when sovereignty over land features has been agreed upon. The law of the sea can inform negotiations but the negotiating countries can agree on whatever boundary they like ultimately. This is essentially a political process between the parties.

Changing mindsets

The South China Sea disputes will only be settled when bordering countries change their mindset from one of sovereignty, sole ownership of resources and seeking “fences in the sea” (i.e. establishing maritime boundaries between neighbouring countries) to one of functional cooperation and cooperative management. Largely led by the Indonesia-sponsored workshops on resolving conflict in the South China Sea, this was where the process was heading in the 1990s and early 2000s. However, in recent years, it has become bogged down by nationalistic assertions of sovereignty, some of them ill-founded, which set back progress towards cooperation.

As long as countries maintain this nationalistic mindset, any settlement of the South China Sea disputes is highly unlikely. Besides the difficulties inherent to negotiating a solution to a problem that involves six parties—one of which, Taiwan, is not recognised by the others as a legal entity—none of the claimants has demonstrated the political will to compromise on their sovereignty claims.

24 Tommy Koh. “Mapping Out Rival Claims to the South China Sea.” *The Straits Times*, 13 September 2011. Accessed 17 June 2014. <http://cil.nus.edu.sg/wp/wp-content/uploads/2010/12/ProfKoh-ST13Sep2011-Mapping-out-rival-claims-to-the-South-China-Sea.pdf>.

A cooperative management regime is the only solution. The only acceptable framework for such a regime would be a web of provisional arrangements covering cooperation for different functions and perhaps even with different areas for each function. These functions include the development of oil and gas resources, fisheries management, marine safety, marine scientific research, good order at sea, and preservation and protection of the marine environment.

Discussions of this functional approach must be on the regional agenda to prevent the South China Sea from simmering away as a major obstacle to regional stability.

Confidence-building measures

I have written elsewhere of the “wicked problems” of maritime security that are proving difficult for regional security fora to address.²⁵ Among the problems identified were the differences of views in the region over rights and duties in maritime zones, particularly the EEZ; the lack of agreed limits to maritime jurisdiction; and the trend in the region towards higher defence spending, particularly on naval capabilities. All these problems are evident in the South China Sea.

The basic problem with the EEZ regime lies in the need to find an appropriate balance between the rights and duties of the coastal state and those of other states. With respect to the military uses of the EEZ, UNCLOS does not make clear which military activities are included in the freedoms of navigation and overflight and other internationally lawful uses of the sea available under Articles 58 and 87 of the convention. While naval activities generally may be covered by these freedoms, particular types of naval activity related to military surveys and intelligence collection may be legitimately questioned as not having due regard to the rights and duties of the coastal state.

Incidents-at-sea (INCSEA) agreements

The 1972 INCSEA agreement between the United States and the Soviet Union from the Cold War years is a well-known MCSBM. Agreements pertaining to bilateral incidents at sea were also negotiated between

25 Bateman. “Solving the ‘Wicked Problems.’”

the Soviet Union and several other Western European navies. Russia has signed INCSEA agreements with Japan and South Korea as well. In January 2001, the navies of Indonesia and Malaysia agreed to the MALINDO Prevention of Sea Incident Cooperative Guidelines, which provide standard safety procedures to be applied during unscheduled encounters at sea between units of the two navies, although apparently it was not used during the clashes that occurred in the Ambalat area east of Borneo a few years ago.²⁶

The INCSEA agreements between the Soviet and Western navies are not necessarily good models for the South China Sea. First, they are related to the activities of navies that had routinely conducted close surveillance of each other's exercises and operations, and this is not the case at present with regional navies. Second, the agreements are limited to high-seas activities only, whereas the waters to which any regional incident-at-sea agreement would desirably apply are not high seas. Third, much of the success of the current agreements can be attributed to the fact that they are all bilateral. Last, none of the existing INCSEA agreements cover submarine operations.

There have been frequent calls for an INCSEA agreement between the United States and China that would cover the types of incidents that have occurred at sea between the military assets of these two countries in recent years. However, such an agreement is unlikely because it may be unattractive to both parties while the United States would be likely to view it as a possible "slippery slope" towards constraints on its naval operations, particularly in an EEZ. Both parties would consider such an agreement to be a concession that adversarial tensions exist between the two parties. The prevailing Chinese view is that direct MCSBMs can only occur once a degree of strategic trust has been established.²⁷ An agreement to consult, such as already exists with the 1998 Military Maritime Consultative Agreement (MMCA), is probably sufficient for both parties, provided consultations continue on a regular basis. In view of these considerations, a comprehensive INCSEA for the South China Sea seems unlikely.

26 "MALINDO Prevention of Sea Incident Cooperative Guidelines." Guidelines signed by the Chiefs of the Royal Malaysian Navy and Indonesian Navy, 18 January 2001.

27 Medcalf et al. *Crisis and Confidence*, 39.

Submarine proliferation

The proliferation of submarines in the South China Sea poses challenges for preventive diplomacy, maritime confidence building and ensuring the safety of submarine operations.²⁸ There are increased risks both of submarine accidents and of incidents resulting from the detection of a submarine engaged in covert operations in disputed waters. As regional submarines are very likely to be employed on covert surveillance and intelligence collection missions, there is always the possibility of one being detected in the claimed waters of another country.

Due to the risks of a submarine incident escalating into violence, the region requires agreed procedures to allow “intruder” submarines or submarines detected submerged in the territorial sea of another state to identify themselves before being attacked. However, by their very nature, submarines are not well suited to MCSBMs, including INCSEA-type agreements. Countries are extremely secretive when discussing submarine issues, contrary to the desirable confidence-building principle of transparency.

The types of measures that could be considered to mitigate the risks of a submarine incident include cooperative submarine rescue arrangements; training assistance to regional navies inexperienced in submarine operations; a regional submarine movement (or water-space management regime, though recognising that it is only likely to cover submarines engaged in training or exercises); and possibly even agreements on submarine “no-go” areas.

Demilitarising the South China Sea

Military activity in the South China Sea has been increasing over recent years. Naval exercises have become more frequent, including those involving non-regional navies. Claimant countries are also more actively patrolling in the area, although there is an emerging preference for using maritime security forces other than navies. Both Taiwan and the Philippines have garrisoned their claimed features in the South China Sea predominantly with coastguard personnel.

28 Sam Bateman. “Perils of the Deep – The Dangers of Submarine Proliferation in the Seas of East Asia.” *Asian Security* 7, No. 1 (2011): 61–84. Accessed 17 June 2014. DOI: 10.1080/14799855.2011.548213.

China has followed the trend towards using civil-agency patrol vessels rather than warships in the disputed areas. China recognises “the quite sophisticated and encouraging notion that strong coast guards might, by their versatile nature, actually serve as cushions between navies, helping to mitigate the possibility of inter-state conflict in East Asia.”²⁹ When a Chinese fishery administration vessel was deployed to the South China Sea in March 2009, China claimed that this “did not violate a regional peace agreement”, and that by sending a fishery vessel rather than a warship, it was acting “in the most moderate manner”.³⁰ A second fisheries patrol vessel was sent a few days later.³¹

It is also noteworthy that countries participate in the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) mainly through their coastguards rather than their navies. There are now 17 Contracting Parties to ReCAAP, and of these, only three countries have their navies as a focal point for contact: Myanmar, Sri Lanka and Thailand—countries that do not have a separate coastguard.

As an example of what can be achieved, the Philippines and Vietnam have recently reached an agreement between their coastguards to set up a hotline for information sharing on incidents at sea, marine protection, and prevention of smuggling, drug trafficking, piracy and illegal immigration in the South China Sea.³² The two agencies have also signed a

29 Lyle J. Goldstein. *Five Dragons Stirring Up the Sea – Challenge and Opportunity in China's Improving Maritime Enforcement Capabilities*. Newport, Rhode Island: China Maritime Studies Institute, Naval War College, April 2010), 4. Accessed 17 June 2014. https://www.usnwc.edu/Research---Gaming/China-Maritime-Studies-Institute/Publications/documents/CMSI_No5_web1.pdf.

30 Li Xiaokun. “Patrol Ship’s Trip ‘Shows Restraint.’” *China Daily*, 17 March 2009. Accessed 17 June 2014. www.chinadaily.com.cn/china/2009-03/17/content_7585087.htm.

31 Zhang Xin. “2nd Ship to Patrol South China Sea.” *China Daily*, 28 March 2009. Accessed 17 June 2014. http://www.chinadaily.com.cn/china/2009-03/28/content_7625985.htm.

