

DIVING INTO THE INDO-PACIFIC: KEY CHALLENGES OF THE MARITIME DOMAIN

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There has been a shift from a *Euro-Atlantic focus* to an *Indo-Pacific* one in terms of global economic and military power. The Indo-Pacific, originally defined by the Chinese as ‘Two-Oceans’ which includes the Arctic and the Antarctic, has become the driving force of global geo-economics and the epicentre of Sino-U.S. geo-political rivalry. It is in this part of the world where we clearly see how great powers are investing in their domestic capacity, constraining and delegitimizing each other’s actions and expanding their influence.¹

Proof of how geo-political competition is at the heart of the region are the discerning views around the actual definition of the Indo-Pacific as a construct. While the Japanese, Europeans and Indians view the Indo-Pacific as ranging from the shores of East Africa to the Western Pacific, the U.S. stops at India’s Western tip (State of Gujarat) and makes its conceptualization coincide with the USINDOPACOM area of responsibility - one of the six geographic combatant commands defined by the U.S. Department of Defense.² China, in contrast, continues to use ‘Asia-Pacific’ to define the region, since it would otherwise lose its land-based geographical centrality.

Against this backdrop, this brief analysis seeks to identify key challenges to the maritime domain in the Indo-Pacific.

Maritime security

The challenges are wide-ranging, starting with the overall militarisation of the Indo-Pacific. Key flashpoints such as the East China Sea, South China Sea, Taiwan Strait, Strait of Hormuz and Gulf of Aden have come under increasing threat as a result of China's burgeoning military capabilities and naval presence. China's cumulative military expenditure is only followed from afar by India, Japan, South Korea and Australia.³ Notwithstanding, maritime security in the Indo-Pacific has aimed to address both non-traditional and traditional security challenges ranging from ensuring freedom of navigation, conserving and ensuring a sustainable development of the seas (*blue economy*) to fighting piracy, illegal immigration, drug trafficking and ensuring maritime domain awareness in a post-pandemic and post-Russian War in Ukraine world. The protection of critical maritime infrastructure and ships from physical and cyber threats is of growing concern, as the recently launched *EU Maritime Security Strategy (EUMSS)* shows.⁴

We are further witnessing the blossoming of security partnerships in the Indo-Pacific. An underlying challenge to this is the potential clash between the growing quest for naval partnerships, co-operation in joint military exercises and access to military bases (or dual use ports) and a reactionary region, when it comes to territorial integrity and sovereignty issues. Notwithstanding, some of these partnerships include regional and extra-regional powers seeking to contain Chinese geo-strategic power, best epitomized by the *Quadrilateral Security Dialogue (QUAD)*, with an ever-expanding agenda. The recently announced *Indo-Pacific Partnership on Maritime Domain Awareness* by the QUAD shows the intent to expand co-operation in the realm of cybersecurity, counter-terrorism and in countering disinformation.⁵

It is also illustrative of reality: the maritime domain in the Indo-Pacific remains largely dominated by American sea power. Not in vain, the US currently defines itself as 'an Indo-Pacific power'.⁶ A consequence of this is that US-led security arrangements are being juxtaposed against the US' historical 'hub and spokes system', which includes two QUAD members – i.e. Japan and Australia.⁷ In addition, agreements such as AUKUS have shown the fragility of the 'like-minded' banner when it comes to security arrangements, with the resulting rift between Western

powers.⁸ More importantly, the potential for the QUAD to become a security alliance, along the lines of an Asian-based NATO, comes with a collective security imperative. This collides with the aversion to establishing alliances on the part of key Asian maritime emerging powers, such as India or even Indonesia, when thinking of a *QUAD plus*.

Maritime governance

There is an ongoing race to contain expanding Chinese naval presence and strategic port investments for alleged dual civilian-military use across the Indo-Pacific, which has led to a geo-strategic response by the U.S. and its 'like-minded' partners. A strong narrative behind this is the quest for a 'rules-based' order across the Indo-Pacific.

Yet, how global are these rules truly? How consistent is the 'like-minded' banner?⁹ The conceptualization by the 'like-minded' of the maritime Indo-Pacific is not only about openness and inclusivity but now also integrates resilience. This translates into attempts at indigenization and the need to secure domestic economic growth via interconnectivity. The recently launched *US National Security Strategy* from October 2022 notes how guaranteeing economic security is part of ensuring national security.¹⁰ This is nothing new under the sun through an Asian lens, where stability has long been equated with economic prosperity. It is somewhat unexpected in such clear terms coming from a Western liberal democracy.

