

Japan–India Dialogue on Ocean Security

国際会議「日・印 海洋安全保障ダイアログ」

November 12 & 13, 2003

平成15年11月12日・13日

Ship & Ocean Foundation
シップ・アンド・オーシャン財団

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国際会議の概要

会議名：国際会議“日・印 海洋安全保障ダイアログ”
Japan-India Dialogue on Ocean Security

開催日：平成15年11月12日（水）・13日（木）

開催場所：東京都港区虎ノ門1-15-16 海洋船舶ビル10階ホール

使用言語：日 - 英 同時通訳

開催趣旨： 貿易立国のわが国にとって、シーレーンの安全保障確保は最優先の国益であり、現在の国策では、1000マイル以遠のシーレーンは、米国ないし沿岸国による安全確保に依存することとなっております。然るに、日本にとって、米国との関係もさることながら、沿岸国との関係緊密化は喫緊の課題であり、現時点ではかかる観点で取り組まれていない海洋安全保障に関する2国間対話を、民間レベルで弾力的に進めていくことが重要であると考えます。

現在、中近東の原油輸送を中心に考えると、マラッカ海峡などとともにインド洋のSLOCが重要課題であります。加えて、海賊対策といった海上安全問題もあり、インド洋のSLOCに関してのインドの役割は絶大であります。

よって、国民レベルでの対話を促進するために、海洋安全保障を課題とした日本とインド間の民間レベルの対話事業として国際会議を開催し、わが国の海上輸送における安全保障等の確保に寄与することを目的とする。

主催：財団法人 シップ・アンド・オーシャン財団
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Outline of Bilateral Dialogue

Conference: Bilateral Dialogue namely “Japan-India Dialogue on Ocean Security”
Period: Wednesday, 12 through Thursday, 13 November 2003
Venue: 10th floor of Kaiyo-Senpaku Building
1-15-16 Toranomom, Minato-ku, Tokyo, Japan
Language: Japanese English by simultaneous interpretation

Objective of the Dialogue:

For Japan, who is a trading nation, securing the Sea Lines of Communication is the prioritized national interests. Under the present national policy, it is stipulated that the security of the SLOC further than 1,000 miles is relied upon the United States or the coastal states to ensure. For Japan, therefore, of course relations with the United States, it is an urgent subject to hold closer relationship between the coastal states. No bilateral dialogue on the ocean security has so far been grappled with in such a point of view as above. It must be important to promote the dialogue flexibly at private level.

Considering the transport of crude oil from the Middle - Near East as a main issue, for instance, an essential subject is the security of SLOC in the Indian Ocean together with Malacca Strait. In addition, there exists a problem of ocean security of some anti-measures to have to be taken for pirating. Even in that regard, the role of India for the security of SLOC in the Indian Ocean is tremendous. Therefore, in order to make it a start to promote a substantial dialogue at the peoples' level, the Ship and Ocean Foundation has determined to host an international conference with the issue of ocean security as a project of dialogue of private sector between Japan and India, thereby aiming at contributing to ensured security of Japan's transport through the oceans.

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国際会議「日・印 海洋安全保障ダイアログ」プログラム
JAPAN - INDIA DIALOGUE ON OCEAN SECURITY

November 12, 2003 Wednesday		第 1 日	
9:00	Opening	秋山昌廣 Masahiro Akiyama	シップ・アンド・オーシャン財団会長 Chairman, Ship and Ocean Foundation
9:15	Remarks	Vice Admiral Mihir Roy (Retd.)	
SESSION 1 : 変化する国際状況について Overview of Changing International Situation			
9:30	Presenter	村井友秀 Tomohide Murai	防衛大学校 国際関係学科教授 Professor, National Defense Academy
9:55		Ambassador S. K. Singh	
10:20			
休憩 Recess			
SESSION 2 : SLOCにおける包括的な安全保障問題について Comprehensive Security issues on SLOC			
10:30	Presenter	金田秀昭 Hideaki Kaneda	岡崎研究所 理事 元海上自衛隊護衛艦隊司令官 Trustee, The Okazaki Institute Vice Admiral (Ret.)
10:55		Vice Admiral Mihir Roy (Retd.)	
11:20	Commentator	笹島雅彦 Masahiko Sasajima	読売新聞社 調査研究本部研究員 Research Fellow, Yomiuri Research Institute, Yomiuri Shimbun
11:30		Captain S. Samadar	JIIA Research Fellow
11:40			
休憩 Recess			
11:50	Discussion		
12:50			
昼食 Lunch			
SESSION 3 : 海洋安全保障と経済について Economic Aspects Related to Ocean Security			
14:00	Presenter	Dr.Sanjay Baru	Editor of Financial Express
14:25		Rear Admiral Sampath Pillai	Chairman of Goa Shipyard
14:50	Commentator	青木 稔 Minoru Aoki	東洋建設(株) 顧問 元海上保安大学学校校長 Advisor, Toyo Construction, Ltd Ex-President of CoastGuard Academy
15:00		秋山昌廣 Masahiro Akiyama	シップ・アンド・オーシャン財団会長 Chairman, Ship and Ocean Foundation
15:10			
休憩 Recess			
15:20	Discussion		
16:20			
16:30	Reception		
19:00			

November 13, 2003 Thursday

第 2 日

SESSION 4 : 具体的な海洋における脅威について Specific Maritime Interests & Threats

9:00	Presenter	Vice Admiral P.S. Das (Retd.)	
9:25			
9:25	Presenter	Vice Admiral John De Silva	Vice Chief of Indian Navy
9:50			
9:50	Commentator	山崎 真 Makoto Yamazaki	(株)日立製作所 顧問 元海上自衛隊自衛艦隊司令官 Advisor, Hitachi,Ltd Vice Admiral (Ret.)
10:00			
10:00	Commentator	青木 稔 Minoru Aoki	東洋建設(株) 顧問 元海上保安大学学校長 Advisor, Toyo Construction Ltd Ex-President of CoastGuard Academy
10:10			
休憩 Recess			
10:20	Discussion		
11:20			
昼食 Lunch			

SESSION 5 : 海洋安全保障に関する提案 Proposal on Ocean Security

13:00	Presenter	廣瀬 肇 Hajime Hirose	海上保安大学校 名誉教授 Emeritus Professor, Japan Coast Guard Academy
13:25			
13:25	Presenter	Prof. K. V. Kesavan	Jawaharlal Nehru University
13:50			
13:50	Commentator	夏川和也 Kazuya Natsukawa	(株)日立製作所 特別顧問 元防衛庁統合幕僚会議議長 Adviser, Hitachi,Ltd Admiral (Ret.)
14:00			
14:00	Commentator	Vice Admiral Mihir Roy (Retd.)	
14:10			
休憩 Recess			
14:20	Discussion		
15:20			
休憩 Recess			

CLOSING SESSION

15:30	Closing Remarks	夏川和也 Kazuya Natsukawa	(株)日立製作所 特別顧問 元防衛庁統合幕僚会議議長 Adviser, Hitachi,Ltd Admiral (Ret.)
16:00			

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国際会議「日・印 海洋安全保障ダイアログ」

JAPAN-INDIA DIALOGUE ON OCEAN SECURITY

(概 要)

開催日：平成 15 年 11 月 12 日(水)、13 日(木)

開催場所：海洋船舶ビル 10 階ホール

(敬称略)

【Opening Remarks】

秋山昌廣 シップ・アンド・オーシャン財団会長

今回のダイアログには4つのキーワードがある。それは1)「日印関係」、2)「海洋」、3)「安全保障」、4)「民間レベル」のダイアログ(すなわちトラック II)である。この会議を通じて、ぜひ具体的な成果、提案をアピールしたいと考えている。このダイアログは公開で行われ、配付資料、会議の内容は全てオープンである。なお、本配布される論文、資料等は暫定版であり、会議後にパネリストと協議の上、財団で確定版を作成することになっている。

Vice Admiral Mihir Roy (Retd.)

日本とインドの友好関係には、長い歴史がある。同じ東洋人として、日露戦争はアジア人の勝利と考えているし、またインドにゆかりのある岡倉天心と彼のタゴールとの出会いにあらわされるように、人間同士のつながりも深いのである。そしてインドは、日本の行いをずっとフォローしてきたのである。第二次世界大戦前後は、日印関係はやや低調なものとなったが、インドは日本との関係を常に尊重してきた。

冷戦後、この地域の均衡を保つ必要が生じてきているが、日本は高いGDPを持つアジアの国として、この地域の均衡の維持に高い責任を持っているのである。50年目を迎える日印外交関係は、これまで以上に重要性を有し、そしてもっと有機的なものとしていく必要がある。21世紀はインド洋が運命の海になるであろうという言葉を用いて、結びに代える。

【SESSION 1：変化する国際状況について / Overview of Changing International Situation】

[Presenter]

村井友秀 防衛大学校国際関係学科教授 / 「最近のアジア情勢と安全保障システム」

最近のアジア情勢は、中国の影響力の拡大、日本の影響力の縮小、インドの発展と東南アジアへの進出、イスラム原理主義やテロなどで大きく変わっている。多くの不安要因によってアメリカの Democratic Peace 政策は 10 年前のアルジェリアのように危険に置かれる可能性がある。中国は東南ア

ジアで政治的・経済的影響力を急激に拡大している。例えば、中国のインドシナ・メコン流域への経済的浸透は急速に大きくなっている。メコン川開発や「南北回廊」計画、ASEAN と「戦略的協力関係」宣言の締結、「東南アジア友好協力協定」への加盟など、中国の国家戦略の中で重要になっている。

中国の国家戦略は、米国の一極支配に対抗するため、東南アジアに対して地域統合を形成し、影響力を拡大することである。この戦略は成功するだろう。また、ロシアと中央アジアに集団的安全保障システムである上海協力機構を形成し、影響力を拡大しようとするが、これは失敗の可能性が高い。そして、東南アジアに対する日本の影響力を牽制するが、成功する可能性がある。

しかし、ASEAN プラス 3 を地域安全保障機構として発展させ、米国または日本が東南アジアに軍事的影響力を拡大することを牽制しようとするが、アメリカの影響で失敗すると思われる。

東南アジアへの最大の援助国である日本は、諸国と深い経済関係を持っているが、東南アジア国家への影響力は中国によって弱まっていると思われる。これは中国外交の成功だというより、日本の方が下手であるからだと思う。また、東南アジアの国にとっては、カンボジア外務大臣の話のように「日本と中国は ASEAN の右手と左手」であって、このような現状を踏まえて日本の戦略を立てるべきである。

イスラムの影響からみると、インドネシアやフィリピンに比べて東アジアの場合は、大きな心配は無いだろう。

インドの台頭は中国の影響力増大にとって変数である。インドも東南アジアで、インド人を中心して影響力を拡大しているからである。インドは情報技術大国であり、年 6-7% の経済発展を果たしており、米国との関係も大きく改善しつつある。

ネルー首相は、歴史的な統一中国の拡張主義を考慮すると「友好による中国封じ込め政策」が必要だと強調した。友好を強調しているが、究極的には世界戦略を持つ二つの国は競争の立場から避けられないと思われる。

一方、日本は経済的影響力で行ってきた今までの戦略と違い、東南アジア地域に対して他の分野で影響力の拡大を図るべきである。例えば安全保障の分野は日本がこれまで多くの貢献をしてこなかった分野である。今まで日本の軍事的動きは国内的な要因によって制限されたが、アジアで軍事的な影響力が必要ならば、アジアの代表的な民主国家である日本とインドの役割が期待されると思われる。

Ambassador S. K. Singh / “Security System in Northeast Asia”

影響力の面で見ると、軍事力だけが有効ではない。ソフトパワーといえる文化・技術・経済などを通じた国際関係も非常に重要である。インドはこのような宗教、文化的な意味合いを持つ国家ビジョンを保有している。日本の場合もこのしたソフトパワーを重視していると思う。

インドと日本は歴史上、一度も重大な競争関係が無くても友好な関係を築いてきたと思う。この関係に基づいてアジア全体の繁栄を考えながら行くべきであろう。

各アジア地域では様々な国際変動が起きている。中国の影響力拡大、中国-パキスタンとの連携、イラク戦争、トルコの参戦問題、中央アジアの新しい動き、イスラムとイスラエルの敵対感に基づく対決・復讐、テロ組織の発生・浸透などが挙げられ、何らかの形で安全なシーレーンの運営に影響を与えている。特にインドは、パキスタンと接続している、インドネシアに続くイスラム勢力が多い国であるからテロへの憂慮が大きい。

日本は中国の影響力の拡大を心配しているが、中国はイスラムを含めて影響力を延ばしていると思う。

過去 20 年間に比べて、海での自由航行に対する比重度が落ちているのではないかと考える。SLOC、シーレーンなどの海での安全確保は日本を始めとしたアジア各国のエネルギー問題が係っている大事な

事項である。その意味でインド洋での安全な管理は極めて重要なことであろう。

インドが1998年核武装したことを、当時日本は非難したが、NPTの6条が守れない状況でパキスタンに対する生存権問題もあってインドは決意したのである。日本でも、非核3原則があるが、周辺の核武装国である中国、ロシア、北朝鮮、又は米国、英国、フランスという国家との関係を見ながら、今後考えていこう。

南シナ海での中国の進出も、ベトナムやマレーシア、フィリピンなどに影響を与えるだろう。

【SESSION 2 : SLOC における包括的な安全保障について / Comprehensive Security Issues on SLOC】

[Presenter]

金田秀昭 岡崎研究所理事 元海上自衛隊護衛艦隊司令官 / 「『海洋の自由』の追求...印亜・西太平洋一体地域における海洋安全保障」

海洋の自由とは、国連海洋法条約などの国際法に定められた他の沿岸国の主権や管轄権を阻害しない範囲で、海洋国が最大限に海洋を自由に利用する権利であり、「海上航行の自由」(SLOCの利用など)と海上諸活動の自由(海上の諸資源を活用すること)に分けられる。

冷戦後の国際社会は、イデオロギー対立から開放され、科学技術の発達による物資や情報の流通が円滑化し、グローバルな経済的相互依存関係が一層深化している。物資の大量輸送に適する海上交通は必須不可欠で、「海上航行の自由」は以前に増して重要な意義を持つようになっている。これに対して、台湾危機が実証したようにSLOCに危機が生じて「海上航行の自由」が阻害されれば、経済のみならず安全保障にも多大な悪影響を及ぼすので、海洋自由を確保するための連帯が必要である。

一方、国連海洋法条約に基づき、今日大陸棚、排他的経済水域など地球上のおよそ半分には何らかの権限が及ぶ。海洋法条約の基本精神に立脚すればこれらの権限は資源の独占のためではなく資源管理を目的とするが、境界の画定作業にも見られるように、現実には、特に陸上資源の枯渇傾向を見越して発展途上のナショナリズムの向上などと相まって海洋資源獲得を巡る対立激化のきっかけになっている。このことは、確立された一定の国際・地域ルール下での各国の「海上諸活動の自由」の問題が重要であることを示している。

経済的にも「海上航行の自由」、「海上諸活動の自由」の重要性は高い。東アジア・西太平洋地域の経済は、海洋に大きく依存し、そのダイナミックな経済成長は海洋資源の存在なしには語れない。つまり海洋自由は死活的に重要である。これとの関係で従来関心の低かった北インド洋地域(欧州・中東と東亜・西太平洋を繋ぐ)は、経済成長も堅調で、同地域の陸路接続手段が依然粗悪なことに鑑みれば「海上航行の自由」への依存度は一層高くならざるを得ない。それ故、経済、安全保障の両面から今後「海洋の自由」の確保に関しては、東アジア・西太平洋地域諸国と北インド洋地域諸国間を、両地域間の連帯、協調をベースとした「印亜・西太平洋」という一体地域として把握していく必要がある。

21世紀初頭におけるこの一体地域の安全保障上の不安定要因として特筆すべきは7点挙げられる。1) 大量破壊兵器や弾道ミサイルの拡散、2) 国際テロがガバナンスの弱体な国家を中心に拡大、3) 地域の軍事バランスを崩しかねない中国等の軍事力強化、4) 朝鮮半島や台湾問題に見られる冷戦時代の残滓たる対立構造、5) 領土(特に島嶼)、宗教、民族問題、6) 第5点とも関連する海洋権益を巡る対立構造、7) 海賊、麻薬、人身売買などの不法行為の国際化、組織化の動きである。以上のいずれも、SLOCに強く依存しており、SLOCにおける海空軍事力の保障が重要である。

将来の問題として、アジアの急速成長国(特に中国)が必ず直面する課題は、経済成長を維持し続けるためのエネルギー確保、資源の確保、人口の急増と食糧確保、環境汚染だが、これらに関して新たな衝突が生じうる。そこで、"Value of Waters"を認識しつつ、早急な地域のコンセンサ作りが求められる。日本は、地域全体の安全を確保するにあたり、海洋自由から最大の利益を得ている国として、重要な役割を果たす。他方インドは、一体地域の SLOC の安全確保に関して地政学的に重要な位置に存在し、最低限の核の抑止力も持つ。また最近の中国海軍増強の動きに対して海軍の改編、インド初の陸海空3軍を統括するアングマン・ニコバル・コマンドを創設、国防参謀制度や情報組織も新設している。「海洋の自由」の確保を巡って、日印関係は特に対立要素はなく、中国の海洋への進出に警戒心を持っている点において共通点があり、一体地域における「海洋の自由」パートナーとして相応の相手である。これに米国(海軍)を加えて日米印を中心とする「海洋協調」が不可欠である。

海洋協調へのアプローチは、1) 平素の「海洋協調」、2) 緊急事態(有事)の海洋協調、3)海上諸活動での海洋自由の確保における海洋協調があるが、時間の関係で1について：平素から一体地域共通の問題(海賊等国際テロ等)に対して、共通の認識を持って協力、連携した対策をとるように努め、地域的多国間の枠組みを創出する必要がある。その過程としては2つ考えられる。一つは ARF の場でコンセンサを得て次第に ARF 地域全体へと広げるアプローチ、そしてもう一つは、日米印の2国間ベースから始め、次いでこの3カ国を中心とする「海洋協調」のための常設協議帯を設置し、やがて一体地域各国の多国間に発展させていくアプローチである。これが、地域全体の海洋自由のアプローチへの足がかりとなるのではないかと考える。

[Presenter]

Vice Admiral Mihir Roy (Retd.) / Comprehensive Security Issues - SLOC security management and Emerging Technologies

海洋は人類の共同財産であり、海上貿易の増大と海洋資源への依存強化に伴い、この海を巡る問題は次第にセンシティブな問題になってきている。その中心は欧州・大西洋からアジア・太平洋へとシフトしてきている。このアジア・太平洋経済の動脈が、SLOC である。日本と西太平洋諸国にとり、エネルギーと安全保障は密接な関係を持っている。この地域で台頭してきているのが中国である。しかし我々はそれを脅威とみなしていない。私は、ペーパーの中で"Chinese Challenge"(中国の挑戦)と位置づけた。中国はアジア太平洋 SLOC において、主要なプレーヤーとなってきている。かつて中国は自己充足的であったが、経済の急速な発展と共に SLOC に大きく依存するようになってきている。WTO への加盟はそれを加速させていこう。貿易額は米国、ドイツ、日本に次いで4位、10年前の2.5倍に跳ね上がり、造船でも日本、韓国に次いで3位になっている。中国は石油のほとんどを中東からの海上輸送で賄っている。これとの関係で広西省に新しい港を建設しており、また上海には5000~6000TEUを運ぶ第5、6世代コンテナ船が入港できる深水港を建設する計画がある。2020年には双方向でのチョークポイントを通った貿易が進められてゆくであろう。他方で中国は、核兵器の材料やミサイルを、パキスタン、北朝鮮、バングラデシュそしてミャンマーに供給している。

インド洋とエネルギーの問題について。わずかに10の沿岸国が、世界の石油埋蔵量の65%を占め、貿易の側面から見れば、積荷の33パーセントがこのインド洋を渡っていく。インドは独自の油田をもち、45パーセントを頼っている。他の国はそうしたオプションがないので、シーレーンが重要になる。もしマラッカ海峡で事故が発生したり、テロが行われたりすれば大変なことになる。ヘリや航行船に爆弾を乗せたテロなどが考えられる。この地域ではエネルギーの安全保障のみならず他にも人身売買、麻薬な

どの不法行為の問題、環境問題など様々な問題を抱える。アジアの SLOC に対する包括的な安全保障のチャレンジについて、サミュエル=ハンチントンは、文明の衝突を指摘したが、マクロレベルではそれはイスラムとその他の衝突を指す。インドは紛争回避に協力してきた。インドには近隣イスラム諸国(パキスタン、バングラデシュ)よりも多いイスラム人が暮らしているのである。SLOC の安定・安全保障にはかなりの程度経済成長が必要であるが、この地域にはいくつかの不安定要素が存在する(麻薬取引、核物質の不法な移動、大型タンカーによる油濁、サイバー干渉というもの、ダブルボトムタンカーを利用する必要性、しかしインドは1日1ドルの生活をしているようなところであり、ダブルハル化を要求するのは難しい)。戦時には SLOC が重要な点になる。南アジアにおける武器の取引が急増し、560 億ドルになっている。この地域には準海洋国家が増えてきている。安全保障の絶対的な目的としては、安全できれいな海を求めているが、脅威の種類は軍事的なもの、非軍事的なものなど、汚染、海賊など非軍事的なものもある。イラン・イラク戦争時、タンカーが多く攻撃され、うち 11 がインド船であった。

海上の安全保障とはきわめて多面的なものである。精密誘導ミサイル、トマホークといったサイバー兵器、ハイテクセンサーなどを使ったり、また都市戦争、環境戦争、スリランカのタミルの虎のような革新的テロリスト攻撃などは、新しい技術がどんどん取り入れられ、それに対応する必要がでてくる。我々だけでは南シナ海の SLOC を護ることは出来ない。協力によってなんとかしなければならない。たとえば、米国第 7 艦隊との相互運用性の問題など。我々は ASEAN の加盟国ではないが、これらの国と我々是对話をしていく必要がある。シーレーンが重複しているという点で、シーレーンを協力して保護をする必要があり、ダイアログを深めていくことが重要である。米印間の協力を維持することが必要。SLOC は我国だけでは護れない。また、実際に何が出来るかを示していく必要がある。APEC や CSCAP などの取決めなども必要。そうした海上安全保障には、インドが参加する必要がある。

最後に提言をしたい。協力には、力を持たせなければならない。歯でかめるものでないとだめ。アジア・エネルギー機関を作るべきである。インド洋における共同の海難捜索、共同の環境安全委員会などの分野でも協力を進めていくべきである。日本とインドは、この地域の 2 大海軍国であり、合同「ベンチャー」を活性化させる必要がある。沿岸警備隊間の協力などの海賊対策、テロ対策、海上における救難救助、麻薬取引などに対してどういうことが出来るのか考え、一步一步でもいいが、迅速に行動をとる必要がある。21 世紀はインド洋が運命の海洋になる。

[Commentator]

笹島雅彦 読売新聞社調査研究本部研究員

金田、Roy 両氏は SLOC をキーワードに、海洋の自由について包括的な現状の問題点を提示した。金田氏は 7 つの個別的問題を列挙、地域における海洋協調の方向性、多国間の協議体創設を提案した。ロイ氏も、インド洋領域が日本にとって死活的に重要と指摘、基本的考え方を共有している。特に、インド洋領域が「日本外交のレーダースクリーンの外にある」と日本に警告した。

私からは、戦略的視角からのアプローチの重要性を指摘したい。なぜ今、日印対話が必要なのか。日本にとって、中東地域からインド洋、マラッカ海峡を超えて日本に至る SLOC が死活的利益であるという認識は、冷戦時代から変わらない。それは、軍事的には米国のパワー・プレゼンスによって維持されてきた。しかし、少なくとも軍事面において米国のパワーが減退し、他の地域パワーに肩代わりしてもらわなければならないという力関係の変化は現在、生まれていない。それでは、なぜ今、日印対話が必要なのか。短期的課題：海賊、中期的課題：対テロ戦争、長期的課題：中国への取り組みがあるからだ。

海賊問題では、アロンドラ・レインボー号事件が契機で、インド海軍、沿岸警備隊の捜査能力に対す

る高い評価が日本に生まれている。この分野における協力体制を構築するには、どのような方法論が考えられるか。対テロ戦争を遂行するうえで、日印はアジアにおける要石。日印は、有志連合の一員として対テロ共同行動を近い将来、取ることが可能になるのではないか。中でも、テロ、大量破壊兵器の移転、海賊などの取り締まりを求める概念としては、「集団的自衛権」というよりも、「集団的海上警察権」という国際法上の新概念を創出しなければならない。

ここで三つ質問したい。インドはなぜ、イラク戦争に部隊派遣を要請されながら、国連決議がないことを表向きの理由に、派遣を拒否したのか？PSIに、インドも参加する可能性はあるか。日本国民の非核感情と、日本の政策立案者、インド側の認識には大きな認識ギャップがある。核実験全面禁止条約（CTBT）、核拡散防止条約（NPT）に対するインドの署名拒否の姿勢は変わらないのだろうか。

長期的課題は、中国への対応である。シビリアンである村井氏、Singh氏は極めて厳しい中国認識を示したのに対し、金田、Roy両氏というアドミラル二人の中国観は極めて抑制が利いていた。問題は共産党一党独裁政権下にある中国の将来像が不透明で、経済力だけでなく、軍事力の面でも地域パワーとして台頭する危険性のある中国に日印両国がどう取り組むか、という課題だ。中国に対する懸念は、程度の差こそあれ、日印は共有。しかし、中期的課題と長期的課題にはジレンマがある。9・11事件以後、米国にとっての主要な脅威は、中国の台頭よりも、国際テロ。中国は対テロ戦争については協調的で、米中関係はこの一年間、急速に進展。この協力関係は、便宜的協力なのか、戦略的变化なのか。便宜的協力ならば、いつの時点から、米中関係は対立構造に戻っていくのか。また、日印両国は、中国とどう向き合っていくのか。勢力均衡で、中国に対抗していくのか、日印がイニシアティブをとって、海洋安全保障における新たな多国間協調システムに中国を招き入れていくのか。こうした長期的課題に伴うジレンマをまず指摘しておきたい。

[Commentator]

Captain S. Samadar

本当に我々が焦点を当てるべき問題は、海の安全(航行安全+安全保障)の問題である。海洋の安全保障が人間の安全保障に関係する重要なものになってきている。海の安全保障は興味深い形で発展してきている。10年前、麻薬取引などの取引がこのような不安定性の問題として取り上げられることはなかったのではないか。他方で、安全保障に関して2つ問題がある。まず、海洋法条約がどのように解釈されているか。無害通航、科学的調査がどう解釈されているか。これが安全保障との関係で問題となっている。船舶の航行はきわめて多くの国が係っているが、現在はそれが短期的な利益の考慮で動いている。しかし経費的な問題だけではなく、長期的な利益を見据えて対応していく必要がある。

つぎに、長期的課題としての中国のチャレンジについて。戦略として、中国と交渉し、友好関係を持つとうとする一方で、力も必要である。その両方が必要だろう。必要であれば多国間で封じ込めが必要なときが来るかもしれないが、まず中国がどのような形でSLOCを使うのか、それを見ていく必要がある。多くの機関が係る必要がある。たとえば諜報機関、海軍など。それぞれの強みを活かしていく必要がある。すべての資源を使って、相互的な支援が必要である。金田氏が触れた Operational Turn Aroundは、そのための信頼醸成に有効である。最後に、イラクで生じたことは、繰り返されるかもしれない。たとえば米国がイラン沖に第7艦隊を進めるときに、アブサヤフのようなテロ組織がSLOCの要衝たるマラッカ海峡に機雷を敷設したりすればどういうことになるか。これに対してはバイラテラルな協調がまず必要である。また海洋協調とは何かということがもっと議論されるべきだ。

[Discussion]

議長：笹島氏の質問に答えることから始めたい。

Singh 氏：イラク派兵拒否は、反対なのではなく、英米による作戦の参加者とみなされたくないということである。国際法や慣習法、国内外での条件等（例えば国内のムスリムの存在）を勘案したものである。もしこれが国連によるものであれば対応は別であろう。これまでの作戦に関しては、我々は及び腰になっていない。ソマリアなどでも積極的に貢献した。今回の戦争は国連ではなく米国がリードする戦争であり、その参加者とはみなされたくないのである。外交面、国連の面からみれば、派兵ができない。トルコも派兵ができないと言ったが、よく理解できる。

PSI については議論中である。反対しないかもしれないが、一、二のクリアすべき要素がある。CTBT への加盟については、軍事会議でも国内でもはっきり言っているが、ない。核拡散防止条約 NPT に加盟する可能性はゼロである。

Baru 氏：インド洋はインドの海か？インドからのメッセージとしてはっきり言えるのは、この地域の海洋貿易に関係する人々全員の海である。インド洋は我々だけがテナントであると言ったこともかつてはあったが、今はそうではない。アジアのメンバー全員の協力を持って安全が守られる海である。笹島氏の質問に対し、私は、元外交官 Singh 氏とは違った立場(ジャーナリスト)から答えたい。インドは今歴史の中でも興味深い段階に来ている。国家の内外で、新しい均衡を求めている時代である。将来的には、多極的世界に行くべきだが、今は二極分化の世界から多極分化の世界への移行期の中で単極世界になっているのかもしれない。日印は、その中で大きな役割を果たす必要がある。この移行期をどう運営していくのか。目に見えるような関係を、米国との間で持っていかなければならないというのが、日本の立場であったと思う。他方で EU は別の立場をとり、イラク問題に対し最も厳しい対応を示したと思う。

他の大国との関係をどうやって管理していくか、それを議論していく必要がある。たとえば、もしこの地域で一部の地域の国を怒らせてでも、中国との関係を維持しなければならないという考えもあるだろう。いずれにせよ、移行期にある今、日印は責任をもっと果たす必要がある。

インドと日本は、幸せなことに、同じサイドにいるのだと思う。日本国内でもいろいろな議論があると思うが、隣国（パキスタン）が核を持つということは、非常に問題があるだろう。インドは日本の 97 年の反応には失望したが、なぜインドが核を持ったのか、そういうことを考えてほしい。日本、欧州がそういう問題をいつも持ち出すようなことは、やめるべきである。インドを核保有国として認めるなら CTBT に加盟したいと思うところである。

インド側：中国自身はあまりはっきりとものを言わない。現実の中国の脅威を語ることが出来るのは良いことである。中国に対しては、不必要に不安に思う必要はない。中国も、対立ではない方向を望んでいると思う。もっと現実的なアプローチをとるべきであると思う。Singh 氏の答えについてであるが、日本政府も同じことに巻き込まれていると思う。過去を振り返れば、91 年の湾岸戦争の際、派兵できず、小切手外交と呼ばれたことを思い出す。なお、NPT に関しては、簡単に立場をとることは出来ないと思う。日本も長い間批准にかかったではないか。CTBT も、日本との関係で、ODA との関係で論じられ、ODA 停止になったが、今でも問題になっているのである。

秋山会長：2点話したい。1点は、Baru氏の言う「移行期」の話。移行期における単極構造についてだが、イラク問題はそのこと自体が重要な問題であると思う。外交的にも法的にも、国連的にも問題がたくさんあった。しかし、国際的なテロと国際的な安定の闘いとなっているのではないかと考えている。この問題は、移行期と位置づけるよりも、もっと重要な問題であると考えている。もう1点は、村井氏が話したメコン川のことについてである。中国は、高速道路の建設等を通じ、東アジアへアプローチできると言った。つまり中国は海洋国家と大陸国家の双方のアプローチをとることが出来る。日本は、海洋国家としてしかアプローチをとれないので、それだけ海洋が重要である。では、インドは海洋国家なのか、大陸国家なのか？

笹島氏：日本では、日本国内での説明というのが重要になってくるだろうと思う。秋山会長の指摘通り、イラク問題は重要な問題であることは確かである。

Baru氏：重要なことは、イラクへの派兵か否かの議論は、終了していないことである。ニュアンスとしては、その他の諸国との関係を悪くしたくないということである。インドは英国及び米国がイラクで失敗するのを望んではいない。勝利こそが我々の国益になるのは当然である。文民に関しては、協力は惜しまないし、軍人についても、まだ可能性はあるのである。議論は決して終了したのではなく、2004年においてもこの問題は引き続きオープンである。

Roy氏：ミャンマーについて。アウンサンスーチーは、インドで教育を受け、学位を受け、インドは支援をしてきた。しかしミャンマーは中国に抱き込まれている。だから、インドは対ミャンマー政策を変えてきている。しかし、無視するのではなく積極的に働きかけてきている。また、パキスタン首相とも話を進めようとしている。働きかけを行う努力はしているのである。

Singh氏：Baru氏のコメントに補足したい。インドの派兵は簡単なものではない。たとえば、補給面、人道的後方支援、医療関係など他の形式で行えないかという話がある。まだはっきりしていないが、現政府にとって一番大事なのは、来年中頃に選挙があることで、その選挙前にイスラム教徒の票を失うのが一番困ることである。国防省はその辺も考慮せざるを得ない。

De Silva氏：インドが海洋国家かどうかという問いに答える前に、一つ言いたい。20年前、海軍学校である米国人が言った。インド洋は、インド人の海ではなく、アメリカ・インディアンを指しているのかもしれない、と。それはさておき、アジアは、一翼が日本、一翼がインドである。インドが海洋国であるかどうかはわからないが、システムやガバナンスの点ではまだ学習途中である。40年間、いろんな紛争、内乱に関わり、それは陸上指向であったと思う。しかし、インドの首相が、インドの安全保障の問題は、ペルシャ湾からASEANの海岸に至る、と述べている。つまりインドは海洋国家なのである。これは私見ではなく、首相がそう言ったのだ！

金田氏：二つの点について。第一に、日米印の有志連合の中で、日本はイニシアチブをとる必要があるということである。国際的な取り組みとして、集团的警察権の研究をすべきであるとの認識がある。その前に、日本は国家として個別的自衛権などについてもう一度考え直すべき時期が来たのだと思う。テロや海上不法行動などが引き金となり、パンドラの箱が開いた。「海洋法条約時代におけるテロ問題」と

いう考え方をする時期に来ている。これに対応するために、いま、不明確となっているものは何なのか、海における自衛権や警察権とは何かに関しても、より広範な視点で考えていくべきである。最近、アメリカの海軍大学校（ニューポート）でシーパワー・シンポジウム（非公開）が開催された。情報によれば、初めて各国の海軍と海上保安当局の首脳を集めて行われたという。そこでは、テロへの対応として、海軍と海上保安当局の協力が欠かせないことなどが話し合われたといわれる。テロへの対応を考えた場合、現行国際法では不十分である。日本の場合、どういう形式で参加していくのか？同盟ではなく、コーリションという形になるのか、こういう流れの中で、今回の成果などを、しかるべき行政府などに伝えていく必要があるだろう。

第二点として、「今の米中の協力は一時的なものだろうか？」という質問への答えはイエスである。現状は、移行期の段階で、その限りにおいて、米中両者が関係改善に利益を見いだしているのだと思う。中国が共産党の独裁国家であり、軍が党に隷属するという状況は、両国間で乗り越えられるものなのか、また、台湾問題などを乗り越えられるのか。中国側の状況にドラスチックな変化があり、米国が政治的にも許容できるような状態になれば、永久的な協力へとつながるであろうが、それまではやはり一時的なものであろう。笹島氏が短期、中期、長期と分けて、中国を長期に分類したのはそういうところに関係するのだろう。

De Silva 氏：82年の海洋法条約は94年にようやく批准され、またアロンドラレインボー号を巡ってもローマ条約未批准などが問題となった。そこで二国間協力が必要となっている。インドとインドネシアの共同パトロールをする可能性などもある。継続追跡権には合意があるので問題がないだろう。またコーストガードは港湾外の管轄になるので、他の省庁の対応になる。国内の中でも協力が必要である。

青木氏：De Silva 氏から、アロンドラレインボー号事件についてお話がありましたが、インドコーストガードがインド海軍の協力を得て同船を捕捉したことが、アジアにおける海賊対策が大きく前進する契機となった。

2000年4月、東京で各国の海上警備責任者等による「海賊対策国際会議」が開催され、「アジア海賊対策チャレンジ2000」が採択された。

これにより、巡視船・航空機の派遣等によるアジア各国との連携訓練・情報交換の強化、海上保安大学校への留学生の受け入れ、海上犯罪取り締まり研修の開催、海賊対策専門家会合の開催等の活動が実施されている。

特に、インドコーストガードと海上保安庁の間においては、2000年から両国の巡視船による相互訪問・合同訓練が実施されるとともに、両国長官の相互訪問・会談が開催され、友好関係が続いている。

これら詳細については、次のセッションにてお話ししたい。

【SESSION 3：海洋安全保障と経済について / Economic Aspects Related to Ocean Security】

[Presenter]

Dr. Sanhay Baru / The Economic Aspects of Indian Ocean Security

1998年12月にインド国際センターの主催するグループの一員として訪日したが、その目的は、同年

の5月にインドが行った核実験によって冷え切った日印関係を修復するためであった。

この5年間は、経済面だけでなく対外政策上もインドにとって重要な期間であった。特に、アメリカはかつてインドに経済制裁を課したが、その後、インド首相は「米国とは自然な同盟国"Natural Alliance"であるべきだ」との声明文を発表した。日印も自然な同盟国となってしかるべきであると思う。

今回、このダイアログに参加できたことを非常にうれしく思う。なぜなら、自然かつ当然の同盟国を築くためには海こそが最適な場所と思うからである。インドにおいて、海洋は最も重視されてきた関心事であり、海洋国か大陸国かという点では、歴史的に見てペルシャ湾、東南アジア、アフリカ諸国との関係、日韓との関係を見ても豊富な海洋に関する歴史を有しており海洋国であると言えるであろう。

1947年から1990年の約40年間、国際関係にはほとんど関心が払われず、国内経済のみに偏った施策が行われてきた。過去数千年の歴史の中で世界中の国とかかわりを持っていたにもかかわらず、200年間におよぶ英国支配が原因で突然内向きの経済構造になってしまった。

表1は、過去300年間の世界所得のシェアを示したもののだが、1700年代には中国やヨーロッパと並んで22%を占めるほどであり、当時の日本は4.5%に過ぎなかった。それが、200年におよぶ英国支配により激減し、独立した1950年代には4%にまで落ち込んでいた。そして中国と同様、発展途上国として国内経済に目を向けるようになった。その結果、世界での貿易のシェアが1950年には2%であったものが、1980年には0.5%になってしまった。

中国は1978年に鄧小平の経済改革により、海外に目を向けたため大きく経済成長したが、インドは1991年以降にようやく海外に目を向けるようになったのである。1980年代に知識層で議論はなされており、数多くの研究者がこのような経済政策の転換を支持していたが、結果として、2度の危機を経て政策転換が実現した。

第1の危機はソ連邦の崩壊である。それまでのインドは安価な武器の輸入をソ連に頼っており、貿易相手国もソ連のみで事足りていたため、政策の見直しを余儀なくされた。特に、アメリカを中心とした諸外国への戦略的な見直しも必要となった。

第2の危機は国際収支の問題であり、韓国、インドネシア、タイが経験した1997年の金融危機と非常に似通っているが、世界各国に対して平身低頭で援助を求めざるを得なかった。例えば、英国銀行に金塊を委託することで経済的な援助を得たが、日本からは援助が得られなかった。

その結果、経済政策の全般的な見直しを行わざるを得ず、1991年にはようやく政策転換をなしえた。もし、当時日本からの援助が得られていれば、安易な道を選び逆に今日のインドはなかったかもしれない。

表2は経済の実績であるが、一人当たりのGDPは、独立当時は1.8%で低成長であったが、1980年代には3.1%に伸び、政策転換以降は4.3%にまで伸びている。これは、GDPの伸びに比例しているが、人口の増加が抑制されたということも一因になっている。このように急速な成長を見せるインドでは、2002年から2007年の成長目標を7%と設定しており、来年は中国を追い抜くといわれている。

ゴールドマンサックスの報告書でも、特にブラジル、ロシア、インド、中国などの経済成長が協調されているが、事実インドは2003年の成長率が6.5%に達し、来年度は7%を目標としている。

また、この10年間で貿易の取引額も大きく伸びており、その取引国も変わってきている。輸出相手国として、アジア、オセアニア諸国のシェアは1991年の30%から、2001年には39%に、アフリカ諸国は1991年の2.6%から2001年には5.5%に伸び、2005年には7.5%に達すると予想されている。輸入についても、輸出と同様にアジア、オセアニア、アフリカ諸国のシェアが伸びている。特に、中国は過去1年間で86%という劇的な伸びを示している。

日本との経済関係は残念ながら停滞しており、私の最も大きな関心事項になっている。インドに来るビジネスマンやエコノミストは、過去 10 年間はインドを無視してきたと口をそろえて言っている。

かつて、日本はアメリカに次ぐ第 2 位の貿易相手国であったが、現在は中国が第 2 位、英国が第 3 位、韓国が第 4 位で、日本は第 5 位にまで落ち込んでいる。日本の景気後退も一因であるが、お互いに関心を持たなかったことが最大の要因である。ぜひ真摯な態度で両国の協力関係を考えていただきたい。

先ほど申し上げた小泉首相の訪問だけでなく、インフラへの資金援助、特にボンベイの港湾、道路等の整備など、両国の関係を促進できる分野は多々ある。この先の 10 年間で再びインドとの関係を強化していただくよう望む。

世界との関係に目を転じると、貿易シェアや対外直接投資は伸びているが思っていたほどではない。しかし、中国も近代化を始めた最初の 10 年は大きな伸びはなかった。

海外直接投資の受け入れ国としては第 3 段階に入ったとエコノミストは分析している。第 1 段階は、外資が鉱物資源等を求めて進出するもので、かつての日本もインドに原材料を求めていたために深い関係にあった。第 2 段階は、外資が地元市場をターゲットにして生産をするパターンであり、日本や韓国がすでに進出してきている。そして最も重要なのは第 3 段階であり、資源を求めて投資し、それをもとに製品を第 3 国に対して輸出するパターンで、アセアン諸国や中国が日本に対して演じた役割である。安価な労働力、改善されたインフラ、インド国民の IT 技術を活用することである。

このような経済と海洋安全保障との関係はどのようなものであるのか。あるいは、投資対象国としてのインドの魅力はどのようなものであるのかを考えたい。

日印関係においては、シーレーンの重要性が浮上してくる。インドの西にあるエネルギーが東に向けて輸送されるというエネルギーの安全保障という観点は言うまでもないが、東から西に向けた財の輸送に注目したい。日本や韓国が、アフリカ、中央アジアやバルト海諸国を市場とする場合、インドにおいて生産、あるいは経由して輸出するということが増えてくる。これに伴う人の動きも同様である。つまり、海洋安全保障が 2 国間においてますます重要になってくるということである。