32 Delon Porcalla and Aurea Calica. “Philippines, Vietnam Push Multilateral Spratly Approach.” *Philippine Star*, 27 October 2011. Accessed 17 June 2014. www.philstar.com/headlines/741361/phl-vietnam-push-multilateral-spratly-approach.

memorandum of agreement on the establishment of a hotline.³³

The United States could help in demilitarising the South China Sea by making greater use of the U.S. Coast Guard and other civil maritime agencies in the South China Sea rather than convening naval exercises or deploying additional naval assets to the region. The latter activities send all the wrong messages to China and suggest that the United States is in fact taking sides in the disputes. They give the impression that the United States is allowing its tensions with China over Taiwan and the Korean Peninsula to spill into Southeast Asia.

Similarly, India should exercise restraint in its naval deployments into the South China Sea. India has deep fears about the increasing strategic influence of China, including in the Indian Ocean region, and has identified increasing Chinese naval power as the principal reason for its own defence modernisation.³⁴ India's links with Japan, Taiwan and Vietnam have only served to fuel Chinese concerns of strategic containment.

The United States could offer the services of its non-military agencies in supporting the initiatives put forward by China for cooperation on search and rescue, marine scientific research and marine environmental protection.³⁵ For example, the U.S. Coast Guard already has some personnel deployed in Southeast Asia but they are thin on the ground and heavily over-shadowed by U.S. naval activities. As we have already seen in the region, coastguards and cooperation between them offer excellent potential to overcome sensitivities between navies and to develop the types of regime that the region so desperately needs.

33 Evelyn Macairan. "Coast Guard to Sign Agreement with Vietnam Police." *Philippine Star*, 24 October 2011. Accessed 14 June 2014. www.philstar.com/metro/740301/coast-guard-sign-agreement-vietnam-police; "Philippines, Vietnam Sign Bilateral Agreements." *Sun Star*, 27 October 2011. Accessed 17 June 2014. www.sunstar.com.ph/davao/business/2011/10/27/philippines-vietnam-sign-bilateral-agreements-187482.

34 Medcalf et al. *Crisis and Confidence*, 20.

35 Robert J. Papp et al. "Maximize Military Partnerships." *Proceedings* 138, No. 3 (August 2009): 76–77.

CONCLUSION

The first priority with regards to the South China Sea should be to work towards the establishment of a cooperative management regime. This should embrace requirements for: (i) the safety and security of shipping; (ii) the preservation, protection and conservation of the marine environment; (iii) the exploration and exploitation of marine resources; (iv) the prevention of illegal activity at sea; and (v) the conduct of marine scientific research. These are all existing obligations of littoral countries under UNCLOS, the DOC and the Guidelines for implementing the DOC. However, claimant countries in the South China Sea remain fixated on their sovereignty claims allowing a “tragedy of the commons” to develop.

A regional Track 1 organisation should oversee the necessary cooperation. Membership should be restricted to the littoral countries that have demonstrable rights and duties in the sea. Other stakeholders could have observer status. The organisation might also have a role in crisis management.

Operational MCSBMs are the other priority in the South China Sea, governing navigational rights and freedoms in an EEZ and measures to mitigate the risks of incidents between naval forces, particularly submarines. Other CBMs, such as broad military-to-military dialogue, naval ship visits, hotlines, exercise observers and personnel exchanges should be encouraged.

Japan's Changing Maritime Strategy in East Asia

Tetsuo Kotani

INTRODUCTION

This chapter analyses the outlook of Japan's maritime strategy. China's assertive behaviour in the Asian littoral has attracted considerable attention from the defence community in Japan, but the rise of Chinese naval power is not the only concern for Japan. Piracy continues to be a serious issue in the maritime domain, and the security of the Strait of Hormuz is an urgent challenge for Japan.

The threat of piracy has emerged as a destabilising factor in the maritime domain again. Recent outbreaks of piracy in Southeast Asia and off the Horn of Africa indicate the relative decline of U.S. sea power. The United States still maintains the strongest navy in the world but it now has only 280 ships compared with 6,700 in 1945 and 570 in 1990. Given that maintaining one ship on station typically requires three ships—one undergoing maintenance, one on training and one on deployment—the U.S. Navy can rarely deploy over 100 ships at sea at any given time, and these ships are spread all over the globe. Although the 2007 Cooperative Strategy for 21st Century Seapower (CS21) aims to maintain credible combat forces in the Western Pacific and the Indian Ocean, these two regions are currently the world's primary piracy hotspots.

On the other hand, China is growing its sea power. Throughout its long history, Chinese rulers had showed little interest in the seas with some exceptions, such as Zheng He's voyages in the 15th Century. China became a net oil importer in 1993 and its rapidly growing economy has turned Chinese eyes towards the seas today. Relieved of Soviet pressure across land borders after the end of the Cold War, China has been investing significant resources to build up its sea power for energy and sea-lane security. The stability of East Asia depends on the balance between the

land power of China, Russia and India, and the sea power of the United States and Japan. China's maritime expansion may destabilise this balance.

Under the U.S.-Japan alliance, the United States provides extended deterrence and long-range sea-lane protection for Japan, while Japan provides bases for U.S. armed forces. This alliance structure is premised on U.S. hegemony in Asia. The United States is losing its dominance, although still an indispensable power. Japan cannot enjoy free and safe sea lanes any longer under the alliance. Japan is one of the primary beneficiaries of the free-trade system under U.S. leadership and needs to contribute more to securing the maritime domain.

This chapter first reviews the year 2010 as a turning point for Japan's maritime strategy. It then discusses how Japanese naval officers redefine their roles, missions and capabilities today, and how Japanese defence planners restructure national strategy to deal with China's assertiveness in the Asian littoral. It finally considers the challenges for Japan's maritime strategy.

This chapter refers to two primary documents. One is "JMSDF in the New Maritime Era", an article published in the *Japan Maritime Self-Defense Force* (JMSDF) journal in November 2008.¹ This article, written by the then Director General of Operations and Plans Department of the Maritime Staff Office (MSO), explained how the JMSDF had redefined its roles, missions and capabilities. The other document is the 2010 National Defense Program Guidelines (NDPG), approved by the Japanese government in December 2010.² The NDPG, providing guidance for defence policy and setting the force structure for the next decade, is an important document to study how Japan responds to security challenges at sea.

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- 1 Tomohisa Takei. "*Kaiyoshinjidaini Okeru Kaijojeitai*" [Japan Maritime Self-Defense Force in the New Maritime Era]. *Hato* 199 (November 2008).
 - 2 *Heisei 23 Nendoikoni Kakaru Boeikeikakuno Taiko* [National Defense Program Guidelines for FY 2011 and beyond]. Japan: Ministry of Defense, December 2010. Accessed 17 June 2014. www.mod.go.jp/j/approach/agenda/guideline/2011/taikou.pdf. A provisional English translation of the NDPG is also available at the Ministry of Defense website, available at www.mod.go.jp/e/d_act/d_policy/national.html. The National Defense Program Outline was first announced in 1976, subsequently renamed Guideline, and revised in 1995 and 2004.

A TURNING POINT FOR JAPAN'S MARITIME STRATEGY

2010 was a turning point for Japan's maritime strategy. By the beginning of the year, the U.S.-Japan alliance—the backbone of Japan's global positioning for more than half a century—was in crisis. The Democratic Party of Japan (DPJ) took over the reins of the government from the Liberal Democratic Party (LDP) in August 2009, calling for an “equal alliance”, with then Prime Minister Yukio Hatoyama pledging the re-location of a U.S. Marine Corps air station at Futenma out of Okinawa while proposing to Beijing that the East China Sea be a sea of “fraternity”. Hatoyama expected closer ties with Beijing to bring more security than the alliance. Although it was a technical issue, the mishandling of the re-location of the base damaged trust between the two allies. Hatoyama had to step down in May due to his mismanagement of the alliance.³

The DPJ's foreign policy vision turned out to be naïve. The DPJ government learned that Japan lived in a dangerous neighbourhood. In March 2010, the South Korean warship *Cheonan* was suddenly sunk in the Yellow Sea, apparently by a torpedo launched from a North Korean submarine. In July, China strongly opposed a planned U.S.-R.O.K. naval drill in the Yellow Sea, criticising the expected participation of the U.S. aircraft carrier *George Washington*. China was able to claim a political victory by persuading Washington to hold back the carrier from exercises in the Yellow Sea, while conducting its own live-fire exercise in the troubled waters.⁴

In April, a Chinese fleet of ten warships passed through the Miyako Strait between the main island of Okinawa and Miyako. The fleet was unprecedentedly large, and during the demonstration cruise, Chinese helicopters buzzed around the Japanese destroyers monitoring the cruise.

This incident was a wake-up call for the Japanese defence community on Chinese maritime ambitions. In June 2011, then Minister of Defense Toshimi Kitazawa delivered a speech at the Shangri-La Dialogue in

3 For DPJ's alliance (mis)management, see Tetsuo Kotani, “Turbulent Changes: The Democratic Party Government and Japan's Foreign Policy.” *Russia in Global Affairs* 8, No. 4 (October – December 2010).

