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## Maritime security challenges in the Indo-Pacific region

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### Abstract

Indo-Pacific is the new hotbed for geopolitics. Indo-pacific is host to many activities ranging from trade to transportation, the region also gains importance due to its emergence as the highway for important energy transfers to the energy need nations of the world. It is also a region that is alive to political turbulence and a complex jostle for power. The deep desire of the populous Asian states to play a more prominent role either at the regional level or at the global plane has ensured a struggle for power in the entire region that has become accentuated over time.

Major players are competing for supremacy in the Indo-Pacific region with the US. India and China are on the list of competitors, while other nations competing for the position of king-maker include Australia, Japan, Indonesia, South Africa, and Indonesia. Although sharing comparable security interests and, most significantly, a shared maritime thread that runs across the region, this dynamic environment has also emphasised mistrust among the littoral nations, which in many respects has precluded the establishment of an overall security architecture.

There appears to be an increase in asymmetric threats from transnational crime, including modern piracy, terrorism, drug trafficking, etc., in their constantly changing expressions. All interested parties have loudly demanded increased effectiveness in law enforcement and the preservation of maritime order as a result of this rise. Sadly, despite the importance of the seas, sea governance and a coordinated strategy for dealing with the numerous marine dangers and challenges have not been given the attention they merit. The primary explanation for this situation's seeming irony may be found in the fact that the littorals' capacities differ significantly from one another. On the one hand, India has a sizable navy with nearly blue seas, while on the other, there are others with more modest capabilities. Second, it can be because country agendas and interests on matters related to maritime security and ocean governance differ. As already mentioned, the region's maritime security and collaboration are not the focus of a single supranational institution.

The Indo-top Pacific's regional organisations are listed below: The Indo-Pacific Region and the Rise of Transnational Maritime Threats and Challenges, ARF (ASEAN Regional Forum), and the Indian Ocean Region (IOR)-the Indian Ocean Rim Association for Regional Cooperation (IOR-ARC) had completely ignored the issue of maritime security cooperation until recently, when it realised its importance-are security outgrowths of ASEAN, which is primarily an economic forum. To navigate the complicated maritime realm of the Indo-Pacific, policy makers throughout the region will need to collaboratively develop strategies to address these interconnected strategic, socio-economic, commercial, and environmental trends that will continue to shape the region in the coming decades.

**Keywords:** Geopolitics, SCS, SLOC, Indo-pacific, maritime security, joint military exercises

### Introduction

#### First-tier Maritime Challenges

The rising maritime threats have been linked in many ways to the rise in seaborne trade, thus affecting the security and the free flow of trade through the maritime commons. Major threats range from -An overview of these serious challenges includes:

Pollution on the High Seas and Environmental Disasters-Pollution and oil-related environmental disasters at sea are a serious concern for environmentalists and security specialists equally. While they can create havoc with the marine ecology, they also can affect the free flow of trade and shipping, and hence are a concern for all seafarers. Ports and regions affected by such disasters often must be bypassed by ships, leading to losses by shipping companies. Most littoral governments are deeply concerned by the possibility of major oil spills or wrecks of oil tankers at narrow approaches to harbours, and choke points affecting the flow of shipping traffic.

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Theoretically the traffic can be directed to other similar ports or routes but practical difficulties of jetties, storage capacity, and longer routing led to a compounding of economic losses. In the IOR and the entire Indo-Pacific region there are few agencies that possess the capacity and infrastructure for tackling environmental disasters. The US Coast Guard is probably the best equipped in this region with the Indian Coast Guard coming second. Hence it would be in the interest of all if these agencies cooperate closely (along with the Chinese agency) on matters regarding environmental disasters.

