

## Maritime Cooperation

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On Confidence Building in the Asia Pacific – the Security Architecture of the 21<sup>st</sup> Century

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Excellencies, Distinguished Participants of the 10<sup>th</sup> CSCAP General Conference

At the outset, on behalf of HRH Samdech Norodom Sirivudh, Chairman of the Cambodian Institute for Cooperation and Peace, please allow me to express my sincere appreciation to all the sponsors of this conference and CSCAP-Mongolia, especially Dr. Ganbat Damba, Director of the Institute for Strategic Studies of the National Security Council of Mongolia for inviting Cambodia to take part in this important 10<sup>th</sup> CSCAP General Conference. Our delegation has been pleased with the warm hospitality extended to us since our arrival to the beautiful city of Ulaanbaatar and the excellent arrangements made for this conference.

I am privileged to be able to share some thoughts on maritime cooperation. I hope to contribute some ideas to enhance the ongoing regional efforts related to finding suitable measures to keep the sea in the region ‘open, safe, and stable’.

In the Asia-Pacific region, maritime security, if not properly handle, could spawns deep sense of distrust among nations and create a gamut of rivalry beyond anyone expectation as fierce competition persists over the unresolved maritime-based territorial disputes along with the growing maritime crimes.

The main challenge to maritime security is how countries in Asia Pacific region could come together to address the ongoing competition to secure access to sea resources such as energy and fishery, the rising tension in the South China Sea and East China Sea as claimants states exhibit inflexible behavior toward their maritime claims and the proliferation of interconnected networks of transnational crime of terrorisms, drug deals, piracy, trafficking in person, and smuggling which the International Maritime Bureau reported to be on the rise especially in ASEAN countries since 2009. These manifestations remain as major barrier to enhancing and ensuring ‘freedom of navigation’, preventing the much needed cooperation in the use of the seas to promote peace and prosperity.

For the purpose of promoting confidence building in the Asia Pacific region and enhancing maritime cooperation, allow me to touch upon two issues that, in my view, deserve attention. First, I like to focus on the essence of trust to help nurture confidence and mutual understanding in the region and to reduce tensions on issues related to maritime security so as to avoid possible miscalculation and manage the emerging security threats at seas properly in order to prevent this region from plunging into chaos and conflicts. Second, I like to share my views on how maritime cooperation under various ASEAN frameworks could be enhance to

maintain safety of navigation and to forge concrete and cooperative actions to lower the tensions at sea as well as effectively control maritime crimes such as sea piracy, hijacking and smuggling from happening.

## **I. Improving mutual trust**

In recent years in the Asia Pacific region, there have been escalating tensions as countries in the region have shown inflexible posture to compete rather than compromise and cooperate on the issues of mutual disagreements at seas.

There are circumstances which feed into the deepening of mistrust among countries in the Asia Pacific region. First, there is a lingering suspicion about the U.S. Pivot to Asia strategy when Washington transfer extensively military resources to the Asia Pacific and the China's national revitalization concept based on consolidating control of its core interests and pressing demands to reform the international order through the policy to harness good relations with its neighbors with military buildup and presence in countries across Asia. Second there is deep resentment among the countries in East Asia over historical animosities and their strategic differences. And third, the persistence of disputes and flashpoints in the East and South China Seas prompt countries to take a harder stand and start exerting their influence to secure greater national security of their own individually instead of seeking a common aspiration to settle their differences.

Giving the complex security landscape in the Asia Pacific region, emphasis on trust among nations should not be taken lightly. I am mindful that it is much harder to define and qualify trust, but without it, nation suffers the lack of motivation to think in a sensitive way toward other countries. It is this sensitivity that enables the act of diplomacy in a reciprocal way among states. However, trust should not be taken for an excuse to refusing exploring alternative options such as peaceful means beside confrontation and serve to endorse putting the blame on others for the ongoing state of affairs. We better off acknowledge that trust can fortify cooperation to steer the state of the maritime affairs of this region toward accommodating actions rather than entrench in the never ending rivalry.

It is very important for all countries in the Asia Pacific region to focus their utmost attention on the building of mutual confidence and developing their friendly and cooperative behavior amidst ongoing crises and challenges which continue to feed into the increased pessimism among states. To promote mutual trust in Asia Pacific region, here are some of my views:

- 1- Encourage open dialogue and frank discussion among all countries in the Asia Pacific to address common maritime security challenges in order to build stronger partnership base on trust to achieve common peace through upgraded cooperation in politics and security, mutual growth through strengthened economic cooperation and shared development through boosted social and cultural ties.
- 2- Promote better understanding and avoid any act of miscalculation among parties concerned for peace, security and stability, especially in the East and South China Seas.

