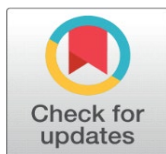
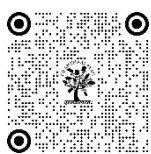


MARITIME MULTILATERALISM IN SOUTHEAST ASIA: EXPANDING SECURITY COMPLEX

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ABSTRACT

Southeast Asia is essentially a maritime region. The maritime space and strategic sea-lanes striding the region supports the continued existence of these nations. In recent times, the maritime space of this region, which is section of the Indo-Pacific stretch, became the epicenter of geo-strategic matrices. It is increasingly believed that "...the history of the 21st century will be written in Asia". And ASEAN has become the most conducive stage where great power rivalries and competition for influence are being played out. In this context, the sea at large provides the appropriate theater in balancing act for various flags considering its expediency to project power. The Southeast Asian maritime domain is one such volatile theater confronting challenges both from the traditional means as well as from transnational sources. Notwithstanding the otherwise improving relations among ASEAN members and their deepening cooperation in various fields, there are impending maritime disputes between them which augments possibility of upsetting the future stability of the region. Moreover, with the economic prosperity and surplus wealth, the Southeast Asian countries and other major Asian players have strengthened their navies in the last decades, thereby seen actively visible in ASEAN waters. The presence of strong impervious extra-regional navies adds to the precariousness at sea.

1. INTRODUCTION

Southeast Asia is essentially a maritime region. The maritime space and strategic sea-lanes striding the region supports the continued existence of these nations. In recent times, the maritime space of this region, which is section of the Indo-Pacific stretch, became the epicenter of geo-strategic matrices. It is increasingly believed that "...the history of the 21st century will be written in Asia". And ASEAN has become the most conducive stage where great power rivalries and competition for influence are being played out. In this context, the sea at large provides the appropriate theater in balancing act for various flags considering its expediency to project power. The Southeast Asian maritime domain is one such volatile theater confronting challenges both from the traditional means as well as from transnational sources. Notwithstanding the otherwise improving relations among ASEAN members and their deepening cooperation in various fields, there are impending maritime disputes between them which augments possibility of upsetting the future stability of the region. Moreover, with the economic prosperity and surplus wealth, the Southeast Asian countries and other major Asian players have strengthened their navies in the last decades, thereby seen actively visible in ASEAN waters. The presence of strong impervious extra-regional navies adds to the precariousness at sea.

In the last sixty years, Southeast Asian countries tried the most successful experiment of regionalization in the Third World circle. ASEAN regionalism has eroded the past misgivings and bilateral irritants among the members' thus

encouraging cooperation and collaboration in all sectors including security. The association founded in 1967, is presently aiming at transforming the region of ten members into a community by 2015. In fact, the community building process is forging ASEAN security community wherein maritime security receives precedence in the security architecture of ASEAN. Furthermore, the horizon for ASEAN is expanding bringing in the East Asian countries in the ASEAN contour. Therefore, it is important to examine the past efforts undertaken by ASEAN and its predominant 'plus three members' in order to address the future challenges at sea. Accordingly, the paper will highlight the maritime security issues currently confronting the ASEAN waters. It will examine the increasing cooperation at sea among the Asia Pacific member navies. Finally, the paper will peruse the institutional architecture for supporting the maritime cooperative security and consider the extra-regional players' complex involvement in the maritime domain of the Southeast Asian region.

2. MARITIME ISSUES IN PERSPECTIVE

The ASEAN waters connecting the two important oceans - the Indian and the Pacific have eternally been the medium of assimilation for trade, people interaction, and building new synergies for socio-cultural exchanges. The maritime history of this region was characterized by long stretches of collaboration leading to the peaceable exchange of commodities and culture, with only the occasional naval conflict directed towards the domination of sea borne trade. Even today, the maritime domain of this region continues to draw attention. And present scholarly interest is animated by the emerging perils in the Southeast Asian waters, which has implication far beyond the region.

The most perturbing factor is the ever-increasing international shipping traffic through the straits in order to sustain the economies of the Southeast and East Asian countries, which is putting considerable pressure in the existing infrastructure. A better view will be backed by the fact that the amount of oil flows through the Singapore and Malacca Straits are three times greater than the Suez Canal and 15 times greater than oil flowing through the Panama Canal. In addition to the Malacca Straits, Lombok and Sunda Straits are other vital transportation routes for oil and raw materials. The free and safe passage of these sea lanes are therefore the major security challenges for the littorals as well as the user states.