4 Raul Pedrozo. “Beijing's Coastal Real Estate: A History of Chinese Naval Aggression.” *Foreign Affairs Snapshot*, 15 November 2010. Accessed 16 February 2012. www.foreignaffairs.com/print/66956.

Singapore that emphasised the importance of the ocean as part of the global commons.⁵ Kitazawa, referring to dangerous manoeuvres by the Chinese helicopters in April, called for accident prevention at sea and an emergency communications mechanism. Kitazawa concluded his remarks with a reference to the revision of the NDPG and emphasised the importance of “seamless operations” for “effective response” to “nebulous conditions” that are neither peacetime nor wartime.⁶

An incident that occurred in the East China Sea had a greater impact on Japanese perception of China. In September 2010, a Chinese fishing boat conducting illegal fishing in Japanese territorial waters around the Senkaku Islands rammed two Japanese patrol boats. The Japan Coast Guard (JCG) detained the skipper and his crew under Japanese law but Beijing protested on the grounds that the Senkaku are Chinese territory. Beijing pressured Tokyo by breaking off negotiations on the East China Sea gas fields, suspending the export of rare earth metals and arresting four Japanese employees in China.

The government under former Prime Minister Naoto Kan mismanaged the incident. Given Chinese pressure, Tokyo released the Chinese skipper but Beijing demanded an apology and compensation from Tokyo, while a series of anti-Japanese demonstrations took place in Chinese cities. According to a poll conducted by a Japanese newspaper after the release of the Senkaku incident video, 89 per cent perceived Chinese assertiveness and 78 per cent saw a Chinese threat, while 75 per cent appreciated the deterrent effect of the U.S.-Japan alliance.⁷

China was also assertive in the South China Sea through which sea lanes critical to Japan pass. In March, Beijing told Washington that it now regarded the sea as its “core interest”, a status hitherto reserved for

5 Toshimi Kitazawa. “New Military Doctrines and Capabilities in Asia.” Speech at the 10th IISS Asia Security Summit/The Shangri-La Dialogue 2011, Singapore, 4 June 2001. Accessed 17 June 2014. www.mod.go.jp/j/press/youjin/2011/06/04b.html.

6 Toshimi Kitazawa. “Japan’s Policies Regarding the Ocean as a Global Commons.” Speech at the 9th IISS Asia Security Summit/The Shangri-La Dialogue 2010, Singapore, 5 June 2010. Accessed 27 February 2012. www.mod.go.jp/j/press/youjin/2010/06/05b.html.

7 *Yomiuri Online*, 7 November 2010. Accessed 27 February 2012. www.yomiuri.co.jp/feature/20080116-907457/news/20101107-OYT1T00390.htm.

Tibet, Xinjiang and Taiwan.⁸ China was constantly harassing Vietnamese, Filipino and Indonesian fishermen in the disputed waters, and issued a unilateral fishing ban in April. China was also challenging U.S. presence in the South China Sea. Given this Chinese assertiveness, then U.S. Secretary of State Hillary Clinton announced the United States' interest in freedom of navigation and open access to the maritime commons at the ASEAN Regional Forum (ARF) in July. China responded by conducting the largest military exercise in the South China Sea, involving ships and aircraft from all of its three regional fleets.

In addition to Chinese assertiveness, Russia also attempted to justify the occupation of the Northern Territories. Russia conducted the Vostok 2011 naval drill on the island of Etorofu in July. The Russian President's first-ever visit to Kunashiri in November was a clear departure from the 1993 Tokyo Declaration, angering the Japanese public. Seemingly, Russia and China were synchronising pressure against Japan to eliminate Japanese influence in the region by leveraging on Japan's diplomatic weakness.⁹

Meanwhile, Kan's advisory council on defence concluded its report in August to provide guidance on the new NDPG.¹⁰ The report re-affirmed the importance of the U.S.-Japan alliance, making a list of recommendations, including the relaxation of a ban on weapons exports, the exercise of collective self-defence, dynamic defence of remote islands, the reinforcement of Japan's submarine fleet, and the upgrade of intelligence, surveillance and reconnaissance (ISR) capabilities such as outer space and cyberspace situational awareness.

Japan's 2010 defence white paper, for the first time, referred directly to China's military build-up and activities as a "matter of concern" that needed to be carefully watched.¹¹ The white paper pointed out that China

8 Pedrozo. "Beijing's Coastal Real Estate."

9 Kotani. "Turbulent Changes."

10 "Japan's Visions for Future Security and Defense Capabilities in the New Era: Toward a Peace-Creating Nation." *Council on Security and Defense Capabilities in the New Era* (Japan), August 2010. Accessed 22 February 2012. www.kantei.go.jp/jp/singi/shin-ampobouei2010/houkokusyo_e.pdf. Hatoyama rejected the report submitted by the blue-ribbon advisory council established by Prime Minister Taro Aso of LDP, and formed this council.

11 *Defense of Japan 2010*. Tokyo: Ministry of Defense, 10 September 2010. Accessed 21 February 2012. www.mod.go.jp/e/publ/w_paper/2010.html.

was “increasing its activities in waters close to Japan”. The white paper also mentioned measures to strengthen Japan’s military posture in the south-western islands (Ryukyu island chain), where there were no forces permanently deployed west of Miyako Island.

The Kan administration was harshly criticised for its mismanagement of the territorial issues from within and without the DPJ. It was therefore natural for the Kan administration to forge a closer partnership with the United States. During the APEC summit in Yokohama in November 2010, Kan and U.S. President Barack Obama agreed to deepen the U.S.-Japanese alliance.

This string of incidents in 2010 set the environment under which the 2010 NDPG was adopted. Japanese defence planners and the general public saw those incidents as evidence that Beijing and Moscow had become more assertive in the regional seas. Particularly, Japan and other regional countries such as R.O.K., Vietnam, the Philippines as well as the United States perceived Chinese assertiveness in the Asian littoral in a palpable sense. In this sense, 2010 was a turning point, and the JMSDF’s maritime strategy was integrated into Japan’s national security strategy.

THE JMSDF IN THE NEW MARITIME ERA

The end of the Cold War had made the chance of a great-power conflict remote. But ever since the dispatch of minesweepers to the Gulf in 1991, the JMSDF’s roles and missions have expanded, requiring it to redefine its roles, missions and capabilities under clear strategic guidance. Under such circumstances, the Director General of Operations and Plans Department of the MSO prepared the article “JMSDF in the New Maritime Era” in November 2008. This outlined the role of the JMSDF, the strategic environment and maritime defence strategy.

The role of the JMSDF

The Japanese economy depends heavily on sea-borne trade, which accounts for 99 per cent by volume. The credibility of the U.S.-Japan alliance also relies on open access to Japan by U.S. forces in the western Pacific. Thus the security of maritime communication is important for Japan both from commercial and military perspectives. The core role

of the JMSDF, like all large navies, is war fighting. It needs to protect maritime communication, defend Japan's surrounding waters and act as a diplomatic tool.¹²

The security environment

The post-9/11 security environment requires the JMSDF to enhance its defence capabilities for peacetime operations. The global shipping industry has become borderless and no single nation can secure maritime communication. Additionally, maritime communication, especially through choke points such as the Straits of Hormuz and Malacca, has become vulnerable. The maritime commons is not only important for communication but also for resource exploitation.¹³

The United States announced the Cooperative Strategy for 21st Century Seapower in October 2007. The U.S. sea services are expanding their global maritime partnerships, especially for maritime security and humanitarian assistance/disaster relief (HA/DR). The United States is attempting to persuade China, which is standing at strategic crossroads, to become a peaceful and constructive partner while recognising the need for hedging against China in case of engagement failure.¹⁴

China, which needs sustainable economic growth for domestic stability, shares an interest in safe maritime communication with its neighbours for stable energy supplies. Meanwhile, the modernisation of the People's Liberation Army Navy (PLAN) has been remarkable. The PLAN is expanding its anti-access/area denial (A2/AD) capabilities within and without the first island chain. It is unclear whether China can peacefully co-exist with the international community. The JMSDF needs to seek deeper confidence building with China, while establishing a well-balanced defence posture in case these efforts fail.¹⁵

The future security environment will remain fluid and unstable. Conflict and crisis can occur without warning and nations need to deal with any situation promptly. In the maritime domain, it is expected that conflict may occur from disputes over maritime interests and islands,

12 Takei. ["JMSDF in the New Maritime Era.], 6–7.

13 *Ibid.*, 8–11.

14 *Ibid.*, 11–12.

