

**EIGHTH INTERNATIONAL CONFERENCE ON THE SEA LANES OF
COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-26, 1993

THE INDONESIAN NAVY
AND
CENTRE FOR STRATEGIC AND INTERNATIONAL STUDIES (CSIS)
JAKARTA

AGENDA

SUNDAY, JANUARY 24

1900 Welcoming Dinner

Speech by the Indonesian Minister of Defence and Security, General (rtd) LB Moerdani

MONDAY, JANUARY 25

0830-0900 **Opening Session**

Remarks Mr Jusif Wanandi
Admiral M Arifin

0900-1100 **Session One**

GLOBAL SETTING: THE POST COLD WAR ERA

Political-Security Aspects

Presenter Amb. A Hasnan Habib
(Indonesia)

Economic Aspect: Seaborne Trade in Asia-Pacific

Presenter Dr Malcolm Kennedy
(Australia)

Chair Dr Jusuf Wanandi
(Indonesia)

1100-1130 Coffee Break

1130-1300 **Session Two**

MERCHANT MARINE CROWDS AND DENSITY IN THE CONTEXT OF THE SAFETY OF SLOC

Presenters Capt James Fong Hin Tat
(Singapore)
Vice Adm (rtd) Tun-hwa Ko
(Taipei)

Chair Commodore (rtd) Jose Lansangan
(Philippines)

1300-1400 Lunch

1400-1530 **Session Three**

THE ROLE OF LITTORAL STATES FOR THE SECURITY OF SLOC

Presenters Prof Stephen P Gilbert
(United States)
Dr BA Hamzah
(Malaysia)

Chair Vice Adm (rtd) Tun-hwa Ko
(Taipei)

1530-1600 Coffee Break

1600-1730 **Session Four**
SEA SURVEILLANCE AND INFORMATION EXCHANGE

Presenters Commodore WSG Bateman
 (Australia)
 Mr William M Carpenter
 (United States)
Chair Dr Lee Lai To
 (Singapore)

1900 Dinner

TUESDAY, JANUARY 26

0900-1030 **Session Five**
THE LAW OF THE SEA UPDATE

Presenters Prof Park Choon-ho Park
 (Korea)
 Rear Adm Abdul Hakim
 (Indonesia)
Chair MR Sukhumbhand Paribatra
 (Thailand)

1030-1100 Coffee Break

1100-1230 **Session Six**
INTERNATIONAL COOPERATION FOR THE MAINTENANCE OF SLOCS:
BURDEN SHARING

Presenters Rear Adm (rtd) Sumihiko Kawamura
 (Japan)
 Mr Michael O'Connor
 (Australia)
Chair Amb Leonard Unger
 (United States)

1230-1330 Lunch

1330-1500 **Session Seven**
SUB-NATIONAL THREATS AND RESPONSES

Presenters Rear Adm (rtd) Carlito Y Cunanan
 (Philippines)
 Colonel Ronachuck Swasdikiat
 (Thailand)
Chair Prof Dalchoong Kim
 (Korea)

1500-1530 Coffee Break

1530-1700 **Session Eight**
INTERNATIONAL COOPERATION ON THE SAFETY AND SECURITY OF
SLOCS

Presenters	Dr Etty Agoes (Indonesia) Dr Wan-chin Tai (Taipei)
Chair	Rear Adm RM Sunardi (Indonesia)

1700-1730	Concluding Session
Remarks	Rear Adm RM Sunardi Admiral M Arifin

1900	Dinner
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WEDNESDAY, JANUARY 27 Participants depart

Eighth International Conference
ON
THE SEA LANES OF COMMUNICATION (SLOC)

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OPENING REMARK

by

M. Affin

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)



☆☆☆☆

SPEECH BY THE INDONESIAN
NAVY CHIEF OF STAFF ADMIRAL MUHAMAD ARIFIN
ON THE EIGHTH INTERNATIONAL CONFERENCE ON THE SEA LANES
OF COMMUNICATION (SLOC)
IN DENPASAR, BALI, JANUARY 25, 1993

MR. CHAIRMAN,

LADIES AND GENTLEMEN,

FIRST OF ALL MAY I INVITE ALL OF YOU TO PRAISE GOD ALMIGHTY, BECAUSE OF HIS BLESSING ALL OF US ARE ABLE TO ATTEND THIS CONFERENCE, THE EIGHTH INTERNATIONAL CONFERENCE ON THE SEA LANES OF COMMUNICATION (SLOC). SECONDLY I WOULD LIKE TO TAKE THIS OPPORTUNITY TO EXTEND TO YOU ALL MY GRATITUDE FOR YOUR COMING IN DENPASAR, BALI, TO ATTEND THIS IMPORTANT CONFERENCE. AND SINCE WE ARE STILL IN THE NEW YEAR SEASON, MAY I ALSO ON THIS OCCASION EXTEND A HAPPY AND PROSPEROUS NEW YEAR 1993. I HOPE THAT WE CAN CONTRIBUTE MUCH TO ENHANCE THE WORLD PROSPERITY AND SECURITY.

IT IS NOT EXAGGERATING TO SAY THAT EVERY MARITIME STATE HAS A GREAT INTEREST ON THIS CONFERENCE. EACH PARTICIPANT IN THIS CONFERENCE CONCERNS TO THE DEVELOPMENT OF THE SLOC BECAUSE OF ITS MUTUAL INTERESTS. THEREFORE IT IS AN HONOUR FOR ME TO BE ABLE TO PARTICIPATE IN THIS CONFERENCE, WHICH IS BENEFICIAL FOR THE INTERESTS OF THE MARITIME WORLD.

/ LADIES

LADIES AND GENTLEMEN,

THE CONCEPT OF FREEDOM OF NAVIGATION REQUIRES THAT THE SLOC ENSURE THE SAFETY AND SECURITY OF NAVIGATION. THIS CONCEPT HAS BEEN USED AS A YARDSTICK BY NATIONS TO ARRANGE AND ESTABLISH SHIPS ROUTES. SAFETY AND SECURITY OF NAVIGATION HAVE BEEN USED AS THE MAIN CONSIDERATION TO ESTABLISH A SHIP ROUTE AS AN INTERNATIONAL ROUTE.

THE EXISTING CONCEPT ON SAFETY AND SECURITY OF NAVIGATION IN DESIGNATING ROUTES FOR INTERNATIONAL NAVIGATION, COMPARED TO THE NEW RULES OF THE LAW OF THE SEA AND THE CURRENT AND FUTURE MARITIME WORLD INTERESTS, NEEDS ADJUSTMENTS. AT PRESENT THE FREEDOM OF NAVIGATION CONCEPT CANNOT BE APPLIED AS IT IS TO ALL ROUTES FOR INTERNATIONAL NAVIGATION, BECAUSE THIS CONCEPT BECOMES OBSOLETE AFTER THE MARITIME WORLD RECOGNIZES THAT THE INTERNATIONAL ROUTES FOR NAVIGATION ARE NOT LIMITED SOLELY TO THE FREE TRAFFIC SEA LANES IN HIGH SEAS.

THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA IS A PROGRESSIVE RENEWAL AND DEVELOPMENT OF THE INTERNATIONAL LAW OF THE SEA. THE RENEWAL IS SO GREAT SINCE CURRENTLY THE INTERNATIONAL LAW OF THE SEA IS NOT DOMINATED BY CERTAIN MARITIME STATES. THE NEW LAW OF THE SEA ACCOMODATES THE MUTUAL INTERESTS OF ALL STATES, INCLUDING THE INTERESTS OF THE LITTORAL STATES. THE SIGNIFICANT DEVELOPMENT OF THE LAW THE SEA IS THE ACKNOWLEDGMENT OF THE ARCHIPELAGIC STATE CONCEPT WITH ITS ARCHIPELAGIC WATERS REGIME.

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THE ARCHIPELAGIC STATE CONCEPT CHANGES THE OLD RULES OF THE ROUTES FOR INTERNATIONAL NAVIGATION. A NEW REGIME OF PASSAGE, NAMELY THE ARCHIPELAGIC SEA LANES PASSAGE, HAS BEEN INTRODUCED, WHICH IS ONE CATEGORY OF INTERNATIONAL ROUTE.

FOR THAT REASON AN ARCHIPELAGIC STATE IN ESTABLISHING ARCHIPELAGIC SEA LANES HAS TO TAKE INTO CONSIDERATION NOT ONLY THE SAFETY AND SECURITY OF NAVIGATION, BUT ALSO THE NEED FOR PREVENTING MARINE POLLUTION, ILLEGAL FISHERY, CUSTOMS DUTIES, IMMIGRATION, AND SANITARY, AND OF COURSE SECURING THE LITTORAL STATES SOVEREIGNTY AND SAFETY.

THE ABOVE MENTIONED CONSIDERATIONS SHOW THAT THE CONCEPT OF FREEDOM OF NAVIGATION CANNOT BE APPLIED FULLY IN THE ARCHIPELAGIC SEA LANES PASSAGE. THIS SITUATION CHALLENGES US TO ADJUST THE OLD CONCEPT TO A MORE APPROPRIATE ONE. IT IS THE TIME FOR THE MARITIME WORLD TO TAKE PART IN FORMULATING TRAFFIC RULES IN THE ARCHIPELAGIC SEA LANES COMPREHENSIVELY AND PROPOSITIONALLY FOR OUR MUTUAL INTERESTS AND BENEFITS.

WE LEARN GREAT OPPORTUNITIES TO ENHANCE COOPERATIONS AMONG NATIONS IN UTILIZING THE ARCHIPELAGIC SEA LANES PASSAGE. AMONG OTHERS ARE :

1. COOPERATION ON SAFETY AND SECURITY OF NAVIGATION.
2. COOPERATION ON CONTROLLING AND PREVENTING MARINE POLLUTION.

/ LADIES

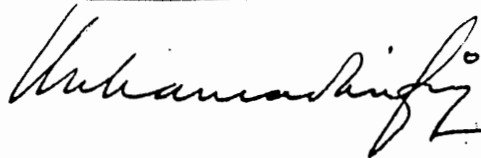
LADIES AND GENTLEMEN,

I BELIEVE THIS FORUM WILL BE ABLE TO DISCUSS COMPREHENSIVELY
THE ABOVE MENTIONED COOPERATIONS ON THE USE OF SLOC.

FINALLY, I DO HOPE THAT THE RESULT OF THIS CONFERENCE WILL
BE BENEFICIAL FOR THE MARITIME WORLD.

THANK YOU.

INDONESIAN NAVY CHIEF OF STAFF

A handwritten signature in black ink, appearing to read 'Muhammad Arifin', with a long horizontal stroke extending to the right.

MUHAMAD ARIFIN
ADMIRAL

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**GLOBAL SETTING: THE POST-COLD WAR ERA
POLITICAL-SECURITY ASPECTS**

by

A. Hasnan Habib

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

GLOBAL SETTING: THE POST-COLD WAR ERA

POLITICAL-SECURITY ASPECTS

By: A. Hasnan Habib, Lt.Gen.(Ret)*

I

Three years into the post-Cold War era and the dissolution of the bipolar structure, the hope for a new world where disputes are settled by negotiation and the United Nations is an organization of nations who are really united to keep the peace, has been struck a blow. The US-led air strike on Iraq on the 13th of this month has demonstrated loud and clear that the propensity of militarily powerful nations to use military force against lesser powers in international politics has not in the least diminished. Moreover, the justification for this display of military might is to say the least, doubtful.

If it was to punish Iraq for its less-than-full compliance with all UN resolutions, then the act was clearly an exhibition of double standards and injustice committed by the major Western powers against a small Third World country. One wonders why Israel which has not only ignored but defied all relevant UN resolutions on the Palestinian question (242, 338, 446, 509, and the latest one,

* Paper presented at the Eighth International Conference on The Sea Lanes of Communications (SLOC), Nusa Dua Beach Hotel, Bali, Januari 24-27, 1992.

799; denouncing Israel's deportation of 415 Palestinians and telling it to allow them to return home) has never been reprimanded, let alone punished. If it was to teach Irak a lesson not to violate the two "no-fly zones", then one could question the legality of the zones, since they were not ordered by the UN Security Council, but only by the US, Britain and France. By this unilateral act the three Western permanent members of the UN Security Council with veto power, have cut Irak into three parts and curtailed its sovereignty over its own territory.

Indeed, the world today is still far from being a peaceful, stable, just and secure place. It has not managed to rid itself of the nuclear threat despite the INF, START I and START II Treaties. Since they are all bilateral treaties between the US and the former Soviet Union and in the case of START II, between the US and Russia, they do not automatically cover the nuclear weapons which some republics of the former Soviet Union, i.e., Ukraine, Byelorussia and Kazakhstan, have on their territory. These countries have yet to accede to or ratify those treaties, before they can be implemented. Even if they could be fully implemented, a sizable number of nuclear weapons will still be left in the arsenals of the former superpowers.

The instability of every one of the successor states of the Soviet Union following the breakup of the former superpower, because of their extreme socio-economic and socio-political difficulties, and the ethnic rivalries and hatreds that beset all of them, directly menace the rest of Europe. The first coup in a former Soviet republic, i.e., Georgia, took place in January 1992. Others

might follow. The greatest danger to the whole world is that some of the thousands nuclear weapons in the Soviet arsenal might be used in one or more of the possible future conflagrations.

Nor do the treaties cover the nuclear weapons of Britain, France and China. But, while the US and Russia have taken steps to reduce their nuclear arsenals, Britain, France, and China retain plans to increase theirs. Moreover, a number of nations are set about to join the nuclear club, of whom some may already have.

All these point to the fact that nuclear arms will be with us for the remainder of this century, and perhaps well into the next century. Depending on who has access to this ultimate weapon, it is either an insurance against possible nuclear attacks or an ominous threat to mankind. Thus, it is clear, that the end of the Cold War has not erased the nuclear threat, it has only reduced the risk of a global nuclear devastation.

The ease with which the sole remaining superpower time and again managed to get its way in the UN Security Council, has the effect of increasing the anxiety of the majority of the world's nations that a unipolar world is emerging, a "Pax Americana", replacing the bipolar powerstructure of the Cold War. But it will be a mistake to imagine that world politics is destined to continue on its current trajectory. In international politics where the elements are inter-connected, as was certainly the case in the bipolar powerstructure of the Cold War, changes in one part of the system produce ramifications in other elements. The alteration of one element will lead to multiple changes as states react.

II

The post-bipolar world is in a state of flux. It is in transition, moving towards new alignments and structures the ultimate configuration of which is as yet unclear. While during the Cold War it was bipolar, at present it is difficult to determine the polarity of the international system. It is unipolar because the US is so much stronger than any other state in the world. But, it is also bipolar because of the distribution of military resources. While Russia is economically and politically weak, it is still the only country that could destroy the US. One can also imagine a tripolar world because of an emerging united Europe, or multipolar because of the general dispersion of power. One has only to look at Japan, China, and some other rising new powers.

The world in transition is vulnerable. It is potentially more unstable rather than less. To make matters worse, the international system remains anarchic, in the sense that there is no international sovereign that can make and enforce laws and agreements. Many causes of conflict also remain, including power politics, desires for greater prestige, hostile nationalisms, religious animosities, economic rivalries, divergent perspectives on and incompatible standards of legitimacy, racisms, ethnic strifes, widening North-South gulf, and territorial ambitions.

Although the post-Cold War era is unpredictable and unstable and the use of military force is still seen as the easier way to settle disputes and differences, yet it is hard to see a war occurring among the United States, Western Europe and Japan, at least

in the absence of revolutionary domestic changes, triggered by severe economic depression. The fact that Britain, France and the United States are and will remain nuclear powers with the two former countries having no plans to reduce their nuclear weapons, is not likely to be a factor that will disturb the stable and generally friendly relations among the western democracies that have existed since the end of World War II. Over time they have developed what Karl Deutsch, *et al.* (1957) called a "pluralistic security community" (a group of states among whom war is unthinkable). A quite different situation will emerge if Germany and Japan, freed from the constraints of the Cold War, would decide to go nuclear, motivated by the ambition to seek "multi-dimensional great power status" on a par with the other three top elite powers. It would not only disturb the relations among the US, Western Europe and Japan, it would be a disaster for the whole world.

While the developed countries can look to a generally stable and secure relations among themselves, it is a different thing with the rest of the world. Relations among the former socialist countries of the Warsaw Pact is contingent upon the success or failure of the second Russian revolution which has been going on since the implosion of the great Soviet Empire. If the surge of ethnic conflicts in these countries, some of which are ferocious and bloody (Armenians vs Azerbaijanians, Bosnian Croats *cum* Bosnian Moslems vs Bosnian Serbs) combined with the spread of frustration because of the deteriorating socio-economic condition of the masses can be kept under control, the chances for peace and stabil-

ity* will be increased. The greatest danger to the peace and stability of whole Europe, and by extension to the US, is large-scale violence resulting from the breakdown of law and order in these former socialist countries, triggering an exodus of refugees to Western Europe.

Violent conflicts in the Third World are often created by forces indigenous to the country or region, rooted in traditional tribal or ethnic, religious and border disputes. Furthermore, most Third World countries, especially in Africa, have weak states, a characteristic which influences both their domestic and foreign policies due to the limited resources that their leaders can put into the pursuit of national interests as opposed to personal, tribal or societal interests.

During the Cold War these countries were the objects of the policies and strategies of the two superpowers, in the sense that both competed for influence over, sympathy or support of the various contending indigenous forces, by wooing, manipulating, or by subversion.

Depending on its extent and intensity, superpower competition in the Third World had either dampened or exacerbated the traditional conflicts. But in general it had a dampening influence, confining the conflicts to the domestic territory or sometimes to the contiguous areas whichever suits either superpower best. Therefore, in the absence of superpower competition, more rather than less conflict can be expected. The 1991 Gulf War, for example, the first major post-Cold War violence, might not have

taken place in the Cold War era.

The superpowers provided security for their Third World allies as well as restraining them. Aggression would be very difficult. Now that the superpowers are no more, and their former allies and clients are left to themselves, many states of the Third World are worried about their security. They have to adjust to the completely new situation. This explains the trends towards regionalism and new alignments, and the continuation of a lively arms trade which has triggered arms races in volatile regions where countries are distrustful of each other. This is because of the so-called "security dilemma": a country's efforts to make itself more secure will threaten other countries.

The need to adjust to the new situation also explains the "security nervousness" felt in the Asia-Pacific region, because the prospect of a reduced US military presence and the uncertain future of US - Japan Mutual Security Treaty, will leave a potentially dangerous vacuum for the big regional powers to fill: Japan, China, India.

While a war among the Western democracies, as noted earlier, is virtually unthinkable, wars among the developing countries, and wars between a developed or a group of developed countries and a developing or a group of developing countries, and wars among the former socialist countries in Eastern Europe and the Commonwealth of Independent States, are possible. Given the reality that nuclear weapons are here to stay and - what's more troubling - that an increasing number of nations are bound to become nuclear

powers sooner or later, and in the absence of an effective nuclear disarmament agreement, a conventional war may inadvertently escalate to a nuclear war. This could happen if the conventional war involves a nuclear power or could draw in a nuclear power which then could lead to nuclear devastation.

III

Today, peace and stability are dependent on socio-economic and socio-cultural as much as on political and military factors. Peace and stability affect the security and prosperity of states and nations. While in the Cold War era geopolitical and strategic factors were the major determinants of international politics affecting the global politico-security situation, now more factors are involved, including geopolitics, geoeconomics, environment and - for lack of a better term - political philosophy.

Much has been said earlier on the **geopolitical and - strategic issues** and situation. Politico-security developments in three geo-strategic regions in particular, i.e., Europe, the Middle East and East Asia, will greatly impact global peace and stability.

We have noted how vulnerable and sensitive the situation is in Europe. Indeed, Europe is the "epicenter" of the global quake and upheaval caused by the implosion of the former Soviet empire. The geopolitical map has changed considerably. A host of new countries has sprung out of the fallen Soviet Union; two Germanies have become one. But Czechoslovakia has split up and Yugoslavia is falling apart threatening to widen the troubled area to the

whole Balkan peninsula.

While Europe is volatile the historically volatile Middle East, except Irak, is for once relatively quiet, freed from superpower competition and rivalry. There is only one dominating extra-regional major power, the United States playing the role of protector-cum-policeman, supported by its former main foe, Russia. A peace process initiated by the US seems to be holding, despite the frequent incidents instigated by Israel's intransigence on the Palestinian issue. The prospect for a successful completion of the peace process, however, is doubtful in the foreseeable future because there are too many sources of conflict that need to be eliminated before the whole area can enjoy real peace and stability.

While Europe has undergone rapid and fundamental changes, change in East Asia has been far more slowly. In Korea, China and Vietnam, communist regimes remain intact and stable. On the whole the region is quiet but economically very dynamic and vibrant. In addition to a precipitate US military withdrawal as a potential source of instability, here are some flashpoints: (1) the Korean peninsula; (2) China - Taiwan (reunification) - Hongkong (1997), and China's domestic political developments; (3) Russia - Japan unresolved dispute over the Northern territories; (4) the South China Sea; (5) Cambodia; and (6) India - Pakistan relationship.

In the **geoeconomic dimension** of international politics the greatest danger to global peace and stability is that the world is divided, that mankind is divided. It is divided into the poor majority (three quarters of the world's population which probably will

have risen to four fifths by the year 2000) who live in the developing world, often called the South, and the rich and affluent minority who live in the developed world, or the North.

It is divided into the generally strong and resilient economies of the North and the mostly weak and small economies of the South. The North is in control of their own destinies and of those of the rest of the world, which means the South. The global distribution of income shows a glaring disparity: the South with 75 percent of the world's population earn only 15 percent of its income.

What makes the division dangerous, is not the division *per se*, but the realization that the divide is deepening, widening and getting more precipitous because of the deliberate actions and policies of the privileged and powerful few which have the effect of perpetuating the unfavourable place of the weak and poor majority in the world economic system, thereby conjuring up the unpleasant memories of their experience under the colonial rule of the Western powers. The end of the Cold War has not changed the situation for the better. On the contrary, now that the Soviet threat has disappeared, and the danger of the spillover of the political and economic turmoil in the former Soviet Empire on to the West is real, there is doubt that the Western industrial countries will take an active interest in the economic and developmental problems of the Third World. While in the Cold War era Third World countries used to be wooed by either superpower, now that the geopolitical game has changed, the "usefulness" of the Third World has ended (Mahbubani, 1992). Support for and relations with the former enemies in the East take precedence over

North-South relations.

But even if leaders in the countries of both North and South come to the realization that the fate and fortunes of all nations are inextricably linked, smooth North-South interaction will continue to be hampered by the complexities and differences both between and within the two poles. An increasingly varied set of issues governs North-South relations, ranging from the core of trade, finance, and development strategies to the more recently emerging areas of environment, democracy and human rights.

While during the Cold War the South used to address North-South issues in a confrontational and rhetorical way because the North did not respond to the appeals for a North-South dialogue made repeatedly by the South, the Tenth Summit of the Non-Aligned Movement held in Jakarta on 1 - 6 September 1992 again called on the international community "to build a new system of relations based on equality, equity and mutuality of interests, to be achieved through open and constructive dialogue." (Basic Documents, 1992).

Environmental issues have increasingly come into prominence in the interaction among countries, particularly between industrial and developing nations. They have steadily moved to the forefront of political debates among and within nations. In fact it looks set to become a critical cog in the machinery of the post-Cold War global politics.

The core issue of the environmental problem is the fear of environmental degradation caused not only by uncontrolled development of which many of the developing countries may be guilty, but also

by the unsustainable patterns of production and consumption and wasteful life-styles of which virtually all industrial countries are guilty. This very serious issue cannot be solved by finger pointing at who is more guilty, but through multilateral cooperation, based on common but differentiated responsibilities.

While sustainable development as the solution to global environmental problems has been accepted by the international community, it has yet to be translated into workable strategies and policy measures acceptable to all, in order to make the concept operational. This requires full support, technical assistance, as well as environmentally sound technologies from the developed countries on non-commercial, preferential and concessional terms.

All parties must be willing to make sacrifices to prevent the global ecosystem from destruction. If the North is not prepared to make equitable sacrifices (or, perhaps greater sacrifices due to its much greater affluence) and links aid with the South's willingness to "reign in" its developmental drive in order to enable the North to sustain its people's wasteful life-styles, a potentially dangerous situation may be created, i.e., pitting the rich nations against the poor.

Finally, some comments on two central issues in the politico-philosophical dimension, i.e., *basic human rights* and *democracy*.

The Western powers, convinced that they have won the Cold War because of the strength of their cultural values, manifested in their social, political, and economic systems, now are telling the rest of the world, particularly the developing nations, to ac

commodate to their ways, or else face the consequences of suspension of economic, financial, and technological aid or assistance, isolation from the international community, embargo, etc.

The two issues are actually not new, they have always been embodied in the international policy of the Western countries. That they have become, together with environment, central issues after the collapse of the Communist bloc is because during the East-West confrontation, geopolitical considerations were much more important. Hence the support given to and the establishment of alliances with autocratic regimes, particularly in regions regarded as highly strategic.

But, even now, after the Cold War, pragmatism and realism still define U.S. and other Western powers' foreign policy. National interest still comes first, in the sense that, in determining their policies with regard to human rights and democracy each of them weighs the two issues against other vital national interests. For some regions political and security reasons or imperatives may override the importance of human rights and democracy. Hence the many exhibitions of inconsistency, selectivity, double standards and discrimination.

Be that as it may, the rapid spread of democracy and the increasing awareness of basic human rights in the post-Cold War era is encouraging. As mentioned earlier, democracies do not generally fight other democracies, for the simple reason, that ordinary and sensible people do not like killing each other. Thus, when ordinary and sensible people are in government they are more likely

to resolve their differences peace-fully than are nondemocratic governments.

Therefore, the expansion of democracies and the protection of human rights all over the world is to be encouraged. But this does not mean the imposition of a particular model of democracy and human rights upon all countries. Big differences in culture, level of education, and stage of development among nations in the world would make it an impossible, dangerous and possibly counterproductive undertaking.

108 Developing nations of the Non-Aligned Movement have made their stand clear on these two fundamental issues. It is worthwhile to quote in full para 18 of *The Jakarta Message* here, as follows:

"We reaffirm that *basic human rights and fundamental freedoms* are of universal validity. We welcome the growing trend towards democracy and commit ourselves to cooperate in the protection of human rights. We believe that economic and social progress facilitate the achievement of these objectives. No country, however, should use its power to dictate its concept of democracy and human rights or to impose conditionalities on others. In the promotion and the protection of these rights and freedoms, we emphasize the inter-relatedness of the various categories, call for a balanced relationship between individual and community rights, uphold the competence and responsibility of national governments in their implementation. The Non-Aligned countries therefore shall coordinate their positions and actively participate in the preparatory work of the Second World Conference on Human Rights in June 1993, in order to ensure that the Conference addresses all aspects of human rights on the basis of universality, indivisibility, impartiality and non-selectivity."

Nusa Dua, 25 January 1993.

R E F E R E N C E S

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3. The National Committee for The Tenth Conference of Heads of State or Government of Non-Aligned Countries, *Basic Documents* (PT Gramedia Pustaka Utama, Jakarta 1992).
4. Patrick Brogan, *World Conflicts, Why and Where They Are Happening* (Bloomsbury Publishing Ltd, 2 Soho Square, London W1V 5 DE, Second Edition, 1992).
5. Sean M. Lynn-Jones and Steven E. Milliter, eds., *America's Strategy in a Changing World* (The MIT Press, Cambridge, Massachusetts, 1992).
6. *The Post-Soviet World* (The Economist, Dec.26th 1992 - Jan.8th 1993), p.55-57.
7. Pernyataan Pers Menteri Luar Negeri R.I. Akhir Tahun 1992.
8. A. Hasnan Habib, Lt.Gen.(Ret), *The New World Order* (Paper presented at the Second Sino-Indonesia Conference, Jakarta, November 12-13, 1992).

**Eighth International Conference
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Nusa Dua Beach Hotel, Bali
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**ECONOMIC PROGRESS AND SEA-BORNE TRADE
IN THE ASIA-PACIFIC REGION**

by

Malcolm J. Kennedy

The Indonesian Navy
and
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1. The Future Possible.

It is only ten years ago that the late Herman Kahn published his book: *The Coming Doom*, in which he identified ten technological changes which, he predicted, would cause a major transition in social and economic affairs. Kahn argued that there would be major developments in energy usage, environmentalism, food production, biotechnologies, space-based communications, medical technologies, mass transportation, new materials, silicon chips, and the automation of the home, office and factory.¹ His claims were met with considerable scepticism from a wide range of commentators. Yet, today we can see that, while some developments have been slower than others, most have now become a commonplace.

The most notable fault with Kahn's forecast was that he argued that these developments would be centred in the United States and to a lesser extent in Japan.² He gave very little support to the notion that the whole of the Asian-Pacific region would be directly involved in adopting, creating and applying many of these new technologies. Although we now accept the rapid development of the region, it is valuable to put Kahn's analysis into an historic perspective. In the past ten years there has been a major shift in the world economy which now reflects the considerable and growing importance of the Asia-Pacific region. Kahn was alert to the rapid modernisation of Singapore, Hong Kong, South Korea and Taiwan but overlooked the broader development of ASEAN and the scope for the

¹ Herman Kahn, *The Coming Boom: Economic, Political and Social*, Hutchinson, London, 1983, pp.67-71.

² *ibid.*, pp.42-4, 83-4; See also his *The Emerging Superstate: Challenge and Response*, Prentice-Hall, New Jersey, 1970.

rapid development of trade and economic interdependence of the Asia-Pacific region as a whole.

The possible future envisaged by Herman Kahn has in fact been far more beneficial than we might have imagined. The ten areas of technological advance, noted by Kahn, will in my view have an even greater impact upon the Asia-Pacific region over the next decade. The new technologies are being adopted and refined in the great arc of nations from South Korea and Japan through China, Hong Kong, Taiwan, the ASEAN nations to Australia and New Zealand, with deeper links to Canada and the United States.

There are a large number of books and articles which now support the view that the Asia-Pacific region will continue its successful economic modernisation and development.³ Kenichi Ohmae provides an exciting futurist picture of the world in which the traditional borders and barriers are removed.⁴ Ohmae argues the new power of customers, the dispersion of technology, new forms of management of multinational companies, changing roles for governments and the power of economic factors to end conflict will create a new international economic and social order over the next several decades. The new technologies and economic interdependence demand

³ Two sober assessments of the future developments appear in G. W. Gong and R. L. Grant., Security and Economics in the Asia-Pacific Region, The Centre for Strategic and International Studies, Washington, 1991; and R.L. Grant., A. A. Jordan., E. H. Preeg and Jusuf Wanandi., Asia Pacific Economic Cooperation: The Challenge Ahead, The Centre for Strategic and International Studies, Washington, 1990.

⁴ Ohmae, Kenichi., The Borderless World, Collins, London, 1990. An even more racy treatment of the future is to be found in Alvin Toffler, Powershift: Knowledge, Wealth, and Violence at the Edge of the 21st Century, Bantam, New York, 1990. Toffler, however, gives far greater, and much more credible, treatment to the role of military power than does Ohmae.

in Ohmae's view an end to the 'myth of national security'.⁵ We can find evidence for the growing interdependence of nations in the Asia-Pacific region and also note that there is increased co-operation and trust, however, the need for co-operative security measures appears to remain an important factor in ensuring the current trend of economic development. Moreover, while we may consider a borderless world an ideal place, for most people the nation state remains the political, social and cultural unit which provides the greatest assurance of economic development, national identity and security.

The three elements which make for the best satisfaction of human needs in their broadest sense are knowledge, wealth and security. The promotion of these three elements are correctly seen as the three most important responsibilities of governments. It is difficult to see how one can be obtained without the other two. Since some level of security is necessary to a state to develop knowledge, which in turn is necessary for the promotion of wealth, which gives a state the capacity to provide higher levels of security. Indeed, knowledge, wealth and security are necessary and sufficient conditions for the development of a nation and groups of nations. They are totally interdependent factors.

2. The Development of a Regional Economy.

The development of the Asia-Pacific region as an economic or regional economy has largely been the result of the creation, extension and deeper development of knowledge, wealth and security

⁵ ibid., pp.1-16.

in the last two decades. Although some of the region's nations may conduct little trade with particular members in a bilateral mode 'the rapid expansion of intra-regional trade with East Asia and the wider Asia-Pacific has been one of the defining characteristics of East Asian economic dynamism in recent decades'.⁶

The growth of regional trade and trade between Asia-Pacific and the rest of the world has been one of the most dramatic shifts in the twentieth century. The nineteenth century swing to the east in trade by the European colonial powers has had its antithesis in the new importance of the independent and free nations of Asia becoming major engines of economic growth and among the fastest growing markets in the world. Last century the Asian region continued to be viewed as a source of spices and raw materials; and as a market area for European manufactures. The image has almost totally changed as Asia now generates a very wide range of advanced manufactures, processed goods and services.

3. Intra-regional Trade.

Intra-regional trade within East Asia has grown vigorously, increasing from 30 percent of the total of East Asian trade in 1910 to almost 40 percent of the total in 1990. The rapid growth of East Asian trade as a whole has meant, however, while the volume of intra-regional trade has grown significantly, in 1970 trade between East Asian economies was almost three times its share of world trade, by 1990 it was a little more than double

⁶ Peter Drysdale and Ross Garnaut., 'NAFTA and the Asia Pacific Region: Strategic Responses', Implications of United States Policies for Australia, Standing Committee on Foreign Affairs, Defence and Trade, Canberra, 1992, p.365.

East Asia's share of world trade.⁷ Thus the total volume of East Asian trade has grown significantly; the major area of its expansion has been in the world market as a whole.

4. World Trade and the Asia-Pacific Market.

A major feature of the changing pattern in world trade is shown in the rapid increase in East Asia's share and the decline in that held by North America.

Table I: World Trade Shares 1970-1990. (Percent)

	1970	1980	1990
East Asia	10.8	13.7	19.3
North America	18.8	15.0	16.6

Source: Drysdale and Garnaut., *op.cit.*, p.366.

The increased importance of the Asia-Pacific trade provides an added emphasis to the very significant growth of this region as part of the world market and provides an insight into the huge growth in sea-borne trade that transits the Pacific Ocean basin. The share of world trade held by the Asia-Pacific basin is best illustrated by the totals held by the Asia-Pacific Economic Cooperation (APEC) group, comprising the United States, Canada, Japan, South Korea, the PRC, Hong Kong, Taiwan, the ASEAN nations and Australia and New Zealand. Although this group have not formed

⁷ *ibid.*, p.367.

a free trade area some 15,000 items have a twenty-five percent reduction in duties when traded within the group. This group, over the last decade, has experienced the fastest rate of trade growth of any part of the world economy.

Table II: Shares of World Trade 1970 and 1990. (Percent)

	1970	1990
APEC	31.0	37.4
Western Europe	45.5	45.3
Rest of World	23.5	17.3

Source: Adapted from Drysdale and Garnaut., *op.cit.*

The APEC group is also developing a higher level of economic interdependence, with Japan and the United States being each others most important trading partners, and the United States has become the PRC's most important single market. The group is also becoming more integrated as resource flows between the nations increase, with only some strategic minerals, high technology and oil being essential imports from outside the group.⁸ An increased amount of APEC trade, in finished goods, will be directed toward the rest of the world market but the level of intra-group interdependence for food, raw materials and finished goods is likely to be a more important feature of sea-borne trade.

5. Economic Performance and the Expansion of Trade.

⁸ See Malcolm J. Kennedy., 'Resources, SLOC and the Potential for Future Conflict in the Asian-Pacific Region', in M. J. Kennedy and M. J. O'Connor (eds.), Safely by Sea, University Press of America, Maryland, 1990, pp.22-3.

Since the 1970s the enduring feature of the majority of the nations stretching from South Korea to Indonesia has been the sustained growth rates of five or more percent in GDP and in per capita income. Indeed some like the PRC, Singapore and Thailand have achieved double digit figures in their GDP growth rate while only the Philippines, Cambodia, Vietnam and Laos have had poor performances.⁹ The mid 1980s was generally a period of reduced growth rates,¹⁰ but these have now improved so that Japan, North America and Australasia will achieve improved rates of growth; while the New Industrialising Economies (NIEs) and ASEAN nations have begun to move above the five percent per annum growth in GDP which has added to the increase in trade.¹¹

The NIEs and ASEAN nations have generally followed prudent economic management policies and as they continue to implement careful adjustments to their economic policies it is certain that as the current world recession in economic activity ends there will be further expansion in output and trade which should be sustained throughout the 1990s.¹²

6. Trade Liberalisation and Economic Growth.

⁹ Hadi Soesastro and Mari Pangestu (eds.), Technological Challenge in the Asia-Pacific Economy, Allen and Unwin, Sydney, 1990, pp.24-5.

¹⁰ Miles Smith-Morris (ed.), Vital World Statistics, The Economist, London, 1990, p.42.

¹¹ Nancy Viviani., 'The Regional Political Economy', in Desmond Ball (ed.), Australia and The World: Prologue and Prospects, SDSC, Australian National University, 1990, pp.148-9.

¹² Anne Booth., 'An Economic Overview of Southeast Asia', in Singh, Daljit (ed.), Southeast Asian Affairs 1992, Institute of Southeast Asian Studies, Singapore, 1992, pp.21-38.

There has been much debate throughout the region concerning the merits and demerits of trade liberalisation versus protectionism which has included some highly intemperate comments, including foolish and extreme predictions of a trade or hot war between Japan and the United States.¹³ The significant expansion in trade in the Asia-Pacific region in the last several years has benefited from a gradual reduction in trade barriers. Japan, Korea, the PRC, Taiwan, Thailand, Malaysia, Indonesia, Australia and New Zealand have all made important steps in import liberalisation; in addition there have been significant reductions in many non-official barriers to trade, both of which have enhanced trade flows. These changes have had an important demonstration affect as different nations observe that such moves have improved economic performance.¹⁴

7. The Missing Players: Economic Threats to Regional Security.

India, Burma, Laos, Cambodia, Vietnam and North Korea have not enjoyed the successful expansion in trade of the APEC group but as Asia-Pacific economic growth continues it will be increasingly in the interests of these nations to implement faster economic reforms and enter the market. There needs to be greater consideration of means by which these countries can extend economic reform and enter the Asia-Pacific market. The future of the Asia-Pacific market will not be without tensions and disputes but these will be unlikely to lead to serious conflict, however,

¹³ Such positions are put in George Friedman and Meredith LeBard., The Coming War with Japan, St. Martin's Press, New York, 1991; and Shintaro Ishihara., The Japan That Can Say No, Simon and Schuster, New York, 1989; English edition 1991.

¹⁴ Drysdale and Garnaut., op.cit., p.370.

the failure to draw in the 'six missing players' has the potential to generate serious economic and security conflicts.

8. Threats to Sea-Borne Trade.

The threat of general or regional war in the Asia-Pacific basin is generally considered remote, however, we must be alert to the fact that careless policy or foreign relations can cause dormant or underlying regional conflicts to emerge with startling speed. There are, as Lim Joo-Jock has demonstrated, a large number of unresolved differences about the delineation of territory, especially mountain borders, throughout the region.¹⁵ The currently dormant conflict over the resources and sovereignty of the islands and shoals in the South China Sea has the potential to cause open conflict which might not reduce trade in the region but which would result in major re-routing of sea-borne trade and cause significant increases in freight and operational charges.¹⁶

The failure to extend the knowledge and wealth to some of our neighbours in the region could be the basis of conflict which might take the form of economic warfare, interdiction of SLOCs, or terrorism directed against the huge number of ships and aircraft which carry trade throughout the region.

Although it is considered that the sustained growth of trade - and thereby wealth - is the best means of increasing security across

¹⁵ Lim Joo-Jock., Territorial Power Domains, Southeast Asia, and China, Institute of Southeast Asian Studies, Singapore, 1984, passim, but especially pp.167-185.

¹⁶ See also Malcolm J. Kennedy., 'Resources, SLOC and the Potential for Future Conflict in the Asian-Pacific Region', op.cit., pp.13-24.

the region the members of this conference are all alert to the need for eternal vigilance. Bateman has noted the dual nature of economic warfare and provides a useful emphasis on the need to extend the basis of naval control and the protection of shipping.¹⁷ The issues of terrorism and piracy are from time to time canvassed in the world media with sensational articles implicitly seeking to blame governments for these types of attacks on shipping.¹⁸

A fundamental point needs to be made on these matters. The activities of terrorists and pirates are criminal acts which must be sheeted home to the individuals involved rather than carping allegations against governments. The actual number of ships involved in these incidents are a tiny fraction of the many thousands of ships which move through the Asia-Pacific region. It is highly likely that regional cooperation in increasing SLOC security will provide the basis for joint action to identify and apprehend these criminals.

There is little that needs to be added to Michael O'Connor's argument for the more formal structuring of SLOC security apart from the point that since knowledge, wealth and security are interdependent factors, any measures taken to enhance SLOC security will have positive impacts on the other factors and aid,

¹⁷ W. S. G. Bateman., Australia's Overseas Trade Strategic Considerations, SDSC, Australian National University, Canberra, 1984, pp.3-4, 141-43, and 149-50.

¹⁸ 'But is it Safe', Far Eastern Economic Review., 19 November 1992, p.46.

in avoiding conflict.¹⁹ These measures have their counterpart in the suggestions, by Jusuf Wanandi, for broader consultative processes in promoting economic cooperation would also provide added benefits to security.²⁰

9. The Scope and Expansion of Sea-borne Trade: Toward 2000.

The major means of carriage of materials and finished goods is by shipping which carries over 98 percent of all goods traded. Aircraft now dominate the movement of people and Australia's case is representative of the region; the airlift of passengers in Australia increased from 2.45 million passengers in 1984-5 to 4.08 million passengers in 1989-90 with ships carrying fewer than a few thousand passengers. Air cargoes represent an important fast means of transporting high value goods and in Australia's case aircraft carried cargoes totalling almost 359,000 tonnes valued at \$20.4 billion²¹; which is illustrative of the growing importance of air transport, but in the same year over 15,500 ships carried 315.1 million tonnes of freight valued at over \$78.6 billion.²² Australia's ratio of air and sea-borne freight gives greater emphasis to the value of air freight since so much of our sea-borne exports are bulky low value raw materials. The importance of

¹⁹ Michael O'Connor., 'Burden Sharing for SLOC Security', Eighth SLOC Conference, Bali, 1993, especially Annex C.

²⁰ Jusuf Wanandi., 'Asia Pacific Economic Cooperation: Ideas about Substance', in R.L. Grant., A. A. Jordan., E. H. Preeg and Jusuf Wanandi., Asia Pacific Economic Cooperation: The Challenge Ahead, The Centre for Strategic and International Studies, Washington, 1990, pp.48-62, especially pp.57-60.

²¹ Tan Castles (ed.)., Year Book Australia 1992, Australian Bureau of Statistics, Canberra, 1992, pp.603-4.

²² ibid., pp.599-601. In 1990-91 the value of goods and materials imported and exported increased to \$101.4 billion, p.707.

sea-borne freight for most Asian-Pacific nations is much greater than for Australia. The growth of sea-borne freights is demonstrated by the figures for various nations in Table III. The United States, alone in 1990, cargoes worth over \$US 308 billion with Asian nations. The sustained increases in the tonnes of sea-borne freights for all nations in the region will continue throughout the decade, especially as the dampening impact of the recession fades.

SEA BORNE TRADE 1980-1989

VESSELS ENTERED: THOUSAND TONNES

Country	1980	1984	1989
Brunei	13,180	23,929	N/A
Canada	66,212	67,728	68,940
Hong Kong	63,887	82,457	126,307
Indonesia	N/A	66,801	N/A
Japan	353,314	347,907	378,291
South Korea	103,631	166,217	262,791
New Zealand	13,014	14,001	30,940
Philippines	21,910	18,577	25,729
Singapore	55,009	73,607	81,712*
Thailand	12,515	13,304	17,706°
USA	320,684	304,170	344,710*
Malaysia	54,290	69,803	86,033

(* 1987, ° 1988)

United Nations

Source: UN, Yearbook 1988-89, pp. 717-23.

The success of economic development has had a range of consequential problems for shipping in the region. The existing volume of shipping in the region is already causing concern, this is not surprising, since the key straits are amongst the busiest strategic waterways in the world; some 37,000 super tankers and container ships transit the straits each year.²³ Japan, South Korea, the PRC and Taiwan now build over 60 percent of the world's commercial shipping; completing some 30 million gross tonnes in 1991, and with strong orders over the next several years, the quality of the region's shipping should continue to improve provided the aging carriers are scrapped.²⁴

The danger of SLOC congestion and poor management of old ships is very real:

From the start of 1990, within less than two years there had been 30 major accidents involving large bulk carriers, 18 of them involving sinkings - many of them without trace - and the deaths of 300 crew. Structural failures due to failing to reduce speed in heavy weather, to overstressing ships by loading cargo too fast and to plain metal fatigue were all prime suspects.²⁵

The increase in the share of Asia-Pacific containers shipping from 17 percent in 1984 to 23 percent of the world's total by 1994 has

²³ R. Taylor (ed.), Asia and the Pacific, Vol. 2, Facts on File, New York, 1991, p.1574.

²⁴ Asia Yearbook 1991, p.52. See also the special feature on Freight and Transport, Far Eastern Economic Review, 21 November 1991, pp.39-54.

²⁵ But is it Safe', Far Eastern Economic Review, 19 November 1992, p.46.

resulted in enormous stress upon port facilities.²⁶ In response there are extensive developmental works improving the facilities and the number of terminals in Japan, South Korea, the PRC, Taiwan, Hong Kong, Malaysia, Thailand, Indonesia and Australia. Alternatives are also being developed with the introduction of self-sufficient roll-on roll-off ships of up to 19,000 dwt.²⁷ Over the next ten years there will be increased pressure of ports, SLOCs and navigation facilities as the sea-borne trade continues to increase.

10. The Future of Asian Pacific Trade.

A highly optimistic economic future can be envisaged for the Asia-Pacific region which will, perhaps, surpass even the visions of futurists like Herman Kahn. Drysdale and Garnaut have concluded that:

While the centre of change within East Asia has already been steadily shifting from Japan to Korea, Taiwan, China and Southeast Asia, the pace of change which had characterised the region since the 1960s is not likely to slacken. East Asian industrialisation will be a primary influence on world trade and economic growth in the next quarter century and beyond, just as it has in the last.²⁸

The growth of air traffic in the Asia-Pacific region which has suffered considerable over supply and major losses by airlines

²⁶ Asia Yearbook 1991, pp.51-2.

²⁷ ibid., pp.52-3. See also 'Harbouring Congestion', Far Eastern Economic Review, 21 November 1991, pp.43-4, details the extensive plans for upgrading ports across the region.