In this respect, of the approximately 60 per cent maritime boundaries required in the region, less than twenty per cent have so far fully been resolved, and not much progress is being made with delimiting outstanding ones. This however remains in the purview of limited and localized disputes. ASEAN therefore is still in the state of maritime boundary making today. The major territorial and maritime disputes in the region are as follows: Vietnam-Cambodia border and maritime disputes; Vietnam-China maritime dispute (South China Sea); Vietnam-Philippines maritime dispute (Spratly Islands); Thailand-Cambodia border and maritime disputes; Thailand-Myanmar border dispute; Thailand-Laos border dispute; Thailand-Malaysia border dispute; Indonesia-China border and maritime dispute (Spratly Islands); Philippines-Malaysia border and maritime disputes (Sabah); Philippines-China maritime dispute (Spratly Islands); Singapore-Malaysia sovereignty contention and maritime ownership of Pedra Branca/Pulau Batu Putih. The most significant maritime discord in the traditional arena is the overlapping claims in the South China Sea over the Spratly and Paracel Islands. The Table 3 highlights the status of bilateral maritime boundaries agreement suggesting that unsettled boundary agreements will disturb resource development and hinder enforcement against illegal fishing.

Table 3 Maritime Boundaries in Southeast Asia

Country	Territorial Sea	EEZ	Continental Shelf	Remarks
Australia-Indonesia	NR	Yes	Yes	-
Australia-East Timor	NR	No	No	Joint Zone
Brunei-Malaysia	No	No	No	-
Indonesia-East Timor	No	No	No	-
Indonesia- Malaysia	Yes	No	Yes	-
Indonesia-Singapore	Yes	No	NR	-
Indonesia- Thailand	NR	No	Yes	-
Indonesia-Philippines	No	No	No	-
Indonesia-India	NR	No	Yes	-
Indonesia-Vietnam	NR	Yes	Yes	-
Indonesia-China	NR	No	No	-
Malaysia-Singapore	No	No	NR	-
Malaysia-Thailand	No	No	Yes	Joint Zone

Malaysia-Philippines	No	No	No	–
Malaysia-Vietnam	NR	No	No	Joint Zone
Myanmar-Bangladesh	No	No	No	–
Myanmar-India	No	No	No	–
Myanmar-Thailand	No	No	No	–
Cambodia-Thailand	No	No	No	–
Cambodia-Vietnam	No	No	No	Joint Zone
Thailand-India	NR	No	Yes	–
Thailand-Vietnam	NR	Yes	Yes	–
China-Vietnam	Yes	No	No	–
Philippines-China	NR	No	No	–
Philippines-Palau	NR	No	No	–

Notes: NR = Boundaries are not required because either the countries are too far apart to have the relevant boundary (i.e., over 24nm in the case of a territorial sea boundary), or so close together that a territorial sea boundary only is required.

Source: Sam Bateman (2009) cited from Limits in the Seas – National Claims to Maritime Jurisdiction, No 36, 7th Revision, 1995; Prescott and Schofield, Maritime Boundaries of the World, 2nd ed., 2005

In addition to the overlapping sovereignty claims among the ASEAN members and other Asian neighbours, there are substantial non-traditional maritime challenges besetting the region. The maritime threats are primarily driven by non-state actors involving trafficking of people, drugs, illegal arms and WMDs. These have serious security implications beyond the region. The issue of rapid depletion of fish stock is a major food security challenges. With the UNCLOS 1982 coming into effect, there are no high seas in Southeast Asia. Many traditional fishing grounds earlier free for all to fish have been changed into either Archipelagic waters or EEZ where the littoral states have the sole jurisdiction over living resources. Terrorism is major threat speculated with plans on undersea gas pipelines and telecommunications cables that link the nations of the South China Sea and the Java Sea.

The environmental concerns and natural disasters such as tsunami arise from the sea, thereby creating havoc to the livelihood concerns of the coastal areas of the ASEAN region. Sea pollution from oil spills from ships grounding and vessel collisions are serious issues confronting the region. Marine pollution resulting from land-based activities have repercussions on living marine resources and enriching biodiversity in the region. Currently, increased reliance on interconnected computer navigation and communication systems has led to new vulnerabilities. Any breakdown in such systems as a result of hacking or software failure could cause accidents at sea.