15 *Ibid.*, 12–13.

instability along international straits, ballistic missile attacks and maritime terrorism.¹⁶

JMSDF's strategy

The JMSDF's uniqueness as a naval force provides self-sustainability and sovereign representation. Given this distinctiveness, this chapter defines the three objectives of the JMSDF as (i) defending Japan's surrounding waters; (ii) establishing freedom of the seas; and (iii) building a stable security environment. To achieve these objectives, the JMSDF needs to work independently as well as with the United States and other like-minded nations.¹⁷

The JMSDF assumes an "engagement strategy" to build a more advantageous security environment for Japan in peacetime to prevent and deter the emergence of any defence situation, and a "contingency response strategy" to provide swift responses to and elimination of threats against the nation.¹⁸

Under its engagement strategy, the JMSDF, with the U.S. Navy and JCG, conducts intense ISR activities in the sea area connecting Tokyo, Guam and Taiwan (the TGT Triangle) to defend Japan's surrounding waters. The TGT Triangle is critically important because most Japanese merchant ships pass through this sea area. This area is also important as a maritime "bridgehead" for reinforcements from the continental United States. The JMSDF also seeks to promote mutual understanding and confidence building through defence exchanges with China and other nations.¹⁹

An engagement strategy requires the JMSDF to strengthen its partnership with the United States and other like-minded nations to promote freedom of the seas. Towards this end, the JMSDF needs to contribute to the capacity building of regional navies in Southeast Asia, work with the Indian Navy in the Indian Ocean, and expand engagement with NATO and regional navies in the Middle East. To build a stable security environment, the JMSDF needs to conduct port visits and other defence

16 *Ibid.*, 14.

17 *Ibid.*, 15–16.

18 *Ibid.*, 16–17.

19 *Ibid.*, 18–19.

exchanges in addition to supporting UN peacekeeping operations.²⁰

In terms of contingency response strategy, the JMSDF needs to be self-sufficient against a small-scale invasion by strengthening ISR, especially anti-submarine warfare (ASW), to defend Japan's surrounding waters. ISR in the key straits and the TGT Triangle are also crucial to effective combined operation with the U.S. Navy. In order to protect freedom of the seas, the JMSDF's primary role is the protection of maritime communication in the surrounding waters. The JMSDF will dispatch its fleet to distant waters if the government decides to do so.²¹

The JMSDF strategy requires self-sustainability, multi-layered ISR database compiling, rapid response and joint operational posture. Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance (C4ISR), ASW, sea basing, and training/education are key requirements for improving the JMSDF's capabilities.²²

NATIONAL DEFENSE PROGRAM GUIDELINES

The NDPG, approved by the Japanese government on 17 December 2010, provides guidance for defence policy and sets the force structure for the next decade. The JMSDF's new doctrine discussed in the previous section was fully integrated into this strategic document.

The rise of China

The world is witnessing a global power shift resulting from the rise of emerging powers such as China and India and the relative decline of U.S. power. There is a growing number of "grey-zone" conflicts—disputes over territory, sovereignty and economic interests—that do not escalate into wars. The maintenance of open access to the maritime, outer space and cyber commons has emerged as a new security challenge.²³

Even though China plays an important role in regional and global security, it is rapidly modernising its military power, including nuclear,

20 Ibid., 19–23.

21 Ibid., 23–24.

22 Ibid., 24–27.

23 [*National Defense Program Guidelines for FY 2011 and Beyond*], 2.

missile, naval and air forces, with very limited transparency. China is expanding its power projection capabilities and increasing its maritime activities in the surrounding waters.²⁴

Dynamic defence

The NDPG, reflecting the changing regional and global security environment, has abandoned the long-held “static” defence posture and introduced a new concept of “dynamic defence” that envisions an increased operational level and tempo of the Japan Self-Defense Force (JSDF). The JSDF needs to respond to contingencies with short warning times and conduct regular ISR to demonstrate national will and strong defence capabilities. More specifically, the JSDF needs to possess readiness, mobility, flexibility, sustainability and versatility.²⁵

The concept of dynamic defence prioritises such functions as the security of the surrounding sea and air space and response to attacks on offshore islands, cyber-attacks, ballistic missile attacks, and hybrid contingencies.²⁶ To defend Japan's offshore islands, the JSDF will station small units on those islands where no units are currently stationed, while securing bases, mobility and transport capabilities to ensure counter-measures and the security of the surrounding air and sea space.²⁷

Multi-layered security cooperation

The U.S.-Japan alliance remains indispensable for the security of Japan, and Japan will further deepen the alliance cooperation by conducting consultation on common strategic objectives, roles, missions and capabilities, as well as information and intelligence sharing.²⁸

Japan is strengthening its partnerships with U.S. allies in the Asia Pacific, including Australia, R.O.K. and ASEAN member countries. Japan also plays a proactive role in multilateral security frameworks such as the ARF and the ASEAN Defence Ministers' Meeting-Plus (ADMM-Plus) to promote non-traditional security cooperation. Japan continues to

24 Ibid., 3.

25 Ibid., 6.

26 Ibid., 9–10.

27 Ibid., 12–13.

28 Ibid., 7.

engage China to promote confidence building and encourage it to act as a responsible member in the international community.²⁹

Force posture

Under the NDPG, the JMSDF will increase the number of its destroyers from 47 to 48, and the fleet of its submarines from 16 to 22. The Japan Air Self-Defense Force (JASDF) will maintain a fleet of 260 fighters. The total expenditure under the Mid-Term Defense Program (MTDP) for FY2011–FY2015 is ¥23.490 trillion.³⁰

According to Japan's Ministry of Defense, the JMSDF will re-organise its five regionally-deployed destroyer units into four so that they can be deployed for operations in south-western Japan, and purchase three destroyers, including at least a 19,500-ton helicopter-equipped destroyer (DDH), five submarines, including at least two 2,900-ton *Soryu* class boats, and 10 P-1 next-generation patrol aircraft. The JASDF will add one fighter squadron at the Naha Air Base so that two squadrons can cover south-western Japan, and purchase 12 new fighters to replace its aging F-4s, as well as 10 next-generation C-2 transport aircraft.³¹

To increase its capabilities in defending the remote islands in south-western Japan, additional measures will be taken. To secure the surrounding air and sea space, the fixed 3D radar system on Miyako Island will be upgraded. To enhance its ISR activities, a Japan Ground Self-Defense Force (JGSDF) coastal surveillance unit will be stationed in the island area and an E-2C early warning aircraft will be deployed to Naha Air Base. To enhance its air defence capabilities, a new anti-aircraft artillery regiment will be established within the 15th Brigade in Naha, and PAC-3 units will be upgraded.³²

29 Ibid., 8.

30 *Chuki Boeiryoku Seibi Keikaku (Heisei 23 Nendo~Heisei 27 Nendo) [Mid-Term Defense Program (FY2011-FY2015)]*. Tokyo: Ministry of Defense, 17 December 2010, 13. Accessed 17 June 2014. www.mod.go.jp/j/approach/agenda/guideline/2011/chuuki.pdf.

31 Ibid., 5, 9–10, 27.

32 Ibid., 11.

IMPLICATIONS AND CHALLENGES

The year 2010 was indeed a turning point. Although the DPJ government has put more emphasis on engagement with China than hedging, China's assertiveness has made Tokyo adopt a tougher policy towards China.

The JMSDF seeks deeper confidence building with China, while establishing a well-balanced defence posture in case these efforts fail. The main JMSDF area of operation is the TGT Triangle, where it will enhance its ISR activities. The adoption of engagement and emergency response strategies reflects the growing importance of peacetime operations and the rise of Chinese maritime power.

There is no doubt that the strategic importance of the south-western island chain is increasing but it is merely one of the primary focuses.³³ As the “triple disaster” relief operation has demonstrated, the JSDF will deploy necessary forces anywhere on call under the dynamic defence concept. The perception of a shifting geographical focus from north to south may send a wrong message to Russia, which is re-activating military activities in Japan's surrounding areas, especially in the Northern Territories.³⁴

Still, the operational concept of south-western island defence is important and needs further deliberation. Obviously, the concept requires joint operations, as inter-service coordination—which is always difficult—is indispensable for remote island defence. Remote island defence also requires the introduction of amphibious capabilities to the JGSDF and more integration of land and naval power is essential.