²⁸ Peter Drysdale and Ross Garnaut., op.cit., p.370.

will experience a much more sensible growth during the next two decades. High value freight will continue to expand and passenger traffic will continue to increase, especially tourism, as economic growth boosts living standards across the region. Air travel has been increasing at twelve percent annually, leading to a doubling of volume in the last two decades; Asia-Pacific traffic now makes up one-third of world traffic.²⁹ The introduction of 'super jumbo' aircraft capable of carrying 500 to 600 passengers will be a common place event by the turn of the century.

As the cheapest and most efficient means of carrying bulky and heavy cargoes, sea-borne trade will continue to grow rapidly and the current plans for port reconstruction, expansion and the development of new fast-track container ports will almost certainly be considered inadequate before the year 2000. The numbers of ships transiting the key straits and choke points will probably increase by more than twenty percent during the decade. This growth alone justifies greater urgency by groups such as this and all governments in the region to consider immediate action in the extension of shipping reporting and control measures. The implementation of co-ordinated SLOC procedures. The dangers of pollution and accidents need to be added to the important concern to increase our regional efficiency in the operation, navigation and control of shipping as one of the most important supporting factors to the mutual enjoyment of greater knowledge, wealth and security in the Asia-Pacific region. The suggestions and plans canvassed at this conference can play an important part in the

²⁹ Robert Elegant., Pacific Destiny: Inside Asia Today, Crown Publishers, New York, 1990, p.4.

future secure development and extension of sea-borne trade in our region.

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**SAFE USE OF SEA LANES - THE PORT OF
SINGAPORE EXPERIENCE**

by

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The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

SAFE USE OF SEA LANES-THE PORT OF SINGAPORE EXPERIENCE

James Fong Hin Tat

Introduction

1 The Port of Singapore can be said to be at the meeting point between two oceans. The sea lanes of the Malacca and Singapore Straits join the Pacific Rim to the other half of the world. Sea lanes are maritime highways. The safe use of sea lanes are therefore important to a port like Singapore.

2 In this paper, I would like to share with you our experience in use of sea lanes and the associated problems.

3 Safe use of sea lanes is not achieved by "throwing money" at the problem and then hope that everything falls into place and safety is assured. To understand the problem, I will try to build from some basic principles on safe use of sea lanes. But more importantly, I wish to highlight some areas which should deserve more attention than the establishment of more rules for the mariners or the set up of multi million dollars Vessel Traffic System.

Sea Lanes - What are they?

4 Ocean routings are well documented and tested over the years. The open sea is not a problem for the mariners. The problem starts when ships enter into geographically constrained sea lanes.

5 International straits are, by and large, natural sea lanes. Generally confined on both sides by shallow water or land masses, the important portion of the Strait is the navigable route. It is this navigable route that I should refer to in this paper as sea lane.

Sea Lanes - Who use them?

6 Obviously, marine traffic would be the "vehicles" using the sea lanes. In the past, marine traffic would be categorised as large or small ships. Today, it may be more appropriate to re-categorised them into hazardous and non-hazardous cargo carrying ships.

7 In 1992, a random survey of the Singapore Straits TSS showed that at any one time there would be between 130 to 190 ships on the Traffic Separation Scheme (TSS). In terms of area density, this would work out to be about 0.8 ship per square mile of water

space. What then are the measures to organise such a density of marine crowd flowing through a sea lane?

Sea Lanes - Past and Present Measures for Safe Use

8 Prior to use, the sea lane would need to be surveyed and the navigable water identified. The navigable channel would be marked by aids to navigation. Where needed, dredging projects could be initiated to deepen the waterways.

9 Shipping behaviours and rules of encounter are dictated by compliance with the International Regulations for the Prevention of Collision at Sea or what is commonly known as the mariner's highway code. Compliance with this code is important at sea but strict compliance becomes essential for busy sea lanes. For enforcement, mariners are subject to flag state control.

10 For a busy sea lane, Traffic Separation Scheme (TSS) could be introduced. However, for the mariner's highway code to apply, these TSS would need to be adopted by the International Maritime Organisation (IMO).

11 The introduction of internationally accepted TSS by IMO was a milestone for safe use of sea lanes. TSS provided the platform for unidirectional navigational routes to be clearly defined on

navigational charts. Mariners are to navigate within these defined routes and follow the general direction of traffic flow. For crossing, ships are to cut across at 90 degrees to the traffic lanes.

12 It is also increasingly popular to call for the installation and operation of Vessel Traffic System (VTS) for sea lanes. Using radars as eyes and computers as brains, VTS are perceived by most as the ultimate answer to ensure safe use of sea lanes. VTS are however expensive systems to buy and operate.

13 The measures for use of sea lanes can thus be summarised as:

- a) establishment of international rules;
- b) survey of navigable routes and marking by aids to navigation;
- c) creation of TSS; and
- d) lately, the introduction of costly VTS.

14 The sea lane off Singapore has all the above measures. However, there are still maritime incidents. Are such measures sufficient? Is the introduction of costly VTS for sea lanes thereby the ultimate solution?

Straits of Singapore - Our Experience

15 Prior to 1981, there was no Traffic Separation Scheme (TSS) for the Singapore Straits. The TSS in the Singapore Straits was adopted by the international Maritime Organisation (IMO) in 1977, and came into force in 1981. The TSS for the Malacca and Singapore Straits was established by the three littoral states after a number of marine incidents in the straits. The most significant example was the grounding of the SHOWA MARU. That was an oil pollution which woke up many.

16 Even with the TSS, there continued to be a number of other maritime incidents on the Singapore Straits. Although the pollution effect was not as serious, the nagging possibility of another large pollution is still there. In particular, the recent collision between the Nagasaki Spirit and The Ocean Blessing showed that the best ships with the latest navigational equipment can also make mistakes.

17 In 1990, the Port of Singapore Authority (PSA) spent some 40 million dollars (S\$40 million) for a vessel traffic system with the objective of facilitating safe use of the TSS. In operating the VTS, PSA have adopted an active approach and the operators are to alert ship masters should conflict situation be detected.

18 I have listed below the number of significant marine incidents from 1985 to 1992.

Number of Marine Incidents in the Singapore Straits

Year	Marine Incidents
1985	4
1986	2
1987	4
1988	4
1989	8
1990	6
1991	10
1992	9

19 Clearly, despite the TSS and the operation of a multi million dollar active VTS, the number of marine incidents has not reduced. What then are the reasons for such incidents?

A Few Examples

20 To understand the problem, we could examine a few incidents which can provide some indications of what went wrong and thus the way ahead.

21 Incidents 1 - A 2-Ships Collision

This incident occurred with good visibility all round. A 40,000 tons tanker and a 80,000 tons bulk carrier were on the TSS. The tanker master was given information regarding traffic movements in that area by the VTIS. The bulk carrier master however did not to communicate with the VTIS. Both ships were on the west bound lane. The VTIS detected a conflict situation between the two ships and alerted both masters by VHF calls. The tanker master acknowledged the alert. The bulk carrier master did not answer. Shortly after, the two ships collided. After the collision, both ships called VTIS for assistance. There were apparently nothing wrong with the bulk carrier's VHF radio and both ships were fully functional before the collision.

22 Incident 2 - A 2-Ships Collision

This incident also occurred with good visibility all round. A 57,000 tons tanker and a 9,000 tons general cargo ship left port to join the TSS. When the ships were outside the port, the VTIS detected a conflict situation between the two ships. Alert calls were make to both masters by VHF radio. The 9,000 tons general cargo ship acknowledged the alert. There were no reply from the 57,000 tons tanker. Shortly after, both ships collided. Again the collision occurred with both ships fully functional and even after being alerted by the VTIS.

23 Incident 3 - A 1-Ship Grounding

A 11,000 tons fully loaded bulk carrier was moving along on the east bound lane. Visibility was good. The ship was detected by VTIS to be heading towards shallow water. The shipmaster was repeatedly alerted by the VTIS of the danger. The shipmaster had even acknowledged the alerts. He however continued on and finally ran his ship aground.

What Lessons?

24 The 3 incidents occurred in good weather and good visibility. All aids to navigation were in order and the ships were fully functional. The traffic situation were normal. The interesting point is that in all the incidents, the VTIS alerted the shipmasters of the impending dangers of collision and grounding. More significantly was that the shipmasters even acknowledged the alert provided.

25 The common thread among these accidents is the ships themselves. Not the ships' hardware but the people who manage and navigate the ships. The training and experiences of the ship crews are the core issues. Even the best ships are only as safe as the crew that operate them.

Training of Marines

26 IMO has a convention on training and certification of navigators. This dictates that mariners undergo an extensive training programme. Certificates of competency are passports to a maritime career - a qualification which warrants that the holder can navigate any ship across any oceans and through any sea lanes.

27 Now, consider the incidents which I had shared with you. Without surprise, all the Officers were duly qualified with Certificates of Competence. Were those Officers not well trained or lacking in experience?

28 I was told that in a recent study, it had been reported that up to 85% of marine accidents were due to human error of judgment. It is also our experience that even with a myriad of aids to navigation to assist the mariners, volumes of rules and regulations to tell the mariners the dos and don'ts and an expensive VTS to forewarn them, all these would come to nought if the mariners navigating on the sea lane are not adequately trained and possess the necessary experience.

Conclusion

29 Measures for safe use of the sea lanes had left out the mariners. There can be conventions and rules. Navigational information can be fully provided. Maritime accidents on sea lanes however continues to occur.

30 Demands for higher measures and the spending of large sums of money on the problem are not the solutions. The one main ingredient that would make the difference is the training and experience of mariners using the sea lanes.

31 In the Singapore Straits, sea lanes are marked, a comprehensive TSS stretching from the east to west had been implemented and an expensive VTS fully in operation. This had not stopped mariners from colliding into each other. Ultimately, the best ships on the most regulated sea lanes are only as safe as the mariners on them.

32 Thus, in conclusion, should we therefore continue on to establish more and more costly control measures or should we not take an urgent and closer look at the mariners, his training and thus his use of the sea lanes?

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

**MERCHANT MARINE CROWDS AND DENSITY
IN THE CONTEXT OF THE SAFETY OF SLOC**

by

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and
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*First draft, not ready
for publication.*

SLOC in Early Time and at Present

By Professor and Vice Admiral Tun Hwa ko (ret)

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Abstract

In this paper, the author is trying to refresh and rethink about the core-term, SLOC of our Conference, for the sake of keeping our discussions on many aspects of the SLOCs in tune.

A brief account on how men started using seas for communications trade, fishing and waging wars was given; followed by talking on the impact of SLOC upon the outcomes of WW II.

In the forty years of Cold War, SLOCs have also shown their influences on many events.

The author also tries to explain why the functions of SLOCs would remain unchanged even in the light of speedy progress of modern science and technology.

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Foot notes :

I. Foreword

It seems superfluous to talk about the acron--SLOC again after having a series of SLOC International Conferences in the past twelve years (started in 1979). And it would also be unnecessary to bring out the term in this conference which is being held in the South East Asian country which dominates the most important sea route of the world, and whose people have a long tradition and practice of using the sealanes.

But what I am trying to do here is only to refresh ouselves with the very core-term SLOC, and to rethink about it. I`think it will do us no harm, if our main theme is " Safely by Sea " as Cdr. Michael O'Connor and Dr. Malcolm Kenedy had so brilliantly coined as the title of their book published in 1990.

It is like any studies related to human being, be it life science psychology, social work, politics or whatever, all which may have to re-look or re-examine at the man or woman, himself or herself now and again.

To re-think about SLOC may also serve to keep us in steps, or in the same tune, when we get together discussing many aspects of the SLOCs. In each annual SLOC conference, we are lucky to have new participants, to maintain some continuity and not to get too much diffused, it might be worthwhile to replay our basic tune-- the SLOC.

II.. SLOC in Early Time

How SLOC started in early time may not have direct bearing upon our modern time. So we need only a very brief account of it to refresh our mind the origin of our studies.

In the early beginning, men did not know how to build ships good enough to sail into the open seas to an unknown destination far away, which was beyond their power to perceive things below the horizon, and beyond their normal motive to risk the danger of doing so. Men, however, could learn gradually. They might first need only some support of buoyancy to swim across a narrow strip of water. They might use some floating logs to assist them swimming. In some Chinese ancient books there were records and even drawings of men using whole inflated goat skins as life-buoys for river crossing. Similarly the Egyptian were known to have used inflated pig-skins as floats. Boats must first be made of single log, and perhaps tying up a number of logs

as floats to enable a number of men ridding together. Incrementally improving the shaps and structures of the wood'led to the building of better boats. It is now found a boat of only six feet could sail across the Atlantic in 85 days by Hugh Vilhen, 20 years ago. Now a man named Tom McNully, plans to cross the Atlantic from Lisbon to Florida. (1) in a boat of only 5 feet in length.

In early time, at some instances, men might be in a hurry to go across some rivers. Imagine they were chased by enemies, and had no time to cut clean some trees they found, leaving the brenches and leaves still sticking to the trunk. They might find by their own observation that the wind blowing at the leaves and brenches are " sailing" or "driving" their boats, thus taught the early men about the effect of wind on sails. (The author saw this phenominum only a few years ago, near Taiwan water coastal water, some floats used by near shore fishermen, with trees still connecting to the floats , serving as 'sails'. In time men improve their architecture of ship building, as well as the senses and arts of navigation, giving men the abilities to sail over a long distance.

The motives of adventuring into the seas could be various: such as,

to find new lands, to escape from famine or enemies, or to search for defeated enemies who may have escaped into the seas.

The famous Chinese seafarer, Chen Ho of Ming Dynasty, who had sailed seven voyages from China down to Java, Summatra, Persian Gulf and east African coast in between 1405 to 1433, was officially ordered by his emperor, Ming Chen-tzu, to carry out the mission of searching for a defeated but escaped King-Hui, the grandson of the founder of the Ming Dynasty, Chu Yun Chang, who defeated the Mongol Empire in 1368 (2)

The basic purposes of using the seas have been fishing, getting other resources, trade and commerce. Trades are usually for mutual benefit to the sellers and buyers. But this may not be all the cases. Since some men are greedy and unfair, some groups of men may even want to monopoly the trades and the markets. When the raw materials are not enough to satisfy the desires of everybody, there may come the conflicts and wars. So men would also use the seas for waging wars, for defense and attack on wars.

It has been the general belief that , he who controls the searoutes of communications will be in more advantageous strategic situations than his adversaries.

The English philosopher and statesman, Francis Bacon (1561-1626), had pointed out that he who controls the seas could have the war as much as he likes. . This maxim seems to be true in many wars. We shall discuss more later on in this paper.

In the oriental world, the uses of the seas for trade and cultural intercourse among different people might have begun earlier than the era of great western sea going explorers, such as: Christopher, Vasco da Gama and Ferdinand Magellan.

In the Southeast Asia, for a long time, freedom of navigation and the sea was never interfered, controlled or monopolized by anybody. Persians and Arabs, Indians and Ceylonese, Chinese and people of the Southeast Asian States, all used the seas for trade and enjoyed its bounties in perfect peace, disturbed only casually by pirates (3)

III. SLOC in W.W.II.

Countless of wars had been fought in histories. It is not the

intent of this paper to recall most of the wars, except to focus the impact of SLOC on some wars,. Let's now jump to the W.W.II.

The second world war may be said to consisted of two wars. The one fought in Europe might be called the Hitler's War, because it was Hitler who planed and started it. The other war fought in China and Pacific was Japanese war. Hitler's war started on the 3rd. September 1939³ and ended on 15th August 1945 (VE Day) when the German surrendered. Japanese war with China started on 18 September 1931 when Japanese invaded into Manchuria and reignited it on 7 July 1937 at the Marco Polo bridge in North China, that ended in 3 September 1945. Japanese attacked Pearl Harbour on 7 December 1941 and surrendered on 15 August 1945 (VJ day).

The two wars, on the axis sides, were only loosely connected, with no unity of efforts between the German and the Japanese. Each of them was aiming at each own objective. The USA had, however, to choose a strategy to deal with the wars at the same time.

In strategy, the first job, perhaps, is to choose the goals and then to allot resources for attaining the goals. Before America went into the war, the Anglo-American preliminary joint strategy was first laid down in 1941, to defeat the German first, because German happened to be the more dangerous one, whom, if given time and chances might become unbeatable.

Both German and Japanese scored tremendous initial gains right after they opened up the wars.. To prevent them from gaining more, SLOCs have to be controlled first. And that turned up to be a deadly struggle.

Within only a few hours after the outbreak of war, a British liner, SS Athenia was sunk by a German submarine SS-30 off the coast ..

of Donegal (Northern Scotland), without any warning.(4).

The battle of the Atlantic had thus begun, for henceforth Britian was destined to constant struggle to keep open her SLOCs, her life lines to Canada, the United States, South America, Africa and the Pacific. These SLOCs, converging on the British Isles from all the world, could not be shut, lest Britian would die for lack of food and material of war.

In the begining of the war, German was blocked by the British mining in the straits of Dover, forcing the German to send their ships and submarines through the North Sea and Norwegian Sea around the north of Scotland to reach the Atlantic.

On 9 April 1940 German forces occupied Denmark and simultaneously landed at Oslo, Kristiansand, Stavanger, Bergan, Trodheim and Narvik. German's invatson of Norway was to secure the coastal SLOC for transporting iron-ore from Narvik to Germany, and to attack British sealanes of communications by having Naval and Air bases in Norway

If British could not control the SLOCs, England might have been invaded after the Dunkirk's retreat. If Allied could not win the Battle of Atlantic, there was no way to dend so many American troops and equipments to England to open front at Normandy that led to the eventual collapse of Hitler.

In the Pacific, if the American could ^{not} control the sea from Quadacanelright up to philippines and then to Japan. The Japanese might be able to resist longer in 1944, and 45, then the Russian might be able to attack Hokaido. Then Japan would be a divided nation ritht after the war, with Russians shareing the occupation.

We could see here, the impact of SLOCs upon the outcomes of the wars are immeassurable.

IV. SLOC IN THE Cold War

The term cold war has been used after 1945 to describe the conflicts between the communist and non-communist blocs. It is supposed to have ended by 1990-1991. Cold war is a kind of war, and in fact, not 'cold' all the time. It was 'cold' only in the sense that there has been no all-out hot thermo-nuclear exchanges. There has been a lot of conventional hot shootings. Because it is still a kind of wars, there must be strategies of offensive and defensive adopted by the contesting parties. There we could see SLOCs also play an important role in the cold war. To point out only some cases as follows:-

When cold war commenced, the first American act was to carry out Truman Doctrine of aiding the Greece and Turkey in 1947. Both countries can be reached by seas. Under the Marshall plan in 1948, economic assistance was given to the Western Europe. In 1949, NATO were established which was a link-up of North America and Europe across the North Atlantic Oceans. That has been the basic forces checking the expansion of the former USSR.

By June 1950, the North Korea attacked the South, crossing the 38° parallel. MacArthur, the then Supreme Commander of Allied powers in Japan was ordered to intervene. The U.S. Seventh Fleet was ordered to Taiwan Straits, both to protect the Nationalist Chinese and to prevent them from counter-attacking mainland China.

South Korea's army amounting to only 100,000 plus some 48,000 local militia- no tanks, no aircraft and heavy artillery were no tch match of the North Korean army who had 135,000 well trained troops plus an Armoured brigade about 120 tanks, with 6000 men and 180 planes. Seoul fell on 28 June with ROK's casualties of about 50%. U.S. Eighth

Army's divisions in Japan had to be committed to Korea. British and Australian troops also rushed to the defense of Pusan. Reinforcement had to come from Hawaii, Tocomo, San Diego and Okinawa. Here, we could see clearly the usefulness of SLOCs in the rescue of Pusan.

By having the advantages of SLOCs, not only the perimeter of Pusan was held, but the difficult Inchon landing became possible. The ability to use SLOCs, enabling MacArthur to hit the enemy from behind by surprise. That was the turning point of the Korean war until the Chinese came across the Yalu River.

In the Vietnam War, French was defeated by the Viet Minh at Dien Bien Phu which fell on 6 May 1954, ending the French a century of occupation. The SLOC between Vietnam and France was too long, and beyond French national power and will, among other factors, to continue the fighting.

The American vs. Vietnamese war ended on 30 April 1975 when the communist forces entered Saigon. In the case of American campaign in Vietnam, we here want to repeat one principle mentioned early in this paper--"He who controls the sea can have as much of the war as he likes" When the American people got tired of the Vietnam war, American Forces just went home. The French in Dien Bien Phu had to surrender. The difference is due to the fact that American was in control of the SLOC.

The other evident cases were Hungary in 1956, and the Cuban missile crisis in 1962. In the former case, the western allies could do nothing, because Hungary is locked in the middle of European land-mass, Outside help could not reach to them by SLOC, while in the latter case of Cuba, America was firmly in control the SLOC (and the air)

Without good control of SLOC, British could not have moved 8000 miles down to the Southern Atlantic in Falkland War. As soon as the

British nuclear submarines got to the theater, a 200 miles sea excursion zone was set up to cut off the SLOC between Argentinian mainland and the Falkland Island. On May 4, 1982, near the blockaded zone, the Argentinian cruiser, Belgrano was sunk and that kept the whole Argentinian Navy inside their harbors. British Forces were then able to land at San Carlos beaches with no surface attacks.

In the Gulf war, a SLOC of over 10,000 miles, from the U.S. west coast, was entirely in the hands of U.S. Navy for the transporting the troops and the tremendous and unprecedented amount of logistic support to secure the quick victory.

Supposing the long SLOC from U.S.A. to the Gulf had been interdicted and cut off, the U.S. forces would have difficulties to operate on land and or air against the enemy.

Before the uses of gunpowder, logistic was comparatively simple. even though it was far from easy to manage. Ancient army marched by stomach, the logisticians had to mainly keep everybody and the horses fed. A man ate about only 3 pounds of food and the horse about 10 pounds of grass.

The full effect of the Industrial revolution on warfare did not make itself felt until W.W.I..

A British division of 18,000 men in 1914 required 27 wagon loads of all classes of supplies per day, but before W.W.I. ended, the same division needed 50 wagons of supplies.

Now the military units and their equipments have grown more complex, the resulting logistics requirements have grown as well. Not only does new equipments required new specialists to run it, maintain it and to fix it when it inevitably breaks down.. For instance,

by the end of Korean war, standard U.S. daily consumption estimate running to 300 to 640 tons for infantry division, and 350 to 700 tons for armored division depending on their activities (5)

In Korean and Vietnamese wars 95% of dry cargoes had been transported by shippings, and 99% of petroleum had been transported by shipping. In gulf war 6 billions pounds of supplies were shipped per month by sea. (6). *3 mill tons.*

V. SLOC at Present

At present, most nations are concentration their effort for economic growth in order to meet the needs of their people. As no nation is completely self-sufficient, especially the insular nations, so they have to depend primarily upon maritime trade. When a nation becomes more industrialized, she will become more depend on the searoutes connecting with other trading partners. All the nations represented in this conference room, being maritime nations and dependent upon each other in peace and in war for the raw materials and finished goods which means prosperity and survival strength.

War is a matter of logistic. No armed forces can be stronger than what its own logistic can support. Logistic to the armed force is its 'economy', and the economy to a nation is its own logistic. Both the economy of a nation and the logistic of its armed force depend heavily on the land, air and sea transportation, of which the sea lanes is the most important.

For instance, if we are to compare sea and air freight of 100,000 long tons of supplies per month, from San Diego in California to Bali Island, a distance of some 7000 nautical miles, we would come up with the following figures. It would require less than 50

surface ships, but over 10,000 Cargo planes to haul this freight. In term of manpower the sealanes would need about 3000 men, including gun crews in time of war, while air transport would require over 120,000 highly trained men for flight crew only. The sealanes would consume about 165,000 barrels of fuel; the air would eat up about 9 million barrels. Moreover, while no tankers would be required to keep the transporting ships fueled. But 85 large-sized tankers would be needed to fuel the planes, thus necessitating the protection of SLOCs in any case. If we calculate the total time needed for the transportations by ships or by air, it will turn-up that the slow-going ships could transport the total amount of cargo much faster than the faster-speed air flight. This is because a ship steaming at cruising speed. say 20 knots, could cover the distance, 7000 n.m. in 14 days. While 10,000 sorties of air transport may take 3 months to do it, depending the number of air planes are available types of aircraft, and time for repair and up-keep in between each flight. Don't forget the ships carry more spare parts for her own repair underway, and the aircraft can not do that.

In actual military operation, a mixed method will be used, of course. That is, some by air, some by ships

It will be no wonder that supply by SLOC is the primary lifelines of so many nations. Four-fifths of the world's international commerce are moving by SLOCs, and only a fraction of that commerce are handled by air.

The progress of science and technology will, no doubt, change ways of doing things. But in the foreseeable future, no other new type of transportation can replace the SLOC for the bulk-weight cargoes. In term of money value, the air transport has caught up the sea transport a great deal. But not in the weight of the cargoes.

Air liners would take almost the passengers and valuable materials which have to ^{go} fast, but not heavy in weight. The rest will be carried by ships for economic reasons.

Studies and actual work are being ^{done} in what is known as the World Highway, or International Rapid Transit Systems. The major land roads on earth will be linked up by tunnels dug underneath the seabeds of the key sea straits. The concept is to send cargoes in vacuum tube under the ground and seabeds, in the same manner as in a pneumatic tube. It will go faster than any existing method of transportation. perhaps it would take only a few minutes to go from New York to Tokyo. On principle or in theory, yes, it can be done. But, in practice man has to learn new engineering on how to construct the tunnel under the seabed, and to understand the geological nature of the particular seabed. It is different to any construction work that had been done before ~~a~~ above the ground.

Presuming man can find the necessary knowledges, and technology, and investment to do it, there remain one thing which should be evident in science and in the art of waging wars. The underground or under seabed tunnel will be very vulnerable in one account. That is, the position is fixed, and is known by the public and the potential enemy who can destroy it in war with no difficulty. Under water, the deeper the sea, the higher pressure it will be. An under water explosion would exert a tremendous pressure to the said tunnel and destroy it.

The searoutes have no fixed line on the water. As soon as the enemy's bomb explodes or the artillery shell hit, the water reforms itself. No need to repair it, like the road on land. And the ships can deviate its course and lane freely. That is why searoutes will be better than the future World highway systems. It may take another

fifty years to realize the building under the seabeds. The usefulness of SLOC would remain unchanged for a long time.

VI. Conclusion

Men have used the seas for fishing, for getting other resources, for trade, communications and waging wars.

In war, no nation can be stronger than her logistic support which relies on the use of SLOCs.

For foreseeable future, even with the speedy progress of science and technology, SLOC can not be replaced by other means.

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**EMERGING U.S. FOREIGN AND DEFENSE POLICIES
AND SOUTHEAST ASIAN SECURITY**

by

Stephen P. Gibert

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

Emerging U.S. Foreign and Defense Policies and Southeast Asian Security

By Stephen P. Gilbert

January 1993

It is commonplace to observe that the collapse of the Soviet Union, the unification of Germany, and Russian cooperative behavior in the United Nations and elsewhere have ended nearly a half-century of Cold War. In the United States these developments have resulted in President-elect Clinton, members of Congress, various media personalities, university professors, and representatives from "think tanks" questioning the still-high U.S. defense budget, the need for a continued U.S. presence in NATO and the number of American forces committed to Europe, and a general demand that it is time for the American people to enjoy a "peace dividend."

Others in the United States warn that the world is still a dangerous place, point to the Gulf conflict as an example of future demands on U.S. military capabilities, remind critics that Russia is potentially still a threat to security, and defend continued significant American participation in the North Atlantic Treaty Organization.

Although developments in East Asia and the Pacific have not been as dramatic as those in Europe, since about 1991 the security situation in East Asia has also substantially improved. Particularly significant has been Russian and Chinese recognition of South Korea, the admission of the two Koreas to the United Nations, and lessened tension between the P.R.C. and the Republic of China. U.S. relations with Vietnam have also undergone slow improvement and the former Soviet Union has reduced its forces in East Asia including withdrawal from Cam Ranh Bay.

On the negative side, there is still the problem of a Cambodian settlement, strong military forces confront each other across the Korean DMZ, questions regarding North Korean nuclear developments remain, Chinese claims to the Spratly Islands conflict with those of several Southeast Asian states, and there has been no settlement of the Northern Territories issue between Russia and Japan. Finally, American-Japanese relations are probably worse than at any time since the Second World War.

Thus problems remain. Nevertheless, it is becoming increasingly clear that the adherents of a sharply-reduced American involvement in both Europe and East Asia are gradually getting the upper hand. While it is possible to argue that U.S. foreign and defense policies, from President Carter through the Administrations of Presidents Reagan and Bush, showed rather remarkable continuity, despite rhetoric which suggested otherwise, it now seems likely that emerging American policies will depart significantly from those of the past.

This conclusion is based primarily on an assessment of the new political situation in Washington and on trends in U.S. defense capabilities. While an unforeseen crisis in either Europe or Asia could affect anticipated developments, short of this occurring American policies will be driven primarily by domestic American considerations. Accordingly, this essay will first discuss those views, such as they are, expressed by President Clinton and other relevant persons, the new Congress and executive-legislative relations, and trends in U.S. defense capabilities. The essay will conclude with brief

remarks as to how these factors may affect the U.S. role in East Asia and American participation in helping preserve SLOC security.

The New Administration in Washington and National Security

Throughout his thirteen month presidential campaign, from his announcement in October 1991 that he would seek the presidency to his election in November 1992, William Jefferson Clinton made it abundantly clear that his priorities, if elected, would be on American domestic concerns, not national security policy.

Before assessing President Clinton's views, it may be useful to mention a few aspects of his personal and political background. Except for several years as a law professor at the University of Arkansas, Clinton has never had any career other than that of a professional politician. He was an unsuccessful candidate for Congress in 1974 at the age of twenty-seven. Subsequently, Clinton was elected Attorney General in 1977 and Governor of Arkansas in 1979, making him, at age thirty-two, the youngest U.S. state governor since 1938. Clinton was defeated for reelection in 1981 but won in 1982 and remained Governor of Arkansas until his resignation in 1992.

This record suggests a man who is persistent, determined, and incredibly ambitious. Since his socio-economic origins were humble, Clinton's success has reinforced his belief in American democracy and also his attitude that hard work and

determination will be rewarded in the United States. Perhaps this is why, although he accepts the Democratic Party's commitment to welfare policies, Clinton is not a typical Democratic Party progressive liberal; rather, he represents more the pragmatic problem-solving Democrat prevalent in the southern and western wings of the Democratic Party. These attitudes helped to get Clinton elected Chairman of the Democratic Leadership Council, an organization of centrist Democrats such as Senator Nunn of Georgia, the Chairman of the Senate Armed Services Committee who, along with the new Secretary of Defense, former Congressman Les Aspin, has provided Congressional leadership on U.S. defense policy.

As a generalization, centrist or pragmatic Democrats tend to disregard ideological approaches to politics and favor instead practical policy solutions to problems. This contrasts with the progressive, left-oriented progressive Democrats who are more ideologically-driven and committed to the welfare state. As a centrist Democrat, President Clinton is likely to eschew crusades, attempt to fashion workable solutions to domestic problems, and build coalitions with other moderate Democrats in the Congress and their Republican counterparts.

Public opinion data during the presidential campaign showed a deep and pervasive belief among the American people that President Bush was according far too much priority to foreign policy and giving insufficient attention to economic problems at home. Seldom has a president fallen so rapidly in popular esteem as did President Bush from

the fall of 1991 when polls gave him one of the highest approval ratings ever recorded for a president to the election of 1992 when he received only thirty-eight percent of the vote. Independent candidate Ross Perot made the strongest showing of any third party candidate since 1912, with nineteen percent of the vote. This left President Clinton with forty-three percent. Put another way, fifty-seven percent of the American voters chose someone other than Clinton; he does not enter the White House, therefore, with a strong mandate from the voters. Perot's strong showing indicates that the voters were disappointed with Bush, uncertain about Clinton, and generally ready to push aside politicians in favor of a successful businessman. That Americans were tired of "politics as usual" cannot be doubted. They wanted action on the economy, not talk about the Gulf War victory and a "New World Order."

Why did Clinton win? Almost all observers believe that it was his emphasis on the economy and his deliberate refusal to discuss foreign and defense policy. Symbolic of this was the sign in Clinton's Little Rock campaign headquarters which read, "It's the economy, stupid." Clinton, in short, sensed much better than Bush the concerns of the American people.

The neglect of foreign and defense policy was particularly notable in Clinton's nomination acceptance speech at the July 1992 Democratic convention. Clinton's speech contained approximately 3000 words and lasted 53 minutes. But his foreign policy comments -- if you can call them that -- were limited to observing that the Cold War is

over and "Now that we've changed the world, it's time to change America." He also mentioned that the U.S. should not "coddle tyrants, from Baghdad to Beijing" and should champion democracy "from Eastern Europe to Southern Africa, and in our own hemisphere in Haiti and Cuba." He had one other comment, namely that the U.S. must reduce defense and that a "strong America begins at home."

As for Japan, it was mentioned only once: "We have fallen so far, so fast, that the prime minister of Japan actually said that he felt sympathy for America. When I am your president, the rest of the world won't look down on us with pity. They'll look up to us with respect."

Japanese may feel this is not much mention of their country by the presidential candidate of America's largest political party and the future president of the United States when giving the most important speech of his life. But they may take comfort in the fact that Clinton did not mention Germany, France, Britain, Mexico, Canada, India, Korea, Israel, Saudi Arabia, NATO, or the United Nations. Indeed, this was a speech utterly and completely devoid of foreign policy or national security content.

After his election President-elect Clinton once again demonstrated his intention to focus on the American economy as his highest priority in several ways. First, he convened a conference in Little Rock, attended by several hundred businessmen and economists. For several days there were wide-ranging discussions on the general state

of the U.S. economy, the rising costs of health care, unemployment, welfare reform, urban and infrastructure decay, and the enormous Federal deficit. The only foreign policy topic -- if one may call it that -- concerned international trade problems and the importance of exports to the American economy.

The second way in which Mr. Clinton symbolically illustrated that the economy held first priority was in the order of his appointments. Key officials, such as the Secretary of the Treasury and the Director of the Office of Management and Budget received early appointments. Last in line, appointed just before the Christmas deadline he had set for himself, were Clinton's appointments of the Secretary of State, the National Security Adviser, and the Secretary of Defense.

These events do not mean that President Clinton has no foreign policy or defense ideas or that he will not be active in the national security area. Clinton's political roles as chief of state and leader of the majority party and his constitutional role as commander-in-chief of the armed forces means that he has to be, like it or not, involved in all important U.S. foreign policy decisions. And, of course, even though his campaign deliberately avoided an emphasis on foreign policy, Clinton has given some indication of his views on national security. Perhaps the most important foreign policy speech of Clinton's career was given at Georgetown University in December, 1991. In this speech, Clinton argued that in the post-Cold War period "America must regain its economic strength to maintain our position of global leadership." Although it is true that new threats to security are likely

to rise, fueled by nationalism, ethnic tensions, and conflicts such as those in Yugoslavia, and these new problems require the U.S. to "keep our guard up," the utility of military might "is declining relative to economic power."

Regarding defense spending, Clinton called the projected Bush Administration reduction of twenty-one percent through 1995 inadequate and said he thought defense spending should be reduced by about one hundred billion dollars beyond the Bush cuts between 1993 and 1997.

With regard to overall defense policy, Clinton has emphasized several points. One is burden-sharing: "America needs to reach a new agreement with our allies for sharing the costs and risks of maintaining the peace." A second Clinton theme is collective security: the United Nations' role in preserving security needs to be strengthened and "multilateral action holds promise as never before" in dealing with regional threats. But in considering defense, Clinton continues to place priority on economics, saying that economic factors "must become a central defining element of our national security policy" and creating a new Economic Council as a White House agency.

All in all one would expect the following from the Clinton Administration:

- A reduction in U.S. forces in both Europe and East Asia, significantly greater than contemplated by the Bush Administration.

- A reduction in U.S. "forward presence" in overseas bases beyond those currently underway.
- A reduction in the size of U.S. armed forces and greater reliance on reserve and national guard forces.
- An emphasis on "high tech" forces, to enable the U.S. to defeat numerically superior opponents.
- Preservation of the U.S. alliance system but with increased pressure on allied countries to contribute more to collective defense.
- Viewing certain aspects of economic policy, such as trade, investment, and preservation of an industrial base as aspects of national security policy.

Despite Clinton's emphasis on economic aspects of security and his call for greater reductions in U.S. military capabilities, his choice of Congressman Les Aspin, Chairman of the House of Representatives Committee on Armed Services, as his Secretary of Defense is reassuring that changes in U.S. defense policy will be thoughtful, reasoned, and intended to facilitate an orderly reduction from America's Cold War posture. Clinton's

first choice for Secretary of Defense was Senator Sam Nunn of Georgia, Chairman of the Senate Armed Services Committee, Aspin's Senate counterpart. Nunn decided to remain in the Senate and so Aspin was selected.

Aspin and Nunn have long been viewed as the top Congressional leaders on defense. As Democrats, they have served as a kind of "shadow" Defense Department during the twelve years of Republican control of the White House. Both Nunn and Aspin advised Clinton on defense questions during the presidential campaign and their views coincide largely with Clinton's, although perhaps Nunn would advocate a lesser reduction of U.S. military capabilities than either Aspin or Clinton.

Aspin brings impressive credentials to the position of Secretary of Defense. A former University professor, with a doctorate in economics from the Massachusetts Institute of Technology, as well as degrees from Yale and Oxford, Aspin has been a member of the Armed Services Committee since he was elected to Congress in 1970. As a young man he worked for former Secretary of Defense McNamara while serving in the Army in the 1960s. Unlike most so-called defense experts, Aspin predicted a rapid victory for U.S. and coalition forces in the Gulf War and said that there would be few American casualties. Based on this belief, Aspin, unlike Nunn and Clinton, supported military action against Iraq.

The new Secretary of Defense, in short, has all the attributes to be an excellent

leader of the military in this transition period from a Cold War posture to one in which U.S. defense policy is undergoing substantial revision and downsizing. He is moderate in political philosophy, a critic of excessive Pentagon spending and an advocate of a smaller but technologically sophisticated military force. He will provide President Clinton with the expertise the new White House occupant lacks. His familiarity with Congress and his friends among his former colleagues in the Congress should assist Clinton in getting Congressional support for national security policy.

In contrast to Aspin, President Clinton's choices for Secretary of State and National Security Adviser have not been greeted with much enthusiasm. Both are former Carter Administration officials. Secretary of State Warren Christopher is a lawyer, known for diplomatic and negotiating skills but not considered a foreign policy conceptualizer. He is not expected to contribute significantly to new ideas as to how the U.S. should conduct itself in world affairs now that the Cold War is over. Christopher is bringing back many former Carter foreign policy aides to staff subcabinet positions in the State Department. These people have been primarily policy implementors rather than decision-makers.

National Security Adviser Anthony Lake, a professor of international affairs at Mount Holyoke College in Massachusetts, is best remembered for his resignation from government in 1970 over the Cambodian incursion. He is generally considered representative of the more liberal elements of the national security establishment. Lake is a former foreign service officer and an assistant to Henry Kissinger and subsequently

to President Carter's Secretary of State, Cyrus Vance. Both Vance and Lake advocated an accommodating stance toward the Soviet Union which alienated them from the more strongly anti-communist elements in the Democratic Party.

Given the widely-shared view that, except for his human rights advocacy, President Carter's national security record was mediocre at best, it is surprising that so many State Department positions are being staffed with former Carter Administration officials.

Lake does not have the stature of other former National Security Advisers, such as Henry Kissinger and Zbigniew Brzezinski. Given the still enormous importance of the former Soviet Union, one would have thought Brzezinski, who is both a conceptualizer and a Russian expert, and also a former Carter official, would have been a logical choice for another stint as National Security Adviser. Perhaps Clinton's choice of Christopher and Lake suggests he wants to do the thinking himself about foreign policy and national security, unimpeded by the views of his Secretary of State and National Security Adviser. Or perhaps it is still another indication that Clinton does not have foreign policy concerns high on his priority list.

The Congress and National Security

For nearly three decades after the end of the Second World War the U.S. Congress generally followed presidential direction in foreign policy. Bitter dissention over

the Vietnam War, however, led to a more assertive Congress, less willing to merely ratify presidential decisions. Particularly important was the War Powers Resolution, enacted in November 1973 despite strong opposition from President Nixon, which defines and restricts presidential authority to commit U.S. forces to conflict. Congress has now become accustomed to playing a greater role in all aspects of American national security policy.

The 103rd U.S. Congress took office in January, 1993, ushering in a political situation quite different from the past. For the first time in twelve years both houses of Congress and the presidency represent the same political party. Among other things this means that Congressional Democrats, paradoxically as this seems, are likely to be less influential than in the past since they will tend to support initiatives of the Democratic president. In contrast, Republicans will now present alternatives to Clinton initiatives.

This has important implications for national security. During the recent twelve years when Republicans controlled the presidency, Democratic Congressional defense experts, such as Senator Nunn, Congressman Aspin, and former astronaut Senator John Glenn, formed a kind of "shadow" Defense Department. Now Aspin has joined the Clinton cabinet and Nunn and Glenn will be under pressure to be "team players," that is, to follow the initiatives laid down by President Clinton and the Democratic administration.

It is probably just as well that Congressional Democrats will be under pressure to

support the Clinton government for the makeup of the new Congress suggests a weaker commitment than Clinton's to an activist American national security policy. There are 110 new House members and thirteen new senators, the greatest number of newcomers since 1948. The lack of national experience will be particularly felt in the House Foreign Affairs Committee, whose chairman was defeated and with one-third of its membership new to the Committee.

The makeup of the 103rd Congress also suggests a less supportive stance for a strong national security policy. Poll data indicate stronger opposition to high defense spending among women and minority Americans than in the general U.S. population. The number of women senators rose from two to six, there are an additional eighteen women members of the House, and there are forty African-American Congressmen, the highest number in history. As a generalization, it is nearly certain that the new Congress will want deeper cuts in defense, a less activist U.S. role overseas, a "peace dividend" for welfare spending purposes, and will champion so-called "women's issues" and policies of concern to minorities. National security will be a much lower priority.

With regard to Congressional leadership, the new Chairman of the House Armed Services Committee, taking Aspin's place, is Representative Ronald Dellums of California. Dellums is one of the most liberal members of Congress and an advocate of substantial reductions in the defense budget. Dellums believes that American defense spending not only diverts funds from needed welfare programs but actually threatens world peace.

Dellums strongly opposed the Gulf War. He led a group of 53 House members who attempted to get the U.S. Supreme Court to rule that President Bush's actions in the Gulf War were unconstitutional and violated the War Powers Act, which indeed they did but which the overwhelming majority in Congress felt were necessary. Dellums, in short, will undoubtedly use his position as Chairman of Armed Services to advocate greater reductions in defense spending, reduced capabilities for U.S. armed forces, and a sharply diminished American presence overseas.

To be sure, as a Democrat, Dellums will be restrained somewhat by party loyalty, opposed by others on the Armed Services Committee, and as a representative from California, home to many military installations and defense contractors, will be under pressure to moderate his strongly ideological opposition to American national security policy. Nevertheless, President Clinton may come to regret his appointing Aspin as Secretary of Defense, thus elevating Dellums to leadership of a committee so important to national security.

Clinton's appointment of Representative Leon Panetta to be his new Director of the Office of Management and Budget may also come to be regretted by the new president. Panetta is an excellent choice but his successor as Chairman of the House Budget Committee, Representative Martin Sabo of Minnesota, is one of the more liberal members of the Congress who has been an opponent of high U.S. defense spending.

The House Budget Committee Chairman is in a pivotal role to affect U.S. spending priorities. Congressman Sabo has said he will support President Clinton's policies, but, as another Congressman put it, "This [military spending] is an area where we'll be gently pushing the Clinton administration, to persuade them to cut more from defense."

This is not to suggest that the Congress is going to dismantle the U.S. armed forces and reduce the Pentagon to penury. Defense-minded Democrats such as Nunn and Glenn and forty-four Republican senators will resist unwise actions. Nevertheless it is true that the sentiment in the Congress will generally be inclined to place even more emphasis than Clinton on domestic concerns and be less supportive even than Clinton about national security policy. If President Clinton wants to reduce defense and spend the "peace dividend" on social welfare, other domestic needs, and deficit reduction he will receive enthusiastic support in the Congress.

The Decline of U.S. Military Capabilities

The demise of the Soviet Union has accelerated an across the board reduction of American military capability. Since 1985, the height of U.S. military buildup under President Reagan, the defense budget in inflation-adjusted terms declined again in 1992 for the seventh year in a row. As a result, the cumulative reduction in Department of Defense (DoD) budget authority was 28.8 percent; by FY 97 the projected figure will be 36.8 percent. As a share of Gross National product, DoD outlays (actual expenditures)

are expected to fall to 3.4 percent by FY 97, the lowest level since prior to the Korean War in 1950. In fact, since Congress does not normally authorize and appropriate as much money as the Administration requests, it seems almost certain that additional reductions in the Pentagon's 1992-1997 Future Years Defense Plan (FYDP) will be made. For example, in May 1992 the House Committee on Armed Services reported \$7 billion less than President Bush requested for the FY 93 defense authorization authority. And although current Department of Defense plans call for keeping 150,000 U.S. troops in Europe, Congressional leaders are arguing for about half that number. Although U.S. defense expenditures still will be much greater, in absolute terms, it appears that by 1997 for the first time American defense spending as a percentage of GNP will be roughly comparable to those of Britain, France, and Germany.

Projected force reductions reflect budget stringency. Under the Bush Administration's plans, by FY 1995 the Army will be reduced from 18 to 12 active divisions, the Navy will reduce aircraft carriers from 15 to 12, carrier air wings will be down to 11 from 15, the four battleships will all be decommissioned, and total Navy combat vessels will have declined from 546 to 429. The Air Force will see its fighter wing equivalents be pared to 15 active versus the previous 24, and heavy bombers will be 176, down from 268. The nuclear-powered ballistic missile force will consist of 23 rather than 35 vessels. Only the Marine Corps will retain its present strength of three active divisions; this is because of the oddity that the number of Marine divisions is fixed by law. Total Marine personnel, however, will be considerably reduced, from a 1990 total of 197,000

to 159,000 by FY 1998.

Undoubtedly there will be sharp reductions in U.S. strategic nuclear forces. The precise number of strategic bombers, ICBMs, strategic nuclear submarines, and force loadings will be dependent not only on budget considerations but also on the outcome of on-going arms control negotiations. Should Russia press for sharp reductions in both its and U.S. strategic forces in the current START talks, arms control agreements may be even more significant than budget considerations in reducing U.S. forces.

