



Moving forward the EU-India Security Dialogue

Traditional and emerging issues

Maritime Security and Freedom of Navigation from the South China Sea and Indian Ocean to the Mediterranean

Paper Commentary No. 1 | December 2016



EU Public Diplomacy and Outreach
in India and in the SAARC



Project funded by
the European Union

EU-India Think Tank Twinning Initiative





EU Public Diplomacy and Outreach
in India and in the SAARC



EU-India Think Tank Twinning Initiative

Moving forward the EU-India Security Dialogue:

Traditional and emerging issues

Gateway House: Indian Council on Global Relations, Mumbai,
in partnership with
Istituto Affari Internazionali, Rome



Maritime Security and Freedom of Navigation from the South China Sea and Indian Ocean to the Mediterranean

Prepared by Gateway House: Indian Council on Global Relations, Mumbai

Gateway House Research Team

- Vice Admiral Anil Chopra (Distinguished Fellow, International Security and Maritime Studies)
- Sameer Patil (Project Director and Fellow, National Security, Ethnic Conflict and Terrorism)
- Purvaja Modak (Project Manager and Researcher)
- Aditya Phatak (Senior Researcher)
- Nandini Bhaskaran (Editor)
- Manjeet Kripalani (Executive Director)

© European Union, 2016

The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of the European Union. Neither the European Union institutions and bodies nor any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.

Commentary- Maritime Security and Freedom of Navigation from the South China Sea and Indian Ocean to the Mediterranean

Table of Contents

List of abbreviations	2
1. Introduction	3
2. Maritime security	3
3. The Indo-Pacific	4
4. The EU and the Indo-Pacific	5
5. India’s maritime perspective	6
6. China and the Indian Ocean Region	7
7. India-EU maritime cooperation	8

List of abbreviations

- BRI- Belt and Road Initiative
- EEZ - Exclusive Economic Zones
- IOR- Indian Ocean Region
- PLA(N)- People’s Liberation Army (Navy)
- SLOCs- Sea Lanes of Communication
- UNCLOS- United Nations Convention on the Law of the Sea

Commentary- Maritime Security and Freedom of Navigation from the South China Sea and Indian Ocean to the Mediterranean

1. Introduction

The IAI has produced a well researched and comprehensive paper on the prospects of Indo EU cooperation in maritime security. They have raised a number of pertinent questions that will take this dialogue forward.

This effort to explore India-EU maritime cooperation stems from the "EU-India Agenda for Action 2020", adopted earlier this year, which, inter-alia, calls for "promoting maritime security, freedom of navigation in accordance with international law (UNCLOS- United Nations Convention on the Law of the Sea).....and fight against trans-national organised crime."

The IAI paper clearly articulates the European Union's vested interest in the maritime stretch from the South China Sea and the Indian Ocean to the Mediterranean, which I will henceforth refer to as the "Indo-Pacific", as this term encompasses the specific maritime domain that stretches from the Western Pacific to the Eastern shores of Africa, including the Horn and the Red Sea.

I propose to comment on the paper in the following order:

- Aspects of maritime security.
- The Indo-Pacific and its flashpoints.
- The EU and the Indo-Pacific.
- India's maritime perspective.
- China and the 'Belt and Road Initiative'.
- Prospects of Indo-EU Maritime Cooperation.

2. Maritime security

As highlighted in the IAI paper, there are four principal threats to maritime security. These are: armed conflict between states; maritime piracy and robbery; maritime terrorism; and lastly, cross-border organised crime, including trafficking of people and illegal goods by sea. I would like to add a fifth, which is transgression and poaching in Exclusive Economic Zones (EEZ) and non-adherence to UNCLOS.

The term, 'maritime security', has different connotations for different nations in a specific geographical region. This is particularly so when it comes to littoral and non-littoral states using a body of water, such as the Indian Ocean. Regional nations have to factor into their security calculus traditional state-to-state threats, possible military conflicts, and safeguarding of the EEZ, whereas non-littoral and extra-regional players

need not be concerned in this regard. India’s maritime security concerns in the Indo-Pacific are therefore fundamentally different from the EU’s.

World trade flows through the Sea Lanes of Communication, or SLOCs, and what could disrupt it the most is state-to-state conflict, such as that hypothetically between Saudi Arabia and Iran, or between India and Pakistan.

A conflict or war at sea leads to blockades of ports; collateral damage by way of likely sinking of, or damage to, neutral vessels; possible destruction of marine infrastructure and general increased risk to all maritime activity. Shipping is further affected by increase in freight and insurance rates, and re-routing costs.

Conflict prevention in the Indo-Pacific is therefore critical for both the EU and India, and diplomatic cooperation is required to curb rogue states with the potential to do harm or escalate tensions.

The other threats—piracy, terrorism, crime—can be, and have often, drawn suitable multinational responses, such as those witnessed in the defeat of Somali piracy in and around the Horn of Africa, and the EU and India can certainly come together to enhance regional maritime governance in the Indo-Pacific, as clearly mandated by the United Nations and the International Maritime Organization.