In recent times, the Southeast Asian waters have turned into a geo-political battlefield between the major powers particularly between the US and China. The US is concern about the increasing Chinese naval strength in and around the Taiwan straits. In addition, the Chinese ‘creeping assertiveness’ while dealing with the Southeast Asian countries on the South China Sea dispute have instigated the US to seek mediation among the disputant parties, much to the annoyance of Beijing. The rising diplomatic tension is a major maritime concern for the regional economies, which is subsequently building volatility in the turbulent waters. China’s has increased efforts to reclaim land in the South China Sea by physically increasing the islands’ size or creating new ones altogether. In addition to piling sand onto existing reefs, China has constructed ports, military installations, and airstrips—particularly in the Paracel and Spratly Islands, where it has twenty and seven outposts, respectively. China has militarized Woody Island by deploying fighter jets, cruise missiles, and a radar system.

3. ASEAN RESPONSE TO MARITIME CHALLENGES: COOPERATION THROUGH INSTITUTIONS

Until 1990s, ASEAN countries dealt with maritime security challenges at the individual level. An example of individual effort is, the Indonesian action on counter-piracy measures involving rehabilitation of the fisher men in the coastal areas of the country who have traditionally been drawn to piracy as a livelihood option. Notably, these countries differed in their maritime boundaries, size of marine resources, capabilities and most important, their motivation to prioritize maritime security in their national security agenda. Since the principal actions were primarily taken at the individual capacity a propos to the respective country’s domestic security threats, regional effort was absent. When South China Sea dispute became an issue to deliberate upon regionally, regional dialogue on maritime security started. For example, Indonesia took the initiative of a workshop on the South China Sea since early 1990s, thereby prompting the regional deliberation on maritime issues.

Maritime cooperation in the ASEAN region is visible at the bilateral and trilateral plane. The bilateral and trilateral cooperation focuses on a localized issue engaging the disputant parties alone; thereby establishing a limited level of multilateral set up to counter the maritime challenges. The two foremost examples are the Malacca Straits based initiatives and the Gulf of Thailand Joint Development. While combating the transnational crimes at Malacca Straits, Malacca Straits Patrols (MSP) comprising Malacca Straits Sea Patrols (MSSP) and the 'Eye in the Sky' (EiS) air patrols were initiated. MSP conjures the maritime platforms of the three littorals namely, Malaysia, Indonesia and Singapore, with the recent addition of Thailand. These patrols are complemented by shore based radar surveillance in some cases like the network of coastal radars to provide vessel traffic services (VTS) in the Straits of Malacca and Singapore. Similarly, in the Gulf of Thailand, the maritime delimitation overlapping claims between Thailand, Malaysia, Vietnam and Cambodia embarks on Joint Development of the overlapping claimed area, thereafter making the Gulf a joint utilization regime. The bilateral level cooperation is exemplified by the Malaysia-Indonesia Prevention of Incidents at Sea Agreement (MALINDO INCSEA) initiated in January 2001. The new operationalized cooperation are becoming more frequent these days with examples of such pairings including, Indonesia-Malaysia, Malaysia-Cambodia, Brunei-Australia, and Malaysia-Philippines initiated bilateral naval exercise programs.

At the regional level, maritime cooperation among the member countries has been initiated but is yet to reach the significant level. The ASEAN grouping took initiative with the Regional Plan of Action in 2007 on the issue of illegal, unregulated and unreported fishing which is causing serious depletion of fish stocks. ASEAN is realizing the importance of maritime security of the region in consequence to its increasing trade with East Asian dialogue partners like China and Japan. As a result, at the 6th Meeting of the China-ASEAN Maritime Consultation Mechanisms held in Nanning in 2010, around 40 representatives from China Maritime Security Authorities and the maritime authorities of each ASEAN country attended the meeting over talks on maritime cooperation in terms of shipping safety, crew's qualities, oil spill emergent treatment, environmental protection, etc and perfected the follow-ups relating the Memorandum of Understanding of the China-ASEAN Maritime Consultation Mechanisms. The formation of ReCAAP Information Sharing Centre is one good example of regional cooperation.