最後に、APEC のバンコクでの首脳会談においてテロの問題を取り上げたことは驚くべきことではない。今日のテロリストには、世界経済を破壊しようとする意図があり、9.11 の場合もペンタゴン以外はまさに経済をターゲットとしたテロであった。今後もテロリストにとって重要な標的であり続けるであろう。

インドにおいても、ボンベイのような金融都市、コエムトゥールのような外国人が多く訪れる観光都市も標的になっている。インド経済は発展の緒についたばかりであるが、テロリズムにより先進国との取引が減少すれば、さらに経済的なテロが増えてくる可能性がある。

日印間の経済的な分野と連動した安全保障の枠組みがあれば、テロ問題や国際的な不安定性に対して早急に対応可能である。

国益やアジアにおける日本の立場、あるいは世界経済での立場を考えたとき、自然で当然な同盟国は必ずやインドになるということを強調したい。ハイテクを有しているが資源に乏しいのが日本であり、インドは潤沢な資源を有しているが技術が不足している。

われわれの世代は英語教育を受け欧米を目指していたが、特に IT 分野では若者の多くが日本での仕事を目指して日本語を学んでいる。

海洋の安全保障をより大きな枠組みの中に位置づけたいと思う。海賊対策やマラッカ海峡のシーレーン確保、テロ対策などは大きな枠組みの中に位置づけるべきである。アジアは大陸でありながら大陸的な安全保障の枠組みがなく、すでにその枠組みをつくる時期が来ている。21 世紀において日印はともに

アジアの安全保障に寄与すべきである。

[Presenter]

Rear Admiral Sampath Pillai / An Overview of Ports, and Shipbuilding in India – maritime Economy

独立後 50 年がたち、1990 年に立てた目標に向けて努力し、海外に目を向けたことによって経済が大きく変わった。インドには、10 億人の人口があり、その 28%が都市人口である。仕事を求め都市人口が高くなっている。GDP は他国と比較して低い。失業率は人口が多すぎて厳密にはわからない。先ほど話のあったように対外貿易についてはあまり進んでこなかった。現在は、海外からの資金援助依存型から貿易依存型の経済に変わってきている。

インフラについては、道路、テレコミュニケーションの分野で大きな伸びを見せている。コミュニケーションに特に大きな変化があった。

インドには、国が管理する 13 の主要港湾と、地方行政が管理する 119 の中小港湾が存在する。これまでは道路を中心としたインフラの整備が遅れていて評判が悪かったが、ここ数年でバースの待ち時間も短くなり改善してきている。ただし、海外と比べるとやはり遅れている。北西部にあるグジャラード州ではいくつかの港を民営化し、港湾の管理については他の地域に比べて進んでいる。

さらに、現在「黄金の四辺形」と呼ばれる大きな交通インフラプロジェクトが進んでおり、デリー、ボンベイ、チェンナイ、カルカッタを結ぶ壮大なものである。また、大手の港湾を結ぶ"Port Connectivity Project"も進んでいる。これによりインドのコンテナ輸送が飛躍的に推進されるであろう。すでに 9 月にひとつ完成しており、そのほかにも再来年までには完成する予定である。

また、サガマラ（海のネックレス）と呼ばれる港湾プロジェクトは、道路整備の 3 倍のコストを見込んでいるが、85%が民間出資であるところが大きな特徴で、港湾の管理も大きく変化するであろう。

3 つ目のプロジェクトは、立ち上がったばかりの河川の接続プロジェクトである。反対意見も多く、技術的に不可能といわれた。計画通りにいかなかったとしても、内水路の輸送が可能になる。

先ほど、秋山会長がインドは海洋国かとおたずねになり、Baru 氏がマハンのシーパワーの 6 条件のうち 4 つは充足していると述べたが、個人的にはまだ海洋国になったとは思わない。海が人をつなげるものになってほしいし、これらのプロジェクトが実現すればそれが可能になる。

これまでの造船業や施設整備への取り組みについて紹介する。まず、造船業は政府のライセンスがなくなった。多くの産業が力を結集して造船業に取り組もうとする企業が出てきている。

過去 50 年で 58 の造船所が設立されたが、そのうち 12 が民間部門で、利益を上げているのはこれらの造船所だけである。これは、造船業の中心が日本から、韓国、中国へと移っていった影響である。政府が所有する 5 つの造船所のうち 3 つが軍艦を造っており、後の 2 つは三菱の協力で商船を造っていたが、最近の厳しい状況で修繕のみの取り扱いになっている。

技術的に見れば、造船業はアッセンブリー産業であり、後背地、関連産業が必要だが、技術的な進歩も十分ではなく、国内調達も困難で経済的に効率が悪い状況であった。改善するには今しばらく時間がかかるであろう。

次に、日印協力に関してであるが、どのような分野であっても技術と人が重要であり、これらの分野で協力体制が構築できる。インドの造船所や企業において日本型管理を導入しようとしている。国民性の違いで導入が難しいといわれるが・・・。

インドでは、従来の欧米中心のビジネスが主流であったが、政府には近年 Look East Policy という概念が広がっている。企業も同様であると考ええる。日本全国にインドの IT 技術者が滞在しているので、彼らを架け橋として、日印関係を強化することが重要である。

特に、日印協力として、企業の協力が不可欠である。技術協力を中心とした経済協力が重要である。インド経済は、すばらしい段階に入っている

[Commentator]

青木 稔 東洋建設(株)顧問 元海上保安大学校校長

世界地図を改めて見てみると、中東から日本までの海上輸送路ではマラッカ海峡がほぼ中間に位置し、マラッカ海峡の東西では海上輸送を取り巻く環境が異なるのではないかという印象を受ける。特に、マラッカ海峡西側のインド洋においては、インドによって海上の安全が守られていることを実感する。

インドと日本は、地勢的面からは、大陸であるか島国であるかを別にすれば、両国とも海岸線が長くかつ広大な海洋を擁し、貿易面では重量ベースで、日本は 99.7%、インドは 90%を海上貿易に頼っている。特に日本は、エネルギー関連資源のほぼ 100%、食物資源、繊維原料の大半を海外からの輸入に頼っている。世界貿易でも両国のシェアは、日本が輸出で 6.5%、輸入で 5.1%、インドは輸出・輸入とも 0.8%であるが、2005 年までには 1%に拡大するといわれており、両国とも海洋大国であり、海洋貿易大国であるといえる。

海上保安機関は、海上における治安の維持、安全の確保、海洋環境の保全等を主任務とし、また海軍は防衛、安全保障を主任務としており、それぞれ自国の経済活動を企画・育成する等直接リードする立場にはないが、国際機関、関係各国等と連携し、海上輸送の安全を確保し、近年とみに複雑化している海上における各種脅威を減少させ、治安の維持を図ることによって、世界の海上輸送の発展に貢献し、ひいては各国の経済の発展に寄与できると考えている。

日本では、マラッカ・シンガポール海峡における船舶航行の安全確保のため、古くから日本財団、関係機関等が関係各国と協力し、各種安全対策を支援しているが、最近、東南アジア各国においてコーストガードの設立、あるいは拡充の動きがあり、海上保安庁では積極的に支援することとしている。近い将来、コーストガードを連携の土台として、海上における航行安全対策、治安の維持、さらに海賊対策、テロ対策がよりスムーズに行われることと思われる。

日印間の政府開発援助は、1998 年に停止等の措置がとられていたが、2001 年に解除されている。1998 年までの二国間援助実績では、インドは第 5 位の受け取り国になっている。運輸分野の中で特に海洋に関するものは、開発調査では ; 港湾 4 件、有償資金協力では ; 船舶 3 件、港湾 2 件、無償資金協力では ; 船員 2 件がある。

また、JICA 等を通じた国際協力として、船舶、港湾、海上保安分野での人材育成も行われている。

[Commentator]

秋山昌廣 シップ・アンド・オーシャン財団会長

経済と安全保障の問題を日印関係の中で考えると、3 つに分けて議論できる。1 つは、一般に 2 国関係を考えるときに経済関係だけということはあるが、安全保障のみはあり得ない。すなわち、安全保障の関係は必ず経済関係を伴っている、ということ。日米安保の第 1 条に、日米関係は軍事同盟だけでなく、経済協力、社会安定、国際協力という言葉が入っている。安全保障だけでなく、経済も含め

て議論しないと本質的な議論にはならない。

第2は、経済と安全保障の関係である。エネルギーと食糧の輸送は、どこの国でも海上交通に頼っている。マラッカ海峡については両国とも関心が深い。さらに、海洋資源、海底資源、水産資源、環境資源も経済と安全保障に密接にかかわっている。

第3には、具体的な個別問題である。海洋、経済、港湾、造船、海運、河川交通、海上構造物などで、具体的な議論ができるのではないかと考えている。港湾も造船も安全保障に密接につながっている。

Baru 氏の最後の話で、広い観点から取り組むべきとの発言にはまったく同感。ではどう対応するか、更なるコメントをいただきたい。プライ氏には、プライベートセクター同士での経済協力という話題に関して、更なるコメントがあれば聞かせてほしい。

[Discussion]

Baru 氏：日本の ODA は、インドが今年中国を抜いて最大になると聞いている。エコノミストという雑誌で、中国の宇宙開発をとりあげ、いつになったら援助を求めなくなるのか、という論調であった。そろそろ中国の援助を減らしてもよいのではないかと考えており、歴史的転換点になる。日本が戦略的に中国をどのように位置づけているが理解できなかった。

経済関係が強靱に存在していることは存在しているが、経済関係は世界各国と結び得るが、戦略的な関係は一部の国に限られる。戦略的な関係のみということはあるにない。日中は経済はあるが、戦略的な関係はない。

アジア地域には、パキスタン、中国、北朝鮮など核拡散の問題があるが、安全保障に関して広い議論をすべきだ。日本との協力体制を強固なものにしたい。

対インド投資で、日本は研究ばかりしていたが、韓国は投資を実行してきたことによって、韓国が投資額で日本を抜いた。アジア全体をにらんで、戦略を立てる必要がある。

Roy 氏：ナトラパスにトレーニングセンターを開いた。カルカッタから北上する National Water Way の構想があり、これが実現すればインド洋からの距離が劇的に短縮する戦略的な水路となる。ぜひ関心を持っていただきたい。

Singh 氏：日印関係について、お互いに密接な位置にあったが、お互いがいるから不幸であるという側面もあるかもしれないが、お互いを非難しあうような間柄ではない。

核拡散に関して、パキスタンで起こったことは日本でも、台湾でも起こりうる。台湾の若い世代は独立国のアイデンティティを持ちたいと思っているはずだ。次世代のことを大切に考えないといけない。

秋山会長：日本の南アジアに対する外交は必ずしもよいものではなかった。数年前に森総理、本年防衛庁長官がインドを訪問した。両国関係が変わりつつあるということを知りたい。これまではアクションをとってこなかったが、今後は、インドに対してアクションをとると思うし、われわれがその引き金を引きたい。

夏川氏：核拡散に関する議論については、日本国内でも肯定的な発言をする者もいるが、人類のために絶対に防がなくてはならない。イラクの事例を見ても核拡散に対する各国の認識が高いとは思わない。アメリカも同様。各国には最大限の努力を払っていただきたい。

ODA 受け入れ 1 位になるということだが、海に使われる割合はどうか、そのような要望を政府に対して出しているのかお聞きしたい。

Roy 氏：大陸インドと半島インドで分断されているが、海洋には予算を回していない。ODA のソフトローンの使い道として、半島インド、港湾、海運産業などにまわしていきたい。ヨーロッパからはアイデアをもらえるが、日本はお金だけなので技術的な面でも民間から支援をいただきたい。

金田氏：日印ともに、最終的には、マルチラテラルな取り組みが必要だということに対しては合意できたのではないかと思う。ここでは経済を取り上げているが、きわめて重要なことであり、意義が大きい。Baru 氏から、インド国内、インドと日本の関係については説明があったが、SLOC に対する、地域全体の経済に与える影響に関する発言があまりなかった。

一般に、SLOC に悪影響を及ぼす政治、安全保障面での不安定要因は比較的容易に把握できるが、テロリズムが地域全体の経済に与える影響については簡単に述べることはできないがゆえに、2 国間関係だけではなく、地域全体の経済問題にも、今後議論して成果を得ていく必要があるのではないか。

Baru 氏：地域全体に関して問題提起されるのは初めてであり、今後ぜひ検討していきたい。

インドとアメリカ間で、アジア地域に関するセッションがあった。日印ともマラッカ、ペルシャ両方に注意を払う必要がある。

インドについては、スリランカ、シンガポールとの自由貿易協定があり、相互依存性を高めることであり、シンガポールでは、観光客の最大シェアはインドである。SARS により苦境に陥れば経済そのものが後退する。テロであれなんであれ、その影響が広範に及ぶようになってきた。10 年前位には起こりえなかった。シーレーンやエアレーンの脅威は、経済に対する脅威である。ASEAN と安全保障とのリンクが強まっている。

インド側：インド経済に関するレクチャーで、意見が集約されてきた。グローバルな戦略は経済要素を持たなくてはいけないということ。日本の投資を受け入れやすくするためには、インドは何をすればよいのか教えてほしい。

インド側：民間同士の協力としては、ジャバルネルポートにおいて BOT を広州との間で結んでいる。チェンナイではシンガポールとの間で結んでいる。日本との間では、造船業では設計面での協力を求めているが、1998 年の状況が悪影響をもたらしており、インドへの関心を低めているという報道もある。現在はビジネスでの透明性が確保できている。

De Silva 氏：SLOC にマルチな協力が必要ということにはまったく同感。すべての関係者、関係国がかかわるべき。船舶は大量破壊兵器の輸送手段になることがわかっており、このような問題には一国だけの規制では意味がなく各国が協力して規制していくことが不可欠である。また、海峡や港湾付近で船舶を爆破沈没するだけで大きな影響を与え得ることを考えれば、各国の連携が必要であり、日印がどのような役割を果たしうるのが。日本は経済力、軍事力で大きな力を持っている。SLOC の安全を確保するためには、政府高官だけではなく、現場の船主や船長まで教育していく必要があり、ユーザーも含めた関係者すべてがかかわるべきである。

笹島氏：経済成長が6%から7%代に伸びるといわれたが、それを支える中産階層と人口の7割を占める低所得層との経済格差、それによる社会不安の懸念はないのか。

他方で、9.11以降コンテナ輸送によるテロ関連物資輸送の防止が大きな課題であるが、それにはコストがかかる。インドではコスト増にどのように対応するのか。

インド側：一つ目は、1958年にスタートした日本のODAによって、インド東部諸州の港湾整備が図られたという事実があるということを紹介する。

二つ目は、二国間での地域問題への取り組みである。個人的に2000年は両国にとって重要な年であったと思う。その年、日印の財務大臣が相互訪問で会談し、翌年はインド首相が訪日して首脳会談を行い両国関係の大枠が定まった。昨年、川口大臣が訪印してシーレーンの安全、核拡散について議論したが、今後さらに両国間の対話を進めるべきである。

村井氏：インドとパキスタンの関係と、日本と北朝鮮の関係は似ているという発言があったが、それに対して発言する。インド-パキスタンの関係は政治的なものであるがゆえに政治的解決が可能であるが、北朝鮮のわが国に対する行為は単なる犯罪行為であり、政治的な解決、譲歩ができる性質のものではない。そのような意味で2つの関係はまったく異なるものである。

青木氏：De Silva氏からSLOCの安全を確保するためには、政府高官だけでなく、現場の船主や船長まで教育する必要があるといわれたが、この点については、SOLAS条約の改正により、港湾や船舶ごとの保安対策が義務づけられるので、制度面で改善される。

山崎氏：Baru氏から日印の経済関係が進まないとの発言があったが、この要因として、経済活動にかかる日印の文化的な違いがあると思うが、その点について何かコメントはあるか。

Baru氏：開発の不平等は難しい問題である。失業率が増加し、不平等も増加しているが、貧困層自体は減少している。一方で、地域的な問題として沿岸部は成長しているが内陸部の成長率は低いということもある。しかし、インドの政策能力を持ってすれば解決可能である。

両国間に文化的なギャップがあることは確かである。インドのビジネスマンには、日本よりもアメリカや韓国とのビジネスの方がやりやすいという声もある。

【SESSION 4：具体的な海洋における脅威について / Specific Maritime Interests & Threats】

[Presenter]

Vice Admiral O. S. Das (Retd.) / Maritime International and Threats From an Indian Perspective

現在、世界の全海運の半分近くがインド洋を通過している。通商のシーレーンはインド洋に集中し、高速水路と化している。これにともなって、テロリズムは、海洋の側面を持つようになった。アデン港での駆逐艦事件、シンガポールでのテロ阻止事件、イエメン沖のタンカー爆破事件のように、テロ

は今や海に移りつつある。太平洋・大西洋の貿易の 75%が域内間の貿易であるのに対して、インド洋では域外への貿易である。そして、通商の 20%が石油とガスで占められる。日本や韓国は、石油消費量の 70%を中東湾岸域に依存し、中国の依存も高まってきている。ほか多くの東アジアの国々が資源を中東に依存している。中東湾岸域の石油埋蔵量は世界の 65%、ガス埋蔵量は 35%に及び、こうした背景がインド洋を戦略的に重要海域かつ脆弱性の高い海域としている。さらに、ほとんどの沿岸諸国は独立から 50 年を経ておらず、強権・独裁政治が台頭しており、インド洋の状況をさらに不安定としている。また、石油生産国においては、失業率は 20%に至り、テロの温床となっている。インド洋を通過する船舶は狭い海峡を通過しなければならず、テロリストにとっては容易に安全性を脅かすことができる。

インドの抱える問題点は次のとおりである。1．インドから湾岸で 300 万人が生活している、2．インドの一年あたりの石油輸入量は 8,000 万トンから 2020 年には 15,000 万トンに上昇する見込みで、全てインド洋を介して輸入される、3．インドには 140 百万人のイスラム教徒がいること、4．スリランカの麻薬貿易および麻薬テロリズム、5．諸国の軍事化である。インドは、これらの状況下で域外の国々と交渉しなければならない。アメリカとインドについては、近年、利害の収斂がみられ、米印の軍事協力、演習へとつながっている。オーストラリア、UK、フランス、ロシアなども同様である。インド洋で抜け落ちた問題点としては、かつての最大の資源同盟国であった日本と、経済大国へ成長を遂げた中国である。日本は、資源の 75%をインド洋シーレーンに依存しているにも関わらず、安全保障の面においてインドと最も離れた国となっている。中国は、パキスタンのグワダール港の開発を支援しており、インドは中国と積極的に関わっていく必要がある。2003 年 11 月 15 日印中で海軍の合同演習を行う予定である。今後は、日本ともインド洋において安全保障の協力関係を強化する必要がある。現在、安全保障問題については、域内 10 ヶ国からなる CSCAP(アジア太平洋安全保障協力会議)や ARF(アジア地域フォーラム)などがあるが、これはあまりに多岐多分野に渡り、安全保証問題の解決は困難に考えられる。日印二国間の条約などによる協力体制の確立による打開が必要である。

[Presenter]

Vice Admiral John De Silva / Piracy, Terrorism, Disasters, Illegalactivities and Transnational Ocean Crimes

過去には、分割されているように考えられてきた海洋も、今日では、国々をつなぐ連続的なものとなっている。世界の貿易の 95%が船舶によって行われている。莫大な価値ある貨物を輸送する海路は、今や経済ハイウェイ“*economic highway*”と呼ぶべきものとなっている。海洋における最も重要な貨物である原油は、原産地から消費地まで地球を半周して運搬されている。海洋における交通量はますます多くなり、事故や災害防止のために規則と組織によって保護する必要性が生じている。また、海洋は資源の面からも保全の必要性が生じている。

IMO は、捜索および救助に関する包括的な規則を作成し、Maritime Regional Coordination Center と GMDSS(Global Maritime Distress Support System)とともに海域を区分した。また、乱獲を防止し絶滅危惧種を保護する規則を作成している。これら以外にも、麻薬・銃器の密輸、不法移民、環境犯罪に対する政策が必要とされている。過去 20 年の間に海賊が発生するようになり、近年ますます凶悪化する傾向にある。さらに海賊はゴーストシップやホワイトカラー犯罪などの他の犯罪とも密接に関わっている。

数カ国の国々と IMO は海賊対策を導入しているが、海賊撲滅のためには、あらゆる国の協力が必要

である。アロンドラインボー号事件は、海賊の手口、隠れ家、国際シンジケートとの関連を解明する糸口となった。海賊の原因については、近年の海賊研究から、海賊問題は経済格差によって生じていることが明らかにされている。また、冷戦終了後、アメリカなどの大国がインド洋から引き上げたために、多くの地域の海軍、沿岸警備隊など、海域警備組織を運営する資金が不足する事態を招いている。法制度に関しても、国際法と国内法の不整合な点、植民地法や管轄法が統廃合されていない点などの問題点がある。

アロンドラインボー号事件は、99年10月27日に7000トンのアルミニウムを積載してインドネシアから日本へ向かっていた船舶「アロンドラインボー」が、海賊にハイジャックされた事件である。名前を「メガラマ」に偽装していたが、インド海軍と沿岸警備隊に同年11月16日に発見され、33時間の追跡の後拿捕された。拿捕にあたっては警備艇と航空機よりエンジン部に銃撃が行われた。12人の海賊は同年11月21日にムンバイ警察署に引き渡され、インドの法により起訴された。2003年現在11件のうち、9件が立件された。逮捕後の法的措置が最も困難であり、法制度の不備が指摘されている。また、12人の逮捕者のうち2人が中国で逮捕歴のある人物であり、海賊と国際シンジケートとの関係が指摘されている。

海賊対策としては、海事機関・船主・船員間での情報共有および伝達が必要である。このためには、船舶安全保障のための組織の構築、多国間・他機関の横断的協力、船舶にトランスポンダーを装着するシプロックシステム、海賊を取り締まり罰則するための法制定が必要である。ASIAN PLUS1（海賊防止国際会議）やその他の会議でも提言は同様であり、実践することが必要である。それぞれの政府が小規模のセミナーを開催し、海賊問題に関する教育・訓練・啓蒙を行っていくことが重要である。

[Commentator]

山崎 眞 (株)日立製作所顧問 元海上自衛隊自衛艦隊司令官

二人のアドミナルからは、日本およびインドが、ホルムズ海峡からマラッカ海峡にいたるまで海洋の利益を共有していること、これらの海域における広範な脅威の存在とその分析、ならびに具体的提言が行われた。内容は、当会議参加者のみならず、海洋の安全保障に関わるものの共通の認識である。2003年5月4日にデリーで行われた日印防衛首脳会議では、シーレーンの安全協力、海上保安協力、海軍間協力、海賊対処、弾道ミサイル防衛について話し合いが行われた。従来、日本は海上防衛力の及ぶ範囲を1000マイルに設定して、これを越えるものはアメリカに依存することを防衛の方針にしていた。日本が戦後50年間に急速に経済発展できたのは、この方針で自由に海を使用できたからである。しかし、冷戦終了後、国際的枠組みが変化し、わが国に一定の国際協力の義務が発生し、ペルシャ湾に掃海艇を派遣したのをはじめとして、2年間にわたって日本艦隊が多国籍軍の支援にあっている。今後、インド洋で海上権益の争奪に伴って、軍事的脅威、テロ、海賊、新たな脅威の増加にともない、日本も1000マイルのみならず、死活的な重要性を持つシーレーンの防護のため、インド海軍、警備隊と協力していくことが重要と考えている。テロ、海賊対策に限定することなく、海軍間の相互運用性を確保することを目的にして、交流を段階的に始めることが必要である。その理由は、1. 両海軍は所定の作戦を共同に行うに至っていない。このため、相互理解を深めて相互協力を高めることが重要。2. 日本の事情であるが、平時における安全確保について、海上保安庁と海上自衛隊の棲み分けが明白でない。3. 将来的には、日本とインドの海軍は、シーレーンを護るためには、軍事的事態から Low Intensity にいたるまで広範な事態に対する協力体制を持つべきである。このためには、集団的自衛権、武器使用の問題等日本国内の問題を解決する必要がある。よって、両軍の協力体制確立のため、まず、人的交流、両海軍間

会議の定期的開催、艦隊の相互訪問等を段階的に進める必要がある。

ここで質問したい。

1. 中国によるパキスタンのグアダール港の開発援助は、インドにとって大きな問題ではないとのことだったが、ここに中国の軍事基地が建設された場合、インド洋のパワーバランスに影響を及ぼすことにより、インドにとって無視できない状況となるのではないかと？さらにミャンマーのシットウエイ港は、ミャンマー軍の近代化と引き替えに中国軍が使用権を得ており、インドは中国に東西から挟まれる形になっている。

2. 次に、海賊による被害について、2001年以降、マラッカ海峡における海賊被害が大きく減っているとのことだったが、インド海軍を含む周辺海軍の共同パトロールの効果が現れていると思う。特に昨年のインドと米海軍の共同パトロール、正確にはインド海軍による米海軍ハイバリュユニットの護衛であったが、これに注目している。パキスタンとの軍事緊張が高まったにもかかわらず、印海軍がマラッカ海峡に兵力を維持したことは、印海軍の米海軍との関係重視と海賊退治の意気込みが推察される。インドとアメリカ海軍の装備の違いを克服して、interoperability はどの程度進んでいるのか？

また、De Silva 氏の提言の中で、海と船舶の安全のため、強力な海上警察力と国際協力の二つの提案があったが、強力な海上警察力とは、具体的にどのようなものを想定しているのか。1999年のIMOサーキュラー622、623 についての紹介内容は具体性に富み、当を得たものと考えている。本セミナーから各国に提案を投げかける趣旨で intelligence sharing についての提言があったが、他の軍事作戦と同様に海賊対策に対しては intelligence が最も重要なのは、論を待たない。具体的方法が重要。最終的には、ISR (Intelligence, Surveillance & Reconnaissance) についても考えていくことが重要であると考えている。

議長：大変興味深いセッションで実践的なものになった。インドと日本の海上協力体制をどうするかについて具体的提言がなされた。

[Commentator]

青木 稔 東洋建設(株)顧問 元海上保安大学校校長

DAS 氏からは、海賊よりもテロが問題であるとの報告があり、De Silva 氏からは、海賊、テロ防止対策の全般について、実際の活動を踏まえた報告があった。日本においても、テロ防止対策は極めて重要であり、所要の対策を講じているが、特にここで国際的枠組みでのテロ防止対策の動きについて述べる。

1. 法制度面が、IMO においてすすめられている SUA 条約（いわゆるローマ条約）の改正
2. オペレーション面が、SOLAS 条約の改正で、2004年7月発効することとなっている。
3. ただちに実行するオペレーションが、PSI すなわち大量破壊兵器の「拡散安全保障イニシアチブ」である。

海賊対策については、今週、東京において関係各国政府専門家による海賊対策専門家会合が開催されている。

[Discussion]

Das 氏：中国のパキスタンのグアダール港への開発援助については、インドにとって現時点で懸念ではない。中国はすでに様々な場所で同様な援助を行っている。ただし、パキスタンのムシャラフ首相より、

パキスタンが脅威を感じる場合には、中国がグアダール港を軍事利用できるとのコメントがあった。そういう場合には、インドにとって懸念となりうる。

ミャンマーにおける港開発は、中国の関心事である。日本にとっても戦略的に重要であるが、今後、中国がミャンマーに対して影響を高めていく場合は脅威となる。

SCAP でなされた海賊が 50%削減されたとする報告は、数字をそのまま受け取るわけにはいかない。海賊事件のうち、重大事件は 7 件から 35 件の 500 倍、殺人事件は 350%上昇している。船そのものがハイジャックされ、再利用されることが問題である。

De Silva 氏：日本で本会議に出席したが、一人も警察官を見なかった。インドやアメリカでは、常に警察がパトロールしている。こうしたパトロールが強盗に対して抑止効果をもたらしている。海についても同様なことが言える。冷戦後、アメリカ軍は東南アジアから撤収して、アラビア海やその北部に移った。現在、インド洋ではパトロールができない状態にある。インドネシア、マレーシア、タイでは失業率が増加し、海賊が増加する傾向にある。だからこそ、海上で警察力が必要となっている。統計上、海賊は減っているが、これはマラッカ・シンガポールで別々に情報をとっており、減っているのは一方だけかもしれない。アロンドラインボー号事件では、巡視艇が発見し、無線連絡を行ったが応答せず、一直線に速度を上げたことから早期発見につながった。パトロールは抑止力になりうる。情報を集めること、分析することが重要である。

村井氏：アフリカ東海岸および東南アジアに移住しているインド人について、インドと現地国のどちらに忠誠心を持っているのか？

Singh 氏：独立してから海外に移住しているインド人は、閣僚、国会議員など現地国の主要ポストについているものも多く、現地国に責務を負っていると言える。

金田氏：海洋協力を北東アジア諸国へ拡大することに関し、中国、台湾の考えはどうか？ 話しは変わるが、インド国防白書では、パキスタン原潜の弾道ミサイルがインドの脅威とされている。インドはどの程度動きを掌握しているか？ 東シナ海では中国の海洋調査船が盛んにモニタリングを行っているが、インド洋ではどうか？

広瀬氏：海洋の安全保障問題については、法の不備、UNCLOS の限界が顕在化している。日本は刑法上処罰規定がない。アロンドラインボー号事件では、どの法が適用されたか？

笹島氏：強力な警察力の面で、日本の官僚組織の問題として省庁間の権益争いがあり、海上自衛隊と海上保安庁についても同じことが言える。インド海軍と沿岸警備隊の場合、権益を調整するシステムはあるか？

明日行われるインド海軍の中国との合同演習について、インドの意図はどこにあるのか？ 段階を踏まずに演習を実現できるのか？

Roy 氏：インドでも省庁間の権益争いはあったが、近年はだいぶ良くなった。緊密な連携をとって事態に対処している。

会場よりグレッグ・チャイキン氏（下関市立大学助教授）の質問：

日本の海上保安庁が、公海において海賊等を拿捕できるのか。それができない限り、協力の意味はないのでないか。

廣瀬氏：立法管轄権はないが執行管轄権はある。UNCLOS 条約に批准しているために、公海上で海賊を逮捕・鎮圧して被害者を救済することはできるが、連行して裁判にかけることはできない。

会場より川村氏（川村研究所代表）の質問：

インドのコンテナライゼーション対応の仕方は遅れているように見える。港湾自体のセキュリティーの問題はどう解決するか？

DAS 氏：350万人のインド人が湾岸へ移住し、インドへ送金を行っている。同化しているものも多い。コンテナについては、CSCAP において問題として取り上げられている。マニラでさえ問題視されており、これは各港に共通する問題である。中国との関与は慎重に行う必要がある。首相間協議によって共同演習は決定したが、救難活動等の基本的レベルでの演習である。

【SESSION 5：海洋安全保障に関する提案 / Proposal on Ocean Security】

[Presenter]

廣瀬 肇 海上保安大学校名誉教授 / 海洋安全保障に関する提案

現在、日本の石油ルートは、中東を出発してインド洋を通過する仕組みになっており、インド洋における海上の安全は、南アジアの大国たるインドによるところが大きい。日印の貿易量が年々増加の傾向にあることを考慮すれば、この海域におけるシーレーンの安全確保は両国にとって極めて重要な問題であろう。

インド洋は、インド海軍とコーストガードによってその海洋秩序が維持されている。この Sea Power が日本の石油ルートと南アジア地域の安全保障に関係するものと考えられる。しかしながら、インドとの協力関係の構築は、他の諸国、北東アジアや東南アジア諸国、オーストラリアなどとの協力関係を軽視するものではなく、インドから日本までのシーレーンの安全保障システムの重要な一部なのであり、日印間に位置する諸国のコーストガードと協働することが必要である。特に、海賊の問題一つをとってみても、平時における協力が不可欠であろう。こうした協働に関しては、近年行われた海上保安分野における日本とインドの交流や、日本を軸とする海賊対策の流れの中にも、その重要性を見出すことができる。

日本政府が ASEAN 諸国に対して協力の姿勢を見せる理由は、海賊対策、シーレーンの安全保障、すなわち航行の安全確保のために、ASEAN 諸国の体制が整備され、必要な実力を備えることを望むためである。海上保安分野における協力関係が比較的円滑に行われている理由としては、コーストガードが軍隊ではなく、あくまで法令の執行を主たる任務とする機関である点に由来すると言える。ところが、テロ、ゲリラ等、低程度紛争（low intensity conflict）から戦争（hot war）へ近いものへ推移する場合には、武装が基本になるため、コーストガードのみでは自ずと限界が生じる。例えば不審船のような問

題については、日本のコーストガードが十分に実力発揮するためには、その背後に強大な海軍力（海上自衛隊）が控えるといったシステムが提案されてもよいのではないかとと思われる。平時において、海軍とコーストガードの役割の効率的な配分が必要なのではないかと思われる。すなわち、コースガードと海軍の性質や任務の違いを前提として、国内のみならず各国間の連携協力・協調・協働の関係を構築することこそがシーレーンの安全確保を可能にすると言える。

海洋安全保障に関するキーワードは、連携協力・協調・協働・相互理解である。連携協力については、法執行体制として各国と連携可能な内容であり、目的が明確であることも必要であろう。また、国連海洋法条約によって新たに設定された各水域別の役割分担と協力関係の体制整備のため、日頃からの密接な連絡が必要であり、関係各国の海上保安能力向上のための法制度の整備、装備の強化、教育面での協力も重要な要素となる。

[Presenter]

Prof. K. V. Kesavan / Proposals on Ocean Security

今日の海洋における安全保障を語るに際して、改めて非軍事用語で再定義を行う必要があるだろう。なぜなら、海洋安全保障の非軍事的側面が強調されているからである。ここには、2つの要素が介在していると思われる。第一に、インド洋諸国の経済的状況である。現在、インド洋地域では、経済の自由化、資本主義化が生じており、それに応じて経済的ニーズにも変容が見られ、今後は長期的なエネルギー戦略が重要であると考えられる。第二に、国連海洋法条約の下での管轄水域の拡大である。同条約の下では、従来の領海と公海による二元的な海洋秩序から、領海、接続水域、排他的経済水域、大陸棚などが設定され、より複雑化されたことにより、沿岸国に新たな責任が生じることとなった。

このような現状にもかかわらず、インド洋地域では、海洋についての制度的枠組みの構築がうまく行われているとは言えない。その原因として、この地域における民族的、社会的、文化的、経済的、あらゆる意味での多様性を挙げることができよう。こうした海洋についての制度的枠組みづくりへ向けて、過去に行われたスリランカの努力は、結果的に失敗に終わった。その原因として、インド洋から二つの超大国を排除しようとした点を挙げておかなばならない。インド洋は戦略的にも重要な海域なのであり、二超大国の協力なくしては、こうした試みは成功しない点を認識する必要があるだろう。今後は、アジア・太平洋諸国のエネルギー需要が高まることが予想され、中東地域の石油資源へ効果的にアクセスするためには中国との信頼醸成がより必要となろう。中国がエネルギー需要の拡大を管理するためには、アジア・エネルギー機関といった一定の組織を創設することも一案であろうし、シーレーンを確保するための特別の委員会の設置、また湾岸諸国への圧力を緩和するための代替エネルギーの模索も考えられる。この点、代替エネルギーに関しては、例えば、シベリアにおける共同開発なども提案される余地があるだろう。

今後は、関係諸国の二国間協力の重要性が増すと思われる。このような意味においては日本とインドの協力関係は極めて注目する必要がある。インドは包括的な海洋政策を有しており、これによって、国連海洋法条約の尊重、米国との関係の緊密化（例：米国とインドの合同演習、マラッカ海峡における共同パトロール）などが図られている。

では、日本とインドの間でいかなる協力関係が可能であるか。これに関しては、1992年からのルック・イースト政策に注目せねばならない。この政策は、東南アジアとの貿易および投資関係を主要な内容としているものである。すなわち、インドの海洋安全保障は、基本的に、湾岸地域からマラッカ海峡までを想定しているが、これを東南アジアのみならず、中国や日本を含めた ASEAN 諸国についても展開し

てゆくことが期待される。インドは、米国との関係強化に努めており、また、日本とインドは中国との関係に非常に関心がある点を確認しておきたい。

[Commentator]

Vice Admiral Mihir Roy (Retd.)

海洋の安全保障に関しては、理想主義に走るべきではなく、現実的であるべきであろう。より多くの対話が重要であり、人間環境、メディア、経済における密接な絆も必要であろう。すなわち、人と人との繋がりを重視した、公の交流のあることが望まれる。さらに、今回の会議のように、非公式な会議の場が設けられ、重要な対話が行われていることを十分に周知させる必要がある。また、対話を行う際には、いくつかの的を絞るべきであり、継続することが重要である。

[Commentator]

夏川和也 (株)日立製作所特別顧問 元防衛庁海上幕僚会議議長

海洋安全保障の枠組みについて、まず一国における海軍とコーストガードとの協力を充実させ、それを踏まえた上での二国間の協力が望ましいであろう。多国間の枠組み作りについては、まず既存のものを活用し、それらを充実させてゆく方式が考えられる。

海軍とコーストガードの違いについて、廣瀬教授から指摘があったが、果たして平時とはいかなる時を指すのか、また戦時とはいかなる状態を指すのか、これらを明確に区別することが必ずしも必要であるとは思われない。平時と戦時の中間の状態も存在しうる可能性がある。また、海軍とコーストガードという二つの組織の役割について、両者の本質的な違いを十分に認識した上で、協力関係を深めることが重要であろう。

海上における法整備に関して、Shing 氏より国連海洋法条約の重要性が強調されたが、国連海洋法条約の基本的理念の実現について、より真剣に検討されるべきであろう。国連海洋法条約において謳われている「人類の共同財産」概念に対する認識が希薄であるように思われる。

[Discussion]

秋山会長：第一に、Kesavan 氏の報告にもあったが、シベリアにおける資源開発により多くの関心を払うべきではないだろうか。シップ・アンド・オーシャン財団では、現在、資源開発に関して、北極海航路についてのプロジェクトが進行しており、ここで紹介しておきたい。第二に、廣瀬教授の報告の中で、海軍とコーストガードのそれぞれの性質についての言及があったが、両者の協力が重要になってきている。第三に、米国が来年、遂に国連海洋法条約を批准するようであるが、米国が批准すれば、同条約の適用に大きな影響が生じると思われる。ここで、地域的なサポートについて日本とインドが貢献できれば、それは望ましいことであろう。第四に、安全保障にとって「なぜ」経済問題が必要であるのか、この点を十分に議論すべきである。

金田氏：第一に、テロへの対応について、現行国際法の適用では不十分である点を改めて認識する必要がある。第二に、海軍が連携するためには、共用の Rules of Engagement を作ってゆくことが必要であろう。これは、まず日印、日米、米印といった、二国間から始めて、さらには三国間でのコンセンサスを得た後、他の諸国へ普及させるといった図式が望ましいであろう。第三に、海軍間の協力は、まず地域レベルで充実させるべきであろう。

山崎氏：海軍とコーストガードの任務分担について、海洋におけるオペレーションの特質を考えれば、これを厳密に区分することは恐らく不可能であろう。ただし、海洋の安全保障を現実のものとするためには、何らかの制度の確立が不可欠である。例えば、平時における海上の不法行為に対しては基本的にコーストガードが、これのみで対応することが困難な場合には海軍が機能する、といった図式が考えられる。

村井氏：関係を確立するためには、共通の敵のあることが重要である。日本とインドの関係を確立するためにも、共通の敵の存在が必要ではないか。

Samadar 氏：第一に、暴力について考察することが重要である。人間の進化の歴史の中で、暴力をいかに管理してきたか、という問題意識からは得るものは大きい。これに関しては、二通りの対応があるだろう。一方は、結果対応、結果管理というあり方、そして他方では、予防、危機管理である。危機の予防・解決における民間セクター関与（PSI）は、まさに後者の一例といえる。第二に、SLOC の管理である。これは、航空機から学ぶところが大きいと思われる。海上における全ての船舶が交流ポイントを有することが重要である。

笹島氏：海上における現代的な脅威は、Transnational かつ非対象なものであり、これに関しては、コーストガードの地理的範囲の拡大や、海軍が本来のミッションに無いものを行うという二つの課題が考えられる。そのためには、両者の協力は不可欠である。日本とインドの二国間の協力の拡大と、多数国間レベルで進めていくべき課題の両者を整理しなければならない。

Das 氏：犯罪がいかなる時点からテロに取って代わるのか。海軍が平時における脅威についても対応しなければならない事態もあるだろう。このように考えると、平時における安全保障、平時に対応すべき海軍の役割が自ずと明らかになってくるのではないか。

夏川氏：それゆえ、コーストガードと海軍との役割を真剣に検討すべきである。

Shin 氏：出発点としては、日本とインドにおいて二国間の協力を高め、エネルギーの輸送ルートを確保することが挙げられる。さらに、何らかの形でインドと米国との視点をすり合わせることも重要となろう。インドが7年前に、テロ掃条約を提案したが、これについては海軍からのインプットが必要ではないだろうか。

【CLOSING SESSION】

[Closing Remarks]

夏川和也 (株)日立製作所特別顧問 元防衛庁幕僚会議議長

インドの参加者、日本の参加者共に周到な準備と積極的な討論がなされ、実りのある会議であった。フロアーの熱心な聴講者の方々から質問をもう少しいただいたかったが時間がなかったのが残念だった。

月並みではあるが、経過を振り返ってみる。

セッション1：最近のアジア情勢と安全保障システム実施

村井氏と Singh 氏の発表は、地域の特徴、関連する重要国～中国・アメリカ・東南アジア・インド・日本、テロ・WMD 等の脅威、国連海洋法、軍事力以外の力等、多角的且つ広い視野からのものであり、以後のダイアローグの活性化の基礎を作っていた。

セッション2：SLOC における包括的な安全保障問題について

金田氏と Roy 氏からは、海洋自由の必要性、インド洋の特徴、不安定要因の分析、安全確保のための枠組み作り、技術、モデル、具体的提案、そして、それらを考察する際の考慮要因等が発表された。

討議においては、この海域の安全に関して何故日・印なのかという基本的な問いかけ、中国に対する種々の角度からの評価、イラク問題、PSI に関連してのインドの戦略的考え方、海洋をめぐる法制の問題等を巡り活発な議論が交わされた。議論は、海洋とは直接関係しないことにも及び、また日・印という枠を飛び越えた部分もあったが、いずれも基本的な事柄であり、また議論の幅を広げ、このプログラムの進展に大いに貢献したものとする。

時間の制約があり、中国問題、これは議論を重ねても尽きないかもしれないが、UNCLOS に関連した問題、集団的海上警察権問題等は大事な事項ではあるが、あまり議論できなかった。

セッション3：海洋安全保障と経済について

Baru 氏と Pillai 少将の発表では、インドの経済活動の歴史と現在の状況、港湾・海運・造船に関する状況、インド洋に関わるインドの経済および地域の経済、経済面から見たインド洋の重要性、日本の経済的側面におけるインドとの協力の重要性と低調な現状について、具体的に協力可能な項目の提示がされた。

討議においては、政府援助について、安全保障と経済関係の関連の仕方、民間レベルの協力のあり方、日本との経済協力が進まない原因等について議論、海洋の安全保障を考えるにあたっては経済問題を合わせて考察することの重要性とその現状について理解した。

しかし、日・印の経済協力が低調なことの原因、海洋安全保障と経済の問題を単に二国間だけの問題として捉えるのではなく、地域全体として捉えなければならないということに関する中身については議論が不十分であった。

セッション4：具体的な海洋における脅威について

Das 氏と De Silva 氏の発表では、インド洋の特徴と弱点、関係する各国～周辺国・アメリカ・中国・日本の状況、脅威とその原因・性質・実態、インド洋の役割の重要性、協力への各種提言～この中には海賊を例にとった具体的な提言もなされた。

討議においては、日本の立場や国内状況を踏まえてステップ・バイ・ステップで協力関係を築いていくこと、中国のインド洋進出に関連した事項、海上における法整備について、情報交換・SHPLOC システム等について、アメリカとの共同について、また、会場からは、海上保安庁の権限、インドのコンテナ化に対する対応についての問題が提起された。

セッション5：海洋安全保障に関する提案

広瀬氏と Kesavan 氏の発表では、コーストガードにおける日本とインドの協力および日本と他国との協力、警察機関であるコーストガードの本質に対する考察、安全保障協力の枠組みの制度化および協力の実施に対する考え方や協力のためのキーワード・PSI について、日・印のインド洋の安全の基本・非軍事協力に関して具体的ないくつかの提案がされた。

討議においては、日本の海上安全確保に対する努力への期待、具体的な協力の方策を検討していく上であまり理想的な物を追うのではなく現実に立つべきで、その一つとして、船の識別の提言があった。ネイビーとコーストガードの関係について、議論されたが、この問題については今後も引き続き議論が必要である。

ネイビーとコーストガードの法的権限の認識、海洋テロと犯罪の区別、船員の多国籍化が起す問題点と解決策が会場から提起されたが、今回は、パネリストからの意見は留保された。

以上、私なりに経緯を振り返ってみた。今回の2日間にわたる会議の評価は、議事録を詳細に検討してからなされるべきであるが、今私が言えることは、参加者皆様の熱意と参加者意識そして素晴らしい見識により、課題の間口を大きくとらえることが出来たということである。時間の関係でそれぞれについて深く議論をすることは出来なかったが、それは次回以降にも出来る。間口を大きく捉えたということは、基礎を大きく構えたということであり、その上には大きな家が建てられるということである。このシリーズの成果の大きさを予感する。

最後に2つ付け加えさせていただくと、まず、ステップ・バイ・ステップで前進するにしても、一つのステップの確立に形だけを追わないで、それぞれ国によって事情が違っても踏まえ、Roy 氏がおっしゃったように現実に立って進めるべきである。これは、CBMs 経験からも言えることである。

また、次回は来年の開催になると思われるが、それまで何もしないのではなく、インターネット等を通じて、相互に情報交換をしていくことを提案したい。

参加者皆様の卓見と熱意に改めて敬意と感謝を申し上げます。フロアーの皆様にもお忙しい中の参加に感謝申し上げ、より大きい成果を上げるために今後ご所見・ご指導を是非賜りたい。また、素晴らしい機会を与えていただいたシップ・アンド・オーシャン財団と秋山会長をはじめ、お世話をいただいた皆様に、そして、意志の疎通に重要な役割を果たしていただいた同時通訳担当の方々に厚く御礼申し上げます。ありがとうございました。

以上

略 歴 : PROFILE

【Presenter】

(敬称略)

村井 友秀

防衛大学校国際関係学科教授

昭和 53 年 東京大学大学院国際関係論博士課程退学

53 年 米国ワシントン大学国際問題研究所研究員 (昭和 56 年まで)

平成 5 年 防衛大学校国際関係学科教授

9 年 防衛大学校総合安全保障研究科教授

専門：国際紛争論

著書：共著「安全保障学入門」(亜紀書房、2002 年)

編著「毛沢東」(芙蓉書房、2003 年出版予定)

MURAI, Tomohide

1978 Doctorate Course in International Relations, Tokyo University Graduate School,
Tokyo University (left the University)

1978 ~ 1981 Researcher at the Institute of International Studies, University of Washington

1981

1993 Professor, Faculty of International Relations,
National Defense Academy

1997 Professor, Post Graduate School of Comprehensive Security,
National Defense Academy

Special Field of Study: International Dispute Discourse

Books: Coauthor—"Introduction to Security" 2002, Aki Shobo Publishing Company

Written and Edited—"Mao Zedong" Scheduled to publish in 2003, Fuyo Shobo
Publishing Company

金田 秀昭

岡崎研究所理事 元海上自衛隊護衛艦隊司令官

昭和 43 年 防衛大学校卒業 (第 12 期生 機械工学) 海上自衛隊入隊

平成 5 年 海幕防衛課長

6 年 舞鶴地方総監部幕僚長

7 年 第 4 護衛隊群司令

9 年 統幕第 5 幕僚室長 (政策担当)

10 年 護衛艦隊司令官

11 年 退職 (海将)

現在：慶応義塾大学総合政策学部 特別招聘教授

ハーバード大学アジアセンター 上席特別研究員

三菱総合研究所 主席専門研究員
岡崎研究所 特別研究員
日本戦略研究フォーラム 政策提言委員
著書：「弾道ミサイル防衛入門 日本国民にとって弾道ミサイル防衛とは」(かや書房、平成 15 年 2 月)
「中台軍事関係と海洋覇権を巡る米中パワーゲームの始まり ブッシュ政権の東アジア安全保障政策と将来の日米安保体制」(日本国際問題研究所、平成 15 年 3 月)
「平時防衛法制の整備を 自衛権に依拠した平素の防衛・警備体制の構築」
(世界と日本、平成 15 年 11 月)

Vice Admiral KANEDA, Hideaki (Ret.)