3. The Indo-Pacific

The Indo-Pacific construct underscores the fact that the Indian Ocean has replaced the Atlantic as the world’s busiest and most strategically significant trade corridor. It carries approximately two-thirds of global oil shipments, half its container traffic, and one-third of bulk cargo. This vast maritime expanse is witness to many intractable and ongoing conflicts between states, and also others involving non-state entities.

The imbroglio in the South China Sea and tensions in the East China Sea have every likelihood of sparking a conflagration through miscalculation by any of the powers in the region, including the US. The recent moves of Philippine President Duterte may well lead to the informal formation of American and Chinese blocks in Southeast Asia, which has thus far avoided such a dangerous division. Much will now depend on the strategy and actions of the new administration in Washington.

Japan too may feel the need for naval rearmament and general militarisation since 90 percent of its energy imports flow through the China Seas. The situation on the Korean peninsula only adds to the possibility of military confrontation in the region.

In comparison to these geopolitical concerns, the threat that piracy poses in this area is insignificant, especially as regional nations have established an effective anti-piracy and

intelligence sharing network and institutionalised it through the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia. But there remains every likelihood of terrorists sinking large vessels due to the blockage of the Malacca Straits or other narrow waterways.

West of the Malacca Straits, shipping enters the calmer waters of the Bay of Bengal and the south Arabian Sea, along sea lanes whose essential safety lies in the hands of a capable and growing Indian Navy, which is the Net Security Provider in the central Indian Ocean, not least because of its favourable geography and reach. This open ocean passageway is relatively immune to pirates, terrorists and hijackers, and would be vulnerable only in case of conflict between states.

Further west, the situation again becomes fragile. The many conflicts bordering the Persian Gulf, the Gulf of Oman, the Gulf of Aden, the Red Sea, and the vital straits of Hormuz, Bab-el-Mandeb and the Suez Canal, could all spill over into the ocean. This would be further exacerbated if the US indeed ‘pivots’ out of the area in any significant fashion. The resultant maritime power vacuum could invite aggressive power plays by some regional actors in West Asia.

4. The EU and the Indo-Pacific

The IAI paper has encapsulated the EU’s maritime initiatives and programmes, and its extensive engagement with African and island nations. From the Indo-Pacific perspective, the European Union is yet to be seen as a composite security entity, despite its naval participation in anti-piracy efforts through Operation Atlanta and the EUNAVFOR since 2008. This is perhaps because it was evident that the maritime force, fielded by the European Union, was specifically for combating piracy, and also perhaps because it was the first time that naval forces under the EU flag had ventured East of Suez.

On the other hand, individual European nations, especially in the United Kingdom and France, have had a military presence in the Indo-Pacific for centuries, and therefore Europe’s involvement with the region has been seen in terms of their presence. Moreover, these two nations have territorial outposts, and consequent high visibility in the Indian Ocean Region (IOR). Even these two countries have mostly restricted their maritime activity to the western Indian Ocean, from Reunion Island and the island nations of the Indian Ocean, through the African East Coast to the Arabian Peninsula and the Persian Gulf. In the central Indian Ocean, both these navies have focused on port visits and interoperability exercises with the Indian Navy on a regular basis. There has been minimal European presence in the eastern Indian Ocean and east of Malacca.

The spurt in EU maritime activity since 2008-- as evident in the EUCAP NESTOR, MARSIC and CRIMARIO programmes too – has strengthened the European Union’s security profile in the western Indo-Pacific. The EU’s maritime security strategy, released in 2014, clearly recognises that its well-being and prosperity are linked to the maritime domain, and specially to open and safe seas for free trade. Towards this end, the Indo Pacific has now naturally come to occupy centre-stage for the EU. Not only does the EU source significant energy supplies from this region, but increasingly, the majority of its trade passes through these waters, to and from the economic powerhouses and emerging economies of the resource-rich Indo Pacific.

However, the contours of the European Union’s Common Security and Defence Policy, and its military and security architecture are yet to crystallise, and this may well be delayed due to BREXIT. It is also not clear whether Operation Atlanta will continue beyond 2016. It is, however, apparent that the European Union would like to continue to maintain a standing quick-reaction naval force, which could be deployed in the western Indian Ocean for general maritime security in the region. Should this become a fact, such a force would be available for interaction with other maritime forces deployed in the same area. It would be natural for such a EUNAVFOR to forge ties with the Indian Navy, in the interests of interoperability.

5. India’s maritime perspective

India went through a few centuries of sea blindness, but in a comparatively short period of 70 years since winning independence, it has gone from almost negligible maritime capability to fashioning a professional, three-dimensional blue water navy, and raising a large and effective Coast Guard. This capability—besides its centrality in the Indian Ocean and Indo Pacific—enables it to be an extremely effective force of stability and a maritime security provider across the entire region.