The South China Sea dispute is however one of the longstanding maritime dispute in the region. The ASEAN initiative on South China Sea in the beginning came in the form of workshop series held by Indonesia on Managing Potential Conflicts in the South China Sea (since 1990) and the Statement on Cooperation against Piracy and Other Threats to Maritime Security (2003). Notably in 1992, ASEAN's first communiqué on security issue came on South China Sea dispute with the "Declaration on the South China Sea," emphasizing "the necessity to resolve all sovereignty and jurisdictional issues pertaining to the South China Sea by peaceful means" and urged "all parties concerned to exercise restraint with the view to creating a positive climate for the eventual resolution of all disputes."

Subsequently, with the October 2000 suicide-boat attack on the guided-missile destroyer USS Cole, the December 2001 the ferry Kalifornia bombing, the February 2000 bombing of the Philippine ferry Our Lady Mediatrix, the ASEAN members took renewed interest in improving regional cooperation. This include the June 2003 "ASEAN Regional Forum (ARF) Statement on Cooperation against Piracy and Other Threats to Maritime Security" and the "Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime," which was endorsed in January 2004 by the ASEAN Ministerial Meeting on Transnational Crime. In addition, most regional shippers and nearly all major port facilities achieved compliance with the International Maritime Organization's December 2002 International Ship and Port Facility Security Code (ISPS Code) before or shortly after its July 2004 deadline. Moreover in 2004, Singapore acceded to the Rome Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (known as the SUA Convention). In ASEAN, at present five countries are parties to the SUA Convention, namely Brunei Darussalam, Myanmar, Philippines and Vietnam in addition to Singapore.

The ASEAN members have adopted the IMO's Marine Electronic Highway (MEH) Demonstration Project in the Malacca and Singapore Straits. Under the project, ships will receive information on real-time situation of navigation, which should reduce the risk of accident and environmental pollution at sea. This is an important step towards navigational safety. Another laudable step by ASEAN is, that appropriate ASEAN bodies are looking into the Model National Law, which has been prepared by a Working Group led by the Comité Maritime International, International Chamber of Commerce, the International Maritime Bureau, International Maritime Organization and INTERPOL. Moreover, ASEAN countries are working towards narrowing their vision of threat perception and seeking new technologies, such as modern radar systems, satellites and integrated communications systems, employed keeping in mind actual needs identified by the littoral states themselves individually and collectively. Notwithstanding this, there

are very active Federation of ASEAN Shipowners' Associations and the ASEAN Ports Association pursuing improvement in their working conditions as well as in the overall infrastructural needs of the maritime industry.

However, the most assertive step undertaken on the ASEAN platform was the Declaration on the Conduct of Parties in the South China Sea signed in November 2002 at Phnom Penh. This was a momentous move considering the adherence of China into the multilateral initiative. Earlier, China was reluctant to address the South China Sea dispute multilaterally, since it considered such move would undermine its bargaining edge over the ASEAN members, as it would have been in case of bilateral negotiations. Since then, a status quo was maintained. However, in 2010, during the Summit meeting ASEAN made the South China Sea issue - a flash point in the regional security agenda. The situation of diplomatic stir arose when Vietnam, the ASEAN Chair for 2010 encouraged the US to intervene in the dispute. Subsequently, ASEAN members' failure to issue a joint communique after 45 years of existence in 2012 Summit under Cambodia's chairmanship have triggered the speculation of disunity among the members. Aileen S. P. Baviera notes, "the failure in Phnom Penh not only undermines ASEAN's 'centrality'; it calls into question ASEAN's ability to negotiate with other countries as a collective actor."

The South China Sea turbulence highlights a dividing line between ASEAN members. After the Mischief Reef incident in 1995, the Philippines became less optimistic about ASEAN's mediatory role. This was primarily due to ASEAN's silent code during Philippines spat with China. ASEAN members such as Philippines and Vietnam calls for US intervention while other members are less enthusiastic about it. Therefore, some ASEAN members started to renegotiate with China on the bilateral basis rather than relying on the multilateral set up. On the other hand, China's assertiveness in the South China Sea has augmented. China's inclusion of a map with the "nine-dashed line" in a note verbale to the UN in May 2009, its' imposition of seasonal fishing bans in the northern portion of the South China Sea, an increase in the number of patrols by Chinese maritime law enforcement agencies in contested waters, an increase in the frequency and scope Chinese naval exercises in the South China Sea are some of the examples. In fact, in July 2011, a Chinese vessel hailed an Indian naval ship in international waters and demanded an explanation for its presence near Vietnam after the Indian ship makes a scheduled port call in Vietnam. Subsequently, China has step up its efforts. China established an Air Defense Identification Zone (ADIZ) in the South China Sea following the establishment of the East China Sea ADIZ in November 2013. As a result, its' behaviour over the past several years reflected an "incremental effort by China to assert control over the area contained in the so-called 'nine-dashed line'."