### **The impasse in the South China Sea**

The South China Sea (SCS) region has emerged as a global flashpoint and as a major maritime challenge, not only for the littorals and the contending states, but for all the users and the stakeholders as well. In this volatile region, many claimant states have started resorting to aggressive posturing to reinforce their sovereignty over disparate islands and “rocks.” The simmering disputes and the resort to brinkmanship pose a serious threat to peace and stability in the region. Unfortunately, the current disenchantment with multilateral fora like ASEAN to find an amicable solution seems to be on the rise, making it imperative for external stakeholders and users to try and find peaceful solutions or enhance confidence amongst the parties. The geostrategic significance of the South China Sea is difficult to overstate. The SCS functions as the throat of the Western Pacific and Indian Ocean. Host to important SLOCs, it carries nearly \$1.2 trillion in US trade annually and represents energy life lines to the energy deficient states in North East Asia and China. Half of Indian trade through the area passes through the region that provides a transit between the Indian Ocean and the Western Pacific, ensuring the rapid shipment of goods and deployments of armed forces from one ocean to the other. Endowed with immense living and non-living resources, the region holds significant amounts of energy. It has proven oil reserves to the tune of 1.2 km<sup>3</sup> (7.7 billion barrels), with an approximate total of 4.5 km<sup>3</sup> (24 billion barrels). Its natural gas reserves of 7,500 km<sup>3</sup> (266 trillion cubic feet) make it a virtual fountainhead of hydrocarbon energy. Against this backdrop, the US, India, and others can play a stabilizing and an encouraging role by being active participants in some of the confidence building measures among the littoral states. After all, the universal aim of all the maritime parties revolves around maintaining peace and stability while ensuring the freedom of navigation and unhindered access to the movement of shipping trade across the region.

### **Rising Narco-Terrorism**

Drug trafficking shares a close linkage to maritime terrorism since it is often used to finance terrorism, insurgencies, and piracy activities directly or indirectly. With profit margins running into hundreds of percent, it is by far the most lucrative way of generating such illegal funds. This is likely what led the Secretary Fathimath Dhiyana Saeed of the South Asian Association for Regional Cooperation (SAARC) to state in her inaugural address during the meeting of Interior/Home Secretaries at Thimphu that, “Ample evidence suggests the potential links between piracy and terrorism, drugs trafficking, human smuggling and related crime.” She added that since this threat was transnational in nature, regional cooperation was the best

possible method to respond to the issue. 13 Terrorist groups share a deeply symbiotic relation with drug cartels and organized crime syndicates. Not only do drug cartels provide the much-needed finance, they also provide the logistical infrastructure to move resources according to the requirements of the terror organization. India lies in the pivot of the Golden triangle and the Golden crescent—the two infamous drug producing areas—and is used as a transit point seaward for both. This has led to a focused approach in countering narcotics supply chains by increasing cooperation between the affected governments. In this context, it is foreseen that submersibles deployed for transportation of drugs by cartels in South America may well make an appearance in the seas off South Asia. It must be remembered that the former Sea Tigers of LTTE, which possessed extensive maritime capability, had almost developed such a vessel in this region. A half-finished LTTE submersible had been discovered in Phuket in Thailand. Unfortunately, the South Asian navies and Coast Guards are still unprepared to counter the arrival of such submersibles, and their arrival would prove to be a serious setback for anti-narcotics measures in the region.

### **Piracy and maritime terrorism**

Piracy, that until recently had been dismissed as “romantic folklore,” has returned with a vengeance and has emerged as the bane of the modern seafarer. This transnational crime has made considerable impact on commercial shipping, especially on those vessels passing through some of the piracy hotspots in the region like the Horn of Africa. Earlier, piracy was rife in the Malacca straits and in Indonesian waters. However, multipronged efforts, along with initiatives like the Regional Cooperation Agreement on Combating Piracy and Armed Robbery (ReCAAP), or the Tokyo Agreement of November 11, 2004, and awareness programs have led to a near elimination of this scourge from the Straits, though a few attacks continue in the South China Sea. Modern piracy emerging from Somalia, though, has captured the attention of the global shipping community and the media. Modern piracy is a complex problem that is often the manifestation of various underlying socio-political problems. Hence piracy emanating from one area is often unique in its approach and distinct from piracy incidents in other regions of the world. The solution to eradicating this scourge does not exclusively lie at sea and requires a multi-faceted approach to tackle the root of the problem, rather than focus on an exclusively naval solution to merely suppress the problem. From modest beginnings in 2005, Somali piracy has evolved considerably, from attempts by fishermen to collect “tax” from traversing ships to the current format in which it has emerged as a lucrative criminal industry with transnational characteristics. The main objective of the Somali pirates is to get ransom money from shipping companies by holding the crew and cargo hostage. Initial inability to bring down the numbers of piracy incidents forced the UN to adopt Resolution 1851(2009) in January 2009. This resolution also established the contact group on piracy off the coast of Somalia. Today its membership has grown from 30 countries to more than 50 and it includes six international organizations. With the increased presence of military ships and various task forces, the numbers of piracy attacks are on a sharp decline, much to the satisfaction of the governments that have opted for the usage of military force against this