1968 Graduated from National Defense Academy (12th Year NDA Cadet Majoring in Mechanical Engineering)
Joined the Maritime Self-Defense Force
1993 Chief, Defense Policy Division, Maritime Staff Office
1994 Chief of Staff, Maizuru Regional District (HQ)
1995 Commander, Escort Force 4th
1997 Chief, 5th Staff Office, Joint Staff Council (in charge of Policy)
1998 Commander, Escort Fleet, (Vice Admiral)
1999 Retired

Current Work:

- *Special Invited Professor, General Policy Department, Keio University
- *Senior Special Researcher, Asian Center of Harvard University
- *Special Researcher, Okazaki Institute
- *Policy Proposal Committee Member, Japan Strategic Study Forum

Books:

- * "Introduction to Ballistic Missile Defense – What the BMD Is about to Japanese people –
" February, 2003, Kaya Shobo Publishing Company
- * "Military Relations between China and Taiwan and Beginning of U.S.-China Power Game over
the Sea Supremacy – Bush Administration's Security Policy over the East Asia and Japan-U.S.
Security Arrangements – " March, 2003, Japan Institute for International Affairs
- * "Need to Improve the Peace-time Defense Legislation – Structuring Peace-time Defense and
Guard System Based on the Right of Self-Defense – " November, 2003, World and Nippon

廣瀬 肇

呉大学社会情報学部教授、海上保安大学校名誉教授
昭和 42 年 海上保安大学校卒業
47 年 大阪大学法学部大学院博士課程中退
海上保安大学校助手
62 年 海上保安大学校教授

平成 15 年 退官

呉大学社会情報学部教授、海上保安大学校名誉教授、海上保安大学校国際海洋政策センター客員教授

HAJIME, Hirose

1967 Graduated from Coast Guard Academy

1972 Doctorate Course, Graduate School, Faculty of Jurisprudence, University of Osaka (Left in Half)

Assistant Lecturer, Coast Guard Academy

1987 Professor, Coast Guard Academy

2003 Retired from Government Service

* Professor, Faculty of Social Information, Kure University

* Emeritus Professor of Coast Guard Academy

* Visiting Professor, International Ocean Policy Center of the Coast Guard Academy

【Commentator】

笹島 雅彦

読売新聞社調査研究本部研究員

昭和 55 年 早稲田大学政治経済学部政治学科卒業 読売新聞社入社

61 年 米ジョンズ・ホプキンス大学高等国際問題研究大学院 (SAIS) 修了 (MA
~ 63 年 取得)

政治部、北京特派員、政治部兼解説部を経て、

平成 12 年 調査研究本部研究員

米カリフォルニア大学バークレー校ジャーナリズム大学院講師 (平成 13 年 1 ~ 6 月、平成 14 年 1 ~ 6 月)

Sasajima Masahiko

Research Fellow, Yomiuri Research Institute

After graduating from Waseda University in 1980 with a degree of B.A. in political science, Sasajima joined the staff of the Yomiuri Shimbun Newspaper. From 1986 to 1988, he completed a master's degree at the School of Advanced International Studies (SAIS), Johns Hopkins University. He has worked in the Yomiuri's political news department, as its resident correspondent in Beijing, and concurrently in its Political News Department and Commentary and News Analysis Department. He assumed his present position as research fellow in the Yomiuri Research Institute in July 2000. Sasajima was recently a visiting lecturer at the Graduate School of Journalism, University of California, Berkeley.

山崎 眞

(株)日立製作所顧問 元海上自衛隊自衛艦隊司令官

- 昭和 40 年 防衛大学校卒業 (第 9 期、機械工学)
- 41 年 海上自衛隊幹部候補生学校卒業 艦隊勤務、米国留学等
- 59 年 護衛艦あきぐも艦長
- 60 年 米国海軍大学留学
- 63 年 第 43 護衛隊司令
- 平成 4 年 第 1 護衛隊郡司令
- 5 年 練習艦隊司令官
- 6 年 海上幕僚幹部 装備部長
- 9 年 大湊地方總監
- 10 年 自衛艦隊司令官
- 11 年 退職
- 12 年 日立製作所でインテグレーション事業部顧問、伊藤忠商事航空宇宙電子部門顧問

VADM Makoto YAMAZAKI, JMSDF(Ret.)

Vice Admiral Makoto YAMAZAKI, a native of Gifu prefecture, graduated from the National Defense Academy in 1965.

After tours of 3 types of destroyers he studied TARTAR missile system at Guided Missiles Schools, Mare Island and Dam Neck.

Vice Admiral Yamazaki served as a Missile Battery Officer on DDG163 AMATSUKAZE and DDG168 TACHIKAZE. Then he served as the Weapons Officer on DDG163 AMATSUKAZE and visiting Long Beach for missile system SQT in 1979. He Then joined the Program Generation Center, Yokosuka as the first shore duty prior to one year tour at UNIVAC, Valencia, CA where he Worked for the combat system development of the new DDG.

In 1982, he reported to the Defense Planning Division of Maritime Staff Office, Tokyo. VADM Yamazaki assumed the command of DDK120 AKIGUMO in 1984. He then studied in the US Naval War College, Newport as the class of 1986. After graduation, he served as the Chief, Surface/Subsurface Section, MSO and Worked for introducing AEGIS and SURTASS systems. VADM Yamazaki returned to sea as the Commander, Escort Division 43 and Participated in RIMPAC 88. He became the Head of Systems Programs division, MSO in 1989. In 1992, he assumed command of Escort Flotilla One and promoted RADM.

After fourteen months of sea duty, he reported the MSO as the Inspector General. In 1993, he assumed command of Training of Squadron where he commanded oversea training cruise for midshipmen visiting four countries in North/Central America. He was assigned the Director, Logistics Department, MSO in 1994. Then he was assigned the Commandant, Ohminato Naval District and promoted VADM in March 1997.

VADM Yamazaki then assigned the Commander In Chief, Self Defense Fleet in 1998. As the CINCSF he commanded the Japanese first sea protection operation during spy ships incident

and also commanded Teapo Dong Ballistic Missile tracking operation by AEGIS destroyer.
In 1999, he retired JMSDF. After retirement, he is belonging to the HITACHI Ltd and the ITOUCHU Corp as the senior advisor.
He has the LEGION OF MERIT medal received from the US Government.

青木 稔

東洋建設(株)顧問 元海上保安大学校校長
昭和 42 年 海上保安大学校 (航海科) 卒業
62 年 塩釜海上保安部巡視船ざおう航海長
平成 元年 大阪海上保安監部岸和田海上保安所長
3 年 青森海上保安部長
5 年 第五管区海上保安本部警備救難部長
7 年 海上保安庁警備救難部航行安全課航行指導室長
8 年 海上保安庁教育訓練課長
9 年 第三管区海上保安本部次長
11 年 第十管区海上保安本部長
12 年 海上保安大学校校長
14 年 退官
東洋建設株式会社顧問

Minoru AOKI

Mar.1967 Graduated from Coast Guard Academy (Navigation)
Aug.1987 Chief Navigation Officer of Patrol Vessel ZAOU,
Shiogama Coast Guard Office
Apr.1989 Chief of Kishiwada Coast Guard Station,
Osaka Coast Guard Office
Apr.1991 Chief of Aomori Coast Guard Office
Apr.1993 Director of Guard and Rescue Department,
5th Regional Coast Guard Headquarters
Apr.1995 Head of Navigation Guidance Office,
Guard and Rescue Department, Headquarters
Apr.1996 Director of Education and Training Division,
Administration Department, Headquarters
Oct.1997 Deputy Commander of 3rd Regional Coast Guard Headquarters
Apr.1999 Commander of 10th Regional Coast Guard Headquarters
Apr.2000 Superintendent of Coast Guard Academy
Apr.2002 Retirement from Office
ditto An Adviser to the Toyo Construction Co., Ltd.

夏川 和也（議長）

(株)日立製作所特別顧問 元防衛庁統合幕僚会議議長

昭和 37 年 防衛大学校（6 期）卒、同年海上自衛隊入隊。

以後、操縦士として、第 5 航空隊司令（沖縄）、第 1 航空群司令（鹿屋）等の部隊勤務をする一方、中央にあつては海上幕僚監部総務課長、人事教育部長等を経て、

平成 6 年 佐世保地方総監

8 年 海上幕僚長

9 年 統合幕僚会議議長

11 年 退官

Admiral Kazuya NATSUKAWA (Ret.)

Advisor, Hitachi Ltd.

Chairman, Joint Staff Council (Retired)

1962 Graduated from the Defense Academy (6th year) and joined the Japan Maritime Self-Defense Force

Since that time Admiral Natsukawa has served as a pilot, in active duty as Commander of the 5th Flying Corps (Okinawa) and Commander of the 1st Flying Group (Kanoya), while acting in a variety of capacities, chief of which are General Affairs Manager of the Marine Staff and Manager of the Personnel Training Department.

1994 Inspector General of the Sasebo Region

1996 Marine Chief of Staff

1999 Retired

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最近のアジア情勢と安全保障システム

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1. 最近のアジア情勢

最近のアジア情勢の特徴は、中国の経済的・政治的影響力の拡大、日本の経済的停滞と影響力の縮小、インドの経済発展と東南アジアへの進出、イスラム原理主義の潜在的拡大、などである。インドネシアではアラブ諸国と同様に、現状に不満を持つ下層階級を中心にイスラムが人々の心をとらえている。不満を持つ大衆が多数存在する地域では、民主化の進行とイスラム原理主義の拡大は同時に進行している。

中国の影

中国は積極的に政治的・経済的影響力を拡大している。例えば、中国のインドシナ・メコン流域への経済的浸透は急速に大きくなっている。中国は、中国南部からインドシナ半島へ流れるメコン川を河川輸送の幹線にし、それと平行して高速道路を貫通させる「南北回廊」計画を進めている。ASEAN に対する「戦略的協力関係」宣言の締結、さらに ASEAN の基本文書である「東南アジア友好協力協定」への域外国としての最初の加盟、など、東南アジアへの進出は、中国の国家戦略の中で優先順位が高いと思われる。現在の中国の国家戦略は以下の点に重点が置かれている。1、米国の一極支配に対抗するため、東南アジアに中国を中心とする地域統合を形成し、中国の影響力を拡大する。2、米国の一極支配に対抗するため、ロシアと中央アジアに集団的安全保障システムである上海協力機構を形成し、中国の影響力を拡大する。同時に米国の影響力が地域に浸透することを防ぐ。3、東南アジアに対する日本の影響力がこれまで以上に拡大する可能性がある日本・ASEAN 特別首脳会議と日本・ASEAN 自由貿易協定（FTA）締結を牽制する。4、ASEAN プラス3（ASEAN 10カ国と日中韓3カ国で構成）を地域安全保障機構とするように強調し、米国または日本が東南アジアに軍事的影響力を拡大することを牽制する。

東南アジアの反応

過去も現在も東南アジアの全ての国において日本は最大の援助国であるが、中国の外交攻勢に対して東南アジア諸国は積極的かつ前向きに対応している。日本の A.S.E.A.N.における貿易、投資は中国よりもはるかに大きい。2001年の実績で、日本と A.S.E.A.N.の貿易額は中国と A.S.E.A.N.の3倍強、投資はフローで1.4倍、ストックで5.6倍である。しかし、今や東南アジア諸国にとっては、「日本と中国は ASEAN の右手と左手」なのである。東南アジアに出来るだけ多くの大国を引き込み相互に牽制させ、一国を支配的な立場に立たせないようにすることが東南アジアの戦略である。

一方、イスラム原理主義と国際テロリズムが一部地域に浸透しつつあり、国際テロリズムへの対応として米国の影響力が拡大している地域もある。

インドの台頭

2002年 ASEAN は初めてインドのパジパイ首相を招き、ASEAN・インド首脳会議を開いた。ASEAN の定期的な首脳会議は、日本、中国、韓国に続き4カ国となった。インドは情報技術（IT）大国であり、経済発展に自信を深めている。冷戦時代はソ連と親密な関係を築いていたインドも、経済発展にともなって米国との関係を改善した。9・11後は米国の戦略的協力関係国となっている。現在のインドの対米方針は、世界規模での米国との「自然な同盟」（パジパイ首相）を志向している。

かつて、ネルー首相は、「歴史的に見て、強大な中国が成立したときは、常に拡張主義的であり、また中国の工業と人口の急激な増加は爆発的な情勢を生み出す」と述べていた。また、中国に対するインドの戦略をネルー首相は「友好による中国封じ込め政策」（containment of China through friendship）と呼んでいた。

インドは、中国に対抗するように、ミャンマーからベトナムへ抜ける「東西回廊」ハイウエー構想の実現に積極的である。1962年には中国と国境戦争を戦ったインドも現在は経済発展を国家戦略の中心に据え、経済大国になりつつある中国との関係を改善し、東南アジアに対する進出を拡大しつつある。

日本の針路

一方、日本の影響力は減少している。中国では、これまでの「Japan bashing」から「Japan passing」へと移りつつある。東南アジアでは、「中国が先行し、日本が後追いする流れが定型化している」（リー・クアンユー・シンガポール上級相）。日本が東南アジアに持っていた巨大な経済的影響力は、中国の影の下で徐々に縮小しつつある。日本の健全な発展のためには、従来の枠にとらわれない新しい日本のイニシアチブが必要である。経済的影響力の拡大が限界にあるのならば、他の分野で影響力の拡大を図るべきである。例えば安全保障の分野は日本がこれまで多くの貢献をしてこなかった分野である。日本は東南アジア諸国全体の平和と海洋の安全保障に大きな利害を持っている。中国や朝鮮半島と東南アジアは安全保障環境が大きく異なっている。日本が進むべき方向は新しい発想が必要である。米国は長期的にはアジアが中国の影響下におかれることを警戒しつつ、当面は中国と良好な関係を維持し、イスラムテロを撲滅し過激主義を封じ込めることを主眼にしている。このような国際環境の中で、日米同盟は東南アジアにとって国際環境を安定させる重要な役割を果たしている。

米国の東アジア戦略

米国防省は2001年10月、「4年ごとの国防計画」（QDR01）を発表した。この国防計画によると、東アジアは「特に問題の多い地域」とされている。すなわち、東アジアは、大規模な軍事競争が発生しやすい地域であり、恐るべき資源を持った軍事的競争相手（中国）が出現する可能性がある地域であるにもかかわらず米軍基地の密度が低い地域である。

また、「QDR01」にはこれまでの国防計画で明示してきた米軍10万人のプレゼンスという表現は無くなった。しかし、「QDR01」は、北東アジア・西太平洋における米軍の作戦能力を高めるために次のような方針を示している。すなわち、北東アジアにおける重要な基地の維持、西太平洋における空母機動部隊の増強、戦闘艦艇と巡航ミサイル搭載原潜の母港建設、太平洋において緊急事態に対応する空軍基地の増加、米国本土から西太平洋への空軍後方支援体制の確保、西太平洋沿岸部の戦争に備える海兵隊の訓練

強化、である。

現在、北東アジアに展開している米軍の戦力は次の通りである。すなわち、海軍では1個から2個の空母機動部隊と数隻の巡航ミサイル搭載原子力潜水艦、1個海兵遠征軍（沖縄）、空軍は2個航空団（日本）、1個航空団（ハワイ）、2個航空団（アラスカ）など約200機の戦闘機や攻撃機が北東アジアに配備されている。その他、韓国に陸軍1個師団と2個航空団が駐留しているが、韓国に駐留している米軍は北朝鮮に対する抑止力として機能しており、基本的に他の地域へ移動することが出来ない。したがって、日本に駐留する米軍兵力がアジア・太平洋の安全保障に大きな役割を果たすことになる。

2. アジア・太平洋地域の安全保障システム

アジア・太平洋地域の特色は、ヨーロッパと比較すると地理的・文化的・歴史的多様性である。冷戦時代には、朝鮮戦争やベトナム戦争といった地理的・文化的・歴史的軋轢とイデオロギー対立が合体した大規模な地域戦争が発生したが、基本的には米ソの巨大な軍事的圧力の下で地理的・文化的・歴史的多様性は抑圧されていた。

冷戦が終わると、米国はアジア・太平洋において一定のプレゼンスを維持したが、ロシアの政治的・軍事的影響力は急速に後退していった。イデオロギーに基づく地域的対立構造も徐々に変化し、1990年代初頭には韓国がロシアついで中国との外交関係を樹立した。また、米国はベトナムとの国交を正常化した。武力紛争も発生していた中露間の国境紛争もほぼ合意に達した。

しかし、現在においても核兵器を含む巨大な軍事力が依然として存在している。朝鮮半島、台湾海峡及び南沙諸島等未解決の対立も依然として残っている。地理的・文化的・歴史的に複雑な環境の中で、米国を基軸とする2国間同盟及び友好関係、並びに米軍のプレゼンスは、地域の平和及び安定性の維持に重要な役割を果たし続けている。しかし、一方ではASEAN地域フォーラム（ARF）などの多国間対話も一定の機能を発揮している。

東アジアの多国間対話

軍備管理及び軍縮をもたらすためにヨーロッパでとられたような包括的な地域安定化の試みは、東アジアでは欠如している。しかし、近年、安全保障問題への関心が地域内で高まり、順次軍事交流の機会が増加し、地域的安全保障に関する多国間対話の試みが進められている。

ASEAN外相会議及び1993年7月のASEAN拡大外相会議で、ARFをアジア太平洋地域の政治及び安全保障問題の対話のためのフォーラムとして創設すべきであるということに同意した。ARF会合は1994年7月の最初の会合から年に1度を基準として開催され、徐々にその参加メンバーを増やしていった。2000年5月の高官実務者レベルでの話し合いの際、ARFへの参加を希望する北朝鮮の申請は、ARFの発展及び地域の平和と安定性に貢献するものとして許可された。

現状ではARFは、ヨーロッパ型の地域安全保障の枠組として機能することは難しい。しかし、それは、アジア・太平洋の全ての参加国の外務大臣が参加する地域全体としての安全保障の協力的な対話のための唯一の活動の場を提供している。様々な政府間の会合に防衛当局者の参加を認めるという意味においてもまた極めて重要である。

安全保障対話の有効性と協調的安全保障

北東アジアにおいて、中国、ロシア及び日本は、歴史的な対立国である。しかし、対立する国家間の対話は、平和及び安定性を維持するのに効果的である。安全保障対話を促進することは、相互の不信感を緩和し、当該国家間の歴史的問題の否定的影響を軽減する可能性がある。

対話の意義及び有用性は、参加国によって保持された脅威認識の相互理解を促進することにある。参加諸国間で対話を促進させることによって、最悪のシナリオ及び安全保障ジレンマは、回避され得る。意思の疎通のない接触は摩擦をもたらすだけである。自国の安全保障が、他国の安全保障の価値を考慮することなしに確保しえないという事実を考えると、多国間の安全保障対話の意義は軽視できない。さらに継続的な安全保障対話は、多国間及び協力的安全保障レジームのために必要不可欠な基軸となる信頼醸成及び紛争予防措置の発展を助長することが期待される。

国家間における安全保障対話、並びに信頼醸成措置の結果に基づいて創設された東アジアの協調的安全保障制度は、同盟システムが基本的に保有している対立構造を緩和することが出来る。基本的機能が軍事力による抑止と防衛である同盟は、第三国との間で不必要な誤解及び不安をもたらす傾向があり、軍備競争を引き起こす可能性をもっている。1996年4月の「日米安保共同宣言」及びそれに続く「日米防衛協力のための指針（ガイドライン）」に対しても不安を持つ国家は存在する。安全保障対話の実施は、そのような誤解を一掃するための有効な施策の一つである。更に、国家間の継続的な安全保障対話によって形成された地域的信頼醸成措置及び紛争予防に関する措置が、地域環境を安定化させるように機能すれば、国家間関係が敵対的になる可能性を少なくすることが出来る。

安全保障対話及び協調的安全保障の問題

安全保障対話を効果的かつ実行可能なものにするには容易な事ではない。2国間の安全保障対話は、必ず相互不信感を軽減したり、敵意及び対立的な歴史に基づく様々な問題を解決するという事は出来ない。また、2国間の対話は第三国の疑念を引き起こす傾向があるということも事実である。安全保障対話の目的である政治的意図の透明性を高めるために、全ての地域大国を包含する安全保障対話フォーラムが、創設されるべきである。

ただし、信頼醸成措置及び紛争予防措置を向上するために必要な実施規範（norms of conduct）を作成することは容易ではない。東アジアの問題に影響を持つ大国は、これらのプロセスへの全面的な支援を常に行うとは限らない。米国は、多国間安全保障協力の支援を拡大したにもかかわらず、軍事分野における信頼醸成措置の確立まで行うことには消極的である。これは、大陸が問題の中心であるヨーロッパとは異なり、東アジアの戦略的環境が本質的に海洋に関するものであり、それゆえに、地域の信頼醸成措置は米国の海軍の作戦に影響を与える可能性があるからである

中国も安全保障フォーラムでの制度化に積極的ではなかった。歴史的な経験が現代の中国の国際的関与に影響している。19世紀の後半の半植民地化及び20世紀前半の混乱によって、中国の指導者は国家主権と力を重視し、中国の主権及び行動の自由を侵害する恐れがある国際的規範及び規則化を避ける傾向がある。中国の軍事力の増大によって、中国は多国間アプローチよりも二国間アプローチを選択する傾向があり、地域の安定と協調的安全保障を促進する障害となっていた。更に、多国間の協調的安全保障制度に欠くことができない軍事分野での信頼醸成措置は、米国だけが圧倒的な軍事力を保有している東アジアでは確立することが困難である。

さらに、多国間の協調的安全保障システムは、集団的安全保障の軍事力による抑止と防衛のメカニズムの代替になることはできない。集団的安全保障は軍事衝突を想定した枠組みであり、多国間による協調的安全保障体制の目的は、安全保障環境の維持と改善である。

協調的安全保障概念は、主権国家をコントロールする超国家的な権力がない現実の世界では、主権国家が自己中心的にならざるをえないという事実を十分に考慮してはいない。更に、紛争当事者が軍事大国であれば、他の弱小加盟国が対処することは難しい。

協調的安全保障制度は加盟国間の協力を促進すると主張するが、それは同時にそれぞれの加盟国の利益が相互に衝突する枠組みでもある。加盟国間の利害の不一致が安全保障に対して直接的な影響を与えない貿易及び経済協力制度と比べると、協調的安全保障体制における利害の衝突の危険性は大きい。

3. 21世紀における北東アジアの戦略的環境

多国間の協調的安全保障制度を創設することは容易ではなく、創設されたとしても、現実の軍事紛争に対処することは困難である。実際、協調的安全保障制度は対立的関係を緩和し、同盟システムの排他性を軽減する役割しか果たさない。

中国は、19世紀以前に中国が東アジアの覇権国であったことを忘れてはいない。基本的に中国は現状維持国ではなく現状変更国家である。東アジアにおける抑止のメカニズムの中で日米同盟は、地域における米軍の駐留を可能にする最も強力で、効果的なものである。そして、米軍は、その存在が東アジア諸国の多くの国にとって欠くことのできない安定剤として歓迎される唯一の軍である。この意味では、日米同盟の維持から生じる安全保障上の利益は、二国間関係だけではなく東アジア全体の大きな利益になっている。

ただし、米国人は、米国にとって死活的な国益が犯されたと感じたときには、大きな犠牲を覚悟して戦うが、犯された国益が周辺的な国益であると考えるときには大きな犠牲を払うことに同意しない。1993年10月、ソマリアで作戦中の米軍は18人の戦死者を出した結果、撤退した。一方、2003年3月のイラク戦争に際して、60%の米国人は戦死者が500人に達しても戦うべきだと主張し、30%の米国人は5000人の戦死者も許容すると答えている。戦争は「損害が許容度を越えた」と感じた側が負けるのである。「損害の許容度」は「守るべき価値の大きさ」に比例している。

Security System in Northeast Asia

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The Military Situation in the Asia-Pacific Region

Characteristic of the Asia-Pacific region is geographical and historical diversity. During the Cold war, there was no structure of military confrontation to match that in Europe, where the East-West opposition took the form of collective security systems constructed by each camp. Instead, the main emphasis was on the formation of bilateral alliances with either the United States or the Soviet Union. After the end of the Cold War, the United States has maintained its presence in the region. However, Russian quantitative strength has been in consistent decline. In the early 1990s, the Republic of Korea established diplomatic relations with Russia and then with China, and the United States normalized its diplomatic relations with Viet Nam. And there has been a considerable improvement in Sino-Russian relations. Most of the border disputes between them were settled.

Nevertheless, military forces remain present in the region on enormous scale, including nuclear weapons. Issues that remain unresolved include the continuing tension on the Korean Peninsula, Taiwan Straits, the Spratly Islands and so on. Given such circumstances, bilateral alliances and friendly relations centering on the United States, and the presence of U.S. Forces continue to play an important role in maintaining the peace and stability in the region. In recent years, interest in the political and security issues of the region provides greater opportunities for bilateral military exchanges such as those between the United States and China, and between Russia and China. Meanwhile, multilateral dialogue on regional security, such as the ASEAN Regional Forum(ARF), are also taking root.

Multilateral Dialogue in East Asia

Attempts at comprehensive regional stabilization along the lines of steps taken in Europe to bring about arms control and disarmament are absent in East Asia. But in recent years, interest in its own political and security issues has grown within the region itself, in turn bringing an increase in opportunities for bilateral military exchange and encouraging attempt at multilateral dialogue on regional security.

The ASEAN Regional Forum(ARF) provides the arena for the region's attempt at multilateral dialogue. At the ASEAN Foreign Ministerial Conference and the ASEAN Post Ministerial Conference of July 1993, 17 countries and the former European Communities agreed that the ARF should be established as a forum for dialogue on political and security matters in the Asia-Pacific region. The ARF meeting has since been held on an annual basis since the first meeting in July 1994, with the member of participants gradually rising. During high working level talks in May 2000, North Korea's application for admission into ARF was judged as something that would contribute to the development of ARF and peace and stability in the region.

In its present state, the ARF can hardly be described as a regional security framework on the European model, and its progress is only moderate. But it provides a unique arena in the Asia-Pacific region for cooperative dialogue on the politics and security of the region as a whole in which the foreign ministers of all countries participate. It is also crucial in the sense that it allows for a variety of intergovernmental meetings to take place with the participation of defense officials. The ARF is now expected to host more serious discussions of approaches to prevent diplomacy, and attention will be focused on how effective it is in finding solutions to the region's security issues.

Effectiveness of Security Dialogue and Cooperative Security

An international political and security dialogue is effective in maintaining peace and stability. Promoting political and security dialogue would ease mutual distrust and alleviate complicated historical problems among the countries concerned. In Northeast Asia, China, Russia and Japan are historical rivals.

The significance and effectiveness of political and security dialogue is to promote mutual understanding of threat perceptions held by the countries. By increasing communications among participating countries, worst case scenario and security dilemma can be avoided. Contact without communication would bring frictions to the region. Considering the fact that one's own security cannot be ensured without taking into account the security of other states, the significance of multilateral security dialogue cannot be neglected. Moreover, sustained security dialogues are expected to help develop confidence-building and conflict-preventing measures that are indispensable pillars for a multilateral, cooperative security regime.

A cooperative security regime in East Asia, built on the basis of political and security dialogues among regional states and resultant confidence-building measures, can mitigate an inherent defect observed in alliance system. Depending on its managements, the alliance, whose fundamental function is deterrence and defense, tends to give rise to unnecessary misunderstandings and anxieties among third parties and has the potential to provoke an arms race. This is because a country that comes to believe it has been targeted by the reaction to the April 1996 U.S.-Japan Joint Declaration on Security and subsequent works on the review of the Guideline for U.S.-Japan Defense Cooperation. Conducting political and security dialogue is one promising measure to dispel such misunderstandings. Besides, if region-wide confidence-building and conflict-preventing measures built by sustained security dialogues among regional states grow to function as stabilizing institutions, relations among regional states are likely to be less hostile.

Problems of Security Dialogue and Cooperative Security

However, it is not easy to make political and security dialogue effective and workable. It is true that bilateral political and security dialogues could not alleviate mutual distrust and help resolve various problems rooted in hostile and confrontational history, but bilateral dialogues are liable to reach mutual understanding of interests and tend to give rise to suspicion on other states. In order to achieve the objectives of security dialogues, one of which is to enhance transparency of political intentions and defense policy, a security dialogue forum that involves all regional major powers should be created.

Similarly, it is not easy to build necessary norms of conduct between regional states that can develop into confidence-building and conflict-preventing measures. All the major powers involved in East Asian affairs do not always give their all-out support to building these processes. The United States is

not positive about going as far as establishing CBMs in the military field despite that the United States has evolved into a supporter of multilateral security cooperation. This is because, in sharp contrast to Europe, East Asia's strategic environment is essentially maritime, so that any military-related CBMs in the region could lead to rules and regulations on U.S. naval operations.

Also, China is not enthusiastic in institutionalizing the agreed-upon agenda in political and security forums. China carries considerable historical experiences to its contemporary international involvement. Because of their experience of suffering from semi-colonization in the latter half of the 19th century and confusion in the former half of the 20th century, China's leaders stick to sovereignty as sacred, and power as essential, tends to avoid international norms and regulations for fear that they might infringe on China's sovereignty and freedom of maneuver externally. In addition, China's clear preference for bilateral rather than multilateral approaches to resolving its international conflicts, which has been shaped by China's increasing confidence in its power, diminishes the prospects for an effective promoting regional stability and cooperative security. But Chinese officials argue for establishing a cooperative security regime based on the long-standing Chinese formula called the "Five Principles of Peaceful Coexistence" and voluntary arms control. Here again a tendency can be observed that China likes to assert its own rules and norms, rather than to be constructive at the rule-making tables of regional security forums.

Moreover, military-related CBMs that are indispensable for a multilateral cooperative security regime are hard to establish in East Asia where the United States alone enjoys powerful power projection capabilities. The necessity for CBMs arises in an international security environment where each of power projection-capable state holds its own sphere of influence.

More importantly, any type of multilateral cooperative security should not be regarded as an attempt to supplant deterrence and defense mechanisms. This is because a multilateral security institution as the ultimate security guarantor, as opposed to cooperative security regime whose mission at best is to maintain and improve the security environment, is not likely to materialize. Among various cooperative security frameworks, collective security is the only concept that directly tries to deal with actual military conflict. However, the logic of collective security is fatally flawed and the working assumptions are so demanding and idealistic that the plausibility for its success is simply negated. Firstly, a collective security concept does not fully consider the fact that nation state cannot help being self centered in the real world without any supra-national authority to control sovereign states. Collective security demands a spirit of self-sacrifice and surrender of national egoism, both of which cannot be expected on every occasion. Secondly, as an operational defect, there can be a military conflict, such as one over disputed territory, that is difficult to judge if invasion is really occurred and thus collective military sanctions cannot be easily employed. In addition, if a trouble maker is a military powerful state, other member states would find it difficult to cope with it.

Another weaker point of multilateral cooperative regime is found in its inherent fragility. Although any cooperative regime purports to facilitate cooperation among member states, it is at the same time a scheme in which interests of respective member states collide with each other. Owing to this, a multilateral cooperative institution tends to be neutralized by the difference in relative gains or unilateral actions by an influential member state. This risk applies to a cooperative regime on security, compared to a cooperative regime on trade and economy where conflicts of interests among member states do not have direct impact on security. In fact, looking back in history since 19th century, a regime of multilateral political and security cooperation was created whenever major wars were terminated. However, regardless of its nature and formula, based on either a concept of powers or more idealistic concept, such a regime malfunctioned as time passed because of emerging clashes of interests among

major powers.

Northeast Asian Strategic Environment in the 21st Century

It is not easy to build a multilateral cooperative security regime and, even if created, it is likely to be powerless in dealing with actual military conflicts. Furthermore, as history shows, the function as well as the fate of a multilateral cooperative security regime will be at the mercy of major powers. In terms of its role in maintaining regional peace and stability, a cooperative security regime can at best play a role of easing confrontational relations and alleviating the exclusiveness of alliance systems.

East Asian states are required to visualize measures to make the shift of power balance a peaceful one. In order to achieve this, East Asian countries must facilitate the process by which China integrate itself into the regional affairs.

Besides, since a rising major power seeks to change status quo and to establish new political arrangements that more accurately reflect its expanded power and influence. Chinese do not forget that before 19th century, China was a hegemon in East Asia.

At the same time, however, whether through its own resources or with the help of other countries, each East Asian country should maintain a viable but non-provocative deterrence and defense mechanism that assures regional peace and tranquility. Nothing but viable and non-provocative deterrence and defense mechanism can assure peaceful and incremental change of power balance. Among the deterrence and defense mechanism in East Asia, the U.S.-Japan alliance is the most powerful and enduring one that enables stationing of U.S. force in the region. And the U.S. force is the only force whose presence is welcomed as an indispensable stabilizer by most East Asian countries. In this sense, the security benefits derived from the maintenance of the U.S.-Japan alliance is not confined merely to bilateral relations, but extended to East Asia as a whole.

Changing Security Situation in the Asia Pacific Region

by

S.K. SINGH

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When Queen Victoria of England, styling herself also as Empress of India, died in January 1901, Britain was *primus inter pares* amongst the major powers of the world. The following eight Emperors or their Personal and Special Representatives were proud to be her pallbearers. Victoria's successor, Edward VII of England as the Emperor of India; Kaiser Wilhelm II of Germany; and the Emperors of Austria, Russia, China, Japan, Ethiopia & Iran. In less than a hundred years, UK, although still a permanent member of Security Council is much diminished, its sovereign no longer an Emperor; and out of all the other Emperors only one survives, The Emperor Akihito of Japan, with his Imperial identity in tact, ruling the second largest Economy on the globe.

This little story shows how history continues its constant & inexorable march. During each decade, each century things change, situations evolve in a strange way. Society, politics, economics & technology keep altering & evolving, ever changing the equations between & amongst nations & countries inevitably changing the visage of that which, we have learnt to call the International Situation.

The historian & the strategist view this phenomenon from two different angles. Unlike during the last centuries, today the main catalyst for change is the innovative people & their economic success & technological ability, not just the size & strength of the military their nation can project. Military Power provides a society, a nation or a country the hard power to coerce. Political scientists do, by now, recognize that a country's policies & principles, its political ideals and culture, its philosophy & literature either make it attractive & admirable, or ugly & unworthy. When these are found attractive it acquires the capacity to influence and persuade, rather than needing to coerce, through demonstrating the power of its military force. In the last two centuries the world has come to recognize that military power is hardly ever adequate to influence, unless it is backed by economic clout either to help or to inflict long-term damage. In the last century & a half as science & technology have impacted the economic, agricultural & industrial productivity of nations, nations have started acknowledging that innovations in technology augment economic strength and without the latter military power is not all that effective or impressive. So much for hard power in this day & age.

In South-East Asian & South China waters, piracy has become a serious problem. The International Maritime Bureau, since its establishment in Kuala Lumpur, has brought to light various facets of this menace. A large number of cases between South China, and the Sri Lankan coast have gone unreported. Shipping interests in Japan are by now anxious enough to have suggested the setting up

of a UN multi-national force (not merely under the IMO) at strategic points like the Malacca Strait. The affected industrialized & major trading nations irrespective of wherever they may be located, need to get together, and set a combined Regional Force expeditiously & get the UN, in due course, to concur in this. Armed attacks by pirates have become too serious & too numerous by now to be ignored by the Maritime nations.

The International Maritime Board has reported several instances of vessels & cargoes of copper, sugar and other such commodities of significant value, being captured. Some of these have thereafter disappeared along the coastal region of South China Sea. Such incidents cannot happen except through corruption inland, especially in the local law enforcement agencies. There are whispers that local army elements in South China have been helping hide pirated ships and stolen cargoes. Occasionally Chinese authorities have refused to prosecute pirates even when they are apprehended in their own ports. The 16 proven pirates who hijacked the vessel "Patrol Ranger" were arrested and later released without prosecution being initiated by Chinese authorities. The IMB called this "a disgrace for a maritime nation", as they felt that China was not living up to its commitment & obligation to prosecute pirates.

These instances have encouraged large numbers of elite marines of various western nations leaving their services, and forming mercenary Task Forces to combat piracy. A Dutch company, with attractive financial support from certain European banks, was formed for this purpose. Certain former British marines too chose to join such groups involved in anti-piracy work. Chinese and LTTE-trained personnel, functioning in a quasi-official manner, have caused anxiety to several nations. Naoyoshi Ishikawa, a senior former Japanese shipping line official has argued that Japan should protect her interests in the sea-lanes by participating in regional patrols under the UN banner. Recently the Japanese Self-Defence Forces too felt pressed enough to dispatch aeroplanes and helicopters in search of some of their missing vessels.