Meanwhile, in Brunei 2013, ASEAN expressed willingness to advance another code of conduct for the disputant parties, by keeping the code with legally binding clause. On the other hand, in February 2014 the US for the first time explicitly rejected the U-shaped, nine-dash line that China uses to assert sovereignty over nearly the whole South China Sea, strengthening the position of rival claimants and setting the stage for a severe trial among the major powers in the region. Therefore, in the last few years, the active involvement of the US in addition to the stands taken by other major powers in the region, apart from the disputant and non-disputant ASEAN members, have made the South China Sea dispute a potential roadblock in ASEAN's future stability and integration.

ASEAN progress on maritime security cooperation can be particularly viewed from the ASEAN Regional Forum (ARF) initiatives. ARF is primarily an ASEAN offshoot with absolute focus on security issues. In the past 21 years of its existence, the ARF has hosted meetings both at the Track I and II levels including, workshops, seminars and expert group meetings on various subjects including maritime security, nevertheless predominantly on CBM and Search, Rescue and Disaster Relief. The ARF meetings (1994-2014) highlight the proliferation on maritime security activities. ARF has, till 2014, conducted 19 meetings on Maritime Security. In 2014, three workshops were held including Maritime Environmental Protection Cooperation, ARF Seminar on the Regional Cooperation on Offshore Oil Spill and on the subject of UNCLOS. Currently, ARF is preparing for the next stage of evolution, which is drafted in 'A Vision for ARF by 2020.' The ARF Vision Statement does not however suggest anything fresh, except that a synergy between ARF and ASEAN Political-Security Community is voiced and a call for preventive diplomacy in priority areas is made which includes working towards mutually acceptable early warning mechanisms.

With the successive deepening cooperation in all sectors, the ASEAN is paving towards community building. The ASEAN community building process is beleaguered to be completed by 2015 aiming to synergies between ARF and ASEAN Political-Security Community. Since inception, defence was a notable exception in the broad range of ASEAN's Sectoral Ministerial Meetings - which include meetings of the foreign affairs, economic, finance, education, environment and cultural ministers. To meet this void, ASEAN Defence Minister Meeting (ADMM) was built in 2006. At the inaugural meeting, ASEAN constructed informal consultations amongst the ASEAN Chiefs of Defence Force, giving opportunity to

concerned people to enhance maritime cooperation through annual meetings of ASEAN Navy Chiefs and ASEAN Heads of Coast Guards. The lack of regional maritime cooperation initiatives was primarily due to the earlier absence of involvement of the Ministry of Defence of the ASEAN members in the overall dialogue process. This lacunae retarded the growth of trust building and naval cooperation among the ASEAN members in the regional waters.

One important step forward has been the establishment of ASEAN Maritime Forum. The Forum was formed to address the need for a permanent regional body aimed at resolving maritime challenges in the Indo-Pacific waters. It is wrong to perceive maritime issues from the military perspective alone. Accordingly, the Forum is formed to exchange views on maritime issues affecting all three pillars of the ASEAN Community and the ways and means to enhance cooperation in maritime-related issues. Covering the EAS contour, Expanded AMF (EAMF) was convened back-to-back with the 3rd AMF on 5 October 2012. The EAMF focused on issues such as, relevance of the 1982 UNCLOS in today's context, maritime connectivity and capacity building, infrastructure and equipment upgrading, seafarer's training, protecting the marine environment, and promoting eco-tourism and fishery regime in East Asia. Therefore, the EAMF was seen as track 1.5 diplomacy with cross-cutting maritime issues that concerned all the EAS countries. Over the next decade, there was an increasing support for the objectives of the ASEAN Outlook on the Indo-Pacific (AOIP), which details maritime cooperation and security as important attributes.

