

COOPERATIVE MECHANISMS TO ADDRESS NON-TRADITIONAL MARITIME SECURITY THREATS IN THE INDIAN OCEAN REGION (IOR)

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Introduction

The oceans are the common heritage of humankind and are governed by the principle of open access doctrine or *mare liberum*.¹ While the continents are enveloped by the sea, oceans are divided only by artificial boundaries.² Thus, the earth's oceanic waters, which occupy nearly 71 percent of the earth's surface, are typically international and the domain of the global community. International trade and global interdependence have existed for centuries with the sea being the most exploited medium of transportation, exploration, conquest and trade. The eternal triangle of producers, manufacturers and markets remains joined by the common thread of shipping evident from the overall world seaborne trade witnessing a 23 percent increase from 2005 to 2011.³ Today, the world fleet of propelled sea-going merchant ships constitutes 1,04,304 ships, registered in over 150 countries and manned by 1.5 million seafarers of virtually every nationality.⁴

Indian Ocean – India's Ocean

The Indian Ocean, the third largest of the world's five oceans, is of particular importance owing to its geographical structure wherein most of its area is walled off on three sides by land and the southern side of Asia forms the roof above. However, it is the Indian subcontinent jutting out far into the sea which changes the character of the Indian Ocean and differentiates it from the Pacific and the Atlantic.⁵

¹Free seas for everyone. Website [unep.org](http://www.unep.org), 'IEG of the Global Commons', available at URL: <http://www.unep.org/delc/GlobalCommons/tabid/54404/Default.aspx> (accessed on 15 Nov 13).

²KM Panikkar, 'India and the Indian Ocean: An Essay on the Influence of Sea Power on Indian History', (India, George Allen and Unwin), p 18.

³Website unctad.org, 'World seaborne trade by type, cargo and country', available at URL: <http://unctadstat.unctad.org/TableViewer/tableView.aspx?ReportId=32363>, (accessed on 01 Dec 13).

⁴Website [imo.org](http://www.imo.org), 'International Shipping Facts and Figures-Information Resources on Trade, Safety, Security, Environment', available at URL: <http://www.imo.org/KnowledgeCentre/ShipsAndShipping/FactsAndFigures/TheRoleandImportanceofInternationalShipping/>, (accessed on 19 Nov 13).

⁵Op cit. KM Panikkar, p 19.

For centuries, the Indian Ocean has been the primary medium for fostering religious, cultural and linguistic proliferation. KM Panikkar impresses that owing to meteorological and oceanographic reasons, as also early growth of civilisation, the Indian Ocean was the pioneer centre of oceanic activity.⁶ More recently, natural resources have drawn global maritime communities into the Indian Ocean making it an important international maritime long-haul cargo highway. Nearly half of the world's oil production is transported through the Indian Ocean of which 36 percent comes from the Indian Ocean Region (IOR). More than 80 percent of this oil passes through three Indian Ocean Straits, namely, Hormuz, Malacca, and Bab-el-Mandeb.⁷ Since fossil fuels will continue to supply almost 80 percent of world energy till 2040,⁸ the safety and security of International Sea Lanes (ISLs) assumes geostrategic importance.

Contiguity, connectivity and homogeneity of the seas have facilitated movement of mankind across the globe. However, the inhospitable character of the seas has prevented their permanent occupation. National sovereignty diminishes seawards from the coast and the high seas remain beyond any national jurisdiction. These international waters, which account for a major portion of sea surface, are hence the least policed or protected parts of the world. The IOR is unique with some of the fastest growing economies and richest countries coexisting with the least developed and poorest countries. Economic and social inequality along with flourishing globalisation, which relies on international sea trade, have prepared fertile ground for criminal activities in this fragile region.^{9 10}

⁶Op cit. KM Panikkar, p 22.

⁷Dr Brahma Chellaney, 'Indian Ocean Maritime Security: Environmental Security and Climate Change', Proceedings from 'Indian Ocean Maritime Security Symposium', p 16, Australian Defence College, 15-17 Apr 2009, available at URL: <http://www.ancors.uow.edu.au/news/item/IOMS>, (accessed on 21 Nov 13).

⁸Website eia.gov, 'International Energy Outlook 2013', available at URL:

http://www.eia.gov/pressroom/presentations/sieminski_07252013.pdf, (accessed on 22 Nov 13).

⁹In 2012, IOR accounted for 128 of world's 396 conflicts (in various forms) or 33 percent of the world's total conflicts. Website hiik.de, 'Heidelberg Institute for International Conflict resolution, Conflict Barometer 2012', available at URL: <http://www.hiik.de/en/>, (accessed on 22 Nov 13).