- 3- Improve all communication channels and provide better clarification on issues related to individual country's historical interpretation so as to minimize domestic patriotic sentiment and allow diplomacy to prevail over the narrow nationalistic interest.
- 4- Avoid provocative gestures or aggressive actions through the creation of multi-dialogue mechanism at all official levels and to engage in peaceful discussion for the purpose of reconciling any differences amicably on issues related maritime territorial claims and other maritime crimes.
- 5- Keep an open channel of communication among the coast guard and maritime safety agencies of the East and South China Sea littorals. Hotlines for networking and sharing of information for a coordinated response should be established. This can promote better understanding and improve trust among all sides in dealing with any emergency occurring at seas.
- 6- Enhance soft cooperation such as disaster relief, sea environment protection, and search and rescue for people and ships in distress at seas. Through soft cooperation the culture of dialogue and cooperation could be enhance to achieve trust building and preventive diplomacy.

If all countries vigorously pursue these ideas and can effectively maintain the habit of negotiation and compromise, they will definitely enhance mutual trust and promote cooperation among themselves which in turn able to reduce tensions and keep the Asia Pacific region as prospering as possible and free from conflicts.

## **II. Enhancing ASEAN framework on Maritime Cooperation**

The Asia Pacific, without a doubt, is a region of huge economic, political and security significance. Amidst this significance, the future of the seas in the Northeast Asia and Southeast Asia is at stake due to uncontested competitions among the major powers as they exert their influence relentlessly in the pursuit of their national strategic interest. Maritime threats such as crimes and tradition security concerns are still eminent as illicit maritime acts couple with tension and rivalry remain a real possibility, threatening peace and stability in the region.

Regional flashpoints could erupt into open conflicts and maritime crimes, if left unattended can destabilize hard earn peace and jeopardize prosperity the seas has to offer. No countries in the region can dismiss the enormous task and challenges of maintaining good order at seas and the vital need for the adoption of peaceful means to manage and resolve maritime disputes based on international law. These countries must cooperate to find viable mechanism to settle inter-state maritime disputes, coordinate responses to transnational security threat at seas and balance the competing powers to safeguard peace, stability and prosperity in this region.

Over the years, ASEAN has been instrumental in ensuring maritime connectivity to allow 'freedom of navigation' and keep the sea lanes open and safe from unintended crimes to occur. ASEAN frameworks such as the ASEAN Plus Three (APT), and the East Asia Summit (EAS) as well as the establishment of the ASEAN Economic Community which is expected to be launched at the end of 2015 have been dedicated to facilitate the free flow of people, goods and services, allowing intra-regional economic integration to thrive.

ASEAN member countries and their dialogues partners in the EAS have been keen to realize various cooperation agreements through collaborative actions to keep the seas in the region unhindered for trade and commerce, protected from piracy and terrorism, and free from tension and conflicts based on a firm observance of the international law including the United Nations Convention on the Law of the Sea.

Some of the joint actions and measures to enhance maritime cooperation to secure safety of navigation and to strengthen closer cooperation in combating against sea piracy, hijacking and smuggling were a part of the APT Cooperation Work Plan 2013 – 2017 which was adopted at the 15<sup>th</sup> ASEAN Plus Three Summit in 2013. In addition, based on a proposal by the Japanese government during the 6<sup>th</sup> EAS Summit in 2011, a forum to discuss maritime cooperation in the region has been established – known as the Expanded ASEAN Maritime Forum (EAMF) which includes the EAS participating countries couple with the existing ASEAN Maritime Forum (AMF). I understand that as of now, three meetings of EAMF have been convened to discuss the enhancement of regional cooperation on maritime issues and the idea of freedom of navigation.

Notwithstanding these efforts, there remain issues which require greater attention such as the growing tension in East and South China Seas and other maritime crimes such as illegal business including smuggling of arms, illicitly logged lumber, drugs, transportation of illegal immigrants and human trafficking which are conducted on extorted fishing boats on forged registry. These incidents and crimes, which are still prevalence at seas in the present day, are occurring against the existing loopholes of the international institutions and the lack of effective countermeasures.

While ASEAN has been keen to pursue a desirable maritime security regime which must remain open, inclusive, transparent and outward-looking, the 10-member states must work harder to gain more unwavering commitment from other EAS countries, especially the U.S. China, Japan, South Korea, Australia, Russia and India to address the persistent challenges caused by transnational and non-traditional security along with traditional security concerns.