socio-economic problem. This accent on using navies to curtail piracy instead of going to the root causes is a temporary respite. Due to the pressure near the coastline of Somalia (and Puntland), the pirates have started using sophisticated equipment which enables them to carry out attacks at phenomenal ranges of 1,500 nautical miles (nm) from the Somali coastline. Hence there is a likelihood that once the navies stop or reduce their patrol intensity, piracy will rise again. In addition, the Somali pirates are also actively enhancing their linkages with terrorist organizations like Al Qaida and Al Shabab. The latter has been keen to set up their sea-based wing along the lines of the former Sri Lankan secessionist Liberation Tigers of Tamil Eelam (LTTE) Sea Tigers, and have been training former pirates for establishing the new wing.

The global war against terrorism had taken on a new perspective in the post-9/11 era, while its maritime dimension and its emerging format has been highlighted during the Mumbai terrorist attacks of 26/11. Earlier, only two or three percent of all terrorist attacks were linked directly to the seas. Hence maritime terrorism was neglected by governments and security agencies. However, the Mumbai terror attacks ushered in a paradigm change, revealing the use of the seas as part of the supply chain dynamics for incidents ashore, thus bringing to the fore the evolved format of maritime terror. The other aspect of the fight against maritime terror continues in the US initiative of searching for Al Qaeda terrorists at sea with the international coalition (Task Force 150) on the lookout for terror ships termed as the “phantom fleet.” The deep linkage of maritime terrorism and “container security” were only realized after it was reported in January 2002 that the search of a freighter by US naval forces nearly yielded a group of Al Qaeda terrorists who had been hiding inside a well-equipped shipping. The Indo-Pacific Region and the Rise of Transnational Maritime Threats and Challenges container. A dramatic increase in container cargo and inadequate infrastructure to check all sealed containers led to the Container Security Initiative (CSI) and making ports International Ship and Port Facility Security Code (ISPS) compliant, but a robust fool proof method against such security lapses has yet to be achieved. Closely associated with the problem of maritime terror is that of the phantom fleets flying Flags of Convenience (FOC), making them difficult to track as they routinely change names and registry. FOCs, common in the shipping world despite some procedural changes, still pose a major challenge to maritime security. It is estimated that there are about 30 such registries (some in private hands), mainly run by small islands or impoverished nations which have loose standards for the registration of ships. While considerable work has gone into getting these registries to become more security-oriented and rigorous as a flag state, much still needs to be done. In the years to come, maritime terrorism is likely to manifest and evolve in many unique ways. The use of the seas as a supply chain link for terror attacks on land-based targets is likely to be a chosen methodology of terror outfits. While the seas ensure the easy passage of men and material for the attack, the land provides them with the publicity and number of victims unavailable at sea. Hence the constabulary functions of maritime agencies are likely to see an enhancement with the growing demand for a fool-proof coastal security system.