¹⁰In IOR only Australia, Singapore, Qatar and Seychelles fall in the global category of very high human development, with most other states classified as medium human development. Website undp.org, 'UNDP, Human Development Report 2013', available at URL:

<http://www.undp.org/content/dam/undp/library/corporate/HDR/2013GlobalHDR/English/HDR2013percent20Summarypercent20English.pdf>, (accessed on 26 Nov 13).

Non-Traditional Maritime Threats

Although stability remains vital for IOR's development, the region's socio-economic diversity has resulted in differing threat perceptions and lack of common understanding. Since safety of sea trade entails security within and among all five basic elements of the maritime trading process, namely, seafarers, vessels, cargoes, ports and ISLs,¹¹ global interests have converged in the maritime domain.

Security issues emanating from socio-economic factors on land frequently transgress into the maritime domain. Such transgressions, along with the ocean's homogeneous character, wherein high seas remain deprived of any jurisdiction, have facilitated widespread proliferation of non-traditional security threats across the Indian Ocean. These include terrorism, piracy, drug and human trafficking, natural disasters, and illegal movement of weapons including Weapons of Mass Destruction.

Piracy and Armed Robbery

Dense shipping and weak maritime policing in the Indian Ocean have favoured piracy, which over the last decade has become a major threat in the Red Sea, Somali Basin and Malacca Strait. Although this manifestation of lawlessness at sea has its origin on land, in a collective effort to protect commercial shipping, many nations have deployed their warships off the coast of Somalia. This has resulted in piracy attacks reducing over the last three years with only 15 ships reporting attacks off Somalia in 2013 compared to 237 attacks in 2011. Likewise, hijacking incidents reduced to two in 2013 from 14 in 2012 and 28 in 2011. However, in the same period, piracy attacks increased consistently in Indonesian waters.¹²

In an attempt to thwart piracy off the Somali coast, three dedicated counter-piracy coalition forces, the EU NAVFOR, NATO's SNMG 1 and 2, and CTF 15, have been operating since 2008. Additionally, Indian, Chinese, Russian,

¹¹Editorial Essay, 'Research agendas for the Indian Ocean Region', (*Journal of the Indian Ocean Region*, Vol 6, No 1, Jun 2010), p 16.

¹²Website [icc-ccs.org](http://www.icc-ccs.org), 'ICC International Maritime Bureau: Piracy and Armed Robbery Against Ships Report 2013', available at URL: <http://www.icc-ccs.org/piracy-reporting-centre/piracynewsfigures>, (accessed on 05 Feb 14).

South Korean and Japanese warships are escorting merchantmen independently through pirate infested waters. The Shared Awareness and De-confliction (SHADE) mechanism, initiated in 2009, is being used by force-providing nations and coalitions for information sharing to coordinate warship deployments in the Internationally Recognised Transit Corridor (IRTC) in the Gulf of Aden. As a SHADE outcome, China, India, Japan and South Korea agreed in 2012 to coordinate their escort operations for optimising warship deployments.¹³

In spite of the threat, contributions towards counter piracy operations remain limited to major regional and extra-regional stakeholders. A pan-region mechanism has failed to emerge primarily due to lack of regional capability and absence of any regional security framework. Despite the Indian Navy (IN) urging multilateral engagement in counter-piracy operations, Indian policy-makers have declined multilateral engagements due to domestic political considerations. After much insistence and incurrence of an annual expenditure of ₹80 crores on independent escort missions, the government reluctantly agreed to India coordinating with China, Japan and South Korea.

Drug Trafficking and Illegal Migration

There is a close nexus between drug-trafficking, narco-terrorism and small arms proliferation. Illegal migration and clandestine drug-trafficking in and around the Indian Ocean are manifestations of political disorder and governance failure.¹⁴ Unregulated craft movement, containerised seaborne trade and Flags of Convenience (FoC) shipping have compounded this threat. Drug trafficking criss-crosses the Golden Crescent (Pakistan, Iran and Afghanistan) and the Golden Triangle (Myanmar, Thailand and Laos) translating into money laundering with funds fuelling gunrunning, insurgency and terrorism. Human trafficking is another trans-national security concern exacerbating socio-political instability.¹⁵

A direct effect of the end of the Cold War has been the rapid proliferation of small arms posing a grave danger to internal security in many countries. It portends a serious threat to inter-state and intra-state security by altering the

¹³Website *oceansbeyondpiracy.org*, 'Guide to International Efforts to Address Piracy Off the Coast of Activity', available at URL: <http://oceansbeyondpiracy.org/matrix/activity/shared-awareness-and-deconfliction-shade> (accessed on 10 Dec 13).