Whenever these matters are discussed in U.N. forums, Chinese official agencies appear uncomfortable. We need to remember, however, that Article 100 of the U.N. Convention of the Laws of the Seas does not require states to suppress piracy but merely to cooperate "as fully as possible", and only on the high seas, or in places beyond national jurisdiction. Thus at present there is no obligation or duty to cooperate in suppressing piracy in the territorial seas, which is where piracy has been occurring, and is most likely to occur. One sees that in recent months the Chinese officialdom & law enforcing agencies have taken a serious view of piracy by their nationals & started handing out harsh & drastic punishment, even going to the length of shooting such criminals after summary trials.

The late eighties, and early nineties saw the end of the Soviet Union, until then the second Super Power in our global politico-military system. Its disintegration led to the birth of a somewhat diminished new Russian Federation. The end of the Soviet Union specifically & concretely meant that the five Central Asian Soviets, Islamic by tradition, background and faith, were de-linked from the Socialist and political Slav political system with which they had grown during the last century or more. These Republics were: Kazakhstan, Tajikistan, Uzbekistan, Turkmenistan, Kyrgyzstan. Certain other ex-Soviet states abutting on the Caspian Sea (Azerbaijan, Armenia, Georgia) too got separated from the old Soviet Union. Chechnya had no choice but to remain within the Russian Federation. However, it displayed a strong desire to secede from the Union and

demonstrated it by commencing a civil war type operation with the help of Al-Qaeda, Taliban & Pakistan. Similarly the three Baltic states, Estonia, Latvia, Lithuania and three Europe-located states: Ukraine, Belarus and Moldova also abandoned the sinking ship of the fast diminishing Soviet Union. Moscow was surprised that despite the ethnic and linguistic propinquity with Russia, the last mentioned three chose to leave the Federation. This was virtual disintegration of a powerful and large composite state which for more than half a century enjoyed the status of the world's Second Super Power. Some day historians, economists & sociologists will write doctoral theses to determine why this powerful nation allowed itself to be partially erased from the world map. These developments have changed the geo-political map of the world beyond recognition.

The Berlin Wall fell. The capitalist and communist halves of Germany re-united. The Socialist world's defence shield in Europe, the WARSAW Pact disappeared without a trace, and without demanding that in the interest of maintaining parity, NATO too should be erased from the political-military scenario of the Atlantic region. After all NATO, ever since it got established, was seen as an instrument to provide a united, across-the-Atlantic defence mechanism meant to bring into play USA's economic, financial, military and technological resources to defend Europe's land mass. NATO could, when necessary, be permitted to expand its field of operation into the Asian continental space across the Urals. Originally this perhaps was a method of terrifying certain lily-hearted and feeble Asian states which would also affect the thinking of the defeatists amongst the Russian strategists. Indeed, the NATO was able gradually to establish its sway in the Balkans and managed the situation arising out of the disintegration of Yugoslavia, somewhat (though not entirely) without reference to the processes of the United Nations. And now several East European countries, formerly of the Socialist world aligned to the Soviets are cheerfully joining the NATO. A historic change indeed.

These developments have had huge & major consequences and repercussions. Some of these are still rolling in. One consequence has been a neater parceling out of Asia into several regional groups: West Asia; Central Asia; South Asia; South-East Asia; and North-East Asia. All these are now broadly recognized as separate sub-regions of the vast Asian land space, excluding that which is part of the Russian Federation. Arab Islamic world was earlier being seen by geographers and cartographers principally as the WANA (West Asia-North Africa) region comprising the Arab lands of the Middle-East including Iran, jointly with the North African Islamic countries. The world watched an ever-increasing geo-political confusion, which was caused by the Arabs themselves, with powerful backing from the Islamic clergy. There was confusion all round in so far as sporadic activism in the region alternated with a show of feebleness & defeatism. The Arab youth and the disadvantaged of these countries started rising so as to react violently against their rulers, Kings, Emirs & Sheikhs, seeking succour & fulfilment in their Islamic faith, and permitting their theologians and the clergy comprising rigid and conservative mullahs, who were anxious to reject modern life, modern means of artistic fulfilment and entertainment and indeed what the world at large sees as modern urban culture of the industrial & post-industrial era. At one level this phenomenon was able to produce a complex-ridden terrorist violence of a peculiarly Wahabi-Sunni character. This too produced a new segment of an ever-increasing geo-political confusion, concerned with & affecting both the Arabs and Islam.

When we see how, ever since the 1920s this region has faced the perennial contradictions & dilemmas

of Palestine-Israeli disagreements & disputes, and how against the Judaic Israelis, the Palestinians have been labelled as Islamic even though a considerable proportion of them are Christians. Palestine-Israel dispute has remained impervious to settlement. The geographical region of Biblical Palestine in which were born all three Semitic religions: Jewish, Christian & Islamic, has itself become the arena for unending and irrational, cruel violence. By and large, the non-Islamic world outside of Palestine has remained firm in its commitment to science, technology, modern economics and the need to use rational judgment to settle the differences & problems between Israel and Palestine. This settlement whenever it is eventually achieved will need to ensure that water resources become available to both sides. And in this Iraq has a major role, because that is the land of plentiful water. Insofar as the Arabs are concerned their most major resource - oil - which the Arabs require only as wealth, but is seen by the rest of the world an essential resource for maintaining industrial and urban life, in all the areas & lands which require it but cannot produce it. There are Arab nations which are fired with Islamic fervour; and then there are those which are attracted to the idea of modernising themselves, and in the process structuring a non-feudal, non-oligarchic culture with democratic governance, and normal freedom essential for today's civilized existence.

At one level Nine-Eleven was caused by the frustrations in Arab societies and certain Islamic (non-Arab) nations entertaining a variety of real complaints as also certain petty peeves. Ever since Nine-Eleven people around the world, irrespective of faith, ethnicity or language, remain apprehensive about the prospects of peace in this region. The region itself is of extreme importance to humanity because this is the area with enormous supplies of oil and natural gas, and even more enormous reserves. The bulk of their production is exported from the West Asian region to Japan, China, India, Europe and the USA. Between the first Gulf war and the current & continuing war in Iraq, the USA has quietly established its undisputed control and hold over the Persian Gulf, which some call the Arab Gulf. The safety and security of innocent passage guaranteed under International Law and the U.N. Convention of the Law of the Sea has constantly to be watched carefully, so that nothing is done to affect its security.

The freedom of maritime navigation, and the freedom to use sea-lanes of communication, involves cooperative ability of all states to get their energy supplies on the usual terms of oil commerce, passing peacefully through not only the Indian Ocean but also its various choke points. This need and requirement for maritime freedom must persuade all of us to ensure that the economics of oil supplies is combined with the security of the sea-lanes through the Indian Ocean. We need to ensure that such supplies can continue now, & in foreseeable future, in reasonable security. The USA and India have all along hoped that the third major democracy in the region with a reliable and respectable naval force i.e. Japan will also extend its cooperation to this venture despite its constitutional and traditional constraints. It is our hope that we will all exercise caution and speed in ensuring that no loophole or space remains for mischief in this area of functioning. We need to ensure that no bilateral considerations of helping certain nations or hurting certain others will result in any major naval power feeling encouraged to make a miscalculation.

The need to maintain the security of these sea-lanes of communication has become a more complex matter of security due to certain recent developments of global significance. For the last fourteen years, India has been suffering the ravages of state promoted international terrorism and this has disturbed India's internal balances & peace & we apprehend further potential of it damaging

us. That is why India had presented several years ago, in the United Nations a draft International Convention to Check the Menace of Terrorism. Earlier this draft had failed to attract focussed attention and speedy action. We hope now that the international community has woken up to the seriousness of the situation created by terrorism, that this matter shall soon be resolved & concluded.

The attack on the twin towers in New York and the Pentagon in Washington D.C. on 11th September 2001 was a painful and bloody reminder of how destructive international terrorism can be. Over the last two years the suicide bombings and other acts of suicidal & other violence and terrorism have persisted, without ceasing not only in Israel, Gaza and the West Bank and Iraq but also in the Philippines, Indonesia and India serving a reminder to the international community, and the world at large, that a negotiated settlement of this problem needs to be found, preferably through the mechanisms for negotiations and discussion provided within the United Nations framework.

As one examines the aspects of maintaining security of the sea-lanes it becomes clear that the problems involved here are complex indeed. Added to these is the prospect of the proliferation and spread of Weapons of Mass Destruction which may fall into the hands of non-state entities, or individuals. This can become quite a nightmare. The world realises that the spread of terrorism and the proliferation of WMDs and the means of their delivery (i.e. missiles of all calibers and ranges) are twin issues that cannot be manipulated without movement of huge amounts of illicit money, in hundreds of millions of dollars, and other currencies that may be involved. It usually is illicit money, illegally moved to dangerous destinations, clandestinely and surreptitiously, and often involved with narco-terrorism and narco-export, and other transactions related with narcotics. The Iraq war ostensibly came about as there were apprehensions regarding the presence of WMDs in Iraq. Had this been true the world would have seen a coalition of all manners of terrorists and terrorism, affecting not only the Middle-East and leading to the pursuit of chemical and biological weapons backed up also by the efforts of multi-national criminal groups and mafias.

The situation in both ASEAN and the Northeast Asian regions has been caused, and thereafter rendered more complex by terrorism-related and WMD-related developments in the Middle-East region. A further complication for North-East Asia stems from the existence of two problems that were left over from the era of Cold War. These two concern the Korean peninsula and Taiwan. As regards North Korea it has always had the feeling that Chinese backing, support and assistance would be available to it on an ever-lasting basis. During the Cold War when the relations between China and Soviet Union (presently called Russian Federation) were difficult, North Korea could depend on both countries helping it. After the end of the Cold War China has been acquiring a significant amount of weapons-related technology from Russia. However, at the same time it should be clear to us that until the Russian Federation economy transforms itself and becomes a market-oriented one, without insistence on retaining the old style of Leninist-Marxist economic controls Russia will need to maintain friendly and collaborative relations with the industrialized and prosperous West. China has already succeeded in building a market-oriented economy in which even for the former Communists the prescription is that "it is glorious to be rich". China, however, continues to manage its polity broadly on the classical Maoist pattern. It, therefore, is considered a reliable friend even today by North Korea. China does from time to time advise North Korea to transform its economy through competition rather than through edicts and diktats of the party.

For years evidence has existed to show that China collaborates with North Korea in the area of fabricating missiles of various ranges and capabilities. For the last several years they collaborated also to market these products abroad. They have devised and tested missiles of various ranges together. They have together diverted these WMD-related means of delivery for sale in the Middle East and South Asia. Missiles and rockets of different ranges and calibers and weight-load capabilities have been sold and supplied to countries like Saudi Arabia, Iran, Pakistan etc. Pakistan has been a special case because China and North Korea have found ways and methods of supplying Pakistan equipment, machinery and ancillaries as well as the technology to indigenously produce various types of missiles. Recently Pakistan also supplied the technology for enrichment of uranium to North Korea. Thus, in recent years and months this has become a most unusual case of three-way proliferation of technology and supplies for WMDs North Korea supplying missiles, and plant to construct missiles, to Pakistan through China; and in return Pakistan providing North Korea technology and equipment for uranium enrichment.

It is significant that it was only recently that North Korea started claiming that that it possesses nuclear warheads, and would not hesitate to utilize them in pursuit of its national interests. The physical proximity of the two Koreas with one another makes a nuclear-armed North Korea, which is also short of food grains and other resources, extremely dangerous for all its neighbours. The danger is not only for South Korea but also perhaps for Japan and Taiwan. North Korea has demanded direct bilateral negotiations with the USA, and sought from the USA guarantees of non-attack on North Korea. Perhaps the USA has come to recognise the strength of a weak power, which could be irresponsible and, therefore, the USA has avoided seeking pro-active steps against the North Korean regime, and has been content to leave it to China to find a negotiated way out of this extremely dangerous situation. A multi-power negotiating group (China, Russia, North Korea, South Korea, Japan and USA) has been working but, until now, it has not been able to persuade North Korea to fulfill the assurances it had given when President Carter had negotiated the future of North Korea's nuclear capabilities. China has lately got some indication of its inability, in the short term, to move North Korea decisively in the direction of peace.

China's own military capability especially in the air and naval fields has grown enormously through its acquisition of certain latest technologies and weapons systems. In the ASEAN region as also in South Asia there are countries like Philippines, Malaysia and Indonesia where Islamic clergy, over the years, have acquired considerable influence over the masses but have also been impacted by Saudi Arabian and Pakistani fervour favouring political and international Islam. As a result several programmes of training and networking with ideologues connected with Al-Qaeda and Taliban along with the backing of Jamait-e-Islami parties in several countries, seem to have moved the situation towards certain dangerous potentialities and possibilities.

The economic expansion of China has translated into enormous accretion of military power for that country, through acquisition of the latest weapons systems and precision weaponry. In the waters of the South China Sea, which surround islands and atolls of that Sea, e.g. Paracels, Spratleys, Mischief Reef etc. have apparently some promise of oil and natural gas, the ownership of which China seems to covet. It was only in the San Francisco Peace Conference of 1951 that Japan renounced its territorial right to these islands. However, the sovereignty of these islands had not been determined at that time. Vietnam, Taiwan along with China claimed territorial rights over the entire island group.

However Philippines, Malaysia, and Brunei claimed territorial rights over some of these islands. For the present the status quo is being maintained, but all are aware of the brooding force that China represents.

All the major naval powers of the ASEAN region have been keeping track of how the Chinese fleet has maintained some activity or the other in the waters around Japan. General survey activities, and intelligence collection has continued unabated by the Chinese fleet. India and Japan need to keep their own security and maritime interests under close review. However, they can profitably build bilateral & mutual cooperation in this context. We can also see how the discussions in the ARF could be utilized, so that we build closely calibrated and well-understood preventive diplomacy about which others do not come to have unnecessary apprehensions & suspicions. Hopefully this perception could ultimately help build regional consensus in the context of the utilization of the Ocean. As discussed above, of course security of our nations and their defence is important. This security can be ensured only if the transportation of energy resources for our developmental and economic activities can be ensured. We have also to keep under review the huge population China has to feed, and that nation's diminishing ability to expand their food productivity. China is likely, therefore, to move steadily towards more intensive fishing in its own waters and elsewhere, some even abutting our EEZs. Countries like Japan and India together in this context, need to keep watch over the environmental effects of expansion of naval activities and intensive fishing etc.

In the last few years certain major powers have been cautious regarding the functioning of the United Nations, and international law as it is evolving. We have perhaps not been as mindful as we should be of the historical significance of the U.N. Convention of the Law of the Sea. We had invested a lot of negotiating energy & resources on negotiating in the U.N. framework the Law of the Sea over a period of eight or nine years. That work needs to be utilized and not forgotten. Ultimately we are bound to recognize that humanitarian aspects of the legal system will need to follow the principles and purposes of the U.N. Charter. National sovereignty is not a concept, which we can cast away unthinkingly. China has neither been shy nor slow in suggesting that it considers itself entitled to maintain a steady watch over these waters and islands that whenever necessary it would not hesitate to use appropriate means of coercing local & weaker powers. We have already mentioned the situation of piracy in South China Sea as also the complicating and dangerous factors of drug trafficking, slave trade and illegal movements of funds. This is a complex situation, which could very quickly become serious & difficult.

The Indian Ocean covers an area of 74 million sq. kms, which translates into 20% of the total ocean area of the earth. The Indian Ocean touches the shores of three continents, Asia, Africa and Australia. At its Southern most extremity it reaches up to Antarctica. The routes for transportation and communication through the Indian Ocean are shorter and more economical into the Pacific, indeed also into the Atlantic. The Indian Ocean and its littoral states are rich in natural resources. More than half of the earth's known oil reserves are in the Indian Ocean region. The littoral states are also abundant producers of gold, uranium, silver, diamonds and other gems. At one time the possibility of retrieving polymetallic nodules from the Seabed of the Indian Ocean used to be considered an important factor as these nodules contain copper, cobalt, nickel, and manganese etc. Lately the interest in retrieval of metals whether from land or from sea has diminished, as certain synthetic fibres and plastics have started getting used in a versatile manner. The peninsula of India

divides the northern periphery of Indian Ocean into Bay of Bengal on the one hand and the Arabian Sea on the other side. For India this is the ocean of the utmost importance, as 97% of India's exports have to be sea borne. 90% of India's demand for oil and natural gas too is met from the sea, the bulk of it carried aboard tankers and some extracted from offshore waters. It is, therefore, that India's interest in the security and prosperity of the Indian Ocean and its littoral states has always been a major factor in its geo-political perceptions.

It is necessary to emphasise that Asian democracies have certain common interests even in the context of their ocean-related functioning. On the other hand we do find that there is a certain unity of purpose and ambitious calculations about the future amongst the dictatorships. It is thus that China, North Korea, Pakistan and Saudi Arabia etc. have come so quickly to recognize their common arenas for power projection.

Ever since 1992 Chinese interest in the Indian Ocean region has both expanded and deepened. In 1998 the People's Liberation Army of China announced the expansion of their naval capabilities by constructing three large bases for their own navy. Thereafter China has taken enormous interest in building up naval facilities, and naval points of strength by strengthening the naval capabilities of two countries in this region, Myanmar (Burma) and Pakistan. Chinese assistance has been provided to Myanmar to expand its naval infrastructure, also to modernize it. In this context the Chinese have constructed a new naval base at Hanggyi island at the mouth of River Irrawady. They have also developed the facilities at Sittwe on the Bangladesh border; and installed radar facilities in the Coco Islands just 30 nautical miles away from the Andaman islands. These are all significant and consciously aggressive moves by China. A recent US military-naval review observed that China may already have deployed its nuclear submarine in the Indian Ocean. An American scholar has written that China considers itself both a land and a sea power, and India its chief competitor for the leadership of Asia. It considers itself Pakistan's most powerful ally & perhaps protector. It is aware that the Russian threat to China no longer exists and, therefore, China feels free to re-think its strategic imperatives. Its naval focus now will be towards the east and south i.e. towards the Indian sub-continent, while earlier Japan appeared to have been their favourite military target due to its close alliance with the USA & its growth & pre-eminence as an economic force China no longer feels intimidated by Japan's economic prowess. On balance China will consider India its main naval target. China has encouraged and helped Pakistan in increasing its naval capabilities considerably. They have helped Pakistan develop the Jinnah Naval Port at Ormara in the Arabian Sea, and since August 2001 China has been involved in developing a port of strategic importance at Gwadar. China's economic and technical assistance for these developments is likely to become a grant, i.e. not normal aid which has to be repaid. China's increase of its activities in South Asia includes its construction of a highway from Iran to Karachi along the coastline of Arabian Sea. It is believed that the Gwadar port and the building of the Iran-Karachi highway are two moves meant to demonstrate to both India and the USA how Pakistan is forging ahead, and that it can operate autonomously vis-à-vis these two countries.

China's latest move to send successfully a space flight, carrying an Astronaut, too was meant to signal to the world that China has emerged militarily & technologically & henceforth can find the resources for achieving its objectives and establishing broader and larger capabilities in the military field as also in the field of high technology.

The idea is to convey through a few subtly crafted symbols a certain menace which can either be dour and grim or accompanied by a sarcastic grin or a cynical smile.

「SLOCにおける包括的な安全保障問題について：

「海洋の自由」の追求」

...*印亜・西太平洋一体地域における海洋安全保障*...

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1 海洋の自由

(1) 「海洋の自由」の意義

ア 歴史的意義と国連海洋法条約

海洋は、有史以前から人類の自由な活動に任されてきた。そして、欧州の近代国家によって、公海の国際的な価値を基礎とした「公海の自由」が、国際法上の原則として確立され、1958年には、「公海条約」が明文化されるに至った。この原則は、1982年に採択、1994年に発効した国連海洋法条約にも、基本的に引き継がれている。

「公海の自由」を敷衍した、海洋における自由な活動の権利、いわゆる「海洋の自由」は、国連海洋法条約などの国際法に定められた他の沿岸国の主権や管轄権を阻害しない範囲で、一定の国際的ルールに則り、沿岸国に最大限に海洋を自由に利用する権利であり、大別すれば、SLOC (Sea lines of communications) を使用する「海上航行の自由」と海洋の諸資源を活用する「海上諸活動の自由」とに分けることが出来る。

イ 「相互発展か対立か」の鍵を握る海洋の自由

...*国際的な経済面での相互依存の深化に必須の「海上航行の自由」*...

冷戦後、国際社会は、イデオロギー対立の問題から解放され、国家間の交流に於ける敷居が一挙に低くなると同時に、輸送インフラストラクチャや情報分野での科学技術が急速に発達、普及したことにより、国際経済における物資や情報の流通が円滑となった。また、旧社会主義諸国の市場経済化と発展途上国における急激な経済成長により、多様な国家間の経済協力の実が上がり、グローバルな経済的相互依存関係が一層深化するようになってきた。この関係を順調に維持し発展させるための物資輸送は益々重要性を増し、特に経済的で大量の物資輸送に適する海上交通は、必須不可欠の存在となっており「海上航行の自由」は以前にも増して重要な意義を持つようになってきた。

他方、湾岸戦争や今回のイラク戦争、1996年の中国の弾道ミサイル発射による台湾海峡危機などによって実証された通り、何らかの理由により SLOC に危険な状況が生起し、「海上航行の自由」が阻害されるようになれば、経済面のみならず、地域や特定国家の安全保障にとって大きな悪影響を与えることとなる。

このため、接続した SLOC 一帯の沿岸国間で、「海上航行の自由」を確保するための、何らかの連帯、協調活動の必要性が増加しているのである。

...*海洋資源の獲得を巡る対立の場となりつつある「海上諸活動の自由」*...

国連海洋法条約は、内水、領海、接続水域、国際海峡、群島水域、排他的経済水域 (EEZ)、大陸棚、公海などを規定し、沿岸国に、内水、領海、接続水域での主権と EEZ や大陸棚での天然資源などに対する主権

的権利と環境保護などに対する管轄権を与えている。沿岸国による EEZ 等の設定により、地球上のほぼ半分の海域には何れかの国の管轄権が及ぶこととなった。

一方、国連海洋法条約の基本精神に立脚した EEZ の本来的意義からすれば、沿岸国の主権的権利は、海洋資源を管理するための権利、つまり資源管理義務を履行する上での権限であって、資源の独占的利用を許されるといった権利ではないのであるが、現実には、海洋権益や歴史的領土問題などが絡み、EEZ を巡る諸国間の確定作業が全て円満に解決しているわけではない。

特に、将来的な陸上資源の枯渇傾向等を見越しての、漁業や海底資源を始めとする豊富な海洋資源への関心の高まりは、発展途上国のナショナリズムの高揚につながり、先進国の既得権益を侵食するエネルギーとなって各国間の海洋資源獲得を巡る対立を激化させる要因となっている。漁業資源の保護、育成のための国際的協議や国連海洋法条約の発効に伴う深海底資源の帰属に関わる国家間協議での激しい主張の対立はその証左と言える。このことは、確立された一定の国際、地域ルールの下での各国の「海上諸活動の自由」の重要性を高めているとも言えよう。

ウ 緊要性のある「海洋の自由」に関するコンセンサス作り

このように見れば、「海上航行の自由」や「海上諸活動の自由」を保証する「海洋の自由」の重要性は、21 世紀においても、安全保障や経済活動の面で、その重要性が増しこそすれ減ることは無い。またその一方で、「海洋の自由」が阻害される各種の要因が世界や地域の至る所で顕在化しつつあるのも事実である。関係国のコンセンサスの下、「海洋の自由」が広く享受されるべきことの重要性は理解されながらも、実行は容易ではない。SLOC が海洋を紐帯として、地域から地域への接続性という固有の特徴を持っているが故に、出来るだけ広範な地域の受益国が、「海洋の自由」に共通の利益を見出し、協調してことに当たるコンセンサス作りが急務となっている。

(2) 印亜・西太平洋一体地域における「海洋の自由」の意義

ア 一体地域として死活的重要性を持つようになった「海洋の自由」

言うまでも無く東アジア・西太平洋地域経済が海洋に依存する度合いは、世界の他の地域に比較して遥かに高く、地域における海洋の戦略的価値は極めて大きい。近年の東アジア・西太平洋地域（東南アジア、北東アジア、オセアニア）のダイナミックな経済成長は、地域の経済的コミュニケーションの媒体であると同時に、地域沿岸国の経済発展を保障し得る有望な海洋資源を提供する海洋の存在無しには語れず、地域全体の発展にとって「海洋の自由」は死活的に重要であると認識されている。

一方、インド洋地域については、東アジア・西太平洋地域と接続していながらも、従来同地域の諸国からは、比較的関心低く見られ勝ちであった。しかし近年、広大なインド洋地域の中でも、特に欧州方面や中東地域と東アジア・西太平洋地域の接続帯となっている北インド洋地域（ここではインド、パキスタン、スリランカ、バングラディッシュの 4 カ国）について言えば、経済的側面、安全保障的側面の何れから、その重要性が認識されるようになった。

経済的側面で考えた場合、北インド洋地域は、東アジア・西太平洋地域と比べそのダイナミズムは比較にならないほど低調であると認識されがちであるが、例えば、インドの経済成長率は、ここ数年の間に平均 5.7%、北インド洋地域諸国全体でも 5% 台を記録するなど堅調であり、将来予測を更に上向きに見る向きもあるほどである。特に、近年の両地域間の貿易額増加率（過去 3 年間で 1.5 倍の増加）が示すように、東アジア・西太平洋地域と北インド洋地域の相互依存関係が急速に増加していることは注目しなければならない。

この際、北インド洋地域と東アジア・西太平洋地域間の陸路での接続手段は今なお粗悪であり、必然的に「海上航行の自由」への依存度が高くならざるを得ないこと、また両地域とも海底資源の利用や漁業など「海上諸活動の自由」が地域の将来発展にとっての鍵となっていることを認識する必要がある。こういった点からして、仮に「海洋の自由」が奪われる状況が生じた場合、両地域の経済及び安全保障面への悪影響が極めて甚大となるであろうことは自明のとおりである。

即ち、経済、安全保障の両側面から、今後は「海洋の自由」の確保に関し、東アジア・西太平洋地域諸国と北インド洋地域諸国間を、両地域間の連帯、協調をベースとした、「印亜・西太平洋」(Indi-Asian & West-Pacific)という一体地域として把握していく必要が出てきたと認識すべきである。

イ 一体地域での海洋を媒介とする通商による発展の保証...海上航行の自由

冷戦後、経済を軸とした多国間の枠組みは加速的に進んだ。その中で最大のものは、アジア・太平洋経済協力閣僚会議(APEC)である。APECは、世界の人口約55億の39%が参加し、加盟国の合計のGDPが世界のGDPの48%を占める世界最大の経済的な地域統合の枠組みとなった。このような動きは、経済的パートナーを地域内に求めることで、ボーダーレス経済時代に、他地域との競争に勝って一層の経済発展の可能性を追求する意味を有していると思われる。

一方、北インド洋地域は、世界の人口の22%(インドだけで17%)を占め、加盟国の合計のGDPが世界のGDPの2%を占めている。加えて、1990年代末期からは、東アジア・西太平洋地域諸国とのとの関係も増加しており、今後も増加が見込まれている。

地政学的見地から言っても、印亜・西太平洋一体地域における海洋は、地域内諸国を結ぶ事実上唯一、最大の交通路であることから、他の地域に比べての「海上航行の自由」の重要性は決定的である。

翻って我が国経済は、正に海洋を媒体として印亜・西太平洋一体地域の牽引車の役割を果たしてきており、域内における国際分業の重要な一極としての役割を担ってきた。このことから、日本が地域内の海洋を媒介とする通商を安定的に確保するために貢献する責任が求められている。

ウ 一体地域での有望な資源の供給源...海上諸活動の自由

グローバルイシューとなっている人口問題は印亜・西太平洋一体地域においても極めて深刻である。その最大のものは中国であり、将来的に深刻な食糧問題を惹起させる可能性が高い。その証拠に既に、中国の食料自給率は低下傾向を見せており、その中で漁業資源への依存度が高まっている。

しかし、漁業資源は無尽蔵なものではなく、各国は、多国間条約及び2国間条約において資源の採取、禁止及び規制の内容を取極めているが、漁業資源への依存度の増加に従って、今後は漁業水域を巡る争いや違反行為の多発が予想される所である。

一方、南シナ海及び東シナ海の島嶼周辺やベンガル湾や東アラビア海のインド沿岸部などは、有望な海底資源が期待されている海域であり、印亜・西太平洋一体地域全体の経済発展に潜在的影響力を持っている。石油など、既にその一部は開発されている所であるが、近年、有望な鉱床や天然ガスの存在が続々と報告されるなど、ますます沿岸国の熱い期待が高まっている。反面、南シナ海や東シナ海などでの中国の海洋への強引な進出などのように、資源を巡る熾烈な争奪戦が、島嶼の領有問題への発展など、安全保障上の重大な懸念を惹起していることも事実である。

エ 一体地域における安全保障...「海洋の自由」確保のための連帯的取組み

本稿にいう一体地域は、安全保障上の観点からすると、9.11テロの直後に出された米国の01QDRにい

う「ベンガル湾から北東アジアまでの不安定の弧」にほぼ一致する。

前述のように、一体地域の安定と将来発展を保障するために、通商や資源確保といった面での地域全体としての「海洋の自由」の確保が重要であるが、近年はこれに加え、一体地域における安全保障上の懸念材料となっている無法国家や国際テロなど非国家主体への大量破壊兵器、弾道ミサイルの拡散といった点について、東アジア・西太平洋地域と北インド洋地域との関連性にも注目する必要がある。

特に、9.11 テロに関連するアフガンでの戦闘、アラビア海でのアル・カーイダなどの海上阻止作戦にも表されるように、安全保障面で言えば、両地域の関連度は極めて密接の度合いを増してきており、益々一体地域全体としての連帯的な取組みが必要となってきた。現実にも02年4月から9月に掛けては、マラッカ海峡を通峡する米海軍艦船に対する米印海軍による対テロ共同パトロールが行われた。

また、1990年代後半から急増してきたマラッカ海峡などでの海賊や海上武装強盗の横行に対する一体地域全体での対策も急務となっている。この点について言えば、日本としては、99年にインドネシア東岸で海賊に襲撃された Alondora Rainbow 号を、インド洋上において、インド海軍と沿岸警備隊の連携により見事に捕捉したことは、記憶に新しい所である。

2 21世紀の印亜・西太平洋一体地域の安全保障環境

(1) 多様化する安全保障上の不安定要因の概括

21世紀初頭における、一体地域の安全保障上の不安定要因として、特筆すべき点は7点ほどあると考えられる。第1点目は、大量破壊兵器や弾道ミサイルが、北東アジアから他地域に拡散していることである。第2点は、9.11テロ後顕著となった国際テロが、一体地域内部や外部との連携を強め、特に政府のガバナンス機能が弱体な国家を中心として爆弾テロなどを拡大している点である。第3点は、地域の軍事バランスを崩しかねない急速なテンポでの海空軍力を中心とした中国の軍事力強化である。第4点は、冷戦時代の残滓とも言える対立構造が、朝鮮半島や台湾問題に残っており、依然として不安定、不確実、不透明な情勢を醸し出しているということである。第5点は歴史に根ざす領土、宗教、民族問題である。特に「海洋の自由」を阻害し、一体地域全体の安定に重大な影響を及ぼす可能性が高いのが、島嶼の領有を巡る問題である。第6点は島嶼の領有を巡る問題とも深い関連を有する海洋権益を巡る対立構造である。第7点は一体地域の海洋を媒介とする海賊や麻薬、人身売買等の不法行為の国際化、組織化の動きである。

これらの不安定要因を通観する時、共通するキー・ワードがあることに気付くであろう。第1点の大量破壊兵器や弾道ミサイルの拡散経路は、その多くをSLOCに依存しており、また、一体地域における弾道ミサイルの脅威は、地勢的に、陸上隣接国家間を除けば、海上上空(宇宙)を経由する構図となっている。第2点の国際テロの拡大についても同様に、テロリストの移動や武器などの拡散がSLOCに強く依存しているほか、イエメン沖での仏タンカーへの自爆テロなど、海上テロが現実には発生している。第3点の軍事力の強化については、中国のみならず、地域各国の軍事力整備の方向性を見れば、海空軍事力の増強、近代化に重点が置かれていることは明らかであり、SLOCにおける「海上航行の自由」や「海上諸活動の自由」など、安全保障面への影響が問題となる。第4点の朝鮮半島や台湾問題においても同様に、緊急事態が生起すれば、地勢的に見て、SLOCの安全確保や海上封鎖、強襲上陸など軍事上の海上優勢の確保が極めて重要な問題となってくる。第5点の島嶼を巡る領土問題、第6点の海洋権益及び第7点の海上不法行動は海洋そのものの問題である。

(2) 一体地域の安全保障上の個別的問題

ア 大量破壊兵器や弾道ミサイルの拡散

核兵器は、米国、ロシア、中国や印パ両国が保有している。北朝鮮は核開発疑惑問題の渦中であって、独自の瀬戸際外交を展開しており実態は不明確であるが、数発の核爆弾を保有するものと考えられている。最近では、北朝鮮とパキスタンとの核兵器開発、製造に関する密接な情報交換、関連物資の移送などの疑惑が持ちあがっている。

生物・化学兵器は、米国、ロシア、北朝鮮や中国など一体地域の一部の国において製造、保有されているものと見られている。1995年の東京でのオームサリン事件や9.11テロ直後の米国における炭そ菌事件は、化学兵器の製造が比較的容易で、その使用が国家間の武力紛争に限定されないことを印象付けた。

弾道ミサイルについては、1980年代中期に、ソ連などがイラク、北朝鮮、アフガニスタンなど多数の国・地域にスカッドBを輸出したほか、中国の東風3号(CSS-2)、北朝鮮のスカッド系列ミサイルの輸出などを通じて、02年時点で46の国家が保有するに至っている。更に一部の国では、より長射程のミサイル生産・開発を行っている。現在でも北朝鮮によるパキスタンや中東、東アフリカ方面への弾道ミサイルの拡散や中国における弾道ミサイルの近代化や増強が続いている。

21世紀において、当地域における、これらの大量破壊兵器や弾道ミサイルの拡散に歯止めを掛けるための有効なレジームやシステムは見つかっておらず、米国や日本は弾道ミサイル防衛システムの導入や生物・化学兵器対策の強化に乗り出した所である。また、一体地域では、大量破壊兵器や弾道ミサイルの拡散は主としてSLOCを経由し、また関係者の移動は主として空路を経由すると目されることから、03年9月からは、国際的な陸海空路での臨検体制を強化する一環としての、日米豪など11カ国による拡散阻止構想(Proliferation Security Initiative)を拠所として、海軍・海上保安当局合同による海上臨検訓練や空軍間の阻止訓練が開始されている。

イ 国際テロ組織による無差別テロの拡大

9.11テロを契機に、米国を始めとする各国は、対テロの国際的連携を形成し、全ての国際テロ組織を壊滅させるべく長期にわたるテロとの困難な闘いを行っている。しかしこういった努力にも関わらず、国際テロ組織は、なお世界各地にその網を巡らせ、テロ攻撃が拡大する危険は減じていない。

一体地域でも同様の危険が顕在化しており、02年12月にインドネシアのバリ島で発生した爆弾テロ事件は、東南アジア全体にネットワークを持ち、アル・カーイダとの関係を指摘されるイスラム過激派、ジユマ・イスラミーヤ(JI)による犯行と断定された。

また、一体地域に隣接する「アフリカの角」と呼ばれる地域や中東周辺では、国際テロ組織の活発な活動が見られ、アラビア海では、国際テロ組織壊滅のための日本を含む多国籍軍による海上阻止活動が続けられている。更に、モスクワでのチェチェン武装勢力による劇場占拠事件や、英国市街地での生物兵器の発見など、国際テロ組織によるテロ攻撃は、どの国にも及ぶ危険性があることを示している。

このようなテロとの共闘が米国を中心として世界各地で行なわれているが、一体地域内でも、比の国際テロ組織アブサヤフ掃討のため、昨年に続き本年も、米比共同演習「バリカタン03 1」が実施される予定である。また前述のように、02年4月から9月に掛けては、マラッカ海峡を通峡する米海軍艦船に対する米印海軍による共同パトロールが行われている。

また02年には、ASEANと米国の間では、対テロ宣言が調印された。

ウ 地域軍事バランスを崩す中国の軍事力の強化

1990年代に入り、空前の経済成長を背景に拡大傾向を見せていた一体地域諸国の国防費は、97年のアジア通貨危機に起因する自国通貨下落と財政悪化により多くの国で縮小し、装備調達や訓練実施に大きな影

響を与えた。99年に入り一体地域諸国自身は概ね危機が峠を越したとの認識を持つようになったと思われるが、各国の国防予算や軍事力整備の動向は、経済危機の影響をどれだけ受けたかによって大きく異なるのが実態である。

一体地域全域を見ると、元々の経済力に差があった所に経済危機の影響が加わって、当面、域内諸国の軍事力格差は拡大していく可能性がある。特に海空軍事力の増強、近代化を推進しているシンガポール、マレーシアなど一部の東南アジア諸国やロシアからの空母導入が具体化されつつあるインドが突出してくると思われる。周辺国はこれらを喫緊の脅威とはみなしていないものの、通貨、金融危機後は、域内での政治的不協が目立つようになってきており、今後域内の軍事バランスの急激な変化が、政治的問題に発展する恐れが無いとは言えない。

それ以上に一体地域において軍事力の強化が急速に進み、周辺国に不安を投げ掛けているのは中国である。中国は、人民解放軍を社会主義建設の重要な力であり、経済建設と国家の長期的安定の重要な保障であると位置付けている。特に、現代戦の必要に応じるための体質改善を進め、戦闘力を強化し、国の領土・領空・領海(宇宙)の主権と海洋の権益防衛、国家の統一と安全の防護という使命を遂行することに力点を置くことを明言している。そして戦闘力強化のため、軍の再編改革と科学技術力による装備の近代化に重点を置き、このため国防費は、1989年以降10%以上の伸び率で増加しており、2000年代に入ってから、年率9.6～17.6%(公表ベース)台での増加ペースは止まっていない。

将来の中国の軍近代化を含む軍備増強についての評価には、二つの見方がある。一つは、近年の国防費増加、海・空軍を中心とする軍の急速な近代化、中国製兵器の移転・拡散、主としてロシアからの最新兵器の購入、南シナ海など周辺海域へのアグレッシブな進出などは、明らかに一体地域の諸国にとっての脅威となり、今後もこの傾向が増大していくとする見方である。もう一つは、国防費増は、インフレ率を加味すると大したものではなく、現在の中国軍の装備の後進性から見て、近代化の達成は極めて困難であり、軍備増強との指摘は当たらず、当面周辺諸国への脅威とはならないとする見方である。しかし、中国が様々な言い訳をしているにも関わらず、大多数の地域諸国は、これを間違いなく軍備増強と認識している。

何れにせよ、印亜・西太平洋一体地域の諸国にあるコンセンサスとしては、中国の軍事力は、台湾を除けば、現在直ちに地域にとっての重大かつ深刻な脅威を与えてはいないが、中国の経済発展がこのまま進み、中国が海・空軍を中心とする軍事力の近代化に積極的に投資し、周辺海域におけるパワープロジェクション能力を向上させると、近い将来には、地域における深刻な脅威となり得るというものである。また、中国の軍事力についての地域共通の懸念は、その意図や軍事力の動向が不透明なことにある。

中国が近い将来に採る可能性のある軍事動向への、一体地域諸国の懸念としては、米国との対決も辞さない台湾への軍事行動、台湾以外の周辺諸国や周辺地域との紛争への直接軍事行動、国内や周辺地域に生じる不安定性抑制のために採る軍事行動、軍事力を背景として地域諸国に対し大きな潜在的脅威を与えるような恫喝的行動、などが挙げられるが、多くの場合、「海洋航行の自由」や「海上諸活動の自由」の阻害に直結することとなる。こうした中、03年10月に上海沖で実施された中パ海軍合同演習(中国海軍としては初の他国との行動訓練)などの動きが注目されている。

エ 冷戦の残滓として厳しい対峙の続く朝鮮半島情勢と不透明な台湾問題の趨勢

朝鮮半島問題については、2000年6月の南北首脳会談の結果、両首脳により南北共同宣言が署名され、「連邦(連合制)」の方向での統一問題の自主的解決、離散家族問題解決や経済協力、文化交流などについて合意した。そして、これらの実践のための当局間の対話を通じ、更に対話を進展させ、朝鮮半島の緊張緩和の方向に向かうことが期待された。しかし同時に、南北間の対話の進展が、朝鮮半島における軍事的対峙の緩

和にどのように結びついていくのか、また、北朝鮮の核開発疑惑や弾道ミサイル開発問題などの解決にどのように結びついていくのか、その不透明性が強く懸念されていた。

結果的に、首脳会談後の当局間対話は進展を見せないまま、北朝鮮は依然として、DMZ 沿いに膨大な軍事力を貼り付けているだけでなく、訓練を強化し、更に弾道ミサイルや大量破壊兵器の開発、生産、輸出を継続するなど、一方的な瀬戸際外交を展開してきた。

米国は機会ある毎に、北朝鮮の弾道ミサイルや大量破壊兵器に関する懸念を表明しているが、02 年 10 月ケリー国務次官補が訪朝し、この際北朝鮮が核兵器用ウラン濃縮計画を認めたと発表した。そして米国は、検証可能な形で核兵器計画の撤廃を求めたが北朝鮮は応じず、米国との不可侵条約締結を求める一方、NPT からの脱退を再び宣言した。米国は北朝鮮を攻撃する意思のないことを示す一方、交渉に際し何らかの見返りを与える意思の無いことを表明するとともに、北朝鮮の核問題は、米朝 2 国間の問題ではなく国際的な問題であるとして、中国やロシアを本問題に引き込み、日米韓に加えた 6 者協議の開催にこぎつけた。しかし、現時点での 6 者協議の行く末は不透明であり、第 2 回目の会合の開催すらも見通しが立っていない状況にあり、関係国は引き続き、北朝鮮独特の瀬戸際外交に基づく突発的な挑発行動への対応を含め、同国への硬軟両様の構えを崩していない。今後の協議の経過によっては、前述した大量破壊兵器阻止構想に基づく合同海上臨検訓練などが、政治的意味合いを含めて、朝鮮半島近隣の海域で実施される可能性も生じてこよう。