Due to the lack of Chinese ASW capabilities, the expansion of Japan's submarine fleet has a significant deterrent effect against the PLAN. To patrol the waters south-west of Japan, it is estimated that at least eight submarines are necessary. Typically, a submarine requires two back-ups, for training and maintenance. So a submarine fleet of 24 is ideal but the planned fleet of 22 provides more operational flexibility than the current fleet of 16. Japan is able to build a new submarine every year but

33 Senior Defense Ministry official, interview by Tetsuo Kotani, Tokyo, 12 October 2011.

34 *Defense of Japan 2011*. Tokyo: Ministry of Defense, 2011, 98–101. Accessed 21 February 2012. www.mod.go.jp/e/publ/w_paper/2010.html.

the life extension of existing ones is also necessary, which may have a negative impact on its capabilities. Another problem is the recruitment and training of submariners because the NDPG increases the number of submarines without increasing the number of JMSDF personnel.³⁵

It is important for Japan to achieve sufficient defence capabilities. But can Japan buy all the items in the NDPG shopping list? Disaster reconstruction is expected to cost ¥25 trillion over 10 years, while the 2010 NDPG assumes an approximately ¥24 trillion defence budget in total for five years. The Japanese defence budget has been declining—almost flat—for nearly a decade. But a rapid decrease is not expected either. The U.S.-Japan alliance is still the key. Tokyo and Washington have revised their common strategic objectives in June 2011 and included the maintenance of maritime security and freedom of navigation. Tokyo and Washington continue to encourage China's responsible and constructive roles in regional security and its adherence to international rules and norms, while strengthening their ties with R.O.K., Australia, India and ASEAN. Tokyo and Washington has also agreed to strengthen alliance cooperation, integrating force postures under the NDPG and the 2010 Quadrennial Defense Review.³⁶

Washington announced a new strategic guidance in January 2012, with the U.S. strategic rebalance to the Asia Pacific region as its goal, recognising the challenges posed by the rise of China. Washington will maintain sustainable forces and power projection capability to counter Chinese A2/AD capabilities.³⁷ This new guidance will require a more pro-active role for the JSDF in the region.

The presence of U.S. Marines in Okinawa is an important element of south-western island defence. On 8 February 2012, Tokyo and Wash-

35 Masao Kobayashi. "Sensuikan 22 sekitaiseino Kaijoboei." [Maritime Defense under the 22-Submarine Force]. *Gunji Kenkyu [Japan Military Review]* (December 2011).

36 Hillary Rodham Clinton et al. "Towards a Deeper and Broader U.S.-Japan Alliance: Building on 50 Years of Partnership." Joint Statement of the Security Consultative Committee, 21 June 2011. Accessed 21 June 2011. www.mofa.go.jp/region/n-america/us/security/pdfs/joint1106_01.pdf.

37 *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense*. Washington, D.C.: Department of Defense, January 2012. Accessed 17 June 2014. http://www.defense.gov/news/Defense_Strategic_Guidance.pdf.

ington announced that thousands of U.S. Marines would be transferred out of Okinawa even without the Futenma relocation.³⁸ Given the adjustment of the base re-alignment, both allies will need to re-invigorate the discussion on roles, missions and capabilities.

Partnership building is another important challenge. Japan and the United States have developed bilateral and trilateral partnerships with India and Australia, although ties between Japan and R.O.K. are still weak. Both countries are actively engaging with ASEAN as well. However, the new partnerships should not be regarded as a given because those new partners have strong economic relations with China. Given the security threat posed by Chinese military power, Tokyo and Washington need to continue military and diplomatic engagement with new partner countries to reassure them.

Beyond East Asia, security in the Strait of Hormuz remains an important challenge. Although Japan continues counter-piracy operations in the Gulf of Aden and established a JSDF base in Djibouti in July 2011, the DPJ government cancelled the JMSDF's re-fuelling mission in the Arabian Sea. Given the Iranian nuclear crisis and the possible closure of this strategic strait, Japan needs to consider what it can do to keep the strait open.

CONCLUSION

The 2010 NDPG marks a departure from the Cold War force posture, providing a new focus in Japan's national defence strategy. The introduction of the dynamic defence concept, with particular emphasis on the defence of the south-western island chain, reflects the necessity to check expanding Chinese maritime activities in the surrounding waters.

Japan is unlikely to contain China or appease Beijing blindly. Under severe fiscal constraints and a harsh security environment, Japanese defence planners recognise both challenges and opportunities in the rise of Chinese maritime power. Japan is going to build sufficient defence capabilities and partnerships to discourage Chinese assertiveness in

38 *Sankei Shimbun*, 8 February 2012. Accessed 8 February 2012. sankei.jp.msn.com/politics/news/120208/plc12020819260022-n1.htm.

the Asian littoral while encouraging Beijing to play more responsible and constructive roles. To that end, Japan needs to establish a dynamic defence posture to secure south-western Japan while expanding partnerships in the South China Sea to promote freedom of navigation.

South Korea

An Emerging Maritime Middle Power

Captain (Retired) Sukjoon Yoon

INTRODUCTION

The Republic of Korea (R.O.K. or South Korea), as one of the most prominent contemporary maritime powers, is looking to play a significant role in maintaining maritime security in the Indo-Pacific Arc. Given the interconnected nature of modern economies, this region is becoming ever more critical to the prosperity and stability of South Korea. In particular, through its efforts to safeguard the Sea Lines of Communication (SLOCs) and construct a network of strategic partnerships to ensure maritime peace and stability in the region, South Korea is sending a strong message that it wants to take on a new role and should be considered as an emerging maritime middle power. This chapter presents an analysis of the ways and means by which South Korea can establish and consolidate its status as a maritime middle power, focusing predominantly on how it manages its dependence on the security of the complex and fragile Indo-Pacific Arc, and the implications for its maritime strategy in the future. Some specific suggestions are offered regarding fundamental strategic guidelines as well as operational and tactical doctrines through which the R.O.K. Navy (ROKN) can build a flexible and adaptive maritime strategy for the 21st Century, while also helping to develop a more general context in which South Korea is viewed as having the status of a discrete middle power.

SOUTH KOREA'S MARITIME SECURITY CONCERNS IN THE INDO-PACIFIC ARC

South Korea finds itself pulled in divergent directions by its continental and maritime interests. It has a large and growing merchant fleet that calls at more than 600 ports in over 150 countries, and must be deemed

a major maritime power in a world that is acutely sensitive to maritime security.¹ As a consequence of the political divide on the Korean Peninsula, South Korea is effectively an island nation. With the end of the Cold War, the ocean was recognised as the chief focus for national security primarily due to the economic importance of the SLOCs—now that South Korea is the world’s sixth-largest maritime economic power.² The SLOCs extend from south of the Korean Peninsula to the Middle East, passing through the East China Sea, the South China Sea, the Malacca Strait and the Indian Ocean.³

Of particular importance is the Malacca Strait, which is acknowledged as a “strategic chokepoint” for the maritime security of South Korea.⁴ Another major challenge to SLOC security concerns the Exclusive Economic Zones (EEZs) of various countries: a number of intractable maritime boundary disputes are ongoing, arising from overlapping claims made in accordance with the United Nations Convention of the Law of the Sea (UNCLOS).⁵

Besides geographic factors, economic and energy issues must also be considered. After four decades of extraordinary economic development, together with democratisation and sustained social stability, South Korea has emerged as the 13th largest economy in the world. The Indo-Pacific Arc has been, and will continue to be, pivotal to this economic growth and development.⁶ As much as 60 per cent of the South Korean economy depends on overseas trade, with more than 99.6 per cent of its imports and exports being transported by ship in 2010. In that year, 98 per cent of South Korea’s energy imports were supplied by ship, and the country

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- 1 Arthur D. Little. *A Research Report for Future National Maritime Strategy in Korea*. Seoul: Arthur D. Little Korea, 2006, 5.
 - 2 Ibid. Korea ranks fifth for cargo process capability, first for shipbuilding capacity, and fifth (2010 figures) for net crude oil imports.
 - 3 Lee Chonghwan, Choi Jaesun and Kim Minsoo. *Ocean Policy Future*. Seoul: Blue and Note, 2010, 27.
 - 4 For the term “strategic chokepoint”, see Jon H. Noer & David Gregory, *Chokepoints: Maritime Economic Concerns in Southeast Asia*. Washington, D.C.: National Defense University, 1996, Chap. 2: “Trade and shipping patterns”.
 - 5 Shim Kyong Wook. “SLOC Security: Challenges and Responses for the ROK.” In *Korean Maritime Strategy: Issues and Challenges*, edited by Geoffrey Till and Yoon Sukjoon, 57–88. Seoul: Korea Institute for Maritime Strategy, 2011.
 - 6 Little. *A Research Report*, 12.

used four to five times more energy per head than the Organisation for Economic Co-operation and Development (OECD) average.⁷

OLD AND NEW ISSUES OF THE INDO-PACIFIC ARC: IMPLICATIONS FOR SOUTH KOREA'S MARITIME STRATEGY

Old issues

So far as maritime security is concerned, the Indo-Pacific Arc seems to be contradictory. It remains acutely vulnerable to a great variety of challenges threatening the maintenance of good order at sea. Recent years have seen: (i) disputes between countries over the ownership of islands, such as the Spratly Islands in the South China Sea; (ii) military tensions between navies, from skirmishes over maritime boundaries and fisheries to more serious incidents like the sinking of the R.O.K. Ship (ROKS) *Cheonan* and the North Korean artillery attack on Yeonpyeong Island in the West Sea, both in 2010; and (iii) a naval arms race with increasingly competitive naval activities and acquisitions, the Chinese navy's evolving organic maritime airpower and underwater operational capacities being particularly significant in this regard.⁸ The debut of China's fledgling aircraft carrier, *Liaoning*, has provided a wake-up call for some of its neighbours.⁹ In addition, some members of the Association of Southeast Asian Nations (ASEAN) are engaging in a tit-for-tat competition to acquire submarines, and this seems likely to be a critically destabilising factor for maritime security in Southeast Asia.¹⁰

New and emerging challenges

Novel challenges have been occasioned by a variety of new and emerging

7 *BP Statistical Review of World Energy: June 2011*. U.K.: British Petroleum PLC, 2011. Accessed 5 February 2012. www.bp.com/assets/bp_internet/globalbp_uk_english/reports_and_publications/statistical_energy_review_2011.pdf.