In addition, there are growing calls for self-reliance and strategic autonomy across the global chessboard, including in the development of Indo-Pacific powers' indigenous capabilities at sea. How should this coalesce with an already fragile multilateral order? Proof of the futility of multilateral governance at seas is the 2016 *Permanent Court of Arbitration* in The Hague ruling against China's 'Nine-Dash-Line' in the South China Sea under the *United Nations Convention on the Law of the Sea (UNCLOS)*, which favoured the Philippines and antagonised China. More importantly, it did not lead to any effective resolution of the dispute.¹¹ Nonetheless, there are ongoing efforts to finalise bilateral negotiations on a *Code of Conduct* between the Association of Southeast Asian Nations (ASEAN) and China pertaining the South China Sea.¹²

On an uplifting note, we have recently witnessed a ‘walk the talk’ moment pertaining the legal standards of the sea, increasingly conceptualized as a global common. The historic *High Seas Treaty* was just agreed upon after decades of negotiations. This constitutes a significant step towards protecting the world's oceans, setting limits to how much fishing can take place, as well as to highly critical shipping lane routes and exploration activities like deep sea mining.¹³

Maritime trade and connectivity

The Pacific and Indian Oceans are home to crucial seaborne energy and trade routes via sea-lanes of communication and maritime choke points,¹⁴ including the main East-West trade routes between Asia, Europe and the United States, as well as the non-mainlane East-West routes such as South Asia-Mediterranean.¹⁵ Not surprisingly, the securitization of critical supply chains under the banner of ‘resilience’ is nowhere more visible than in the Indo-Pacific. *The India-Japan-Australia Supply Chain Resilience Initiative* constitutes an excellent example of this.¹⁶

The quest to re-order and diversify supply networks to reduce dependence from China, particularly linked to critical emerging technology components and infrastructure, is visible in the maritime domain too. Seaborne trade in semiconductors, the laying out of underwater fiber optic cables and data sharing in maritime surveillance are under increasing scrutiny for security reasons, hereby challenging the benefits of interconnectivity. Instead, the notion of ‘trusted connectivity’ is gaining track against, assumingly, a ‘non-trusted’ one. But what is the measuring stick for trustworthiness? If it’s about getting the values and standards right, how do we objectively apply these when looking into *friendshoring* or *onshoring*, for example?

The blossoming of sub-regional connectivity initiatives is palpable through arrangements such as the *Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Co-operation (BIMSTEC)*, the *Bangladesh-Bhutan-India-Nepal (BBIN)* initiative or connectivity initiatives along the Mekong River. This contrasts with seminal connectivity initiatives such as the Chinese *Maritime Silk Road* or its response, the G7-led *Partnership for Global Infrastructure and Investment (PGII)* [former *Build Back Better World (B3W)*]. The latter seeks to implement high-quality infrastructure development and cost-effective connectivity projects against allegedly debt-ridden Chinese standard infrastructure investment projects.

Maritime shipping constitutes the most economical mode of transportation for international freight distribution, which results in significant economic growth in regions that have geo-graphical advantages, such as the Indo-Pacific.¹⁷ The maritime domain in the Indo-Pacific subscribes to a clear trend towards unilateral trade arrangements. The US-led *Indo-Pacific Framework for Economic Prosperity (IPEF)* epitomises this well.¹⁸ We have further witnessed the mushrooming of mega-regional trade blocs¹⁹ in parallel to a boost in bilateral Free Trade Agreements (FTAs) across Asia between 2006 and 2022²⁰. The aim has been to circumvent a paralysed World Trade Organisation (WTO), which further brings into question the sustainability of a post-1945 international economic order.

Conclusion

Amidst pervasive calls for strategic autonomy, resilient supply chains and a revision of the existing international order, the 'Indo-Pacific construct' will remain in the hurricane's eye for decades to come. Therefore, understanding the intricacies of the maritime domain is key to diving into what is currently one of the most vibrant, convoluted, and unpredictable regions of the world.

¹ M. Kewalramani, 'Great Power Competition in the Indo-Pacific', Takshashila Working Paper, 8 February 2023 (<https://takshashila.org.in/research/takshashila-working-paper-great-power-competition-in-the-indo-pacific>).

² U.S. Indo-Pacific Command, 'US INDOPACOM Area of Responsibility' (<https://www.pacom.mil/About-USINDOPACOM/USPACOM-Area-of-Responsibility/>).

³ China's military expenditure between 2011 and 2020 reached USD 2 trillion. Stockholm International Peace and Research Institute (SIPRI), 'Top Ten Military Spenders in Asia, 2020', Military Expenditure Database, April 2021 (https://sipri.org/sites/default/files/2022-04/fs_2204_milex_2021_0.pdf).

⁴ European Commission, 'Maritime Security Strategy', 10 March 2023 (https://oceans-and-fisheries.ec.europa.eu/ocean/blue-economy/other-sectors/maritime-security-strategy_en).

⁵ US Department of State, 'Joint Statement of the QUAD Ministerial Meeting in New Delhi', Media Note, 3 March 2023 (<https://www.state.gov/joint-statement-of-the-quad-ministerial-meeting-in-new-delhi/#:~:text=We%20strongly%20support%20the%20principles,are%20essential%20to%20the%20peace%2C>).