## Sea Security

Economic globalization has led to more than 80 percent of world trade being conducted through the seas. Since most of the trade in the Indo-Pacific region is sea-borne, the seas effectively form the lifelines for the littoral states. With Sea Lines of Communication (SLOCs) forming the oceanic highways for the movement of merchant ships, SLOC security has emerged as a primary concern for most nations. According to a World Bank projection, the global sea-borne trade was expected to rise every year. However, the global financial meltdown of 2008-09 negatively impacted the expected boom. With nearly 100,000 ships transiting the expanse of the Indian Ocean annually, it is easy to predict that the Indian Ocean is a trade busy ocean. Roughly 40 percent of this sea-borne trade is accounted for by the Straits of Malacca. Every day 15.5 million barrels of oil, or 40 percent of the entire global oil trade, pass through the Straits of Hormuz, and 11 million barrels of oil pass through the Malacca and Singapore Straits. In this context, the “energy demand heartland” of Asia, comprised of countries like India, China, and Japan, that are heavily dependent on energy imports has realized that SLOC security and energy security are closely interlinked and that the freedom of SLOCs and the energy lifelines form an important national objective.

## Efforts to Collaborate

It is obvious that the above stated maritime threats and challenges affecting the region can only be overcome partially or fully through expanded cooperation. Maritime cooperation, however, cannot be uniformly achieved between all the countries at the same level. Even so, India and the US share a closer maritime bonding, and it may be useful to focus on some congruities and incongruities in their relations some efforts are following:-

## Joint Military Efforts against Somali Piracy

Most governments and stakeholders have encouraged the use of military force to solve Somali piracy—a transnational socio-economic crime. This has led to the Horn of Africa, the Indo-Pacific Region and the Rise of Transnational Maritime Threats and Challenges becoming host to many warships from different countries operating in the area. Some of these warships operate in Task Groups, while others have been operating individually. The primary aim of all these naval forces is to prevent incidents of piracy from occurring and to ensure the safe passage of merchant shipping through the region. However, many of these naval vessels are constrained due to numerous reasons. Ambiguously defined rules of engagement (ROEs) and lack of sharing of actionable information between individual warships and Task Groups have compounded the problem. Admittedly, most operating forces vehemently disagree and suggest that information sharing has been smooth, but on the-ground evidence suggests otherwise. Undoubtedly, there exist several formal and informal information sharing initiatives (like the US driven SHADES) that seek to enhance exchange of actionable information in the vast sea area-but they have their own limitations. Apart from this there exists considerable difficulty in prosecuting the captured pirates or taking them back to their own country for standing trial due poor or non-existent local legislation against piracy. Attempts by some special forces of the military to liquidate captured pirates have been frowned

upon by human rights organizations and by the Transitional Federal Government of Somalia. Countries like Seychelles (earlier Kenya was included) that were willing to accept captured pirates for prosecution are under strain due to a lack of financial assistance from Western nations and stretching of their judicial infrastructure. However, this scenario has witnessed some change, and many countries, including India, have tried to create national legislation that would be able to deal with modern piracy in their own courts effectively.

#### **The main naval task forces that operate in the region include the**

- Coalition Task Force 151 (CTF 151). established in January 2009 with a mandate to combat piracy in the Gulf of Aden.
- Operation “Atlanta” European Union Naval Force (EUNAVFOR). This EU naval force in the area was launched in December of 2008 in accordance with United Nations Security Council Resolutions 1814, 1816, and 1838, and is based at the Northwood Operation Headquarters in Britain. The primary mission of this force is to protect the delivery of food aid to Somalia under the World Food Programme of the United Nations. It is also tasked to prevent acts of piracy in the region and protect merchant ships in the area.
- Operation “Ocean Shield” by NATO.