8 Sam Bateman. "Solving the 'Wicked Problems' of Maritime Security: Are Regional Forums up to the Task?" *Contemporary Southeast Asia* 33, No. 1 (2011): 1–28.

9 Trefor Moss. "Interpreting China's Carrier Ambitions." *Jane's Defense Weekly*, 14 September 2011, 47; James Hardy. "Ex-Varyag Completes Second Sea Trials." *Jane's Defense Weekly*, 21 December 2011, 5.

10 Bateman. "Solving the 'Wicked Problems.'" 25.

threats, including the rise of maritime China, the prospective decline of U.S. military power, a fresh concern within the Indo-Pacific region about its own maritime security, and unforeseen asymmetric threats in the littoral areas.

First, the rise of maritime China and the response thereto are central to regional maritime peace and stability. Six maritime nations together enclose the entire Chinese coastline, all of them within 400 miles of it, while 14 land powers share terrestrial frontiers with China. The geographic proximity of its neighbours is driving China's quest to acquire modern naval power together with the necessary alliances to assure its national sovereignty and rights.¹¹ China is an immense and formidable country, taking up about one-third of the whole Asian continent, with a commensurately vast population. This appears to influence the perspective of the surrounding states, inasmuch as they inevitably perceive themselves to be much weaker than China.¹²

Despite China's economic interactions with its neighbours, some have recently had good cause to be worried about China's stance on regional maritime disputes. In 2010, the region witnessed several extraordinary displays of Chinese assertiveness: (i) its intense reaction against R.O.K.-U.S. joint naval exercises in the Yellow Sea after the ROKS *Cheonan* and Yeonpyeong incidents; (ii) the hardening of Chinese attitudes in response to the Japanese judicial treatment of a Chinese fishing vessel and its crew following a collision with a Japanese Coast Guard vessel near the Senkaku Islands in the East China Sea; (iii) the use of coercion and force to advance China's claims to the Spratly and Paracel Islands in the South China Sea, disrupting the legitimate economic activities of some ASEAN members; and (iv) the Chinese navy's increased presence in the Indian Ocean region. If these events can be taken as a guide to the consequences of the rise of maritime China, there will surely be worse scenarios in the future.

Second, the prospect of a decline in U.S. military power in East and

11 Andrew S. Erickson and David D. Yang. "On the Verge of a Game-Changer." *Proceedings* 135, No. 5 (May 2009): 26–32.

12 Sujit Dutta. "Managing and Engaging Rising China: India's Evolving Posture." *The Washington Quarterly* 34, No. 2 (Spring 2011): 127–144. Accessed 17 June 2014, DOI:10.1080/0163660X.2011.564555.

Southeast Asia, though not in the near future, creates a security dilemma for states in the region.¹³ As long as the United States retains its military superiority, its allies are content to depend on the U.S. military presence in the area for their security. Anticipating an eventual decline in U.S. naval power, at least in relative terms, however, raises the prospect of regional insecurity, so that any unexpected defence cuts by the U.S. Congress could cause its allies to become anxious about American security commitments.¹⁴ Already, some of them have been expressing deep concerns about recent Chinese assertiveness as well as mounting doubts that China's rise can be peaceful.¹⁵ They consider that in recent times the United States has failed to show a sufficiently strong commitment to its allies' security concerns about the rise of maritime China.¹⁶ Such fears can only increase unless the United States offers a solid commitment to a continuing U.S. naval presence to serve the roles of watchman and reliable arbiter. Of late, however, the United States has called only for freedom of navigation in the South China Sea, urging China and its ASEAN neighbours to show restraint in solving their territorial disputes even while such quarrels have become increasingly heated.

What Asian nations really wish to see is that the United States stands prepared to demonstrate its firm military will. This would take the form of substantial measures, such as increasing its sophisticated technology-based naval presence, including broader reconnaissance and surveillance of the disputed areas, and sharing its information and experience with regional allies. It is also unfortunate that the United States is the only significant naval power that has not ratified UNCLOS. Will the decline of U.S. naval superiority in East Asia lead ultimately to the Chinese establishing a "maritime hegemony" with a concomitant true blue-water-navy capacity? Such fears are growing, and the balance of naval

13 "What Does the New U.S. Defense Strategy Mean for S. Korea?" *Chosun Ilbo*, 6 January 2012. Accessed 17 June 2014. http://english.chosun.com/site/data/html_dir/2012/01/06/2012010601449.html.

14 Phil Stewart and Paul Eckert. "No Big Naval Buildup in Asia, Top Officer Says." Reuters, 10 January 2012. Accessed 17 June 2014. <http://www.reuters.com/article/2012/01/10/us-usa-asia-military-idUSTRE8092CG20120110>.

15 *Yonhap News*, 8 January 2012; *Wall Street Journal*, 9 January 2012.

16 Toshi Yoshihara and James D. Holmes. *Red Star over the Pacific: China's Rise and the Challenge to U.S. Maritime Strategy*. Annapolis, Maryland: Naval Institute Press, 2010, Chap. 8.

power between the Chinese and U.S. navies has already begun to shift discernibly. Thus, in response to China's Anti-Access/Area-Denial (A2/AD) strategy, the U.S. navy has adopted a highly defensive posture—the so-called “Air/Sea Battle concept”—which can be thought of as a kind of a “pilot-programme” for future U.S. military posture in Asia.¹⁷

Third, all the states of the Indo-Pacific Arc are faced with the task of adjusting their national security strategies to mitigate problems arising from the rise of maritime China and the decline of U.S. military power. For some, the best option would be to enhance their military capability so as to move away from reliance on larger powers or any involvement in the Sino-American power game and maintain their own distinct perspectives on regional security matters. Unfortunately, in the absence of any NATO-like multi-national maritime regime, there is the prospect of competitive rivalry between states, with deep mistrust towards any bilateral security arrangements between the larger powers and individual regional states.¹⁸ Such tensions are also driving a shift away from inter-dependent and cooperative security strategies towards stand-alone and self-reliant defence policies.

Fourth, the Indo-Pacific Arc is facing new maritime threats going forward into the 21st Century. Although it is difficult to draw any overarching lessons from the challenges confronting an area as diverse and challenging as the Indo-Pacific Arc, there are real threats for Asian nations, though these are often exaggerated. The region should focus on responding to non-traditional asymmetric maritime threats where they may be taken by surprise. Natural disasters, particularly when aggravated by a lack of human foresight, not only threaten the welfare of individual nations but also have the potential to disrupt maritime security across much broader regions.

Implications for R.O.K. maritime strategy

The essential importance of maritime security for national defence policy

With its escalating energy demand and ever-increasing gross resource

17 Jan van Tol et al. *AirSea Battle: A Point-of-Departure Operational Concept*. Washington, D.C.: Center for Strategic and Budgetary Assessments, 18 May 2010.
18 Bateman. “Solving the ‘Wicked Problems.’” 25.

consumption, South Korea is becoming increasingly dependent on its maritime links with the Indo-Pacific Arc. But transportation through the Indo-Pacific Arc is facing a number of intractable complications that leave Seoul grappling with a maritime security predicament. The fragile long-range SLOCs of the Indo-Pacific Arc are funnelled through a few key straits and along a few sea routes, so any disruption will have a direct impact on South Korea's economic development. As South Korea searches hungrily for scarce new resources from the volatile regions of the Middle East and Africa, competing all the while with China and India, its maritime security is essential to its national welfare and prosperity.