¹⁴Anil Kumar Singh, 'India's Security Concerns in the Indian Ocean Region', (Har-Anand Publications Pvt Ltd, New Delhi, 2003), p 212.

¹⁵GS Khurana, 'Maritime Security in the Indian Ocean: Convergence Plus Cooperation Equals Resonance', (Strategic Analysis, Vol. 28, No 3), p 416.

balance of power between the state and sub-state groups (insurgents, terrorists and drug-traffickers). As these problems assume serious dimensions in the IOR, it is only appropriate that the regional community cooperates to tackle these potent threats to national sovereignty.

Illegal Movement of Weapons of Mass Destruction (WMD)

Globalisation, which hinges entirely on the free flow of international seaborne trade, also opens up economic opportunities for populations. However, rogues and terrorists also capitalise on such opportunities,¹⁶ using seaborne trade to illegally transport WMD materials. While diplomacy may be used as a primary weapon to battle proliferation, containment will remain the answer. The Proliferation Security Initiative (PSI) to promote interception of illegal WMD cargoes has failed subscription in IOR. Apart from the absence of UN endorsement, PSI faces two fundamental legal challenges. Firstly, opportunities to stop, board and search ships without permission are limited by the Law of the Sea. Secondly, materials for illicit WMD purposes cannot easily be seized or traffickers prosecuted because their transport is not an international criminal offence.¹⁷

The Indian Ocean is too vast for any one country to contain any illegal movement without information sharing. While technology can be harnessed to gain accurate Maritime Domain Awareness(MDA), it is more important to have willing nations cooperating to share intelligence and putting up a unified front.

Natural Disasters

Approximately 60 percent of the world's natural disasters occur in this part of the world with catastrophic consequences, given the high human density along the coastal regions.¹⁸ Relief operations in such eventualities are platform intensive, necessitating collective participation and contribution.

¹⁶Thomas Bowditch, 'Maritime Threats, Risks and Priorities in the IOR: An American Perspective', in 'Security Challenges along the Indian Ocean Littoral: Indian and US Perspectives', (Matrix Publishers, New Delhi, 2011), p 47.

¹⁷Emma Belcher, 'A Tighter Net: Strengthening the Proliferation Security Initiative', available at URLhttp://lowyinstitute.org/files/pubfiles/Belcher_percent2C_A_tighter_net.pdf, (accessed on 03 Dec 13).

¹⁸PK Ghosh, 'Indian Ocean Naval Symposium: Uniting the Maritime Indian Ocean Region', (Strategic Analysis, Vol. 36, No 3, May-Jun 2012), p 353.

Approaches to Cooperative Security

Developments in the post-Cold War era have enhanced awareness of the necessity to redefine the nature of international security. Taken together, the myriad non-traditional security challenges in IOR far exceed any singular entity's capacity to effectively manage them. Recognising the challenges surrounding Indian shores, the Indian Maritime Doctrine emphasises the shift from conventional combat to include non-traditional threats, underscoring IN's constabulary and benign roles in the Indian Ocean.

Notwithstanding contributions of extra-regional navies to safeguard ships against piracy, similar large-scale deployments may not be economically sustainable in future. Thus, in the short-to-medium term, maritime security in the IOR must be evolved through robust and sustained cooperation between key regional players. This would necessitate cooperation for policy coherence, creative thinking, longevity of participation and resource commitment.

Inhibitors of Cooperative Mechanisms

Given the dependence on maritime trade for sustained economic growth, a shared consensus to deal with activities threatening trade routes in the Indian Ocean is warranted. However, prior to adopting a regional cooperative roadmap, one must analyse some of the unique characteristics of this distinctive region.

Instead of viewing the Indian Ocean as a single regional entity, many consider it as four different sub-regions, viz. East Africa, Middle East, South Asia and Australasia.¹⁹ Secondly, this hub of third world societies suffers from diverse governance methods, domestic political instabilities, sectarianism and regional power equations, which are key impediments to regional cooperation. Thirdly, traditional inter-state security disputes have created an atmosphere of suspicion and distrust, overshadowing pan-region security initiatives. Lastly, non-traditional maritime challenges create political, economic, and humanitarian problems involving state and non-state actors.²⁰ Unlike traditional security, solutions to transnational non-traditional and human security issues are difficult to conceptualise. These, along with IOR's heterogeneity at every possible level, impede regional solidarity.