**A Standing NATO Maritime Group (SNMG):** Comprised of about seven ships from Italy, Germany, Greece, Turkey, the UK, the USA, and Spain has been deployed to allow the World Food Organization to fulfil its mission of providing humanitarian aid to Somalia under the UN World Food Programme. This operation has been codenamed “Ocean Shield.” Many countries have chosen to deploy warships for carrying out anti-piracy operations and patrols independently. Their primary aim has been to ensure safety of the merchant ships flying their state flag—and as an associated operation also to help other ships in the area. These countries include China, Russia, India, Iran, Japan, South Korea, etc. It is noteworthy that some of these countries, though harbouring adversarial relations, have decided to cooperate closely—as is the case with China and India, and Japan and South Korea. Many other anti-piracy initiatives have also been taken by countries in an effort to curb this menace. The Djibouti Code of Conduct is one such effort in which nine littoral countries have agreed to establish Piracy Information Exchange Centres in Kenya, Tanzania, and Yemen, along with a regional training centre in Djibouti. This document is now open for signature by 21 countries in the region. The establishment of a 560 nm long sanitized corridor in the Gulf of Aden, known as the Maritime Security Patrol Area (MSPA), now called the International Recommended Transit Corridor (IRTC), is another such initiative with military characteristics. This corridor was established on August 22, 2008, by the US Navy Central Command (CENTCOM) with an aim to provide safe passage to all merchant ships sailing through it. Despite the efforts, and the corridor being extensively patrolled by the coalition forces of NATO and the EU, there have been some piracy attacks within this sanitized area, leading to considerable embarrassment. Apart from the above initiatives, alternative efforts such as re-routing of

ships to bypass the Horn of Africa are not economically viable solutions in the longer run. Employment of armed Sea Marshalls from private security companies for particularly dangerous parts of the voyage is now normally being resorted to by shipping companies. However, the efficacy of such a move is a matter of intense deliberation in the shipping world currently. Without going into the detailed pros and cons of the debate—it is sufficient to state that the disadvantages far outweigh the advantages and such action can cause collateral damage. It is estimated that re-routing 33 percent of cargo via the Cape would cost ship-owners an additional \$7.5 billion per annum. These costs will ultimately be passed on to shippers and consumers. Ships that continue to traverse the Gulf of Aden and the Suez have to purchase insurance coverage at \$20,000 per ship per voyage (excluding injury, liability, and ransom coverage), as compared with the \$500 required a few years ago.

#### **USA in Indo-Pacific**

For the United States, Indo-Pacific becomes strategic as it provides a more integrated approach to the region that is fast gaining prominence on the global map. Maintaining influence in the Indo-Pacific forms a central part of the US grand strategy.

US grand strategy includes. Firstly, it involves preventing external hegemonic control over critical geopolitical areas of the world and prevent rise of other threats to the global commons. The second goal is to expand the liberal political order internationally. The third goal is to sustain an open economic regime. USA wants security of Sea Lines of Communication (SLOC) and maritime checkpoints. The US remains focused to prevent rise of any power that can control critical geopolitical areas of the world.

During her visit to Honolulu in October 2010, then Secretary of State Hillary Clinton used the phrase “Indo-Pacific” to describe a newly emerged and integrated theatre. The region spans two oceans — the Pacific and the Indian — that are increasingly linked by shipping and strategy. Obama also talked about Indo-Pacific as he mentioned “new opportunities to train with other allies and partners, from the Pacific to the Indian Ocean.” Thus, there has been an American acknowledgement about Indian and Pacific Oceans constituting an inter-linked geopolitical space, not only because it is important to “global trade and commerce” but also because they impact on strategy.

Given the nautical nature of the Indo-Pacific theatre, the US navy is expected to play a major role in the strategy. The US is working towards strengthening traditional alliances with Japan and Australia and is aiming new security partnerships with India (QUAD). From joint defence production with Japan and India, to securing bases and increasing rotational presence with Australia, Singapore, Indonesia etc, attempts are being made for an enhanced US presence in the wider Indo-Pacific.

Washington has also reached out to the Association of Southeast Asian Nations (ASEAN) to build an Indo-Pacific region. However, ASEAN till now has taken conflicting position regarding the construct and is unable to present a united front in this regard. China on its part has expressed its concerns over this new construct, stating it as an attempt at containing it. Beijing has not been able to accept regional architecture building, multi-polarity and multilateralism and has continued to insist on exclusionary strategies based on

narrow definitions of its own security interests. Beijing has had difficulty in accepting the "Asia-Pacific" label which draws the US into Asia, and now the "Indo-Pacific" which creates a triumvirate of regional powers by including India.