Maritime cooperation as a principal element of maritime strategy

Since South Korea is critically dependent on overseas trade, multi-dimensional maritime cooperation is a major security interest. Sharing with other nations of the region an essential requirement to safeguard the common SLOCs, South Korea has amply demonstrated its willingness to contribute to the responsibility of safeguarding freedom of navigation. The principle of maritime cooperation is central to South Korea's national security objectives, and cannot be separated from regional development and prosperity in the Indo-Pacific Arc.¹⁹ However, attaining and maintaining a global maritime partnership is far from straightforward. In order to alleviate the mistrust existing between competing peers and rivals in the Indo-Pacific Arc, incentives to foster multilateral maritime cooperation are probably the best approach. Multilateral maritime cooperation—by establishing multilateral maritime confidence-building measures between and among specific littoral states—constitutes a means to overcome psychological miscalculations, thus limiting the likelihood of any party committing destabilising actions that another considers to be crossing the red line.

SLOC security requires naval modernisation

As maritime security becomes an increasingly dangerous arena for South Korea, the country will surely give more attention to the modernisation

19 Bernard D. Cole. *The Great Wall at Sea: China's Navy Enters the Twenty-First Century*. Annapolis, Maryland: Naval Institute Press, 2001, 63, 65.

of its naval forces.²⁰ South Korea is currently making efforts to bring its aging naval forces up to date. Naval modernisation has become crucial for the ROKN as it attempts to change the conceptual basis of its maritime strategy and improve its naval forces so as to be able to effectively counter emerging and potential threats at sea. Examples of ongoing development include sophisticated state-of-the-art technology-based platforms, weapons and large amphibious ships with rapid and multi-purpose power-projection ability. However, the ROKS *Cheonan* and Yeonpyeong incidents in 2010 have driven the ROKN to spotlight shallow-water anti-submarine warfare and littoral operations rather than constantly striving towards the development of ocean-going operational capability.

Striking a balance between the rise of China and the U.S. decline

For South Korea, the rise of China and the U.S. decline are both strategically uncomfortable developments. If China continues to maintain its remarkable economic growth over the next few decades, it is likely to engage in an intense security competition with the United States, and Beijing is likely to try to push the United States out of Asia. In such circumstances there will be no constructive options for South Korea, as its very survival will be threatened. Policymakers in South Korea cannot forget the lessons of history: whenever China had been an integrated and powerful nation, Korea had been weak. The more powerful China had been, the harsher was its treatment of Korea.

Indeed, South Korea is greatly disturbed by the U.S. decline and concerned that a reduced forward presence deployed in the Indo-Pacific Arc by the United States may be unable to respond adequately to potential conflict involving China and the two Koreas.

Nevertheless, South Korea does not construe the rise of China as a security threat on par with the Cold War. For the time being, Seoul can be expected to move towards an “equidistance strategy”, attempting to balance its leverage between the two powers. On the one hand, South Korea will try to enhance its alliance with the United States so as to con-

20 Yoon Sukjoon. “Some Current Issues in Korean Maritime Security and Maritime Strategy.” In *Korean Maritime Strategy: Issues and Challenges*, edited by Geoffrey Till & Yoon Sukjoon, 151–186. Seoul: Korean Institute for Maritime Strategy, 2011.

tain China; on the other, it will seek to promote its economic interactions with China despite the petulant reactions of North Korea.²¹

FORMULATING A MIDDLE-POWER MARITIME STRATEGY FOR THE ROKN IN THE INDO-PACIFIC ARC

Establishing South Korea as a middle power

It is essential for South Korea to formulate a “middle-power” maritime strategy in the Indo-Pacific Arc and to build its influence more generally so that South Korea is seen by other nations as having the status of a discrete middle power. There are several aspects to this.

First, the dramatic ongoing regional and international geo-strategic shifts oblige South Korea to articulate its future national security strategy, and this entails re-addressing its unique geo-strategic significance.²² South Korea is a discrete political, economic and military middle power, with its prowess intermediately between the existing and the emerging powers around the Korean Peninsula. It also straddles the maritime connections of Northeast Asia, Southeast Asia and the Indian Ocean region. From this geo-strategic perspective, South Korea can identify its prospective roles, functions and fundamental strategic principles necessary to expand its strategic scope and revenues from the West Sea through the East and South China Seas to the Indian Ocean.

To this end, the ROKN has already begun to modify its concepts of maritime strategy, moving away from “coastal navy and patrol navy” and to “ocean-going navy and expeditionary navy” in order to meet the requirements of a new operational capability so as to prepare for a variety of maritime threats. This implies building a strong and capable navy with a discrete operational capacity whose strategic emphasis is targeted between “coastal domains” and “high seas.”²³ Now that South Korea is seeking to build a truly modern navy, the maritime strategy of the ROKN is undergoing a thorough transformation, with a view to meet both old and new threats by adopting high-technology combat-capable weapons and systems.

21 Yoon Sukjoon. “Chinese Maritime Hegemony and Implications for Korea Policy on China.” *Dokdo Research Journal* 15 (2011 Autumn): 85–86.

22 Yoon. “Some Current Issues.”

23 Ibid.

Second, South Korea, by achieving extraordinary economic development together with democratisation, has acquired substantial international prestige. South Korea is well-placed to play a unique and catalytic role in building bridges, both between the United States and China, as well as with regional powers to encourage stronger engagement in the Indo-Pacific Arc. Through its burgeoning international trade, South Korea has risen to become a major player in the new economic regional and world order. In these circumstances, South Korea already perceives itself as a distinct middle power, albeit one constrained by great power competition.

Third, South Korea is no longer an inward-looking state on a remote peninsula of little geo-strategic value but an outgoing member of the international community, strategically committed to effective international maritime security. This dynamic commitment highlights the need for a more pragmatic and comprehensive maritime strategy. It is motivated to make substantial contributions to international efforts for sustainable development and peace. South Korea has been increasing the volume of its Official Development Assistance towards a target commitment of 0.25 per cent of its gross national income by 2015. It is also committed to building substantial political and economic partnerships with regional actors, namely the United States, China, Russia, ASEAN and India.²⁴ Besides these economic contributions, South Korea has participated in 19 United Nations Peacekeeping Operations (PKOs). As of 2011, a total of 640 South Korean military and police officers were deployed to 10 different PKO missions.²⁵ In terms of maritime cooperation, the ROKN is conducting various talks with major regional navies in order to preserve peace and security at sea, and is seeking to pave the way for the establishment of more efficient forms of naval cooperation to ensure regional SLOC security.²⁶

24 See "A Recipient-Turned-Donor Country Sharing Its Development Experience." In *Korea's Contribution to the World*. Republic of Korea: Ministry of Foreign Affairs and Trade, 2011.

25 See Defense Policy Division, Policy Planning Bureau (Ed.), *2010 Defense White Paper*. Seoul: Ministry of National Defense, 2011, 106–115.

26 Yoon Sukjoon. "Feasible Cooperation between the Chinese Navy and the Republic of Korea Navy on SLOC Security." *IFANS Review* 19, No. 1 (June 2011): 127–157.

Adopting a broader concept of middle-power maritime strategy for the ROKN

If the middle-power maritime strategy is to function in protecting South Korea's maritime rights and interests as well as moulding its naval force structures to the requirements of the security environment, then a distinct and effective navy capable of operating around the Korean Peninsula and throughout the Indo-Pacific Arc is an urgent requirement.

First and foremost, South Korea's middle-power maritime strategy must accurately reflect the national defence policy imperatives of the ROKN, faithfully implementing its specific directives by focusing on homeland security, the containment of North Korean maritime threats in the seas of the Korean Peninsula, and "engaged internationalism". Over the past few decades, the evolution of the ROKN as a rising regional navy, rather than just focusing on the challenge of North Korea, has been driven by national defence policy imperatives to support the political and economic development of South Korea as a great trading nation.²⁷

Second, an adaptive naval capability has always been considered indispensable to the task of procuring national peace and prosperity. The importance of a strong and effective navy can easily be seen historically, from Admiral Yi Sun Shin's defeat of a Japanese invasion force in the 16th Century. The ROKN had initially been charged simply with securing the sovereignty of its assets in South Korean waters but as South Korea's interests have extended around the globe, so too has the reach of the ROKN, dealing with crises around the Korean Peninsula and also with wider regional conflicts, including serious and lethal non-traditional maritime threats like the interdiction of Somali pirate activities in the Gulf of Aden.²⁸ The modernisation effort seeks to provide a coherent middle-power naval capability for the ROKN in the 21st Century as well as to address some particular stand-alone requirements.

Third, and most importantly, the maritime strategy of the ROKN

27 Geoffrey Till. "The Development of Modern Maritime Strategy: Its Implications for the ROK." In *Korean Maritime Strategy: Issues and Challenges*, edited by Geoffrey Till & Yoon Sukjoon, 89–120. Seoul: Korean Institute for Maritime Strategy, 2011.