These reductions in U.S. military forces will affect American commitments and overseas bases in both Europe and East Asia. U.S. departure from the bases in the Philippines is now completed, as a result of the failure of the Philippine Senate to ratify the treaty which would have permitted the United States to maintain the Subic Bay Naval Base and the destruction by weather of the Clark Air Force Base. Consistent with U.S. force reductions, America's permanent overseas presence is being sharply reduced; DoD's January 1992 announcement brought to 441 the number of overseas bases and sites that will be closed with another 51 reduced in size.

In April 1990 the Department of Defense published *A Strategic Framework for the Pacific Rim*. This document, plus later elaborations, resulted in "Phase One" reductions of 6000 U.S. forces from Japan and 7000 from South Korea and in the fall of 1991 the U.S. also withdrew its nuclear weapons from Korea. The Marine Division on Okinawa is

being reduced from division to brigade size and may be withdrawn altogether.

When U.S. force reductions are complete, west of Hawaii the U.S. will have considerably less than one army division in the Pacific Force (the remaining portions of the Second Division in Korea), perhaps no Marines at all, one and perhaps two tactical fighter wings distributed between Japan and Korea and one aircraft carrier battle group, based in Japan. In April 1992 Defense Secretary Richard Cheney said that the United States was not seeking bases to replace the ones lost in the Philippines; rather, the U.S. would rely on agreements to use as needed on a commercial basis facilities in Indonesia, Malaysia, and Singapore.

In sum, the U.S. is coming home. One reason for this is that the Department of Defense is generally optimistic about the East Asian security situation. The February 1992 Defense Planning Guidance (the first in the post-Cold War era) listed seven possible "planning scenarios" for the 1994-1999 period. Only two -- a North Korean attack on South Korea and a coup d'etat in the Philippines -- were in Asia. In short, Washington does not envision, except possibly in Korea, any major conflict in the East Asian region. And with the recognition of South Korea by the former Soviet Union in 1991, and by China in 1992, that possibility has become less and less likely. Thus by the year 2000 it is quite unlikely that America will be a significant military participant west of Hawaii. It is probable that the security treaties with the Asian nations will still be intact but this will be a classic case of commitments exceeding military assets to back them up. President Nixon's 1972

warning, which later became known as the Nixon Doctrine, that "Asian hands must shape Asian futures" is finally becoming true.

The usual beneficiaries of a continued large U.S. presence overseas will immediately object to the idea of sharp American force reductions in East Asia. The claim will be made that an American failure to bear the lion's share of the defense of the industrial world proves Washington is reverting to "isolationism" once again. But to accuse the U.S. of isolationism merely because Washington intends to bring its defense budget and force posture more in line with those of other great powers is an accusation to be strongly rejected.

It is true, however, that politicians are aware that the American people are much less concerned with foreign policy than they are with issues close to home. At the annual Conference on Security Policy held in Munich, Germany, in February 1992, Senator William Cohen said that the "prevailing view" in the United States is that the North Atlantic Treaty Organization "is no longer necessary, relevant, or affordable" and that NATO will likely become a "mainly European organization." And Senator Richard Lugar, the former Chairman of the Senate Foreign Relations Committee, said that the "trends [in the United States] towards isolationism and protectionism are very strong."

Conclusion

The Clinton Administration is now in the process of considering the U.S. defense posture and the budget. Undoubtedly, the Bush fiscal year 1993 defense budget, intended to run until the beginning of fiscal year 1994 in October 1993, will be substantially modified by the Clinton Administration in the first several months of 1993. Until that happens, one cannot be certain about the extent of reductions in defense beyond those contemplated by the Bush government. One can be certain, however, that reductions in the budget, in weapons acquisitions, in personnel, and in forces stationed abroad will exceed substantially those reductions contemplated by President Bush. As former United Nations ambassador Jeane Kirkpatrick phrased it, the United States, as far as national security is concerned, will once again become a "normal country in a normal time."

It is not easy to predict how these expected changes in U.S. national security policy will affect American commitments to Southeast Asia and SLOC security. The United States still has security commitments to the Philippines, the Republic of China on Taiwan, Australia, and Thailand, as well as in Northeast Asia with Japan and the Republic of Korea. Washington is also involved in the Cambodian negotiations and resolution of remaining differences with Vietnam may lead to normalization of relations in the near future. And, of course, agreements are in place with Singapore and others to facilitate a U.S. naval presence in the Indian Ocean area. But it seems clear that, barring a great

power confrontation -- a most unlikely event -- the United States will play a supportive but not a leadership role in Southeast Asian security. The one hopeful development, from the point of view of SLOC security, is the new Navy doctrine established in September 1992. This doctrine states that U.S. naval forces are shifting from a Cold War, open ocean, blue water naval strategy to a regional, littoral, and expeditionary focus. Also, the only category of the U.S. Navy's combat vessels to be increased between 1988 and 1995 are mine warfare vessels, from four to fifteen. This will provide U.S. forces with access to coastal waters. Thus in several years the U.S. will have the concepts, forces and training to participate in SLOC security should the political leaders decide to do so.

Southeast Asia, since the end of American military involvement in Vietnam in 1973, has not been high on Washington's security agenda. It is likely to be even less so in the future. ASEAN must look primarily to its own resources to protect SLOC security. As the famous science fiction writer, Arthur Clarke, once put it, "The future is not what it used to be."

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**COASTAL STATES AND SLOCs SECURITY:
THE SEARCH FOR AN EQUITABLE STRAITS REGIME**

by

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The Indonesian Navy
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COASTAL STATES AND SLOCs SECURITY: THE SEARCH FOR AN EQUITABLE STRAITS REGIME

BY

B.A. HAMZAH ^{Ph.D*}

Even before the days of Alfred Thayer Mahan naval strategists have always been concerned with unimpeded passage through the strategic choke-points for the purposes of sea control, sea denial and power projection.

Mahan in particular argued that control of the sea, and especially of strategically important narrow waterways, was crucial to great power status. He based his theory on the observation that the rise of the British Empire and the rise of the British navy had occurred simultaneously.

Mahan concluded that *Pax Britannica* could not have ruled the waves without controlling the principal sea routes and the world's major choke-points. In his obsession with control of the sea idea Mahan could not have possibly anticipated the shift in the geo-strategic focus with regard to SLOCs security from *access* to coastal states' management of the straits especially over non-military related issues.

Within the context of maritime power projection traditionally the role of coastal states was keeping the straits open at all times for their allies and together they would adopt a strategy to deny the use of the straits to their adversaries.

In a new geo-strategic environment where naval competition and power projection have become less important to international security, the security and control of these choke-points have taken a new dimension. In an increasingly interdependent world which places emphasis on economic primacy in its globalisation process, the role of the coastal states in the management of the SLOCs is further emphasised.

With the development of new technologies, coastal states seem to be better prepared to control access through the sea-lanes-of-communication within their jurisdiction in the absence of naval rivalry between the major maritime powers. However, more pressing than access control is the issue of managing the SLOCs, especially the straits for international navigation.

Considering the environmental impact from maritime traffic and the complexity of maritime commerce this role seems to be very taxing on the coastal states. The capacity of coastal

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states to manage ocean-borne traffic on a large scale in strategic straits efficiently under the present legal regime is inhibited by the availability of local funding and legal constraints. In line with the shift in coastal states' responsibility it may become necessary to harmonize and revise some of the old rules pertaining to SLOCs management.

In the days when international relations were characterised by proxies, the client states would be assisted by the respective metropolitan powers to keep the SLOCs open. With the breakdown in the balance of power relationship and with it the dismantling of the proxy arrangement, the responsibility for keeping the SLOCs open seems to have fallen squarely on the shoulders of the coastal states.

Many coastal states are faced with the new responsibilities they inherited from the metropolitan powers but which were then taken for granted as these issues were treated as consequential to passage rights. The new responsibilities include pollution control, enforcement actions (e.g., additional policing and patrolling activities in the straits), search and rescue operations, prevention of illegal fishing, preventing the inflow of illicit drug trafficking and, managing illegal immigrants as well as enforcing rules which contravene customs, fiscal, immigration and sanitary laws.

To facilitate sea-control and to ensure rapid deployment of troops as well as naval assets, the major maritime powers secured for themselves the *right* of unimpeded passage through all the choke-points or strategic waterways. Concepts like innocent passage and transit passage, for example, were introduced to secure sea control and the freedom of navigation. Gradually some of these concepts began to be accepted as legal instruments essentially for the promotion of power projection.

This paper will focus on the management of strategic straits used for international navigation *not* regulated by international agreements. The Bosphorous and Dardanelles, the Strait of Magellan and the Danish Sound and Belts at the mouth of the Baltic are omitted from the general discussion as they are governed by international treaties.

The regime of straits in international law has been negotiated over the years under the auspices of the United Nations. Of special concern to this meeting are the 1958 Geneva Conventions and the 1982 Law of the Sea Convention (hereafter referred to as the 1982 Convention). Part III of the 1982 Convention addresses five different kinds of strait regimes used for international navigation. These are:

- straits which connect one part of the high seas/EEZ and another part of the high seas/EEZ. The applicable regime is transit passage as defined under Article 37 of the 1982 Convention;
- straits connecting a part of the high seas/EEZ and the territorial sea of a foreign state. The innocent passage regime applies as defined under Article 45 (1)(a) of the 1982 Convention;
- straits connecting one part of the high seas/EEZ and another part of the high seas/EEZ where the straits is formed by an island of a state bordering the Strait and its mainland, if there exists seaward of the island a route through the high seas/EEZ of similar convenience with regard to navigation and hydrographic characteristics. Passage through such straits is governed by Article 38(1) of the 1982 Convention;

- straits regulated in whole or in part by international conventions (Article 35 (c) of the 1982 Convention). The 1982 Convention does not alter the status of these regimes;
- straits through the archipelagic waters are governed by archipelagic sealanes passage regime. Article 53(4) of the 1982 Convention spells it out in specific terms.

Some of the legal concepts pertaining to rights of passage through SLOCs have been well defined and accepted as customary practices in law. Some concepts have yet to become widespread state practices as to give the force of *opinio juris* and be classified as customs in international law.

One such concept is that of transit passage. For example, it seems quite clear that prior to 1982 there was no right of innocent passage for aircraft through the air space above the straits for international navigation, above territorial waters or above the land territory of another state except as conferred by specific treaty.

Commenting on the US *Restatement of Foreign Relations Law (Revised)* Professor William Burke, a noted authority on the law of the sea, made the following assertion:

“The *Restatement* declares that the “recent practice” of states establishes transit passage as customary law, along with the “broad consensus” at UNCLOS ... There can be no doubt that the provision on transit passage in CLOS is new, *there being no such law prior to negotiations*. The burden of showing that this provision displaces the old customary law is on the proponent of the change. The *Restatement* does not attempt to discharge this burden or to cite a source showing that the burden has been *assumed and discharged*.” [Italics are added].

The issue is raised simply to demonstrate the legal context within which access through certain straits used for international navigation must be clearly understood. While certain state practices are now consistently becoming widespread as to become customary practices, some are not.

Recent practices by some states cannot be assumed as customary practices simply because of the existence of some “broad consensus.” Relations between states can be injured when certain obligations are unreasonably imposed upon coastal states on the wrong assumption that those obligations have been universally accepted and recognised as customary practices.

This leads to the core of this paper - the need to search for an equitable regime for the management of some busy as well as congested straits used for international navigation in a new geo-strategic environment.

With the exception of one, all the five categories of straits regime enumerated above are found in the Southeast Asian waters. The regime of the archipelagic sealanes, for example, is the most recent and covers a very large ocean area in Southeast Asia. The two leading archipelagic states in the world are Indonesia and the Philippines. Both have ratified the 1982 Convention which adopted the archipelagic doctrine.

In more ways than one a strait can be likened to a highway. What happens when a highway becomes congested and prone to accident? The usual response is for the authorities to unilaterally introduce an efficient management system which regulates traffic flow (e.g.,

through speed limit) and remove some of the obstacles to traffic congestion (e.g., widening of the road, provision of proper lightings for night travels, the posting of traffic personnel, etc.).

In critical moments road users are also diverted or advised to use alternative routes to avoid congestion or to bypass a bottleneck. In essence, an efficient management system is instituted.

Instituting an efficient road management system is expensive. For sure it costs money to provide alternative routes, to install traffic lights and to post the necessary road signs. But in the case of road management, the practice of levying a toll on passing vehicles as a means to raise fund to offset the cost of maintaining the road and its management is universally accepted.

Here lies the rub with the management of the straits for international navigation. The coastal states are expected to shoulder the entire costs of managing the straits like providing navigational aids, widening of the channels to ensure safe passage and other navigational related management activities which foreign vessels seem to have benefited most. With their limited resources, the coastal states are also expected to unfairly bear the expenses arising from environmental degradation activities by foreign vessels. Cleaning up operations of the straits used for international navigation can be costly and at times beyond the means of many poor coastal states.

Despite heavy management responsibilities the coastal states have no say, for example, on the types of vessels or cargo a ship carries passing through the straits used for international navigation. With regard to hazardous cargo the present laws require only valid documents be carried by vessel captains irrespective whether the safety standards are met or not. Worst still the coastal states have no right to even direct certain vessels carrying dangerous cargo to use safer alternative routes.

Of course, it is reasonable to expect ship captains to ensure that dangerous cargoes are carried in special tankers, but surely coastal states which have been entrusted to ensure the safe passage of these vessels in straits under their jurisdiction be given some say in the carriage of the cargoes as in the event of a mishap in the strait, it is the coastal states that will bear the immediate brunt.

Currently the mechanisms to ensure non-prejudicial of the legitimate interests of coastal states are almost absent when it comes to managing the global maritime interests in straits used for international navigation.

Here, the option is not to embark on a mission impossible such as to rewrite the entire international law practices but for policy planners to grasp the problems facing coastal states straddling straits used for international navigation.

Unless the major straits users and the competent international organizations appreciate the economic as well environmental concerns of the coastal states and do something to alleviate their problems, the future of international straits regime may be placed in jeopardy. Coastal states may not have the necessary incentives to respect the current regime if their legitimate interests are not protected in law.

One way of showing their distaste is to neglect their responsibility by doing the minimum. Needless to say, that without the fullest cooperation from coastal states the unimpeded passage through international straits may be impaired.

As a point for departure, take the case of the management of the Strait of Malacca which is used for international navigation. The following are some of the management concerns:

- *Congestion.* Reputedly the most congested strait after the Dover Strait. Excluding cross straits traffic, more than 600 ships use the straits daily mostly foreign vessels;
- *Shallowness.* Some parts of the straits are shallow. One survey marks thirty seven shallow points;
- *Accident Prone.* The straits are prone to accidents. In 1992 alone there were eight major accidents. In one incident in September 1992 some 13,000 tons of crude oil were discharged;
- *Damage to Marine Ecology.* The accidents have caused tremendous damage to the marine environment in the straits. Precious lives have also been lost in the accidents;
- *Piracy.* Sea-robbery used to be a problem until the recent decision by some littoral states to jointly conduct policing actions. Apparently, the sea-robbers have now moved to safer areas in the South China Sea following joint enforcement activities;
- *Managing the Interest of Strait Users.* Balancing and managing equitably the legitimate interests of the three littoral states (Indonesia, Malaysia and Singapore), the other straits users and the competent international organizations is extremely essential before any joint management system in the straits can be put in place;
- *Overlapping Jurisdiction.* The problem of overlapping jurisdictions in the Strait is yet to be resolved;
- *Marine Pollution.* Marine pollution is fast becoming pervasive. Granted that not all the pollution in the straits is vessel-based. Nonetheless, the Strait of Malacca is a graveyard for many sunken vessels; a dumping ground for many tons of crude oil and other forms of pollutants which have caused considerable damage to the marine environment;
- *Incomplete Traffic Separation Scheme.* Traffic separation scheme exists only in some parts of the straits (i.e., in the Strait of Singapore) and not the entire straits;
- *Pilotage.* Pilotage is required only in the busy harbour areas and through the traffic separation scheme. Pilotage is not available through out the entire straits as this is considered by many as hampering innocent passage;
- *No Levy.* Unlike the highways, coastal states are not allowed to levy tolls on passing vessels;
- *Dangerous Cargo.* Noxious, dangerous as well hazardous materials are carried daily on vessels passing through the congested straits. [On 20 June 1992 a vessel carrying highly inflammable chemical liquids (toulene and xylene) exploded while discharging its cargo in Port Klang. Some 13 lives were lost].

Given the complexity of these problems what can be done to ensure an efficient international straits regime? How to ensure a safer navigation regime in the Straits of Malacca? What measures can coastal states consider together with other straits users and the other competent international organizations to lessen their *burden* of managing the straits?

What would be a fair and an equitable financial arrangement in lieu of a toll to offset the cost to the coastal states for managing the straits and to ensure that those responsible for damaging the environment contribute towards the cost of restoring and stabilising the environment to its original status? What incentives can be offered to the coastal states to secure their full commitment to undertake an equitable, efficient and safe international straits regime?

An efficient and more equitable new management regime for congested straits used for international navigation like the Straits of Malacca is not intended to deny internationally lawful uses of the straits but to reinforce the following:

- safety of navigation;
- to reduce congestion;
- to prevent collision and accident in the straits;
- to prevent and control pollution from vessels damaging the eco-system;
- to assist the coastal states to offset the costs of maintaining the straits which include the cost of putting up navigational aids, widening and deepening of the straits to enable safe navigation, the cost of cleaning up operations whenever pollution takes place etc;
- to assist the coastal states to compensate those affected by damage due to the environment resulting from vessels discharge in the straits;
- to offset the cost of restoring and stabilising the state of the marine environment to ensure a continuing sustainable development of the eco-system;
- to offset the cost of salvage operations of wreckages not covered by standard insurance coverage;
- to ensure a fair, just and equitable straits regime;
- to penalise polluters;
- to prevent unilateral action;
- to provide incentives to coastal states to undertake an efficient and equitable straits regime;
- to guarantee that all internationally lawful uses of the straits are respected and permitted at all times;
- to ensure an orderly straits regime at all times.

Together we must find remedies. We should focus on preventive mechanisms through a programme of positive efforts for damage control to secure the fullest commitment from all the relevant parties, especially the coastal states, to an efficient, fair and equitable management regime international straits.

In my view, for the present straits - for - international-navigation-regime (e.g., the Straits of Malacca) is fundamentally flawed as it puts the entire burden of managing the straits on the coastal states. An equitable funding mechanism which ensures some amount of accountability on those who benefit from the regime should be a priority agenda for all who use the straits to consider. A consensus on a new legal code of conduct for the management of the straits and access through them between the relevant parties needs to be quickly forged.

Perhaps the time is now opportune as in the case of the Strait of Malacca to start a process of consultation between the relevant parties (the coastal states, the maritime powers, the other straits users and the competent international organizations) before certain local rigidities begin to set in. It is just simply not fair to expect the coastal states to bear the entire cost of managing the straits without assistance from those who utilise and benefit the most from them.

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**SEA SURVEILLANCE, MARINE SAFETY
AND INFORMATION EXCHANGE**

by
Sam Bateman, RAN

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

SEA SURVEILLANCE, MARINE SAFETY

AND INFORMATION EXCHANGE

by

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(Director General, Maritime Studies Program)

Paper for Regional Conference
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23-24 January 1993

All countries represented at this conference share a great interest in the maintenance of what Michael Leifer has called a 'stable maritime regime' prevailing over the waters of East Asia¹. We all have significant maritime interests. We all depend on the sea for foodstuffs, trade and longer term economic prosperity. Most of our countries are investing heavily in offshore development, particularly for oil and gas.

While to some extent we can pursue commercial maritime activities in a unilateral manner, the nature of the maritime environment is such that it is impossible to take a truly independent national view of the problems which can arise. The sea is both a common asset - and potentially a common enemy. It is the fundamental medium of international commerce but its problems follow no national boundaries. For example, the freedom and safety of navigation, the prevention of marine pollution, the conservation of fish stocks and the monitoring of changing sea levels are issues which concern us all. But in implementing policies on these issues, we must take into account the interests and rights of our neighbours as well as those of other users of the sea who legitimately send their ships into and through our waters.

Because of these overlapping interests, maritime issues are an important part of the dialogue between nations. This is

* The views expressed in this paper are the author's and do not necessarily reflect those of the Chief of Naval Staff, the Department of Defence or the Minister of Defence.

particularly so in our region where maritime issues, such as offshore resources, marine safety, fishing rights, illegal migration ("boat people"), piracy, marine pollution, the law of the sea and maritime boundaries figure prominently on the international political agenda. Nations have to talk about and agree on issues such as the principles governing the drawing of maritime boundaries, the extent of port state control over visiting merchant ships, what can and should not be dumped at sea and the conservation and protection of particular species of marine life.

There is also an important security dimension to the maritime environment. Our maritime interests, including the ships carrying our imports and exports, may be subjected to threat. Some of our nations can only be attacked by an enemy's forces coming across the sea to our territory. Given this security dimension and the extent of our individual national maritime interests, as well as our collective interest in good order prevailing at sea, I suggest that we all should see benefits in a cooperative approach to the topics covered in my paper - sea surveillance, marine safety and information exchange. We all want to know what is happening at sea in and near our waters. We also want to be sure that these activities at sea are being conducted safely and in accordance with international law.

There are three factors which underpin our common interest in cooperation on maritime surveillance and safety issues. Firstly, comprehensive knowledge of what is occurring at sea in our waters is an important element of both a stable regional maritime regime and our own national security. Secondly, cooperation to achieve that knowledge will make a major contribution to regional confidence and security building, as well as to regional resilience - the ability to demonstrate that the region is capable of looking after itself. Thirdly, there is the relative importance of maritime commerce as probably the most important maritime interest of

us all and as one which is heavily dependent on cooperation between nations for its maintenance, protection and safety. This is particularly so in areas such as the waters off Southeast Asia where there are high shipping traffic densities and sometimes difficult navigational conditions.

My paper will consider each of these factors in turn before looking at some of the practical issues involved with multinational cooperation on sea surveillance, marine safety and information exchange. It acknowledges fully that a lot of cooperation already takes place, particularly on a bilateral level, and that extending the current level of cooperation will not be easy. There are many potential difficulties involved and some of these are discussed later in my paper.

Regional Maritime Security

The concept espoused by President Bush of a "New World Order" sounds good but is far from being reality particularly in our part of the world where an atmosphere of some strategic uncertainty still prevails. As one strategic analyst has noted recently, '...the security challenges that the ASEAN states face have become more complex and give rise to troubling new dilemmas' and 'Now more than ever, the ASEAN countries are being compelled to focus attention on external security'².

There is speculation over the consequences of a likely drawdown in US forces deployed in the Western Pacific and the possible reaction of the new, potentially powerful, strategic players on the scene - China, Japan and India.

Increasing attention over the last year or so has been focussed on China, particularly with regard to plans to acquire more powerful naval forces and to policies in the South China Sea. The latter policies are regarded as

ambiguous in that the Chinese rhetoric for peace is not being matched by action³. The Chinese claim all the Spratly Islands and the agreement last year between the Chinese and the US Crestone Energy Corporation to explore for oil in an area claimed by Vietnam was particularly unsettling. The South China Sea is a major shipping route and if trouble were to break out in the Spratlys, it would adversely affect all countries in the region as well as the extra-regional ones, especially Japan, whose trade passes through the area.

Another major concern is the continuing tension on the Korean peninsula. The North Koreans continue with their plans to acquire nuclear weapons and this has a destabilising effect throughout the region⁴.

There is the lack of political stability and economic progress in Myanmar which has the potential to become a new regional "flashpoint". India is concerned with the involvement of China in the development of surveillance facilities and a naval base in Myanmar⁵. In a wider strategic context, this concern will serve to increase the naval rivalry between India and China and this could spread into the Indian Ocean.

In the South Pacific, several island states face major internal difficulties, both economic and political. There is tension between Papua New Guinea and the Solomon Islands over the situation in Bougainville which is still unresolved although prospects for settlement seem better under the new Wingti Government in Papua New Guinea.

Dormant tensions exist throughout the Western Pacific with regard to the inability of some countries to discern the purposes and intentions of their neighbours. These tensions are particularly manifest in the maritime environment with conflicting claims to offshore territory, unresolved maritime boundaries and tension over fishing rights.

It is not surprising that in this atmosphere of strategic uncertainty, spending by East Asian countries on capabilities for maritime warfare (ships, submarines and aircraft) continues to increase. It is generally accepted that these trends do not constitute an arms race but are more a reflection of the legitimate national strategic concerns of countries which are now generally fortunate enough to be in the economic position which allows them to provide more adequately for their national security.

There is also a paradox in the current situation. While activities by the former naval powers of the region, the United States and Russia, may decline in the 1990s, overall naval activity could in fact increase. There will be more navies of consequence on the scene with the recognised naval powers of Japan, China and India continuing to develop their maritime forces, as well as South Korea and Taiwan acquiring more powerful naval capabilities. Furthermore, most ASEAN countries, but particularly Thailand and Malaysia, have broken away from their previous pre-occupation with problems of internal security and counter-insurgency and are concentrating their defence spending more on maritime capabilities.

The result of these trends is that the regional maritime security environment is becoming more complicated. Despite the reduction in US and Russian maritime presence, paradoxically the waters of the North East Indian Ocean, the China Seas and the Western Pacific may be a more complex operating area for maritime forces than they have been in the past. Numerically there will be more navies of consequence and they will have a greater diversity of high technology capabilities available.

There is an increased risk of incidents between maritime forces with the ships, submarines and aircraft of different countries operating in similar areas of relatively confined waters. The risk is heightened both by the existence of

potential causes of conflict and by the presence of submarines and long range missile systems which require well developed procedures and effective command and control systems if incidents are to be avoided, particularly during periods of tension when there could be "itchy trigger fingers".

Maritime Confidence and Security Building

The situation I have just described provides fertile grounds for maritime confidence and security building measures (MCSEBs). These should be distinguished from the general topic of naval arms control which encompasses structural measures to limit or reduce the quantity and/or quality of naval equipments as well as operational measures to restrict particular types of naval activity to particular geographical areas⁶. Arms control implies a rather heavier adversarial component than does confidence- and security-building⁷. With the former, there is a suggestion that there has been an arms race of some sort and that each side feels a need to place constraints on the other's force structure and/or operations.

This atmosphere of suspicion and adversarial relations is not necessarily the case with confidence-building. The grounds for confidence-building exist where the military orders of battle of countries are such that they *could* feel threatened by each other but the causes or motives for conflict do not exist and there is no need for force structure or operational constraints.

MCSEBs have the objective of reducing the risk of maritime conflict and of misunderstanding or miscalculation of military activities at sea. They can take many forms. They can range from the sharing of naval information which does not jeopardise national security (commonly known as "transparency") and the exchange of personnel through to more complex operational measures such as surveillance cooperation.

or formal agreements on the prevention of incidents at sea between naval forces.

The interest of regional countries in the security and safety of seaborne trade means that sea lanes of communication (SLOCs) constitute a possible vehicle for new avenues of maritime confidence-and security-building. SLOCs are vital to seaborne trade and economic growth but the extent of the potential sea areas involved means that no single nation is adequately able to defend its SLOCs by itself. This has certainly been the experience of two World Wars and planning within NATO where "blue water" protection of shipping activities to keep the re-supply routes open across the North Atlantic provided the fundamental rationale for most NATO maritime doctrine and exercises. Planning between naval staffs of different countries to cooperate in the protection of shipping would constitute a form of confidence-and security-building.

Maritime Commerce and Marine Safety

The great and growing importance of maritime commerce to this region is highlighted by the fact that in 1990 the major ports in Southeast Asia and the Far East handled a total of about 28 million containers (TEUs)⁸. Of this, the five major ports of ASEAN - Singapore, Bangkok, Tanjung Priok, Port Kelang and Manila - accounted for over eight million TEUs, or about one-third more than the four major ports of Japan, and the ports of Hong Kong, Kaohsiung and Keelung in Taiwan and Busan in Korea moved almost thirteen million TEUs. By comparison, the five major West Coast US ports handled about seven million TEUs or about 26 per cent of the Asian regional total, about the same volume as the major Japanese ports but less than the five ASEAN ports.

Maritime commerce, both coastal and overseas, is also a major

national interest for Australia. By world standards, we rate highly as a shipping nation in terms of total tonnage of cargoes loaded and discharged. Australia's seaborne trade in recent years has represented nearly eight per cent by weight of total international seaborne trade, although the nation's overseas trade is equivalent to only about one per cent by value of total world trade. On a tonne-mile basis, Australia's share in world seaborne trade is even more impressive - about 13.5 per cent of the total. This is because of the long distances involved in shipping cargoes from and around Australia, and because almost all of the nation's seaborne exports (and much of the coastal trade) consists of heavy bulk cargoes such as iron ore, coal, bauxite and grain.

The problem of the safety of merchant shipping confronts us all these days and may even be becoming more serious. Due to the increasing age of the world merchant fleet and the pressure on shipowners to cut costs to the absolute minimum, there seems to be a growing number of sub-standard merchant ships at sea which are potentially unseaworthy and often operated by poorly trained crews. These are the ships which endanger the lives of those who serve in them and present major risks to the marine environment and port facilities of the countries they visit.

In the light of an increasing number of ship losses in or near our waters, Australia has become particularly concerned over the safety of merchant shipping. Since January 1990, seven bulk carriers have sunk after loading iron ore in Western Australia. Some of these disappeared without trace presumably after having suffered sudden and catastrophic structural failure while on passage in heavy seas across the Southern Indian Ocean towards the Cape of Good Hope.

There was a dramatic incident in Western Australian waters in 1991 when the bow section fell off the Greek registered oil

tanker *Kirki*. This situation posed a major pollution threat to our coastline as potentially as serious as the recent *Braer* incident off the Shetland Islands or the earlier *Exxon Valdez* environmental disaster in Alaska. When her bow fell off, the *Kirki* was loaded with approximately 82,700 tonnes of light crude oil all of which may have escaped into the sea if the ship had broken up further and foundered. This would have created an enormous oil slick which could easily have come ashore fifty miles downwind on the environmentally sensitive coastline near Cervantes with its rich lobster beds.

Theoretically the *Kirki* was not a 'problem' ship. It was in class with a reputable classification society and had been regularly inspected. Yet the major structural failure which caused the bow to fall off was due to extensive corrosion which had not been detected during recent inspections. What is more worrying is that subsequent and more detailed inspections of the hull of *Kirki* revealed evidence of subterfuge to hide the real condition of the ship with canvas patching and paint.

As a result of the *Kirki* and other incidents in and around Australia, the Transport Standing Committee of the Australian Parliament conducted a recent inquiry into ship safety. The report of this inquiry was given the title *Ships of Shame* to reflect the Committee's concern over the number of substandard ships and the extent of their problems⁹.

Most concern focussed on dry bulk carriers. Table 1 shows that the loss-rate for this type of ship has increased quite dramatically in recent years - there has also been a significant number of bulk carriers which have suffered severe structural failure but did not sink. The explanation of this trend is complex but major factors appear to be ship age and inspection standards.

Australia's keen interest in the safety of shipping stems

from three main factors. Firstly, as I have noted already, we are a major participant in international bulk shipping and it is bulk carriers which have been experiencing the highest loss rates. Secondly, due to the sensitive nature of some of our coasts and offshore areas, particularly the Great Barrier Reef, we have a vested interest in preventing pollution of marine and coastal environments. Thirdly, Australia has accepted internationally the heavy responsibility to coordinate maritime search and rescue in an area covering more than one ninth of the world's surface (Figure 1). As this responsibility can require heavy expenditure, it is in our interest that shipping operates safely.

TABLE 1

BULK CARGO VESSELS TOTALLY LOST
WITH THEIR CARGOES
1988-91

Year	No. of Ships	Total Tonnage	Lives Lost
1988	3	133,558	39
1989	13	330,025	68
1990	12	975,017	125
1991	19	1,162,202	149

Source : *Ships of Shame*, Appendix 1

Maritime Surveillance

The problem of maritime surveillance faced by regional countries is very relevant. The need to know what is happening in national maritime areas and their approaches is obvious but because maritime surveillance is not a "sharp end" capability, countries tend to allocate it lower priority in their defence spending. In focal areas such as the northern approaches to the Malacca Strait and the South China Sea, the surveillance interests of nearby countries overlap and it would seem to make sense for like-minded countries to

cooperate in their patrols of such areas and to exchange surveillance data. Similar considerations apply to the surveillance problems of wider maritime areas, including for example, the Timor and Arafura Seas between Australia and Indonesia.

However, before multinational cooperation can exist in any field whatsoever, the countries involved must have some common sense of purpose and see some potential mutual benefits in having such cooperation. Cooperation in military operations is usually underpinned by some common threat perception and an over-arching, higher level, strategic framework but these prerequisites are lacking in our part of the world at present. Hence much of the talk is about 'bottom up' measures including some relatively modest MCSBMs and more comprehensive dialogue and cooperation between regional navies on issues of common concern.

The MCSBMs which have been suggested for the Asia-Pacific region include a regional maritime surveillance and safety regime. This would be optimised for a spectrum of tasks including :

- . maritime or sea surveillance, including the compilation of a shipping plot of all vessels within the area of the regime at any time;
- . monitoring and controlling illegal activities, including drug smuggling, piracy, unauthorised population movement and unlicensed fishing;
- . *planning* for the naval control and protection of shipping transiting the area;
- . search and rescue (SAR) and marine safety;
- . monitoring and controlling marine pollution, and taking

remedial action as required;

generally sharing maritime information and intelligence, including programming data on naval ship movements and exercises.

Sea surveillance is the use of maritime assets to manage and control the area of sea under some degree of national sovereignty (eg, the full sovereignty of territorial and archipelagic waters and the limited sovereignty of the Exclusive Economic Zone (EEZ) and continental shelf regimes). It may be further defined as :

"The systematic observation of surface and sub-surface sea areas by all available and practicable means primarily for the purpose of locating, identifying and determining the movements of ships, submarines and other vehicles, friendly and enemy, proceeding on or under the surface of the world's seas and oceans."¹⁰

In Australia our sea surveillance system in peacetime is managed by an organisation known as Coastwatch which comes under the control of the Australian Customs Service. Coastwatch coordinates resources from the private sector (chartered aircraft), the Australian Defence Force (ADF), the Australian Customs Service (ACS) and a variety of other agencies such as state harbours and marine authorities and the Great Barrier Reef Marine Park Authority.

The following activities comprise the surveillance operations undertaken by Coastwatch :

visual and electronic monitoring of the 1100 islands between Karratha in Western Australia and Cairns in Queensland using chartered aircraft with an annual 10,000 flying hours;

- . 250 hours per annum of helicopter surveillance in the Torres Strait area;
- . patrols of the 200nm Australian Fishing Zone (AFZ) by RAAF P3C aircraft, primarily monitoring foreign fishing vessels operating in southern Australian waters and offshore islands (the P3Cs also contribute to drug interception operations);
- . patrols by RAN patrol boats for a programmed 1,800 boat days per annum for enforcement duties;
- . ad hoc use of the ocean-going vessels operated by the ACS; and
- . the flexible capacity to charter or hire additional assets whenever necessary.

The establishment of Coastwatch in 1988 significantly improved the command and control capability and overall effectiveness of the Australian sea surveillance system. At its headquarters in Canberra, Coastwatch maintains a comprehensive plot of all sightings made by the various reporting units. Coastwatch works closely with a separate organisation, the Maritime Rescue Coordination Centre (MRCC), also in Canberra and under the control of the Australian Maritime Safety Authority (AMSA).

As its name suggests, the MRCC is responsible for search and rescue operations in the Australian Ship Reporting Area (Figure 1). It coordinates the Australia Ship Reporting System (AUSREP) under which a merchant ship of any flag when entering or leaving Australian waters reports her position, course, speed and destination details. This information is up-dated every 24 hours. 95% of the ships in the area follow this practice although it is not compulsory.

In dealing with cooperation aspects of sea surveillance, it is useful to mention some other arrangements around the region¹¹. In Japan, the Japanese Maritime Safety Agency (MSA) is solely responsible for law enforcement and other activities such as surveillance, pollution control and SAR. A similar system to AUSREP was introduced in Japan in 1985 known as JASREP. Thailand does not have a central coordinating body to oversee surveillance. Malaysia has set up the National Maritime Enforcement Coordination Committee (NMEC) headed by a naval Commodore to coordinate the assets of various authorities. However, pollution control and SAR are the responsibility of the Marine Department. Singapore also has several organisations involved in the oversight of maritime activities. The Port of Singapore Authority plays a major role but SAR is the responsibility of the Marine Department with assets drawn from the military, PSA and Marine Police.

Potential Problems

Establishing a higher level of cooperation in the area of maritime surveillance and information exchange will not be easy. The range of activities listed above is very large and, at least in the first instance, countries are unlikely to subscribe to all of them. Planning for operations in time of conflict, and the actual conduct of such operations, require that there be an "enemy" to pose the threat. Since there are many sensitivities involved in going too far down the military threat path and identifying potential enemies, it may be preferable to restrict the concept to peacetime activities. Thus we could talk about a Regional Maritime Surveillance and Safety Regime to reflect the shift of emphasis. By emphasising peacetime safety considerations in this way, the confidence- and security-building benefits of any such regime would in no way be reduced.

There will be problems in dealing with activities which are

not covered by some commonality of interest. Illegal fishing and migration are two areas where there may be some divergence of interest. The whole question of delineating the area to be covered by the regime will also be difficult due to unresolved maritime boundaries and different views on aspects of the law of the sea. Countries will be sensitive to considerations that they may be yielding up information of intelligence interest or compromising their sovereignty over maritime areas.

The range of different arrangements adopted for maritime surveillance in different countries around the region suggests another potential problem. We are not just talking about a military problem but one which in many of our countries involves a number of civilian agencies. Although this may increase the bureaucratic difficulties involved in establishing cooperation, broadening the level of contact between countries is not necessarily a bad thing. It will help overcome the tendency to view maritime issues as either "military" or "civilian" responsibilities and thus be in line with the contemporary view that security should be defined broadly to encompass more than just military security and sovereignty.

Despite these difficulties, there are clear benefits to be gained in endeavouring to establish a regional surveillance and safety regime covering at least some of the activities identified above. In operational terms, it would markedly improve maritime surveillance of areas under some degree of sovereignty (including in the approaches to such areas), in a manner which is cost-effective, given that no regional country in the foreseeable future is likely to be able to afford such comprehensive surveillance on its own. Establishing and maintaining the regime would provide a good catalyst for dialogue between regional maritime forces.

The Western Pacific Naval Symposium (WPNS) is a possible forum

for taking the idea of cooperation further. This is the principal gathering of regional navies which meets biennially and has a theoretical membership comprised of the navies of the ASEAN states, China, Japan, South Korea, the US, Australia, New Zealand and Papua New Guinea. The first WPNS was held in Sydney in 1988, the second in Bangkok in 1990 and the third was hosted by the US in Hawaii late last year. The last meeting agreed that the next WPNS should be held in Malaysia in 1994.

The WPNS has already made a start with regard to information exchange. The Bangkok meeting agreed that a technical workshop should be held with representatives of regional navies to develop ideas about enhanced naval cooperation in relevant areas. Special mention was made of protection of shipping arrangements and the need for procedures which allow for the exchange of information on maritime activities of common concern. This WPNS workshop was eventually held in Sydney in July 1992. Intentionally the rank of representatives was kept to that of Captain or lower. An RAN Captain chaired the workshop and representatives attended from Japan, South Korea, the US, Thailand, Malaysia, Singapore, New Zealand and Papua New Guinea.

The workshop investigated ways in which information exchange might be improved. Noting that in each country represented, there exists several organisations with responsibilities for maritime surveillance and safety issues, the workshop identified the need for a digest, which listed organisations and contacts, to be available to participating navies as a means of furthering timely information exchange. Possible standard operating procedures for communication contacts between naval units were also explored and will be developed further at later workshops. These are small steps but at least they are steps in the right direction.

Conclusion

Marine safety has received much attention in recent years in most of our countries in view of the numbers of ship groundings and collisions which have occurred in the waters of the Western Pacific. With the consequential loss of life and risk of catastrophic damage to the marine environment, the pressure will mount, both domestically and internationally, for governments to take steps to prevent such disasters. The old adage certainly applies that "prevention is better than cure".

Cooperation in the areas of sea surveillance, marine safety and information exchange would make a major contribution to a peaceful and stable maritime regime in the region. Achieving this cooperation will not be easy and it could take a long time. However, the potential rewards are large.

In the broad strategic sense, this cooperation would be a clear demonstration of the preparedness of regional countries to act together to ensure the security of the region and to prevent threats arising. It might also contribute to fulfilling the perceived need to establish strong regional influence and control to avoid the notion that a strategic vacuum could develop following the drawdown of US forces in the region.

ENDNOTES

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8. The data in this paragraph is obtained from Robinson, Ross, 'The Changing Patterns of Commercial Shipping and Port Concentration in Asia' in Babbage, Ross and Bateman, Sam (eds), *Maritime Change : Issues for Asia*, St. Leonards, Allen and Unwin, 1993 forthcoming, pp. 69-88.
9. Parliament of the Commonwealth of Australia, *Ships of Shame - Inquiry into Ship Safety*, Report from the House of Representatives Standing Committee on Transport, Communications and Infrastructure, December 1992.
10. *Australian Joint Service Glossary*.
11. The information in this paragraph is drawn from papers presented at the WPNS workshop held in Sydney, July 1992.

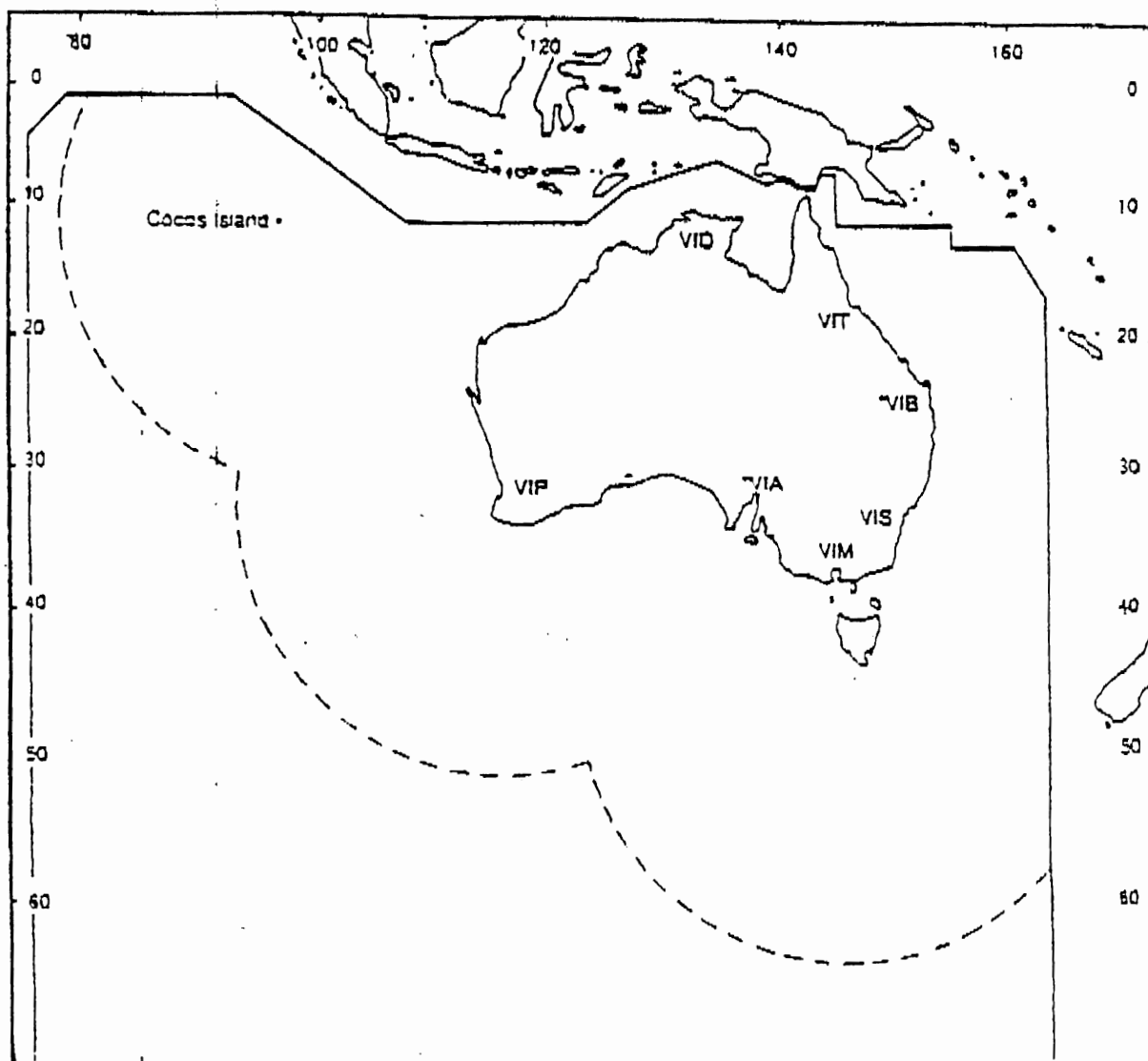
FIGURE 1 AUSTRALIAN SHIP REPORTING AREA

Co-ordinates of Australian SAR and AUSREP area are:

The coast of the Antarctic continent in longitude 75° E thence

6°00'S	75°00'E	9°37'S	141°02'E
2°00'S	78°00'E	9°08'S	143°53'E
2°00'S	92°00'E	9°24'S	144°13'E
12°00'S	107°00'E	12°00'S	144°00'E
12°00'S	123°20'E	12°00'S	155°00'E
9°20'S	126°50'E	14°00'S	155°00'E
7°00'S	135°00'E	14°00'S	161°00'E
9°50'S	139°40'E	17°40'S	163°00'E
9°50'S	141°00'E		

to the coast of the Antarctic continent in longitude 163°00'E



--- Denotes approximate radius of action for Australian based long range search aircraft

* Note: VIA and VIB* available only until 31 January 1993

AUSTRALIAN SHIP REPORTING (AUSREP) AREA

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

SEA SURVEILLANCE AND INFORMATION EXCHANGE

by

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Sea Surveillance and Information Exchange

William M. Carpenter
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We live in what is sometimes called The Information Age, meaning that the many and varied means of gathering and exchanging information are shrinking our planet towards a sphere in which every place is aware of what is going on in every other place, and in real time. This is both reassuring and troubling, but it is here.