一方、台湾海峡問題については、1999 年 7 月台湾の李登輝総統の「台湾と中国とは特殊な国と国との関係」という発言に猛反発した中国政府は、2000 年 3 月の台湾総統選挙を牽制する意味で、その直前の 2 月、「一つの中国の原則と台湾問題」と題する台湾白書を発表し、中国が台湾に対して武力行使を行う場合として、台湾が独立宣言した場合、外国が台湾を侵略・占領した場合、台湾が交渉による統一を無期限に拒否した場合、の 3 つのケースを示すなどして政治的圧力を掛けた。

中国は、1995 年 7 月に李登輝総統の訪米に反応し、また 96 年 3 月には総統直接選挙に合わせて、台湾周辺海域に向けて弾道ミサイルの発射を行い、周辺一帯の SLOC に重大な影響を与えたが、このように機会ある毎に台湾に軍事的、政治的圧力を掛けてきており、今後中台の経済的な協調関係は進んで行くものの、中国側の政治、軍事面での台湾への態度に基本的変化はあるまい。

これに対し、2000 年 2 月の総統選で当選した陳総統は、現在までの所、一国二制度を採らないと繰り返し延べる等、出来るだけ中国を刺激することを避けているが、台湾内にはややこういった態度に不満を示す動きなども見えている。一方陳総統の不用意な言動が、台中貿易関係に悪影響を及ぼしているとの台湾国内経済サイドからの揺さぶりなどもあり、2004 年 3 月の大統領選挙に向け、陳総統が憲法改正や国名変更などについての何らかの決断を見せるか注目が集まっている。

米国プッシュ政権は、「台湾関係法」を堅持するとの姿勢を明確にしており、01 年には同法に基づき、キッド級駆逐艦 4 隻、ディーゼル型潜水艦 8 隻、哨戒機 (P-3C) 12 機など、近代的海空戦力を含む売却可能な武器のリストを台湾に提示した。

中台の軍事力については単なる量的比較だけではなく、運用態勢、要員の練度、後方支援体制など、様々な要素から判断されるべきものであるが、一般的特徴は、次のように考えられる。今後は間違いなく、海・空戦力整備の成否が、軍事力全体の優劣を決定付ける鍵となるであろう。

- (1) 陸軍戦力については、中国が圧倒的な兵力を有しているが、台湾本島への着上陸侵攻能力は限定的である。
- (2) 海・空戦力については、中国が量的には圧倒しているが、質では台湾が優位である。
- (3) 弾道ミサイル戦力については、中国は台湾を射程に収める短距離弾道ミサイルを多数保有してい

るが、台湾は攻撃、防衛能力とも極めて限定的である。

オ 歴史に根ざす領土、宗教、民族問題

印亜・西太平洋一体地域には、この地域の独特の歴史に根ざす領土、宗教、民族問題が複雑に絡み合い紛争の潜在要因となっている。現実には冷戦終了後、幾つかの問題が顕在化している。この中でも、島嶼を巡る領土問題については、後述の海洋権益とも深く関係するため、現時点においても、また、将来においても国家間の直接の武力紛争に結びつく問題となっている。従って、ここでは、特に地域の安定に重大な影響を及ぼす可能性が最も高い島嶼を巡る領土問題について述べて行くこととしたい。

周知のようにわが国自身も、北方 4 島（ロシア）、竹島（韓国）及び尖閣列島（中国、台湾）という領有権問題を抱えているが、関係国が多岐にわたり、現実には衝突が繰り返されているという意味で、一体地域の島嶼を巡る領土紛争で筆頭に挙げられるのは、南沙諸島の領有権を巡る紛争である。本問題の原点は、1951 年のサンフランシスコ講和会議の結果、それまで実効支配していた日本が領有権を放棄したが、その帰属先が明らかにされていなかったことに遡る。漁業資源が豊富であることから、当初は中国(台湾)やフィリピン、ベトナムが領有権を主張したが、80 年代に入って、海底の鉱物資源の存在が明らかになると、マレーシアとブルネイが領有権を主張した。現在、中国、台湾、ベトナムがその全部の、マレーシア、フィリピン、ブルネイが一部の領有権を主張している。

80 年代後半から中国の動きが活発となり、88 年にはベトナムとの間で武力衝突を起こしたが、冷戦終結後、米ソ(露)のプレゼンスの低下に呼応し、益々海洋における活動範囲を拡大する動きを見せ、主として ASEAN 諸国などと領有権について争いのある南沙・西沙諸島における活動拠点を強化していった。92 年には、わが国固有の領土である尖閣諸島のほか、南沙・西沙諸島などを中国領と明記した領海法を公布し、95 年にはミスチーフ環礁を巡ってフィリピンとの間で武力衝突の危険が高まった。

以後軍事的な対立は沈静化していたが、中国は 97 年には領土、領海、領空の安全の防衛と並んで海洋権益の擁護を明記した国防法を制定した。99 年に入ってから、各国が実効支配を拡大する動きが進み、紛争が再度表面化する恐れが生じたため、当事国の 2 国間、多国間による対話での協議が行われる一方、ARF 等でも度々協議され、その間各国による実効支配確立の動きも進んだ。そして 02 年 11 月、中国と ASEAN の間で、「南シナ海における関係国の行動に関する宣言」が署名され、本問題についての一応の沈静化を見たが、南沙諸島をはじめとする南シナ海では、依然として各国の利害が対立しており、99 年に始まった ASEAN・中国間の「南シナ海の地域行動規範」の策定作業は難航している状況にある。

一方、アンダマン海では、98 年に続き、99 年 1 月タイとミャンマーの海軍艦艇が交戦し、死傷者が出る事件があった。海上国境が不明確なこの水域では、両国漁船による不法な越境操業が後を絶たず、取締りに当たっている相手国海軍艦艇からの発砲を受けることが多い。不法操業は南シナ海などでも増加しており、主権の範囲が不明確な海域での漁船の取締りを巡る紛争が軍事的な衝突に発展する可能性も捨てきれない。

またインドは、中国がミャンマーのココ島やパキスタンのグワダル港に進出してきたことを強く警戒し、アンダマン海のニコバル諸島を基地とする海空兵力の強化を行っている。

カ 海洋権益を巡る対立構造

冷戦後、一体地域諸国の軍事力整備を概括すると、各国とも陸軍と比べて相対的に遅れていた海空軍力の近代化に重点が置かれたことに特徴がある。通貨危機後の各国の軍事力整備状況に共通している点は、群島水域、南シナ海、東シナ海、アンダマン海、ベンガル湾などでの海洋権益の保護と、諸国の経済発展にとって共通の生命線となる域内を貫流する SLOC の安全確保を念頭に、海上作戦能力の向上を図ろうと言う意

図である。中でも中国は、海空軍の充実、強化を進めており、南シナ海や東シナ海での海洋権益の確保を実効化させるための兵力整備や運用能力向上に懸命である。

今後の印亜・西太平洋一体地域の経済力の急速な伸長が、各国のこういった意図を現実のものとするにつれ、各国間の海洋権益を巡る衝突の可能性が増して行くことは看過できるものではない。取り分け、印亜・西太平洋一体地域では海洋の占める地政学的な重要性から見て、今後、海洋における不安定要因が、当事国のみならず、地域社会全体の生存と繁栄に決定的かつ重大な影響を及ぼすのは必至となる。言葉を換えれば、冷戦の終結に伴い、海洋権益を巡る対立構造が、一体地域の安全保障に対する最大の不安定要因として浮上してきたとも言え、その兆候は、既に南シナ海やアンダマン海、そして東シナ海を中心に現れていることは衆目の一致するところである。

然しながら、本問題について協議する有効な枠組みは、事実上当地域には存在せず、専ら 2 国間または多国間の当事国の対話のみに委ねられているのが現状であり、地域の安全保障にとって、非常に暗い影を投げ掛けている。

わが国の近海でも、主としてわが国の排他的経済水域において、近年、中国の海洋調査船により、海洋調査とみられる活動が活発に行われている。この問題に関連し、01 年 2 月、日中双方が東シナ海における相手国近海（領海を除く。）で行う海洋の科学的調査活動に関し、「海洋調査活動の相互事前通報の枠組み」が成立したものの、その後、同枠組に基づく通報に違反する中国の海洋調査船による活動が見られている。

また、わが国の近海における中国の海軍艦艇の行動も活発であり、99 年は 27 隻、00 年は 15 隻、01 年は 8 隻の行動を確認した。一方、情報収集活動や海洋調査活動を行っていると考えられる海軍艦艇も視認されており、00 年 5 月には、海軍の砕氷艦兼情報収集艦「海氷 723」がわが国を周回し、その間、対馬海峡及び津軽海峡では反復行動を行っていたことが確認された。更に、00 年 7 月にはミサイル観測支援艦兼情報収集艦「東調 232」、01 年 7 月及び 11 月には、「海氷 723」がわが国南西諸島東方の広大な海域において、複数の経線及び緯線に沿った航進・停止及び測定器とみられる機器の海中投入・揚収を繰り返すなどの活動を各々約 20 日かけて行った。同艦は、海軍の同海域における活動の際に必要な基礎的データの蓄積のための調査・情報収集活動を行っていた可能性が高いと考えられる。こういった行動は現在まで散発的に続いており、日本側からの外交ルートを通じての抗議や中止要請に対し、中国側からの誠意ある対応は見られない。

キ 国際化、組織化された海賊等

国際商業会議所の国際海事局(IMB)のまとめによると、世界的に見ても海賊被害件数は 90 年代後半から急増し、特に地域的には東南アジア海域が最も多く、ほぼ半数はマラッカ・シンガポール海峡、マレーシア周辺、インドネシア群島水域及びフィリピン周辺海域で発生している。これら海賊の特徴は、国際化、組織化されていることであり、装備は充実し、手口は巧妙となっている。

近年のアジアの海賊については、地域の経済発展がもたらした海上交通量の増大、貧富の差の拡大が大きな要因となっており、貧困層がマフィアなどの暴力組織と繋がって海賊行為を始めたものが、経済危機や国内治安の悪化などから海上警備が手薄になったことに伴いエスカレートし、最近では海軍や海上警察に属するものまでが海賊行為を働き、地方当局がそれを黙認する場合さえあると言われている。一方反政府組織が実施している場合もあり、例えばタミル・タイガーズは資金源としていわれている。今後は、国際テロリストとの結びつきについても警戒する必要がある。

マラッカ・シンガポール海峡やインドネシア群島水域は、海上交通の要衝であるが、相対的に海上警備、防衛力のプレゼンスが希薄で、それが海賊行為を容易にしている面がある。これら海域での海賊対処の取組み

は、90年代になってからシンガポール、マレーシア、インドネシアの3カ国が、それぞれの領海内にある海峡部でのパトロールを強化すると共に、インドネシアとシンガポール間では情報交換ホットラインを設定し、インドネシアとマレーシア間ではマラッカ海峡統合パトロールのための海上作戦計画立案チームを編成している。この結果、マラッカ・シンガポール海峡での発生件数は減少傾向にあるが、逆にインドネシアの群島水域で多発することとなった。組織化された海賊は警備の手薄になった海域に移動するだけであり、3国の兵力だけでは、これらの海域の実効的な警備は期待できない。

また、これら海域では、海賊のみならず、組織化されたマフィアなどによる海上を舞台とした麻薬や人身売買等の不法行為も盛んに行われていると言われており、これに対する警備の問題が、海賊同様に地域共通の課題となっている。

日本は、小淵元首相の提唱により2000年4月に東京で「海賊対策国際会議」を開催して以来、森前首相、小泉元首相と引き続き本問題解決に向けての国際的取組みのイニシアティブを取っており、累次に亘る国際協議の主催や巡視船の派遣などを実施した。

3 「海洋の自由」の追求...S L O Cにおける包括的な安全保障の確保に向けて

(1) 全般

ア 将来の安全保障上の課題

一体地域における経済成長は、90年代後半の通貨危機の時期を除き一貫して右上がりの傾向を示している。今なお、通貨危機の影響は東南アジアや南西アジアの各国に残るとは言うものの、これら諸国も、今後堅調に成長を続けていくことは疑いない。ここで今後問題となるのは、これらの諸国や中国など、域内で急速な経済成長期にある国が、必ず直面する課題、即ち、経済成長を維持し続けるためのエネルギーや資源の確保、経済成長の結果として得られる経済的ゆとりから生じる人口の急激な増加と食糧の確保、更に経済成長の過程や結果から生じる地球環境への影響への対策などである。これらの諸課題に既に対策を講じている先進諸国においてさえ、新たな国々の参画をも包含した新たな有効な対策をとる必要が生じる。

こういった課題を巡り、各国が足並みを揃えて必要な対策を採っていけば問題は生じないが、現実問題として、これらの課題への取組みは、政治的にも、技術的にも生易しいものではない。むしろ各国は、自らの国益を第1に考え、そのための必要な措置を採ることに腐心するであろう。ここで周辺諸国や地域全体との新たな衝突が起こり、安全保障上の不安定な状況を生み出す恐れが生じる。特に前述のように域内の海洋を巡っては、エネルギー、資源、食糧の確保や、地球環境への影響と言った課題に対し、多くの期待が寄せられる一方、各国の思惑が錯綜する舞台であることから、「海洋の利用」を巡っての、早急な地域のコンセンサス作りが求められる所以である。

イ 印亜・西太平洋一体地域における安全保障の枠組み

東アジア・西太平洋地域を包括する多国間の政治・安全保障対話の努力としては、例えばARFが存在するが、内政不干渉を柱の一つに据えるASEANは、ARFの内外を問わず、安全保障分野における自発的な多国間協力の範囲を越える問題への関与には非常に慎重であった。しかし、94年以降になると、毎年ARFの閣僚会合が開催され、00年からは北朝鮮が閣僚会合に参加するなど、当初の17国・地域から現在は23国・地域まで発展してきた。03年には、ARFプロセスを高次のレベルの「予防外交」へ進めることの重要性が協調され、また、中国から「ARF安全保障政策会議」の開催提案がなされるなど、ARFの活動強化の動きが見られる。

何れにせよ、新たな多国間安全保障の枠組みの必要性も今後の課題となっており、03年5月にはシンガ

ポールで民間研究所主催による「アジア安全保障会議」が開催されたが、印亜・西太平洋一体地域を包括する多国間の安全保障の枠組みは現存していない。特に、北東アジアは大国が集中しており、冷戦期間中は東西対立の最前線であったという歴史的経緯に加え、前述のように現在も南北朝鮮問題及び中台関係を抱え、安全保障環境は極めて不安定かつ不透明である。このため各国は自立的な安全保障政策を追求しており、その微妙なバランス関係を保つ作用を担い、事実上、地域の安定に大きな役割を果たしてきたのが、米国を中心とする日米、米韓のような強固な 2 国間軍事同盟を根拠とした米国の軍事的プレゼンスであったと言える。

一体地域における安全保障の枠組みが、今後果たしてどうなっていくかについては様々な議論のあるところであるが、当地域の特徴を捉えた二つの考えがあると思われる。その一つは、例えば ARF を発展させて北東アジアや南西アジアを含む、軍事力の行使を前提としないが、何がしかの強制力を持つ「協調的な」多国間安全保障の枠組みを創出し、軍事力の行使を対処手段に含む、米国中心の 2 国間軍事同盟と併存させるという考え方であり、他の一つは、冷戦構造が終結した以上、段階的に 2 国間同盟を解消し、又は同盟関係を緩和し、米国を含む多国間の地域を包括した一定の強制力を持つ「拘束的な」安全保障構造を創出するというものである。

現実問題として後者は理想像的な考えであって、実現性には乏しく将来の望ましい姿としてしか意味を持っていない。現実的には、前者を追求していくこととなるだろうが、その場合であっても様々なアプローチが考えられる。そういう中で、ARF は現在の「協調」第 1 主義を脱し、ある程度の「強制」姿勢を採れるのか、米国を中心とする 2 国間軍事同盟との役割分担をどのようにしていくかといった問題が、将来の主たる課題となるだろう。

何れにしても、既に述べたように、今後、印亜・西太平洋一体地域においては、「海洋の自由」を巡る問題が、様々な形で顕在化するものと思われる。そして明らかにこれらの問題は、地域における安全保障を不安定化させる要因を潜在的に有している。従って、地域的にこれらの問題を常続的に協議し、必要となれば強制的措置をも辞さない権限を持った、地域を包括する多国間機関を創出していく必要が、早晩生じて来ると思われる。

(2) 「海洋の自由」を巡る地域協調... 「海洋協調」の実現と主要海洋プレーヤーの役割

ア 一体地域の「海洋の自由」の確保に向けた日本の責任

21 世紀における日本の長期的国家目標は次の言葉に要約できよう。即ち、「日本のアイデンティティーをもって自国の安全保障や経済的繁栄を確保しつつ、世界や地域の安全保障や繁栄にとって掛け替えのない存在として、あらゆる側面において国力に相応しい責任を持つ国となること」にある。

日本が、この目標を達成するためには、幾つかの課題を乗り越える必要がある。それらは、自民党や民主党のいわゆるマニフェストに記述されているとおりであるが、例えば、主要課題を列挙すれば、財政改革(国家財政基盤の適正化と安定的な景気の維持)、産業構造改革(IT 革命)、教育改革(国家観、道徳観)、主体的かつ戦略的な外交政策遂行、憲法改革(国防軍の認知、集団的自衛権の行使)などとなるだろう。

日本がこれらの課題を乗り越え、長期的国家目標を達成する手法としては、様々なアプローチが考えられようが、その前に、幾つかの前提条件が満足される必要がある。例えば、競争的であるが安定した政治構造を基盤とした強力な政治的リーダーシップの存在、国際社会において影響力を持つ国家としての責務の自覚、地域全体の安全保障確保の努力に向けた主体的かつ具体的な貢献への意欲、などがわが国として具備すべき前提条件となるだろう。

そして、最後の条件として挙げた具体的貢献に関して言えば、本稿の主題となっている、一体地域を貫流

する信頼性の高い SLOC 及び安定的な資源供給源である海洋の安全保障という 2 つの重要な意味を持ち、地域及び我が国の共存的発展に必須不可欠となる「海洋の自由」の確保に向け、日本が如何に責任を果たし得るかが重要となって来るのである。

イ 一体地域の「海洋協調」に果たすべき日本の役割と米海軍力のプレゼンス

地域の「海洋の自由」は、一国の努力のみによって為し得るものではない。地域内各国(SLOC については隣接地域を含む)の相互理解と協力によってのみ完遂できるものである。その為には、地域の「海洋の自由」から齎される、地域全体への恩恵についての価値観を各国が共有することから始める必要がある。このことは、固より簡単ではないが、地域全体と個々の国家の将来を洞察する時、その必要性についての認識を共有することは不可能ではあるまい。国連海洋法条約も、1973 年の第 3 回海洋法会議以来、9 年間の議論の末、漸く 1982 年に採択され、更に 12 年掛かって 1994 年に発効したではないか。

この場合、日本は一体地域において、我慢強く、かつ力強くイニシアティブを採って行く必要がある。何故なら、日本は地域内にあっても、その存立や繁栄の基盤を、「海洋の自由」に最も依存している国であるからである。そしてまた地域各国も、全てとは言わないまでも、何らかの形で日本との海洋を紐帯とした相互依存関係から多大の恩恵を得ているからである。当然の事ながら日本は地政学的に見て、一体地域を貫流する SLOC の安全確保にとって重要な位置を占めている。

日本はまた国連安全保障理事会の常任理事国入りも間近く、そうなれば安全保障面での当地域の意向を国連の場で発揮できるようになる。既に G7 (8)等では、唯一のアジア代表として政治、経済、安全保障の各分野で「代議員」としての一定の役割を示している。即ち、日本が、本問題に関し地域でのイニシアティブを採っていく素地は既にあるのである。

「海洋の自由」は、畢竟、安全保障問題となる。従って、「海洋航行の自由」も「海上諸活動の自由」も、何れも最終的には安全保障の問題として認識し、その為の各国の対応が必要となってくる。しかし前述のように、一体地域では、見通し得る将来において、いわゆる「拘束的」形式での枠組みを創出することは難しい。従って、当面の措置としては、当地域での特徴となっている ARF 的な「協調的」構造による「有志連合」的な「海洋の自由」協議体の創出から始めて、次第に一体地域の全ての当事国が参加する実効的な対話に至る、といったプロセスを進めていくべきであろう。

この場では、政治色を極力排して、経済的な問題や国際テロ、海賊対策など共通の安全保障上の課題から始めてコンセンサスを得、次いで、如何なる形式によれば、コンセンサスを遵守できるのかといった、各国に一定「義務」を課すためのアプローチが必要となろう。日本はこの過程で、他の有志連合諸国に対してイニシアティブを採って、一体地域の「海洋協調」を形成していくことが必要であると考えられる。

なお、こういった試みには、当然のことながら、常に米国との関係を考慮しておく必要がある。好むと好まざるとに関わらず、米軍のプレゼンスにより、一体地域の安定が保たれてきたのは事実であり、特に「海洋の自由」は、地域における米国の圧倒的な海軍力のプレゼンスと切っても切り離せない関係にある。米軍の改革 (Transformation) の一環として、目下、一体地域における前方展開部隊の再編成が取り沙汰されているが、少なくとも予見し得る将来、当地域における米海軍力のプレゼンスの意義に基本的な変化は生じないであろう。

逆に、一体地域での「海洋の自由」、中でも「海洋航行の自由」という理念が何とか確保され続けてきたからこそ、米海軍のプレゼンスが維持されてきたとも言える訳であり、今後ともその重要性は増すことはあっても減ることはない。何れにせよ、この種の問題について、米海軍力のプレゼンスを考慮しない議論は、無意味であることを十分認識しておく必要がある。

ウ インドに期待する一体地域の海洋協調の役割

10 億人を超える人口、広大な国土を持つインドは、一体地域を貫流する SLOC の安全確保にとって地政学的に重要な位置に存在しており、南西アジア地域で大きな影響力を有している。また、近年の情報通信技術（IT: Information Technology）分野の発展もあって国際経済上の地位を高めている。

インドは、国家安全保障の目標として、自国の防衛、国民の生命・財産の保護のほか、大量破壊兵器の脅威に対する最小限の抑止力の保持などを掲げている。核政策については、インド国防報告によれば、インドは最低限の信頼性ある核抑止力と核の先制不使用政策を維持するとしており、また、核実験モラトリアム（一時休止）を継続するとしている。

インド海軍は、2 個艦隊約 150 隻、約 33 万 6,000 トンの規模を有しており、現在、空母 1 隻（ヴィラート（旧ハ・ミス）: 2010 年退役予定）を保有しているが、新たに国産空母 1 隻の建造計画を進めるとともに、ロシアから、退役空母アドミラル・ゴルシコフ（旧バクー）の改修後の導入なども取り沙汰されている。また、中国の海軍増強の動きがインド洋にも及んでいるとして、インド海軍の改編が行なわれ、98 年 4 月にはアンダマン・ニコバル諸島に海軍極東軍管区が設置された。01 年 5 月には、新たな国家安全保障体制について提言がなされ、これに基づき、インド初の陸・海・空 3 軍を統轄する統合部隊（アンダマン・ニコバル・コマンド）が創設され、また、国防参謀長制度や情報組織が新設された。

インドは、パキスタンとの間でカシミールの帰属問題などをめぐり、3 次にわたる大規模な武力紛争などを経ており、現在も対立関係にある。

一方、中国との間では国境問題を抱え、中国の核及び弾道ミサイルに警戒感を示してはいるものの、関係改善に努めている。00 年 5 月にナラヤナン大統領が訪中したほか、01 年 1 月には、李鵬全人代常務委員長がインドを訪問してバジパイ首相と会談し、また、02 年 1 月には朱鎔基首相がインドを訪問した。更に、03 年はフェルナンデス国防相の訪中に続き、6 月末にバジパイ首相がインドの首相としては 10 年ぶりに訪中し、温家宝首相との間で、両国間の軍事交流の拡大を含む「二国関係及び包括的協力に関する宣言」に署名するなど、両国関係が進展しており、近く中印海軍間の搜索救難訓練も計画されている。

従来から友好関係にあったロシアとの間では、00 年 10 月、「戦略的パートナーシップ宣言」に調印して両国関係を強化している。02 年 12 月には、「戦略的パートナーシップの一層の強化に関するデリー共同宣言」が調印され、戦略的協力関係の再確認が行われるとともに、03 年 1 月にはフェルナンデス国防相がロシアを訪問した。

また、98 年の核実験後冷却化していた米国との関係は、ブッシュ政権成立後、進展を見せており、米国による対インド経済制裁解除などを経て、01 年 11 月、バジパイ首相が訪米した際の米印共同宣言で、両国関係を質的に変化させていくことが確認され、02 年 5 月には米印防衛政策グループ（DPG）を設置、両国海軍、空軍間の合同訓練を始め、安全保障の分野での継続的な協力関係の進展が図られてきたが、03 年 8 月には、ミサイル防衛（MD）協力に関する共同声明が発出されるに至っている。

02 年 4 月から 9 月に掛けて、マラッカ海峡において米印海軍による共同パトロールが行われた他、9 月末から 10 月初旬に掛けては米印海軍合同演習がインドにおいて行われた。また、9 月末から 10 月初旬に掛けて米印合同軍事演習が米国アラスカで行われるなど軍事交流が活発化している。

日印関係は、歴史的に友好的な関係にあり、1998 年のインドの核実験により一次冷却化したが、インドの戦略的重要性やその潜在的パワーを考慮し、わが国はインドとの関係を改善強化する方向で政策が進められている。2001 年 8 月の森前総理訪印の際には、日印首脳間で「21 世紀における日印グローバル・パートナーシップ」を構築することに合意し、01 年 12 月のバジパイ・小泉会談では、「日印共同宣言」を発出

している。同宣言では、防衛分野での協力関係を強化することでも合意し、国際海上交通の安全確保における協力の重要性を認識し、海賊の取締りや、捜索・救助活動等における海上警備機関および関係当局間の協力の重要性を確認している。

最近においては、03年5月の日印防衛首脳会談において、インド側からインド洋におけるシーレーンの安全確保のための相互協力の申し出があり、海賊対処等のための日印海軍間での共同訓練の実施を始め、両国艦艇の相互訪問、人的交流、留学生派遣などが提案された。なお日印の保安当局はベンガル湾において、共同訓練を行っている。

日印関係において、「海洋の自由」の確保を巡っては、特に対立点のある要素もなく、また、一体地域における「海洋の自由」確保のためのパートナーとして、相応の相手であると考えられる。特に中国の海洋への進出に警戒心を持っている点においては、両国に共通点があり、一体地域を貫流するSLOCにおける経済上、軍事上の海上輸送の安全確保は、両国にとって極めて重要な意味を持つ。また、両国の排他的経済水域などにおける「海上諸活動の自由」の確保は、両国の経済活動にとって相互的な恩恵を齎すものである。

インドが最近米国との関係を改善、強化していることは、「海洋の自由」の確保に関し、日印関係を強化する上で好材料となるであろう。何れにせよ、一体地域のSLOCの安全保障は、日印両国のみの努力では不可能であるが、その一方、米国、取り分け米海軍との協調なくしてはありえない。

他方、歴史的にインドの進出に警戒心を持つASEAN諸国や、最近米国の影響から脱し、安全保障面で独自色を打ち出そうとしている韓国に対しては、大量破壊兵器の海上監視や国際テロや海賊への地域協同の取組みとして説得すれば、反対する根拠を見つけることは難しく、むしろ日米印を中心とする「海洋協調」のための有志連合への積極的参加が期待できよう。中国やロシアは、米国が中心となることへの強い警戒心を見せるであろうが、「国際テロに対する国際的な協同の取組み」という殺し文句は、この場合も有効に作用するであろう。

(2) 地域「海洋協調」による海上交通の安全確保

ア 平素における海洋協調...海上治安維持・人道的措置での協調

先に論じたように、主として東南アジアの主要なSLOCを扼する海峡部や群島海域においては、国際テロリストや組織化された海賊などが跋扈しており、平素からの脅威となっている。本問題は、沿岸当事国だけの問題ではなく、一体地域を貫流するSLOCの恩恵に与っている地域内の全ての国家にとっての問題である。また、これら国際テロリストはもちろんのこと、海賊などでさえ国際的な犯罪シンジケートやテロリストなどと暗部で繋がっていると見られており、これへの対応には地域的な協力が不可欠である。即ち、本問題は地域全体や当事国の安全保障上の問題にも繋がるものであり、平素から地域各国が共通の認識を持って、協力、連携した対策をとっていく必要がある。この為の、地域的多国間の枠組みをまず創出する必要がある。

日本は海賊問題に関し、小淵元総理の強い願望もあって、地域でのイニシアティブを採っている所ではあるが、本問題は領海主権などが絡み、各国の対応にも微妙な温度差があるのが実態である。またわが国では、本問題に関し、現実的には海上保安庁のみの対応となっており、各国海軍との関係など微妙な問題については、十分に対応出来ない。本来ならば、この種の問題には、わが国を含む全ての関係国の海軍、海上保安当局を挙げて対応すべきである。

そういった雰囲気醸成するためには、海賊対策に留まらず、より広く平素における「海洋航行の自由」の確保という見地から、地域各国の参加を呼び掛けるのが適当ではないか。即ち、海賊を含む海上治安維持

問題に加え、海難救助や大規模自然災害への対応、国内治安悪化時における外国人の避難等の人道的問題をも総合的に協議する地域的な「海洋協調」の場を設定し、その場で各種問題への対処具体策を検討し、逐次実行に移していくという考えである。

このためのアプローチとしては、大別して2つが考えられる。1つは、ARFにおいて、まずARF地域全体での海上治安維持、人道的措置への取組みの必要性について参加国のコンセンサスを得た後、徐々にARF地域での「海洋協調」を具体化し、最終的に一体地域全体へと拡大していくプロセスである。この場合、現時点でのARF地域のコンセンサス作り自体に困難が予想され、増して一体地域全体への拡大を前提とするとなれば、更なる困難も予想される。もう1つのアプローチは、現時点でも比較的コンセンサス作りが容易で、実行力に富む日米印3カ国による具体的取組みを先行させ、逐次、参加国の輪を拡大していくというプロセスである。即ち、まず日米印の3カ国の内、日印、米印、日米の2国間で協議や具体的行動を始め、次いで日米印3カ国での「海洋協調」のための常設協議体を設置し、刺激の少ない公海上などで現実の行動を起こした後は、逐次、マラッカ海峡での国際テロや海賊対処、北朝鮮やイラン問題に関係付けた大量破壊兵器拡散阻止のためのPSIといった形で、日米印+一体地域各国の多国間に発展させていくというアプローチである。最終的には、ARFを発展させた一体地域安全保障協議体の常設下部機構として位置付けていくことが望ましい。

わが国における集団的自衛権の解釈などの課題はあるものの、昨今の日本を巡る安全保障環境への日本政府の柔軟化した対応振りを考えれば、具体的行動を速やかに取る事が可能であるという見地からして、現実的には、後者の選択が適当であろう。

イ 緊急事態（有事）における海洋協調...軍事面での協調

「海洋航行の自由」に関する緊急事態における海洋協調は、平素における海洋協調よりも、実現は困難かも知れない。しかし、緊急事態に備えた「海洋協調」の枠組み作りは、当地域全体の安全保障にとってより重要である。それは2つの理由による。

まず第1は、「予防」或いは「信頼醸成」という観点である。平素から緊急時を念頭に置いたコンセンサス・ベースの「海洋協調」を形成する努力を通じて、地域各国間の誤解を解消し、疑念を払拭し、それぞれのインテンションについての透明性を発揮することが出来、それにより信頼関係が醸成され、紛争の生起を予防し、安定的な「海洋航行の自由」を確保する実効性を高めて行くことが期待できる。

第2は、「共同対処」という観点である。仮に、現実には地域内に海洋を舞台とした緊急事態が生じた場合、軍事的又は経済的SLOCが途絶する可能性もあり、当事国に対し深刻な影響を与えよう。また、当事国以外の各国においても、この事態によって、地域の「海洋航行の自由」が阻害されることは、単に経済的なインパクトのみならず、これが長期化したような場合においては、その国の存立にさえ致命的な打撃を与える恐れがある。

従って、このような事態に際しても、信頼し得る安全なSLOCが確保されている必要があるが、大規模事態が同時に多地域で生起するなど、一体地域展開中の米海軍力をもってしても対応不可能な状況も考えられ、まして、その態様、規模によっては、各国独自の努力のみによる対応は不可能であり、当事国を除く地域全体での共同対処による、一定期間、一定海域における「海洋航行の自由」の共同対処が必要となってくるのである。また、状況によっては、当事国以外の国が、一方又は全ての当事国との海上交通を維持する必要性が生じることがあり、その場合の共同対処が必要となってくるかも知れないのである。

こういった観点から、緊急事態を念頭に置いた地域の「海洋協調」の枠組み作りも、困難ではあるが、推進していくことが重要なのである。その為のアプローチとしては幾つかの考え方があろうが、前項で論じた

平素の海洋協調の場、即ち、ARF などの安全保障協議体の一体地域発展型の下部機構としてもあり得ようし、既にコンセンサスの出来ている WPNS のような海軍間の会議体を、国レベルに引き上げ、一体地域全体に発展させることも考えられる。この際、地域全般にコミットしている米海軍プレゼンスの存在を地域諸国が如何なる形で受け入れていくかが、重要な論点となろう。何れにせよ、これらのコンセンサス作りに、域内各国が積極的に取り組んでいくことが重要である。

なお、SLOC は、言うまでもなく地域内に止まらず、隣接海域を経て、広く世界の他地域へと繋がっているものである。従って、隣接海域、例えば、中東諸国との連帯も考慮しておく必要がある。

(3) 海上諸活動の自由の確保における海洋協調... 多国間協議体の創設

前述のように、地域内各国は、今後国の発展に掛け替えのない様々な資源の供給源として、海洋に将来の期待を託すことになる。そして各国の期待が高ければ高いほど、「海上諸活動の自由」の確保に関しての利害の衝突が現実化しよう。そして、それは地域の安全保障にとって、必ずや重大な影響を与えよう。また、従来この種の問題は、2 国間協議の場で捉えられてきたが、地域内各国の経済活動の範囲が急速に拡大するに伴い、多数の国が関与してくることが予想され、2 国間協議では最早限界が生じ、早晚、協議の実施自体が困難となる可能性がある。

従って今大事なことは、地域全体やそれぞれの国の発展にとっての、地域の海洋の齎す資源供給源としての価値観を共有する必要があるということである。そこで、海洋から地域共通の利益を得るためのコンセンサスを作る多国間会議体、即ち、協調的地域海洋利用会議の創設が適当であろう。この為のアプローチとしては、従来の 2 国間協議を継続しながら、今後直面するであろう多数国間の課題に対しては、地域全体で対応するといった形で始め、将来的には全ての問題を協議する場とするものである。

この為の枠組みとしては、ARF といった形式では困難となる可能性がある。何故ならば、本問題は国連海洋法条約をベースとすべき問題であるからである。その場合には、国連機構の中のサブ・リージョナル又はサブ・ファンクショナルな機関として会議体を設定することが求められることとなろう。何れにせよ、この会議体の創設や運営に際し、日本やインドが果たすべき役割が重大となることは、論を待つまでも無い。

“Comprehensive Security Issues at SLOC: Pursuing “Maritime Freedom”

- Maritime Security Issues in Indi-Asia & West-Pacific Integrated Region

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1. Maritime Freedom

(1) Significance of “Maritime Freedom”

(i) Historical Significance and UN Convention on the Law of the Sea

From the prehistoric time, oceans were left free to human activities. Then, the modernized European nations introduced the concept of “freedom of the seas” as one of principles of international laws, based on their global values of the high seas. The principle was then culminated to the stipulation of “the International Water Convention” in 1958. The United Nations Convention on the Law of the Sea, adopted in 1982 and entered into force in 1994, fundamentally succeeded that same principle.

The concept of so-called “Maritime Freedom,” which is the right of free activities over oceans and seas derived from the “freedom of the seas,” can be defined as the right of coastal countries to freely use oceans and seas as much as possible, if they observe a certain international rule, and if the range of activities does not obstruct the sovereign right and jurisdiction of other coastal countries as defined in international laws such as UN Convention on the Law of the Sea. This “Maritime Freedom” can be divided to two major categories of “the Freedom of Maritime Navigation,” which is the freedom to use sea lines of communications (SLOC), and “the Freedom of Maritime Activities,” which is the freedom to use various oceanic resources.

(ii) “Mutual development or confrontation?” – Maritime Freedom is a key

---“Freedom of Maritime Navigation” is essential to deepen the mutual dependency of international economies---

Relieved from ideological confrontation by the end of the Cold War, the international community has seen the drastic lowering of barriers against international exchanges, and much smoother distribution of goods and information throughout the global economy, as transport infrastructures rapidly develop and the dissemination of science and technologies drastically advance, especially in the information and communication sector. Former socialist countries’ transition to market economy system, and the rapid economic growth of developing countries have enabled various international economic cooperation to bear more fruitful results, and increased the mutual dependency in a global economy. The transport and distribution of goods, which are essential functions to maintain and develop global dependency relationship, becomes even more important, and especially the maritime transport, which is an economic and suitable mean for the mass transport of goods, is realized as an indispensable factor, thereby further increasing the significance of the “Freedom of Maritime Navigation” more than ever.

On the other hand, if any dangerous situation for SLOC have arisen by whatever the reason,

and the Freedom of Maritime Navigation is threatened, as demonstrated by the Gulf War, this Iraq War, and Taiwan Strait Crisis in 1996 when China launched ballistic missiles over the Strait, then it will not only cause significant adverse effects on economies but also for the security of the region and specific countries.

Therefore, there is a growing need to develop some kind of solidarity and cooperative activities among coastal countries bordering SLOC zone, in order to secure “the Freedom of Maritime Navigation.”

---“The Freedom of Maritime Activities” becoming the platform of confrontation over the acquisition of oceanic resources---

UN Convention on the Law of the Sea defines various terms such as territorial water, islandal waters, exclusive economic zone (EEZ), and continental shelf, and allows coastal countries to have the sovereignty over territorial water, and the sovereign right for natural resources and the jurisdiction for environmental protection and other activities in EEZ and continental shelves. By establishing EEZ and others for coastal countries, almost half of seas and oceans of the Earth have come under the jurisdiction of some countries.

According to the original meaning of EEZ based on the basic philosophy of UN Convention on the Law of the Sea, the sovereign right of coastal countries is the right to manage oceanic resources of EEZ, i.e. the authority for executing the obligation of resource management and not the right to monopolize the use of resources. In reality, however, the efforts of various countries to define EEZ have not resolved the issue so smoothly, in a tangle of oceanic interests and historical disputes over territories.

Especially the increased interests over rich oceanic resources including fish and sea bottom resources, in expectation of the future trend of terrestrial resource depletion, lead to the rise of nationalism in developing countries, fuel their energies to interfere with the vested interests of developed countries, and thereby intensify state-to-state confrontations over the acquisition of oceanic resources. In proof of this, we have already seen heated debates either in international conference for the protection and nurturing of fish resources, or in intergovernmental negotiation on the belonging of deep ocean resources, which was arisen along with the entry into force of UN Convention on the Law of the Sea. These also emphasize the importance of “the Freedom of Maritime Activities” for each country, under certain established international and regional rules.

(iii) Urgent need to build consensus on “Maritime Freedom”

As seen here, the importance of “Maritime Freedom” to guarantee “the Freedom of Maritime Navigation” and “the Freedom of Maritime Activities” will not diminish but rather increase in the 21st Century, in the aspects of security and economic activities. At the same time, various factors that can obstruct “Maritime Freedom” are in fact becoming more apparent everywhere in any region and the world. Although everyone agrees and understands the importance of “Maritime Freedom” to be broadly enjoyed by the world under the consensus among relevant countries, to implement and secure such freedom is not that easy. Since SLOC has a unique characteristic of connecting one region to another with oceans being the connector, it is urgently needed to build a consensus on “Maritime Freedom” by identifying shared benefits among regional beneficiary countries as much as possible, and cooperatively realizing and securing such freedom.

(2) Significance of “Maritime Freedom” in the integrated region of Indi-Asia & West-Pacific

(i) “Maritime Freedom” having decisive importance in the integrated region

Needless to say, the economies of East-Asia & West-Pacific region have much greater degrees of dependence on oceans than any other regions in the world, and find extremely significant strategic values in the oceans. The dynamically growing economies of East-Asia & West-Pacific region in recent years cannot be talked about without the presence of oceans, which is the medium of regional economic communication, while the source of promising oceanic resources that can secure further economic development of regional coastal countries. “Maritime Freedom” is widely recognized as a decisive and important factor in the development of the region as a whole.

In the Indian Ocean region, on the other hand, the Maritime Freedom used to draw comparatively lower interests from East-Asia & West-Pacific regional countries, despite its prominence in adjoining East-Asia & West-Pacific region. Recently, however, this region, especially the Northern Indian Ocean region that connects Europe and Middle East regions to East-Asia & West-Pacific region, seems to have developed greater awareness on the importance of “Maritime Freedom” in terms of economic and security aspects.

In economic aspects, the Northern Indian Ocean region tend to be seen as the region with less dynamism than East-Asia & West-Pacific region, but India has kept about 5.7% economic growth in average for the last several years. Even as a whole region of the Northern Indian Ocean (including India, Pakistan, Sri Lanka, and Bangladesh) the economic growth rate has been solid with the record of 5%, and some anticipates even greater growth in the future. Especially, it is worth noting that the East-Asia & West-Pacific region and Northern Indian Ocean region are rapidly developing their mutual dependency, as shown in the growth rate of inter-regional trade in recent years (1.5 times increase in the last 3 years).

At this time, we also need to recognize that the land-route connections between Northern Indian Ocean region and East-Asia & West-Pacific region are still rough, so the dependence on “Freedom of Maritime Navigation” inevitably grows larger, while “the Freedom of Maritime Activities” including the use of sea bottom resources and fisheries becomes a key for the future development of both regions. Because of these facts, if the situation arises that would deprive the “Maritime Freedom” from these regions, and then it is self-evident that both regions will suffer colossal adverse effects on their economies and regional securities.

In other words, we must recognize that there is a need to consider these East-Asia & West-Pacific region and Northern Indian Ocean region **as an integrated region called the “Indi-Asia & West-Pacific” region**, in the future, based on the solidarity and cooperation between two regions in terms of securing the “Maritime Freedom” for both economy and security aspects.

(ii) Guaranteeing the development through commerce activities via oceans in the integrated region --- “Freedom of Maritime Navigation”

After the end of the Cold War, the efforts to build multilateral frameworks have accelerated with economies in the center, and the largest of these is the Summit / Ministerial Meetings of Asia-Pacific Economic Cooperation (APEC). APEC is an organization that includes countries in East-Asia & West-Pacific region, in which about 39% of 5.5 billion world population participates, and the total GDP of member countries exceeds 48% of the world, making this world’s largest framework of regional economic integration. These moves mean that the world is pursuing the possibilities of further economic development by seeking economic partners within the region, and winning the competition with other regions in this age of borderless economy.