¹⁹Manoj Gupta, 'Prospects for Regional Cooperation in the Indian Ocean Region' in *Indian Ocean Region: Maritime Regimes for International Cooperation* (Springer Publications, 2010), p 265.

²⁰*Op cit*, Geoffrey Kemp, p 25.

Reviving Cooperative Security

Economic cooperation has brought people and governments together for mutual economic development and benefits materialising into various economic groupings. Economic security in turn often leads to greater understanding of political and security matters.²¹

Notwithstanding regional diversity,²² economic interests and globalisation have dominated geo-strategic considerations, bringing sub-regional entities together. Economic interdependencies and commonalities at sub-regional levels have transcribed successfully into sub-regional organisations that include ADC, EAC, GCC, SAARC, ASEAN, ARF, etc. However, most of these are geographically or culturally oriented with limited maritime security charter.

Notable exceptions, however, appear in two pan-IOR organisations; the Indian Ocean Rim Association (IORA) and the Indian Ocean Naval Symposium (IONS), wherein member states are geographically from different corners of the region and also belong to one or more sub-regional economic groupings. The IORA has 20 member states, six dialogue partners and two observers. IONS was an IN initiative in 2008 to enhance maritime cooperation among regional navies through information flow to address maritime security challenges threatening the IOR and this construct has now grown to 35 member countries.

IORA brought developed, developing and emerging economies from Asia, Africa and Australia together for trade, investments, technology, and education. After a decade of dormancy, the organisation is reinvigorating through adoption of a collective Indian Ocean security paradigm built on maritime regionalism. In Nov 2013 at the Perth Communiqué, the association has reaffirmed its shared interest in the stability, security and prosperity of all IOR countries and recognised the importance of complementing IONS.²³

²¹ *Op cit.* Anil Kumar Singh, p 153.

²² *In race, religion, culture, economic development and strategic interests.*

²³ Website [iorarc2013.org](http://www.iorarc2013.org), '13th Meeting of the Council of Ministers of the Indian Ocean Rim Association', available at URL: http://www.iorarc2013.org/iora-2013/communiqu_percentC3percentA9.aspx (accessed on 11 Dec 13).

Redefining Geopolitics in the Indian Ocean

From India's perspective, three developments are in the process of redefining geopolitics of the IOR. Firstly, non-traditional maritime security challenges in Asian waters are increasingly being visualised in the broader framework of the IOR. Secondly, as the US shifts focus towards the Asia-Pacific, its role as the principle security provider in the IOR is relatively declining. Thirdly, as IN's modernisation takes shape, India needs to develop partnerships with states possessing common interests to address maritime challenges.

IORA has substantiated the first development by recognising that its members are also stake holders in regional security. It is thus aligning itself towards maritime security, safety, and disaster management to complement IONS.²⁴ Ironically, thus far, in spite of its governmental level organisation, the IORA failed to adopt any maritime security agenda. On the other hand, while IONS brings regional navies together to discuss maritime security, it has lacked governmental backing. This has consistently inhibited IONS in translating maritime security agendas into operational mechanisms. The new backdrop helps IORA and IONS to complement each other and establish an implementable pan-region mechanism.

The Strategic Guidance for the US DoD of 2012 envisages India serving as a regional economic anchor and providing regional security.²⁵ India has however refrained from demonstrating any such intent. India's non-commitment arises from its foreign policy that hinges on sovereignty, non-alignment and strategic autonomy, inhibiting multilateralism. Even after two decades of economic multilateralism, Indian policymakers refrain specifically from multilateral military engagements. To emerge as a cohesive force that brings regional entities together to curb maritime threats, India would need to review its approach.

Although India seeks to establish itself at the heart of regional dynamics, its overriding concern continues to be to prevent any polarisation of the IOR. In doing so, India has limited itself to bilateral engagements with major extra-regional powers. Although this serves in part to underscore India's benign

²⁴*Ibid.*

²⁵*US New Strategic Guidance for DoD, 'Sustaining US Global Leadership: Priorities for the 21st Century Defence', Jan 2012, p 2.*

intentions, India is showing signs of reviewing its military engagement policy. The decision to participate in the multilateral exercise 'RIMPAC 2014' and institution of trilateral maritime cooperation between India, Maldives and Sri Lanka in Jul 2013²⁶ demonstrate this policy shift. By discarding its traditional reservation against military actions outside the UN framework, India is also transitioning from moralism to pragmatism.