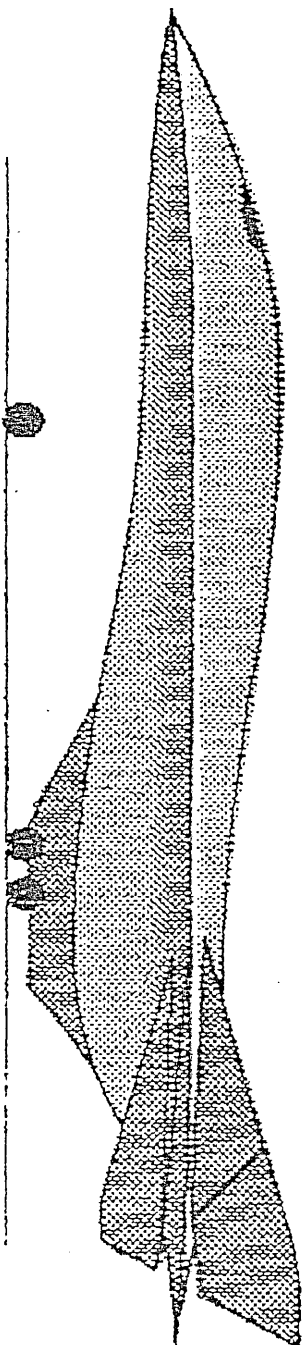
At the Seventh International SLOC conference in the Washington, D.C. area in 1990, Rear Admiral Roland Guibault, Deputy Director, Space Command and Control, Office of the Chief of U.S. Naval Operations, reminded us of two key concepts bearing on the future of national security: (1) the contest for information will dominate naval warfare and (2) surveillance on a global scope will be routine. As we move ever more deeply into the era in which the space below the surface of the oceans, the ocean surface itself and the space above the oceans are becoming an integrated whole, all the ways of obtaining instant knowledge of what transpires in these three spheres are becoming a closely-knit body of sophisticated functions. We have for some time become familiar with the acronym C³I, i.e. command, control, communications and intelligence. Before that we talked of C², command and control, but we knew that command involves the necessity for gathering and transmitting intelligence information, making it logical to expand the concept to C³I. In the future this takes on an even more comprehensive unity, encompassing surveillance, reconnaissance, intelligence, communications, navigation, targeting, and all this involving the kinds of electronic "weapons" that are available to

enhance our own exploitation of C³I or to deny it to the enemy. Electronic warfare (EW) is of ever-increasing importance in the global conflict environment of the future. In the recent Persian Gulf War we remember that a major allied objective from the start was to deny Saddam Hussein his own use of C³I and the strategy was highly successful. We had extensive knowledge about his forces and their movements but he had little awareness of ours. Hi-tech warfare is here to stay. (The newest acronym, which may come into use, is C⁴I, for command, control, communications, computers, and intelligence.)

A fascinating subject of speculation in America just now is whether the U.S. has a new super-secret spy plane. This is reconnaissance and surveillance gone hi-tech, with mystery. Bill Sweetman, a veteran writer on aviation, has written in London's *Jane's Defence Weekly* and in *The Washington Post* about alleged sightings of a dart-shaped airplane that is believed to travel at Mach 8 speed, thus being able to go anywhere in the world within three hours. London's *Sunday Telegraph* reported in a July 1992 article that "a mysterious, fast-moving shape in the sky has been scaring sheep in the Mull of Kintyre [Scotland] and rattling windows in Lost Angeles." The article alleges that this super-hypersonic aircraft visits an airfield in Scotland guarded by U.S. Navy SEALs, "before stealthily streaking back to America across the North Pole."¹ In southern California some U.S. Geological Survey scientists have speculated that earth rumblings there are caused by sonic booms from some unknown aircraft. There have been eight such booms in the last 18 months, all on Thursdays between 6 and 7 am.²

PLANE MYSTERY

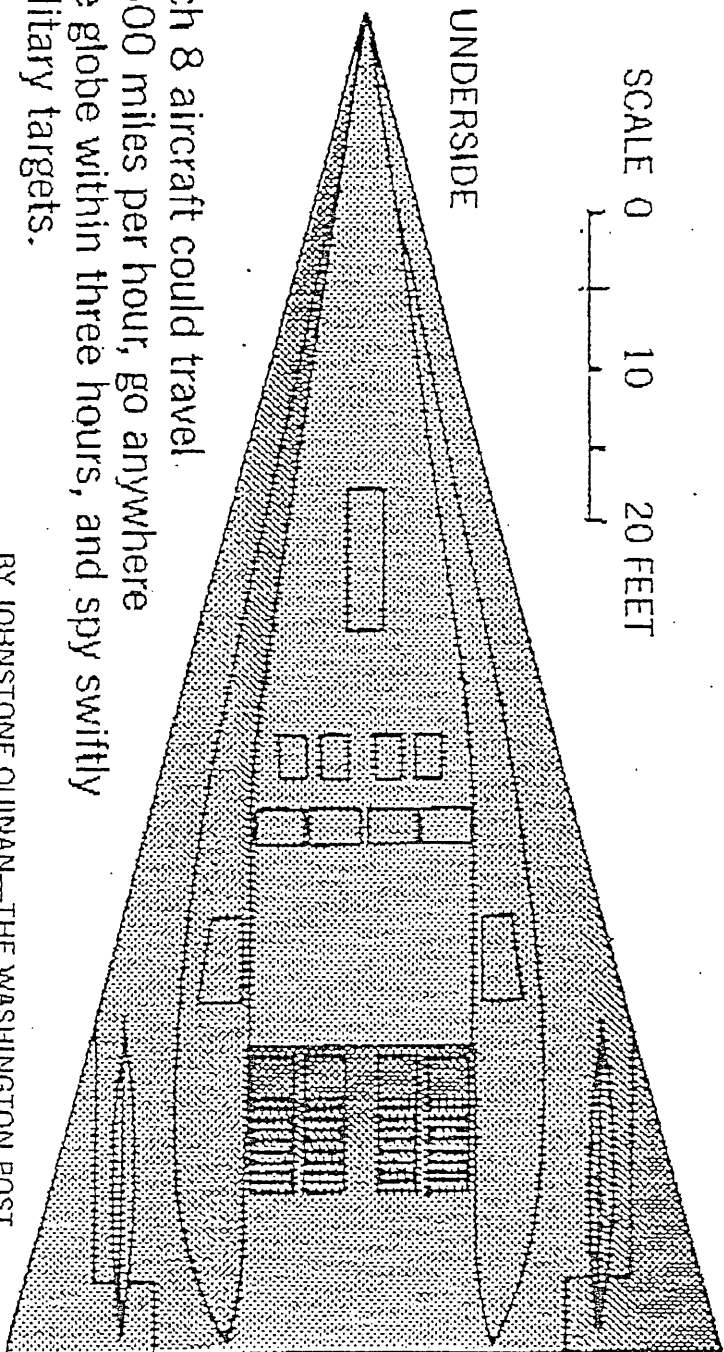
These sketches, based on sightings of an unidentified aircraft by an oil drilling engineer in Britain's North Sea and unclassified design drawings, were developed by aviation writer Bill Sweetman of Jane's Defence Weekly.



SCALE 0 10 20 FEET



VIEW OF UNDERSIDE



A Mach 8 aircraft could travel at 5,500 miles per hour, go anywhere on the globe within three hours, and spy swiftly on military targets.

BY JOHNSTONE QUINAN—THE WASHINGTON POST

What has made this speculation about the mystery plane seem warranted was the retirement by the U.S. Air Force of its SR-71 spy plane, which was the successor the U-2 (in which USAF pilot Gary Powers was shot down over the Soviet Union in 1960.). After 28 years of effective service, the SR-71 was retired in 1990, without any obvious replacement. Senator John Glenn thought that retirement of the SR-71 didn't make sense, but the Air Force told him that satellites are now more cost-effective. The Senator, who knows something about super-fast vehicles, believes that spy planes are far superior to satellites; they can get to a target more quickly, are highly maneuverable for performing specific reconnaissance mission, and cannot be predicted when they will be over a target, as can satellites in known orbits. When interviewed, Senator Glenn said, "The only way doing away with the '71 made sense was if you had a follow-on."³ The Air Force continues to deny the existence of a "mystery plane," and officials at Lockheed, where the SR-71 was made, have "referred questions about the matter to the Pentagon."⁴ Sweetman believes the plane is real. There was a code name "Aurora" inadvertently published in the 1985 Pentagon budget as a designation for a new spy plane to be so fast that no surface-to-air missile (SAM) could catch it. The name "Aurora" was dropped, but Sweetman believes the new plane, whatever its name, "was almost certainly created by the elite, tight-lipped engineers of the Lockheed Skunk Works, who built the U-2, the SR-71 and the F-117 Stealth Fighter. But even the Skunks couldn't make it invisible."⁵ Certainly, if there is such a plane, it pushes the frontier of surveillance much farther out than what we have known up to now.

Surveillance and SLOC Security

We have been meeting for more than a decade to consider how we may ensure the safe passage of ships at sea. For all of us represented here the sea lanes are of vital importance, both for economic survival and growth and for national security. Over the years the "threat" to these two areas of national interest has changed but the importance of the SLOCs remains. In our early conferences we gave considerable attention to the Cold War aspects of SLOC security. Now that the Cold War is over, we are beginning to focus on new kinds of hazards at sea, not involving the ideological confrontation between great powers but rather the lesser and much more unpredictable kinds of threats, such as piracy, terrorism or ultra-nationalist uprisings that were long suppressed by the pressures of the Cold War. What can sea surveillance and communications do to cope with these threats to SLOC security?

Even in the short span of years since our previous SLOC conference in 1990, there have been advances in the technology of surveillance and navigation of the oceans and space. Satellites of several nations are whirling around the globe in a variety of orbits tailored to the individual missions of each type of satellite. In navigation, every ship can have a continuous and highly accurate fix of its position through the satellites of the Global Positioning System (GPS). A navigator may still take starsights with a sextant, but the true daily reliance is on the electrons that bounce between his ship and the several satellites that his ship can "see" in the sky. At the same time that the ship is being "told" by the satellites where it is, it is also being "watched" by other satellites that report back

to their owners what they see. These "eyes in the sky" carry cameras, radar, television, infra-red or thermal detectors, and other sensors, some with a resolution accuracy of as little as two meters. Some fly in polar orbits, some in inclined orbits, some in geostationary in semi-geo-stationary orbits. They have many uses, military and civilian, and some can be "hired" to collect information. The French SPOT satellite, with a 10-meter resolution ability, is available, with pay, to report what it sees to customers varying from military organizations who want recurrent reports on a political enemy's installations, armed forces and their operations to a corporation seeking minerals to mine. The Russians will take orders for use their ALTAR satellite, which includes in its equipment, optics with a resolution accuracy of two meters. Satellite surveillance is best in daylight but with radar and IR sensors it is possible to see in the dark.

Thus ships at sea can be observed and with the precision of some satellites, even smaller craft can be detected. In some cases even the type of ship can be ascertained. But in the main, detection is one step, identification is another. It is here that other means of surveillance come into play. At some point visual or optical means must be used to identify what has been detected. Some satellites carry high-resolution cameras, and allowing for a time delay to receive the pictures on the ground, discrimination among ship types is possible. Visual observation by aircraft or ships is usually necessary for final confirmation of identity. Thus, Australia's Jindalee over-the-horizon (OTH) radar network is to be an integrated surveillance system, including the use of microwave radar, maritime patrol aircraft, submarines and surface ships, to bring together the capabilities for very

long range detection with the identifying (or attacking) capabilities of platforms and surveillance equipment of shorter ranges.

In today's world of ocean surveillance and reconnaissance we have some well-known and reliable vehicles. Probably the best-known maritime aircraft in the Pacific Ocean area is the Lockheed land-based P-3 in its successively improved models. Large enough to be an airborne command center, equipped with radars, sonobuoys, computers, communications and data links (with bases, ships, satellites and other aircraft), carrying weapons (torpedoes, depth bombs, rockets) and with the endurance to remain airborne about 15 hours, the P-3 is an excellent surveillance and ASW aircraft. The U.S. Navy plans to augment its P-3 fleet -- replacing some early models with a new ASW aircraft, the P-7, with double the payload, a smaller aircrew and double the P-3's range. Several nations fly P-3s, modified for their individual surveillance and ASW missions, and some of these nations will probably acquire versions of the new P-7.

At the local operational level, there are several useful surveillance platforms, among them, lighter-than-air airships (blimps), carrier-based aircraft, and helicopters launched from either carriers or surface ships. The airships was used effectively in World War II as a relatively inexpensive but highly effective surveillance and ASW platform; the airship was dropped from service in the post-war years, partly because of budget cuts and because the immediate threat of submarines to the sea lanes had disappeared. It may be coming into a second life; new materials and techniques of manufacture can provide

a cost-effective alternative to fixed-wing aircraft used for surveillance. The U.S. Navy and Air Force intend to purchase and deploy the Sentinel 5000 airship being built and tested by Westinghouse. The Navy and Air Force, in meeting their airborne early warning (ABW) missions, seek a platform for detecting sea- and air-launched low-flying stealth cruise missiles, and the large size and weight of the radar able to detect such missiles prevent its being mounted in a fixed-wing aircraft, except possibly one the size of a Boeing 747. The airship can carry such a large phased-array radar and at a lower cost than mounting it in a 747 type aircraft. The Navy plans to have one of this type of radar airship operate with each surface attack group in surveillance (AEW) and ASW roles. The Air Force would use it to augment its airborne early warning mission, a mission directed by the U.S. Department of Defense under the Air Defense Initiative (ADI). The Sentinel 5000 could remain on station for days rather than hours. The Navy version could carry sonobuoys, dipping sonars or towed-array sonar, ASW torpedoes and depth charges in addition to its powerful radar for surveillance. The operating cost of the airship is about one-fifth that of the land-based aircraft that would be required to perform equivalent missions. The airship's envelope, made of synthetic materials, is transparent to radar, as is the all-composite gondola. Being able to operate from unprepared sites, airships such as the Sentinel 5000 can be located near to their task areas.⁶

For many years the U.S. Navy has extended the surveillance radius of a carrier by using the airborne radar in the carrier-borne E-2C "Hawkeye" aircraft. Flying at 30,000 feet, the radar in the large radome of the Hawkeye can detect aircraft or ships in a three

million cubic mile surveillance envelope and the aircraft can remain airborne up to six hours. Its primary mission is AEW but it is also a valuable asset for surface surveillance. After useful service for some twenty years, the Hawkeye is nearing the end of its service life, and with the coming budget restraints and a new order of priorities for naval procurement, its replacement by an upgraded aircraft with a similar mission is in doubt. The situation has created a possible bit of interservice rivalry, in that U.S. naval aviators fear that the Hawkeye's mission may be taken over by the Air Force, whose airborne early warning (AWACS) flying command centers would be directed to provide all early warning requirements for ships at sea. In the 1990-91 Persian Gulf War, the Navy's Hawkeyes were used in a joint effort with the AWACS; the larger size and greater range of capabilities of the AWACS made the latter the dominant performer. One E-2C pilot observed in retrospect, "during the war we were trying to fly with Air Force airborne early warning (AWACS), but they weren't trying to fly with us."⁷

The Navy-Air Force rivalry aside, the bigger Boeing E-3 Sentry (Airborne Warning and Control System) is a well-recognized hi-tech performer in airborne C³I. It can fly high or low, detecting targets in the air or on the surface, in all kinds of weather, and with the sophisticated electronics and computers that enable it to be a highly capable command center for controlling the air battles within its sphere of detection. A major objective in creating the AWACS was to be able to detect low-flying aircraft that might be missed by ground-based radar. The E-3 can stay aloft 11 hours on its own fuel tanks, and much longer with in-flight refueling, thus making possible extended surveillance of ocean areas.

The original E-3 was designed primarily for detection of aircraft, but NATO's Defense Planning Council established a NATO procurement requirement that the airborne system be modified to include a maritime surveillance capability. Besides the AEW use over North America, the United States, under the commands of CINCLANT and CINCPAC, operates AWACS in Europe, the Middle East and Asia. Several European nations have bought and operate their own AWACS, but so far in the Pacific, only the U.S. has employed them.

Communications

The results of surveillance must be communicated to be of final value, within nations and among allies. Similarly to the hi-tech advances in surveillance capabilities, the means of communication have become highly sophisticated. A hi-tech addition to the command and surveillance structure is the Worldwide Airborne Command Post System; it not only receives surveillance information from maritime patrol aircraft but can exchange data with fighter aircraft, airborne early warning aircraft, surface ships, submarines, satellites, various command centers and even commercial broadcast networks. This aircraft is equipped to be an alternative command and control headquarters of the national command authority (NCA) in the event that ground-based communications are destroyed. It is a combined "flying White House and flying Pentagon," able to remain airborne for 12 hours, or up to 72 hours with in-flight-refueling. Up to 94 crew members man this flying headquarters, able to be in touch with nearly anyplace in the world from which information is desired or to which commands should be sent.⁸

Satellites are both instruments of surveillance and of communication. The scope is global. The inauguration of President Bill Clinton was seen live around the world by television images relayed by satellite. Just in my lifetime I have seen the progress from the first American presidential inauguration to be broadcast by radio (Calvin Coolidge in 1925) to today's global transmission of visual images of the U.S. President. It continues to amaze me that I can feed a piece of paper in a little box at the end of the corridor outside my office and have know that an exact copy of that piece of paper is simultaneously coming out of a little box on the other side of the world. The facsimile machine has become so ubiquitous that laws are now being passed in the U.S. making it illegal to send an advertisement by fax to someone who doesn't want to receive it.

In terms of SLOC security, interoperability is the operative word regarding communications for international cooperation. Advances in interoperability come from advances in communications and the will of nations to join in a common cause of making the sea lanes safe. As we who are interested in SLOC security know, interoperability has been a live and growing program in the Pacific Ocean area for some time. As Rear Admiral Guilbault reviewed for us in 1990, beginning specifically in 1985, the U.S. Commander-in-Chief Pacific (USCINCPAC) started the U.S. Pacific Command Combined Interoperability Program (CIP). Through bilateral agreements between the U.S. and Pacific Rim nations naval forces take up mutually compatible communications and data links, to facilitate the exchange and routing of information, to the commanders who need it and with the least delay in transmission. The 1990-91 Gulf War and earlier periods

when several national navies operated together in the Persian Gulf demonstrated the importance of interoperability. The area commander established data links that involved the individual national naval commanders who needed to be kept continuously aware of the overall tactical situation, minimizing "friendly fire" incidents and providing for target assignments to individual units present.

The design of equipment and the signing of agreements on interoperability are essential first steps, but it is practice that makes interoperability become real. Bilateral and multilateral exercises have become regular events in the Pacific, for example the annual Rim of the Pacific (RIMPAC) multilateral exercise involving the forces of the U.S., Japan, ^{Australia} Canada and sometimes others. With the probable future reduction in the number of U.S. naval and air forces to be regularly deployed in the Western Pacific, it becomes even more important that these bilateral and multilateral exercises continue. There will be much talk about burden-sharing and this can only mean that the naval and air forces of the regional nations will be bearing a relatively larger share of preserving sea lane security. No one nation can carry the burden alone, so that interoperability will be the norm of the future.

In sum, the means of surveillance and effective communications are available, and with the advances in technology that we have come to expect, the capabilities for these two vital functions will become better and better. If we have the means; the big questions will become: (1) can we all agree to cooperate to apply them against the most serious

threats to SLOC security; and (2) can we, and are we willing to, afford the costs?

Over the decade of our conferences on SLOC security, the threats have changed. In the early sessions, we saw the threats to ships at sea as serious but at the same time not imminent on any given day. Now we see that the nations of the former Soviet Union (FSU) have many problems in their new existence; they do not appear to have valid reasons for attacking the SLOCs. The few remaining holdouts for communism also have many problems at home; neither do these nations appear to be motivated to attack the SLOCs, although the confidence here is somewhat less than in the FSU.

What is real and imminent and actually happening day by day is the threat to the SLOCs by terrorists and pirates. A typical comment is stated in a letter to ship owners from the Director of the Hong Kong Ship Owners Association, Ltd., Mr. M.S.N. Farlie: "The frequency of piracy attacks against merchant shipping in South East Asian waters continues to increase. In my opinion it is inevitable that the situation will deteriorate in the absence of any extremely large scale and determined counter measures."⁹ Without going into the details of Mr. Farlie's description of what he regards as a serious problem, we may note a specific action he reports, the setting up of a Regional Piracy Centre for the shipping industry, the initial location in Kuala Lumpur. He calls for funds to support the Centre. He says to the shipowners that "while the Association will continue to press for diplomatic action, you are urged to consider how the industry might best assist itself in the meantime."¹⁰ Ships are especially vulnerable as they transit and exit eastbound

from the Strait of Malacca. In July 1992, the Singapore National Shipping Association reported 21 incidents of piracy in the first six months of 1992.¹¹

Much more could be said about piracy and terrorism at sea, but the point to be made here is that if industry and government can come together to cope with this new type of threat to SLOC security, sea surveillance and communications will be essential elements of the solution. As described above in this paper, modern technology has given us the means for effective surveillance and rapid communications. The question then becomes one of having the will to act and the mutual agreement to provide the equipment, the people and the funds to make the action possible. Our international search and rescue (SAR) organization and record of cooperation, for example, could provide us with an approach to the piracy and terrorism menace. SAR procedures -- in being and as will be made better with new technologies -- involve triggering a radio transmitter on a ship in danger; the message is received by way of satellites at a SAR center and rescue assistance -- aircraft and/or ships -- is sent on its way. With modern navigation equipment, the precise position of each ship can be known, and can be transmitted in the distress message. If SAR procedures were expanded or modified for a piracy situation, an emergency message could go out, unknown to the pirates, and help could be on the way. Surveillance information could augment and verify the situation - intense and accurate surveillance coverage could possibly identify the pirate before he attacks. In a situation such as actually took place in the South China Sea on 15 April 1991, the merchant vessel Hai Hui I was boarded by pirates off Vietnam. The captain and

the 13 crew members were handcuffed and padlocked in a chain locker, where they remained for four days while another vessel came alongside and took off 400 tons of electronic goods. Had an automatic distress signal been triggered as the pirates boarded, the thieves could have been caught in their act of piracy.

Granted that there are many and varied locations and types of piracy being committed today -- in increasing numbers of incidents -- and granted that there is no neat solution to fit them all, much thought and international attention needs to be applied to the challenge of whether we shall apply the means of sea surveillance and communications that we know are at hand. It is reassuring to all of us concerned about SLOC security that the nations of East and Southeast Asia are improving their surveillance capabilities -- specifically for airborne early warning (AEW), but this capability can in most cases also be applied in surface surveillance. At least 10 nations, from Japan and Korea in the north to Australia and New Zealand in the south, have acquired, and continue to augment by new procurement, AEW capabilities. Surveillance capabilities by surface ships are also improving. We have the means; do we have the will?

1. Quoted in *The Washington Post* (12 December 1992), p.A-12.

2. Ibid.

3. Ibid.

4. Ibid.

5. *The Washington Post* (13 December 1992), p. C-1.

6. *Jane's Defence Weekly* (12 January 1991), p. 51.

7. See Commander Philip S. Pritulsky, "Press Release from Hell," *U.S. Naval Institute Proceedings* (July 1992), p. 51.
8. *Jane's C³I Systems, 1991-92* (London 1991), p. 99.
9. M.S.N. Farlie, Letter TO ALL MEMBERS, THE HONG KONG SHIPOWNERS ASSOCIATION, LTD. (Hong Kong, 2 July 1992).
10. Ibid.
11. *Far Eastern Economic Review* (2 July 1992) p. 14.

**Eighth International Conference
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Nusa Dua Beach Hotel, Bali
January 24-27, 1993

THE LAW OF THE SEA UPDATE

by

Park Choon-ho

**The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)**

The Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)
Nusa Dua Beach Hotel, Bali
January 24-27, 1993

The Law of the Sea Update
-The Current Status of the 1982 UN Convention on the Law of the Sea-

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I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Chronological order of ratifications of, and accessions to,
the Convention, giving each State's regional group 1/

<u>Date</u>	<u>State</u>	<u>Per cent assessment*</u> (1989)
1. 10 December 1982	Fiji	0.01
2. 7 March 1983	Zambia	0.01
3. 18 March 1983	Mexico	0.94
4. 21 March 1983	Jamaica	0.01
5. 18 April 1983	Namibia	
6. 7 June 1983	Ghana	0.01
7. 29 July 1983	Bahamas	0.02
8. 13 August 1983	Belize	0.01
9. 26 August 1983	Egypt	0.07
10. 26 March 1984	Côte d'Ivoire	0.02
11. 8 May 1984	Philippines	0.09
12. 22 May 1984	Gambia	0.01
13. 15 August 1984	Cuba	0.09
14. 25 October 1984	Senegal	0.01
15. 23 January 1985	Sudan	0.01
16. 27 March 1985	Saint Lucia	0.01
17. 16 April 1985	Togo	0.01
18. 24 April 1985	Tunisia	0.03
19. 30 May 1985	Bahrain	0.02
20. 21 June 1985	Iceland	0.03
21. 16 July 1985	Mali	0.01
22. 30 July 1985	Iraq	0.12
23. 6 September 1985	Guinea	0.01
24. 30 September 1985	United Republic of Tanzania	0.01
25. 19 November 1985	Cameroon	
26. 3 February 1986	Indonesia	0.15
27. 25 April 1986	Trinidad and Tobago	0.05
28. 2 May 1986	Kuwait	0.29
29. 5 May 1986	Yugoslavia	0.46
30. 14 August 1986	Nigeria	0.20
31. 25 August 1986	Guinea-Bissau	0.01
32. 26 September 1986	Paraguay	0.03
33. 21 July 1987	Yemen	0.01
34. 10 August 1987	Cape Verde	0.01
35. 3 November 1987	Sao Tome and Principe	0.01
36. 12 December 1988	Cyprus	0.02
37. 22 December 1988	Brazil	1.45
38. 2 February 1989	Antigua and Barbuda	0.01
39. 17 February 1989	Zaire	0.01
40. 2 March 1989	Kenya	0.01

- 2 -

<u>Date</u>	<u>State</u>	<u>Per cent assessment*</u>
41. 24 July 1989	Somalia	0.01
42. 17 August 1989	Oman	0.02
43. 2 May 1990	Botswana	
44. 9 November 1990	Uganda	
45. 5 December 1990	Angola	
46. 25 April 1991	Grenada	
47. 29 April 1991	*Micronesia (Federated States of)	
48. 9 August 1991	*Marshall Islands	
49. 16 September 1991	Seychelles	
50. 8 October 1991	Djibouti	
51. 24 October 1991	Dominica	

Source: Law of the Sea Bulletin, No. 21, Aug. 1992, Division for Ocean Affairs and the Law of the Sea, United Nations.

Two(2) more states have ratified the Convention, namely Costa Rica and Uruguay. Malta is reported to have completed its domestic procedures for ratification, but the instrument has yet to be deposited at the United Nations.

The Convention requires six(6) more ratifications to come into force twelve(12) months after the 60th ratification.

1/ States which have acceded to the Convention are indicated by an asterisk (*).

April 30, 1982

Y N A		Y N A		Y N A	
Y	Afghanistan	Y	Chile	Y	Germany, F.R.
Y	Albania	Y	China	Y	Ghana
Y	Algeria	Y	Colombia	Y	Greece
Y	Angola		Comoros	Y	Grenada
	Antigua/Barbuda	Y	Congo	Y	Guatemala
Y	Argentina	Y	Costa Rica	Y	Guinea
Y	Australia	Y	Cuba	Y	Guinea-Bissau
Y	Austria	Y	Cyprus	Y	Guyana
Y	Bahamas	A	Czechoslovakia	Y	Haiti
Y	Bahrain	Y	Dem.Kampuchea	Y	Honduras
Y	Bangladesh	Y	Dem. Yemen	A	Hungary
Y	Barbados	Y	Denmark	Y	Iceland
A	Belgium	Y	Djibouti	Y	India
	Belize		Dominica	Y	Indonesia
Y	Benin	Y	Dominican Rep.	Y	Iran
Y	Bhutan		Ecuador	Y	Iraq
Y	Bolivia	Y	Egypt	Y	Ireland
Y	Botswana	Y	El Salvador	N	Israel
Y	Brazil		Equat.Guinea	A	Italy
A	Bulgaria	Y	Ethiopia	Y	Ivory Coast
Y	Burma	Y	Fiji	Y	Jamaica
Y	Burundi	Y	Finland	Y	Japan
A	Byelorussian SSR	Y	France	Y	Jordan
Y	Canada	Y	Gabon	Y	Kenya
Y	Cape Verde		Gambia	Y	Kuwait
Y	Centr.Afric.Rep.	A	German D.R.	Y	Lao P.D.R.
Y	Chad				
Y	DPR Korea		Holy See		Kiribati
	Nauru	Y	Rep. of Korea	Y	San Marino
	Lebanon	Y	Panama	Y	Swaziland
	Lesotho	Y	Papua N Guinea	Y	Sweden
	Liberia	Y	Paraguay	Y	Syrian A.R.
	Libyan A.J.	Y	Peru	A	Thailand
A	Luxembourg	Y	Philippines	Y	Togo
	Madagascar	A	Poland	Y	Trinidad-Tobago
	Malawi	Y	Portugal	Y	Tunisia
	Malaysia	Y	Qatar	N	Turkey
	Maldives	Y	Romania	Y	Uganda
	Mali	Y	Rwanda	A	Ukrainian SSR
	Malta	Y	Saint Lucia	A	U.S.S.R.
	Mauritania	Y	St. Vincent-Gren.	Y	U.A. Emirates
	Mauritius	Y	Samoa	A	United Kingdom
	Mexico	Y	Sao Tome/Principe	Y	U.R. Cameroon
A	Mongolia	Y	Saudi Arabia	Y	U.R. Tanzania
	Morocco	Y	Senegal	N	United States
	Mozambique	Y	Seychelles	Y	Upper Volta
	Nepal	Y	Sierra Leone	Y	Uruguay
A	Netherlands	Y	Singapore		Vanuatu
	New Zealand		Solomon Islands	N	Venezuela
	Nicaragua	Y	Somalia	Y	Viet Nam
	Niger		South Africa	Y	Yemen
	Nigeria	A	Spain	Y	Yugoslavia
	Norway	Y	Sri Lanka	Y	Zaire
	Oman	Y	Sudan	Y	Zambia
	Pakistan	Y	Suriname	Y	Zimbabwe
	Liechtenstein	Y	Monaco	Y	Namibia
	Switzerland		Tonga		Tuvalu

17 ABSTAIN

SIGNATORIES OF THE CONVENTION

as at 10 December 1982, when the Convention was opened for signature
at Montego Bay, Jamaica

Algeria	Egypt	Malta	Sierra Leone
Angola	Ethiopia	Mauritania	Singapore
Australia	Fiji*	Mauritius	Solomon Islands
Austria	Finland	Mexico	Somalia
Bahamas	France	Monaco	Sri Lanka
Bahrain	Gabon	Mongolia	Sudan
Bangladesh	Gambia	Morocco	Suriname
Barbados	German Democratic Republic	Mozambique	Sweden
Belize	Ghana	Namibia (United Nations Council for Namibia)	Thailand
Bhutan	Greece	Nauru	Togo
Brazil	Grenada	Nepal	Trinidad and Tobago
Burma	Guinea-Bissau	Netherlands	Tunisia
Burundi	Guyana	New Zealand	Tuvalu
Byelorussian SSR	Haiti	Niger	Uganda
Canada	Honduras	Nigeria	Ukrainian SSR
Cape Verde	Hungary	Norway	USSR
Chad	Iceland	Pakistan	United Arab Emirates
Chile	India	Panama	United Republic of Cameroon
China	Indonesia	Papua New Guinea	United Republic of Tanzania
Colombia	Iran	Paraguay	Upper Volta
Congo	Iraq	Philippines	Uruguay
Cook Islands	Ireland	Poland	Vanuatu
Costa Rica	Ivory Coast	Portugal	Viet Nam
Cuba	Jamaica	Romania	Yemen
Cyprus	Kenya	Rwanda	Yugoslavia
Czechoslovakia	Kuwait	Saint Lucia	Zambia
Democratic People's Republic of Korea	Lao People's Democratic Republic	Saint Vincent and the Grenadines	Zimbabwe
Democratic Yemen	Lesotho	Senegal	
Denmark	Liberia	Seychelles	
Djibouti	Malaysia		
Dominican Republic	Maldives		

SIGNATORIES OF THE FINAL ACT

The Final Act was signed by all 119 delegations which signed the Convention, as well as by the following:

Full participants

Belgium	Holy See	Luxembourg	United Kingdom of Great Britain and Northern Ireland
Benin	Israel	Oman	
Botswana	Italy	Peru	
Ecuador	Japan	Republic of Korea	
Equatorial Guinea	Jordan	Samoa	
Federal Republic of Germany	Libyan Arab Jamahirliya	Spain	
		Switzerland	

States and territories with observer status

Netherlands Antilles
Trust Territory of the Pacific Islands

Intergovernmental organization
European Economic Community

National liberation movements

African National Congress of South Africa Pan Africanist Congress of Azania
Palestine Liberation Organization South West Africa People's Organization

* Fiji deposited its Instrument of ratification of the Convention on 10 December 1982.

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A PROPOSAL IN THE INTERNATIONAL SEMINAR ON SLOC

by

Abdul Hakim

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

A PROPOSAL IN THE INTERNATIONAL SEMINAR ON SLOC IN BALI
BY REAR ADMIRAL ABDUL HAKIM

Mr. Chairman,
Ladies and Gentlemen,

It is my pleasure to be able to participate in the international seminar in Bali. May the seminar be a success. In connection with the aim of the seminar I would like to bring up a topic :

Establishing the Indonesian Archipelagic Sea Lanes Passage as a part of the implementation of the UNCLOS 1982.

Ladies and Gentlemen,

For an archipelagic country like Indonesia, the use of the sea has a prominent role for the defence and security, and is used as a means of uniting it's territory and nation. Without being able to control the waters between the islands which by nature an extention of the continent will be vulnerable for the existance and the development of the country.

Taking into consideration the prosperity and security interests of the nation, the Indonesian has an aspiration to include the archipelagic waters of Indonesia together the islands there in as the territory of the Republic of Indonesia . The aspiration defined as archipelagic concept was then announced through the 13 th December 1957 Juanda Declaration. The concept was confirmed as the national positive law by placing it in the State Law no.4, 1960.

It is for sure that to raise the concept to be accepted by the international community, a struggle through various international forum is needed.

Ladies and Gentlemen,

The Third United Nations Conference On The Law Of The Sea in Montego Bay, Jamaica on December 10, 1982 has produced a new convention on the law of the sea. The convention, recognized as the 1982 United Nations Convention On The Law Of The Sea (UNCLOS). By now it has been ratified by 48 countries. Indonesia ratified the UNCLOS 1982 through the State Law no.17/1985. For the Indonesian the convention has been very significant since it recognized the archipelagic state concept of Indonesia, the one that the Indonesian has been striving for a long time.

But the convention also called for Indonesia to accomodate the interests of the international navigation through the territorial waters of Indonesia as stipulated in the UNCLOS 1982. In other words, all ships and aircraft of every state in the world enjoy the right of navigation and aviation through and over the Indonesian waters as established by Indonesia.

According to ^{the} ~~be~~ convention there are three rights of passage for foreign ships through the Indonesian waters :

- 1) Right of transit passage through Malaka Strait used for international navigation.
- 2) Right of innocent passage through the Indonesian archipelagic waters.
- 3) Right of archipelagic sea lanes passage for continuous and unobstructed international traffic passing through the Indonesian archipelagic waters.

The right of passage shall be well managed to minimize the use of the passage, but still accomodate the international interests. Criteria used to establish innocent and archipelagic sea lanes passages are :

- 1) Defence and security of the state.
- 2) Safety of navigation.
- 3) Pollution of marine environment.

4) Economical navigation routes.

In this proposal I would like to suggest the discussion focussing on Archipelagic Sea Lanes Passage. By using these criteria we hope to minimize the number of sea lanes used for innocent passage as well as for archipelagic sea lanes passage. Up to now the international navigation passing through the Indonesian waters usually use routes normally used for international navigation. I'll give you an idea what is meant by "routes normally used for international navigation" according to the British Admiralty and according to the United States. In these pictures you can see how many sea lanes crossing through the Indonesian waters that may be used by the international navigation unless they are defined.

Taking into consideration the security interest, the sovereignty and the living environment it is considered necessary to define routes normally used by the international navigation. The criteria used to define the routes besides the criteria mentioned above, safety of navigation and economical navigation route are used. The routes then shall provide archipelagic sea lanes passages.

Taking into account only the safety of navigation, the international navigation can use 11 sea lanes in the archipelagic waters of Indonesia as follows :

a. Archipelagic Sea Lane-1 (A.S.L-1) : Sunda Strait, the Jawa Sea - Karimata Strait - the South China Sea, at the length of 615 nautical miles connecting the Indian Ocean and the South China Sea. In that lane, the South Sunda Strait is deep, the South Karimata Strait is narrow and there are many shallows and reef, and less navigation signals. There are many oil drillings, very dangerous for navigation.

b. A.S.L-2 : Lombok Strait, Makasar Strait - the South Sulawesi Sea, at the length of 660 nautical miles, connecting the Indian Ocean, the Philippines waters and the Pacific Ocean. The sea is adequate for big ships. There is an inlet, 10 nautical miles breadth in Lombok Strait. Many islets, inlets and shallows are found in Makasar Strait. Appropriate

navigation signals are needed.

- c. A.S.L-3 : Malaka Strait, Singapore Strait, at the length of 480 nautical miles connecting the Indian Ocean and the South China Sea. Many crooks, inlets and reefs are found in the southern part. Very difficult for big ships to pass through although good navigation signals are provided. Since the use of this sea lane is defined separately, it won't be discussed in this part.
- d. A.S.L-4 : Sunda Strait - the Jawa Sea - Makasar Strait - the Sulawesi Sea, at the length of 1200 nautical miles, connecting the Indian Ocean and the Pacific Ocean. Many shallows are found in that lane, especially in the waters of the South Makasar Strait and of the North Sunda Strait. It is not favorable for big ships.
- e. A.S.L-5 : Lombok Strait - the Jawa Sea - Kalimantan Strait - the South China Sea, at the length of 1050 nautical miles, connecting West Australia and Singapore. The waters is not very deep but it suffices ships of 5000 tonnages or less to manœuvre.
- f. A.S.L-6 : The Timor Sea (the South of Tanimbar Island) - the Arafura Sea - the Banda Sea - the Seram Sea - the East Halmahera Sea - the Pacific Ocean - at the length of + 840 nautical miles, connecting West Australian waters and the Pacific Ocean. The waters in Halmahera vicinity is shallow, many reefs and islets are found, and no sufficient navigation signals.
- g. A.S.L-7 : The Timor Sea - Leti Strait - the Banda Sea - the West Buru Island waters - the East Mangoli Island waters - Talaud waters, at the length of 840 nautical miles connecting the Indian Ocean and the Pacific Ocean. The waters in that lane is deep, ships of all tonnages including super-tankers can pass through.
- h. A.S.L-8 : The Arafura Sea - the East Seram Sea - the East Halmahera Sea - the Pacific Ocean at the length of 485 nautical miles, connecting navigation route from New Zealand and East Australia with East Asia. Many shallows, reefs

and islets are found. No sufficient navigation signals are provided.

j. A.S.L-9 : The Arafura Sea-the Banda Sea-the Maluku Sea-the Pacific Ocean at the length of 1080 nautical miles, connecting East Australia and New Zealand with the Pacific Ocean through Torres Strait. Ships of all tonnages including super tankers can pass through.

h. A.S.L-10 : The Sawu Sea-Ombai Strait-the Banda Sea-the Seram Sea (east of Mangoli Island)-the Maluku Sea-the Philippines waters, at the length of 1080 nautical miles, connecting the Philippines and Japan. That lane is deep and easy for big ships to navigate.

l. A.S.L-11 : Wetar Strait-the Flores Sea-the Bali Sea-the Jawa Sea Karimata Strait-the South China Sea, at the length of 1650 nautical miles, connecting East Australia and New Zealand with Singapore and the littoral states of the South China Sea. That lane is not appropriate for big ships since there are many shallows, reefs and inlets.

By using the standard criteria : the length of the lane, security, safety of navigation, the negative impact to the national resilience of the Indonesian, Indonesia has decided to determine the following Indonesian archipelagic sea lanes passage :

a. Indonesian Archipelagic Sea Lane (IASL)-Sunda Strait-the Jawa Sea-Karimata Strait-the Natuna Sea-the South China Sea. That lane is to provide international navigation in the Indian Ocean especially from Australia to the South China Sea and to Singapore or vice versa. By designating that Sea Lane, demand of navigation passing along the Jawa Sea from Lombok Strait or Karimata Strait can be eluded. The waters in the south Karimata is shallow. Many shallows and reefs are found so it is not favourable for big ships of 18 m draft or more especially super tanker to pass through. It is advisable for super tankers not to use that lane as for the safety of navigation and to avoid marine pollution if an accident occurs. Nuclear powered ships and ships carrying nuclear or other dangerous materials can use that lane under certain conditions.

b. I.A.S.L Lombok Strait-Makasar Strait-the Sulawesi Sea That lane is good for big ships although there is an inlet in Lombok Strait and there are many shallows and islets in Makasar Strait. With appropriate navigation signals this lane is safe for navigation.

c. I.A.S.L. the Sawu Sea-Ombai Strait-the Banda Sea or the Timor Sea-Leti Strait-the Banda Sea and or the Arafura Sea-the Banda Sea extended to the west of Buru Island-the East of Mangoli Island-the Maluku Sea-the Talaud waters. That lane is deep and safe for big ships. It is advisable for super tankers to use the branch sea lane the Timor Sea-Leti Strait-the Banda Sea, because it is safer than the branch sea lane Sawu Sea-Ombai Strait-the Banda Sea.

The farmost east branch sea lane : the Arafuru Sea-the Banda Sea is provided for navigation traffics from East Australia and New Zealand, It is to avoid navigation passing through the Irian Jaya waters..

Ladies and Gentlemen,

In general, the use of the Indonesian Archipelagic Sea Lanes Passage is subject to article 52 of the UNCLOS 1982. Subject to article no. 22 UNCLOS any coastal state may, where necessary having regard to the safety of navigation, require foreign ships passing through its territorial sea to use the sea lane as it may designate or prescribe for the passage of ships. Tankers, nuclear powered ships and ships carrying nuclear or other dangerous materials may be required to confine their passage to such sea lanes.

Based on that point of view, the use of the Indonesian archipelagic sea lanes passage is determined as follows :

a. Super tankers may only use the IASL - Lombok Strait - Makasar Strait - the Sulawesi Sea and IASL passing through the eastern part of Indonesia.

b. Nuclear powered ships and ships carrying nuclear or other dangerous materials may use all of the IASL under

certain conditions.

c. Other foreign ships may use the IASL as designate for the passage of ships expect for ships having draft of 18 meters or above.

Having regard to the safety of navigation, ships having draft above 18 meters may only use the IASL passing through Lombok Strait - Makasar Strait and the waters in the eastern part of Indonesia. The choice of the IASL was a contribution of a seminar hold by the Indonesian Navy, participated by experts in maritime field and experts of various fields of science, the product of which then submitted to the Indonesian government as a proposal. The choice of the three IASL was fully in conformity with the UNCLOS 1982 by taking into consideration the international regulations as normally applied and accepted such as regulations concerning normal route, living environment, natural resources, safety and security of navigation.

Indonesia is fully aware that to improve the use of the IASL in the future, international cooperation as stipulated in article no.43 of the UNCLOS is needed. Besides, it is very important to improve personnel capabilities and hydrographic facilities, through better international cooperation to establish national maritime centres as stipulated in article no.275 of the UNCLOS 1982.

We hope that this International Seminar on SLOC will promote international cooperation and will contribute much to the people.

Thank you.

THE ADDITIONAL OF ABDUL HAKIM SPEECH

Indonesia's Role in Safeguarding SLOC.

As a responsible, independent nation -- that, geographically can never seriously contemplate a "closed country" policy -- Indonesia is perception of her role in safeguarding SLOC in her archipelagic waters should be done within the framework of her national concepts of the archipelagic outlook and national resilience. Likewise the security of SLOC in ASEAN waters should be based the concept of ASEAN regional resilience.

However Indonesia realizes that her national resilience, that is a sine qua non to property carry out her task in safeguarding SLOC in her archipelagic and ASEAN waters, is still far from perfect. Hence, cooperation and assistance -- primarily in economic cooperation -- to strengthen her national resilience, will be welcomed. Indonesia is facing, for the present and the near future, the task of stepping up her ability for the safeguarding of SLOC that is also in her own national interest. Some of these activities, are :

- a. maintenance of safety of navigation of the straits that are used for international passage;
- b. carry out surveys to update existing maps of above-mentioned straits;
- c. upgrading her personnel in order to be able to carry out the maintenance and safeguarding of the above-mentioned straits; carry out joint exercises with our neighbors and/or friendly countries to safeguard SLOC in our common interests;
- d. acquire the necessary equipment (like patrol craft, communications and navigation equipment, radar, etc.) within the limits of our budget, etc.

Some activities that we are actively contemplating or have already started with our neighbors and friendly countries are :

- a. assistance and cooperation in the education and training of Indonesia's personnel so as to enable them to better perform their tasks of maintenance and safeguarding the straits used for international passage;
- b. joint exercises that will familiarize our personnel with their counterparts and their systems that is a sine qua non for smooth cooperation and actions whenever necessary to guard our common interest;
- c. assistance and cooperation in carrying out surveys and other activities to update maps of the existing straits so as to guarantee the safe navigation of passage;
- d. assist Indonesia in acquiring the necessary modern equipment that is necessary to safeguard safe navigation.

Some of above-mentioned activities have already started on a limited scale, but have to be stepped up and intensified if we want Indonesia to be able to perform her task better in the shortest possible time.