### India's role in Indo-Pacific

Steps taken by India over the past decade to expand its presence and enhance its influence throughout the Indo-Pacific has made such a prospect more alluring to the US policymakers. With opening of economy, India has been connecting with its Indian Ocean neighbours and major maritime powers of the world. From Look East policy, there has been a graduation towards engage East policy with growing economic relations with the ASEAN, China, Japan and Australia. India is also in the mode of enhancing its maritime presence throughout the Indian Ocean Region. Along with economic ties New Delhi is also developing naval ties with countries like Singapore, Oman etc. in the Indian Ocean region. Such agreements allow India's presence from the Persian Gulf to the Straits of Malacca. In the last few years there have been annual naval exercises with France (Varuna, since 2002), the United States (Malabar, first in 1992 and again regularly since 2002), Russia (Indra, since 2003) and the United Kingdom (Konkan, since 2004). India and US naval exercises progressed from small scale basic passing manoeuvres among naval vessels and replenishment-at-sea drills to larger scale anti-submarine exercises in 2003.

There have also been efforts to strengthen organisations like Rim-Association for Regional Cooperation (IOR-ARC), an institutional set up for enhancing cooperation among 36 littoral and 11 hinterland states of the region.

Alongside, India is working with Bangladesh, Myanmar, Sri Lanka, Thailand and Nepal for closer trade through the Bay of Bengal Initiative for Multi Sectoral Technical and Economic Cooperation (BIMSTEC). The Mekong-Ganga initiative, launched in 2000 involving India, Thailand, Myanmar, Cambodia, Laos and Vietnam has recently expanded its ambit to include trade, investment, energy, food, health and highway connectivity.

However, territorial, and maritime disputes in the region pose a major challenge to this phenomenon. China factor looms large in India's strategic calculus. China's so-called string of pearls has granted it several footholds in the Indian ocean. India aims at denying further opportunities to China to expand its footprint in the Indian Ocean region. New Delhi is also trying to gain a foothold in the Pacific. New Delhi is also providing strong support for the peaceful resolution of the territorial disputes in the South China Sea, criticising China's nine-dash line policy and emphasising on the freedom of navigation in the Western Pacific.

Despite that, India and China are also working on raising the level of mutual political trust and promote the in-depth development of bilateral co-operation. The two sides are cooperating not only on economic areas of interest, but also in the areas of politics, boundary negotiation and non-traditional security. Moreover, both countries recognise that non-traditional security issues in the region, such as terrorism, transnational crime, piracy, natural disasters, and other challenges, can only be tackled through joint efforts and regional co-operation.

### Conclusion

The Indo-Pacific region is experiencing an upsurge in

maritime dangers and problems that could provide severe obstacles to the free use of the seas, which would have an impact on regional seaborne trade. These threats have also resulted in numerous "out of area operations," which have given the littoral navies new responsibilities. With the current level of trust between states, it is challenging to work together and be sensitive to other nations' security concerns while addressing these dangers and difficulties. The main maritime powers that have an obligation to assist other littoral governments in expanding their capacities and, ultimately, in maintaining "maritime order" in the region are India and the US, another Indo-Pacific power. A matrix of collaboration that would improve "maritime bonding" at different levels between the maritime agencies and the navies must be developed in this framework. Such actions and procedures would ensure the freedom of navigation for international trade flows in addition to assisting in overcoming the difficulties and risks in the marine dimension. After all, the Sea is special in that it brings together nations with a love for the water, expanding the brotherhood of the seas. A matrix of collaboration that would improve "maritime bonding" at different levels between the maritime agencies and the navies must be developed in this framework. Such actions and procedures would ensure the freedom of navigation for international trade flows in addition to assisting in overcoming the difficulties and risks in the marine dimension. After all, the Sea is special in that it brings together nations with a love for the water, expanding the brotherhood of the seas.

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