I have some suggestions for ASEAN and other countries in the EAS to consider as follows:

- 1- First of all ASEAN member states need to strengthen its liberal agenda, deepen further their economic interdependence and construct viable institutions through which they conduct their affairs multilaterally. They need to overcome their differences quietly so as to foster stronger intra-ASEAN unity and centrality which could provide opportunities for external partners to gain leverage and strike common purpose in keeping the region peaceful and prosperous. More importantly, ASEAN needs to formulate a common voice and act in unison when dealing with issues related to political-security, economic and social.
- 2- ASEAN-led frameworks on maritime cooperation needs to exhibit a clear and collective leadership to overcome challenges posed upon the “ASEAN Way” and be able to tackle sensitive and hard security issues such as territorial conflicts, arm control, nuclear proliferation, as well as other transnational and non-traditional security concerns all of which continue to threat regional peace and stability.

- 3- Other EAS partners should work together with ASEAN in a concerted manner to maintain peace, stability and progress in the region by engaging in frank and open discussions with each other and to explore new initiatives and creative approaches to jointly manage the tensions and contain conflicts which flare up from time to time rather than simply defending their respective national interests.
- 4- On a practical approach, all EAS member countries should create an effective crisis management scheme at the operational level between navies and coast guard units of all regional states. All sides should agree on prior notification of military exercises in the Northeast and Southeast seas, and facilitate the rescue at sea of people and vessels in distress. Crisis management capabilities should be based on rules and procedures aimed at defusing tensions, preventing conflict from happening, and promote transparency and reciprocal respects.
- 5- The EAMF participating countries should be reinforced and aspire to become a forum in which strategic and comprehensive discussions can be made on maritime issues as well as on maritime cooperation.
- 6- All major powers should avoid pushing and pulling each other over their strategic interest in the maritime domain. Instead, all sides should join together in stepping up their coordination with ASEAN partners on issues related to the maintenance of 'freedom of navigation' in accordance to international norms and ensure that emergencies at seas are well managed.
- 7- Given the complexity of maritime crimes which are far-ranging in categories, actors and locations and the segmentation of different frameworks which are sometimes overlapped each other, the first order of business to enhance cooperation in maritime affairs should be to streamline the confluence of numerous frameworks, ensure uniformity of information, and undertake clear assessment as well as identification of concrete measures to implement regional maritime cooperation.
- 8- Prior to the formulation of policies at the governmental level, ASEAN and the EAS Countries should promote the engagement at a track 2 level among research institutes in the region to rigorously debate the maritime issues so as to attain sharing of common awareness, nurture common understanding of relevant maritime issues, and to engage in a frank and open exchange of views on measures to be taken as possible resolution which is difficult to propose at the governmental level due to domestic restriction. After that, the results could be presented to the relevant governments. This way, the realization of the intellectual exchange among various institutes in the region can contribute viably for governments' consideration on the appropriate negotiation policies based on cooperative aspects of the maritime issues.

### **III. Conclusion**

Maritime cooperation will definitely define the future of the Asia Pacific region and freedom of navigation centering on keeping the sea lanes open and free from maritime crimes will continue to provide lasting benefits of all regional states.

For cooperation to prevail, all countries in Asia Pacific region must find their common position to address maritime security earnestly, amidst the complex shifting of the major power relations. They need to be more vigilant and recognize the potential tension and

miscalculation which can serve as fault lines and create difficulties and conflicts as nations often strive to maximize their interests. They must surrender the conviction that national survival is all about one's ability to accumulate as much resources for oneself without consideration for others and give up uncooperative behavior to build stronger trust and confidence base on common interest and mutual respect, so as to help the region withstand and resolve serious tensions as they arise.

To ensure freedom of navigation and get rid of maritime crimes at seas, regional states must harness the necessary means available at their dispositions to adhere to the principle that guide maritime activities and maintain maritime order based on international law, especially on UNCLOS. They need to hasten their collaboration and manage their relations through the habit of dialogue and diplomacy without the reliance on military might to resolve maritime conflicts at sea.

For ASEAN-led maritime frameworks to be enhanced usefully in making current peace and prosperity at seas more durable, ASEAN and other EAS member countries must do more and be willing to tackle sensitive and common regional interest more convincingly and project thiers collective resolve on issues of regional and international concern instead of clinging on individual state's interest.

Thank you very much for your attention.