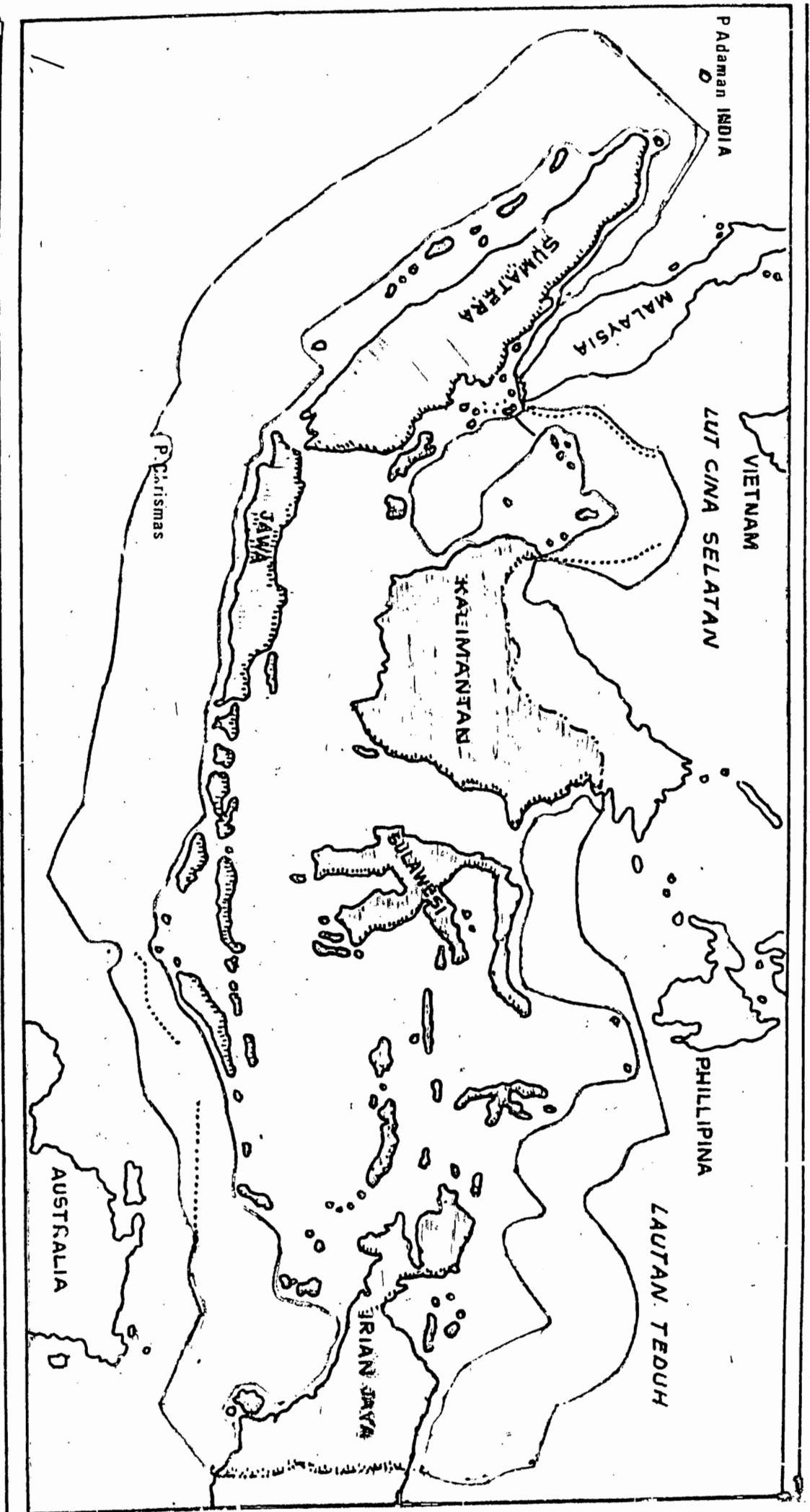
V. Conclusion.

Like the other nations of the world, Indonesia is also vitally interested in keeping open the sea lanes of communications in our interdependent world, and Indonesia realizes her heavy responsibility in safeguarding SLOC in her archipelagic and ASEAN waters.

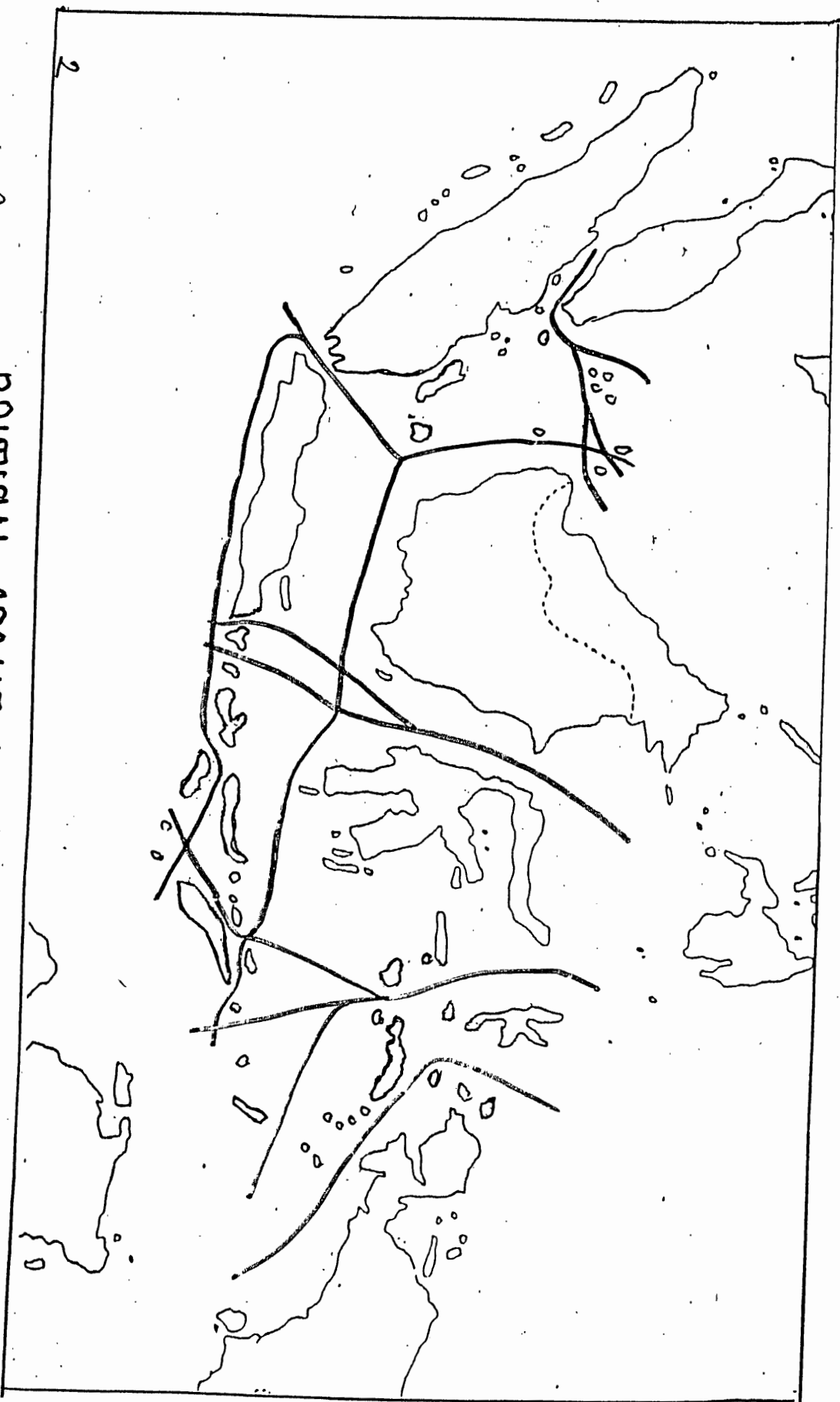
Hence we would like to state here emphatically that Indonesia is not reluctant to cooperate with other vitally interested nations in this regard; however this cooperation and assistance should be based on the concepts of her archipelagic outlook, national and regional resilience, and should not infringe on her sovereignty as an independent nation.

Cooperation and assistance for specific activities within the framework of safeguarding SLOC that is our common concern, should be based on agreements that have been reached by the interested parties. Certainly it is not in Indonesia's national interest not to cooperate in safeguarding SLOC, since Indonesia recognizes that this will influence her economic development.

The same basic attitude also determines Indonesia's perception of ASEAN's role in safeguarding SLOC in ASEAN waters. ASEAN should be primarily responsible for safeguarding SLOC in ASEAN waters that should be based on the regional concept of regional resilience. ASEAN also welcomes and does not reject cooperation and assistance in helping her step up her ability in performing this task of common concern as long as this does not infringe on the sovereignty of the ASEAN nations where nationalism **is** still **a decisive force !**



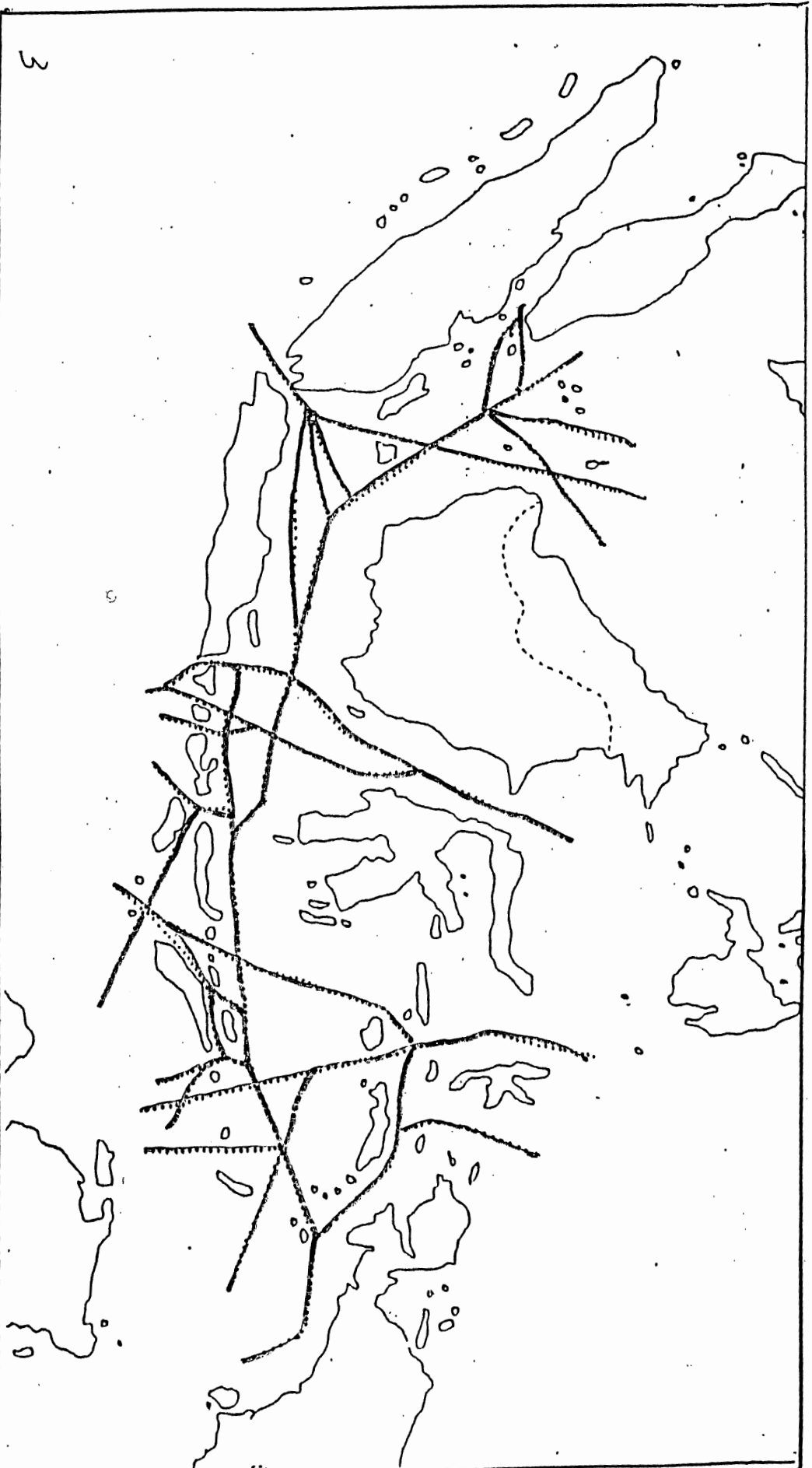
ROUTES NORMALLY USED FOR INTERNATIONAL NAVIGATION



BRITISH ADMIRALTY
Routes normally used for international navigation.
(British Admiralty)

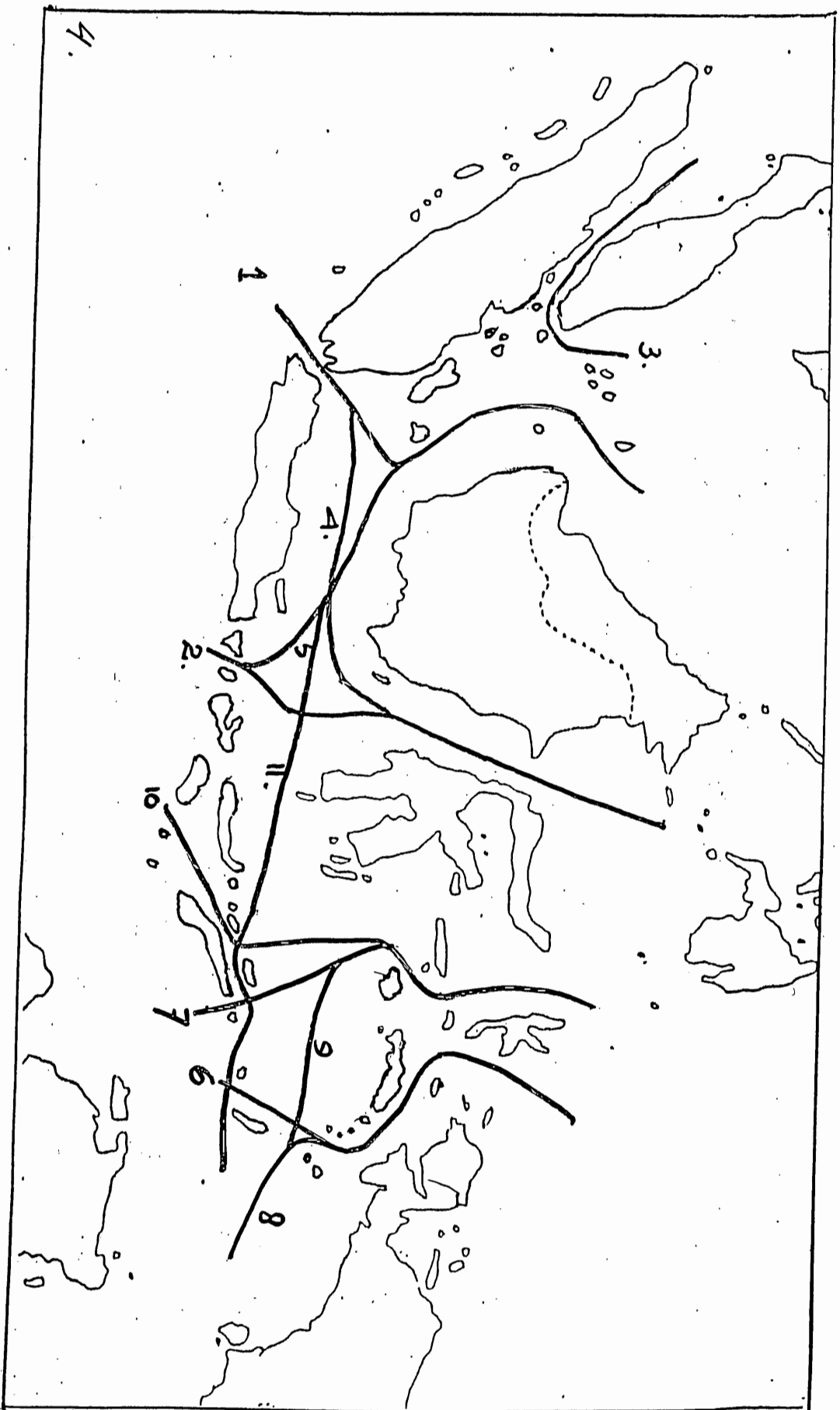
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ROUTES NORMALLY USED FOR INTERNATIONAL NAVIGATION



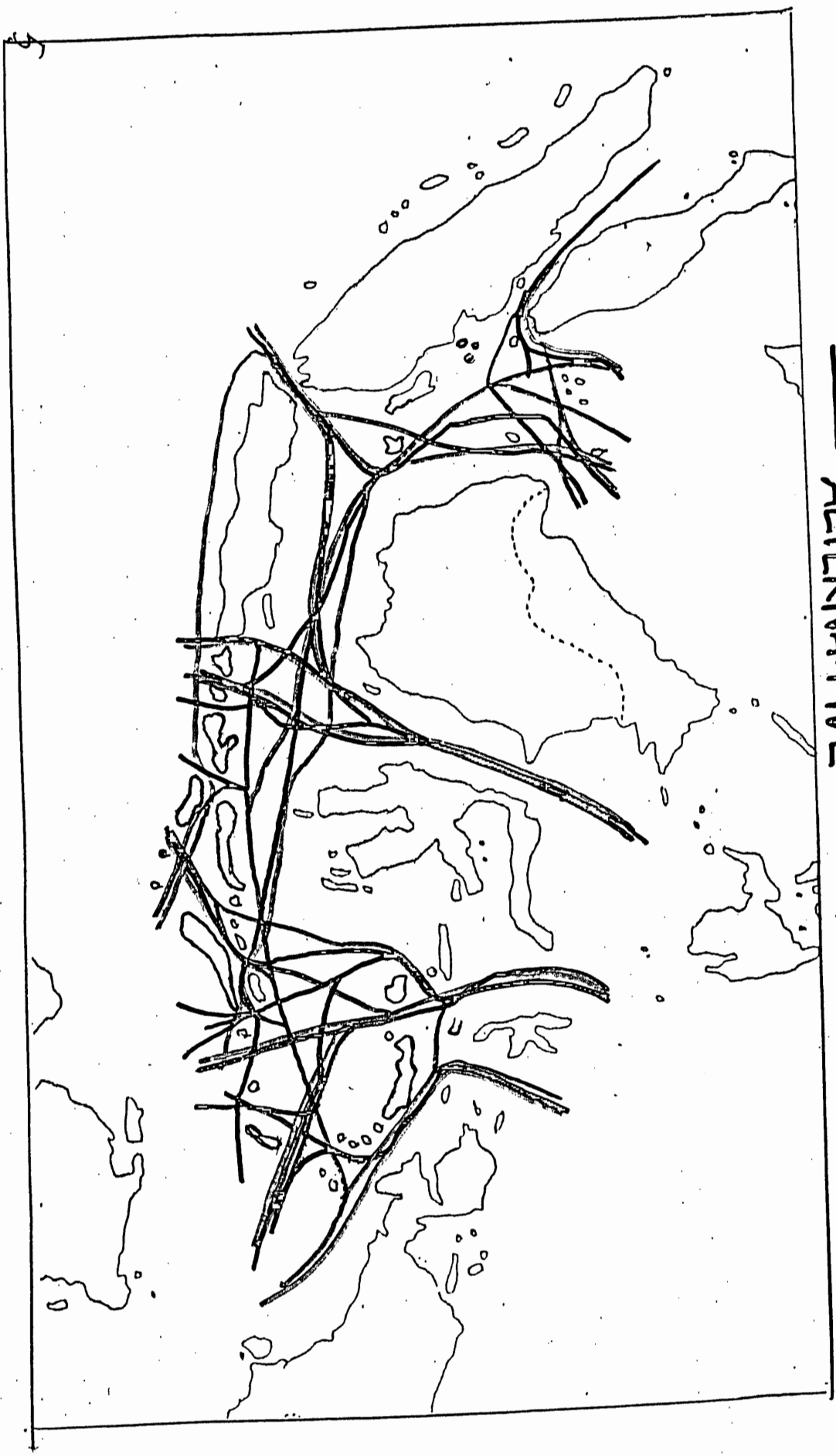
Routes ~~USA~~ ~~1982~~ ~~1984~~ ~~1984~~ international navigation.
(USA 1982/84).

11. SEA LANES IN ARCHIPELAGIC WATERS OF INDONESIA



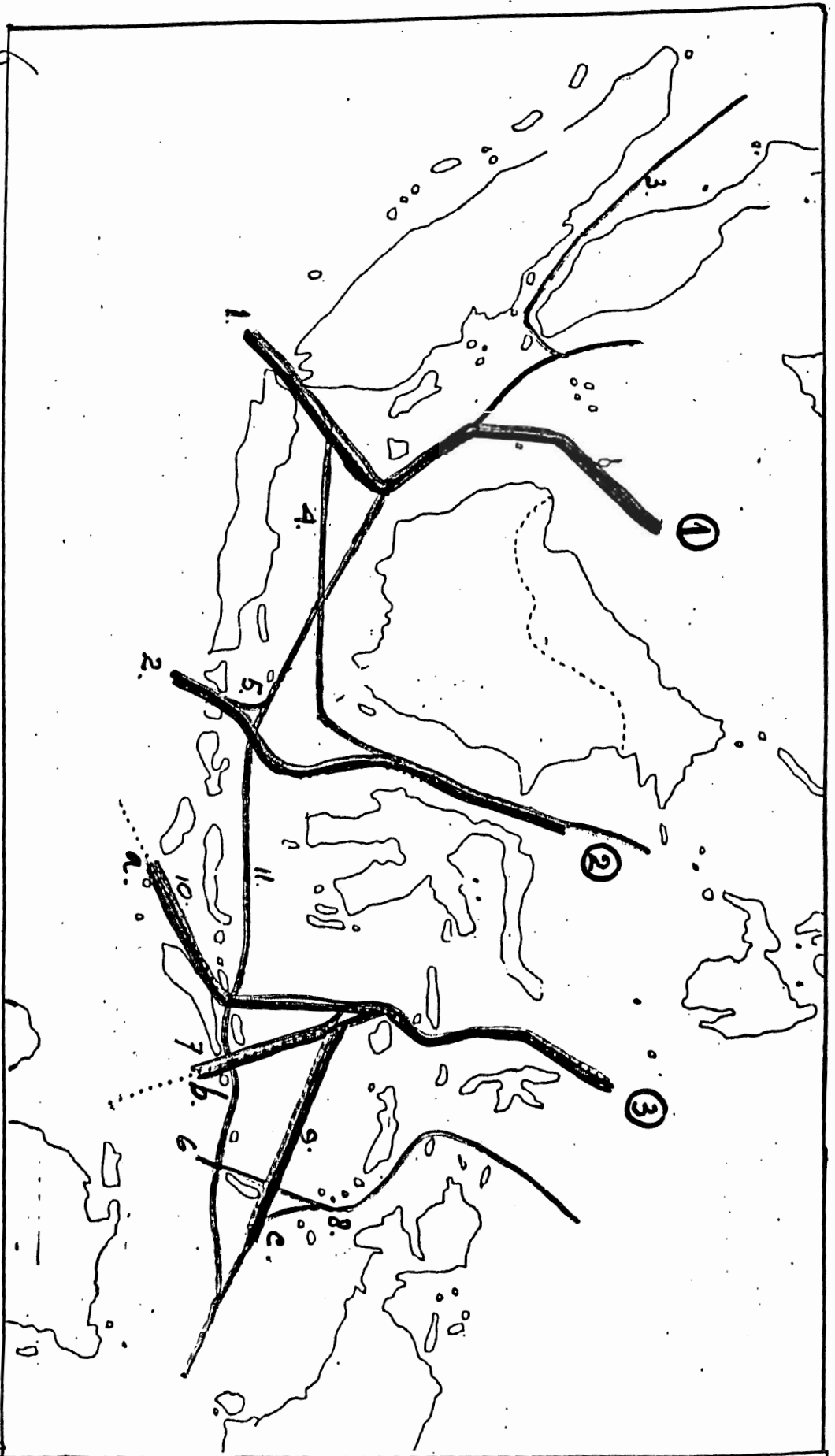
11 sea lanes in archipelagic waters of Indonesia.

— ADMIRALTY
— USA 1982/1984
— ALTERNATIVE



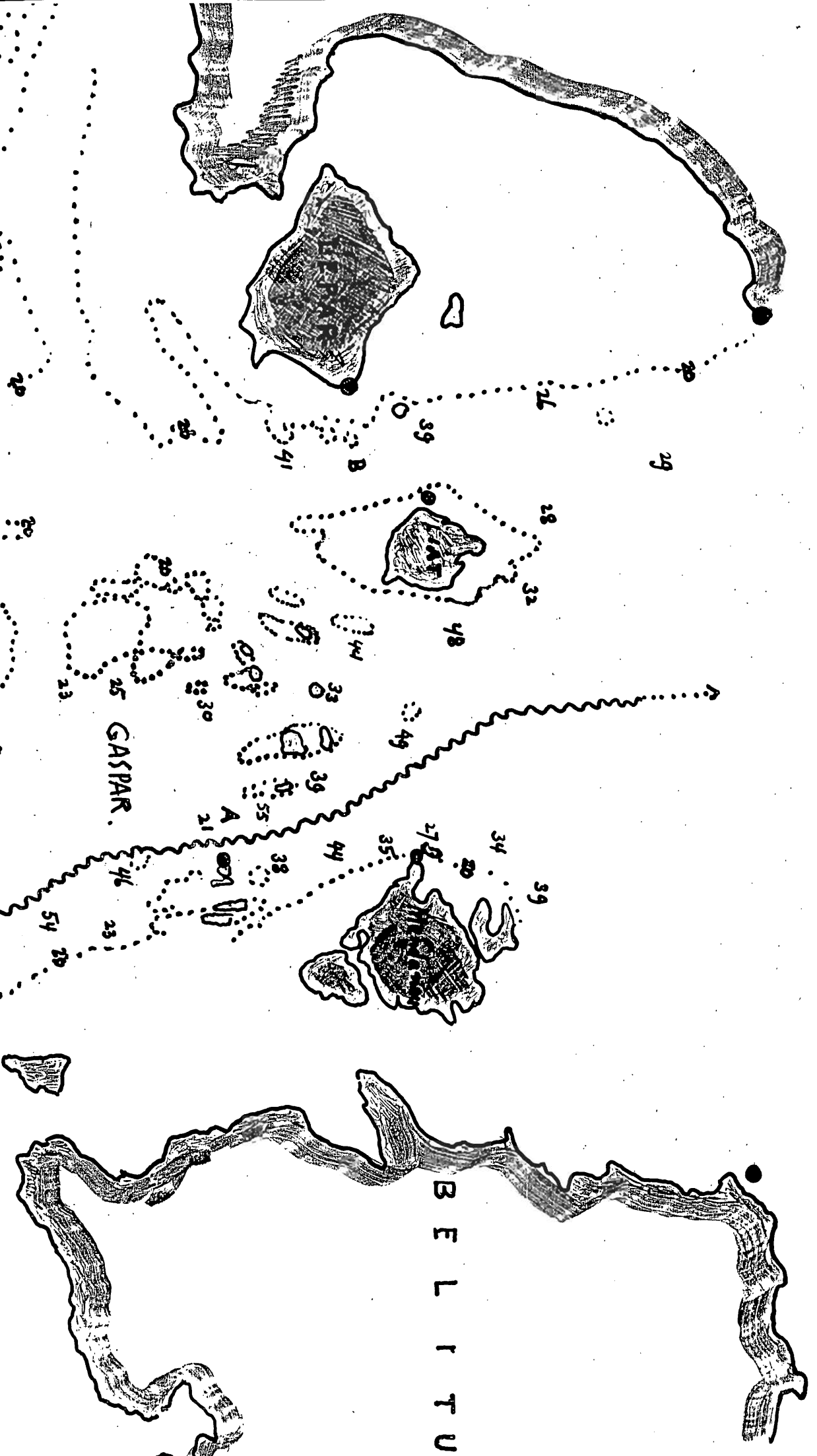
— Admiralty
— USA 1982/1984.
— Alternatives

- ①
 - ②
 - ③ a, b, c
- INDONESIAN
ARCHIPELAGIC SEA LANES

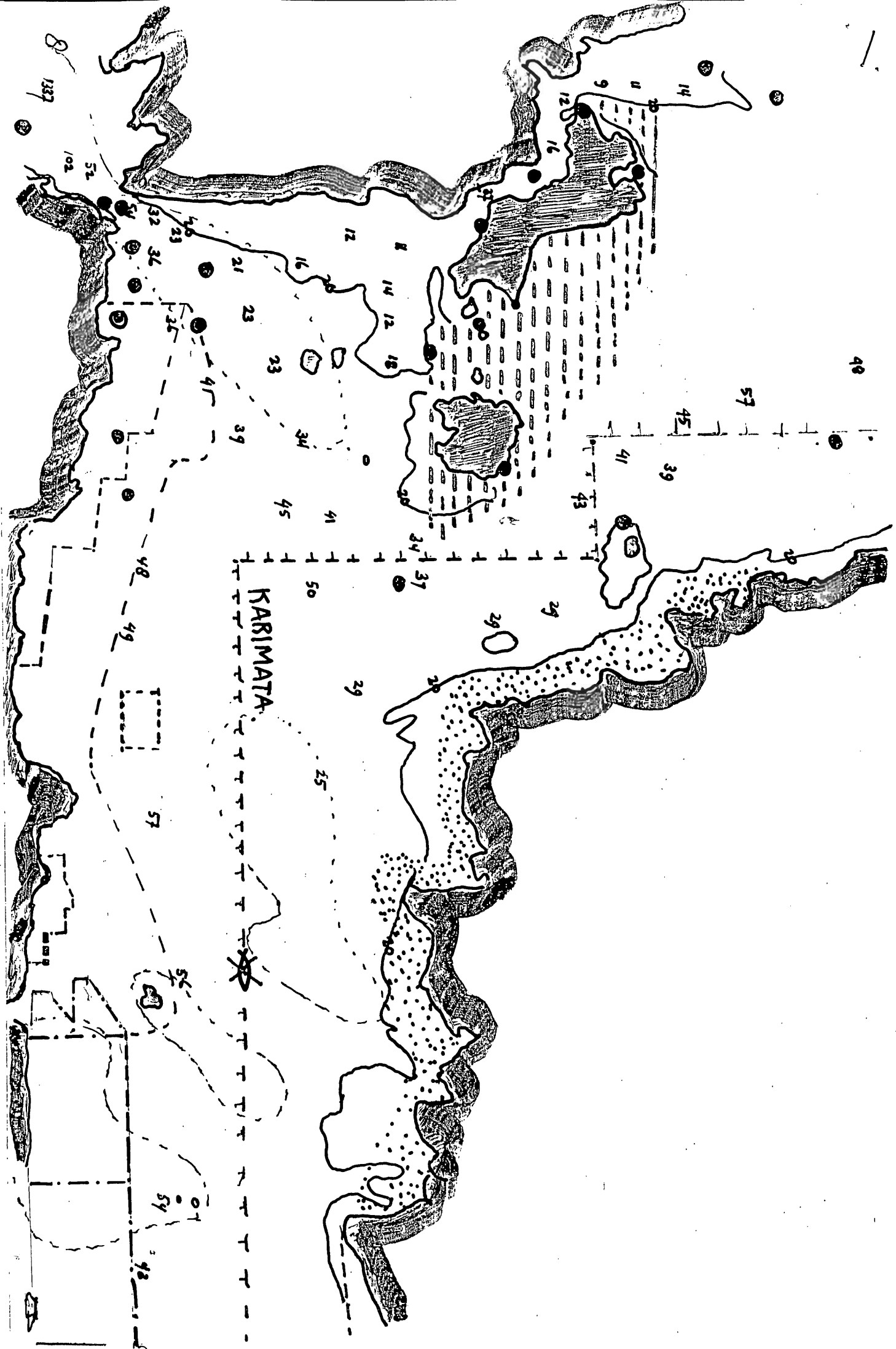


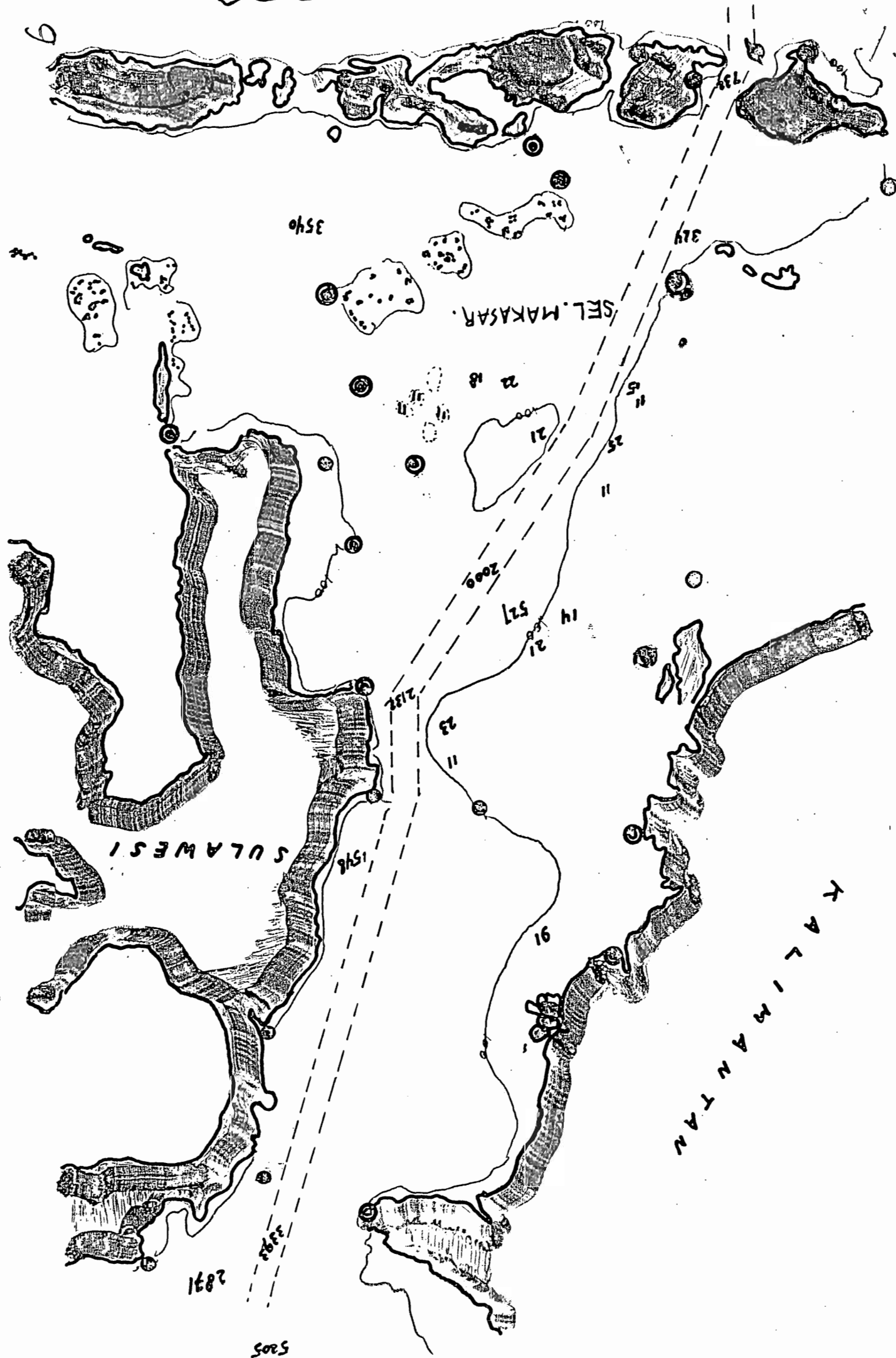
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 - ③ a, b, c
- Indonesia, Archipelagic Sea Lane.

B E L I T U



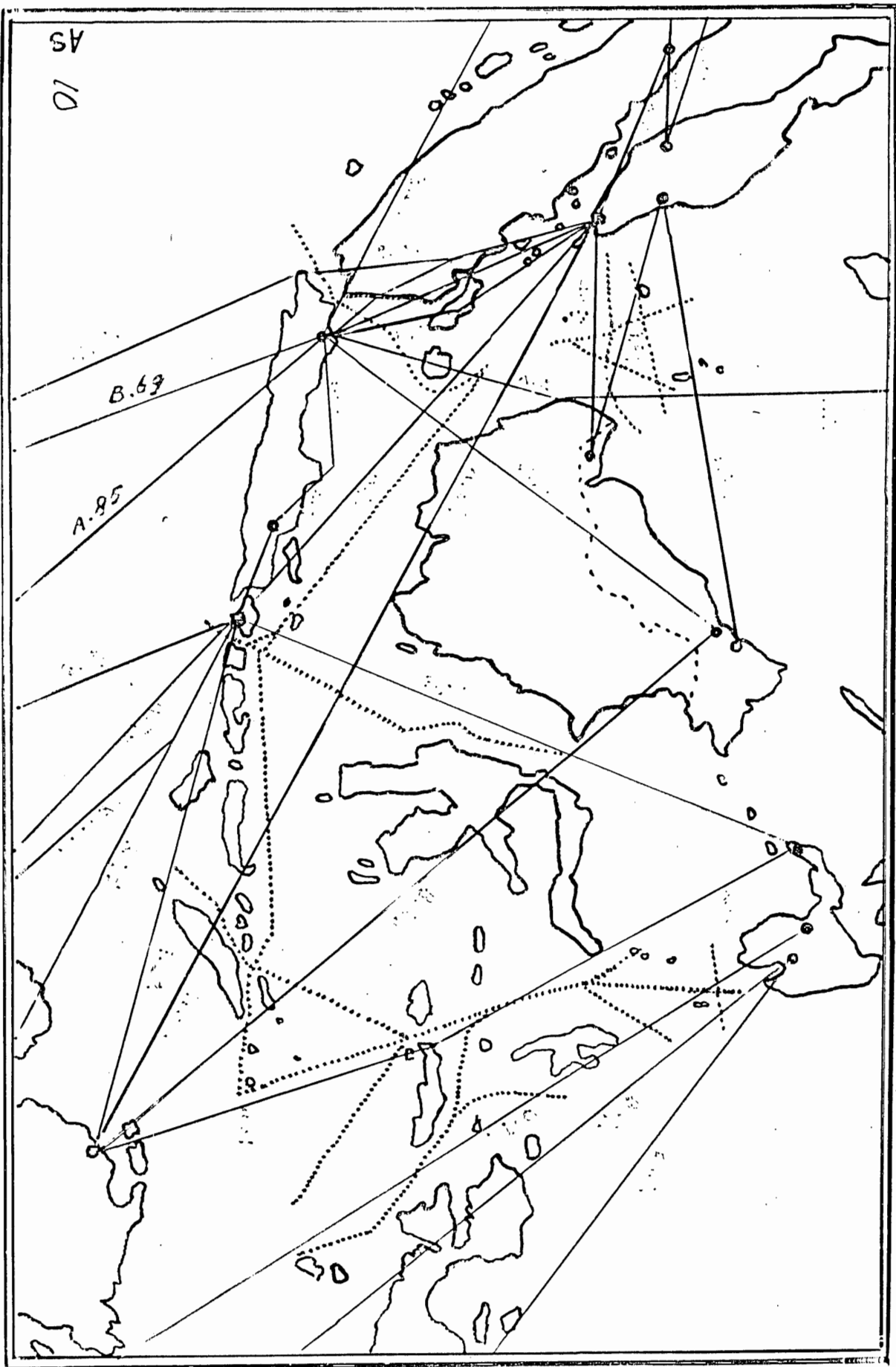
A - 4 Miles
B - 35 ..





JALUR PENERBANGAN INTERNASIONAL

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Not for quotation without
permission of the author

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

**INTERNATIONAL COOPERATION FOR THE MAINTENANCE OF THE SLOCS:
BURDEN SHARING -- A JAPANESE PERSPECTIVE**

by

Sumihiko Kawamura

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

In this paper I would like to discuss specific ways that countries of the Asia-Pacific rim can increase their participation in the maintenance of the security of the sea-lanes of communication (SLOCs) and in the promotion of regional stability during the anticipated reduction and restructuring of the military presence of United States in East Asia. I believe that this is what the organizers of this conference desired me to discuss.

At the outset I would like to make it clear that a sea "lane" of communication is not a "line" or even a narrow path, but an entire area which has considerable width along a particular direction.

At present, the Asia-Pacific region is the most dynamic area of the world as far as economic development is concerned. Pacific Asia has surpassed Western Europe as the largest trading partner of the United States. The volume of America's Pacific commerce exceeds that of the Atlantic region by approximately one-third.

The economic development of regional states in the Pacific relies deeply on international trade, and the trade routes of these countries now extend all over the world. These countries' national lifelines depend on freedom of the sea and upon their ability to access their overseas markets. But no single country, even the United States, can protect the entire global trading network by itself alone.

The security context of the Asia Pacific region has dramatically changed following the end of the Cold War. The Soviet Union has collapsed and its military is in disarray. Russia is reducing its military presence in Southeast Asia by withdrawing some aircraft and ships from Cam Ranh Bay. However, at least in the short term, Russia's military still appears far in excess of that needed for defense; particularly Russian air and naval assets constitute a continued threat to other "countries' interests in the Asia-Pacific region.

The Peoples Republic of China (PRC) appears to be pursuing regional power of consequence by acquiring a significant force projection capability. Unresolved territorial issues involving the PRC include the Spratley, Paracel, and Senkaku Islands.

It should be noted that the seas adjacent to the PRC, the Yellow Sea, the East China Sea, and the South China Sea, are rich in natural resources such as minerals and fish owing to the continental shelves which project far into all of these adjacent waters. These areas have a high traffic density as they are rich in oil, iron ore, and other available resources which are marketed to Taiwan, Japan, and the Republic of Korea through relatively narrow -- and therefore vulnerable -- SLOCs.

The PRC recently promulgated a New Territorial Water Law and seems to regard the adjacent seas and their resources as integral elements of territory under Chinese sovereignty. Because of their trade dependence, the nations receiving

resources from this area are very concerned about events which could affect SLOC security in the seas close to the PRC.

In Southeast Asia, Vietnam is also claiming sovereignty over the Spratleys and the Paracels, and it remains uncertain whether Vietnam has abandoned its longstanding objective of exercising hegemony over all of the former Indochina.

Other longstanding regional problems with a potential to destabilize the security of the SLOCs also persist. Factors such as ethnic tensions in multinational countries, the proliferation of advanced military technology via arms sales, and the growing prominence of new regional powers such as India contribute to regional anxiety.

Economic assistance for under-developed countries will be a major factor in enhancing region stability. But, in addition, the development of an international cooperative structure for SLOC security will also aid the goal of deterring local conflicts and preserving regional stability. Such a structure should have as its goal the freedom of navigation and safe economic access.

As a result of all of these factors, there is now a need to establish a new regional structure for international cooperation in order to ensure the security of the Asia-Pacific SLOCs on a burden sharing basis. The assumption of greater responsibility for SLOC protection and direct contributions to SLOC maintenance can have long-term implications for world peace and can thereby

contribute to the national interests of participating countries of the region.

In order to select the most appropriate burden sharing formula, I would like to discuss two different viewpoints -- burden sharing from the aspect of function/capability and burden sharing from the perspective of the area of responsibility,

Burden Sharing by Function/Capability

I would like to describe the role of SLOC security in three operational capability categories:

- maintaining sea control throughout the Pacific area including the Indian Ocean and the Persian Gulf;
- protecting shipping and conducting anti-submarine warfare (ASW) operations in regional areas such as the Northwest Pacific, South Pacific, or the ANZAC area, etc.; and
- conducting coastal sea defense and protecting shipping in coastal waters.

Maintenance of Sea Control throughout the Pacific -- the U.S.A.'s Mission

Only the United States Navy has the capability to maintain sea control throughout the Pacific. It is in the best interest of the United States to preserve peace and stability in the Pacific in order to serve U.S. economic interests.

U.S. interests in the Asia-Pacific region will remain similar to those the U.S. has pursued in the past, namely supporting global deterrence, preserving political and economic

access, maintaining a balance of power to prevent a rise of regional hegemony, and ensuring the freedom of navigation.

America's naval presence has been the backbone of strategic balance in Pacific Asia since World War II. Virtually all Pacific Asian countries, with the exception of the allies of the former Soviet Union, want the U.S. to maintain a credibly strong presence in order to prevent the creation of a vacuum which would result if America withdrew its naval strength. Any attempt by a potential replacement for American presence -- such as from the PRC or from India -- is not likely to be welcome.

In the Asia Pacific region there has never been a common threat perception held by all countries concerning the military threat from the former Soviet Union or from other sources of instability. Nor has there ever been the experience of large scale multinational naval cooperation. Therefore, for the foreseeable future, the U.S. Navy remains the sole entity with the military capability and sense of national purpose necessary to play a major role in bilateral military cooperation with its counterparts.

Protection of Shipping and ASW in Regional Areas

With the exception of the U.S. Navy (USN), the Royal Australian Navy (RAN) and the Japan Maritime Self-Defense Force (JMSDF), most regional navies are oriented towards coastal defense or other immediate sovereignty protection roles. Australia and Japan have sufficient capabilities for long range maritime surveillance and ASW operations.

Per its 1981 commitment to protect its sea-lanes to 1000 miles from Japanese territory, Japan is able to conduct regular maritime surveillance of its neighboring seas and its sea-lanes using improved maritime patrol aircraft (MPA) and naval vessels.

In the Northwest Pacific, Japan now has the capability to take responsibility for regional shipping protecting and ASW operations under the auspices of overall Pacific sea control provided by the U.S. Navy.

From a strategic perspective, the southern part of Japan's operating area is bounded by two major Japanese sea-lanes to the southeast and southwest of Japan. This southern boundary is a focal area for shipping coming to and going from Japan and is a potential western deployment route for adversarial submarines.

If Japan is able to perform ASW operations effectively in this area and can decrease the frequency of potential adversarial submarine deployments in this area, Japan will contribute meaningfully to SLOC security for Pacific countries.

In the South Pacific or ANZAC area, Australia is the most suitable nation from the point of view of capability and national will to take responsibility for regional shipping protection and ASW operations.

I would like to leave the details of these operations for further discussion.

Defense of Coastal Seas and Shipping

The defense of coastal seas and local shipping must be borne by littoral states. From a geo-political point of view,

all countries which have representatives in this conference can play a major role in sea control. All of these countries have favorable locations from which to control local sea traffic. They are well equipped to manage traffic in their local seas, specifically:

the Republic of Korea:	in the Korea Strait (Nishi Suido -- western channel)
Japan:	in the Tsushima, Tsugaru, and Soya Straits
Taiwan:	in the Taiwan Strait
Malaysia:	in the Malacca Strait
Indonesia:	in the Malacca, Sunda, and Lombok Straits

These countries can contribute to global SLOC security by providing control in their local areas. It is highly desirable that each country assume individual responsibility in protecting its neighboring seas effectively.

Burden Sharing by Areas of Responsibility

With regard to burden sharing in terms of geographic areas of responsibility, I would like to clarify the most appropriate force assignments for achieving SLOC security. In this discussion I am adopting Michael O'Conner's classifications presented in his 1986 paper for this conference. Mr. O'Conner's paper discussed:

- the Northwest Pacific Area - that area bounded by the mainland of Asia to the west, the International Date

- Line to the east, 20 degrees North Latitude to the south, and 60 degrees North Latitude to the north;
- the ASEAN Area - that area bounded by the mainland of Asia and 80 degrees East meridian to the west, thence south to the Tropic of Capricorn, east to the Australian mainland, north and east along the Australian coast to 10 degrees South, 141 degrees East, thence north by the border of Indonesia and Papua New Guinea to the Equator, thence east to the International Date Line, north to 20 degrees North Latitude, thence west to the mainland of Asia;
- ANZAC Area - all that sea area south and east of the ASEAN area and bounded on the north by the Equator and east by the International Date Line.