India is also committed to overhauling and expanding its maritime infrastructure, and investing substantially in its EEZ, fisheries and deep sea mining. Furthermore, it is actively participating in the maritime development of its immediate neighbours and other nations of the IOR littoral through project ‘Security and Growth for All in the Region’, quite aptly, the acronym ‘SAGAR’ meaning ‘ocean’ in Hindi.

The IAI paper has succinctly highlighted India’s concerns. China’s desire for economic gains from markets and resources in the Indian Ocean is understandable, But India believes that the China-Pakistan Economic Corridor and Gwadar port could well destabilise the region by giving direct access from China’s mainland to the mouth of the Persian Gulf, especially if the US were to downsize in the Middle East. Similarly, ports in Bangladesh or Myanmar that have been constructed or are being controlled by the Chinese could ruffle the calm waters of the Bay of Bengal. India does not consider

Beijing's forays into the Indian Ocean an 'ominous' challenge, and neither is it overtly concerned with the 'string of pearls', or the 'Belt and Road Initiative' (BRI), as it is now called.

India hopes to see a vibrant blue economy and effective maritime governance in the Indian Ocean Region through the Indian Ocean Rim Association and promote collective action for peace and security through the Indian Ocean Naval Symposium.

6. China and the Indian Ocean Region

Eighty percent of China's energy imports transit through the Indian Ocean and the Malacca Straits. This clearly strategic vulnerability, often referred to as Beijing's Malacca Dilemma, has propelled China to seek greater involvement with the nations of the IOR littoral through economic engagement and by increasing the People's Liberation Army (Navy) or the PLA(N) deployment in the Indian Ocean. The IOR offers both resources and markets for the gigantic Chinese economy. The BRI is but a manifestation of these vital requirements for Beijing.

The smaller and less developed states and island nations of the IOR are but naturally absorbing what Beijing had to offer by way of financial assistance and infrastructure development. This does not automatically translate into facilitation of China's strategic or military ambitions in the area. These nations are not beholden or militarily vulnerable to China the way that similar nations of Southeast Asia are. On the contrary, the excessive presence of Chinese personnel in many of the smaller nations has seen the emergence of a social and political backlash in the public discourse and media, with concerns about a new form of colonialism being openly expressed by the opposition and national commentators.

It is India's belief that it would be better for the region—and for China—if infrastructure projects were distributed to multinational consortia of private and public companies. India is attempting to compete with Japan in the development of maritime infrastructure, as evident in Bangladesh and Iran. This is certainly a field in which the EU can contribute by being part of the maritime development agenda which has seized the region, and there is every possibility of India and the EU cooperating in this regard.

Beijing's generally aggressive approach is disquieting, but its economic initiatives and presence in the IOR need not be viewed with alarm. Whether the Chinese economy can bankroll the ambitious BRI over a long stretch of time is as yet a question mark. Social and political unrest prevailing in the host countries should not hinder the completion of many of the projects through time and cost over-runs. The financial viability of the projects is also a factor to be taken into consideration: for example, Hambantota port in

Sri Lanka, developed entirely by the Chinese, is not breaking even and will incur substantial losses.

As far as military presence is concerned, suffice it to say that the Indian Ocean is not the South China Sea, and there are severe logistical and operational vulnerabilities when deploying significant naval forces at long distances from the homeland. It takes many decades and much soft power to shape a distant environment for enabling maritime operations. As mentioned earlier, the only concern relates to possible PLA(N) bases on the Asian mainland in the IOR. An alarmist approach regarding China thus needs to be avoided.

7. India-EU maritime cooperation

There are many areas of maritime cooperation which are possible between India and the EU. Given their shared values and common objectives in the Indo-Pacific, maritime security coordination and cooperation between the two sides would help make the seas free and safe for continued global prosperity.

Primarily, the EU and India must work more closely diplomatically to prevent the outbreak of an armed conflict in the Indo Pacific. The EU must recognise that India is a major force for the good in this vast maritime arena, and given its capability and centrality, the only responsible regional guarantor of stability. Both sides must work actively to remove minor irritants in their relationship.

From India's perspective, the EU has displayed an inadequate appreciation of the factors, including terrorism, which India has to contend with in the neighbourhood. Cooperation in this area must begin with the EU developing a more nuanced understanding of India's security concerns, abjuring its customary hyphenated perspective so far.

India and the EU can cooperate in three distinct areas:

- Firstly, by coordinating their efforts to address maritime piracy, crime and terrorism. This would call for greater intelligence sharing and developing a common Maritime Domain Awareness picture pertaining to these threats.
- Secondly, by strongly adhering to and supporting the tenets of UNCLOS, and coordinating on all aspects of maritime governance as applicable to the high seas, the EEZ and the SLOCs.

- Lastly, developing maritime infrastructure and the blue economy in the region to prevent any monopolistic outcomes, possibly beginning with the Indian Ocean Commission initiative.

To do so, we concur with all three policy recommendations outlined in the IAI paper. The modalities for taking this forward call for further elaboration and discussion.