The countries of Northern Indian Ocean region are not participants of APEC, but share 22% of world population (17% for India only), and the total GDP of regional countries share 2% of the world total. In addition, the these relationship with East-Asia & West-Pacific region countries is growing since the end of 1990's, and is expected to increase further in the future.

Geopolitically, the oceans in the Indi-Asia & West-Pacific integrated region are sole and largest transport routes connecting regional countries, so “the Freedom of Maritime Navigation” has definite importance in this region, compared with other regions.

In view of Japanese economy, in turn, Japan has played the role of a driving force in the Indi-Asia & West-Pacific integrated region undoubtedly through oceans as a medium, and has been an essential pole of international distribution of labors within the region. Because of these, Japan needs to take responsibilities in contribution for the stable and secure commerce activities via regional waters.

(iii) Promising supply source of resources in the integrated region--- Freedom of Maritime Activities

The population problems, one of global issues, are extremely severe in the Indi-Asia & West-Pacific integrated region. The largest problem can be found in China, where it is likely to have serious food security problem in the future. In proof of this, China has shown the decreasing trend in its food self-sufficiency rate, while increasing dependence on fishery or others.

However, fish stocks can be depletable, and despite multilateral and bilateral agreements to decide the contents of rules for the collection, ban, and control of resources, increase in the number of incidents such as frictions over fishing zones and illegal fishing activities is expected in the future, as the dependency on fish stocks increases.

Around the islands of the South China Sea and the East China Sea, in the Bay of Bengal, and Indian coast in the East Arabian Sea, we find the waters of promising stocks of sea bottom resources, which may potentially affect the economic development of the Indi-Asia & West-Pacific integrated region as a whole. Already, a part of such resources, such as oil, has been explored and developed, but the continuing reports on the presence of promising mineral deposits and natural gas reserves in recent years have heated up the expectations among coastal countries. On the other hand, there is a fact that the intensified struggles over these resources have raised serious concerns over regional security, like the development in the conflicts over islandal territories, as seen in the case of China's aggressive advancement into oceans, such as the South China Sea and the East China Sea.

(iv) Security in the integrated region ---Solidarity measures to secure the “Maritime Freedom”

From the security perspective, the integrated region in this report almost agrees with the “unstable arc extending from the Bay of Bengal to North-East Asia” described in the 01QDR of US issued immediately following the 9.11 terrorist attacks.

As mentioned before, it is important to secure the “Maritime Freedom” in the region as a whole for commerce and resource security, in order to guarantee the stability and future development of the integrated region. In addition, it is now necessary to focus on the relationship between the East-Asia & West-Pacific region and Northern Indian Ocean region in terms of proliferation of weapons of mass destruction and ballistic missiles to rogue nations and non-nation entities such as international terrorist organizations, as they have become the source of security concerns in the

integrated region.

As demonstrated especially by the Afghan War related to 9.11 terrorist attacks, and maritime blockade operation to stop Al Qaida in Arabian Sea, the relationship between these two regions is getting closer and more relevant, so the need for solidarity measures in the integrated region as a whole is growing further. In fact, the naval forces of US and India had joint patrol operations from April till September 2002, to protect US Navy ships navigating through the Strait of Malacca.

In addition, there is an urgent need to introduce measures for the integrated region as a whole to confront the infestation of pirates and armed robberies over the oceans, rapidly increasing in the Strait of Malacca and other places since the late 1990's. In terms of such measures, it is still a vivid memory for Japan of the successful re-capture of the commercial ship, Alondora Rainbow, hijacked by pirates at the East Coast of Indonesia in 1999, in cooperation with the Indian Navy and Coast Guards.

2. Security environment of the integrated Indi-Asia & West-Pacific region in 21st Century

(1) Outline of increasingly varied factors of security instability

At the beginning of 21st Century, there are seven specific instability factors in the security of the integrated region. First factor is the proliferation of weapons of mass destruction and ballistic missiles from North East Asia to other regions. Second factor is the international terrorism, becoming apparent especially after the 9.11 terrorist attacks. It is gathering strengths through alliances in and out of the integrated region, and increasing the attacks of bombs and others to targets mainly in the countries with the governments of weaker governance functions. Third point is the rapid build-up of Chinese military power mainly in their naval and air power, which is proceeding in a way to possible tip the balance of regional military powers. Fourth point is what we may call the remnants of the Cold War, i.e. the confrontational structure still remaining in Korean Peninsula and Taiwan. These bring instability, uncertainty, and unclearness in regional situation. Fifth point is the historical issues of territorial, religious and ethnic disputes and confrontations. Especially, the disputes over the possession of islands are likely to affect the stability of whole integrated region in a significant way, while obstructing the "Maritime Freedom." Sixth point is the confrontational structures surrounding the oceanic interests, which are closely related to the disputes over island possession. Seventh point is the increase in internationalized and organized illegal activities, such as piracy, drug trafficking or slave trades, over the oceans of the integrated region.

Surveying these instability factors, we note a common key word, the ocean. In terms of the first point, many of proliferation paths of weapons of mass destruction and ballistic missiles heavily rely on SLOC routes, and the threat of ballistic missiles in the integrated region is structurally and geographically extended through aerial routes over oceans (in the space) except in the case of threats between terrestrial neighbors. Similarly, the second point of expanding international terrorism threats heavily rely on SLOC for the proliferation of weapons and the transport of terrorists themselves. In addition, terrorist attacks over the oceans actually happened, as in the case of the suicide bomb attack against a French tanker off the coast of Yemen. About the third point of military build-up by China, it is clear that not only China but also many other regional countries are focusing on the build-up and modernization of their naval and air powers in their direction of military reorganization efforts. Therefore, the problem is how such efforts affect the regional security, including "the Freedom of Maritime Navigation" and "the Freedom of Maritime Activities" at SLOC. Similarly, for the fourth point of Korean Peninsula and Taiwan issues, it will become extremely

important in view of regional geography to secure maritime military dominance in these areas through the securing of SLOC, maritime blockading or assault-landing, if an emergency situation arises. The fifth point of islandal territory disputes, the sixth point of ocean interests, and the seventh point of illegal Maritime Activities are the issues directly concerning the oceans themselves.

(2) Individual security issues in the integrated region

(i) Proliferation of weapons of mass destruction and ballistic missiles

US, Russia, China, India and Pakistan possess nuclear weapons in the integrated region. North Korea is right in the turmoil of nuclear program suspicion, and thought to possess several nuclear weapons, although their actual status is unclear in their unique brinkmanship diplomacy. Recently, the suspicions of close information exchanges on the development and manufacturing of nuclear weapons and of the actual transport of relevant materials were pointed out between North Korea and Pakistan.

Biological and chemical weapons are thought to be manufactured and possessed by some countries in the integrated region, such as US, Russia, North Korea and China. Incidents of saline attacks in Tokyo subways by Ohm cult in 1995, and the anthrax mailing in the US right after 9.11 terrorist attacks have impressed the international community with the easiness of making chemical and biological weapons and their applications not necessarily limited to state-to-state military confrontations.

Regarding ballistic missiles, Soviet Union and other countries exported Scud B missiles in mid-80's to many countries and regions, including Iraq, North Korea, and Afghanistan, while China exported Dong Feng 3 (CSS-2)s, and North Korea exported Scud series missiles. Through these exports, the total number of nations possessing these missiles has risen to 46 in 2002. Furthermore, some countries are developing and manufacturing longer-range missiles. Even today, we find further proliferation of ballistic missiles to Pakistan, Middle East and East Africa by North Korea, and the continued efforts in China to modernize and strengthen ballistic missile arsenals.

In the 21st Century, there has not been found any effective regime or system that can put the brakes on the proliferation of weapons of mass destruction and ballistic missiles in the region. US and Japan only started to introduce ballistic missile defense systems, and to strengthen biological and chemical weapons measures. Moreover, since the proliferation of weapons of mass destruction and ballistic missiles in the integrated region will mostly pass through SLOC, while the movement of relevant personnel will go via air, there has been the introduction of measures since September 2003, such as a joint maritime inspection drill between navies and coast guards, and an interception training between air forces, based on the Proliferation Security Initiative participated by 11 countries, including US, Japan, and Australia, as a part of the efforts to develop stronger inspection systems for international land, maritime and air routes.

(ii) Expansion of indiscriminate terrorism by international terrorist groups

Since the 9.11 terrorist attacks, various countries led by US formed an international coalition against terrorism, and have been fighting a long and difficult war against terrorism with the goal of destroying every international terrorist organization. Despite extensive efforts, however, the risks of terrorist attacks have not been diminished with the international terrorist organizations still expanding their networks throughout the world.

In the integrated region as well, similar risks have become apparent. The suicide bomb attacks happened in Bali, Indonesia, in December 2002 was determined as the work of Jemaah

Islamiah, which is an Islamic radical group with a network covering entire South East Asia and said to have a relationship with Al Qaida.

Moreover, the international terrorist groups are active in the regions neighboring the integrated region, such as the one called "horn of Africa" and the Middle East. In the Arabian Sea, maritime blockade activities are ongoing by coalition forces including Japan, in the efforts to destroy international terrorist organizations. Furthermore, the storming and hostage-taking at a Moscow theater by Chechnya military group, and the discovery of biological weapons in the urban city of UK indicate that the risks of terrorist attacks by international terrorist organization extend to any country in the world.

These coordinated efforts to fight against terrorism are undertaken all over the world with US at the center. In the integrated region, as well, US and Philippines are to conduct the joint exercise named "Balikatan 03-1" as they did last year, in order to wipe out Abu Sayyaf, an international terrorist group in Philippines, and, as mentioned above, American and Indian naval forces are conducting joint patrols to protect US Navy ships passing through the Strait of Malacca from April till September 2002. In 2002, ASEAN and US signed the declaration against terrorism.

(iii) Military power build-up in China that may tip regional military balance

From the start of 1990's, the national defense budgets of countries in the integrated region, which expanded as their economies experienced unprecedented growth, started to shrink in many countries due to the fall of their currencies and the deterioration of fiscal situation caused by the Asian Currency Crisis of 1997, significantly affecting their ability to procure equipment and to conduct drills. From the start of 1999, these countries in the integrated region seemed to feel that the worst of crisis was almost over, but the direction of their national defense budget and military build-up then defer significantly, depending on how each was affected by the economic crisis.

In view of the integrated region as a whole, the gaps between the military powers of regional countries may expand further for the moment, as the differences in the effects of economic crisis have been added up to the original differences in their economic powers. Particularly outstanding in the region in terms of military build-ups will be some South-East Asian countries such as Singapore and Malaysia, which are increasing and modernizing the military powers of naval and air force, and India, which is actively seeking the introduction of aircraft carriers from Russia. Their neighboring nations have not taken such moves as immediate threats, yet none can deny the possibility that the threat of rapid changes in regional military balance will develop into political problems in the future, as there seems to be growing political discord within the region, after the currency crisis.

More than any of the above, there is one country in the integrated region, which rapid military build-ups raise anxieties among neighboring countries, that is China. China considers its People's Liberation Army as a fundamental power for building socialism, and important security assurances for the development of economy and the longer term stability of a regime. Especially, China has clearly stated that they are to focus on the missions to defend their sovereign rights over their land, air and sea (space) territories, to secure their maritime interests, and to protect the unification and security of the nation, by advancing the efforts to improve the quality of military forces, and to strengthen combat forces, to be able to respond to the needs of modern warfare. For these missions, they are to focus on the reorganization and reform of military forces to build up combat forces, and on the modernization of equipment by scientific and technological advancement. For these purposes, China has been expanding their national defense budget with more than 10% increase per year since 1989, and has not slacken their increase rate of 9.6-17.6% per year (public

figure) even in 2000's.

There are two distinct views on the prospects of future military build-ups in China including military modernization. One view finds that recent increases in their national defense budget, rapid modernization of military forces mainly in naval and air forces, transfer and proliferation of Chinese made weapons, purchases of most advanced weapons mainly from Russia, and aggressive advancement into neighboring waters such as the South China Sea will clearly impose threats to other countries of the integrated region, and such a trend will accelerate further in the future. Another view considers that their defense budget increase is modest compared with their inflation rate, and, in view of their backwardness in military equipment, it will be extremely difficult for China to achieve true modernization, so the current trend does not necessarily constitute a true build-ups of military power, and will not pose threats to neighboring countries for the moment. Yet, despite various excuses and justification efforts of China, most of regional countries recognize the trend as unquestionably the military force build-ups.

Nonetheless, the consensus of the Indi-Asia & West-Pacific integrated region is that, for today and immediate future, the military power of China does not present serious and significant threat to the region, except to Taiwan, but as China continues to advance economic development, actively invest in the modernization of military forces especially for naval and air forces, and improve capability to project powers over neighboring waters, China may become a serious threat to the region in near future. Moreover, regionally common concerns over the military forces of China include the obscurity in their intentions and in the future direction of their military forces.

The concerns of the integrated region countries over the potential military movements China may take in near future include: military advances to Taiwan even with the risks of confronting US; direct military actions to solve disputes with neighboring countries other than Taiwan or neighboring regions; military actions taken to reduce instability emerged domestically or in neighboring regions; and intimidation backed by military power, which may pose significant threat potentials to regional countries. Many of these will directly link to the obstructing actions against "the Freedom of Maritime Navigation" and "the Freedom of Maritime Activities."

(iv) Confrontations continuing in Korean Peninsula and obscured future for Taiwan, as the remnants of the Cold War

Regarding the Korean Peninsula issue, two leaders of South and North Korea signed South-North Joint Declaration as a result of South-North Summit in June 2000, in which South and North agreed to self-resolve unification issue in the direction of "federation (alliance regime)," to solve the issue of separated families, and to implement economic cooperation and cultural exchanges. The dialogue between the authorities of South and North for the implementation of this declaration was expected to further deepen their contacts, and to direct toward the détente of the Korean Peninsula. Yet, there were strong concerns over the obscurity of declaration, including how the progress in South-North dialogue would lead to mitigate military confrontation in the Korean Peninsula, and how it would link to the solving of issues such as nuclear development suspicion and ballistic missile development of North Korea.

In the end, North Korea not only maintained massive military power deployment along DMZ but also powered-up their training, and demonstrated unilateral brinkmanship diplomacy, by continuing the development, production, and export of ballistic missiles and weapons of mass destruction further, while the dialogue between North and South authorities has not shown any progress after the Summit.

US has taken every opportunity to express their concern over the issues of ballistic missiles and weapons of mass destruction of North Korea, yet when Deputy Secretary of State Kerry visited North Korea in October 2002, North Korea admitted of their plan to make enriched uranium of weapon-grade, as Kerry disclosed later. When US requested North Korea to abolish nuclear weapon program in a verifiable way, North Korea did not respond to the request and instead demanded US to enter non-aggression pact with North Korea, while re-declaring the withdrawal from NPT again. US, in turn, indicated that it had no intention to attack North Korea, while expressing unwillingness to offer any compensation through negotiation, and managed to hold a six-party meeting by drawing in China and Russia in addition to Japan, US, and South Korea, claiming that North Korean nuclear issue would not be a bilateral problem between US and North Korea but an international issue. However, the future of the six-party talks is still unclear at this point, with hardly any perspective for holding the second meeting. Relevant countries continue to hold their hard/soft postures toward North Korea, including their responses against the sudden and provocative actions of North Korea based on the brinkmanship diplomacy unique to North Korea. Depending on the course of future talks, there may be a possibility to implement the joint on-board inspection training like aforementioned, in the seas neighboring the Korean Peninsula, based on the concept of intervening the proliferation of weapons of mass destruction, and in expectation of political meanings as well.

Concerning the Taiwan Strait issue, on the other hand, Chinese Government was strongly offended in July 1999 by the statement of Li Denghui, then the president of Taiwan, that "Taiwan and China are in a unique state-to-state relationship," and in their efforts to influence Taiwan's presidential election scheduled for March 2000, Chinese Government, in turn, published Taiwan White Paper titled "the principle of one China and Taiwan issue" immediately before the election in February 2000, indicating that it would exercise military power in the cases when: (i) Taiwan declared independence; (ii) a foreign power invaded or occupied Taiwan; and (iii) if Taiwan refused to negotiate unification infinitely. In this way China attempted to exert political pressure on Taiwan.

When President Li Denghui visited US in July 1995, and right after the direct election of Taiwan president in March 1996, China test-launched ballistic missiles to the water near Taiwan, and gravely affected the SLOC in the adjacent region. As enumerated here, China used every opportunity to exert military and political pressures to Taiwan, and despite the progress of China-Taiwan relationship in economic cooperation, the basic stance of China toward Taiwan in political and military aspects will not likely change for the future.

Against such Chinese stance, President Chen who was elected by February 2000 election stated repeatedly that Taiwan would not resort to one nation two systems regime, while trying to avoid irritating China as much as possible, but some people in Taiwan tend to show dissatisfaction in Chen's stance. On the other hand, Taiwan's domestic economy sector is pressuring President Chen, claiming that his careless statements and actions have adversely affected Taiwan-China trade relations. So the focus is whether President Chen will make any decisions, such as the revision of constitution or change of a country name, in the face of presidential election expected in March 2004.

US's Bush Administration has taken a clear stance to adhere to "Taiwan related legislation" and, based on the legislation, proposed the list of weapons sellable to Taiwan in 2001, which included modernized naval and air force equipment such as 4 Kydd-class destroyers, 8 diesel engine submarines, and 12 patrol planes (P-3C).

The military power of China and Taiwan should be assessed not only in the simple comparison of quantities, but also in various aspects including operation preparedness, skill of necessary personnel, and back-supporting systems. Their general characteristics can be considered

as stated below. There is no doubt that in the future, the success or failure of naval and air force development will determine the superiority or inferiority of their overall military forces.

- (1) In terms of ground military force, China has overwhelming power, but their capability to land and invade the main island of Taiwan is limited.
- (2) In terms of naval and air forces, China has overwhelming power in quantity but Taiwan dominates in quality.
- (3) Regarding ballistic missile forces, China possesses many short-range ballistic missiles to Taiwan in their range. Taiwan's offensive or defensive missile capability is extremely limited.

(v) Territorial, regional and ethnic conflicts with roots in the history

In the Indi-Asia & West-Pacific integrated region, there are potentially conflicting factors that are based on territorial, religious, and ethnic conflicts entangled in a complex way with deep roots in the history unique to this region. Actually, several issues become apparent after the end of the Cold War. Among them, the territorial disputes over islands are the one deeply related to the ocean interests, which will be discussed later, and present the problems that may lead to direct military confrontation between relevant countries for now and in the future. Therefore, I will like to address this issue of territorial disputes over islands, as they are likely to cause significant influences over the regional stability especially.

As well known, Japan itself has territorial disputes over Northern Islands (with Russia), Takeshima (with Korea), and Senkaku Islands (with China and Taiwan), but in terms of actual and repeated confrontations and the number of countries involved, the most noted territorial dispute over islands in this integrated region is the one over the territorial right of Spratley Islands. The origin of this issue backed to the time of San Francisco Peace Conference in 1951, when Japan, which used to practically govern these islands, renounced its territorial right, but where these islands were to belong was not identified. As the islands offer rich fishery resource, China (Taiwan), Philippines, and Vietnam claimed their territorial rights at first. In 1980's, when their rich sea bottom mineral deposits became apparent, Malaysia and Brunei also claimed their territorial rights. At present, China, Taiwan, and Vietnam are claiming the territorial rights over whole islands, while Malaysia, Philippines, and Brunei claim for the territorial rights over some of these islands.

From late 1980's, China became active in their territorial claim, and had military confrontation with Vietnam in 1988. After the end of the Cold War, and in response to the diminishing presence of US and Soviet (later Russia), China has increased their attempts to expand their maritime activity range, and reinforced their activity bases mainly in Spratley and Paracel Islands where territorial rights were disputed with ASEAN countries.

In 1992, China proclaimed their Territorial Water Law, stating the territorial rights over Spratley and Paracel Islands, as well as Senkaku Islands, which is a rightful territory of Japan, and in 1995, the dangers of military confrontation were heightened over Mischief Atoll with Philippines.

Afterwards, the possibilities of military confrontation were appeased, but in 1997 China enacted the National Defense Law that clearly stated the protection of their ocean interests along with the defense of security in territorial land, sea, and airspace. In 1999, regional nations accelerated their moves to gain the practical control of disputed islands, and the possibilities of conflicts were resurrected. In the face of such situation, the issues were addressed in bilateral and multilateral talks between relevant countries, while taken up at ARF and others. Even during these talks, some countries proceeded with their efforts to establish the practical control of these islands.

However, in November 2002, the “Declaration on the Actions of Interested Parties in the South China Sea” was signed between China and ASEAN, and the issue was appeased again for the moment. In the South China Sea, however, surrounding nations still have the conflicts of their interests including those over the Spratley Islands, so the works to establish “Regional Action Standard in South China Sea” between ASEAN and China, which started in 1999, are facing the hard going.

In the Andaman Sea, the naval fleets of Thailand and Myanmar fought in January 1999 after the similar incidents occurred in 1998, with both sides enduring casualty and injuries. This water with undefined sea borders continuously saw illegal cross-border fishing by the fishing boats of both countries, which frequently received gun-firing from the naval fleet of the other country in their patrol mission. Illegal fishery is increasing in the South China Sea and other waters, and one cannot deny the possibility that the confrontation surrounding fishing boat patrols in the water of undefined sovereign right range would develop into a real military confrontation some day.

In addition, India is strongly alerted by China’s advance to Coco Island of Myanmar and Gwadar Port of Pakistan, and strengthened their naval and air power based in Nicobar Islands of the Andaman Sea.

(vi) Confrontational structure over ocean interests

To outline the restructuring of military powers conducted by the countries of integrated region after the Cold War, most characteristic is their focus on the modernization of naval and air powers, which seem to lag behind their ground forces. After the currency crisis, their effort to reorganize military power share a common factor of protecting ocean interests over the waters such as islandal waters, South China Sea, East China Sea, Andaman Sea, and Bay of Bengal, as well as to attempt the improvement in maritime operation capability, with a mind to secure SLOC, which passes through the region as the shared lifeline for their economic development. Especially, China is advancing their development and reinforcement of naval and air powers, and exerts every effort to develop troop strength and to improve operation capability in order to implement the securing of their ocean interests in the South China Sea and the East China Sea.

Since the rapid economic growth in this Indi-Asia & West-Pacific integrated region will likely let their intentions realized in the future, the potentials for confrontation over ocean interests will grow further, and we should not overlook such possibilities. Particularly from the viewpoint of geo-political importance of oceans in this Indi-Asia & West-Pacific integrated region, any future instability factors over oceans will undoubtedly afflict decisive and serious effects over the survival and prosperity of not only countries involved but also the regional society as a whole. In other words, the confrontational structure over ocean interests developed after the end of the Cold War has become the largest instability factor for the security of the integrated region. It is a universally agreed view that indications are already apparent mainly in the South China Sea, Andaman Sea, and East China Sea.

However, an effective forum to discuss this matter does not practically exist in this region, and for now the addressing of the issue depends on bilateral or multilateral talks among the countries involved, which is the fact sending a dark cloud over regional security.

In the neighboring waters of Japan, also, China is conducting ocean-survey-like activities using their ocean survey ships in recent years mainly over the exclusive economic zone of Japan. For this matter, both Japan and China established “the Framework for Mutual Advanced Notification of Ocean Survey Activities,” in February 2001, for the scientific survey activities of oceans near the water of the counter-part in the East China Sea (except territorial waters of each). Still there were

some activities China conducted by their ocean survey ships, in violation of the obligation for mutual advance notification under the Framework.

Moreover, Chinese naval fleet has been active in the waters near Japan, and Japan noted the activities of Chinese ships by 27 ships in 1999, 15 ships in 2000, and 8 ships in 2001. Japan also observed the activities of Chinese naval fleet, which were thought to be conducting intelligence collecting and ocean survey activities, and in May 2000 their "Hai Bing 723," the intelligence collecting ship with icebreaking capability of Chinese Navy, circumnavigated Japan, and it was observed that the ship repeatedly and reciprocatingly navigated through Tsushima and Tsugaru Straits. Furthermore, their naval ships conducted activities over a broad range water East of Japanese South-West Islands, which included the repeated navigation and stopping along longitudinal and latitudinal lines at several different longitudes and latitudes, as well as the repeats of dropping in and pulling up of equipment thought to be measurement gauges in the water, for the duration of about 20 days each. The Naval fleet involved was "Dong Diao 232," which is the missile observation support and intelligence collecting ship, in July 2000, and "Hai Bing 723," in July and November 2001 again. These ships are likely conducting survey and intelligence collecting activities in order to collect basic data required for future naval activities in that water. China continues to practice such activities sporadically, and despite Japan side's protest and request to halt such activities through diplomatic route, China side has not shown any sincere response to this issue.

(vii) Globalized and organized piracy

According to the statistics of International Maritime Bureau (IMB) of the International Chamber of Commerce, the cases of piracy have increased drastically worldwide from the later 1990's, and regionally, the waters of South-East Asia has the largest number of piracy claims with almost half of global piracy occur in Malacca-Singapore Strait, waters around Malaysia, those of Indonesian islands, and those surrounding Philippines. The characteristics of piracy in these waters are that they are internationalized and organized with sufficient equipment and criminal skill.

Increase in maritime traffic volume and widening gaps between haves and have-nots due to regional economic development are major factors of the recent rise in Asian piracy. The poor started piracy with ties to organized crimes, and escalated their activities by taking advantage of undermanned maritime guard because of economic crisis and deterioration in domestic security. In recent years, even those belonging to naval force or coast guard are said to exert to piracy, while local authorities even tolerating such activities. On the other hand, some piracies are the works of anti-government organizations, and Tamil-tigers, for example, is said to raise funds by piracy.

Both Malacca-Singapore Strait and Indonesian Islandal waters are the strategically important locations in maritime transport; yet the presences of coast guards and defensive forces are relatively weaker in these areas, facilitating the piracy.

As the countermeasure for piracy in these waters, three countries of Singapore, Malaysia, and Indonesia started to reinforce the patrols of straits in their own territories in 1990's, while setting information exchange hot-line between Indonesia and Singapore, and organizing a team for designing maritime operation plan in order to conduct the joint patrol of the Malaccan Strait between Indonesia and Malaysia.

As a result, piracy incidents in Malacca-Singapore Strait tend to decrease, but the numbers in Indonesian Islandal waters have multiplied instead. These organized pirates will simply move to wherever the patrol is weaker, so we cannot expect the effective patrolling of these waters, if done by the military forces of these three countries only. At present, the regional Anti-Piracy Center of IMB

in Malaysia is recommending the multilateral cooperative operation by regional countries, but the prospect of its implementation is bleak due to the sovereign right disputes over territorial waters.

Moreover, these pirates are said to be active in other illegal activities such as drug trafficking and slave trades of organized crimes, as well as piracy. So like the piracy issue, the patrolling for such activities has become the common issue of this region.

Since it held the “International Conference on Piracy Measures” in Tokyo in April 2001 under the proposal by Late Prime Minister Obuchi, Japan has taken initiatives in the international efforts to solve this problem throughout the years of former Mori Administration and current Koizumi Administration. It held international conference for several times and implemented the dispatch of patrol ships.

3. Pursuing the “Maritime Freedom” --- Toward securing the comprehensive security of SLOC

(1) General situation

(i) Security issues of the future

The economic growth in the integrated region continues to be strong except for a brief period of the currency crisis in late 1990's. Although the effects of the currency crisis still linger in some countries of South-East Asia and South West Asia, even these countries will undoubtedly continue their steady growth in the future. Therefore the future issues of this region will be the problems necessarily faced by any regional countries at the stage of rapid economic growth, such as China. These issues include: to secure necessary energy and resource to maintain economic growth; rapid population increase resulted from economic affluence earned by economic growth, and securing of food to feed them; and the measures to address the adverse global environmental effects arisen in the process of, and as a result of, economic development. Even in developed countries, which have already addressed these issues, there will be a need to adopt new and effective measures for allowing the participation of additional countries.

For these issues, if countries can unitedly take necessary measures, then the problems will not rise, but, in reality, to address these issues is not that easy either politically or technologically. Rather, each country will likely consider their national interests first, and try to develop and adopt necessary measures to protect them. This may lead to the rise of new confrontation between neighboring countries or in the region as a whole, generating an unstable situation in regional security. As mentioned before, especially about the oceans within the region, many have high expectations on oceans concerning the solution of issues, such as the securing of energy, resource, and foods, and the measures to address global environmental effects, but the oceans, on the other hand can become a stage of intricate tangle of national intentions. That is the very reason why it is urgently needed to build a regional consensus over “the use of oceans.”

(ii) Security Framework in Indi-Asia & West-Pacific integrated region

As the efforts of multilateral dialogue to discuss political and security issues covering the East-Asia & West-Pacific region, there are some functions such as ARF for example, but ASEAN, with no interference in domestic matters being a pillar of their principles, has been extremely cautious to get involved in the issues of the security field beyond the framework of voluntary multilateral cooperation, whether in or out of ARF. The ARF has been developed to a forum of 23 countries and regions today from the original 17 countries and regions, with the Ministerial Meetings held every year since 1994, and North Korea started to participate in the Ministerial Meetings from

2000. In 2003, there have been the movements to strengthen ARF activities further such as the emphasis on the importance of advancing ARF process to the higher level of “preventive diplomacy,” and Chinese proposal to host “ARF Security Policy Meeting.”

Nevertheless, the need to build a new multinational security framework is the issue to be addressed for the future. In May 2003, “Asia Security Conference” was held in Singapore by private research institutes, but no multinational security framework to cover Indi-Asia & West-Pacific integrated region exists today. Especially North East Asia region has unstable and uncertain security environment, since the region has a cluster of major countries, has experienced the history of being at the frontline of East-West confrontation during the Cold War, and still holds the issues such as South-North Korea and China-Taiwan relationship, as discussed before. Therefore, each country pursues the security policies independently, and what maintained the delicate balance of regional security and in fact played a significant role to stabilize this region could be said as the presence of US military forces based on the solid bilateral military alliances with US in the center, such as Japan-US and US-Korea alliances.

How the security framework of the integrated region will proceed in the future can be the topic of various debates, but there seems to be two distinct thoughts that grasp the unique features of this region. One is to further develop ARF, and to create “cooperative” multilateral security framework covering North East Asia and South West Asia, with some enforcement authority, but without presuming any exercise of military power, and to let that framework coexist with bilateral military alliances centered around US. Another thought is that, as long as the Cold War regime has ended, the regional countries are to resolve bilateral alliances phase by phase or mitigate alliance relationships and then create a “binding” security structure with a certain degree of enforcement authority covering the multilateral region including US.

In reality, the latter is an ideal image of security structure but has less chance of feasibility. It only means a desirable way of the future. Practically, the region is likely to pursue the former way, with various approaches possible. In terms of approaches, the major issue of the future will be how ARF will depart from current “coordination” first policy and adopt a certain degree of “mandating” enforcement system, and how the roles of bilateral military alliances centered around US will be distributed, then.

Nonetheless, the importance of the “Maritime Freedom” in Indi-Asia & West-Pacific integrated region will become apparent in many different ways in the future, as described before, and the issues will undoubtedly have the potentials to instabilize the regional security. Therefore, there will likely be the rise of needs, sooner or later, to create a multilateral regional organization, which cover the entire region, provide the forum to discuss these issues regularly, and continuously, and has the authority to impose enforcement measures, if necessary.

(2) Regional coordination for “Maritime Freedom” – realization of “Maritime Coalition” and the role of major maritime players

(i) Responsibility of Japan for the securing of “Maritime Freedom” in the integrated region

The long term national goal for Japan in 21st century could be summarized as follows: “to become a nation that takes responsibility appropriate to its national power in every aspect, as the essential existence in the security and prosperity of the region and the world, while ensuring own national security and economic prosperity with identity unique to Japan.”

In order to achieve this target, Japan needs to overcome several problems, as described in the so-called manifests of Liberal Democratic Party or Democratic Party. To enumerate them for

example: financial reform (appropriation of national fiscal base, and maintenance of stable and favorable economic conditions); industrial restructuring (IT revolution); educational reform (views of a nation and the values of ethics); pursuance of independent and strategic policies in diplomacy; constitutional revision (recognition of national defense forces, and exercise of collective defense right), etc.

Various approaches are possible as a way for Japan to overcome these issues, and to achieve long-term national goal. Before implementing such approaches, however, it is necessary to satisfy several preconditions such as: the presence of strong political leadership based on competitive but stable political structure; awareness of responsibilities as a nation with influential power over international community; willingness to provide independent and concrete contribution in the efforts to ensure the security of the region as a whole, etc.

Finally, in terms of concrete contribution listed as the last precondition, what is important is how Japan can take the responsibility in securing the “Maritime Freedom,” which is essential for the coordinated development of the region and Japan, and has two significant meanings of the reliable SLOC to go through the integrated region, and of the security of stable resource supply source.

(ii) The role Japan must take for the “Maritime Coalition” of the integrated region and the presence of US naval power

The “Maritime Freedom” of the region cannot be secured by the efforts of a single country. It can be fulfilled only by mutual understanding and cooperation of regional countries (including the countries of neighboring regions in case of SLOC). For this, regional countries need to start from sharing the same views on the regional benefits provided by the regional “Maritime Freedom”. Undoubtedly, this is not an easy task for any country, but, if regional countries look into the future of the region as a whole and of each nation, it will not be impossible to share the consensus on the needs of such views. Even UN’s Convention on the Law of the Sea took 9 years of discussion ever since the 3rd Ocean Law Conference of 1973, before adopting the convention in 1982 at last, and then took another 12 years to enter into force in 1994.

In the case of building such consensus, Japan needs to take an initiative in this integrated region, with patience and determination. This is because Japan among regional countries is the nation most dependent on the “Maritime Freedom” for its very existence and foundation of prosperity. Also because other regional countries, if not all, earn considerable benefits from mutually dependent relationship with Japan through oceanic ties, in some way. Certainly, Japan is geopolitically situated in an important position to secure the safety of SLOC that runs through the integrated region.

Japan is considered to be nearing to earn the seat of a permanent member of the UN Security Council, and if that happens, then it will be able to represent the security intention of this region at the floor of the United Nations. Already, Japan has taken some role at G 7 (8) as a sole “representative” of Asian Country in the fields of politics, economy, and security. In other words, Japan already has established a solid base for taking the initiative of this issue in this region.

“Maritime Freedom” will eventually lead to the security issue. Therefore, for both “Freedom of Maritime Navigation” and “Freedom of Maritime Activities,” it will be necessary in the end to recognize these issues as the part of regional security issues, and to let individual nations adopt measures. As stated before, however, it will be difficult to create so-called “binding” style framework in the integrated region, at least for foreseeable future. Therefore, it may be necessary, for the moment, to proceed with the process where: start from the creation of “Maritime Freedom”

dialogue group of “voluntary alliance” with “coordinating” structure like ARF, which is unique to this region; then gradually develop it into more effective forum of discussion participated by every relevant country in the integrated region. At such forum, it may be necessary to take an approach in which consensus will be built for the common security issues of the region such as economic issues, international terrorism, and pirate controls at first, while excluding any political feature as much as possible. The next stage will be to consider which method will enable regional countries to comply with the consensus building efforts. And lastly it is to address the measures for imposing certain “obligations” to regional countries. During these processes, Japan may need to take an initiative toward other interested countries, and help establishing the “Maritime Coalition” of the integrated region.

For such approach, it is undoubtedly necessary to always consider the relationship with US. Like it or not, it is a fact that the presence of US forces has stabilized the integrated region, and especially “Maritime Freedom” is inseparable with the overwhelmingly dominant presence of US Naval forces in the region. There are some speculations that US will reorganize the forces deployed to the front in the integrated region as a part of their efforts to transform US forces, but, for the foreseeable future at least, there will not likely be any fundamental changes in the significance of US Navy presence in the region. Actually, by continuously ensuring the “Maritime Freedom” of the integrated region, especially “Freedom of Maritime Navigation,” the presence of US Naval forces has been maintained in the integrated region. The importance of such efforts will not diminish but rather increase in the future. Nevertheless, in the discussion of these issues, we need to be fully aware that any discussion without considering the presence of US Navy will be meaningless.

(iii) Expected role of India in the Maritime Coalition of the integrated region

India has over billion population and immense land area, while situated in an important geopolitical position for securing the safety of SLOC, which passes through the integrated region. It is the country with immense power to influence over the South West Asian region. In addition, it has raised its position in international economy with the recent development of information and communication technologies (IT).

India sets its national security goals as the sustenance of minimum deterrence power against the threat of weapons of mass destruction, in addition to the defense of own nation, and the protection of its peoples’ lives and assets. According to the National Defense Report (Annual Report) of India, their nuclear policies are to maintain the minimum and reliable nuclear deterrence power as well as the policy of no preemptive use of nuclear weapons, and to continue the moratorium (temporary halt) on nuclear tests.

Indian Navy possess two fleets with about 150 ships and about 336 thousand displacement tonnage, and owns one aircraft carrier (“Viraat (ex-Hermes)”, to be retired in 2010 according to Jane’s Fighting Ship), and plans to build one new domestically made aircraft carrier, and is said to consider the purchase of a retired aircraft carrier “Admiral Gorshkov (ex-Baku)” from Russia after renovations. In addition, Indian Navy has undergone reorganization in response to Chinese moves toward reinforcing naval forces, which extended to the Indian Ocean, and established Far East Naval Force Command at the Nicobar Islands of the Andaman Sea in April 1998. In May 2001, a proposal was made on the new national security system and based on this India created, for the first time, a Joint Command (Andaman-Nicobar Command) to control Army, Navy, and Air Force, and the system of Chief of Staffs and Integrated Information Organization have been newly introduced.

Even now, India has confrontational relationship with Pakistan, over various issues

including the jurisdiction of Kashmir, having three massive armed clashes in the past.

With China, on the other hand, India is attempting to improve the relationships, despite the national border issue with China, while showing cautiousness over nuclear weapons and ballistic missiles of China. In May 2000, Indian President Narayanan visited China, the President of All Peoples Congress Li Peng visited India in January 2001 and met with the Prime Minister Vajpayee, and the Prime Minister Zhu Rongji visited India in January 2002. Furthermore, in 2003, after the Defense Minister Fernandes's visit to China, Prime Minister Vajpayee visited China at the end of June for the first time in 10 years as the prime minister of India, and signed the "Declaration for the Bilateral Relationship and Comprehensive Cooperation" with the Prime Minister Wen Jiabao, which included the expanded military exchanges between two countries. As seen here, India-China relationship is advancing.

In regards to Russia, with which India used to maintain friendly relationship from the past, it strengthened the relationship by the signing of "Strategic Partnership Declaration" in October 2000. In December 2002, both countries signed "Delhi Joint Declaration on the Further Strengthening of Strategic Partnership" to reconfirm their strategic cooperative relationship and then Defense Minister Fernandes visited Russia in January 2003.

In regards to India-US relationship, there has been the period of cooled down relationship after the nuclear test of India in 1998, but since the inauguration of current Bush Administration some progress has been made. After US lifted economic sanction against India, both countries signed US-India Joint Declaration at the time of Prime Minister Vajpayee's visit to US in November 2001, which confirmed that both countries would change their relationship in quality. In addition, there has been a move to resume dialogue between them in the security field.

From April till September 2002, US and Indian Navies participated in the joint patrol of the Strait of Malacca, and from end of September till early October of the same year; both navy forces had joint exercise in Indian territory. Also, they did the same US-Indian joint military exercise in Alaska from the end of September till early October, demonstrating the active exchanges between their military forces.

The relationship between Japan and India has been friendly through their histories, although temporarily cooled down after India had nuclear test in 1998. Considering the strategic importance and potential power of India, Japan proceeds with a policy to improve and strengthen the relationship with India. When former Prime Minister Mori visited India in August 2001, Japanese and Indian leaders agreed to build a "Japan-India Global Partnership for 21st century" and during Prime Ministers Vajpayee and Koizumi talks in December 2001, both leaders announced the "Japan-India Joint Declaration." In this Declaration, both countries agreed to strengthen cooperative relationship in defense field, recognized the importance of cooperation in securing the safety of international Maritime Coalition, and confirm the importance of cooperation between coast guards and relevant authorities in controlling pirates and in conducting search and rescue operations.

More recently, Japan-India Defense Summit in May 2003 had seen Indian side presented a proposal for mutual cooperation to secure SLOC in the Indian Ocean, including the joint training exercise between Japanese and Indian navies as the efforts to control piracy, the mutual exchange visits by the naval fleets of both countries, the personnel exchanges, the dispatch of trainees, and the joint ASW simulation.

In Japan-India relationship, there are not many confrontational factors in the securing of "Maritime Freedom" and as a partner for securing "Maritime Freedom" in the integrated region;

India is considered to be a suitable counterpart for Japan. Both countries share common concerns especially on the advancement of China in oceanic interests, and to secure the safety of economic and military transport on oceans at SLOC, which passes through the integrated region has extreme significance for both countries. In addition, the securing of “Freedom for Maritime Activities” in their exclusive economic zones will provide mutual benefits to the economic activities of both countries.

India’s recent efforts to improve and strengthen the relationship with US will provide a favorable environment for the strengthening of Japan-India relationship for the securing of “Maritime Freedom.” Nevertheless, the SLOC security in the integrated region will not be made possible with the efforts of only two countries of Japan and India. However, we should not forget such security is not possible without the coordination with US, especially with US Navy.

On the other hand, ASEAN countries, which are historically cautious of India’s advancement, and South Korea, which is getting out of US’s influence in recent years and trying to show independent features in their national security, have difficulty in finding any grounds to oppose the moves, if explained as the moves to monitor oceans for weapons of mass destruction trafficking and to address regional coalition to fight against international terrorism and piracy. They may be expected even to participate in the alliance of interested parties for “Maritime Coalition” led by Japan, US and India. China and Russia may show strong cautiousness for such a move led by US, but the phrase of “measures of international cooperation against international terrorism” will work effective in this case also.

(2) Securing the SLOCs through regional “Maritime Coalition”

(i) Peacetime Maritime Coalition ---Maintaining maritime law and order, and cooperating for humanitarian measures

As mentioned before, international terrorists and organized pirates are active mainly at the straits and island waters, so major SLOC is narrowed over those waters in South East Asia, imposing threats even from the peacetime. The issue of law and order in these waters is not only the problem of coastal countries, but also every regional country, which is benefited from SLOC passing through the integrated region. In addition, these international terrorists have for certain, and even pirates are considered to have dark connections with international organized crime syndicates and terrorists. So, regional cooperation is essential for regulating these groups.