As discussed above, only the United States can ensure overall sea control throughout the Pacific, and no navies other than the USN, the RAN, and the JMSDF can execute long range maritime surveillance and ASW in large open ocean areas.

Judging by their geographic proximity to the operating area, Australia is the logical candidate for responsibility for the ANZAC area and Japan should take responsibility for the Northwest Pacific area. With regard to the ASEAN area, the Republic of Korea and Taiwan should be responsible for the defense of their surrounding seas, and the ASEAN littoral states must assume duties in controlling local narrow sea and coastal areas.

Using Japan as an example, I would like to discuss ASEAN responsibility for defending adjacent sea areas. The archipelago of Japan is well located to prevent a potential adversary's naval forces from forward deployment to the Pacific via the Soya, Tsugaru, and Tsushima Straits along Japan's coastlines. Japan has many naval bases which provide its ships and aircraft with easy access to the large Northwest Pacific operating area. These geographic advantages benefit Japan greatly in conducting coastal sea defense, shipping protection, and ASW operations in the Northwest Pacific.

If Japan exercises effective ASW operations, the littoral countries' ASW burden will be somewhat lessened. Thus the ASEAN states' concern for the submarine threat might well result in their concentration on areas such as mine countermeasures, salvage, and operations to deal with piracy and marine pollution. Again I would like to leave the discussion of operations conducted by individual littoral states for further discussion.

It is very desirable that every country bear its own responsibility in assuming the important role of SLOC security. I believe it is very important to discuss and practice measures to cope with threats such as the interruption of free passage in important international straits as exemplified by the trying experiences of the Gulf War. When the types of cooperation Asia-Pacific countries desire to have is identified, discussion and clarification of efforts can be carried out.

In this brief paper I have discussed international cooperation for the maintenance of the SLOCs in terms of burden sharing and have offered some personal observations on future prospects for cooperation. I have also suggested some ideas for the most appropriate means of burden sharing, specifically:

- maintenance of overall sea control throughout the Pacific including the Indian Ocean by the United States of America;
- protection of shipping and ASW operations in the Northwest Pacific area by Japan;
- protection of shipping and ASW operations in the ANZAC area by Australia; and
- coastal sea defense and shipping protection in local waters by littoral states.

I have not included any comments on a key factor for success in international cooperation -- inter-operability -- which involves many problems such as naval control and protection of shipping (NCAPS), common operating procedures and tactics, compatible communications, the exchange of intelligence, and joint training. These difficulties have been discussed at this conference for a number of years and I will not add to these discussions here.

In conclusion, I would like to emphasize that preparations must be carried out and problems in cooperation must be resolved during peacetime. The responsibilities rest on our shoulders but problems can be solved if we act resolutely.

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BURDEN SHARING FOR SLOC SECURITY

by

Michael O'Connor

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and
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Michael O'Connor is executive director of the Australia Defence Association

8th SLOC Conference
Bali, January 1993

INTRODUCTION

All previous SLOC conferences in this series between 1982 and 1990 were overshadowed by the reality of the Cold War and, specifically, the vulnerability of merchant shipping to attack by Soviet forces. Japan, in particular, was believed to be vulnerable to any attack on her SLOCs which could occur in the context of a Soviet attempt to break out of the Sea of Japan or to isolate the American bases in Japan.

Japan's vulnerability to SLOC interdiction was almost total and well described by Admiral Yoshida at the 5th conference in Seoul in 1987¹. Since that time, the rapid and continuing growth of seaborne trade throughout the Western Pacific has increased the scope and complexity of the target. While the main threat has diminished, the broader problem has become more complex.

If the end of the Cold War has reduced - or changed - the threat to SLOCs, it is also true that the draw-down of United States forces has also tended to remove the principal defender of the SLOCs. In particular, the closure of the US bases in the Philippines has reduced the capacity of the US Navy to sustain deployments in South-East Asia. This is not a comment on the decision to close the bases, a decision which has been taken and must be regarded for practical purposes as irrevocable.

Whatever US spokesmen may say in public about a continuing ability and commitment to deploy to the region, the political reality is that the absence of forces on the water in the region, coupled perhaps with a more domestically preoccupied Clinton administration, creates a climate in which finding reasons for not doing what the spokesmen say will be done becomes attractive.

I could add that Australians perhaps tend to be more sceptical about promises by the powers because of perceptions that the European powers upon whom we depended for our security before 1942 were unable, for very compelling reasons, to fulfil those promises. The lesson that some Australians have drawn is that co-operation with neighbours who will not leave is a more solid basis for security. On the other hand, a retreat into isolationism or rigid self-reliance will not solve complex problems of SLOC security. Overall, the lesson for those who live and work in this part of the world is that we must rely more on our own joint resources to guard those key interests. As I hope to show, the problem is not difficult if we do it right.

THE THREAT TO SLOCS

If the Cold War threat has wasted away to nothing, we should nevertheless not be surprised if the security of merchant shipping constitutes a continuing problem. The reality, as I see it, is that undefended merchant shipping represents unprotected wealth (in the economic sense) and a strategic vulnerability (in the politico-military sense). Just as no nation would dream of allowing its internal transportation systems to lack protection from criminals, neither can the international community allow what is in effect its critical economic links to remain unprotected.

¹ Admiral Yoshida's detailed paper is included in Malcolm Kennedy and Michael O'Connor *Safely by Sea* 1990, University Press of America, p.36

Of course, the problems of sovereignty on the high seas and international law enforcement jurisdiction impose some limits on what can be done, especially in the absence of an agreed - or even accepted *de facto* - peacekeeper. Where there is broad agreement on jurisdiction - as in straits, archipelagos or territorial seas - there is less of a problem, although some nations are better able than others to meet the responsibilities that go with rights. In the open oceans, the problem is more complex. But it is not enough to walk away from the problem of protecting merchant shipping simply because the time when the British Royal Navy or the US Navy would, for whatever motives, undertake the task have gone.

When these conferences first began in 1982, there was a widespread belief at the official level that merchant shipping was not vulnerable, that neutral shipping especially would be allowed to go about its business in a war without being targeted by either side. I remember only too well the contemptuous response of some Australian defence planners to the 1983 conference, arguing, for example, that because only three per cent of Australian trade was carried in Australian-flagged ships, there was no problem. For the planners, too, there was the comfortable assumption that any sort of crippling attack on shipping would be both difficult and expensive. Moreover, it was a two-edged sword that could hurt the one who launched the attack by attracting attacks on his own shipping or by generating a multinational response.

There is not the time here to discuss that issue in depth. Happily, however, that earlier complacency has changed. Thanks in part to the work of the conferences but also to the Iraqi and Iranian strategy of attacking neutral tankers in the Persian Gulf commencing in February 1984², there is now a realisation that merchant ships are vulnerable to international lawlessness precisely because they are largely undefended. It is a basic rule of the human jungle that unprotected wealth attracts predators.

And the wealth is substantial, especially in the Western Pacific. I hope others here will be able to offer more detailed figures than I have been able to gather. Annex 'A', however, offers some detail on the proportions of world trade that flow within the region as well as to and from this part of the world. Just from an Australian perspective, our gross exports and imports exceeded A\$100 billion (approx US\$70 billion) in 1990/91. Of this total, more than 71 per cent was with Pacific Rim countries³.

Given that most of this trade (more than 99 per cent) is carried by sea, the volume of shipping involved is immense. In Australia's case, some 2.2 million tonnes of shipping are routinely engaged in trade between Australian and overseas ports⁴. The gross tonnage of cargoes is of the order of 250 million (232.4 million in 1984)⁵. Extrapolated from the data in Annex 'A', this suggests that total Asia-Pacific trade by tonnage exceeds 10 billion

² For a discussion of this, see 'Sea Lanes of Communication in East Asia' by William M Carpenter in *Safely by Sea* p.57

³ *Pocket Year Book Australia 1992* Australian Bureau of Statistics, Canberra, p 119-120

⁴ *op cit* p. 99

⁵ extrapolated from the 1984 figure of 232.4 million tonnes quoted in Directorate of Naval Force Development *An Analysis of Trends in Trade and Shipping* 1986, Department of Defence, Canberra

tonnes annually - and is growing more rapidly than anywhere else in the world. Clearly, this represents a huge defence task.

THE SLOC DEFENCE TASK

Assuming from the foregoing that a need to defend SLOCs is recognised, there seem to me to be three basic elements of the task: political arrangements, force structures and organisation. I would like to offer some thoughts on all three.

I would add that, for those who have attended these conferences in the past, what I have to offer might seem to be repetitious. I make no apology for that; repetition is often necessary to reinforce conviction.

I would also add that I firmly believe that substantial progress is being made so that the broad theme of what these conferences are about is gradually being implemented. If repetition adds both conviction and urgency, we are less likely to be taken by surprise as future events unfold.

Political Arrangements

I am not interested in canvassing as some have the possibility of semi-binding political agreements between countries with a mutual interest in SLOC defence. For a number of very valid reasons, I suspect that the era of alliances is over. Even if it is not, the political difficulty of making credible new alliances is simply too great. Certainly, in this part of the world, there has been a general reluctance to pursue alliance-based security systems.

In any case, it is very doubtful whether alliances as such add very much to security. Certainly, unless an alliance is based thoroughly in shared interests, it is unlikely to withstand the stresses of actual events. On the other hand, where shared interests are threatened, the need for an alliance is quite marginal.

My concern here is to emphasise the priority that should be given to establishing real co-operative operational arrangements which need not be politically binding but which can be implemented quickly. The basic point is that emergencies can arise very quickly, leading to political pressures to do something constructive. But workable operational arrangements take much longer to set in train as, for example, the Allied powers found in 1941. In the meantime, lots of innocent people can be killed and much material damage done.

In this context, the initiatives launched by the Western Pacific Naval Symposium are very positive⁶.

The symposium was a gathering of the leaders of 13 Western Pacific navies extending from New Zealand to the Republic of Korea designed to foster naval

⁶ Much of the rest of this paper is in fact repeating with some updating what has already been published in *Safely by Sea*.

co-operation in advance of formal political agreements for such co-operation. It met in Canberra in September 1988 and has continued since on a biennial basis.

At its first meeting, the Symposium unanimously adopted a twelve point agenda for regional naval co-operation. It decided to:

- Investigate the means of getting more from existing exercise programs by giving earlier notice of impending transit passage and deploying units that a regional neighbour would gain the most from operating with.
- During planning for capital equipment acquisitions, give greater consideration to procuring compatible systems where possible with a view to enhancing inter-operability. (Arising from this decision is the possibility of a joint Malaysian-Australian procurement and production program for a class of Offshore Patrol Vessels).
- Identify regional hydrographic survey and oceanographic priorities and examine ways to conduct joint surveys in those waters with greatest priority.
- Attempt to provide training in relevant aspects of maritime operations to those lacking in some capability or expertise.
- Examine the means for developing procedures which will assist in the protection of shipping within the region with increased joint activity in naval control of shipping.
- Commence dialogue to develop a common approach to the suppression of piracy while increasing support for the UN anti-piracy program. (The growing involvement of organised crime groups in the piracy business may make this a much more complex and demanding problem).
- Commence dialogue on areas of UNCLOS III which are either indefinite or not fully accepted by regional nations.
- Promote joint hydrographic survey efforts to assist in the observance and enforcement of UNCLOS III.
- Consider giving assistance to smaller Pacific Island states who are unable to police their Exclusive Economic Zones.
- Consider arrangements for joint efforts at mine clearance of international waters in time of conflict.
- Examine means of better integrating civil and military co-operation efforts while bringing current initiatives in both areas into sharper focus.
- Promote communication on issues that concern regional nations at every level in the organisations. Look to complement this by regular consultation, personnel exchanges and study tours.

This ambitious program was adopted unanimously with considerable enthusiasm. While some items are suitably vague, there is in the program considerable scope for developing practical co-operation and interoperability in peacetime with consequent deterrent effects as well as the ability to work together at short notice in more serious situations. What is most significant is that the Symposium was able to develop this program without any compulsion to solve outstanding political problems in advance.

Force Structures

Despite the immensity and potential complexity of the SLOC protection task, the navies and maritime air forces of the Western Pacific are collectively very powerful. Annex 'B' sketches in broad the structures of those represented at this conference and includes some reference to current development programs.

Given the reduction in the scope of the threat during the Cold War period, these forces collectively should be well able to manage any credible threat. As is clear from the proceedings of past conferences, Japan and the United States especially were concerned about the high threat from Soviet submarines and long-range strike aircraft. Such threats are, fortunately, much less evident than they were.

On the other hand, as already mentioned, the withdrawal of the United States Navy from the Philippines does threaten to remove the backstop for regional navies while, at the same time, the threat has become more diffuse. The challenge is to create the structures in which they can operate together to maximise their collective power.

Organisation

Let me assert at the outset that no country has the ability on its own to defend the SLOC in its own area. None has sufficient ships or aircraft to do the whole job although some will be better than others at parts of the job. Thus, Indonesia, Malaysia and Singapore are well equipped to manage traffic and security problems in the narrow seas while Japan and Australia have greater capabilities for long-range ocean surveillance and shipping defence.

At the tactical and operational levels, the techniques for defending SLOCs are well-understood and practised by the armed forces of many of the countries in the region. The inherent nature of the threat, whether it is navigational, environmental, criminal or military, will determine responses or moves to pre-empt the threat.

In both regions, the North-West Pacific and in South-East Asian waters, the military or criminal threat may be multi-dimensional, involving submarine, surface ship or air attacks upon merchant shipping. In the South-East Asian region, such attacks could be complicated by the greater need to negotiate straits through the archipelagos. These offer the opportunity for a wider range of attacks by mines, fast attack craft, short range strike aircraft or even shore batteries.

Critical to SLOC security are the organisational structures charged with their defence, and the operational concepts that are adopted by those organisations. The operational concepts and techniques include the establishment of convoys, the institution of naval control of shipping and the organisation of intelligence. Much of this depends

upon the experience gathered over hundreds of years and put into practice as recently as 1988 in the Persian Gulf. But the value of or capacity for their implementation continues to be a subject for concern.

Of course, the use of convoys and evasive routeing imply that merchant shipping will come under strict naval control during any emergency. Naval control of shipping is well understood and practised by a number of navies especially in NATO and ANZUS while the JMSDF and Japanese Maritime Safety Agency have in place a comprehensive ship reporting system. As well, Malaysia, Indonesia and Singapore co-operate to control shipping traffic in the environmentally sensitive Malacca Strait so the framework for establishing the strict control of shipping over their whole routeing certainly exists in more than embryonic form.

It then becomes necessary to develop a more formalised command structure to link the various existing organisations in a coherent whole. A suggested outline of the sort of structure which would be necessary was included in my own paper to the Fourth SLOC conference in Taipei in 1986. The key parts of this are included at Annex 'C'. This is, and was intended to be, a radical proposal and not necessarily acceptable to the countries concerned, at least not without considerable discussion and negotiation.

The point is that such a structure is needed eventually to provide the framework and co-ordination for control of shipping, convoy escort operations, surveillance and exchanges of intelligence. Without it, defensive measures will be fragmented and inefficient.

The difficulties cannot be underestimated. Political difficulties referred to in a previous section do have to be overcome but should not be allowed unduly to impede progress because many will be overcome by the process itself. Problems of language exist, as do difficulties arising from national restrictions on the release of classified information. Common secure cypher systems would need to be developed although acceptable systems are being developed and may be available even commercially.⁷

Commodore Robertson also suggested⁸ that each task group at sea should be formed from a single navy in order to reduce the problems of confusion that might arise from differences in language and operational procedures. That is certainly desirable in the short to medium term but does not obviate the need for multinational headquarters organisations.

All great enterprises begin with a small step and it may now be time to establish a multinational headquarters on a trial basis. It does not need to be very complex or even operational on a full-time basis. For example, it could begin by exercising a minimal degree of operational control of warships passing through the area with captains providing

⁷ see especially 'International Operability in Command, Control and Communications' by Rear Admiral Roland Guilbault USN in Ray S Cline and William M Carpenter (eds) *Secure Passage at Sea* 1991, United States Global Strategy Council, Washington. Also relevant is the paper 'Command, Control and Intelligence' by Commodore Alan Robertson RAN (Rtd) presented at the 6th SLOC Conference in Melbourne, Australia, on 12th October 1988.

⁸ *Ibid.*

daily sitreps, navigational and meteorological information and so on. It could begin to develop a joint communication system, manage bilateral exercises of growing complexity and, perhaps, provide a training centre for naval control of shipping exercises.

Certainly, Australia could take a lead by integrating New Zealanders into Sydney's Maritime Headquarters. After all, the political difficulties there should be minimal since we speak roughly the same language and tend to limit mutual hostilities to the sporting field!

A more ambitious move would be for the Indonesian navy to establish such a headquarters and invite participation, even on an occasional basis, from other countries in the region. No one can be hurt and only benefits will accrue to all of us. □

Annex 'A' to BURDEN SHARING FOR SLOC SECURITY

ASIA-PACIFIC AND WORLD TRADE FLOWS - 1990

	Western Pacific	Australasia	East Asia	North America	Asia Pacific	Western Europe	EEC	Rest of World
Western Pacific	42.71	2.63	40.08	27.55	70.26	18.48	19.93	11.26
Australasia	57.12	7.25	49.87	12.44	69.56	15.83	15.11	14.61
East Asia	41.67	2.30	39.37	28.65	70.32	18.67	16.24	11.02
North America	24.50	2.02	22.48	33.98	58.48	23.34	20.55	18.18
Asia Pacific	35.23	2.38	32.85	30.19	65.43	20.47	17.97	14.10
Western Europe	6.70	0.77	5.93	7.90	14.60	71.66	55.24	13.73
EEC	5.99	0.69	5.29	7.29	13.27	66.19	55.77	20.54
Rest of World	17.68	0.65	17.03	18.55	36.23	35.22	32.29	28.55
World	19.06	1.35	17.71	17.89	36.95	46.79	37.71	16.25

Source:

The figures above are from the Australian National University, International Economic Database, compiled from United Nations, International Monetary Fund and national statistics. The Table is drawn from a submission by Ross Garnaut and Peter Drysdale to the Joint Parliamentary Committee on Foreign Affairs, Defence and Trade.

Annex 'B' to BURDEN SHARING FOR SLOC SECURITY

REGIONAL NAVAL CAPABILITIES

COUNTRY	SS	DDG	DD	FFG	FF	PC(M)	PC	MCM	Amphibious	AO	Patrol aircraft
Japan	17	6	-	31 ¹	29 ²	-	348 ³	47 ⁴	6 (46) ⁵	4	83
Rep of China	4 ⁶	17 ⁷	-	-	9	52	57	8	26 (280)	4	32
Rep of Korea	4	5	4	17	9	11	72	9	14 (36)	3	-
Indonesia ⁸	2	-	-	5 ⁷	12 ⁷	4	39	2	14 (44)	2	12
Malaysia ⁹	-	-	-	2 ⁷	2 ⁷	8	29	5	2 (33)	2	3
Thailand ¹⁰	-	-	-	6	1	8	45	7	8 (40)	1	11
Singapore ¹¹	-	-	-	-	-	12	100 ³	-	5 (8)	-	-
Philippines	-	-	-	-	1	-	102 ³	-	7 (30)	1	8
Brunei	-	-	-	-	-	3	3	-	- (2)	-	-
Australia	6	3	-	5 ¹²	3	-	15 ¹³	7	1 (5)	2	19
New Zealand	-	-	-	1 ⁷	3 ⁷	-	4	-	-	1	6
TOTAL	33	31	4	67	69	98	814	85	83 (524)	20	174

NOTES:

- 20 with Sea King ASW helicopters
- 4 with Sea King ASW helicopters
- includes coastguard patrol craft
- one minelayer
- figures in brackets in this column are landing craft
- all boats are old to very old
- some have small ASW helos
- Indonesia has a substantial modernisation program involving the acquisition of two DDGs, up to 23 small FFGs and 39 miscellaneous former East German vessels (9 MHC, 14 IST and 16 corvettes)
- Malaysia has a modernisation program to 2010 which includes four submarines (doubtful), two missile corvettes, 24 offshore patrol vessels, 34 fast attack craft, minehunters and ASW helos. As well, the Customs Department is to acquire more than 100 craft for anti-piracy and smuggling tasks.
- Singapore's current development program envisages acquisition of six each minesweepers and offshore patrol vessels.
- The RMN plans to acquire two Chinese-built FFGs (helo-capable), four submarines, two DDGs, two more FFGs, more corvettes, six LSTs and four minehunters
- to be increased to 14 by 2005
- a larger class of Offshore Patrol Vessels, possibly similar to Malaysia's, is envisaged in the latter part of the decade.

Source: The Military Balance 1991/92 International Institute of Strategic Studies, London

Annex 'C' to BURDEN SHARING FOR SLOC SECURITY
A SLOC SECURITY COMMAND STRUCTURE⁹

This section (of the 1986 paper) deals briefly with the most appropriate means of controlling the forces assigned to the defence of SLOCs. Any suggestions should be seen as no more than a basis for discussion rather than a fixed view of what is suitable.

My first proposal is for three maritime headquarters to be established to control multinational forces assigned to SLOC protection by national governments. These would be established to control three operational areas which, for discussion purposes have been called the North-West Pacific Area, the ASEAN Area and the ANZAC Area. The suggested boundaries are as follows:

- o **North-West Pacific Area** - That area bounded by the mainland of Asia to the west, the International Date Line to the east, 20 degrees North Latitude to the south and 60 degrees North Latitude to the north.
- o **ASEAN Area** - That area bounded by the mainland of Asia and 80 degrees East meridian to the west, thence south to the Tropic of Capricorn, east to the Australian mainland, north and east along the Australian coast to 10 degrees South, 141 degrees East, thence north by the border of Indonesia and Papua New Guinea to the Equator, thence east to the International Date Line, north to 20 degrees North Latitude, thence west to the mainland of Asia.
- o **ANZAC Area** - All that sea area south and east of the ASEAN area and bounded on the north by the Equator and east by the International Date Line.

There are a number of reasons for these divisions. First, they conform roughly to the boundaries of the areas this conference has been discussing for some years. Therefore, there is a natural reality about them.

Second, it needs to be pointed out that the ASEAN area extends well into the Indian Ocean. This point has been included because of my own concern that the Indian Ocean could become the scene for attacks on SLOCs either from the Soviet Union or from India whose policy is unpredictable but whose capability is growing. In the Western Indian Ocean, no joint measures have been taken although there is a significant American and French presence.

In many ways, the ASEAN area faces the biggest problem. The traffic density is high and the defensive forces limited. The threat is complex and the area of responsibility covers such widespread problems as the oil routes through the South China Sea, the iron ore traffic from North West Australia and a heavy volume of traffic east of the Philippines. Indeed, for this reason, it may be desirable to make an adjustment to the ANZAC and ASEAN Area boundaries to make that area east of about 130 degrees an ANZAC responsibility.

⁹ This Annex is from *Safely by Sea* pp. 271-4

On the other hand, because it is unlikely that a concurrent threat would have to be faced in both the ASEAN Area and the ANZAC Area, it ought to be possible for Australia to switch its effort from one to the other.

There is also a case for establishing some sub-areas under national control because of the peculiar problems or abilities associated with those areas. For example, the Bashi Channel area could be one as could the Tsushima Strait. In my own part of the world, a North West Australia area would make sense as would a Malacca Strait area.

There is probably no case at this time for establishing the command structures other than on paper although their mobilisation could be made a subject of joint exercises. It may be that suitable structures are in existence. Certainly, Australia has a Maritime Command in embryo and this could be made the basis of an ANZAC Area Headquarters, especially if a New Zealand Liaison Officer were appointed. It can be assumed that the JMSDF has a suitable headquarters arrangement and it may be that only the ASEAN Area requires special treatment at this time. For my part, it would be best based at Surabaya with an Indonesian admiral in command but, again, there are many options available which could be sorted out with some good will. Clearly, there are many options and selecting the best is not the function of this conference. The principle is what counts here.

The second aspect of command organisation that needs discussion is Naval Control of Shipping. Many will be familiar with the procedures whereby merchant shipping travelling alone or in company through a threatened area is placed under naval control. In case of an emergency, implementation of such an arrangement would help minimise losses and, in the case of a low level threat, would reduce insurance costs for those ships which submitted to naval control as distinct from those which did not.

The arrangements can be quite complex, requiring staffs, communications systems, special cyphers not only for the naval staffs but for the merchant ships as well. The USA, Australia and New Zealand are familiar with the system having used it in World War Two and in frequent exercises since. Before any threat became immediately obvious, such an organisation would have a role in training those unfamiliar with the system, establishing the communications organisation and determining the various alternative routes.

Maritime surveillance and intelligence analysis are fundamental elements of any joint SLOC protection system. Japan and Australia, and presumably the ROC, have sophisticated systems in place. Australia, at least, exchanges information with the USA. The point is worth making here that, if any SLOC protection system, is to work, intelligence acquisition, analysis and dissemination procedures will need to be worked out and exercised on a joint basis not only within each command but between commands.

Of course, it is in this area, as with communications, that we confront the basic problem of exchanges of sensitive information between nations and this, more than any political sensitivities, will be the rock on which any SLOC protection system founders. It is a matter which must be confronted in peacetime if our SLOCs are to be protected in war. There is little point in canvassing solutions here because the key decisions will be made elsewhere. But it is important to recognise that, if this problem cannot be solved, the rest of our efforts in this conference are futile.

The issues raised in this paper must be confronted. We have discussed the threat to SLOCs for almost four years and the threat has not lessened in that period. Indeed, looking at the ANZAC Area, the threat has grown out of recognition in that time, not only because of the growing intrusion of the Soviet Union, Vietnam, Cuba and Libya into what was a peaceful area but also because of the growing isolationism in Australia and New Zealand. If our governments do not deal with the problem soon in a constructive and internationally co-operative way, we all run the risk of being picked off one by one, something none of us can afford.

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

SUB-NATIONAL THREATS AND RESPONSES

by

Carlito Y. Cunanan

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

SUB-NATIONAL THREATS AND RESPONSES

Philippines

by

Rear Admiral Carlito Y. Cunanan, AFP (Ret)

Vice-President

PNOC Shipping and Transport Corporation

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Bali, Indonesia, 25-27 January 1993

SUB-NATIONAL THREATS AND RESPONSES

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by

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INTRODUCTION

It is virtually a political and economic maxim that the security of sea lanes of communication is crucial to political stability and the continued flow of world trade.

It is incumbent, therefore, that each nation carry its own share of responsibility to ensure that the sea lanes of communication that traverse its national territory or lie within its area of responsibility be secured.

Yet, the capability of a state to meet this desirable and, certainly, necessary expectation is often determined by the availability of its resources, and the priorities of its own national agenda. This is particularly true for the Philippines.

The Philippines, as an independent state and as a member of the international community of nations, adopts the principles of international law. Together with other states, it is a signatory to several international agreements.

Among these are the Southeast Asian Collective Defense Treaty (Manila Pact); and the United Nations Conference on the Law of the Sea. It is also a member of the ASEAN. As such, it is also a signatory to the Asean Free Trade Agreement (AFTA).

In keeping with the conditions of these agreements and covenants, the Philippines has consistently sought to faithfully perform its obligations. Thus, it has given its own modest share of contributions to efforts to ensure the peace and the stability of the region, as well as to measures that facilitate the flow of international trade.

Yet, the Philippines does have its own national priorities. These are priorities that compete for a share of the resources. And, given its economic capabilities, the Philippines has to exercise prudence in the judicious allocation of its limited resources.

For, truly, one must be internally strong before one may sally forth to address external demands and conditions.

This paper seeks to present the sub-national forces which threaten the stability of the Republic of the Philippines and the responses made by the Philippine government to counter these threats, and then discuss the prospects of domestic peace and stability.

AN OVER VIEW OF THE PHILIPPINE SITUATION

It is well known that decades of government mismanagement have diminished the Philippines' productive capacities.

A series of natural calamities and disasters have contributed their respective damages to the nation's economy. There was a series of typhoons which wasted large tracts of agricultural and industrial facilities in Central Philippines. There was the strong earthquake and its equally deadly aftershocks. And there was, of course, the volcanic eruption of Mt. Pinatubo, from whose lahar floods our people, and our productivity, continue to suffer.

From the status of being a leading nation in Asia in the 1960's, the country has fallen in comparison with its more robust neighbors in the region. The engines of Philippine economy have stalled.

This is a condition that is reflected in the low estimated growth of its GNP in 1992 (1.5 percent). The country's productive capacities have not only been low, but whatever has been produced has not been equitably distributed.

A recent survey of the government's National Statistics Office shows that between 1991 and 1992, the share of high-income earners in the total Filipino family income went up considerably. The top 20 percent of the population accounts for over 50 percent of the total income, while the lowest 20 percent accounts for only five percent.

More than half of Filipino households remain impoverished and these numbers are expected to increase along with the increase in the population.

The country's population continues to grow. In 1990, it was 60.7 million. By the end of 1992, it was estimated to be at 63 million; and, by the end of the century, in only seven years, 70 million.

Jobs have to be created for about 800,000 new entrants to the labor market every year.

Not surprisingly, varied elements have sought to exploit these conditions to advance their own criminal and political agendas.

The criminals are exemplified by the kidnappers who prey on our entrepreneurs. Their activities have engendered reluctance to come into the country among many potential investors. They have likewise caused many entrepreneurs and current investors to rethink their investment plans.

As for those who claim to espouse a political agenda, these are mainly the Communist Party of the Philippines/New People's Army/National Democratic Front (CPP/NPA/NDF); the separatist groups on the island of Mindanao led by the Moro National Liberation Front (MNLF), and the Moro Islamic Liberation Front (MILF); and, the ultra-rightists/military rebels led by the Reform the Armed Forces Movement/Soldiers of the Filipino People/Young Officers Union (RAM/SFP/YOU).

Altogether, these create the conditions that have shaped the priorities of the Ramos Administration and its avowed drive to join the ranks of our more dynamic Asian neighbors in the next few years.

SUB-NATIONAL THREAT: COMMUNIST INSURGENCY

In spite of internal discords as well as external problems adversely affecting its capability as a revolutionary movement, the CPP/NPA/NDF continues to be the most serious threat to the internal security and stability of the Philippines:

The avowed objective of the CPP/NPA/NDF is to seize State power by force of arms. And to achieve this, the CPP/NPA/NDF utilizes three main instruments: party building through the CPP, armed struggle through the NPA, and united front efforts through the NDF.

The CPP was founded in December 1968 by its current Chairman Jose Ma. Sison (who is now in self-exile in the Netherlands), while the NPA was established in March 1969 by former communist rebel Bernabe Buscayno (who is now the successful leader of a peasant cooperative in Central Luzon).

The main component of the CPP's political struggle is the development of organs of political power or so-called "shadow governments" at the village

level in the countryside to serve as a springboard from which it will carry out its revolution. Abroad, the CPP is seeking solidarity ties and support from sympathetic political parties, other revolutionary movements, and non-governmental organizations.

The NPA, meanwhile, wages a guerrilla form of warfare in the countryside and undertakes terrorist operations in selected urban centers. As a complementary effort, the NPA engages in illegal exactions or extortions, which it euphemistically calls "progressive taxation", to finance its revolutionary movement.

The NDF, on the other hand, implements the united front programs of the CPP through its so-called "cause-oriented" and sectoral front organizations. These front organizations are considered most effective due to the legal and semi-legal character of their activities which take advantage of the democratic space provided for in the Philippine Constitution.

The objective of the united front effort is to arouse anti-government militancy among labor, peasant, student/youth, and urban poor sectors, as well as among the clergy, professional, media, and business sectors, and bring them into the mainstream of the CPP's political struggle.

The CPP/NPA/NDF at present is faced by the following critical obstacles in many aspects of its revolutionary struggle:

1. Politically, the CPP is confronted by an unresolved leadership crisis, theoretical and organizational conflicts, and strategic and tactical errors. Added to these is the adverse impact on the Party of the decline of communism and the loss of adherents to Marxism and Leninism.

2. Militarily, the NPA has continued to decrease in its strength, number of armaments, affected villages, guerrilla fronts, and armed activities. Efforts to regularize NPA formations have met great difficulty.
3. On the open mass movement, the NDF is suffering from its inability to mobilize significantly large followings even for a simple mass action like a protest rally.

At any rate, the CPP/NPA/NDF strategic thrusts at present continue to concentrate on resuscitating its politico-military struggle and attempting to rebuild party organizations and mass base support in the face of slackening popular support and a sustained counter-insurgency campaign.

The CPP/NPA/NDF has moved to confront organizational and financial reverses and dwindling mass base support. These were aggravated by a leadership crisis due to the series of arrests and surrenders of a considerable number of its key leaders.

In addition, the CPP/NPA/NDF leadership had to contend with disaffection and demoralization among its rank-and-file in some areas.

The Eastern European and Soviet upheavals spawned intense debates in the CPP hierarchy over the strategy that they ought to adopt. These debates threaten to fragment the Party to the core. Some CPP elements, apparently concerned that fast-moving events in the socialist world may overtake the movement, are for a fast-track strategy of urban insurrection, while the more conservative elements insist on the Maoist principle of a protracted people's war.

The Armed Forces of the Philippines reports that the present strength of the CPP/NPA at 13,500 is a 48% decline from its peak of 25,800 in 1988; that the number of firearms in the hands of the communist insurgents

went down by 42%; and that the number of communist-affected villages decreased by 67%.

SUB-NATIONAL THREAT: THE MINDANAO SECESSIONISTS

The creation of a separate State with a separate security force is still the objective of the Moro National Liberation Front (MNLF) and the Moro Islamic Liberation Front (MILF).

It may be recalled that the secessionist and independence aspiration of the Filipino Moslems in Mindanao started to manifest itself in 1968 with the formation of the Moslem Independence Movement, later renamed the Mindanao Independence Movement. Later, the young Turks of the movement distanced themselves from the old guards and formed the MNLF in the late 1960s.

The armed secessionist struggle began shortly after martial law was declared in 1972 and peaked in the mid-70s. After years of intense fighting, approaches to end the conflict and to find peaceful means to resolve the problem were begun in earnest.

Today, the MNLF, the MILF, and other sub-groups are militarily inactive. The threat posed by the secessionist groups continues to weaken as they remain beset by factionalism, internal strife, and inadequate logistics. They are experiencing a severe lack of funds as indicated by the constant decline in strength brought about by the mass defections of leaders and rank-and-file in search of economic relief and stability. Hundreds of rebels have surrendered and have rejoined the mainstream of Philippine society.

Similarly, financial constraints, coupled with effective military operations, have diminished the occurrence of armed incidents initiated by secessionist groups. As a matter of fact, their armed capability has been reduced to a minimum with local cease-fires in place.

Demoralization, especially within the MNLF, has crept among its members due to suspicions that its current chairman, Nur Misuari, appropriated the organization's funds for his personal use. Moreover, the prevailing low morale of MNLF mujahideens can also be attributed to infighting, some of which has threatened to split large units or formations.

On the other hand, the other major Moslem separatist group, the MILF, appears to be more cohesive. There is a discernible effort to strengthen the group through revitalization, Islamization, a military build-up, and fund-raising programs.

Meanwhile, because of the Tripoli Agreement signed by the Philippine Government under the Marcos administration in 1977, the involvement of foreign entities such as the Organization of Islamic Conference (OIC) became inevitable. And, recently, the problem was compounded when the OIC, which has given the MNLF observer status, recognized the MILF as another group representing the interest of Filipino Moslems in Mindanao. The OIC urged the Philippine Government to deal not only with the MNLF but also with the MILF.

It is estimated that the overall capability of the Moslem secessionist groups in Southern Philippines is expected to diminish. Their courses of action are now limited to the enhancement of political and propaganda positions in the homefront, and the search for new sources of financial support abroad. There are encouraging indicators that the separatist problem will be eventually resolved peacefully.

The estimated joint strength of the MNLF and the MILF is placed at 19,000, which represents a drop of 25% from its peak of 26,000 in 1987. This current estimated strength is composed mostly of inactive regulars and reserves.

SUB-NATIONAL THREAT: THE ULTRA-RIGHTISTS

The ultra-rightists are classified as the violence-inclined followers of the late President Ferdinand Marcos and of renegade military officer Gregorio Honasan who have joined forces under the Reform the Armed Forces Movement/Soldiers of the Filipino People (RAM/SFP). Another organization, the Young Officers Union (YOU), is tactically linked with the RAM/SFP. The objective of the ultra-rightists is to overthrow the existing democratic government and replace it with a civilian-military junta.

Since the February 1986 Philippine Revolution, the RAM/SFP/YOU has been revising and refining a rolling plan for the execution of a coup d'etat. It continues to exert pressure by undertaking propaganda activities, issuing threats, and intimidating key government and military officials.

Occasionally, ultra-rightists and military rebels attempted to sow chaos by exploding bombs at several business establishments in Metro Manila. Such sabotage operations, however, failed to destabilize the population.

Military rebels during the past several months have not been very active, and, if there were any activities at all, such actions lacked a clear and well-defined agenda.

The rightist threat is expected to decline in the light of present organizational and logistical problems. Particularly undermining the ultra-rightists/military rebels is the government's recent decision to release several rebel military officers and men in the light of the amnesty program of the Philippine Government. The cases of the remaining rightist elements are currently under review, and may be eventually resolved judiciously.

The threat posed by rightist forces is seen as becoming manageable, with only 12 renegade military officers still at large. However, there is the

possibility of the core group pursuing its cause, especially if any future negotiations fail to meet their demands.

Similarly, the ultra-rightists/military rebels as an immediate threat to national security is expected to continue to weaken. Their present capability is limited to the conduct of high impact terrorist activities to keep them in the consciousness of their supporters and sympathizers.

GENERAL ASSESSMENT

A trend analysis of the campaign of the Armed Forces of the Philippines clearly points to continuing gains in favor of the government, and to the decline of the sub-national threats to national security.

The net effect of the total approach of government - particularly of the Armed Forces of the Philippines - to communist insurgency, thus far, has resulted in what is now assessed as the "irreversible decline" of the local communist movement in its capability to seriously challenge the government.

The continuing arrests of its key leaders, especially the core members of the NPA General Command in 1991, have forced the executive committee of the CPP to direct the transfer of the operational bases of its remaining forces from Metropolitan Manila to the countryside. In effect, the CPP/NPA master plan for 1992 to launch widespread terrorist actions in order to create massive havoc in the country fizzled out.

Conclusively, with regard to the CPP/NPA/NDF, these government gains are due not only to effective military operations. They are also the products of external developments such as the collapse of former socialist regimes in Eastern Europe, particularly the Soviet Union, as well as internal developments, including the restoration of democracy in the Philippines under the post-EDSA

Revolution government, the policy of transparency and political pluralism of government, and the strategic and tactical errors of the CPP/NPA/NDF.

With regard to the secessionist movement in Southern Philippines, the creation of the Autonomous Region in Muslim Mindanao represents a significant stride toward peace. It is now slated to have its second regional elections this February, 1993. For many Filipino Muslims, this exercise effectively allows them to manifest their regional aspirations within the confines of the Philippine Constitution.

As for the ultra-rightists, it is estimated that the threat they pose against the established order has been effectively reduced. They are no longer in a position to mount a serious offensive on the scale nor in the intensity of their failed previous attempts to illegally seize government power.

A peace initiative of the Chief of Staff, AFP, towards military rebels in 1991 in line with the "reconciliation with justice" policy of the Philippine Government resulted in the surrender of 18 key leaders of the RAM/SFP/YOU in November 1991.

THE RAMOS PEACE INITIATIVES

In his inaugural address, Philippine President Fidel V. Ramos spoke of the need to "restore civic order, for without stability, business cannot run; workers cannot create wealth; liberty cannot flourish; and even individual life will be brutish and precarious." He announced his intention to work with the Philippine Congress to arrive at an amnesty program that will enable "errant reformists" to re-enter the mainstream of society.

President Ramos further stressed the urgent need to resolve the problem of peace and security in his State of the Nation address last 27 July. He spoke of peace and security as the first urgent problem his government must

face. He cited the need to attain a just, comprehensive, peaceful, and lasting solution to the internal armed conflict in the Philippines.

With the attainment of peace among his administration's top priorities, President Ramos took four bold initiatives: the granting of amnesty to more than 4,000 former rebels; the creation of a National Unification Commission; the repeal of Republic Act 1700, otherwise known as the Anti-Subversion Law (RA 1700 declared illegal mere membership in the CPP); and the review of all cases of rebels under detention who are serving sentences.

Last July, 1992, President Ramos signed a Presidential Proclamation granting amnesty to some 4,485 ex-rebels who had applied for amnesty, but whose applications were not acted upon during the previous administration. The President declared that the granting of amnesty is the initial step toward a comprehensive, participative peace and unification process that will address the problem of bringing all rebel groups back to the mainstream of Philippine society.

The President also created the National Unification Commission (NUC), an advisory body which will consult and dialogue with all sectors of society, including all rebel groups, and recommend a viable general amnesty program that will lead to a just, comprehensive, and lasting peace. To date, the NUC has encouraged all armed groups to convey or undertake confidence-building measures, and has urged the Philippine Department of Justice and the Armed Forces to suspend court proceedings against so-called political detainees and military rebels as part of the government's show of goodwill.

President Ramos had asked Congress to repeal Republic Act 1700 in order to legalize the Communist Party of the Philippines and other similar groups to enable them to participate and compete freely, openly, and peacefully in the political, economic, and social arena of Philippine society. Congress responded favorably. On 23 September, the President signed Republic Act 7636 repealing RA 1700, thereby legalizing the CPP. The Department of Justice

immediately caused the release without delay of all prisoners convicted and serving sentences for violations related to RA 1700.

The President further directed his Cabinet secretaries for Justice, Defense, and Interior and Local Government departments to review all cases of rebels who are serving their sentences. The purpose of the review is to determine who may be released through bail, administrative action, or executive clemency. This directive was followed by the actual release of key leftist and rightist rebel detainees.

All these initiatives and confidence-building steps were aimed at enhancing the atmosphere for peace, and to prove the government's sincerity in resolving the problems of insurgency and rebellion. Such measures were followed by exploratory talks with concerned groups.

Exploratory talks between the Philippine Government and the National Democratic Front were held last year at The Hague, Netherlands.

The two parties agreed that formal peace negotiations shall be held to resolve the armed conflict; that the common goal of the negotiations shall be the attainment of a just and lasting peace; that the negotiations shall take place after the two parties have reached accord on substantive issues in the agreed agenda through the reciprocal working committees to be separately organized by the Philippine Government and the NDF; and, that the holding of the peace negotiations must be in accordance with mutually acceptable principles, including national sovereignty, democracy, and social justice and no pre-condition shall be made to negate the inherent character and purpose of the peace talks.

The Philippine Government and the NDF also agreed to recommend the following: specific measures of goodwill and confidence-building to create a favorable climate for peace negotiations; and that the substantive agenda of the

formal peace talks shall include human rights, socio-economic reforms, end of hostilities, and disposition of forces.

The National Unification Council recommended the approval of the joint declaration subject to refinements in the substantive agenda and the continuation of exploratory talks with the NDF. Both of these recommendations were recently approved by President Ramos.

As for the separatist problem in Southern Philippines, another Philippine Government delegation held exploratory talks with Chairman Nur Misuari of the Moro National Liberation Front in Tripoli, Libya, last October. This was to re-establish contact with the group which was lost after the 1987 peace talks. Although Chairman Misuari initially demanded that future talks be held in a neutral foreign venue under the auspices of the Organization of Islamic Conference, he has lately offered to return home to Mindanao to start the dialogue with the Philippine Government.

Taking a stance similar to the one it has adopted for the NDF, the National Unification Commission also recommended the continuation of exploratory talks with the MNLF. Efforts are also being exerted to touch base with the other major Moslem separatist faction, the Moro Islamic Liberation Front.

Meanwhile, exploratory talks between the ultra-rightist/military rebels and the National Unification Commission resulted in a signed agreement.

The agreement called for an immediate cessation of hostilities for both parties; the government's suspension of court martial proceedings; the suspension of offers of reward money during the duration of the agreement and the formal talks; and for both parties to operate consistently within the framework of Philippine laws and its Constitution.

PROSPECTS FOR PEACE

For the Philippine Government, peace is of paramount importance to the well-being of the people and to the country's political, economic, and social development. The government believes that the current internal conflict in the Philippines can be resolved through a peaceful process, thus it must explore all avenues toward peace.

It maintains that the peace process can be enhanced by joint efforts aimed at strengthening the agreements with complementary programs designed to eliminate the root causes of insurgency over a period of time and within the resources available to the nation. The government also realizes that it is taking a lot of risks in these initiatives, but the gains to be achieved far outweigh the risks.

The Philippine Government foresees that, even with all the bold initiatives and breakthroughs, the peaceful settlement of armed conflict will be a complex and long process. Such a settlement will involve continued manifestations of sincerity, concrete confidence-building measures, and a justifiable process of "give and take." Thus far, consultations with various groups have resulted in a lot of sectors wanting to participate in the peace endeavor.

In general, the peace initiatives of President Ramos have drawn very positive responses from all sectors of Philippine society. The initial and exploratory talks have been quite fruitful, raising hopes that a peaceful solution to the internal armed conflicts in the country shall be finally attained.

There is no doubt that the pace of economic growth and development of the Philippines will be determined significantly by its internal peace and stability. With the attainment of the latter, the country would then have a strong foundation from which to launch programs that are designed to spur economic growth and progress.

When this comes, as it eventually will, the Philippines may well be expected to expand its share of tasks in ensuring the security of sea lanes of communication in the region.

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

SUB-NATIONAL THREATS AND RESPONSES

by

Ronachuck Swasdikiat

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

**8th International Conference
on
The Sea Lanes of Communication
24 – 27 January 1993**

SESSION 7

Sub – National Threats and Responses

**co – present
by**

**Colonel Ronachuck Swasdikiat
Deputy Director of Intelligence
Royal Thai Army**

GENERAL SITUATION IN THAILAND

Since the last September general election resulting in the formation of the Government with Mr. Chuan Leekpai, the head of the majority party, becoming the Prime Minister, there have been no indications of external threats to Thailand from its neighbouring or other countries. Even though there are some disputed areas along the borders with some neighbouring countries but these problems are being resolved through diplomatic means. It is believed that, in the near future, there would be no disputes that have to be solved through the use of force with countries that have a common border with Thailand, excluding Cambodia in which the situation cannot be predicted with any certainty until after UNTAC have conducted free elections in May 1993.