4. NON-ASEAN PLAYERS SAILING THE ASEAN WATERS

In both time and space, the territories and people that constitute 'Southeast Asia' have found themselves positioned repeatedly between larger forces that projected both 'soft' and 'hard' power over land and sea. Given the limited military capabilities of the ASEAN members, their domestic security priorities in addition to their preoccupation with nation-building process, defence sector is not one of strength for ASEAN members. The maritime platforms and subsequent technological backing in most ASEAN members have been derisory, giving scope for extra-regional players to intervene in the regional maritime security framework. In this context, it is pertinent to recall the US initiative on Regional Maritime Security Initiative (RMSI) in 2005 which was aimed to develop a partnership of willing regional nations with varying capabilities and capacities to identify, monitor, and intercept transnational maritime threats under existing international and domestic laws. This initiative was announced during the peak of piracy conflicting in the Malacca Straits, generating much hue and cry from the littoral's states, particularly from the Malaysia and Indonesia, who interpreted the US initiative aimed at undermining their sovereignty in the Straits.

The Southeast Asian region has eternally been the playfield for external players. The Indian and Chinese influenced during the ancient period, subsequently with the American, Dutch, British, Spanish and Portuguese claiming their share of booty during the imperialist days. Thereafter, Japan turned occupying force in Southeast Asia during the World War II or more recently the Cold War period, when the region witnessed two wars and became a chessboard between the two superpowers. Considering the Southeast Asian waters are important international waterways connecting the two big Oceans, ASEAN waters remain witnessed to the presence of different flags sailing their waters. The US presence in the ASEAN waters are secured since US is considered the resident power in Southeast Asia. It plays the primary security guarantor for the ASEAN members and therefore, the United States Pacific Command (USPACOM) ships have traditionally been hosted in the ASEAN waters. In 2009, USPACOM declared its strategy which is based on partnership, readiness, and presence in the region. More recently, US is conducting naval exercises with various countries in the region in order to build confidence and contribute to capacity building training.

China is no more a regional power alone rather it is a global power aiming to build a navy with significant strength and resilience. Southeast Asia is viewed by Beijing as China's sphere of influence. China seeks to bolster a stable and secure region in order to gain access to regional energy resources and raw materials, protect maritime trade routes across the region, and develop wide-ranging relations for economic and political purposes (including isolating Taiwan and countering U.S. influence). China's People's Liberation Army Navy (PLAN) is preparing to fight the USN at the Taiwan Straits. However, the long-term objective might be to make its presence felt in its backyard. Therefore, the recent spat with the US over South China Sea and its creeping assertiveness visible in dealing with ASEAN members is one aspect of China's relations with the Southeast Asian countries.

China's has declared the Spratlys and Paracel islands as their 'core interest' area in tune with Taiwan and Tibet. Moreover, it asserts the entire South China Sea as its internal waters, thereby attempting to restrict the sea as an internal thoroughfare, inaccessible to others. This is undoubtedly creating instability in the Asia Pacific region as the South China

Sea is an important trading and energy sea-lane for ASEAN members as well as extra-regional players such as the US, Japan, India, Australia and other trading partners of the region. On the other hand, China is deepening its ties with the ASEAN countries on the maritime sector through cooperation on port development, maritime safety and through other training and funding mechanism. The above-mentioned China-ASEAN Expo in 2010 is one such example. In fact, Beijing and ASEAN have declared 2015 "the ASEAN-China Year of Maritime Cooperation". This means China will focus on providing funding for maritime infrastructure, scientific research, and search and rescue capabilities, therefore establishing the efficacy of their relationship beyond maritime disputes. In 2014, at the ASEAN-China Summit meeting, China called for extending communication between maritime law enforcement agencies as well as setting up a hotline between foreign ministers for use in case of maritime emergencies. The ASEAN+China dialogue forum is utilized by the latter to bring maritime cooperation at the forefront of cooperation. In this view, the Transport Ministers' Meeting held in Jakarta on September 2002 reached understanding to strengthen all-round cooperation in issues relating to transport by land, water and air. Therefore, maritime transportation is increasingly in focus. Moreover, China is gradually collaborating in defence by transferring defence equipments to ASEAN members. Myanmar and Cambodia already under substantial Chinese influence, were the initial arms buyers. Presently, Thailand and Indonesia are buying specific platforms from their giant northern neighbor. At present, Chinese leadership are pitching for a "21st Century Maritime Silk Road", in order to boost trade links across Asia.