In other words, the issue of maritime law and order links to the maritime security issues of the region as a whole as well as of individual countries, and it will be necessary for these regional countries to share consensus on the importance of maritime law and order from the peacetime, and adopt necessary measures of cooperation and coordination. First, it will be necessary to create regional and multinational frameworks for this purpose.

With late Prime Minister Obuchi’s strong request, Japan is taking an initiative in piracy issues, but the focal point of their efforts is taken only by the Japanese Coast Guard, and is not fully responding to the delicate problems of building relationships with other naval forces. As the piracy issue involves some aspects of sovereign right over territorial waters, so the issue of some differences in the postures of interested parties should not be overlooked. Therefore, it will be necessary to review the possibility of creating a forum of “Peacetime Maritime Coalition” to discuss comprehensively various issues, including maritime rescues, responses for large scale natural disasters, and humanitarian issues such as the evacuation of foreigners when domestic security deteriorates, in addition to the issue of maritime law and order sustenance, based on the wider

recognition that the issue of maritime law and order is the issue of securing “Freedom of Maritime Navigation” in peacetime.

As the approaches for this respect, following steps seems to constitute a wise move: first, start dialogues and concrete actions in bilateral relationships of Japan-India, US-India, and Japan-US among three countries of Japan, US and India; next, establish stationary discussion forum for “Maritime Coalition” among Japan, US and India; then introduce concrete actions over international waters, so to be less offending to other nations; then gradually develop actions such as fight against international terrorism and piracy in the Strait of Malacca, and some regional PSI type efforts to prevent the proliferation of weapons of mass destruction in relation to the issues of North Korea or other rogue countries; and extend the framework beyond Japan, US, and India to other regional countries. And, once a concrete result is established, then it will be appropriate to position the forum as the stationary subsidiary organization under a regional security forum such as ARF, at the end.

(ii) Maritime Coalition for emergencies – cooperation in military aspect

Maritime Coalition for emergencies in “the Freedom of Maritime Navigation” can be difficult to implement than such coalition during the peacetime. However, to build a framework of “Maritime Coalition” in preparation for emergencies will have greater importance in the security of the whole region. There are two reasons:

First is in view of “prevention” and “confidence building.” Building the framework for emergency will: enable countries to resolve any misunderstandings and clear any doubts between regional countries, through the efforts of building “Maritime Coalition” on the basis of consensus building for the peacetime with such effort in emergency in mind; enable to obtain transparency in the intention of each country; and thereby, develop trustful relationship, prevent any occurrence of conflicts, and elevate feasibility of efforts to secure stable “Freedom of Maritime Navigation.”

Second reason is in view of “joint responses.” If, for example, there is an actual emergency in the region over the ocean, then military and economic SLOC may be interrupted, providing serious effects on relevant parties. In addition, when regional “Freedom of Maritime Navigation” is disrupted, then the countries other than those involved will receive not only economic impacts but also fatal blow for the very existence of that nation itself, if such disruption persists for a long time.

Therefore, it is necessary to secure safe and reliable SLOC during such emergencies as well. However, if massive scale emergencies occur simultaneously at number of regions, then even the mighty US navy deployed in the integrated region may not be able to respond to every emergency, and certainly not by the capability of other individual nations. That is why it will become necessary to adopt joint response efforts to secure “Freedom of Maritime Navigation” for a certain period of time in a certain waters by regional countries other than those directly involved in emergencies. Moreover, these countries other than those involved may need to maintain maritime transport with one or all parties involved, depending on the situation. In such case, there will be a need to adopt the joint response approach.

In view of above, building a framework of regional “Maritime Coalition” with emergency situation in mind will need to be promoted, however difficult. Several approaches are possible for building such a framework, including: the extension and development of subsidiary organization under a security forum such as ARF, which is a peacetime forum for Maritime Coalition as discussed above; or the elevation of the navy to navy forum such as WPNS to more higher level and wider region. During the building of such framework, the key point of discussion will be in what way

regional countries will accept the presence of US Navy, which has committed itself for the whole region. Nonetheless, building a consensus for such framework will depend on how regional countries will actively address the issue.

Needless to say, SLOC links not only regional countries but extends to other regions of the world through neighboring waters. So it may be necessary to consider association with neighboring water regions such as Oceanic countries or even Middle East countries.

(3) Maritime Coalition to secure the Freedom of Maritime Activities ---Creation of multilateral convention

As mentioned before, regional countries will likely rely on oceans with expectation for the future source of various resource supplies, which are essential for the future development of each nation. The greater the expectation of each country about oceans, the more chances there are of the conflicts of interests for securing the "Freedom of Maritime Activities." Moreover, such conflicts of interests will certainly cause serious effects on regional security. This type of issues has been addressed at bilateral talks in the past, but as the regional countries rapidly expanding their range of economic activities, the talks may necessitate the involvement of many other countries. Bilateral talks seem to have hit the ceiling of their effectiveness, and sooner or later, it may become difficult to hold such talks themselves.

Therefore, what is important now is to share common values on regional waters as the resource supply source to benefit to the development of each nation and the region as a whole. That is why it will be appropriate to create a multilateral convention, i.e. the coalition conference of regional maritime use, to build a consensus for obtaining the regionally common benefits from oceans. The approach for such action can begin by adopting regional responses to multilateral issues the region is likely to face in the future, while continuing the conventional bilateral talks, and then develop into the forum to discuss every problem in the future.

As a framework for this purpose, ARF style may bring difficulties, because the issue must to be based on UN Convention on the Law of the Sea. In such case, it may become necessary to establish the convention as a sub-regional or sub-functional organization under the United Nations. Nonetheless, it is needless to say that the role Japan and India must take upon the establishment and operation of such convention will be extremely important.

Comprehensive Security Issues – SLOC security management and Emerging Technologies

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Prologue

Oceans, seas and waterways unite the nations of our water planet paradoxically called Earth. Unlike ties on land, the oceans, though delineated and apportioned to some extent are still shared as the common heritage of mankind. With ever enlarging volumes of sea borne trade and larger dependence upon ocean resources, maritime issues are becoming increasingly sensitive. Along with positive developments such as maritime cooperation and ocean trading, attention is also being given to ocean security.

Moreover there has been a trade shift from Euro-Atlantic to Asia-Pacific. The US trade volume in the Asia-Pacific region is now 1.5 times than that of the Atlantic. The sea lanes of communications (SLOC) are the main arteries of the Asia-Pacific economies. Hence SLOC security and their access to resources and their markets have become a fundamental factor for the development of the East-Pacific region.

For Japan and East Pacific countries, energy and security are inextricably intertwined. Japan is the world's fourth largest consumer of energy after US, China and Russia. Moreover the rising demand for energy will further contribute to increased oil prices. Already Japan's domestic energy prices are among the highest in the industrialised world. Moreover a movement away from nuclear energy due to domestic political pressures or economic reasons could further increase Japan's oil imports. Premium gasoline prices in Japan are roughly 230% higher than in the USA and 45% higher than in the UK. The economic burden associated with these higher energy costs is increasing and as a result, Japan can no longer ignore her dependence on the international community.

Oil is becoming more and more precious and will remain the dominant fuel in the primary energy mix with a share of 40% according to the International Energy Agency report of Nov. 2000. Moreover the demand for natural gas will rise much faster than oil and is expected to surpass even coal after 2010. Moreover China and India with ample coal reserves and robust electricity demand will contribute to more than two-thirds of the increase in worlds demand for coal.

Japan is also particularly vulnerable to any disruption of sea-borne shipments of oil and natural gas either by an act of war or supply shocks, due to consumer embargo (such as economic sanctions) or oil production policies. The challenges to regional stability in Northeast Asia and conflict over Taiwan, the dispute over the spartleys and the depletion of fishing stocks are all potential sources for regional instability.

The Chinese dilemma

China is one of the major players on the Asian-Pacific economic scene and her sheer size and weight and growing consumerism and higher per capita incomes poses a challenge to other Asian economies. For example if the Chinese economy continues to grow at its present pace for another decade, its requirement of energy alone would hike up energy prices to new peaks. Hence China, which for a long time was a self-reliant country now depends greatly on SLOCS for its trade and energy supplies. With its entry into the World Trade Organisation (WTO), China's foreign trade and shipping will considerably expand in the coming years. The market openings to agricultural produce will similarly benefit the ocean trade.

SLOC security is hence crucial to the sustainable development of the Chinese economy since 90% of its foreign trade is by sea transportation. China's rapid economic growth and industrialisation in the last two decades has led to a dramatic increase in the demand for maritime transportation.

China's import and export volume was US\$ 474.3 billion in 2000 as compared with US\$ 135.63 billion in 1991, a 2.5 fold increase in ocean trade. Shipping capacity in China is projected to reach 656 million tons in 2005, compared to 383 million tons in 1998. As China emerged as a trading giant, its merchant fleet also expanded from a handful of vessels to become the world's third largest behind Greece and Japan. U.S. The Department of Transport figures show that China owned 2,033 merchant ships (excluding Hong Kong's 551-strong fleet) at the end of last year, compared with 2,915 for Greece and 2,722 for Japan. China has also one of the world's biggest fishing fleets.

China presently is the world's third largest shipbuilder after Japan and South Korea and ranks third in ship exports. With the plan to expand its shipbuilding capacity to 3.5 million tons by 2005, China State Shipbuilding Corp expects to become one of the worlds top five shipbuilders.

The volume of containers handled by Chinese ports has surged four-fold between 1990 and 1995. By the end of 2000, the ports of China handled more than 10% of the Asian total. China is to build new ports in Guangxi Province in order to open new outlets for its southwestern provinces. Shanghai plans to build a new deep-water container port by 2002, which will allow access to the sea for fifth and sixth generation container ships carrying between 5,000 and 6,000 TEUs.

Beijing is interacting with other countries in the region for a multi-channel multidimensional and multi-faceted new economic cooperation. China is a full dialogue member of Asean as also Asean +3 of the Mekong Delta sub-region, ARF (CSCAP) and APEC. Both India and China are keen to accelerate the Mekong Ganga collaboration (MGC) where the recently joined four member countries — Cambodia, Laos, Vietnam and Myanmar (CLVM) constitute a single landmass which provides strategic accessibility to the Indian Ocean from the heartland of Asia-Pacific.

Myanmar has emerged as the Sino-Indian strategic signpost on either side of the Malacca divide. India will be the other major country in this region of over 2½ billion people. Hence India and China will be the two pillars for maintaining stability and peace if cooperation is given a larger dividend than confrontation.

Nonetheless, China is also the largest supplier of weapons as also nuclear material and missiles to Pakistan, North Korea, Bangladesh and Myanmar. Hence Japan's neighbours — China and North Korea and also India's neighbours — China and Pakistan makes China the common hub which merits careful analysis. Beijing's man in space programme is an indication of her technology progress.

China's subregional initiative is the development of the backward regions of South and South East Asia termed the 'Kunming initiative' which focusses on the resource rich Yunnan province in China's South West sector. The rationale for India and China to work closely within ASEAN would be mutually advantageous to the economic development of this region.

Moreover, India is not a member of APEC of which Japan, China and the United States play an important part. At the recent APEC summit in Thailand, President Bush highlighted the effects of terrorism on trade and economic progress. However some developing countries felt that overarching anti-terrorist measures such as container and cyber security may be counter productive to the less developed countries.

And lastly the initiative of structuring an Asian Economic Community such as JACIK (Japan, Asean, China, India and Korea) which combine fourteen of the largest and fastest growing economies with a population of 3 billion which is half of the world's population and with a GNP of over \$ 7.2 trillion which is larger than EU or NAFTA will have a big market. Multilaterism, is the lifebuoy of globalisation for attracting investments, resources and technology.

It is therefore pragmatic to encourage closer cooperation, joint ventures, transfer of technology, greater accountability and market strategy in order to attract resources for seabed mining, aquaculture and protection of endangered living and non-living resources such as coral, mangroves and depleting fish stocks.

India's capabilities in hydrography and oceanography for the exploitation and exploration of seabed resources will be cost effective by 2020 and hence merits a closer look for like-minded practicing democracies such as Japan.

The Indian Ocean and Energy Security

The volatile Indian ocean region which could be described as the 'Eurasian Energy Heartland of the Third World' in spite of low per capita income and sub level economic standards has become the link ocean for energy flows to achieve the political and economic aspirations particularly of developing countries. The increasing salience of the Indian Ocean can be seen:

- i. as a transit route for ever scarer energy supplies from the Gulf
- ii. the problem of illegal migration and human trafficking by sea.
- iii. the movement of drugs by sea from the Golden Triangle and Golden Crescent of South Asia
- iv. the increasing convergence between transnational crime and terrorist group in South West and South East Asia.
- v. the relevance of environmental problems that spills over such aspects as deforestation and lack of water.

All this has contributed to changes in the management of maritime security in this region where only 10 littorals are privy to 65 percent of the world's oil reserves.

Again the quest for energy security, consciously or unconsciously, is getting tangled in the geopolitics and geo-economic ranging from 'clash of civilisations' and advent of terrorism to disposal capital which is assuming greater importance than fire power with more emphasis on military-technical advancement and market penetration.

The Trade dimension

The seas in the Asia-Pacific are amongst the busiest in the world. Approximately 33% of worlds shipping moves through Southeast Asian SLOCS.

The energy consumption in the Asia-Pacific region currently accounts for nearly 75 per cent of the total imports. 80,000 tankers, LNG/LPG carriers and containers traverse the Indian Ocean annually. The majority of vessels pass through the Hormuz, Malacca, Sunda and Lombok straits and in addition navigate the South China Seas through which pass 41,000 ships annually. Singapore is the worlds largest trans-shipment port. More than 330 shipping lines now operate services through Singapore to 610 ports in 130 countries.

Four of the world five largest ports are located in Asia which are Singapore, Shangai, Nagoya and Hongkong. High trade volumes have led to significant Asia-Pacific interests in developing merchant fleets and shipping facilities.

Moreover Asian countries own 34% and manufacture 72% of the world's merchant fleet tonnage. The major commodities shipped through north bound East Asian Slocs include crude oil from the Gulf as well as grain, coal and iron ore bound for Northeast Asian countries. Again Southbound East Asian SLOCS consists primarily of manufactured products for Southeast Asia and Europe with crude oil being the biggest single cargo in terms of volume, while finished consumer goods are the dominating cargo in terms of value. LNG shipments through the South China Seas constituting two-third's of the worlds overall LNG trade.

The busiest route is the shallow and narrow passages of the Straits of Malacca. About 26 tankers including three fully loaded super tankers pass through Malacca Straits daily with 9.5 million barrels of oil. About 75 per cent of Japans oil imports are carried through the Malacca Straits. The closure accidentally or deliberately of this crucial choke point of SLOCS which is only 1.5 miles at it narrowest point will substantially increase transit times and freight rates.

The Straits located in Northeast Asia are the Tsushima, Tsugaru, Osumi and Soya (La Perouse) Straits. The Straits of Tsugaru connect the Sea of Japan with the North Pacific Ocean. Attempts to the block these straits would cause serious concerns to countries in this region including Russia.

Comprehensive Security Challenges to Asian SLOCS

Samuel Huntington stated that while at the macro or global level of world politics, the primary clash of civilisations is between the West and the rest. But at the micro level, it is between Islam and the others.

It is interesting to observe that India has more Muslims than in the neighbouring Islamic States of Pakistan and Bangladesh.

Similarly Iran which has the second largest oil and gas reserves is also a neighbour of Russia which has the largest gas reserves in the world. This in turn may become the object of a 'New Great Game' due to the vast reserves of oil and natural gas in the Caspian Seas region.

Moreover two-thirds of the worlds proven oil and one third of its national gas reserves are controlled by the Persian Gulf States with Asia's demand for oil growing by more than 6 million barrels per day. Asia now accounts for 82 percent of the global demand. Hence the quest for energy which includes availability, accessibility and acceptability for social and environmental reasons are getting intermeshed in the geo-politics of trade and terrorism which merits an ongoing dialogue for conflict resolution and international cooperation.

USA also depends on the Indian Ocean for the movement of about fifty different strategic materials such as magnesium, cobalt, titanium, tin, nickel, tungsten, iron and copper.

Economic growth will therefore necessarily rely to a large extent on the stability and security of SLOCS which may be disrupted causing incalculable losses due to some of the undermentioned reasons:

- a. Transnational disputes arising from perceived irregularities by a coastal state in the practice of the right of innocent passage through territorial waters by foreign ships which requires confidence building measures and transparency of intent.
- b. Marine pollution which is a major source of concern as 0.5% of a super tankers cargo of crude oil settles during its delivery voyage and needs to be washed out. This is often done in archipelagic waters which has an effect on local communities and traditional fishing villages.
- c. Cyber interference and container security.
- d. Mining of waters which is unlikely but needs to be foreseen in the future.
- e. Piracy and hijacking of vessels.
- f. Disruption due to maritime accidents or disasters at sea particularly in the narrow choke points.
- g. Maritime territorial disputes and unilateral denial of specific waters. This has been exacerbated as the UN Convention on the Law of the Sea (UNCLOS II) now permits the coastal states to impose natural development interests in the ocean area which has opened up a Pandora box of volatile mixtures of competitions, nationalism and militarisation as also outside powers involvement and environmental degradation.
- h. Settlement of islands sovereignty disputes and overlapping maritime claims should be put on the national agenda. As an expedient reserve, the establishment of joint patrol areas and joint development zones needs to be encouraged. Naval and Coast Guard cooperation is of particular

importance for SLOC security. Bilateral and multilateral naval cooperation would also reduce the uncertainty in environmental security. Cooperative approaches should be worked out for the protection of SLOCs especially when dealing with non-conventional threats such as humanitarian's assistance, search and rescue, avoidance of incidents at sea (INCSEA), piracy, cooperative maritime surveillance, and mining.

Consolidated Ocean Web of Communication (COWOC)

The globalisation of economic activity has resulted in a paradigm shift in the maritime world which has coined a new terminology 'Consolidated Ocean Web of Communication' (COWOC) which integrates Sea Lanes of Communications with the various distribution systems forming an organic complex that props up the logistic support systems that are essential to world economy.

SLOC is the route taken by a ship to transit from A to B. In maritime and economic parlance, it should be the shortest distance for the economical and timely delivery of cargo. SLOCs are the arteries of a region and serve as an umbilical cord for the country's economy.

But during confrontation, SLOC translates itself as the strategic path varying in course and distance depending on the geography of the landmass, reefs and shallows as also the locations of ports and harbours. Hence to the military, SLOCs are an instrument of maritime power with geography being the determinator for the forces being deployed to support friends or deter adversaries.

To a politician, it is however the state of relations with countries located along the sea route that will develop a strategy for the security of SLOCs. Hence there is a significant link between SLOCs and geography in the context of ocean strategy. The subject of SLOC security is therefore closely linked to the maritime cooperative mechanism leading to the expansion of navies, which inevitably is followed by an arms race resulting in a tortuous and contested arms control regime.

India's security concerns stretch across a broad spectrum. They are at global, regional and local levels with no clear distinction or division between them as sea-lanes in this ice free ocean are proximate to the Asian landmass, and pass through narrow choke points, which can be interfered with. The threats to SLOCs can be classified into military and territorial conflicts and disputes over some islets. The second being non traditional threats such as narco-terrorism, drug trafficking and illegal migration. Global recession is the other aspect, as lower prices will adversely effect the welfare economics of the Gulf States leading to dissatisfaction and therefore, encouragement to fundamentalists.

The internal factors are the making of the maritime community itself due to poor seamanship, crew incompetence and unsatisfactory ship husbandry as 60 of the 77 tankers lost at sea during 80's were over 20 years old. The IMO has adopted an instrument titled 'interim measures for combating of unsafe practices associated with the trafficking or transport of migrants by sea'. They are all sensitive factors affecting the maritime security of the region.

The ongoing naval build-up by regional countries would be another threat to SLOC security. In order to ensure sea-lane security many countries in the region, including a number of medium and small states, are building up their maritime capabilities by acquisition programmes. It is estimated

that approx 200 major warships were originally planned for procurement by the end of this century. Furthermore analysts have forecast that more than a dozen modern submarines will be ordered by Asean countries. The arms trade has grown by 8.5% in 1999 to a value of \$ 51.6 billion with South and East Asian countries share doubling primarily due to China's defence spending. The Indian Navy by themselves will be operating 20 submarines and 2 aircraft carriers by the next decade. The region will therefore continue to be one of the most lucrative markets for arms dealers. But it can be said with little exaggeration that the real arms race in Southeast Asia is among the suppliers, rather than the recipients. The simmering down of bi-polar deterrence and the expansion of national sovereignty notified by UNCLOS III has become a significant motive for smaller regional powers to modernise and expand their navies.

Safety of Life at Sea

This galloping increase in the volume of commerce particularly of energy supply by tankers has sharply raised the implications of disasters in the choke points of Hormuz, Malacca and South China Seas for safe and unrestricted passage which is a basic requirement for the safety of SLOCs particularly for Japan, Korea, Taiwan and now China who are overtly dependent on oil supplies. During the Iran-Iraq tanker war (1980-88). 543 tankers were attacked of which 80 vessels including eleven Indian tankers were sunk. This man made disaster cost a further 200 billion US dollars in hull insurance which increased the price of oil from 12 to 25 dollars per barrel which in turn slowed down the growth of developing economies.

Moreover IMO conventions for safer and cleaner seas have been enacted which merits being taken into account while considering integrated regional search and rescue organisation with access to satellites for ensuring Safety of Life at Sea (SOLAS) . UNCLOS creeping jurisdiction impinging on innocent passage through territorial waters, transit passages through international straits and archipelagos, naval activities such as seeding anti submarine devices as also mines in the Exclusive Economic Zone (EEZ) of other countries and the legal issues relating to hot pursuit of pirates and terrorists as also the shipment of nuclear waste through territorial waters and straits could be the casus belli for conflict in the Indian Ocean.

Maritime Security

Maritime Security is both multi-dimensional and multifaceted and involves military and non-military issues. Military security issues are naval threats, arms trafficking, piracy, narco-terrorism and safety of sea lanes and also non-military security issues encompassing the exploitation of fishing, sea bed minerals, offshore oil and illegal immigration. In addition, maritime security includes environmental protection, nuclear and ballistic missile issues as also multinational maritime management as the oceans of the world are all interconnected and hence indivisible. Hence, maritime security can be broadly defined in a national security context to include the protection of the nations oceanic interests.

In the current environment, we do not have the luxury of making clear – cut distinctions between continental and maritime objectives such as energy security, privatisation of ports, ship building, delimitation of extended maritime of extended maritime space, legal and regulatory

mechanisms in the maritime zones, protection of marine environment, pollution and the security of dual-use oceanographic data.

The collapse of the Berlin Wall has triggered the current phase of economic globalisation which is being driven by information technology. The terrorist attack on the World Trade Centre, a decade later, focussed on the security dimension with greater force. This is being described as 'the third wave' of the ongoing multi-dimensional process of globalisation by utilising the oceanic highway. Professor Barnet of the US Naval War College stated 'globalisation is splintering the concept of national security as also generating new markets for both supra and sub national security providers for which naval forces offer an unique response'.

The emphasis also shifted from Euro-Atlantic to Asia-Pacific as also from geo-strategy to geo-economics which was accelerated by the advent of multiplying ocean trading blocs which brought in its wake broader strategic and economic participation with an annual traffic of 80,000 ships sailing through the Indian Ocean and navigating the choke points of Hormuz, Malacca, Sunda, Lombok and the South China Seas. There have been 150 collisions at sea during the past 4 years with 97 bulk carriers lost and 562 casualties. In addition, there were 335 attacks by pirates mostly in South-East Asia and 16 ships hijacked according to the International Maritime Bureau (IMB) located in Malaysia.

The most likely challenges to be faced by maritime forces will be found in a variety of asymmetric warfare options. There are six broad asymmetric warfare threats that need to be taken into account by security planners.

- Acquiring weapons of mass destruction (WMD) and long-range ballistic or cruise missiles.
- Acquiring high-technology sensors, communications and weapons systems.
- Exploiting cyber weapons to disrupt maritime systems and information and communication strategic infrastructure.
- Littoral warfare and network centric sea platforms.
- Operate in environments (such as urban areas) that degrade military ability to defend significant targets.
- Small boat tactics, guerilla warfare, terrorist activities and other possible asymmetric options.

Technologies in SLOC Security Management

The rapid technological growth over the next 20 years will greatly increase the use of space and earth-based remote sensing for several ocean monitoring applications. The space based remote sensing industry will experience the fastest growth in both numbers and capability as more countries enter a field which was once the preserve of the US and Soviet militaries.

While not experiencing similar rapid growth, earth-based remote sensing systems will continue to provide detailed ocean data to maritime customers which will include both friends and adversaries.

Remote sensing has become increasingly dual use and receives a wide range of ocean monitoring information.

- a) Space-based commercial satellite imagery. While in 1975 there was one commercial remote sensing satellite, there were 12 satellites orbiting in 1975 and likely to be 45 by 2005.
- b) Electro-optical (EO) sensors dominates today's satellites. The LANDSAT Thematic Mapper has seven relatively wide spectral bands.
- c) Hyperspectral sensors (also EO) HIS sensors detect the spectral signature of an object's component material and not necessarily a spatial image.
- d) Synthetic Aperture Radar (SAR). The Canadian RADARSAT is the first commercial space-based system which has a proven capability to detect "go-fast" boats (smugglers), in an ocean surveillance mode.
- e) Satellite technology will be largely responsible for exponential industry as it incorporates miniaturized electronic components, lightweight structure and assembly manufacturing techniques. The US Govt. restricts their companies to market only 5-meter data to non-US customers. Canada along with France, Germany, Japan and India will soon have the same capability.

The information gained from space-based remote sensing systems will significantly improve the surveillance of SLOCs activities such as the following:

- Safe Navigation with information on wind, wave and current conditions
- Ship detection. Overhead imagery would provide the big picture of the harbour as also information for efficient Vessel Traffic Management. (VTM).
- Fisheries. Commercial satellites would provide information regarding presence of phytoplanktons and likely feeding grounds.
- Ocean Routing for safe navigations
- Search and Rescue – for vessels in distress and weather information and Environmental protection.
- Remote sensing can detect oil spills and also track oil spill movement and identify the erring vessels.
- Earth based sensors will however continue to provide real time information to assist mariners as also to improve safety and security on the waterways.
- Real time data on currents, weather and sea conditions.

Asian Navies and SLOC Protection

China is currently one of the major players on the Asian Pacific SLOC scene. The dependence of China and other regional economies on SLOCs will be increased in the coming decades. An uninterrupted flow of shipping will be critical to the survival and prosperity of China and all Asian countries. Given the expansion of maritime commerce, countries would require a Navy capable of power projection in regional waters. But in fact, few countries have the economic resources to build and maintain a navy with true reach in Asian Pacific waters. The feasible choice for the regional countries is therefore to seek multinational cooperation. There are only two regional navies which have the endurance and expertise in providing SLOC security. These are the navies of Japan and India. The Indian Navy is being further modernised and with its array of platforms is in the best position to monitor the crucially important Indian Ocean SLOCs. Similarly, the Japanese navy can undertake missions in the East Pacific.

There is also a role for the navy of the People's Republic of China (PRC). The Chinese naval force is also being modernised and could become a regional naval power in the coming decades. But

China at the moment has not the capacity to defend SLOCs by itself, and hence prefers to maintain the status quo and to enjoy the SLOC security guarantees provided by the US.

Conclusion

The international environment of 2020 will likely be one where world economic competition and tensions will be high but with armed conflict still remaining a possibility. Competition over resources, water availability, regional dominance, terrorism, insurgency, ethnic confrontations, guerilla warfare, low – intensity conflict, inter-intra tribal warfare will challenge Sloc security.

Only by collective cooperation among regional countries can regional SLOC security be guaranteed. As oceans are an integral whole, no country can defend the wide radius of the sea lanes by themselves. In many ways, SLOC is the classical multilateral maritime security interests and provides the most basic demonstration of how a nations maritime security interests extend beyond their waters.

Japan needs secure sealanes between itself and Southeast Asia and the Middle East. But no one in Asia, including the Japanese wants Japan by themselves to do the job of guaranteeing the security of these sealanes.

China also needs the sealanes but again no one expects China to defend their SLOCs irrespective of their inability to do so. Asian countries have clearly a shared security interest. In recent years, there has been a demonstrated willingness to work together with others in defending SLOCs especially by anti-piracy patrols, Search and Rescue, narco – terrorism etc.

There have been several regional official and semi official organisation engaged in maritime security issues. The Transportation Working Group under APEC has taken a number of initiatives to facilitate maritime commerce. The ARF jointly with USA and India co-hosted the ARF maritime seminar in Mumbai (Bombay) in January 2001 where both China and Japan were represented.

The Western Pacific Naval Symposium and its associated workshops have led the way in operational workshops including SLOC protection among regional navies since its inception in 1988.

The Council for Security Cooperation in the Asia-Pacific (CSCAP) has been active in promoting maritime cooperation. The Maritime Cooperation Working group under CSCAP drafted the 'Guidelines for Regional Maritime Cooperation' vide CSCAP Memorandum No. 4. ARF is presently the main Pan Asia-Pacific security forum.

Epilogue

Indo-Japan relations are something of a roller coaster enigma. The ancient association, although embedded in history has seldom seen any other facet other than one of fondness and affinity. But this has never concretized into a solid relationship perhaps due to the Cold War division and divergent world views which has hindered the growth of their partnership.

Moreover the Indo-Japan bilateral relationship has been on a low key as they had less opportunity to meet even in the corridors at regional and multilateral forums for discussing bilateral issues. One such forum is APEC formed in 1989 with Australia opposing India's inclusion. Similarly,

India has been denied membership of ASEM (Asia-Europe Meeting). On the other hand, Japan interacts with most Northeast and Southeast Asian Nations through a number of regional and multilateral institutions. It is only recently India has been admitted to the ARF and is also a full dialogue member of ASEAN.

On the other hand, the Indian Ocean is undoubtedly of vital importance to Japan's energy requirement and trading routes for its European markets. But her interest and understanding of the Indian Ocean is comparatively limited. Japan's foreign policy is focussed on the Pacific where her security and commercial interests are protected by the United States. Therefore Japan's contribution to the problems in South Asia and Middle East is in the capacity of an ally of the United States rather than an independent actor. Hence her interest in the Indian Ocean Region remains outside the radar screen of Japan's foreign policy orientation.

The preeminent super power, the United States has her pre occupation in Afganistan, Iraq, Iran, Palestine, Nato as also other failing states in Africa and South America. Hence she requires friendly democracies to share some of the burden. It was in October 2001, that Japan's Diet passed legislation allowing Japanese troops to support US military action outside its 1000 mile security perimeter as also developed new roles such as Kata Minesweeping (1991), UN Peace Keeping (1992 & 1995) and Kata of escorting vessels carrying processed uranium (1983) and other maritime missions. It was clear that in spite of US willingness to support her allies at all times and under any circumstances, there was a requirement for regional navies to take on roles particularly in the Indian Ocean for the security and safety of the Sea Lanes of Communication.

This paradigm shift was announced when the US Secretary of State, Colin Powell saw 'the need for meaningful cooperation with India's regional navy to ensure a steady flow of oil from the Gulf and at reasonable prices'. He added that 'India has the potential to help keep the peace in the vast Indian Ocean area and its periphery and that that we need to work harder and more consistently to help India in this endeavour'. This was further supported by the National Security Advisor Condolezza Rice's statement that 'India's potential as a stabilising force in South Asia and her role in economic development as she becomes a major economic player'.

Hence both India and USA are building a new relationship to ensure the stability and security in the Indian Ocean which is being translated into action by a dozen separate groups for mapping and implementing a purposeful path for Indo-US Cooperation. USA is an active member of several Asian Institutes and the recent visit of President Bush to Indonesia and Thailand is a demonstration of this policy.

India which is by far the most significant player in the Indian Ocean still remains outside the diplomatic radar of Japanese policy. The visit of Mr. Yoshiro Mori, the then Prime Minister and the Japan-India Joint Declaration of December 10, 2001 during Prime Minister Vajpayees visit reiterated the need for deepened economic relations as also Comprehensive Security Dialogue for conducting frank and lively discussions as was done by this group at the Kawamura Institute dialogue and the current Ocean Security dialogue which has been initiated by Mr. Akiyama Chairman of SoF.

Recommendations

The Indo-Japan Joint Declaration of December 10, 2001 needs to be given 'dentures' as undermentioned to implement the Joint Declarations of the two Prime Ministers to take their bilateral relationship to a qualitatively higher level:

- The establishment of an Asian Energy Agency (AEA)
- A multi national Asian maritime safety commission
- The structuring of an ARF Information and Data Centre for Comprehensive Security requirements
- To establish a Joint Search and Rescue organisation for the Indian Ocean
- To structure a joint environmental protection for established SLOCs
- To encourage multilateralism in Asia for building problem solving institutes rather than only process based groups.
- Activate regional forums such as Asean (ARF), Mekong Delta sub-region development, Asian Economic Community and initiate 'Most Favoured Nation' policy
- Encourage joint ventures particularly maritime projects, more port calls and high level naval exchanges
- Forge new partnerships in non military responsibilities to combat terrorism piracy, hijacking, illicit migration and environmental degradation.
- More people to people contacts.

The Economic Aspects of Indian Ocean Security

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India has been an integral part of the waters surrounding it for millennia. It had maritime links with the Persian Gulf, the islands spread in all directions, south-east Asia, East Asia and Africa. It is not surprising; therefore, that when European seafarers arrived in these waters they chose to name it the Indian Ocean. Historical evidence suggests that India maintained extensive but peaceful contacts with the entire Indian Ocean littoral and had extensive commercial contacts.¹ In his panoramic study of India's maritime history K Sridharan says:

There is an impression that India was not a seafaring nation during the early period. A study of the country's maritime history, on the other hand, clearly exposes this erroneous impression. In fact, the Hindus held supremacy over the Indian Ocean from very early times up to the 13th century. The ingress of any alien sea power apparently did not have any effect on the history of India till that period. The Hindus took to the sea for commercial rather than political ends. Even with the advent of the Arabs on the Indian scene there was no perceptible effect upon India's political status. This was because the Arabs came primarily as commercial navigators and their policy was not one of subjection of the country, though they had few settlements on the Malabar Coast. Thus, the period up to about 16th Century witnessed peaceful sea-borne commerce, religious expansion, cultural intercourse and international comity.

Thenceforth, India's maritime history is a record of succession of endeavours by foreign nations to establish control of the Indian Ocean, resulting in directly influencing India's destiny. The control of the sea by a foreign power undoubtedly changed India's economic structure. India's trade was at all times predominantly maritime. When these sea routes came to be controlled by the European powers, the economy of India began to lie largely at the mercy of alien merchants.²

In his monumental study of the economic history of the 15th to 18th centuries, the distinguished French historian Fernand Braudel has also recorded the important position India enjoyed in the maritime economy of the Indian Ocean and its links with the Arab world and the Persian Gulf, on the one hand, and Indo-China and the Malacca Straits, on the other. Braudel observes:

¹ R Sridharan, *A Maritime History of India*, Publications Division, Ministry of Information, Govt. of India. 1982.

² *Ibid.* p.4-5.

The Far East taken as a whole, consisted of three gigantic world-economies: Islam, overlooking the Indian Ocean from the Red Sea and the Persian Gulf, and controlling the endless chain of deserts stretching across Asia from Arabia to China; India, whose influence extended throughout the Indian Ocean, both east and west of Cape Comorin; and China, at once a great territorial power – striking deep into the heart of Asia – and a maritime force, controlling the seas and countries bordering the Pacific. And so it had been for many hundreds of years.

The relationship between these huge areas was the result of a series of pendulum movements of greater or lesser strength, either side of the centrally positioned Indian subcontinent. The swing might benefit first the East then the West, redistributing functions, power and political or economic advance. Through all these vicissitudes however, India maintained her central position: her merchants in Gujerat and on the Malabar or Coromandel coasts prevailed for centuries on end against their many competitors – the Arab traders of the Red Sea, the Persian merchants of the Gulf, or the Chinese merchants familiar with the Indonesian seas. ³

This structure of India's maritime links with Asia only reflected, quite naturally, its economic size and interaction with the region. When Europeans arrived in the Indian sub-continent the region represented a major economic entity. According to a historical study undertaken for the Organisation of Economic Cooperation and Development (OECD) by the British historian Angus Maddison, the Indian economy accounted for a good 22.6% of the world national income in 1700. The OECD study is based on available historical information on standard of living, levels of consumption and development of agricultural and manufacturing activities as well as trade and finance. The study shows (Table 1) that China and India had economies of similar size, barely 300 years ago, and that the two together accounted for almost half of world income. India's large share of world income would also have manifested itself in an equally large share of world trade, at the time, and this trade was either along the land routes to its north-west or the sea lines of communication along the Indian Ocean rim. Table 1 shows how this structure of the world economy altered over time, relegating India to a lowly position by the beginning of the 20th century. ⁴

³ Fernand Braudel, *Civilisation and Capitalism, 15th-18th Century: The Perspective of the World*, Collins/Fontana Press, 1988, p.523.

⁴ Also see Uma Dasgupta (Edited), *The World of the Indian Ocean Merchant, 1500-1800, Collected Essays of Ashin Das Gupta*, Oxford University Press, 2001.

Table 1: Distribution of World Income: 1700 – 1995

	1700	1820	1890	1952	1978	1995
China	23.1	32.4	13.2	5.2	5.0	10.9
India	22.6	15.7	11.0	3.8	3.4	4.6
Japan	4.5	3.0	2.5	3.4	7.7	8.4
Europe	23.3	26.6	40.3	29.7	27.9	23.8
U.S.	--	1.8	13.8	21.8	21.8	20.9
Russia	3.2	4.8	6.3	9.3	9.2	2.2

Source: Angus Maddison, *Chinese Economic Performance in the Long Run*, OECD, Paris, 1998.

I: Post-Independence Period

After Independence India pursued a more inward-oriented industrialisation that reduced its economic engagement with the outside world. India's share of world trade was nearly 2.0% in 1950s, but came down gradually to 0.5% by the late 1980s. India's "inward-oriented" industrialisation and reduced engagement with the world economy was partly a response to 200 years of colonial rule and partly a response to the current thinking at that time that late industrialising economies must pursue import-substituting industrialisation and support local industries against competition from abroad. While this strategy had the positive effect of developing indigenous enterprise and encouraged industrial development in many sectors, and also created the technological, social and economic infrastructure for development, it reduced India's engagement with the global economy and hurt the competitiveness of local enterprise.

In recognition of these weaknesses India altered the course of its economic policy in the early 1990s, after facing a major balance of payments and fiscal crisis in 1990-91. The new turn in Indian economic policy has increased India's economic growth rate (Table 2) and its interaction with the world economy (Table 3). As a result of trade and investment liberalisation in the 1990s, India's share of world trade increased from 0.5% in the late 1980s to 0.8% in the late 1990s. The Indian government has set a target of 1.0% for 2005.

The growth acceleration of the Indian economy has encouraged the Planning Commission to set a target rate of growth of 8.0% for the Tenth Plan period (2002-07). India's growth rate is expected to exceed that of China in 2004-05 with growth projected at 7.0%. A recent study of the global financial company Goldman Sachs has projected the emergence of four major new industrial economies by the year 2020 with Brazil, Russia, India and China (BRIC) exceeding the existing G-7 economies in size. Current growth projections show the Indian economy emerging as the third largest economy, in

purchasing power parity terms, after the United States and China by the year 2020.

Table 2: Macroeconomic Trends in Indian Economy, 1900-2001
Trend Growth Rates of GDP by Sectors @

	1950-1 to 1959-60	1960-61 to 1969-70	1970-71 to 1979-80	1980-81 to 1989-90	1990-91 to 1999-00	1997-98 to 2001-02\$
Primary	2.8	1.4	1.8	3.0	2.9	2.1
Secondary	6.1	5.4	4.7	6.9	7.2	4.5
Tertiary	4.0	4.5	4.5	6.4	7.7	7.8
Total GDP	3.7	3.3	3.5	5.4	6.2	5.4
Per Capita	1.8	1.0	1.2	3.1	4.3	-

Source: S. Sivasubramonian, *The National Income of India in the Twentieth Century*, Oxford, 2001.

Notes: * Average annual growth rates of GDP based on end values, at 1938-39 prices.

@ At 1948-49 prices; \$ Ninth Five Year Plan.

II: Trade and Investment Flows and Indian Ocean Security

India has increased its trade interaction with the world in the last decade and will continue to do so. India's share of world trade increased from 0.41% in 1992-93 to 0.67% in 2000-01 and is expected to reach 1.0% by 2005. In terms of its "trade openness", the share of external trade in national income, the degree of trade openness has almost doubled with exports accounting for 13% of national income in 1990-91 and 21% in 2000-01. In terms of the direction of trade too there has been a significant change, with Asia and Oceania, covering eastern regions of the Indian Ocean and the western shores of the Pacific, increasing its share in Indian exports from 30% in 1990-91 to 39% in 2000-01. Africa's share too has doubled from 2.61% in 1990 to 5.5% in 2000-01 and is expected to grow to 7.5%. On the import side too Asia, Oceania and Africa are likely to see their shares increase along a similar pattern due to increased sourcing of energy and manufactured goods from these regions. Within Asia, India has seen a dramatic increase in its trade with China (86% growth in 2002-03) and Hong Kong as well as with ASEAN and Korea. While Japan's share had declined in the 1990s, it is expected to increase again in the next decade with increased Japanese FDI in India.⁵

⁵ For a comprehensive account of India-Japan bilateral relations in recent years and prospects for improved relations see Sujeet Samaddar, *India's Global Credentials: Possibilities for Japan*, Thesis submitted to National Institute for Defense Studies, Tokyo, May 2002. (mimeo)

Table 3: Regional Pattern of India's Exports, 1990-2007

Region	2000-01	2006-07	Rate of Growth in 1990-2000	Rate of Growth in 2002-07 (%)
Asia & Oceania	39.1	38.4	11.24	11.0
West Europe	26.5	22.1	7.79	8.0
Americas	25.8	29.8	14.44	14.0
Africa	5.5	7.5	16.88	17.0
E Europe & Russia	3.1	2.2	-4.43	6.0

Source: *Medium Term Export Strategy, 2002-07*, Ministry of Commerce & Industry, Government of India. 2002.