SPECIFIC SITUATION AFFECTING INTERNAL SECURITY

Communist terrorist activities : Since the start of the Communist "armed struggle" in 1965 to now the capability of the Communist terrorist, at one time had 14,000 armed militia in 1979, has diminished considerably to its lowest level of not more than 100 armed personnel. They are hiding in rural areas of the North and North East and a small number are in the Central area. They have not given themselves up and have had no activities or terrorist action against the local population. The majority of the armed faction of the Communist Party of Thailand, if not killed or wounded during their fight with the Royal Thai Army, either were captured or have turned themselves into the Government's programme called "Thai National Development".

Communist Party of Malaya activities in the South of Thailand :
 Their activities in the south ^hwich share a common border with Malaysia have stopped since the signing of the agreement by the three sides (Thai, Malaysia, Communist party of Malaya). The members of the party turned in their weapons and resettled with their families in the area allocated to them in Thailand. Concurrently, the Malaysian Government also admitted some of them to resettle in Malaysia.

Terrorist activities : The terrorist activities which affects Thailand's security at this period of time are the activities of groups of the Southern Muslim Bandits. They are active in the southernmost provinces of Thailand. The Thai Government and the Armed Forces considered them more or less to be bandits or gangsters that prey on innocent people for money through terrorism and kidnapping. The reason why these bandits are still active because through falsely using religion and playing on the separatist movement they receive outside support from fundamentalist countries in the Middle East.

THE SITUATION OF MINORITIES, DISPLACED PERSONS AND REFUGEES.

Minorities : The situation of the minorities mostly residing in the mountainous areas in the North of Thailand has gotten better in terms of violent clashes with the local authorities. The Communist movement, who had persuaded these minorities to follow their ideology in their quest to undermine Democracy, have been weakened and have ceased their operations for the time being. At present the people have migrated down to the plains, and some have registered as Thai citizens. But the continuing problem stems from some groups of these people who still prefer to grow opium, which brings them good returns, but illegal. The authorities have not yet been able to convince them to stop.

Displaced persons : The situation with this group of people involves the West^{ern} border connecting Thailand and Myanmar. There have been frequent fighting between the Myanmar troops and Myanmar minorities, along the mentioned border, resulting in the fleeing of these minorities both armed personnel and civilian into Thailand. The result of this fighting created the present problem of the displaced persons in Thailand.

Refugees : The altercation in Cambodia has been going on for 14 years resulting in hundreds of thousands of Khmer refugees flooding into Eastern Thailand. These refugees must be given food, shelter and clothing. Thais on the Eastern border must take the brunt of this immigration because they can no longer farm there. There are thousands of mines lying around creating problems of security. Furthermore, bandits with war surplus weapons continue to terrorise the locals. At present UNTAC can ease the problem of Khmer refugees to some extent, and if UNTAC could resolve the differences among Cambodian factions, Thailand can resume the process of sending back the refugees to their homeland once more.

The situation of international terrorist and pirates in the Gulf of Thailand.

Since 1982 there has been no international terrorist actions in Thailand. This is because Thailand did not directly get involve or was not a direct adversary to them. Nevertheless foreign diplomatic bodies in Thailand may come under attack. Anyhow, Thailand would not be a prime target for terrorist activities at present.

Disputes in Indochina created lots of pirate activities in the Gulf to Thailand. Their targets were mostly refugees by boat or the "boat people" and sometimes Thai fishermen. But since the Royal

Thai Navy has established an ad hoc patrol unit to take charge of the Gulf these pirate activities have decreased to a halt. There has never been reports of pirate attacks on a large ship in the Gulf of Thailand for the time being.

Thailand 's responses.

In dealing with the Communists and terrorists in the South of Thailand we believe appropriate actions have already been taken. The next difficult tasks are to ensure that there will be no more situation of provocation by using social and economic instability, and also unfair distribution of income as conditions for creating violence.

The Government has dealt with the minorities issue by treating them the same as Thai people. They are accepted to live more and more as Thai citizens. They have settled down with their families and are abiding by the rules and laws of the state. The Government has been using several measures in trying to get rid of opium growing, for instance, by suggesting other profitable crops. The Thai government has to keep displaced persons out of Thai soil or at most allow them to stay near the border where they will least affect the Thai people. But along the western border adjacent to Myanmar the problem of displaced persons derived from internal conflict in that country which the Thai government can not get involve. What it can do is to keep the conflict from spreading into Thai soil. And in the process of solving the problem the Thai government supports any effort to resolve internal conflicts in neighbouring countries in order to ease the problem of refugees crossing into Thailand. For the Khmer refugees Thailand has been treating them according to the humanitarian principle together with the help from UNHCR. And after UNTAC started its operations in February 1992 Thailand has started sending these

refugees back to their homeland. Furthermore in order to support the UN in searching for peace in Cambodia we dispatched 2 army engineering battalions to help rebuild roads and bridges in Cambodia. The expense of one of the battalions is being sponsored by the Royal Thai Army. The conflict, however, is still ever present among the Cambodian factions which hinder UNTAC from making much progress on its peace plan.

At this moment the Royal Thai Army perceives that if the peace process fails UNTAC will have to leave and the war would resume; the refugee problem would be unavoidable.

As for Thailand's active measures against international terrorists and pirates, Thailand is a member of many international agreements such as Tokyo Agreement (1972), Haig Agreement (1978), Montreal Agreement (1978) and Bonn Announcement (1978). Furthermore, Thailand has been exchanging relevant informations with the international network plus stepping up security for airports and embassies including foreign interests. The latter when requested. For the pirate issue The Royal Thai Navy patrol unit and private sector security network (such as petroleum/natural gas platforms) are trying to control pirate activities in the Gulf to a minimum.

CONCLUSION

In general, I believe that the internal threat and other threats that may affect the stability in Thailand should not impose any affect on the sea line of communication for the time being. The peace process in Cambodia will dictate the situation in South East Asia in the near future, and will also affect the stability in Thailand as well.

At present Thailand is expanding economically so the sea line of communication is very essential for its economy especially the import/export system. If there occurs any situation whereby the sea lanes are impeded Thailand would be handicapped in its competitiveness in the world of trade.

Sesion Seven

Tuesday 26/1/93 1330 - 1500

AND
SUB - NATIONAL THREATS AND RESPONSES

Thailand, Captain Kiat Korbsook RTN.

1. My task at this moment is just ^{representing} ~~representing~~ myself as an individual and what I present is absolutely not and official view of the Royal Thai Armed Force or Royal Thai Navy or any other Thai's Government Authorities, but at the same time I will try my best to reflect what suppose to be a Thai's view in general of which this gathering would like to here.

2. The Sub - National Threats and Responses that I will mention should concern about some questions concerning the sea lanes of communication of this region including Thailand and her neighbours and Western Pacific Rim Countries such as :

- The control of maritime pollution
- The control of smuggling, drug Trafficking and illegal fishing
- Controlling ~~Piracy~~ ^{piracy}

3. Some pollution such as oil leaks or collision at sea or accident of Navigation or pipelines leaks including pollution by dumping of toxic or chemical compounds or industrial discharges, these pollution would affect or threatening the health of man and living creatures.

Thailand has recently put her position in ^{appropriate} ~~appropriate~~ place in the family of nations desiring to prevent and preserve the environment. including maritime ~~environment~~ ^{environment}.

The organisation of Thailand that has the over all control about the policy is the office of National Environment Board (ONEB), which is one of the departments of ministry of Science Technology and Energy, with a legal sub - committee to prepare appropriate draft legislation for submission to parliament and the second one is the ^{Harbour} ~~Harbour~~ Department has the job to control the pollution as well.

A series of legislative acts have been adopted to deal with marine pollution from land - based ^{sources} ~~sources~~ including the public - Health Act 1941 (PHA) to control the ^{dumping} ~~dumping~~ of municipal waste and the Factories Act 1969 (FAC) to set industrial effluent standards, and to regulate the ^{treatment} ~~treatment~~ of industrial wastes, as well as agricultural chemicals such as fertilizers and ^{toxic} ~~toxic~~ substances.

For the problem of oil leaks or collision at sea or accident of navigation or pipelines leaks in the oceanic region. In my view of controlling this poll, there should be a body or international organization of the asia - pacific rim countries, taking action to deal with the problem occurred, in easy way and convenience and for the purpose of economy in using facilities, equipments and ships, the countries could adopt their navies to participate of resolving the problem mentioned. I trust that most of the navies are already and well prepare for Co-operating the task.

5. For Drug trafficking and contraband appear to be well planned and well organized. This type of crime, if undetected it would generate enormous volumes of money. One of our problems is obtaining information the source early and often enough which would enable the crimes to be prevented or diluted to reduce the generation of large volumes of Criminal money which helps to strength the criminals scope of operating

For increasing the scale of operating at sea, Now, Royal Thai Navy obtains more authority of operating including investigation

every illegal action on the sea ^{in order} to suppress and prevent the problems.

6. For illegal fishing, We might accept that the Exclusive and Econonric Zone (EEZ) created problems to fishing vessels, many ships did illegal fishing in EEZ of neighbour countries, with out their intentions by lack of navigation instruments. To resolve this problem, some organisation of Thailand such as Royal Thai Navy provided Navigation courses for people of ~~the~~ fishing vessels at ^{some} ~~many~~ places along the coast of Thailand and the navigation lessons are giving to them all year round. Inadition to minimise the problem, Thai Government supports them to co - operate with neighbour countries by joint - venture on fishing Buisness it seems to have satisfied atmosphere in future. I personally call for to some countries not to adopt the agressive ~~measures~~ ^{measures} to the fishing boats which ^{lack} ~~lack~~ of Navigation equipment; or innocent passage, in order to prevent conflict between neighbour countries in this region.

7. For the controlling Piracy. In the past boat people created many problems to this region, one problem eminating from this illegal aliens is piracy. The definition of piracy, it cleary stated that "It is any illegal acts of violence on the high seas or in a place outside the Juris-diction of any state" The situation at that time

was serious. It was one of the most difficult tasks for the Royal Thai

Navy to perform her duties since the vast area and the limitation of equipments and craft. However by the actions of frequently patrolling and decisive measures by ships and air crafts, ^{It could say that} ~~I can say that~~, ^{Sofa}

Thai Government by the the Royal Thai Navy could control piracy in the

Gulf of Thailand. But still have ^{some} evidences of piracy in the region

which is dangerous to the sea lanes of communication, ^{At} ~~at~~ the time of withdrawal of Naval forces of super Power from south china sea, The safety of the sea lanes are not secure, The countries who have ^{interest} ~~benefits~~ along

this region should Co - operating on controlling piracy by :

- Co - operation of patrolling (by ship and A/C of each navy)

^{Exchanging}
- ~~Exchange~~ Information

- Establish an International Organisation for Controlling

piracy

I believe that well organized and well Co - operation between countries in this region would resolve the problem of piracy.

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

**INTERNATIONAL COOPERATION ON
THE SAFETY AND SECURITY OF SLOC**

by

Etty Agoes

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

INTERNATIONAL COOPERATION FOR THE SAFETY AND SECURITY
OF SEA LANES OF COMMUNICATION

by : Etty R. Agoes¹

At the outset I would like to express my appreciation to the organizing committee for having kindly invited me to be present at this occasion. I understand that it has been 15 years since the idea of forming a forum on sea lanes of communication was put forward and received an overwhelming response from countries in the world regardless of its ideology or political orientation. This is indeed an honour for me to be included in this distinguished forum and share with you some ideas on a very important issue. The task assigned to me is to speak on international cooperation regarding sea lanes of communication. In the time allocated to me I will try to give a brief description on the matters as seen by myself as a student of international law.

Up to the middle of this century the traditional pattern of jurisdiction in the ocean was one consisting largely of high seas, free for all States to use, with narrow bands of territorial waters over which coastal States exercised complete sovereignty, subject to the rights of innocent passage. This rather simple picture, however, has been fundamentally changed in the latter half of this century.

In the years after the second world war we have witnessed changing national perceptions of the ocean which resulted in the unilateral extensions into the wider areas

1. Padjadjaran Law School, Bandung, Indonesia. Submitted ^{to} ~~at~~ the Eighth International Conference on the Sea Lanes of Communication (SLOC), Nusa Dua Beach Hotel, Bali, 24-27 January, 1993.

of the world ocean of national jurisdictions. This process of maritime claims, which sometimes is characterized as "creeping jurisdiction", have grown to be spatially extensive, functionally inclusive and jurisdictionally exclusive.²

Although the great majority of the nations in the world signed the United Nation Convention on the Law of the Sea, in December 1982, the Convention have not yet been ratified by enough nations to come into force. The ambiguity in the wording of the critical provisions pertaining to navigation will be subject to varying interpretations. Furthermore, some nations consider the Convention to be largely composed of a set of guidelines, with the actual rules and regulations to be established through states practice. A body of agreed principles that can truly regulate navigation on the high seas and the various jurisdictional zones of the oceans, therefore, is still in an evolutionary stage.

The UN Charter establishes that one of the fundamental purposes of the UN is "to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character ..."³ A general duty of States to co-operate with one another without any discrimination is further codified in the 1970 United Nations Declaration on Principles of International Law concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations.

2. Dalchoong Kim and Jin-Hyun Paik, "The relation between User States and Coastal States with Respect to International Navigation," in Kuribayashi and Miles (eds.), *The Law of the Sea in the 1990's : A Framework for Further International Cooperation*, Honolulu, 1992, p.51.

3. Article 1 paragraph 3.

The historical significance of the 1982 Convention has been highlighted by almost everyone concerned with or related to the issues of the law of the sea. I believe that there is not any country in this world who do not view the Convention as an important legal instrument that needs to be preserved and further strengthened. Its most significant role in promoting international cooperation has been portrayed as a model for international cooperation among States that should be emulated in other areas of international affairs.⁴

SEA LANES OF COMMUNICATION.

The practice and needs of the world towards the ocean can be distinguished by two activities of a different nature : commercial and strategic (more referred to as military). This distinction have created both commercial and strategic sea lanes of communications, with the latter better known as sea lines of communication. Notwithstanding this distinction, it is believed that historically the principal function of navies was the protection of a nation's commerce in both peacetime and war. Many countries in the world are increasingly dependent on the seas for economic and thus national survival.⁵ The trade routes in peacetime were so important to maritime nations, that they were willing to employ force if necessary to protect the routes.

4. Jose Luis Jesus, "Statement on the Issue of the Universality of the Convention," in Rudiger Wolfrum (ed.), *Law of the Sea at the Crossroads : the Continuing Search for a Universally Accepted Regime*, Berlin, 1991, p.21.

5. Lehman, "The Law of the Sea, " in *Jane's Naval Review*, 121 (J. Moore ed. 1982) as cited by Joseph R. Morgan, "Strategic Lines of Communication : A Military View," in Jon M. Van Dyke, et al. (eds.), *International Navigation : Rocks and Shoals Ahead*, Honolulu, 1988, p. 55.

This distinction is quickly disappearing as we look into the development of man's activities in the ocean. During peacetime we speak of trade routes and sometimes of sea lanes or navigational routes. Come wartime, the whole complex of routes and transport dominates war, and is then called communication. When communication is referred to as "the stream of supplies and reinforcement",⁶ it is not hard to imagine a peacetime commercial sea lanes of communication becoming a wartime strategic sea lines of communication. Thus, the petroleum route from the Persian Gulf, via the Straits of Hormuz and Indian Ocean, then accross the Straits of Malacca and Singapore, crossing the South China Sea to Japan, for instance, is as extremely important to Japan's peacetime economy in providing fuel for homes and factories, as well as to its need in the event of war to support its large military establishment.

THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.

The United Nations Law of the Sea Conferences have succeeded in formulating international conventions to govern the ocean. The Conventions have created various regimes for the seas which were divided into the areas under greater coastal State control, and those within less coastal State control. The various maritime zones adopted were also divided into different jurisdictional competencies, reflecting an attempt to balance the competing interests of the coastal States and the user States. The 1958 Conventions recognizes only four regime of waters, namely : internal waters, territorial sea, contiguous zone, and the high seas. In addition to that, there is the concept of the continental shelf.

6. A. Mahan, *The Influence of Sea Power Upon History : 1660 - 1783*, as quoted by Joseph R. Morgan, *supra*, n. 6, p. 59

Today, after the establishment of the 1982 United Nations Convention on the Law of the Sea, we may now distinguish the spatially extensive more regimes in the ocean. Using the gradual changes from greater to less coastal State control, we can start with internal waters where the power of the coastal State is absolute. Then we may proceed to a new area called archipelagic waters, where the archipelagic State's control is limited with the obligation to accommodate the international community's interest in navigation. Beyond that, we will reach the territorial sea. Somewhere in between the last two regimes, or even overlapping the territorial sea, we have the regime of straits used for international navigation. Further from that, we have the contiguous zone. And then somewhere else again we have to take into account the concept of historic waters which may overlap these regimes or go beyond that. In addition to the continental shelf, we have another new concepts of exclusive economic zone and enclosed or semi enclosed seas, before reaching the high seas.

In the course of the Third United Nations Conference on the Law of the Sea's lengthy negotiations, maritime nations with powerful navies have insisted that a number of safeguards be included into the Convention, particularly to provide a maximum degree of freedom of navigation for their naval vessels. Although many States were ready to accept 12 miles as the new recognized width of the territorial sea, claims for a more unrestricted passage through waters within national jurisdiction had been intensified. The coastal States, on the other hand, wanted to preserve their sovereignty and interpreted freedom of navigation through their territorial waters as a challenge to their sovereign integrity.

The 1982 Convention represents not only the codification of customary norms, but more significantly it represents the progressive development of international law. The most significant quality of the Convention, however, is represented by its nature as a "package" emerging from the close interrelationship of the many different issues involved, the large number of participating States, and the vast number of conflicting interests. In order to create an overall equitable order, an example of the package nature of the Convention can be seen through the notion that the enjoyment of the rights and benefits involves the concomitant undertaking of duties and obligations. This kind of package deal nature is best evidenced by the Convention's provisions on navigational rights through waters within national jurisdiction. Outside national jurisdiction, in the high seas the notion of freedom of navigation still prevails.

The 1982 Convention provisions on rights of navigation is the best example that illustrates the need for international cooperation. Advocates of various positions have formulated the Convention's provisions in a very fragmented way, therefore the fairness of a clause only comes in the forms of the package deal out of which the Convention was originally designed. In the implementation of the Convention, problems may occur in the shape of abuse or inconsistency. Such problems should ~~be~~ ^{be} not handled by picking and choosing as one sees fit, but need to be smoothed out through international cooperation. One best example to this problem may exist with regard to sea lanes of communication.

This meeting and the previous meetings convened in various parts of the world were geared toward the reaching of a common understanding on the vital roles of the sea lanes through the examination of its viability, and through an exploration of ways in which these nations may better cooperate in preserving the security and safety of those sea

lanes. Throughout those meetings it was already understood that securing the sea lanes of communication is vital for the security and prosperity of all nations concerned. Therefore, mutual cooperation through the discussion of feasible and practical ways of cooperation is essential.

NAVIGATIONAL RIGHTS THROUGH WATERS WITHIN NATIONAL JURISDICTION.

The 1982 Convention recognizes three kinds of rights of passage through waters within national jurisdiction, namely innocent passage, transit passage, and archipelagic sealandes passage.

Rights of innocent passage.

Unlike the 1958 Geneva Convention on the Territorial Sea and Contiguous Zone, the 1982 Convention recognizes innocent passage not only through the territorial sea, internal waters and straight used for international navigation, but also in the archipelagic waters as well.⁷ This part of the Convention can be regarded as one part of the Convention that best illustrates the package deal system.

In the 1958 Convention, coastal States were given more freedom to regulate passage through waters within their national jurisdiction limited only by innocent passage in the territorial sea (a restricted passage which can be suspended when necessary) and straight used for international navigation.⁸ In the course of time, however, innocent passage has been considered as hampering world transportation,

7. Articles 8, 17, 45 and 52.

8. Innocent passage is also recognized in internal waters which was previously part of the high seas established as a result of the application of a straight baselines.

and interpreted as to give coastal States the authority to impose certain requirements, such as previous authorization or notification. Such restrictions were rejected by maritime States, when claims to 12 miles territorial sea surfaced in the late 50's, since extension of coastal State's maritime jurisdiction would only broaden areas of restricted passage.

Ships of all States, be it coastal or land-locked, shall enjoy a right of innocent passage through the territorial sea. Passage is defined by the Convention as navigation through the territorial sea for the purpose of traversing that sea with or without entering internal waters or calling at a roadstead or port facility out of internal waters.⁹ Passage shall be considered innocent if it is not prejudicial to the peace, good order and security of the coastal State. The Convention also provides for a list of activities that will be considered as not bearing the meaning of innocent passage in conformity with this Convention.¹⁰ Coastal States, on the other hand, may adopt laws and regulations relating to innocent passage through its territorial sea to provide for, i.e. safety of navigation, preservation of its marine environment and the conservation of the living resources of the sea.¹¹ In addition, the coastal State, when necessary, may designate sea lanes and prescribe traffic separation schemes.¹² However, in applying its laws and regulations, the coastal State shall not impose requirements on foreign ships which have the practical effect of denying or impairing the right of innocent passage.

9. Article 18.

10. Article 19 paragraph 2.

11. Article 21 paragraph 1.

12. Article 22.

Similar to the 1958 Convention, the 1982 Convention also recognizes innocent passage through straits used for international navigation connecting one part of the high seas or an exclusive economic zone and the territorial sea, or which is excluded from the application of the regime of transit passage. Of particular importance here is that, unlike in the territorial sea there shall be no suspension of innocent passage in straits used for international navigation.

Another part of waters within national jurisdiction where innocent passage is recognized under this Convention is the archipelagic waters.¹³ In specified areas of its archipelagic waters, an archipelagic State may also suspend innocent passage temporarily, if such suspension is essential for the protection of its security.

Innocent passage, therefore, is a delicate form of accommodation between the demand of free and unimpeded maritime communication and the interest of the coastal State to uphold its sovereignty. The relationship between coastal States and user States, therefore, should be addressed from the perspective of balancing the two competing interests of safeguarding international navigation and ensuring the security of coastal States.

Rights of transit passage.

Under the 1958 rules, the rights of passage through straits depend primarily upon the status of the straits whether it is the high sea or a territorial sea. Freedom of navigation without coastal State's jurisdiction and control occurs, if the waters forming the straits are part of the high seas. On the other hand, if the waters forming the

13. Article 52.

straits comprised the territorial waters of one or more States, foreign ships shall enjoy the right of innocent passage.

Acceptance of a 12 mile territorial sea has caused a stir among the maritime States user of straits and the riparian States bordering such straits. It is estimated that as a result of this extension of maritime jurisdiction would put 116 of the world's straits used for international navigation under coastal States jurisdiction. The maritime States consider that their economic well being and security depend upon continuing guarantees of passage through international straits. They argued that under customary international law their rights are wider than a non suspendable innocent passage, amounting to freedom of navigation and overflight. The coastal States, on the other hand, felt that their security, environmental and economic well being, might be adversely be affected by the passing foreign ships through such narrow area of the ocean.

After a long debate, the Third United Nations Conference on the Law of the Sea had finally accepted a special regime of transit passage to govern such straits. Transit passage as a new regime has developed as a transformation of a compromise between those proponent of a free transit and the coastal State's concern over that narrow body of the ocean. Transit passage is the exercise of freedom of navigation and overflight solely for the continuous and expeditious transit of the straits lying between one area of the high seas or an exclusive economic zone and another area of the high seas or an exclusive economic zone. This right extends to all ships and aircraft, both military and commercial.

To guarantee the mobility in exercising their rights of transit passage, ships and aircraft are bound to refrain from the threat or use of force against riparian States bordering such straits, or in any other manner that violates the principles of international law embodied in the United Nations Charter. Moreover, there is also an obligation to refrain from any activities other than those incident to their normal modes of continuous and expeditious transit. This regime of transit passage do not oust passage applicable under long standing international conventions which regulates passage through particular straits.

Rights of archipelagic sea lanes passage.

As already indicated above, rights over passage depends primarily on the status of waters within which passage shall take place. In the course of time we have observed that the world's ocean has been divided into zones within and outside national jurisdiction. The concept of archipelagic waters is a new one in international law. It is recognize as having a *sui generis* nature, since the waters are neither internal waters nor territorial sea.

Ships and aircraft of all States enjoy in archipelagic waters the rather more extensive right of archipelagic sea lanes passage in sea lanes and air routes designated by the archipelagic State in consultation with the competent international organization. Archipelagic sea lanes passage is the exercise of the rights of navigation and overflight in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone.

Besides giving an archipelagic State the obligation to establish sea lanes and air routes for such passage, the archipelagic State's sovereignty over its archipelagic waters is also subjected to a number of other rights enjoyed by third States, such as the rights derived from existing agreements, traditional fishing rights and existing submarine cables.¹⁴

PROSPECTS FOR INTERNATIONAL COOPERATION

No other multilateral legal instruments articulates as many specific obligations to cooperate in such a variety of contexts as the 1982 Convention does. Acknowledgement of interdependence can be found in the preamble to the 1982 Convention where it stated that :

"... the problems of ocean space are closely interrelated and need to be considered as a whole, ..."

Evidence of the recognition of the importance of cooperation among States can be found in the very first words of the preamble through a statement that the Parties :

"Prompted by the desire to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea ..."

Finally, the State Parties to the 1982 Convention also believes that :

"... the codification and progressive development of the law of the sea achieved in this Convention will contribute to the strengthening of peace, security, co-operation and friendly relations among all nations ..."

14. Article 51.

Further, nearly one fifth of the 1982 Convention's provisions enjoin or make recommendation for cooperation,¹⁵ in different phrases such as "shall cooperate" ^{or} and "shall endeavour to establish."

From the description of legal regimes governing man's activities with regard to navigation through various zones of maritime jurisdictions, one conclusion that can be derived from that is that law of the sea involves interstate activities. In an area of interstate activity such as the law of the sea, one important element that should be taken into account is that there is interdependence. The principle that can be derived from that fact is the principle of cooperation.¹⁶

Interdependence in the law of the sea means that there is a recognition by a State that for the realization of its policies with a minimum cost, that State must rely or depend on the uncoerced will of another State. Example of this situation can be best illustrated by the 1982 Convention's provisions. Where States which claims global military responsibilities need freedom of transit through straits used for international navigation, their needs are matched by the needs of other countries to protect their own interests through claims of expanded national jurisdiction. Similar situations also applies to rights of navigation through the territorial sea and archipelagic waters.

15. Christopher Pinto, "General Aspects of the Role of International Organizations in the Implementation of the Law of the Sea Convention," in Alfred H. A. Soons (ed.), *Implementation of the Law of the Sea Convention through International Institutions*, Honolulu, 1990, p. 11.

16. Christopher Pinto, *supra*, n. 15, p. 12.

As is already indicated above, recognition of interdependence can also be found in the package deal approach of the 1982 Convention, and also find its place in the various provisions referring to the principle of cooperation, a form of activity that is natural, inevitable and perhaps a unique consequence of interdependence.¹⁷

Interdependence then requires cooperative relationship among States through reciprocity or mutuality of action with equivalent rewards. Problems may occur since reciprocity requires a somewhat equal position, therefore reciprocity may seemed to be difficult to achieve if one thinks of equality in the terms of economic and/or political power. Here, interdependence in the law of the sea should be read in the context shown by the 1982 Convention itself, as is evidenced from the consciousness of all States that the problems of ocean space are closely interrelated, that it needs to be considered as a whole.

CONCLUSION.

Within the framework of the 1982 Convention, international cooperation on the safety and security of the sea lanes of communication could be made possible. However, the ultimate shape of this international cooperation will be determined by States' interpretation to and actions based on this new evolving Law of the Sea. As one had said six years ago, it would be tragic if it suffered interference due to irrational interpretations of the Convention.¹⁸

Bandung, 23 January 1993.

17. Christopher Pinto, *ibid.*

18. Joseph R. Morgan, *supra*, n. 5, p. 67.

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

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**INTERNATIONAL COOPERATION ON
THE SAFETY AND SECURITY OF SLOC**

by

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The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

THE NEW RUSSIA AND
THE ASIAN-PACIFIC SEALANES' SECURITY

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DRAFT

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With the breakup of the Soviet Union, Moscow's political importance in the Asian-Pacific region has declined. So has Moscow's security threat to the Asian-Pacific region. Boris Yeltsin already announced that Russia's short and medium-range nuclear weapons were withdrawn from its Far East in fulfillment of the treaty concluded between George Bush and Mikhail Gorbachev.

Russia's security interests in the Asian-Pacific region certainly have differed from those of the Soviet Union. But Russia undeniably inherited part of the "legacy" of the Soviet policy toward the security in the Asian-Pacific region. Russia's threat to the seelanes security in the Asian-Pacific is not completely fading off, but its immediate threat is undoubtedly diminishing.

It is important to note that other potential threats to the seelanes security are on the rise because of the political transformation in Russia. In the eyes of Russian scholar Vladimir I. Ivanov, virtually every major country in the Asian-Pacific region is a potential security concern or threat to the salanes communication. Although this is somewhat an overstatement, it has a merit in so saying.

Today, Russia's foreign policy is no longer primarily determined by ideology or a priori approaches. The fact is that the imperatives of its geopolitical role and position are increasingly the determinants of Russia's foreign policy. It is in Russia's interest to have an orderly retreat from high-cost, low-yield security poission in the Asian-Pacific region.

The New Russia will undoubtedly become more pragmatic in its Asian-Pacific policy. The military aspect of its Asian-Pacific policy will continuously be reduced.² Although its economic rationale still may not parallel security concerns, security needs will not be overstated as in the past.

Before the collapse of the Soviet Union, the coverage of the spheres of influence of Soviet sea power in the Asian-Pacific region includes the West Pacific, the South Pacific, the Soouth China Sea and the Indian Ocean. The first appearance of Soviet naval activities in the Indian Ocean was sighted in 1960. On the average, the Soviet Union used to maintain 30 warships of various kinds between the Hainantao Island and the Malacca Straits.

The Soviet Union set up its Far Eastern Strategic Theater in Siberia in 1979. The Pacific Fleet is placed under the command of this theater. Then the Soviet Pacific Fleet gave emphasis to defense without big warships. In 1987, the deployments of Soviet forces in the Asian-Pacific region were as follows: 1,500 high-capability fighters, 600 bombers, 1,200 missiles, 2,500 nuclear warheads, 54 ground divisions, 40,000 vessels and 132 submarines. The Soviet Pacific Fleet has its its military bases mainly in the Primorskaya Provicne, the Kamchaka Peninsula as well as the Kuriles. In sum one-third of the

Soviet nuclear weapons were kept in its Far East.

The TU-22 backfire bombers deployed in the Soviet Far East have a range capable of covering the entire Japanese territory. They are the most worrisome military deployment for Japan. According to U.S. estimates, the Soviet Union used to have 40 airfields where the fighters deployed could reach Japan's Hokkaido without any stop.

In Cam Ranh Bay, the Soviet Union once deployed 16 TU-16 fighters, 8 Bear fighters and 14 MIG-23 Flogger fighters as a step to compensate for the insufficiency of air cover capability. Cam Ranh Bay was of great strategic importance. The Soviet Union used to take its use of Cam Ranh Bay as a "compensation" for its economic aids to the Vietnam Government.

In the 1980's, Soviet sea-based nuclear strategic forces in the Asian-Pacific region were primarily centered in the Sea of Okhotsk, Sea of Japan, Bering Sea and areas close to the Kamchatka peninsula. Although the Soviet Union removed its SS-20 intermediate range nuclear missiles from its Far East, its longer range mobile SS-25s missiles still constituted a strong threat to the security in the Asian-Pacific region.³

Following the collapse of the Soviet Union, reductions of Russia's military deployments in its Far East have been quite notable. Actually before the dissolution of the Soviet Union, the country already took steps to scale down its military deployments there. In 1991 alone, the number of large warships of Russia's navy in the Pacific decreased by as much as 20 percent.

The New York Times in March 1990 commented that Mikhail Gorbachev truly set about to reduce the forces of the Soviet Pacific Fleet by one third. It noted that the Soviet Union planned as well to withdraw all its forces in the Asian-Pacific region beyond Soviet borders.⁴

As early as in his speech at Krasnoyarsk, Gorbachev declared that the Soviet Union is interested in taking part in any discussions on how to prevent conflicts on the High Seas and over the air of the High Seas so as to ensure the security of searoutes in the Asian-Pacific region.

Furthermore, the Gorbachev regime dramatically shifted from an earlier Soviet position to describe that U.S. military presence in the Asian-Pacific region as a stabilizing force.⁵ For a long time, the Soviet Union criticized U.S. military presence as the principal source of tension.

In early 1990, Yeltsin succeeded in persuading Gorbachev to lift the ban on foreign visits to Vladivostok. Earlier Vladivostok was a closed city and was sealed off to foreign visitors. In September 1990, U.S. naval vessels visited Vladivostok, after vessels from the Soviet

Pacific Fleet had visited San Diego. The opening of Vladivostok actually could serve as an indicator of a change of Moscow's security attitude toward the Asian-Pacific region. But even today, Vladivostok remains overmilitarized.

Moreover, on December 19, 1991, the Soviet Union disclosed that its forces on the disputed four islands totalled about 8,000. It indicated its initial plan to withdraw 30 percent of its forces there. Besides, Moscow proposed to set up a free enterprise zone. The Soviet Embassy in the Philippines also on October 7, 1991, stated that its forces would withdraw from Cam Ranh Bay not later than 1995. The embassy indicated as well that the Soviet Union would not object to continued deployment of U.S. forces in the Philippines.⁶

Robert Kelly, the commander-in-chief of the U.S. Pacific Command, confirmed at a maritime conference at Sydney on November 21, 1991 that the Soviet Union scaled down its activities in Cam Ranh Bay. Admiral noted particularly that Soviet warships were not seen for some time in the Indian Ocean, except few research ships.⁷ As widely known, Soviet naval activities in the Indian Ocean were under the command of its Pacific Fleet.

According to Gerald Segal, some Russian officials estimated that only about a half of Russia's military vessels in the Pacific would remain, when Russia's armed forces were to be trimmed down to 1.5 million by the turn of the twenty-first century.⁸

Specifically speaking, the manufacturing of submarines in Russia has been trimmed down by around 50 percent in accordance with Russia's comprehensive military installations reduction.⁹ It was expected that the scale of Russia's submarine output would be further cut down in the next two to three years.

The weakened Russia's capability for involvements in the South Pacific merits our attention as well. In 1986, the Soviet Union established diplomatic relations with Vanuatu. In January 1987, Vanuatu's prime minister Father Walter Lini, signed a one-year fishing agreement which granted permission for eight Soviet vessels to catch tuna inside Vanuatu's 200-mile exclusive fishing zone, although he specifically prohibited the vessels from entering the 12-mile territorial waters zone.

That Soviet active involvement in South Pacific region caused a great alarm to both South Pacific community and the U.S. Thereafter in April 1989, the Soviets even sought a joint fishing venture with the Solomon Islands.¹⁰ Soviet objectives in so doing were noted to limit the political and economic influence of the U.S. in the Pacific Basin; to become an arbiter in the region's conflicts; and to become involved with the emerging dynamic supranational economy of the Pacific Basin.

However, it becomes clear now that Russia is incapable of furthering the objectives for the South Pacific set earlier by the Soviet Union. Infrequent appearances of Russian vessels there will not be deemed a serious threat.

Russia's current arms supply relations with the North Korea is a typical case which indicates Moscow's debilitated interests in military expansionism in the Asian-Pacific region. The Soviets earlier supplied the North Korea with state-of-the-art military hardware, including SU-25 ground-attack aircraft, the most effective of Soviet attack planes; MIG-29 Fulcrum aircraft, one of the most sophisticated planes in the Soviet arsenal; and SA-5 Gammon surface-to-air missiles together with the advanced Tin Shield system outside the Soviet Union.

On November 20, 1992, President Boris Yeltsin of the Russian Federation declared that Russia already withdrew its support to the North Korea in the supplies of attacking weaponry and nuclear technologies. Particularly, Russia is now serious in preventing the North Korea from possessing nuclear arms. On December 8, 1992, Russia dramatically thwarted the nuclear ambitions of the North Korea. Russian special forces stormed a jet about to take off from Moscow with 36 nuclear experts hired by Pyongyang.¹¹ Earlier, Russia's security minister Viktor Barannikov disclosed that his 64 nuclear-related scientists from working overseas.

Certainly, it is unlikely that Russia will completely disregard the sentiments of the North Korea. No matter how impaired their relations now, Russia still tries to use her remaining ties with the North Korea so as to play its own game on the world chessboard.

However, an unprecedented security policy toward the Asian-Pacific region has, indeed, been adopted by the new Russian Federation. However vague his concept was, Yeltsin was seen truly interested in advocating the establishment of an Asian-Pacific security system. In contrast to Yeltsin's advocacy in fall 1992, Gorbachev's earlier proposal for an Asian-Pacific security summit conference was largely perceived as a calculated move to lessen U.S. influence in this region's security. In his book "Perestroika: New Thinking for Our Country and the World," Gorbachev complained that his concepts on Asian-Pacific security, since his speech at Vladivostok in 1986, has been constantly viewed as an attempt to weaken U.S. interests so as to build a new hegemony of the Soviet Union.¹²

In 1990, Huntington Hardisty, the then commander-in-chief of the U.S. Pacific Forces Command, stressed that the U.S. had to wait further observation to confirm that the Soviet Union was sincere in some steps to help stabilize the security development in the Pacific. Hardisty said that it would not be wise to expect any major changes in the Soviet force structure in the Asian-Pacific region.¹³ In earlier days, Soviet arms control proposals in this region truly They were

largely designed to constrain U.S. were always one-sided. naval activities in the Asian-Pacific region. The Soviet Union never proposed to establish "nuclear free zones" to cover the Kamchatka peninsula and in the Sea of Okhotsk. Instead, It centered its "nuclear free zones" proposals on Korea and the Southeast Asia, where U.S. had force superiority.

When the Soviet Union was still alive, the Bush Administration repeatedly suggested the following yardsticks for the Soviet Union to prove its rhetoric on the Pacific security development: a. Return the four small islands to Japan. b. Open Vladivostok to foreign visits. c. Set up economic special regions in its Far East. d. Help lessen the tension and hostility on the Korean Peninsula and in Cambodia. e. Greatly reduce its ground, air and naval weapons, instead of simply playing a trick by replacing out-moded weapons.

Basically, Moscow now adopts an all-directional policy toward the Asian-Pacific region. Its primary strategic objective has shifted to obtain capital, technologies and some special commodities from the Asian-Pacific region. Russia seems to have tried its utmost to avoid involvement in new regional conflicts. Since Eduard Shervardnzdze's visit to Indonesia and Thailand in 1987, Moscow has steadily improved its relations with ASEAN countries. It is even more so now.

The prospects look better now for an official inter-national conference on the Asian-Pacific security. If the conference comes ture, it is likely that the sealanes security issue can be singled out as an item on the agenda. So far, Japan and the People's Republic of China seem to be receptive to any such initiative. According to Japan's Jiji News Agency, the People's Republic of China already seemed to have supported in principle Yeltsin's proposal for the establishment of some Pacific security system.¹⁴

The U.S. always opposed to the application of the Helsinki and Stockholm agreements to the Pacific security question.¹⁵ A Russian scholar Mikhail G. Nossov was critical of U.S. continued rejection to have constructive dialogues with the Soviet Union on naval disarmament in the Pacific. Besides, Nossov defended Soviet position by emphasizing that the Soviet Union welcomed more bilateral or multilateral discussions by Asian-Pacific countries on how to protect security and how to enhance the confidence in security.¹⁶ Certainly it was widely believed that U.S. naval superiority in the Asian-Pacific region was one of the major reasons why the U.S. was not interested in conducting naval force disarmament with the Soviet Union.

As early as 1933, the Soviet Union already borached the idea of an Asian-Pacific Collective Security System. In view of Japan's military expansions in the Asian Continent, the Soviet Union then invited the U.S., China and Japan to sign a Pacific Non-aggression Pact.¹⁷ Although this proposal was completely rejected by 1937 because of doubts over its feasibility, it was the first Soviet proposal about Asian-Pacific

Security System.

To bring about the naval disarmament negotiation was the main purpose for which Gorbachev advocated an Asian-Pacific security conference. The Soviet Union pinned multiple objectives on restraining naval activities in the Asian-Pacific region. First of all, the Soviet Union intended to protect its valuable naval assets, particularly its missiles-carrying nuclear-powered submarines (SSBNs). Secondly, the Soviet Far East is truly vulnerable to direct attacks by U.S. superior navy. The supplies demand of the Soviet Far East rather relies on Moscow. Thirdly, the Soviet Union itself also attached importance to the maintenance of the searoad security in the Asian-Pacific region. One third of the cargoes traffic between the European part of the Soviet Union and its Far East relied on sea transport.

Actually, a naval disarmament program can consist of two main parts. One is to restrict the navigational activities of nuclear-capable warships. Another is to restrict anti-submarine activities. In his Vladivostok address, Gorbachev suggested the agenda of a Pacific security summit must include the reduction of the activities of nuclear-capable warships in the Asian-Pacific region. He mentioned in the meanwhile that the agenda should also cover restriction of anti-submarine activities in some parts of the Pacific. In an interview given to Indonesia's Independence News on July 21, 1987, Gorbachev also stressed the importance for the U.S. and the Soviet Union to delineate restricted navigation areas for their nuclear-capable warships.

The Soviet motive in proposing to restrict anti-submarine activities was not only to insure the mobility of Soviet maritime strategic strength, but also to enhance Soviet flexibility in deploying its anti-submarine force. Certainly at that time, the Soviet Union might intend to shift some of its surplus conventional attack submarines to the European theaters as a result of any conclusion of certain specified ASW-Free Zones. Those conventional attack submarines originally were mainly used to protect nuclear-powered missile submarines.

The combat backbone of the U.S. Seventh Fleet are SSBNs and those surface ships carrying Tomahawk missiles. Their deployment would be subject to any Soviet-proposed agreement on restrictions of nuclear-capable warships. However, it was less restrictive for the Soviet Union to observe any such agreement. It was because that the majority of Soviet SSBNs were deployed in the Sea of Okhotsk as well as in the Sea deployed there could largely reach the U.S. continent without any need to move first into the Pacific Ocean. After all, it was costlier for the U.S. to accept such an agreement, if any. In sum, the U.S. could by no means accept such Soviet Proposal then. And it might even more be the case today, as the new Russia is facing enormous domestic and international difficulties.

No matter how the U.S. will handle the disarmament issue in the Asian-Pacific issue. Russia will undoubtedly become more pragmatic in its Asian-Pacific policy. The military aspect of its Asian-Pacific policy will continue to be reduced for the foreseeable future.

At least Japan has been made more secure with the collapse of the Soviet Union. However, Japan also loses somewhat its strategic value to the U.S. in the wake of the dissolution of the Soviet Union. Japan now is no longer seen by the U.S. as a vital bulwark against Soviet expansionism in the Far East. On the rise in the U.S. is resentment against Japanese business protectionism.¹⁸ Certainly, if the People's Republic of China takes the advantage in actively expanding its maritime influence, then Japan could also be used as a countervailing power to Beijing. But the specter of Japanese militarism is still deeply rooted in many Asian-Pacific countries. Japan has been devoted to strengthening its capability for anti-submarine warfare in the past decade. Up to 1990, Japan has deployed 100 P3C anti-submarine planes.

Russia certainly realizes that only by improving its relations with Japan can it quickly win recognition as a legitimate player in the Asian-Pacific region. Japanese Prime Minister Kiichi Miyazawa not long ago confirmed that Japan would not grant full-scale aid to Moscow, pending resolution of the territorial dispute over the four islands.¹⁹ In the 1970's, Japan was one of the top three capitalist countries in trade with the Soviet Union. Japan now seems to have lost much of the appetite for exploring Siberian coal and gas reserves.

Similar to Japan, the strategic value of the People's Republic of China to the U.S. decreased in the wake of the dissolution of the Soviet Union. The People's Republic of China used to look to U.S. naval power as a necessary counterweight to the military threat from Moscow. Now the PRC's ongoing emphasis on the building of its strategic posture toward the South China Sea is increasingly a threat to the security in the Asian-Pacific region. In the past three years, the defense budgets of the People's Republic of China increased by large margins. It gave more emphasis to the enhancement of the fighting capability of its air force and navy. In other words, the PRC's threat to other South-east Asian countries looms larger with the collapse of the Soviet Union.

By enhancing its military strength, including the enhancement in its long-range bomber capability, Beijing has become more of a military threat to the stability in the Asian-Pacific region. In an interview in late December, 1992, Najib Razak, the Malaysian defense minister, said that all members of the ASEAN are watching Beijing's program to modernize its armed forces. Najib Razak recalled that Li Peng in August 1991 assured him in Beijing that the People's Republic of China had no intention of filling any power vacuum left by withdrawal of Soviet forces from the Asian-Pacific region. He was particularly worried with Beijing's accelerated pace in developing nuclear submarines, in acquiring aircraft carriers and in developing

its bases in, South China. The Malaysian defense minister concluded that any serious development of Beijing's strategic capabilities would increase the level of concern in the entire East Asia. It was reported as well that Beijing was negotiating for a relationship with Burma to provide ports access for Beijing's naval vessels.²¹ Above all, Beijing's aggressiveness has deepened the crisis for renewed outbreak of warfare over the Spratley Islands.

Russia's increased arms sales to the People's Republic of China have greatly added to Beijing's threat to the security of the Asian-Pacific region. Actually this can be seen as Russia's new threat to the region's stability. The Russian government has recently set up a "Military Technique Cooperation Commission" to improve the competitiveness of Russian arms in international markets. The commission consists of officials from Russia's Foreign Ministry, Defense Ministry as well as Foreign Economic Affairs Ministry. Its Foreign Ministry is charged with policy-setting; its Defense Ministry with techniques and materials; and its Foreign Economic Affairs Ministry with price coordination.

Russia and the People's Republic of China have remarkably improved their security relations. Yeltsin's visit in December 1992 solidified the political rapprochement between the two powers. According to the ITAR-Tass, Yeltsin said on November 24, 1992 in his welcome remarks to Beijing's Foreign Minister Chien Chi-cheng that Russia considered the Yeltsin stressed that PRC as a superpower. Russia gave top priority to Beijing in its new guideline of foreign policy. Chien Chi-cheng's visit to Moscow caused concern in the international community.²² It was largely because the AFP's version of Chien's remarks at his press conference stated that the PRC did not preclude the possibility of making alliance with Russia, although later the version released by the New China News Agency did not say so.

On December 2, 1992, Yegor Gaidar, the then Russian acting premier, disclosed to the Congress of the Russian People's Deputies that Russia not long ago agreed to sell more than US\$ two billion worth of arms to the People's Republic of China, India and Iran. The amount for the People's Republic of China alone was US\$ one billion. But other sources said that Russia's recent arms trade with Beijing totalled about US\$ 1.4 billion. Anyway, the PRC already replaced India and Iran to become the largest importer of Russian arms.