28 Jung Sung-ki. "Anti-Piracy Operations Off Somalia Face Challenges." *Korea Times*, 10 February 2009, 5.

must be sustainable and appropriate to its scale and nature. Its maritime strategy must reflect and support broader SOUTH KOREAN national objectives and national security, which have to combine the demands of foreign and defence policy. For this reason, devising the most suitable maritime strategy rationale for the ROKN presents a very broad range of choices, so it is necessary to prioritise from among a variety of options.

ROKN tasks and missions in a middle-power maritime strategy

The ROKN's tasks and missions for operating a middle-power maritime strategy can be characterised at the strategic, operational and tactical levels. At the strategic level, three core competencies can be identified for the future ROKN, and at the operational and tactical levels, a further three core capabilities can be recognised.

Adjusting to a coherent and adaptive maritime strategy

The first strategic competency describes the underlying policies, assumptions, ideas and processes employed in the development of the ROKN. In the development or adjustment of its maritime strategy, the ROKN should maintain a balanced approach in order to cope with a variety of issues and challenges: (i) between preparation for conventional conflict and for crisis situations; (ii) between being ready for all-out war and asymmetric encounters; (iii) between a land-oriented military strategy and sea-based military operations; (iv) between homeland defence and a firmer commitment to sustaining international peace and stability; and (v) between symmetric and asymmetric threats.

Under these circumstances, the ROKN needs to adopt a more pragmatic and comprehensive approach to the formulation of maritime strategy than the current academic descriptions allow. When it comes to the structures for a future naval force, however, flexible and adaptive implementation of the middle-power maritime strategy may provide a way to manage security dilemmas affordably. Ultimately, a coherent and balanced maritime strategy based on high-tech naval force structures and systems—rather than simply on perspectives espoused 100 years ago by Alfred Thayer Mahan and Sir Julian Corbett—should be developed. It requires that the ROKN strike a doctrinal balance in its maritime

strategy, between sea-based Mahanian and land-centred Corbettian perspectives.²⁹

Building a more capable and flexible naval power

The second strategic competency recognises the projection of naval power at a distance as an essential element of South Korea's national security and as integral to the outer seaward line of defence. Although freedom of navigation on the high seas is required for a wider deployment of the ROKN, only a true global capacity can provide the SOUTH KOREAN government with the independent means to engage anywhere and at any time, however it chooses. In particular, South Korea is making extraordinary efforts to improve its expeditionary naval capabilities so that it is better able to preserve good order and safety on the high seas. The ROKN has consistently emphasised its ambitious naval force improvement plan, especially a new "tailored-mission task fleet" (*gidong hamdae* or mobile fleet) to supplement its current three "district fleets" [*hae-eok hamdae*] deployed in the East, South and West Seas of the Korean Peninsula.³⁰ The nucleus of this new fleet will come from the present seventh tailored-mission task flotilla established on 1 February 2010, and its role will focus on protecting vital SLOCs, conducting expeditionary naval operations and undertaking Humanitarian Assistance and Disaster Relief operations.³¹ The ROKN has also begun developing a new next-generation shipbuilding plan featuring Incheon Class frigates (known as the Future Frigate eXperimental, or FFX during development) and the mini-AEGIS destroyer. To accommodate this new fleet, a new naval base is being constructed on Jeju Island in the South Sea, which will provide the tailored-mission task fleet with a command and control post, logistic support, and education and training.

The importance of alliances and coalitions

The third strategic competency recognises that overseas naval opera-

29 Yoon. "Some Current Issues." 177.

30 The ROKN applies the term "task" to type organisation, rather than to task organisation as such, in order to differentiate the District Fleets as presently numbered and assigned to defend the East, South and West Seas.

31 Jung Sung-ki. "Navy Activates 1st High-Mobility Fleet." *Korea Times*, 2 February 2010, 3.

tions will likely involve the ROKN conducting joint efforts with other like-minded navies, whether as a consequence of an alliance commitment or in coalition. In the aftermath of the West Sea flare-ups of 2010, the ROKN is facing significant challenges in charting a course that is truly in the national interest, unencumbered by a pre-occupation with North Korean provocations, and placing more emphasis upon the ROKN's international alliances and coalitions. The support of its allies, principally the United States, remains one of the most critical elements of its national defence policy. In fact, any proactive stance that the ROKN may take in the hope to deter surprise attacks by North Korea will require much closer cooperation with the United States.

SLOC security, in particular, appears to require a fresh approach to joint naval cooperation between the ROKN and other partners, involving fire-fighting actions and similar crisis management techniques.³² South Korea will benefit from the development of strong partnerships with its allies, partners and like-minded nations, in which their naval forces cooperate to protect unimpeded transit through the sea routes. This will require more robust and reliable naval fleets than have previously been deployed. There are efforts underway at the trilateral level with South Korea, Japan and the United States, so as to reaffirm their maritime security coordination to discourage further North Korean attacks. This trilateral approach sends a strong signal to China regarding North Korea's activities, with the three nations urging China to play a more positive and active role in constraining North Korea.³³

A wide range of maritime operations

At the operational and tactical levels a further three capability concepts can be identified. The first of these recognises that the wide variety of naval operations and missions that the ROKN may be called upon to perform will be very different from the ROKN activities of today. Although most of the ROKN's major specialist naval equipment will remain in the inventory for years to come, the facilities of which they form a part

32 Examples of issues to be considered include: common missions, role review, joint capability and interoperability.

33 Paul Kallender-Umezu. "Former Japanese Navy Leader Warns on China." *Defense News*, 5 September 2011, 16.

will exceed current capabilities. The operational performance of the ROKN will also be complemented and transformed by novel equipment, doctrines, organisational approaches, training methods and other technologies.

Assuring the freedom of the seas

The second and most important operational/tactical capability concept is ensuring the freedom of the seas. As long as a hostile regime continues to occupy the northern half of the Korean Peninsula, forming a military barrier, South Korea must be considered as a *de facto* island nation. In the medium term, therefore, the ROKN should aspire to be capable of safeguarding the freedom of the seas so as to secure the SLOCs in support of South Korea's global aspirations.

The tailored joint enabler

The third operational/tactical capability concept is the "tailored joint enabler", a framework that delineates the core principles of future naval tasks and missions for the ROKN. The "tailored joint enabler" is a policy initiative that will be adapted as required to support a seamless approach to peace enforcement and to any future combat missions.³⁴ These will include precise lethal and non-lethal efforts designed to meet the requirements of international law as well as local rules of engagement, and to protect the SOUTH KOREAN armed forces personnel and any people or property for which they are made responsible.

CONCLUSION

When formulating a middle-power maritime strategy, South Korea should be taking a robust approach to maritime security. It should cooperate with those who share a common interest in seeking to ensure that a safe and stable order prevails at sea, so as to successfully protect

34 This does not imply a single united military service. On the contrary, there will be three individual services with their specialist competencies in the maritime, terrestrial and airborne domains but they will function as cooperating components when carrying out military operations, particularly at the tactical level.

its maritime economic interests in the Indo-Pacific Arc. The ROKN is facing a variety of issues and challenges that make it essential to have a comprehensive and functional strategy appropriate to dealing with all the diverse maritime security environments of the region so that it can be capable of mounting a wide range of maritime operations both around and beyond the Korean Peninsula. The development of such a strategy inevitably involves choices and priorities of the kind that all navies must contend with: between preparation for conventional conflict and for asymmetric encounters as well as between preparing for “home” and “away” missions. The ROKN is already in the process of changing course, and the effort to develop a new, more pragmatic and realistic conceptual framework towards charting a middle-power approach to maritime strategy has achieved widespread support. Moreover, the construction of a discrete and effective navy, consonant with South Korea’s standing in the modern world, should prove an affordable means for the management of the nation’s maritime security dilemmas. Implementing a middle-power maritime strategy will require changes at the strategic, operational and tactical levels. It bears repeating that there is more to maritime strategy than naval forces alone, and that their relationship with their allies, their partners and like-minded nations needs to be constantly calibrated in light of the lessons learned by the ROKN, both from history and from evolving contemporary experience.

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This volume is a compilation of the papers presented during the inaugural RSIS-Center for Naval Analyses Joint Conference held in Singapore on 9–10 November 2011, on the theme of “Navigating the Indo-Pacific Arc”. The Conference sought to explore maritime security issues across the Indo-Pacific region, with the goal of investigating the value and implications of the strategic connectivity between its various sub-regions.

Maritime strategic connectivity is increasing along the Indo-Pacific Arc—a natural result of the trans-oceanic nature of the Indo-Pacific itself and the growth of intra-Asian trade. The various expert contributors to this volume contend that this trend has engendered new opportunities and responsibilities for multilateral cooperation, but has also seen the rise of tensions arising from territorial disputes and great power rivalry. Despite the complications brought about by regional tensions, the volume finds that engagement and cooperation can and should be prioritised by regional countries, given the pressing need to address the numerous maritime security issues in the region.