With the existing force level of the IN, providing a continuous security cover on the basis of multiple bilateral engagements in the IOR, wherein non-traditional threats have proliferated unhindered, is neither economical nor feasible. India's active bilateral diplomacy has resulted in the navy's presence and surveillance that is limited in time as well as space domains. In running this programme, the extant capacity and capability of the IN does not match its intent and thus risks running into an operational overstretch.

Recommendations

Long Term Foreign Policy Perspective. To evolve a clear stand on international issues requires the foreign policy establishment to engage in grand strategic thinking and draw up India's long-term foreign policy action plan from economic, strategic, political and security perspectives. Only a long-term foreign policy perspective will enable effective employment of naval diplomacy to develop a politico-military environment that would encourage maritime cooperation and assist in bringing the culturally diverse IOR littorals together.

'Safety' not 'Security'.²⁷ Nations view matters related to security with additional caution and hesitate to commit participation. Non-traditional maritime threats could be viewed from either a safety or security perspective. However, 'security' threatens sovereignty while 'safety' does not. To overcome mental hurdles and create a more conducive environment, cooperative approaches should be founded around 'maritime safety' rather than 'maritime security'.

²⁶Website *mea.gov.in*, 'Outcome Document of the Second NSA-Level Meeting on Trilateral Cooperation on Maritime Security between India, the Maldives and Sri Lanka', available at URL: <http://www.mea.gov.in/bilateral-documents.htm?dtl/21922> (accessed on 12 Dec 13).

²⁷Cmdt Ashish Mehrotra, on 'Existing regional Security Mechanisms and Co-operative Framework: Their Relevance and Limitations' at NWC Seminar on 'Non-Traditional Maritime Security Threats in IOR', 21 Nov 2013.

Inclusivity. As non-traditional threats transcend international boundaries, nations must shun historical animosities to cooperate in constabulary and benign domains. IORA and IONS should demonstrate inclusivity and develop operational linkages between historically acrimonious nations.

Sub-Regional Security. The India-Sri Lanka-Maldives trilateral agreement should translate into an operational mechanism for visible benefits. India must expand its bilateral arrangements with Thailand and Indonesia; and steer sub-regional arrangements in the immediate and extended neighbourhood to address arms, drugs and human trafficking.

Expanding Symbiotically. Though IORA and IONS have established pan-IOR cooperative initiatives, maritime security linkages between the IORA, governments, policy and IONS should be progressed to benefit development of a region-wide operational mechanism.²⁸

Contributions from Key Stakeholders. Although South Africa, Tanzania, Kenya and GCC members are important Indian Ocean maritime trade stakeholders, their constabulary and benign role contributions are insignificant. Diplomatic channels including naval diplomacy must be employed to persuade them to commit resources and develop an inclusive atmosphere encouraging regional maritime cooperation.

Benign Fields. The scope of the 'MILAN' series of multinational conclave has remained limited to professional discussions on non-traditional maritime threats. Despite its benign scope, Pakistan has refrained from participation. Pakistan's participation will not only enhance the confidence building process significantly, but also facilitate interaction in benign fields that could thaw historical animosities. Furthermore, the scope of 'MILAN' must be expanded to conduct operational HADR or OOAC exercises.

Force Structuring. IN should remain prepared to continue its constabulary contributions in the foreseeable future. This entails a review and inclusion in the perspective plans of force structure, platform capabilities, endurance, support ship force-levels and training infrastructure. Additionally, the

²⁸Vijay Sakhujia, on 'IOR-ARC and IONS: Convergence of Interests and Way Ahead' at NWC Seminar on 'Non-Traditional Maritime Security Threats in IOR', 21 Nov 2013.

IN should develop training facilities for domestic as well as international participants in constabulary and benign roles.

Conclusion

With its rise as a regional power, India is gradually shedding some of the reticence that characterised its foreign policy post independence, particularly in trade and economics. India is adapting itself to the world order which has undergone a major transmutation, albeit in measured and deliberate steps that may appear too slow in the rapidly evolving geo-political world. In its transition to emerge as a regional power, India needs to cooperate with extra regional players and collaborate with regional entities in all security dimensions.

India may seek to cooperate with all, align with none, and assert its ability to prevent strategies that are liable to polarise the Indian Ocean in future. India cannot overlook the relevance and importance of multinational cooperation, which is imperative in economic, foreign and security forums. India, therefore, needs to invest in additional diplomatic and human capital to address maritime security concerns through the prism of ‘maritime multilateralism’. As an evolving regional power, India must actively and aggressively pursue a strategy of cooperative security to preserve this fragile region. Only then can India hope to turn the IOR into a ‘Zone of Peace.’



About the Author



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