It was no longer a secret that the People's Republic of China set up a scientist-technician recruitment office in Russia. So far the office has recruited several hundred Russians to help the PRC develop its defense industries. The Bush Administration decided not to take actions against Russia or China over their arms trade. One of the reasons was that the U.S. did not want to add any extra pressure to Yeltsin as his power status was still shaky.

In his recent visit to Beijing, Yeltsin signed a treaty on military cooperation and nuclear force development with the People's Republic of China. Although Russia once again emphasized that its arms sales to the PRC would not violate its international obligations or disrupt the balance of power in the Asian-Pacific region. Even so, many Asian-Pacific countries have indicated their worries about this trend.

Russia already sold to Beijing around 60 SU-27 fighters, 5 sets of SA-10 anti-air missiles and 7 IL-76 transport planes. It is reported that Russia will shortly sell to Beijing T72M or T80 tanks, MIG-31 and MIG-29 fighters and a diesel-powered submarine. Some sources even said that the People's Republic of China was negotiating with Russia to import a sophisticated scientific-technological industrial base, which involved crew and technical know-how in the field of developing guided missiles, cruise missiles, anti-submarine warfare as well as the testing of missiles. 13

All this testifies to the fact that the expanding arms sales from Russia to Beijing are detrimental to the seafarers security in the Asian-Pacific region, although the joint proclamation by Yeltsin and Beijing on December 19, 1992 stated that the two powers did not intend to seek any hegemony in the Asian-Pacific region or anywhere else in the world.

Russia's Defense Minister Pavel Grachev will sign a "defense scientific-technological cooperation agreement" with the People's Republic of China in his forthcoming follow-up visit there. It is pretty likely that the two powers will set up military joint ventures. Beijing is increasingly an important and stable trading partner with Russia. Russia's trade volume with the South Korea still lagged behind that between it and Beijing.

The naval armaments of the People's Republic of China are seen mainly as follows: 20 missile-carrying destroyers, 40 missile-carrying convoy warships and 120 submarines. Among the 120 submarines, some are nuclear-powered. A decade ago, Beijing already set the policy of developing a blue-sea navy. Then the current Vice Chairman of the CCP's Military Commission Liu Hua-ching was the commander-in-chief of its navy.

Beijing's interests in acquiring an aircraft carrier from either Ukraine or Russia are increasingly an issue of common concern in the Asian-Pacific region. Since the beginning of the 1980's, the People's Republic of China has reiterated its intent to acquire a mini aircraft carrier. Financially speaking, it is certainly quite a burden for Beijing to purchase and deploy an aircraft carrier. The savings in expenditures by cutting a million forces even fell below the expenditures to deploy and maintain an aircraft carrier. Of course, it will take years for Beijing to develop fighters to be based on aircraft carriers. Moreover, Beijing still did not have crews who are competent to command an aircraft carrier.

Japan's Yomiuri Shimbun on December 25, 1992 reported that Beijing, according to Moscow sources, truly intended to purchase two Kiev-class light aircraft carriers from Russia. Besides, the newspaper disclosed that Beijing was also interested in obtaining from Russia the fighters to be deployed on the two aircraft carriers. ²⁴

Anyway, it is of vital importance to monitor the development of Beijing's aircraft carrier deal. To completely preclude the possibility of Beijing's availability of an aircraft carrier in future is certainly unwise. With scores of SU-27 fighters in hand, Beijing is very likely to be able to acquire from Russia upgraded version of SU-27 for sea deployment in the years to come.

Further adding to our apprehension over the searanes security in the Asian-Pacific region is the continued instability of Russia's domestic politics. Even, today under Yeltsin's rule, signs of renewed Russian chauvinistic mentality have kept surfacing. The Russian Pacific Fleet Admiral Gennady Khvatov still denied that fuel shortages have curtailed sea time of the Russian Pacific Fleet. ²⁵ The foreign policy direction under Andrei Koryrev is relatively moderate. But Koryrev still insisted that Russia doubtlessly will not cease to be a great power. ²⁶ Even so, Koryrev's position as the Russian Foreign Minister might be replaced. He himself has indicated his personal career predicament several times.

Among the critics of Koryrev is Yevgeny Ambartsumov, Chairman of the Russian Supreme Soviet Foreign Policy Council. In general, the leaders of Russia's Civic Union aim to have their own proteges to replace Kozyrev and his foreign policy guidelines. Indeed, a portion of people in Russia share Kozyrev's position that Russia in the long run must strive to become an ally of Western powers. But Yevgeny Ambartsumov is one of those who believe that it is unwise to "fish for an invitation to become an ally." ²⁷ In the eyes of foreign policy conservatives in Russia, it is more realistic to speak of "partnership" with the West than to speak aloud "alliance."

Russia will still continue to be cause of suspicions of multilateral security cooperation in the Asian-Pacific region. Its nuclear force and naval strength will continue to affect perceptions by certain Asian-Pacific countries of Moscow's reliability of regional peace initiatives.

A school of observers in the international community now still firmly believe that Moscow is still aiming to enhance the strength of its Pacific Fleet, however financially weak the country is at this very moment. Yossef Bodansky pointed out that the capabilities of Russia's Naval Aviation have been revolutionized with the development of upgraded models of Russia's backbone tactical aircraft MIG-29 and SU-27, and of a new AWACS (Yak-44) and a revolutionary V/Stol fighter. ²⁸

Besides, some hardliners in Russia began to call for the reconsideration of the sale plan for the Varyag aircraft carrier being built at Nikolaev in Ukraine.²⁹ They pushed the Yeltsin government to purchase it so as to bolster the power of the Russian navy. It was reported that the Varyag aircraft carrier was originally built for the needs of the Soviet Pacific Fleet.

The Russian Far East remains excessively militarily-oriented. About one-fourth to one-third of the Russian military forces were still deployed in the region. According to the ITAR-Tass on November 14, 1992, the Russian Pacific Fleet continued to conduct tests of a kind of "high-precision" guided missiles. The tests were conducted by two SSBNs and a cruiser.³⁰ In the eyes of Thomas W. Robinson, a series of communications projects has greatly strengthened the Moscow's capability for the defense of Russia's Far East since the start of the Gorbachev government. Among the projects were the completion of the Baikal-Amur Mainline Railroad and large numbers of airfields as well as surveillance satellites.³¹

Indeed, a debate is still going on in Russia about in what scale Russia should reduce its military deployment in the Asian-Pacific region. Whether Russia will truly discontinue its use of Vietnam's Cam Ranh Bay remains an open question. In late November 1992, Reuter reported that Russia went back on its earlier announcement and was still hoping to continue its use of Cam Ranh Bay. Russian Ambassador to Vietnam Rashid Khamidouline was quoted as saying that Russia was ready to help Hanoi develop the base into a combined military-civilian facility.³² This seems to have confirmed that Russia will not give up its use of Cam Ranh Bay quickly or easily.

In the 1980's, the Cam Ranh Bay naval base housed 4,000 to 7,000 Russian servicemen. Can Ranh Bay has for more than a decade served as a main supply and repair facility for the Soviet Pacific Fleet and the Russian one.³³ It seems illogical to give Russia substantial aids while Russia may spend part of its limited hard currency to maintain Vietnam's agreement on its continued use of the base.

Russia's insistence on its continued use of the Cam Ranh Bay illustrates Russia's emphasis on its reliance on the sealanes security, if not its military ambitions. The Russian General Staff was reported to have concluded that "on the threshold of the twenty-first century, ocean water areas can become the main area of struggle in the world. In the May 1992 Voyennaya Mysl, the Russian General Staff defines a new character of "the initial period of war" of an even greater "decisive importance" to the ultimate outcome of the crisis and war. To protect sealanes of communication and to protect economic zones were listed by the Russian General Staff as part of the basic missions of the Russian Armed Forces.³⁴

Additionally, V. Chernavin, a retired Soviet Admiral, is

particularly worrisome about a military threat from maritime facing Russia today, in spite of the general thaw of international climate. Chernavin believes that the problem of warfare on sealanes of communication does not exist for its own sake but is tied into a complex knot of international relations. Chernavin urges that it is not yet time for Russian complacency.²⁵

All in all, the fluid domestic politics in Russia makes it necessary for us to stay guarded about any reversal of Russia's intent in the Asian-Pacific security question, including the regional sealanes security. Certainly, moderation of Russia's threat to the Asian-Pacific sealanes security is unavoidably evolving, but excessive optimism for a thorough change is not warranted.

Of course, it deserves our attention to the secessionist sentiments in Russia's Far East. But Russia is apprehensive about extensive expansion of the Western influence into its Far East. Although some political groups in Russia are now arguing for the reestablishment of the Far Eastern Republic, there is little likelihood that the reestablishment of any Far Eastern Republic can be realized in the foreseeable future.²⁶ Even if such a separate republic is reestablished, common sense tells that it may not by any means be more conciliatory than the current Russian government over the four-island dispute.

Ironical as it may be, Russia's Far East has been made more secure from war with the collapse of the Soviet Union. As a result of the debacle of the Iron Curtain in the East Europe, the earlier U.S. strategy of deterring a Soviet attack on the West Europe by posing a threat of "horizontal escalation" in the Pacific already lost much of its credibility and needs. Back in the Soviet days, Russia's Far East was vulnerable to joint attacks by the U.S., Japan and the People's Republic of China.

Russia's threat to the sealanes security in the Asian-Pacific region still exists today. At least, it still has the potential to pose a serious threat whenever it wishes. It is too early to regard Russia as a reliable "ally" for the maintenance of the Asian-Pacific sealanes security. However, there is no need to rule out the possibility that Russia can transform itself into a "partner" in the maintenance of the sealanes security in the Asian-Pacific region.

The Russian Ambassador to the U.S. Vladimir P. Lukin asserted in an article that "Russia can become an important balancer, preventing any one of them from dominating others without itself posing a threat to the (Asian-Pacific) region."²⁷ While it does not warrant excessive optimism to expect Russia to play as a "partner" in the matter of the Asian-Pacific sealanes security, we can still say that Russia has a potential to play as a "balancer." Certainly, Russia's acquisition of the role as a partner in the Asian-Pacific sealanes security will help it win a full-fledged partnership in the Asian-Pacific economic cooperation. In December 1991, the Soviet Union was admitted to the Pacific Economic Cooperation Conference as a member.

It worths the while now for the Asian-Pacific countries to deliberate on when and how Russia can be accepted as a "partner" in an Asian-Pacific sealanes security structure. To Japan; the complete demilitarization of the four disputed islands may be considered a precondition or the conclusion of a peace treaty between Japan and Russia. To other Asian-Pacific countries, radical cuts on Russia's nuclear weapons in its Far East may be taken as a necessary precondition.

Russia's new sealanes security policy toward the Asian-Pacific region remains in the process of formation. According to Russia's First Deputy Defense Minister A. Kokoshin on November 11, 1992, Russia would before long make a vital decision on a new defense strategy.³⁸ It is important to monitor how its Asian-Pacific sealanes security policy will evolve within the framework of this new defense strategy.

Although Russia's role as a "threatner" may transform itself into one as a "partner" in the Asian-Pacific sealanes security question in the future, it is very unrealistic to expect Russia to act as a reliable "protector." Therefore, it is important for the Clinton Administration to maintain the U.S. naval forces in the Asian-Pacific region. It is gratifying to review Admiral Robert Kelly's remarks about U.S. determination to keep a strong naval force in the Pacific. Robert Kelly, the Commander-in-Chief of the U.S. Pacific Command, in 1991 stressed that the U.S. would not make major concessions over its naval superiority in the Pacific.³⁹

Anyway, the majority of the Asian-Pacific countries today still need the U.S. to continue to play the role as a "balancer," "stabilizer," and "protector" in the maintenance of the Asian-Pacific sealanes security. In the past, the deterrence role played by the U.S. in the region was not directed to the Soviet Union alone. In other words, the rivalry of U.S. forces versus the Soviet forces in the region was not a "zero-sum game." So reductions of the Soviet military deployment in the region was not thoroughly tantamount to U.S. gains.

In other words, deterrence may no longer fit to be the primary approach to deal with Russia in the question of the Asian-Pacific sealanes security. Instead, an approach of emphasizing a "positive influence" may gradually need to take precedence. The room for cooperation in the security matter of the Asian-Pacific region is expanding for both the U.S. and Russia. At least, the two powers can cooperate with each other in such matters as not to seek an alliance with the People's Republic of China so as to overpower the other. Certainly, neither of them will be happy to see any excessively accelerated pace of Japan's military rearmament.

After all, on the rise are prospects for coordination, if not cooperation, between the U.S. and Russia in maintaining the sealanes security in the Asian-Pacific region. The U.S. might not be able to do much in bringing about the solution of the Russo-Japanese territorial

dispute. But U.S. mediation may help smooth their political dialogue. In the interest of the common security of the sealandes, the deadlocked territorial dispute is not the only matter which Japan should value. To bring about Russia's mitigation of its threat to the region's sealandes is something important as well.

Pan-Asian-Pacific security schemes remain difficult to take shape or for adoption. However, it may be easier for the major regional actors to conduct official dialogues on the specific sealandes security question. On the eve of the collapse of the Soviet Union, it was even uneasy to find an appropriate location for a multilateral official Pacific security conference. In Europe, Geneva, Vienna and Stockholm are always ideal sites for international security-related conference. Now there should have been little problem to select an official site for the Asian-Pacific countries.

The establishment of an International Commission on the Asian-Pacific Sealandes Security, if it comes true, will be itself a great achievement. And it can also be seen as an important confidence-building measure for the preparation of any official Asian-Pacific Regional Security Conference. As early as August 1987, Barry Blechman, a former assistant chief of the U.S. Arms Control and Disarmament Agency during the Carter Administration, already proposed to set up an international commission on the North Pacific security. Blechman then suggested that the commission could at its initial stage devote itself to the setting of the rules for the sealandes in the Asian-Pacific region. According to Trevor Findlay, Blechman wished to duplicate the versions of the 1972 U.S.-USSR Incidents at Sea Agreement.⁴¹

It is gratifying to note the recent conclusion of the START II Treaty between the U.S. and Russia. Russia is now implementing the reduction of its nuclear weapons under the START I Treaty. Although the START II Treaty did not cover the elimination of sea-deployed nuclear weapons, it will be the trend for the military superpowers to cut their sea-deployed nuclear arsenals. However distantly in future the trend will prevail, this is certainly a positive development in the maintenance of the Asian-Pacific sealandes security.

Definitely, the hitherto enhanced security of the Asian-Pacific sealandes can be deemed as part of "peace dividend" in the wake of the demise of the Soviet Union. But it is still important to guard against unfavorable side-effects, as it is also stressed by a Russian scholar Sergei Rogov that a return to the multipolarity of the world power structure does not necessarily mean a return to security.⁴²

In conclusion, it is important to induce Russians to have representation at international forums, international or not, on the issue of the Asian-Pacific sealandes security. Access to our common concerns will help Russia better prepared to move in the direction as a partner eventually. In this respect, to strike hard when the iron is

hot is also a good policy. In addition to the purpose for a bigger Russian audience, it is high time now to organize inter-national sealandes security conferences somewhere inside Russia. And Vladivostok may be the preferable venue for most Asian-Pacific countries.

FOOTNOTES:

1. Vladimir I. Ivanov, "The USSR Breakup: New Strategic Realities in the Pacific Basin?" a paper presented at the symposium "The New Pacific Environment: Challenges and Opportunities," February 27-28, 1992, Washington, D. C., p. 11.

2. Valery K. Zaitsev, "Problems of Russian Economic Re- forms and Prospects for Economic Cooperation Between the Russian Far East and Northwest Pacific Countries," Journal of Northeast Asian Studies, Vol. X, No. 4, Winter 1991-1992, p. 37.

3. Donald S. Zagoria, "The Changing Role of the Soviet Union in the Pacific," in Soviet Foreign Policy: Classic and Contemporary Issues, eds. Frederic J. Fleron, Jr., Erik P. Hoffmann, and Robbin F. Laird (New York: Aldine de Gruyter, 1991), p. 608.

4. The New York Times Editorial, "The Thaw in Asia," The International Herald Tribune, March 20, 1990, p. 8.

5. Zagoria, "The Changing Role of the Soviet Union in the Pacific," p. 668.

6. "The Soviet Union Reduces Its Forces in the Asian- Pacific Region; It Will Withdraw from Cam Ranh Bay by 1995," Ming Pao (Hong Kong), October 8, 1991, p. 11.

7. "Soviet Navy Ends World Influence." South China Morning Post, November 23, 1991, p. 10.

8. Gerald Segal, "Russia and East Asia Have a Security Deal to Make," The International Herald Tribune, June 11, 1992, p. 8.

9. Associated Press, Seoul, November 20, 1992.

10. John Sallnow, Reform in the Soviet Union: Glasnost and the Future, (New York: St. Martin's Press, 1989), pp. 107- 108.

11. It was reported that those nuclear scientists were hired for between US\$1,500 and 3,000 per month to work for the North Korea. "Forces Stop Pyongyang's 36 Hired Nuclear Experts," The China Post, December 21, 1992, p. 1.

12. Mikhail Gorbachev, Perestroika: New Thinking for Our Country the World (London: Collins Sons & Company, 1987), p. 181.

13. Huntington Hardisty, "The Future of the U.S. Military in the Pacific-Indian Ocean Region," Asian-Pacific Defense Forum, Winter, 1989-1990, pp. 3-4.

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15. The two agreements involved naval activity controls, but they only controlled those naval activities directly relevant to largescale ground military maneuvers.
16. Mikhail G. Nossov, "The USSR and the Security of the Asia-Pacific Region: From Vladivostok to Krasnoryarsk," Asian Survey 29 (March 1989): 255.
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19. Steven Brull, "Miyazawa to Query Asians on Japan's New Security Role," The International Herald Tribune, January 11, 1993. p. 5.
20. Michael Richardson, "Ensure Stability in a Shaky Asia, Malaysian Urges Clinton," The International Herald Tribune, December 21, 1992, p. 2.
21. Monterey Institute of International Studies, Emerging Nuclear Suppliers Project (ENSP), Eye on Supply, No. 6, Spring 1992, p. 50.
22. AFP, Moscow, November 24, 1992.
23. The Central News Agency, Los Angeles, November 30, 1992.
24. The Central News Agency, Tokyo, December 24, 1992.
25. Melinda Liu, "The Pacific Fleet: A Rusty Red Menace," Newsweek, April 6, 1992, p. 10.
26. Andrei Koryrev, "Russia: A Chance for Survival," Foreign Affairs, April 1992, p. 10.
27. Alexei Pushkov, "Russia Motivated by a Great Power Logic," The Moscow News, December 6-13, 1992, p. 3.
28. Yossef Bodansky, "Russia's Armed Forces Take A Step Back From Isolation," Defense & Foreign Affairs Strategic Policy, September 30, 1992, p. 9.
29. Ibid.
30. AFP, Moscow, November 24, 1992.
31. Thomas W. Robinson, "Soviet Policy in Asia: the Military Dimension," in Soviet Foreign Policy, ed. Robbin F. Laird (New York: The Academy of Political Science, 1987), p. 152.
32. Editorial, "Russians Need Not Stay," The China Post, December 1, 1992, p. 4.
33. In the past, the Soviets got free access to Cam Ranh Bay by providing economic and military aids as well as preferential trade to Vietnam.

34. Bodansky, "Russia's Armed Forces Take A Step Back From Isolation," p. 8.

35. Ibid.

36. Amount the groups which are arguing for the secessions by Russia's Far East are the Far Eastern Republican Party and the "North Pacific Forum." The forum advocates the merger of the territories and regions of the Pacific area in a North Pacific Federative Republic. It declares its task as creating the republic's armed forces by uniting the commands of the Pacific Fleet and the Far Eastern and Transbaikal Military Districts. Yelena Matveyeva, "A Pacific Nation with Its Own Currency," The Moscow News, October 11-18, 1992, p. 5.

37. Vladimir P. Lukin, "Our Security Predicament," Foreign Policy, Fall 1992, p. 71.

38. AFP, Moscow, November 12, 1992.

39. "Soviet Navy Ends World Influence," The South China Morning Post, November 23, 1991, p. 10.

40. The nationalist and conservative forces in Russia opposed to any concession to Japan over the four-island dispute. Even a suggestion of a big amount of financial compensation from Japan was deemed unacceptable.

41. Trevor Findlay, "North Pacific Confidence-building: the Helsinki-Stockholm Model," in Superpower Maritime Strategy in the Pacific, eds. Frank C. Langdon and Douglas A. Ross (New York: Routledge, 1990), p. 83.

42. Sergei Rogov, "Post-cold War Security: A View from the USSR," Current, No. 344, July/August 1992, p. 30.

CURRENT THINKING ON UNITED STATES NAVAL CONTROL OF SHIPPING
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The mission of the Naval Control of Shipping Organization, (NCSORG) which I'm sure is familiar to all of you, is to provide for the safe passage of merchant ships in time of danger. This sounds simple enough, but in the U. S. Navy that mission is too often understood as looking out only for reinforcement shipping while ignoring ships engaged in commercial trade. There are presently more than 23,000 ships over 1,000 gross tons sailing the world's oceans. The vast majority of those ships belong to nations friendly to the U. S. and our allies.

The past doctrine has changed little since World War II when the allied merchant fleet was being devastated. Until the new world order, there seemed little reason to change the organization drastically, or to call into question the basic doctrine which slowly evolved over the years since WWII. The U.S. NCS organization, formally started in July, 1950, employed some 4,000 Naval Reservists. That number remained relatively constant until 1989 when the organization was reduced to 2,400 members. The size of the organization was based on a requirement to mobilize a global force capable of protecting and directing U.S. and allied shipping wherever it was threatened. And with the formidable Soviet submarine fleet posing a credible threat anywhere in the world, we were ready to send trained Reservists to ports all around the globe and to organize convoys both in the U. S. and abroad.

We seem at first glance to be on the verge of running out of enemies. Indeed, some of our former adversaries have now petitioned for membership in the Alliance. That is the good news of course; however, on the other side of the coin is the fact that we as an Alliance still face economic and military dangers in an uncertain world. These dangers come from a variety of sources: turmoil as the Soviet empire dissolves, ethnic and religious animosities coming to the fore, the disturbing rise of terrorism, the impatience of the Third World to share in the wealth of the West, and an alarming increase in acts of piracy are but a few of the factors which make it an uncertain world.

While the Soviet submarine force may not be a danger any longer, there remains a multi-dimensional threat to ocean commerce as well as military shipping. In addition to submarines belonging to NATO, there are more than 300 diesel submarines distributed through 24 other countries. With this large number available, the submarine threat to merchant shipping is still a possibility. Twenty three nations in the world today produce

naval mines and fifteen of those nations export them. Some not-so-friendly nations produce cruise missiles for export. In addition, with the likelihood of regional conflicts becoming greater, the weapons most effective in coastal areas become a greater threat to merchant shipping. And that means mines, small portable missiles of the Stinger or Silkworm variety. Should the former Soviet Union put its considerable inventory on the market, the proliferation of these weapons could be a nightmare.

Small boat attacks on merchant shipping such as we witnessed during the Iran-Iraq conflict, while not likely to sink any sizeable merchant, can cause havoc to commercial trade and result in unacceptable increases in insurance rates. Incidentally, in Operation Earnest Will, once our forces began convoying and escorting the reflagged Kuwaiti tankers, not one ship under escort came under attack. After a while, any ship in the area would join the convoy, uninvited, in order to be protected.

Among the many lessons learned from Operation Desert Shield/Storm is the crucial importance of Sealift in today's environment. Even though Navy officials are concerned with sealift shipping, it sometimes slips their mind that not all military cargoes are delivered by Military Sealift Command ships, which are used to operating with Navy ships. During Desert Shield/Storm 95% of the sustainment tonnage was brought to the Gulf either on MSC ships or commercial vessels under charter to MSC. These commercial vessels are not accustomed to Naval procedures or communications, and here an NCS-trained Naval Liaison Officer can play a vital role in ensuring these ships get to their destinations safely.

With the planning emphasis on regional war and the lack of an open-ocean threat to shipping, we feel that we no longer need a worldwide organization ready to mobilize at a moments notice. Operation Desert Storm demonstrated our inability to react realistically to a regional conflict and the fleet commander's inability to implement NCS. When the on-scene commanders were approached about implementing NCS and were shown our doctrine and organization, they found it too burdensome to use. The threat just wasn't there to justify the recall of a large number of reservists.

I would caution those who argue that Operation Desert Storm proved that Naval Control of Shipping is an outmoded and useless mission to think again. True, there was no real threat to shipping in the Gulf from Iraq. But Iraq is virtually a land-locked nation with no navy to speak of. Other than a mining operation in the northern Gulf which resulted in a few mines drifting south near allied shipping, they made no real attempt to harm any ships or interrupt the flow of supplies into the battlefield. It would not be wise to assume that future enemies will not pose a threat to merchant shipping. But even without a threat to shipping, I believe there are benefits to the on-scene commander from the appropriate use of naval control of shipping

in addition to protecting shipping from attack. It is useful to steer merchant shipping clear of operations, to ensure they don't wander into friendly minefields or live fire zones, to avoid congestion at the ports of debarkation, and to assure the shipping industry that the situation is under control, thus stabilizing insurance rates.

Given the emphasis on regional conflicts rather than global war, it is no longer necessary to maintain a large NCSO organization to mobilize to ports within the continental United States. Instead, we plan to increase our liaison with shipping company operators and agents to disseminate information to our masters before they sail. We may maintain some NCSO presence at home ports, but will not board and brief every ship that sails from our side of the pond unless directed to do so. In the unlikely event of a global conflict resulting in a full mobilization, we would have to mobilize and train enough people to perform classical NCS.

We are also looking at reducing the number of NCS liaison officers currently designated to go to allied NCS offices. Instead of sending officers to Allied-manned ports in the threatened area, we intend to send them to allied OCA offices only. From there they will be dispatched to ports where their presence is needed.

Likewise, it no longer seems necessary to maintain the number of convoy commodore staffs we now have. Our current agreement is designed to provide naval control of shipping for a massive reinforcement sealift in the face of an oceanic transit opposed by an extensive submarine threat. Recent experience in the Iran-Iraq war and in Desert Storm has convinced us that the classic convoy is, if not a relic of the past, at least an unlikely tactic for a regional conflict. We learned in the Gulf that a need still exists for an NCS presence on board merchant ships to provide a bridge between the black hull and the grey hull. Accordingly, the training provided to our Convoy Commodore Staff Reservists will be expanded to include doctrine and tactics our Naval Liaison Officers learned in recent years. The doctrine regarding large convoy organization will still be taught but with less emphasis. Our Convoycom Reserve units will be combined with NCSO units in order to save some overhead costs and to provide each office with a broader range of NCS-related knowledge and experience.

We see future NCS participation in regional conflicts unfolding as it did, or rather as we wanted it to, during Operation Desert Shield. Based on our evaluation of this we envision manning and operating the NCSORG in a manner totally different from our standard method of operating in the past. We have been designing what we like to call a "menu approach" to NCS. What we want to do is provide the warfighter with an array of functions from which he can pick the NCS services he feels most appropriate. These services may range from merely providing

advice to the on-scene military commanders and merchant masters, to establishing safe routes and shipping plots, to actually riding ships through the danger area.

I would like to walk you through how we see NCS implementation evolving as the threat increases.

- * In periods of rising tension, an advisory team consisting of three officers would be dispatched to the area CINC headquarters to develop shipping control policy and organization; and one senior officer to the NCS office at CNO, to monitor the development of threat conditions relative to the shipping industry and to establish liaison with our Maritime Administration (which incidentally is our National Shipping Authority).
- * With increased tension and the possibility that the United States might become directly involved, advisory teams would be dispatched to the Maritime Administration to develop a maritime advisory program and to the OCA in the affected area to begin planning for NCS operations.
- * Once U. S. forces were committed, and there existed a threat to merchant shipping either RE/RE or economic, advisory teams at the CINC, CNO, and MARAD would be expanded to rapid support teams made up of four officers and three enlisted. They would recommend the establishment of NCS policies and promulgate such policies to MARAD and the U. S. shipping industry, and identify NCS manning requirements including requirements to support the designated OCA.
- * If it were determined there was a threat to merchant shipping we would plan to establish marshalling points and set up turnstiles for ships proceeding into hostile areas and man required ports in the area of hostility. Depending on the situation, there would be one OCA and the number of marshalling points required to brief masters at natural choke points to minimize delay in shipping. Then if the conflict expanded, perhaps another OCA would be designated and more marshalling points set up.
- * The marshalling points would be manned by nine-person shipping control teams and eight-person afloat naval liaison teams. Marshalling points would be set up outside the area of hostilities, but close enough to provide information to ships bound for the threat area or merely transiting through dangerous waters. These points would be set up at choke points through which most shipping approaching the area of hostilities will pass, or else at ports near major ocean routes. Here, ships will be able to contact NCS people and receive up-to-date intelligence and navigational information. If the situation warrants it, Naval Liaison Officers will embark on the ships at these

marshalling points so that communications can be maintained with naval forces in the area. Further, if the OCA has determined that further measures are necessary, such as convoys then the Commodore and his staff would be available at these points.

- * Selected ports depending upon the size and traffic will be staffed by NCS offices in and around the area of hostilities to perform traditional NCS office functions such as movement reporting, preparing sailing folders, and such other services as the OCA may direct. Where these NCS office units are currently preassigned to a particular port, future units will be trained to deploy to any place they are needed. The NCS office units will be structured around basic "building blocks" consisting of small groups of trained reservists able to deploy anywhere and perform a variety of NCS functions.

That is a quick overview of how we see NCS unfolding in a future scenario. To test these concepts and get proficient in them requires exercising them. I strongly believe we in the States have done ourselves a disservice by exercising almost exclusively in a vacuum. Along with the Fleet CINCS, I have been trying to get NCS play in a variety of exercises and wargames.

I would like to share some ideas of ways we can function smoothly with fewer people. To help us to adjust to a decreasing budget our people must be given labor saving equipment. Great strides have been taken in the last few years in automating NCS functions. The UK has developed Perseus, an extremely versatile and useful program which performs many of the tasks formerly requiring extensive manpower. On our side some of our resourceful NCS Reservists have developed a combined hardware and software system called PORTSCOM --- Portable Secure Communications --- which will allow us to operate in a secure mode independent of the telecommunications system. We have integrated the British program into PORTSCOM and tested the validity of the system in a nationwide exercise last year. During Operation Desert Shield and Desert Storm the PORTSCOM system was deployed afloat and ashore with great success.

We feel that the NCS organization of the past is no longer salable in the U. S. and innovation is a must. Please remember these comments concern a U.S. only conflict.

To sum up, we in the NCS community have our thinking caps on in the past year to adapt the NCS mission to a leaner and meaner force ready to contribute significantly to the successful prosecution of a regional conflict. Although the scenario I outlined above assumes a U.S. only conflict, I am comfortable

that our allies in both the Atlantic and Pacific areas are thinking along these same lines. We will continue to participate in multi-national exercises and participate in planning and policy groups with our allies. I remain convinced that NCS remains a vital naval mission.

January 13, 1993

SEMINAR THOUGHTS ON STRUCTURING FUTURE FORCES

John Rothrock
SRI INTERNATIONAL

GENERAL. Our January 8 seminar left me with many thoughts and has led me to many more over the past several days. The most basic insights I've gotten concern the roots of the mounting conflict in the world and our (at least my) growing pessimism regarding the capacity of human institutions to manage it effectively. It seems that we are at a watershed in which conflicting forces of technology, want, grievance, justice, injustice, integration, exclusion, and resulting bewilderment within the world's traditional elites are converging at frightening speed. The specific outcome can only be guessed but that it will include great tumult and violence is a certainty.

However, rather than deal at this point with the many cosmic issues this prospect raises (most of which I'm sure we discussed Saturday), I have summarized below my thoughts on force structure considerations that I brought away from the seminar or which it caused me to percolate since. It focuses on the 15 - 30 year timeframe, well within the lifespans of most major items of equipment that would be developed and acquired under initiatives this decade. It anticipates a military threat environment that, owing to the cheapening and proliferation of technology, will be characterized by a host of third- and even fourth-rate powers in possession of very lethal capabilities.

Force Planning/Structure: We are limited in the effectiveness we can bring to force planning in that our forces must fight jointly on a mission basis but in our current system they are programmed and budgeted (by and large) on a service basis. That has never been good but now it is intolerable. With the real prospect of near out-year DoD budgets in the \$150 - 175 billion range, the services must figure out how to jointly develop a credible, mission-based joint force structure. If they don't, it will be done for them on a basis guaranteed to neglect the military judgements which only the services can bring to the task and without which the country's security most assuredly will not be well served.

Painful roles and missions decisions cannot be avoided -- the only questions are what they will be and who will formulate their specifics. Smaller forces have to fight differently and therefore be different than larger ones. Merely shrinking the U.S. military's size while keeping its current roles and missions geometry will not work. Further, advancing technologies and issues associated with them -- such as the vulnerabilities of

"density" discussed below (see "Target Leverage") -- present the need for a serious reassessment of roles and missions, force size notwithstanding. In fact, the long established trend of **technology advances weakening the traditional links between size and effectiveness** is accelerating. Consider for example, the upside implications of precision munitions for decreasing needed logistics trains.

Of course, the looming roles and missions challenge requires the services quickly to develop an objectivity -- as well as a sophistication -- which most observers would say their collective record in this area makes improbable. However, when one considers the stakes for the country as we enter an unprecedentedly volatile age, this observation, while correct, is simply unacceptable as an outcome.

Our Disadvantage in "Target Leverage". While there are many conceptual and doctrinal hurdles to overcome, at the current fateful juncture of history and technology, one danger seems to stand out as an especially important consideration in conceiving the mix of capabilities we will need. This is the **asymmetry in "target leverage"**; i.e., the overall effect that one or a few incidents of highly successful destruction can have against our capability and will to fight. For reasons of culture, politics, and technology this disparity continues to grow between ourselves and likely future enemies. Increasingly, **"the hunter is also the hunted"** and the more **"dense"** (Sam Gardiner's favorite formulation) the mass we present within **theater proximity** to the enemy, the more vulnerable we are **strategically**.

Simply put, in most readily foreseeable circumstances, a highly effective shot against us by an enemy will count more strategically than a similarly effective shot by us against them; or, conversely, we typically present higher payoff targets for the opposition than they present for us. Compare for example the effects of the successful SCUD attack against the U.S. reservists' barracks in the Gulf War against the specific effects of any number of as or more devastating Allied "hits" against Iraqi forces.

This problem's **political dimension** is especially formidable in the "Information Age" when, for many circumstantial and cultural reasons, **the major democracies' societies have developed unprecedented sensitivity to casualty tolls** (even to those on the enemy side) which can pose **severe constraints on military options**. (True, the U.S. currently seems less afflicted in this regard than are our G-7 allies.) Also, as Sam Gardiner frequently points out, failure to take into account Clausewitz's caution to **be careful about "how you win"** can get you into big strategic trouble -- whether you failed to use enough or used too much force for the job. The increasing interest in **non-lethal**

weapons/methods is attractive in this regard for the greater range of "how to win" options such capabilities could provide.

Nevertheless, we face an ever more probable prospect of U.S. and allied forces being targets of enemies who will be much more likely to engage us without regard to their own casualties than was the USSR and who will eventually ("soon" in force structure time frames) possess capabilities that could eventually equal or exceed the lethality that Soviet forces posed. For this reason, there is a growing imperative for us always to present the enemy with the least dense array of targets possible and to be able to defend nearly perfectly (perhaps even "nearly" is inadequate) those targets we must present.

Of course, dispersal begs increased synchronization and resulting greater demand for coordination and communication, both of which can present considerable operational vulnerabilities. Thus, it seems there will be an increasing premium on non-detectable, "signatureless" communications, lest in our attempts to decrease density we "light up" our forces to enemy targeteers.

Especially in the sense of managing target density, the quickly developing era of worldwide access to precision technologies by most all comers (e.g., commercially available "enhancements" to GPS and other improvements) has profound implications for traditional concepts of force projection, especially the extent to which these concepts assume quickly available/achievable in-theater "sanctuaries" for logistics and airpower. The solution here seems to be to use our technological superiority not only (but very importantly) to achieve highly effective levels of in-theater defense but also to limit our "density" by (now borrowing from Marshal Ogarkov) use of precise, long-range "fires" (including extended range airpower delivery) to achieve what previously were the objectives of mass and (in the future ever more dangerous) proximity maneuver.

Special Considerations Regarding Space. Nothing is more basic to our ability to both defend and attack in the new geometries that advancing technology presents than our continued dominance in space and our willingness as a nation to use space to protect ourselves and our interests. As technology-based leverages further erode the relevance of such traditional measures of national military potential as population and geographic size and geographic location, what a nation can do from and in space will become an ever greater power discriminator. Without space dominance and the willingness to use it, the United States will have little chance to affect substantially for the better the age that we are entering.

However, as we consider what the military imperatives for us are in space, we quickly get into political minefields. If it has not

been done already (I would probably not know if it had been), it seems vital for us now to take a cold look at the matrix of policy and international legal obligations and general attitudes regarding the "militarization of space" we took on during the Cold War in the hope of blunting the military aspects of our space competition with the USSR.

These should be closely considered in terms of how they might hamper us in the future in the much less structured, multilateral space competition which seems likely to be a formative factor in the early 21st century. This competition would be with powers that, while formerly not serious players in space, can probably be assumed soon to be able to develop capabilities that, if achieved and unchecked, would probably severely affect our ability and willingness to act decisively in a crisis. It would be tragic if we allowed self-inflicted inhibitors on our abilities to perform in space, which are themselves true manifestations of "Cold War thinking," to negate our otherwise unparalleled abilities to deal with the ugly and ever more dangerous realities of the post-Cold War era and to promote needed peaceful and just change in the world.

Speaking now less philosophically and more bureaucratically, the importance of space seems to make it an ideal "litmus test" for the seriousness and viability of the services' needed attempt to rationalize their roles and missions. If the services cannot agree on this, it is doubtful they will be able to agree on much else that is important and weighted with much more traditional prejudices than is the subject of space. I suggest that a "Key West II" meeting might want to treat space in this light as its initial agenda item. (NOTE: Naturally, any effective address of space also will have to contend with and account for the Intelligence Community's vested interests -- all the more need for the services to have a coherent position among themselves.)

A Final Suggestion. As we broke up Saturday, we all realized that we probably had not provided the force structure specifics we suspected some had been hoping for. However, the seminar did raise issues, some of which I have presented here, that comprise factors which force structure development must take into account.

The National Defense University and the Naval War College, (and perhaps the other War Colleges as well) have developed fairly sophisticated methodologies, supported by quantitative methods and computers, to plan and structure forces in the context of such considerations. They seem to work pretty well, at least in an academic setting that is largely free of service rivalries. What I'm saying is that, if the services can find the will among themselves, the tools to effectively structure forces against great complexity and uncertainty seem to be available. At the risk of putting Sam Gardiner and Chuck Bartlett on the spot, I

suggest that the Chiefs might want to explore ways that these capabilities at Ft. McNair, Newport, and elsewhere might be put to practical use.

**Eighth International Conference
on
THE SEA LANES OF COMMUNICATION (SLOC)**

Nusa Dua Beach Hotel, Bali
January 24-27, 1993

CONCLUDING REMARK

by

M. Arifin

The Indonesian Navy
and
Centre for Strategic and International Studies (CSIS)

CLOSING REMARK BY THE INDONESIAN NAVY CHIEF OF STAFF
ADMIRAL MUHAMAD ARIFIN
ON THE EIGHTH INTERNATIONAL CONFERENCE ON THE SEA LANES OF
COMMUNICATION (SLOC) IN DENPASAR, BALI, JANUARY 27, 1993.

MR. CHAIRMAN,
LADIES AND GENTLEMEN

WITH THE BLESSING OF GOD ALMIGHTY WE HAVE COME TO THE END OF THE CONFERENCE. LET ME TAKE THIS OPPORTUNITY TO THANK YOU VERY MUCH FOR YOUR PARTICIPATION IN SUCCEEDING THE CONFERENCE. I FEEL THAT THE CONFERENCE HAS BEEN CONDUCTED IN A WARM, DYNAMIC AND FRIENDLY SPIRIT.

THE VARIOUS TOPICS HIGHLIGHTING IMPORTANT ISSUES BY THE PRESENTERS, AND THE FRUITFUL DISCUSSIONS BY THE PARTICIPANTS HAVE CREATED A LIVELY ATMOSPHERE THROUGHOUT THE CONFERENCE.

THE TOPICS DISCUSSED HAVE ENRICHED OUR VIEWS AND DEEPENED OUR MUTUAL UNDERSTANDING ABOUT MARITIME AFFAIRS IN GENERAL AND THE SECURITY OF SLOC IN PARTICULAR, WHICH IN TURN WILL STRENGTHEN OUR UNDERSTANDING AND COOPERATIONS, NOW AND IN THE YEARS TO COME.

WE HAVE LEARNED FROM THE CONFERENCE THAT WE HAVE BEEN ABLE TO COME TO MUTUAL UNDERSTANDING ON SOME IMPORTANT MARITIME ISSUES, ALTHOUGH SOME STILL REQUIRE FURTHER CONSIDERATION, BUT NONETHELESS NEW IDEAS HAVE ALSO BEEN PUT FORWARD.

FROM MY POINT OF VIEW THE ISSUES THAT HAVE COMMON AGREEMENT AMONG OTHERS ARE:

1. SEA BORNE TRADE IS STILL THE CHEAPEST AND THE MOST EFFICIENT MEANS OF CARRYING BULKY AND HEAVY CARGO. THEREFORE, THE SAFETY AND SECURITY OF SLOC IS STILL THE MOST PROMINENT INTEREST OF THE NATIONS.

2. THE POST COLD WAR ERA DOES NOT AUTOMATICALLY ELIMINATE THE SAFETY AND SECURITY PROBLEMS OF THE SLOC. WE HAVE ALWAYS TO BE AWARE TO THE REGIONAL CONFLICTS, TRADE WARFARE, NUCLEAR COMPETITION WHICH CAN CREATE THREATS TO THE SLOC.

3. THE MUTUAL UNDERSTANDING AND MUTUAL COOPERATIONS WHICH EVOLVE IN CERTAIN REGIONAL AREA IS ONE OF BEST MEANS TO PREVENT THREATS TO THE SLOC.

4. IN THE FUTURE, ECONOMIC DEVELOPMENT AND TECHNOLOGICAL ADVANCES WILL INCREASE THE NEED OF SAFETY AND SECURITY OF SLOC. THIS SITUATION DICTATES THAT SECURITY OF SLOC WILL REMAIN OUR MAIN INTEREST.

THE ISSUES THAT STILL REQUIRE FURTHER CONSIDERATION ARE:

1. ASIA PACIFIC REGION WILL BE THE MOST DYNAMIC AND DEVELOPING AREA ESPECIALLY FOR THE LITTORAL STATES IN THE NEXT DECADE. THEREFORE, REGIONAL STABILITY WILL BE HIGH ON THE AGENDA OF EACH LITTORAL STATE.

2. REALIZING THE CHANGE IN THE UNITED STATES GLOBAL SECURITY POLICY TOWARD SOUTH EAST ASIAN REGION, FROM LEADERSHIP TO SUPPORTIVE ROLE, CONSEQUENTLY DEMANDING MORE INTENSIVE COORDINATION AMONG THE REGIONAL MEMBER STATES TO MAINTAIN THE SLOC.

3. ANTICIPATING THE INCREASING PROBLEMS OF SLOC IN THE FUTURE, IN PARTICULAR THE SECURITY ASPECT, SEA SURVEILLANCE ACTIVITY IS ONE OF THE IMPORTANT ALTERNATIVES.

THE NEW IDEAS THAT SHOULD BE PUT TO OUR ATTENTION ARE:

1. THE INTRODUCTION OF THE DIVERSION OF SHIPS ROUTING AS A COMPLEMENT TO THE TRAFFIC SEPARATION SCHEME, ESPECIALLY FOR SHIPS CARRYING HAZARDOUS CARGO, SHOULD BE CONSTRUCTED BY LITTORAL STATES AND ADOPTED BY IMO.

2. THE REQUIREMENT FOR TRAINING AND CERTIFICATION FOR THE MARINERS AS NEEDED BY IMO, WILL EVENTUALLY IMPROVE THE SAFETY OF SLOC.

LADIES AND GENTLEMEN,

THE CONFERENCE HAS BEEN CONSIDERED SUCCESSFUL DUE TO THE FOLLOWING FACTS:

1. WE HAVE COME TO A COMMON UNDERSTANDING ON SOME ISSUES.

2. SOME MISSINTEPRETATIONS AND DIFFERENT ASSESMENTS ON PARTICULAR SUBJECT MATTERS, HAVE BEEN DISCUSSED THOROUGHLY BEFORE COMING INTO MUTUAL UNDERSTANDING.

3. THE RESULTS OF THE CONFERENCE WILL CONTRIBUTE HIGHLY TO THE SUCCESSFUL DEVELOPMENT OF THE INTERNATIONAL LAW OF THE SEA IN THE YEARS TO COME.

LADIES AND GENTLEMEN,

I AM SURE THAT THE RESULT OF THIS SLOC CONFERENCE WILL BECOME A VALUABLE INPUT TO ENHANCE INTERNATIONAL COOPERATIONS FOR MUTUAL BENEFITS. THE BASIC LEGAL TO IMPLEMENT THE COOPERATION IS THE UNITED NATIONS CONVENTION ON LAW OF SEA 1982, CONSIDERING THE UNITED NATIONS CHARTER AND THE UNITED NATIONS DECLARATION ON PRINCIPLES OF INTERNATIONAL LAW. OF COURSE THOSE REQUIRE RATIONAL INTEPRETATION.

I WOULD LIKE TO INVITE YOU TOGETHER TO THANK THE ALMIGHTY FOR HIS BLESSINGS AND GUIDANCE WHICH MAKE THE CONFERENCE SUCCESSFULL. SINCE YOU ARE LEAVING TOMORROW, MAY I WISH YOU A HAPPY JOURNEY HOME, AND ENRICHED WITH ENJOYABLE MEMORIES. I HOPE THAT YOUR STAY IN BALI ALTHOUGH ONLY A BRIEF, WILL ENGRAVE A LONG MEMORY AND OF COURSE WILL BE BENEFICIAL FOR YOU AND YOUR COUNTRY. I AM LOOKING FORWARD TO MEETING YOU AGAIN IN THE NEAR FUTURE.

FINALLY, WITH THE BLESSING OF GOD ALMIGHTY, I OFFICIALLY DECLARE THIS CONFERENCE CLOSED.

THANK YOU,

INDONESIAN NAVY CHIEF OF STAFF



MUHAMAD ARIFIN

ADMIRAL