Japan, India and Australia are the other extra-regional players who have huge stake in the stability of the ASEAN waters. They fall under the user states obligation in the international law wherein they contribute to the maritime security of the region through partnership with the regional navies and other capacity building programs. Japan is particularly at risk in any imperil scenario in ASEAN waters since its entire economy is dependent on the supplies from these waters. Japan is therefore a significant maritime force that provides considerable support to the regional maritime architecture. Australia has been tied to the region's security through the archaic Five Powers Defence Arrangement (FPDA) particularly engaged to Malaysia and Singapore. India is a significant maritime power in the ASEAN waters. India occupies its place in terms of geographical proximity to the region and the fact that it is a funnel state to Malacca Straits and secondly, India has a formidable navy which could be an important partner in addressing the unconventional maritime challenges for the future.

However, the presence of the extra-regional navies in the ASEAN waters has escalated tension and there are signs of ASEAN waters turning into a potential battlefield to check out on each other. For the ASEAN members, the impact is substantial, as there are visible signs of ASEAN members silently building their naval platforms for future eventuality.

5. IS MULTILATERALISM - AN APPROPRIATE RESPONSE?

The above discussion highlighted some of ASEAN's achievements in enhancing maritime cooperation in their multilateral set up. It is significant that there are encouraging signs of maritime domain increasingly occupying dominant place in the security dialogue. The ADMM plus with the eight dialogue partners which was held in October 2010 with much hype, talked extensively about forging maritime cooperation. Similarly, ASEAN Maritime Forum and ARF encourages dialogue thereby providing appropriate podium for better understanding and trust building. The maritime security challenges touches different fields whether humanitarian assistance and disaster relief such as tsunami, man-made disasters like environmental degradation from oil spillages; energy security as most of energy sources are based on offshore, or on matters related sovereignty through territorial disputes. The multilateral approach to maritime security is in reality an indispensable answer to maritime challenges. The problems touch every shore irrespective of the individual country's maritime capability. Therefore, multilateral approach could be an effective platform to deal with the non-state actors who are otherwise taking absence of state's weakness into their advantage. However, one of the major impediments is the which institution ASEAN wishes to follow for maritime issues. ASEAN has 10 groups on maritime issues, which meet across 12 ASEAN Sectoral bodies. These 10 issue groups are mostly cross-cutting and overlapping. ASEAN does not have a sectoral ministerial meeting, hence, AMF is the sole forum where maritime issues are discussed comprehensively among ASEAN member states. EAMF, thus, became the enlarged version of the AMF with its attendant issues. The EAMF agenda is always broad-based and has cross-cutting issues that cover more than one of the three ASEAN pillars. All the matters do not relate only to security, which is often discussed at the ARF and ADMM+ meetings.

6. THE WAY AHEAD

ASEAN is currently moving towards ASEAN Political-Security Community which will require a regional approach to deal with the security issues. The ASEAN member's individual weakness could be supported with the backing of strong extra-regional powers, those who have sincere interest in keeping the ASEAN waters safe. Regional maritime cooperation is indispensable in the present world given the salience of non-states actors. In addition, China's growing naval power would require balancing naval strength in order to restrict any one country to turn the international waterways to turn into internal waters. Since ASEAN has successfully embraced regionalism in economic and socio-cultural sector, therefore, it is time to extend the regionalisation to maritime security as it will solve several issues pertinent in the Indo-Pacific waters. The emergence of Indo-Pacific related initiatives like the Indo-Pacific Oceans Initiatives (IPOI) and Indo-Pacific Maritime Domain Awareness (IPMDA) announced on 24 May 2022 are the initiatives in the right directions.

CONFLICT OF INTERESTS

None.

ACKNOWLEDGMENTS

None.

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- The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) is the first regional government-to-government agreement to promote and enhance cooperation against piracy and armed robbery in Asia. On 11 November 2004, ASEAN in cooperation with the Plus Three countries (China, Japan and RoK) and Indian Ocean countries (India, Sri Lanka and Bangladesh) adopted agreement. To date, 20 States have become Contracting Parties to ReCAAP. The ReCAAP Information Sharing Centre (ISC) was established under the ReCAAP Agreement. The roles of ReCAAP ISC include exchanging information among Contracting Parties on incidents of piracy and armed robbery, supports capacity building efforts of Contracting Parties, and for cooperative arrangements. For details see ReCAAP website, available at <http://www.recaap.org/>
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