⁶ The White House, 'Indo-Pacific Strategy of the United States', February 2022 (<https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>).

⁷ The historical U.S.-Japan Mutual Security Treaty from 1951, revised in 1960, still stands. Maizland, L. and Chen, N., 'US-Japan Security Alliance', Council on Foreign Relations, 4 November 2021 (<https://www.cfr.org/backgrounders/us-japan-security-alliance>). Similarly, the US-Australia alliance stems from the Australia, New Zealand and US Security Treaty (ANZUS Treaty) from 1951, which New Zealand and the US abrogated, while it still stands for the US-Australia

security relationship. Office of the Historian, 'The Australian, New Zealand and US Security Treaty (ANZUS Treaty), 1951', U.S. Department of State (<https://history.state.gov/milestones/1945-1952/anzus>).

⁸ AUKUS is a direct response to the Chinese threat in the Indo-Pacific—a trilateral security pact between Australia, the UK and the US in September 2021, that secured UK and US assistance to Australia for its acquisition of nuclear-powered submarines.

⁹ The concept of 'like-minded' is conceptualized by the U.S. and its partners – some of whom may not like to be branded as allies. It is a convenient cluster of states supportive of a rules-based, free, open, prosperous, resilient and inclusive vision of the Indo-Pacific.

¹⁰ The White House, 'US National Strategy', 12 October 2022, p. 14 (<https://www.whitehouse.gov/wp-content/uploads/2022/10/Biden-Harris-Administrations-National-Security-Strategy-10.2022.pdf>)

¹¹ Hawksley, H., *Asian Waters: The Struggle for the Indo-Pacific and the Challenge to American Power*, Abrams Press, United States, 2020.

¹² These negotiations stem from the 2002 signing of the ASEAN and China Declaration on the *Conduct of the Parties in the South China Sea*. Strangio, S. 'China, ASEAN to 'Accelerate Consultations' on South China Sea Code', *The Diplomat*, 23 February 2023 (<https://thediplomat.com/2023/02/china-asean-to-accelerate-consultations-on-south-china-sea-code/>).

¹³ Stallard, E., 'Ocean Treaty: Historic Agreement reached after Decades of Talks', *BBC News*, 5 March 2023 (<https://www.bbc.com/news/science-environment-64815782>)

¹⁴ Key maritime choke points in the Indo-Pacific are the Cape of Good Hope, the Mozambique Channel, Bab-el-Bandeb Strait [that connects the Gulf of Aden with the Red Sea, and by extension, the Suez Canal], the Suez Canal, the Strait of Hormuz, the Straits of Malacca and Singapore, the Sunda Strait, the Lombok Strait, and the Ombai and Wetar Straits. Ministry of Defence (Navy), 'Ensuring Secure Seas: Indian Maritime Security Strategy', New Delhi, 2015, p. 18 (https://www.indiannavy.nic.in/sites/default/files/Indian_Maritime_Security_Strategy_Document_25Jan16.pdf).

¹⁵ UNCTAD, 'UNCTAD's Review of Maritime Transport 2022: Facts and Figures on Asia and the Pacific', 29 November 2022 (<https://unctad.org/press-material/unctads-review-maritime-transport-2022-facts-and-figures-asia-and-pacific>).

¹⁶ Australian Department of Foreign Affairs and Trade, 'Joint Statement on the Supply Chain Resilience Initiative by Australian, Indian and Japanese Trade Ministers', 15 March 2022 (<https://www.dfat.gov.au/news/media-release/joint-statement-supply-chain-resilience-initiative-australian-indian-and-japanese-trade-ministers-0>).

¹⁷ Kavirathna, C.A., 'Transshipment Hubs in the Bay of Bengal Region', in Xavier, C. and Palit, A. (eds.), *Connectivity and Cooperation in the Bay of Bengal Region*, Centre for Social and Economic Progress, New Delhi, February 2023.

¹⁸ The IPEF includes Australia, Brunei Darussalam, Fiji, India, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, Philippines, Singapore, Thailand, and Viet Nam. Office of the United States Trade Representative, 'Indo-Pacific Economic Framework for Prosperity (IPEF)', May 2022 (<https://ustr.gov/ipef>).

¹⁹ Examples of this are the *Regional Comprehensive Economic Partnership (RCEP – ASEAN + 6)* and the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP – based on APEC)*. Both China and Taiwan have formally applied to join the latter. Kawashima, S., 'Japan's position on the CPTPP Applications of China and Taiwan', *The Diplomat*, 3 October 2021 (<https://thediplomat.com/2021/10/japans-position-on-the-cptpp-applications-of-china-and-taiwan/>).

²⁰ Singapore, India, the Republic of Korea and the PRC lead the way [in this particular order] in terms of FTAs that are under negotiation, signed and not yet in effect, as well as signed and in effect. *Asia Regional Integration Center*, 'FTA Status by Economy', ADB Free Trade Agreements Database (<https://aric.adb.org/database/fta>).