What these above trends in trade show is that India is going to be more actively engaged in the maritime activity around its seas. It is partly on account of this increasing trade interaction with other Asian and African nations that India has actively participated in several regional economic partnerships. While progress in regional economic cooperation within a South Asian framework has been tardy on account of Pakistan's reticence till now to extend to India the multilateral obligation of an MFN (most favoured nation) status, and its unwillingness to pursue trade liberalisation within the framework of the South Asian Association for Regional Cooperation (SAARC), there has been considerable progress in forging bilateral trade agreements with other neighbours. India has a free trade agreement with Sri Lanka and Nepal and is presently finalising an agreement with Bangladesh. India and Thailand have begun talks on a free trade agreement and India and Singapore have a Comprehensive Economic Cooperation Agreement. While there has not been much progress in regional economic cooperation in SAARC, there has been considerable progress within the new group called BIMST-EC (Bangladesh, India, Myanmar, Sri Lanka and Thailand Economic Cooperation) and in India's bilateral relationship with the Association of South East Asian Nations (ASEAN).

This entire gamut of regional cooperation increases the importance of trade in the Indian Ocean region from India's perspective. In the first half century of India's independence it was not as actively engaged in trade with this region as it is today and is likely to be in the future. This alone increases the importance of peace, stability and security in the Indian Ocean region for India's future economic growth and prosperity.

Going beyond trade, foreign direct investment (FDI) has emerged as a major area of activity for India. India's share of global FDI has been very low till recently. For example, in 1988-93 the share of inward FDI in India's gross fixed capital formation was a mere 0.4%, compared to a global average of 4.1% and Asian average of 4.3%. However, this has increased sharply in the 1990s and by 2000 this had gone up to 2.5%. This is still low, compared to an Asian average of 11.6% and China's average of 10.5%. Interestingly, while Japan's share in FDI approvals declined from 4.7% in 1995 to 2.2% in 2000, that of South Korea increased from a mere 0.9% in 1995 to 12.9% in 1999.

India will pursue policies to attract more FDI. According to analysts, while China is still a more attractive destination for inward FDI, India has been able to improve its appeal too. There are essentially three motives driving inward FDI into large economies, namely, resource-seeking, market-seeking and efficiency-seeking. Resource-seeking FDI goes in search of raw materials. Market-seeking FDI is aimed at the domestic market of the country in which the investment is being made. Efficiency-seeking FDI is aimed at using the destination as a base for export-oriented global production bases. China rapidly evolved along this curve in the 1980s and early 1990s. India was till recently attractive only for resource-seeking and market-seeking FDI. Most Japanese investment into India has come in for these two reasons. However, recent evidence suggests that India is becoming an attractive destination for efficiency-seeking FDI also. Several Japanese and Korean companies are exporting from their production bases in India. India has also become a major data processing, information technology enabled services (Ites) and software services hub for globalised firms. India is being viewed as a production base for East Asian multinational firms that wish to export to African, Arab and Central Asian markets. Korean and Japanese manufacturers find that it is easier and cheaper to export automobiles, home appliances and other manufactured goods from locations along the Indian coast to markets in the Persian Gulf, Africa, Central Asia and even Europe. Indian investments in rail lines in Iran that reach into Central Asia make it an attractive base for export-oriented investment. Each of these countries then, both the home country of the multinational company as well as the host country and the country to which goods are destined have a stake in the security of the Indian Ocean region. Japan also depends on the Indian Ocean for access to food imports from the region.

The increased trade flows between India and its east and south-east Asian neighbours, including Japan, Korea, ASEAN and China, will increase the importance of ocean security for the region's economy. The industrial development of Asian economies will increase the importance of maritime security for all countries in the region. Given India's location it will have to be actively engaged in a regional cooperative security framework for the Indian Ocean.

The importance of Indian Ocean security for Japan's trade and investment cannot also be over-emphasised. Studies show that Japanese companies intend to continue to invest in the Asia-Pacific region. Apart from China and ASEAN, India is also an important emerging destination for Japanese investment. As Samaddar has concluded in his study, "There are remarkable opportunities to combine resources and energies of the two countries to the mutual benefit of the economies."

II. Energy Security and Ocean Security

Apart from trade and investment flows, a key economic activity centered around the Indian Ocean is the flow of global energy resources. Economies to the east of India, namely, the south-east and east Asian economies as well as Australia, are all energy-importing economies. The economies to the west of India, namely, west Asian economies, are all energy-exporting economies. It is, therefore, quite natural that India's location makes it a vital element in the assurance of ocean security for energy flows from the energy sources in the Persian Gulof to industrial markets in east and south-east Asia.

Energy supplies, both crude oil and gas (LNG), are bound to remain an important element of maritime activity in the Indian Ocean. According to a study, "The share of West Asia's supply of crude oil to the Asia-Pacific region is expected to increase from 71% in 1995 to as much as 93% in 2005. The attraction of west Asian oil is its easier transportability, compared to energy resources from

other geographical regions. In terms of maritime security, it may be noted that even at present, nearly 40% of the world's crude oil sourced from the Persian Gulf passes through the Straits of Hormuz. Crude oil accounts for as much as \$200bn of the \$500bn of trade that flows through the Indian Ocean.”⁶

In 2001, petroleum, crude oil, natural gas and other fuels constitute 20% of Japan's total imports and 30% of India's total imports. Japan imports substantial amount of its energy need from Iran, Kuwait, Qatar, Saudi Arabia and UAE. Apart from all these countries India also imports oil from Bahrain, Oman, Nigeria and Sudan. More than 50,000 vessels transit every year through the Malacca Straits. The sea lanes of communication of the Indian Ocean are vital to Japan that imports 73% of its oil and natural gas imports and 15% of its food imports through the Indian Ocean SLOCs. Joint assurance of security in the region by Japan and India is vital to these SLOCs.

IV: Trade and Terrorism in the Indian Ocean Region

Given the rising importance of the Asian economies to the global economy and in particular the central role of Japan, China, India and ASEAN in the global economic system, the stability and security of the Indian Ocean region is vital to the orderly progress of global economic activity. It is precisely for this reason that forces inimical to global peace and stability and revisionist forces that seek to alter the current global order may well attempt massive acts of terrorism in the Indian Ocean region aimed at dislocating the global economic system. Even when the aim of such forces is not directed against any specific country in the region, say Japan; any act of disruption in the region will hurt us all. No major country can remain oblivious to this fact. Modern industrial economies across the world are beginning to discover the cost they have had to bear, for example in terms of rising insurance costs and rising security costs, as a consequence of the 9/11 terrorism in the United States. A terrorist incident in the Indian Ocean aimed at either the US or any other country can have devastating consequences for all modern economies dependent on the normal functioning of the maritime economy of this region.

This uncertain threat to our combined security calls for a cooperative security framework in Asia and in particular in the Indian Ocean region. Asia does not have a cooperative security framework like Europe. The Indian Ocean also does not have a security framework like the Atlantic and the Pacific. Countries like Japan, the United States, China, India, Australia, South Korea and the ASEAN should evolve a common Indian Ocean security framework that ensures maritime economic security and creates a system for rapid response. India is engaged in a series of consultations aimed at improving the efficiency of the policing of the high seas to check piracy and terrorism. Japan and India should actively associate together in creating such a regional framework to enhance ocean security in the region.

Samaddar has suggested that “the growing menace of piracy, proliferation of small arms and drug trafficking has implications for the entire world and particularly so for Japan, since Japanese ships are the prime targets in and around the Malacca Straits area. Chinese incursions into the Indian Ocean will provide a capability, though the intention may not be there for the moment, to strangulate the oil flow from the Mid-East to East Asia. A harmonious relationship with modern India has obvious

⁶ Rahul Roy-Chaudhury, *India's Maritime Security*, Knowledge World, New Delhi, 2000.

advantages for Japan, especially in the light of Chinese influence in the area, and India's recent unprecedented proximity with the US.”⁷

Going beyond joint naval exercises and joint strategic planning to deal with piracy and high seas terrorism, India and Japan can cooperate in the modernisation of India's maritime economic system. Japanese investment in Indian port modernisation, in ship-building, in maritime infrastructure and in other related areas can help improve the quality of Indian response to any security threat in the region. India and Japan must engage in a bilateral security and economic dialogue aimed at such cooperation. Japan has increased its official development assistance to India and India has emerged as the largest recipient of Japanese aid, overtaking China. Grant-based investment in infrastructure, port development and other infrastructure development can benefit India and help contribute to Japan's security in the region.

It is pertinent to note that when the Government of India altered its external aid policy and stopped accepting official aid from industrial economies it made an exception in the case of Japan, along with the United States, Britain, Russia and Germany. Indian government does not accept aid from any other country. All other European Union members have been asked to divert official assistance to non-governmental organisation. India's decision to continue accepting aid from Japan is a friendly gesture, because India's preference is increasingly for trade and investment flows rather than aid and debt flows. India views Japan as a long-term strategic partner. It is only natural that India and Japan should jointly work together for the security of the Indian Ocean, fight piracy and terrorism in the region and seek peace, security, stability and prosperity in Asia.

⁷ Samaddar, op cit, p.43

An Overview of Ports, Shipping, and Shipbuilding in India -- Maritime Economy Paper by Rear Admiral (Retd.) Sampath Pillai, CMD, Goa Shipyard

Introduction

This is a time of great vibrancy and optimism in the Indian infrastructure scene. Many have bemoaned the apparent slow rate of change in India, particularly in comparison to China. However, that is merely seeing a part of the entire picture. The Indian economy, characterised as elephantine, is now beginning to gain momentum and is lumbering ahead faster and faster. The size of the present economy and its diversity richly help in this unstoppable and forward momentum.

This review deals with certain aspects of the Indian infrastructure, namely, Ports and Shipping, Shipbuilding and ancillary industries, all having a direct impact or fallout on that most important of all engines of growth, namely foreign trade. These however are not aspects that can be considered in isolation and need to be viewed within the overall perspective of both the general economic scenario of the country and region, which Mr. Sanjaya Baru has earlier in the day covered for us. Also, this economic backdrop needs to be situated within the overall rubric of the political and security scenario and the international situation which impact on ocean security. These have been discussed in the past few days.

Infrastructure Building

I shall commence by referring to the most important infrastructural initiative taken by any Indian government in the past 50 years. That is, and this may appear incongruous as we are discussing maritime matters, the currently well underway renewal of the national highways, in the form of the ambitious Rs.540,000 crore National Highways Development Project (NHDP). This is now scheduled to be completed by Dec 2005 and comprises what is known as Golden Quadrilateral (GQ) that joins the four major urban centers of the country i.e. Delhi, Mumbai, Chennai and Kolkata, and the East-West (EW) and North-South (NS) highways which cut across the country, dividing it into four segments. What is not generally spoken about, which is vital for the development of the ports and the shipping sector, are the numerous ancillary roads being built in the Port Connectivity Scheme which is a part of this NHDP. This Port Connectivity Scheme will link all the major, and some of the minor ports of the country to the Golden Quadrilateral. One must also take note of positive developments in rail connectivity of ports which is also being addressed.

To further augment the ports and shipping sector the government has now indicated its intention to launch a Rs.100,000 crore project, namely, Sagar Mala, which is a proposal to create a golden sea chain of world class ports all along Indian coast line. Sagar Mala is expected to generate private

sector interest and will focus on generating transportation efficiency. Of the Rs.100,000 crores for Sagar Mala, 60 per cent is to be allocated for port development, 25 per cent for maritime development and 15 per cent for the development of inland water transport. The Sagar Mala project will also encompass a bundle of principles that will guide the 10-year endeavour to upgrade port infrastructure. A great deal of emphasis is being laid on the private sector with 85 per cent financial participation by private builders and a clear definition e.g. public and private sector will be treated equally with no preferential treatment for government owned ports. But all that is in the future. The current scenario while promising, still needs careful monitoring. There is very little doubt however that this scale of governmental infusion of public and private funds into the economy, unprecedented since the early 50s when the Indian public sector behemoths were set up along with dams and steel plants, will certainly aid in a kick-start process. Of even greater impact may well be, particularly for the development of inland waterways, the proposed, unabashedly ambitious, river-linking project of the government. It is still too early to comment on this however, at such an early stage.

Currently, despite possessing natural advantages such as a long coastline and strategic location, India's ports handle a tiny component of international maritime traffic. The sector has hitherto been plagued by high tax rates, elderly infrastructure and poor policy support. Now change appears imminent. India has 13 major ports and over 180 minor and intermediate ports, dotted along 6000 km of mainland coastline (excluding the strategic Andaman & Nicobar archipelago). Ports handle 90 per cent of India's foreign trade in terms of volume, and 70 per cent of it in value terms. The major ports control three-fourths of cargo traffic. The minor ports currently control about 24 per cent of traffic. The share of minor ports in cargo handling has grown briskly at over 30 per cent. CAGR in the past but there was some decline in minor port traffic this year. Each major port is managed by a port trust under the jurisdiction of the union government. The minor ports are controlled by the respective state governments. Gujarat, Maharashtra and Tamil Nadu have constituted maritime boards to oversee the function of minor ports.

The ports are governed by the Indian Ports Act, 1908 and the Major Port Trusts Act, 1963. These are being amended to facilitate corporatisation. All major ports come under the regulatory purview of the Tariff Authority of Major Ports (TAMP). Since 1991, the government has tried to attract private sector participation in major ports. Acts governing the sector have been amended, FDI limits in the sector have been relaxed to 100 per cent and assorted tax incentives have been offered. Despite these efforts, major ports have had limited success in attracting private sector participation. This has been restricted to licensing of operations of existing berths or the granting of build-own-operate-transfer concessions for increasing terminal capacity. Minor ports have been more successful in attracting private participation. In Gujarat, three ports, namely, Mundra, Pipavav and Dahej, are being developed by private operators. In the corporatisation of major ports, progress has been limited. Ennore port was corporatised in 2001. Accounting and operating systems have been revamped in a few ports. Private participation in the major ports has been mainly restricted to the leasing of berths and equipment, the licensing of operations of existing container berths, or granting BOT concessions and the creation of additional terminal capacity. The first major project under licence for creation of a container terminal on a BOT basis was at Jawaharlal Nehru Port Trust (JNPT) by Nhava Sheva Inland Container Terminal Limited, a company promoted by the P&O Group. This was followed by development of a container terminal at Tuticorin by PSA, Singapore. The Chennai Container Terminal Limited has been taken over by P&O. Similar concessional BOT agreements at the Kochi

and Kandla port trusts are being processed.

Container traffic has grown at over 10 per cent per annum for the last three years. This reflects the global dominance of containerized traffic. But only 13 per cent of India's port capacity is devoted to container traffic. This will surely change, once the port connectivity segment of the national highways program is completed and the obvious attractions of multi-modal transportation, which containers facilitate, bring about more investment in that sector. About 70 per cent of India's container traffic is transshipped through hubs like Colombo, Singapore and Dubai. There has been little action so far on the union government's plans to set up hub ports to handle container traffic. This should change with the implementation of the Sagar Mala Project

The operational efficiency of Indian ports is currently below international standards, although recent improvement has been noted. The average pre-berthing detention reduced from 0.5 days in 2001-02 to 0.34 days in 2002-03 and the average turnaround time reduced from 3.8 days to 3.1 days in the same period. New initiatives emphasise integrated port development. Port connectivity is being improved on a fast-track basis under the National Highways Development Project. Phased corporatisation of the major ports is being introduced. A bill amending the outdated Major Port Trusts Act, 1963 has been introduced in Parliament. Plans exist to develop two container transshipment hub terminals at JNPT and Chennai ports. Development of inland waterways is also being encouraged. These initiatives are in the right direction. Major improvement in operational efficiency will be apparent when management practices and infrastructure improve.

Shipping Overview

Shipping plays an important role in the national economy. It is a major foreign exchange earner. Almost 90 per cent of India's trade volume (more than 70 per cent in terms of value) is moved by sea. Indian shipping industry has to an extent, considering its late start in modern times, flourished for many years, achieving many milestones in the 1970s and early 1980s. Today, India has a well-diversified (albeit with some deficiencies) merchant fleet of tankers, bulk-carriers, container ships, specialised multi-purpose vessels and offshore supply vessels. However, despite, an extensive coastline and strategic location along a major global route, Indian shipping remains a tiny component of the international industry.

Indian shipping tonnage has also, unfortunately, been declining in the recent past. Gross registered Indian tonnage was 61,77,559 tonnes on April 1, 2003, almost 10 per cent less than last year. Shipping companies are finding it difficult to maintain fleets due to high tax liabilities. Also, nearly 30 per cent of the Indian fleet is more than 20 years old. The share of Indian shipping in India's overseas trade has also declined. Less than 30 per cent of Indian trade is carried in Indian bottoms. Nearly 85 per cent of dry, bulk and general cargo and around 45 per cent of POL products are carried under foreign flags.

There are many factors responsible for the decline. The liberalisation of 1991 resulted in industry

support through interest rate subsidies and cargo support being withdrawn. Indian shipping also suffers from high taxation levels, high insurance costs and overregulation. Many smaller maritime nations such as Singapore have large competitive advantages due to these retarding factors. Shipping is inherently a highly cyclical and capital-intensive industry, which makes FIs and banks wary about offering financial assistance.

The shipping industry is dominated by state-owned Shipping Corporation of India (SCI), which controls half the country's tonnage. Private sector companies include Great Eastern Shipping, Essar Shipping, Varun Shipping, Shahi Shipping and Tolani Shipping. While the government announced two years ago that it intends to divest its 51 per cent stake in SCI in principle, the ground reality is that this has not yet happened.

The government has taken several initiatives in an attempt to revitalise shipping. These include the simplification of ship acquisition procedures and the regulatory procedures for raising resources, retention of sale proceeds and release of foreign exchange. Foreign direct investment up to 100 per cent is permitted. More action is however necessary on the policy front. A long-pending demand of the industry has been the introduction of a tonnage-based tax, on the lines that exist in other countries. Indian companies pay normal corporate tax. A tonnage-tax regime imposes taxes according to the total tonnage carried. Such a shift could spur fleet expansion since there would be an incentive to create capacity. The government has not yielded yet to the lobbying for tonnage tax, but instead has raised the upper limit for transfer of profits to the ship acquisition reserve under Section 33 AC of the Income Tax Act, 1961. This move has provided some relief to shipping companies. Some companies have also begun sailing ships under other national flags to avoid the high level of Indian taxation.

The shipping industry is governed by three separate acts. These are the Merchant Shipping Act, 1958, the Inland Vessels Act, 1917, and the Coastal Vessels Act, 1838. These acts urgently need amendment to add new regulations related to changes in global safety and pollution norms. Shipping is a central subject and comes under the Ministry of Shipping. The National Shipping Board advises the union government on shipping matters while the Directorate-General of Shipping is the main regulatory authority.

Indian shipping has a lot of potential, which could be developed through adequate policy support. Several new opportunities are visible on the horizon. Refining capacity is undergoing a massive expansion, which would make India a net exporter of refined petroproducts within a few years. Container traffic is growing fast as well. Also, India is turning into a major importer of LNG and the transportation of LNG is lucrative. However, the Indian shipping industry lacks the deep pockets required to buy LNG tankers and other vessels suitable to exploit these opportunities. There is, for example, not a single VLCC in the Indian fleet.

Shipbuilding in India

In the initial stages of centralization of the Indian economy, the play of economic forces resulted in a concentration of shipbuilding efforts as part of the state apparatus, the public sector as it is referred to

in India. This period immediately after independence and in the first thirty years of independent India, saw the setting up, in various degrees of size and competence, of the five major public sector shipyards. A sizeable number of private shipyards and a few smaller state-run shipyards also were developed during this period, but of the fifty or sixty that have been set up during the past half century, unfortunately, only a little more than a dozen and a half or so have remained viable entities. They have suffered from the grievous blows inflicted on shipbuilding, as in the rest of the world, due to the East Asian shipbuilding miracle of the last three decades. The major state-owned shipyards in India have been able to sustain themselves essentially due to Naval and Coast Guard contracts, and to some extent, in the cases of Cochin and Vishakhapatnam, due to repair activities.

The shipbuilding industry has been delicensed in India, except for construction of war-ships which, to a large extent, had been reserved for the public sector. Recently however, in keeping with its policy of opening up the economy, the government has licensed some private industries also to build smaller warships. There are four major shipyards in India capable of building large ocean-going vessels. They are all in the Public Sector. Two of them, Cochin Shipyard Ltd. (CSL) and Hindustan Shipyard Ltd. (HSL) at Visakhapatnam, are under the administrative control of the Ministry of Shipping (MOS) of the Govt. of India. They are engaged in the construction of vessels required for the mercantile marine. Mazagon Dock Ltd. (MDL) at Mumbai, and Garden Reach Shipbuilders and Engineers Ltd. (GRSE) at Kolkatta, which along with the smaller Goa Shipyard Ltd. (GSL), are under the administrative control of the Department of Defence Production & Supplies within the Ministry of Defence, construct and repair naval warships and patrol vessels for the Indian Navy and Coast Guard. The four larger shipyards have also in the past built a variety of other vessels and structures such as those for offshore oil and gas production and exploration, port auxiliaries, dredgers and inland waterway crafts.

There are a limited number of shipyards in the country which could be classified as medium and small category yards. Of these, five shipyards namely Hooghly Dock & Port Engineers Ltd., Kolkata, Rajabagan Dockyard of Central Inland Water Transport Corporation, Kolkata, Goa Shipyard Ltd., Goa, Alcock Ashdown & Co, Bhavnagar and Shalimar Works Ltd., Kolkata are in the Public Sector. Hooghly Dock & Port Engineers Ltd., Kolkata and Rajabagan Dockyard of Central Inland Water Transport Corporation, Kolkata are under the administrative control of Ministry of Shipping; whereas the Alcock Ashdown & Co., Bhavnagar and Shalimar Works Ltd., Kolkata are under the administrative control of the State Governments of Gujarat and West Bengal respectively. Other shipyards are in the private sector. The aggregate annual capacity of all Indian Shipyards is estimated to be approx. 0.15 million CGT (Compensated Gross Tonnage).*

Ship-repair activity in the country broadly comprises of twenty small sized commercial dry-docks equally divided between the public and private sectors. These are supplemented by 'wet berths' in major ports like Mumbai, Kolkata and Chennai. Vessels serving Nicobar, Andaman and Lakshadweep ports as well as dredgers, offshore supply vessels, jack-up rigs, drill ships and a smaller number of ocean going cargo vessels are serviced in these dry docks. However, dry docks are limited in size and can handle comparatively smaller vessels only. Warships of the Indian Navy are dry-docked and repaired at captive facilities in the Naval Dockyards. Owing to growing demand vis-à-vis capacities of the naval dockyards, repairs of defence ships and submarines are increasingly offloaded to the commercial shipyards.

Ancillary Industries

Shipbuilding is essentially an assembly industry which requires shipyards to procure raw material and equipment for the ships being built. While this subject has become a specialized and modern topic both in East Asia and in Europe-America, in India due to insufficient attention paid to this area, the ancillary industry required for shipbuilding has lagged behind. In particular, the matter has not been helped by the problem that local industry has only hesitantly picked up the challenge of meeting this requirement, basically due to the low volumes envisaged. Further complicating the process have been the cumbrances and difficult systems that have been evolved in the public sector shipyards. In many instances, the lead time for placing an order is longer than the time involved for designing and manufacturing ancillary equipment. As a result shipyards have faced problems in the field, with Indian marine equipment industry not modern enough, nor of international standards. This is a classic case of a chicken and egg situation. Lack of standardization, insufficient order quantities, and crude or obsolescent design capabilities have resulted in an increasing tendency to rely on equipment from abroad. Insufficient resources have been provided for research and development, both of engineering and technology as well as for raw materials. In fact, the Indian raw material market is also in a sorry state due to the fact that part of Indian industry is only now slowing getting more and more sophisticated. We lag behind greatly in matters of specifics and certain issues need to be dealt with in order to alleviate the situation. In particular development of materials of proper specification which can be offered to the marine equipment industry on a reliable and continuing basis, development of a set of standard specifications for all type of marine equipment covering all ship sizes is the need of the hour. Rationalized inspection procedures, procurement/vendor development programmes by shipyards which will endeavour to recognize, encourage and reward the equipment industry which takes up R&D to produce quality equipment, in preference to those which are not professionally committed, are also steps that need to be addressed.

Japan-India Economic collaboration

We have so far reviewed the state of affairs as they pertain to the maritime scene in India today, and as this paper is being presented to an audience of Japanese and Indian practitioners, the natural question to ask is, what are the issues that would merit further discussion with a view to further collaboration between both sides with a view to mutually benefit both? What are the agendas that can be drawn up for future action? But to do that we need to review the state of economic co0operation between the two countries. What is the current state of Japan-India economic collaboration?

Japan is India's third largest trade partner, two-way trade during , for example, the year 2001-02 being \$3.54 billion of which Indian exports comprised \$1.5 billion.

The major items of India's export to Japan are marine products (28%), diamonds, gems and jewellery (26%), textile products (12%) and minerals including iron ore (10%). The other items are garments, tea, cut flowers, spices, chemicals, bulk drugs, computer software, leather goods, etc. Japan presently ranks fourth in foreign direct investment in India, behind the United States, Mauritius and United Kingdom. The cumulative approval of Japanese FDI in India is around US \$3.1 billion. The actual inflow of Japanese investment from 1991 to August 2002 was around US \$ 1251.3 million. The sectors

attracting maximum Japanese investment are transportation (28%), telecommunications (18%), fuel (13.5%), chemicals (12.17%) & trading (6.9%). There are also a large number of Japanese technical collaborations, accounting for nearly 7% of total foreign technical collaborations in India. Japanese technical collaborations are concentrated mainly in the areas of electrical industry (26%), transportation (24%), chemicals (9%), industrial machinery (6%) and metallurgy (5%). Japanese investors in India, include Suzuki, Sony, Mitsubishi, Honda, YKK, NTT and Toyota. For the last few years, interaction in the field of IT has increased. The strength of India in the field of IT is now well recognised in Japan not only in the cities like Tokyo and Osaka but also in smaller cities. Some of the smaller cities in fact have taken active interests to promote IT cooperation with India. Now there are more than 40 Indian software companies in Tokyo and surrounding areas. About 800 Indian software engineers are working in Indian and Japanese companies as well as multinational software companies in Japan.

India has been one of the most important beneficiaries of Japanese foreign assistance since the very inception of Yen Loan assistance in 1958, being chosen as the first recipient. Over the years, Japanese Official Development Assistance (ODA) has expanded to cover a wide range of areas from infrastructure, such as, electric power development to health sector, and from afforestation to preservation of cultural heritage, making Japan the largest bilateral donor for India during the period 1986-1999.

In response to India's nuclear tests in May 1998, Japan suspended ODA except for ongoing and humanitarian projects. However in October 2001, Japan unilaterally lifted economic sanctions.

Conclusion

Japan-India economic collaboration as an ongoing matter does address issues in the maritime sphere, but perhaps more could be done to deepen this strategic partnership. These issues stem basically from the areas in which it is clear that Indian maritime industry needs to improve and point the way towards meaningful maritime collaboration. Productivity from Indian shipyards has to be increased. Productivity is a function of worker motivation, work rationalisation, production engineering, mechanisation and advanced planning. Modern management techniques have to seep into the age worn traditions of the Indian shipbuilding industry. The supplying industry of marine equipment and machinery has to be developed. International licence needs to be obtained for the manufacture of these specialised equipment and their production started in India. This would also bring some flexibility in the pricing of our ships. Competitive pricing in the international market is hard. Shipbuilding is becoming a subsidised industry in most countries; in India too it has to be, and indeed is increasingly being supported by the Govt. Modern shipbuilding demands are very exacting and we can no longer build ships economically with outmoded methods.

After registering low or no growth for several years, the ports and shipping sectors are beginning to do well again. The major ports registered a 9 per cent growth in traffic in 2002-03. A number of factors are responsible for this growth. On the one hand, capacity is no longer a constraint. On the other, efficiency levels have improved. The average turnaround time of vessels, for example, has been reduced from 3.8 days to 3.1 days. The minor ports have continued to grow at a faster pace and now

account for almost 25 per cent of the traffic. There has been uneven progress in private participation in the ports sector. In some areas, like container terminals and greenfield speciality ports, there has been significant private investment; in other areas, like general cargo berths and storage facilities, it has lagged behind. The proposed greenfield port projects at Andhra Pradesh, Kerala or Maharashtra still have to take off. Corporatisation of the major ports, one of the stated goals of the reform efforts, will also help.

Given the Indian government's emphasis on infrastructure building , even if belated , there is an exciting opportunity opening in the Indian economy , and ports, shipping and shipbuilding will all benefit greatly. Agendas for future action relating to these aspects of the Indian economy and maritime spheres would be of great advantage to those willing to invest and participate. Also to the Japan-India strategic dialogue.

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MARITIME INTERESTS AND THREATS FROM AN INDIAN PERSPECTIVE

Vice Admiral P.S.Das, Indian Navy (retired)

Introduction

In the days when they ruled the world, the British realized that control of sea lanes, stretching from the mother country to their far flung colonies, was critical to maintaining their suzerainty. Towards this end, Britain maintained a chain of bases, stretching from Gibraltar in the west to Hongkong in the east, from where they deployed naval flotillas capable of dominating these waters, with India being somewhere in the centre. When the time came for them to leave their Indian colony in 1947, they planned that the newly independent country should sustain the arrangements put in place by them so that British interests could be safeguarded. This facilitated rapid expansion of the Indian Navy which grew from a small force of about a dozen small vessels and assorted minor craft, to an ocean going fleet comprising an aircraft carrier, two cruisers and seventeen frigates and destroyers, all contemporary to vessels being operated by the British Navy, in a period of just fourteen years. The Indian Navy, thus, became the most credible naval power in the region. However, from its earliest days, India has faced repeated threats and conflicts on its land frontiers and, consequently, had to focus on ensuring the integrity of its land borders. The insurgency in Kashmir, aided and abetted by Pakistan, has also added to this land fixation. But things have now begun to change and there is growing realization that maritime power will play an increasingly important role in India's security calculus in the emerging global security environment.

The Emerging Security Environment

The global security environment is no longer Euro-centric and is now focused on Asia-Pacific. Seven of the ten most populous countries of the world are located here as also some of its largest standing armies. Almost all present and potential major global players viz. the USA, China, Russia, Japan, ASEAN and India are relevant to this theatre. The largest economic congregation, the APEC, covering 38 percent of global economies, is also an Asia-Pacific entity. With China having been identified as a potential challenger to its long term interests, and some of the potentially largest economies of the world located in this region, the USA has no option but to establish and maintain capabilities in Asia which can safeguard its long term interests. The Bush National Security Strategy of September, 2002, categorically affirms that America would never again allow its military, economic and technological prowess to come under challenge. Since the only possible challenger is in Asia, the USA will now want to be a dominant and permanent player on the chessboard of Asia-Pacific. It already has such a capability in the Pacific through its military presence, and treaties with Japan, South Korea and Taiwan, apart from its economic interests and interactions in the APEC forum. It has to achieve a

similar position in Asia. The USA now has military presence in Pakistan, Afghanistan, the Central Asian Republics, Bahrain, Kuwait, Saudi Arabia and Iraq, and its naval forces provide powerful capabilities which can be brought to bear from the sea. It will also seek to have influence over the region's energy resources, including their production levels, pricing and distribution, and safety of the sea lanes through which they move. Additionally, America's war against terrorism is also linked to this region as a large number of radical Islamic terrorist groups are located here and draw sustenance from formal and informal institutions. The defeat of Taliban in Afghanistan, and the consequent disruption in Al Qaeda activities, has only led to the emergence of sympathetic organizations in several countries of the region, most notably, Pakistan, Saudi Arabia, Yemen, Bangladesh, Indonesia, Malaysia, Singapore and Thailand. The 'madarsas, which are breeding institutions for most terrorists, have not disappeared, nor have the 'front' organizations which support this activity through funds and weapons. The attack on the American destroyer, USS *Cole*, in Aden, a similar planned but aborted mission in Singapore some weeks later, and the suicide bomber attack on a French tanker off the coast of Yemen, provide proof, if any is needed, that terrorism has already acquired a serious maritime dimension. There is increasing evidence of links between the Al Qaeda terrorists and pirates, and the methods being used by both, are now far more sophisticated, cruel and potentially destructive.

The Indian Ocean is one of the major theatres of Asia. It is also the highway to the Asia-Pacific. The strategic imperatives of America : to have a dominating presence in Asia, to exert influence over its energy assets, to ensure safe movement of commerce and to counter radical Islamic terrorism, are inextricably linked to this vast stretch of water. The countries of concern are all littorals of this sea space, the bulk of the enforcing capabilities are at sea or sustained from the sea and safe movement of vital cargoes requires the sea lanes of communications to be made secure. It is in this overall context that India has to look at its maritime interests and the threats which confront it, or are likely to be faced, in the coming years of the 21st century.

The Indian Ocean

Nearly half of the entire seaborne commerce of the world moves across the waters of the Indian Ocean. It is also interesting that while 75 percent of all shipped cargoes in the other two great oceans – the Pacific and the Atlantic –are moved between and to countries littoral to them, in the Indian Ocean, this same percentage goes to countries external to the region. Even more important, as much as 20 percent of this commerce is in the form of oil and gas. Consequently, countries outside these waters, and especially those with critical needs of energy, have a natural interest in the geopolitics of the Indian Ocean region. For example, 70 percent of Japan's needs of oil are met from the Gulf, and Korea is equally dependent on imports from this region. The USA itself imports 20 percent of its energy needs from here. Even China is now an importer of Gulf oil and its requirements are going to increase. Nearly two thirds of the world's LNG trade is shipped through the South China Sea to Asian markets. Other critical raw materials driving the economies of Asia such as coal and iron ore also transit through the SLOCs of the Indian Ocean-South China Sea, consigned to countries in North East Asia Thus, the entire Asia-Pacific region is critically dependent on the energy resources of the region and on the safety of their movement, through what can easily be described as the 'arteries' of the regional economies. As much as 65 percent of the world's discovered oil reserves and 35 percent of its gas are located in this

region which accounts for 40 percent of global oil production annually. These are very important and critical assets. There are also resources below the sea which are still to be discovered and exploited. These existing and potential resources lend great strategic significance to the Indian Ocean region..

At the same time, almost the entire littoral area suffers from serious vulnerabilities. The sea lanes entering and exiting from these waters pass through several narrow passages e.g. the Strait of Hormuz, the Gulf of Aden, Suez Canal, the Strait of Malacca, the Sunda Strait, Lombok Strait etc, creating 'choke points', literally, making it possible for rogue states and non-state actors to interdict or disrupt shipping, thus, jeopardizing the safety of cargoes moving across the important east-west trade routes. The consequent disruption or dislocation in the trade chain will have very serious implications on the economic growth of most major economies. Some of these details have been highlighted in the presentation prepared by Admiral Roy. It is not surprising that the British attached the importance that they did to control of these seas. Most littorals have been nation states for less than fifty years, and religious, ethnic and societal discords plague most of them. The fact the many are ruled by authoritarian regimes and are dependent on 'single product' economies, especially in the Gulf region, adds to their fragility. The example of Saudi Arabia, where per capita incomes have dropped sharply in the last decade even as employment has soared to over 25 percent, is not unique. In fact, this is one reason for the growth of radical Islamic movements and 'madarsas' which, ultimately, fuel terrorism around the world. Many countries in South West Asia, South Asia and South East Asia are now well known for the presence of terrorist organizations with clear linkages to one another.

On the one hand, therefore, the Indian Ocean region is a theatre of great strategic significance and a region in which many countries external to it have a stake. On the other, most of its littorals have fragile and potentially unstable societies ruled by authoritarian regimes which can suffer destabilization, economically and politically, possibly, through violent means. As the largest democracy and most stable country in the region and one with important economic and technological growth imperatives, India has, at the same time, to be seen as a credible power and also be able to safeguard its own interests from regional turmoil and instabilities.

India's Specific Concerns

India has some specific concerns in the Indian Ocean. As many as 3.5 million Indian citizens work in the Gulf countries, contributing over \$ 10 billion to the Indian economy annually. Our interests require that the area remains stable so that their work environment is secure and their contributions are not affected in any adverse manner. All Gulf littorals are Islamic countries with whom India's own very large islamic population, larger than that of either Pakistan or Bangladesh, has many interfaces. These include, in a positive sense, religious interaction as in the 'Haj' pilgrimage but also activities inimical to our interests such as the funding of 'madarsas' and fundamentalist organizations in India, both of which fuel terrorism. Several such institutions are known to be funded in this manner from Saudi Arabia, including in places as far away and isolated as the Andaman Islands in the Bay of Bengal. Another vital concern is India's dependence on oil imports from the Gulf. Over 70 percent of India's annual oil consumption is imported and the figure is likely to go up from 80 million tons this year to 150 million tons by 2020. Any stoppage or interdiction of this oil will have crippling impact on the country's economic growth. The safety and security of this lifeline is, therefore, critical to our interests. It is

equally important that our offshore oil assets, spread over an area of over 48,000 square kilometers, are protected from any attacks or encroachments by hostile elements. The same holds true for the nearly 4,000 odd tankers which come to our ports every year. Their number is likely to grow to over 8,000 by 2020 and the area under offshore exploitation will also increase considerably by that time. There are prospects of oil and gas discoveries on the eastern seaboard of India and in the Andaman and Nicobar Islands. Further, 95 percent of India's overseas trade moves through the medium of the sea, including vast tonnages of coal, iron ore and other raw materials and manufactured products going out of the country or coming into it. Safety of the sea lanes, the coastal offshore areas and our ports and harbours through which this trade moves is, therefore, vital to the security of our national interests. In earlier times, the emphasis was on securing our assets against naval or military threats but the major threat now is that posed by terrorists and non-state actors, with or without the direct or indirect collusion of some states. In this new scenario, ships and ports can be targets of terrorist attacks, or used as conveyances for terrorist activities, or utilized as delivery systems/weapons for terrorist attacks. Not only coastal areas but even the open sea can be used for terrorist attacks which could also target coastal or island habitats. Indeed, it would be unwise to exclude any activity at sea or in ports from the reach of determined terrorists.

India shares maritime boundaries with three of its South Asian neighbours and with four countries of the ASEAN. While boundaries have been delineated with all of them except with Pakistan and Bangladesh, there is potential for discord once capability to exploit underwater resources becomes technologically feasible at affordable cost. The existing irritants of poaching and smuggling can then transform themselves into larger issues as nations compete for precious mineral resources and raw materials. Yet another concern relates to piracy and hijacking of ships. As has been mentioned earlier, these are now assuming menacing proportions and are not confined to mere robbery. Increasingly, force is being used and crews killed before the ship is taken away to be deployed for transport of drugs, arms and explosives. Much of this activity is taking place in waters of the Indian Ocean, especially off Indonesia and in the Strait of Malacca and in the South China Sea. Interestingly, even as incidents of routine piracy such as boardings, robberies etc have shown a decline in the Strait of Malacca in the last three years, those in which ships have been taken over outright, have gone up five-fold. Such ships are then used for illegal activities such as smuggling of narcotics which, in turn, lead to procurement and transportation of arms and explosives. These, ultimately find their way to terrorist movements. Much of the LTTE terrorism in Sri Lanka has been fuelled by arms and explosives brought into the east coast of that country in this manner and procured from the sale of narcotics taken out of Myanmar. Explosives for the series of bomb blasts which hit the city of Mumbai in India in 1993 had also been brought in by sea. Located between two of the major narcotics producing centres of the world, the Golden Triangle in the east, fuelled from Myanmar, and the Golden Crescent in the west, centered on Afghanistan, India is particularly exposed to this sinister threat. Terrorists now have access to sophisticated arms and equipment such as GPS, SATCOM, Night Vision Devices and shoulder fired missiles. They can utilize even more potent weapons and move about in vehicles such as high speed craft and helicopters. Therefore, the entire world of maritime terrorism has now acquired a much more military complexion, requiring a compatible response. Finally, the Indian Ocean region has witnessed considerable militarization in the last decade. Iran and Singapore now deploy submarines and Malaysia will soon join this group. Even the smaller countries deploy ships and craft fitted with sophisticated missiles, and modern aircraft like Mirages and F16s, can be found in the inventory of many air forces. This enhanced military capability in India's proximity has to be taken note of. Along with other concerns, it creates a

security environment in which India must interact proactively with many countries, both external to this region and littoral to it. Maritime power has to be an essential ingredient of these interfaces, especially between countries which share common interests and depend on the sea for their economic sustenance and growth.

Interfaces with External Powers

The USA, as has been mentioned earlier, is a major player in the Indian Ocean and in the Asia-Pacific. Not only does it have vital strategic interests in these regions but it also deploys considerable maritime power to support and safeguard them. India shares some of these interests, in particular, those pertaining to the fight against terrorism and the safety of seaborne commerce. The Indian Navy has been carrying out joint exercises with the US Navy for about a decade and their scope has been increasing to ensure that the desired level of interoperability is reached between both navies. The two nations have also executed joint patrols in the Strait of Malacca, with their warships escorting high value cargo vessels. These included not only oil tankers but also ships carrying LNG, iron ore, fertilizers and container ships. Exchanges of personnel and delegations have also increased and a Defence Policy Group meets regularly to oversee all military interactions and to establish closer interfaces in military cooperation. Despite differences of opinion in some matters, it is very unlikely that these interfaces will diminish as there is convergence of interests between the two countries at the strategic level. In fact, they are likely to become stronger.

On a different plane, India and Russia also have a strong relationship in military cooperation flowing from shared interests. This interaction, ongoing for nearly four decades, is now transforming itself into joint ventures dedicated to the development and production of major weapon systems which could also be exported to third countries. The Indian Navy has quite a large element of ships, submarines and weapon systems of Russian origin but it is only now that it has embarked on joint exercises with the Russian Navy. This should become a regular feature of the relationship since Russia also depends heavily on the Indian Ocean and Asia-Pacific SLOCs for its trade and is concerned about their safety. India also has institutionalized defence cooperation mechanisms with countries such as the U.K., Russia, France and some others and ships of the Indian Navy have exercised with those of several other navies, both littoral to the region and external to it e.g. U.K., France, Australia, Singapore, South Africa, Sri Lanka, Indonesia, Iran, Oman, Thailand, Japan and Phillipines. There is need for such interactions to continue and, in fact, increase as they add to confidence and mutual trust and to greater capability in countering the threats. In this context, the level of maritime interaction between India and Japan is, unfortunately, quite insignificant considering that both countries share common strategic interests. It is very desirable that this unsatisfactory situation should be rectified speedily. Being critically dependent on its imports from the Gulf, and on its overseas trade for its economic prosperity, Japan should have a vital interest in the safety of these sea lanes. India, with its credible maritime power and favourable geographical location, should be a natural ally, especially as it also has the same critical interest in the safety of its own oil lifelines and trade. In fact, just as India is the only credible maritime power in the Indian Ocean region, so is Japan in the East Pacific region and the roles that maritime forces of these two countries must play in proactively countering terrorism at sea must be both, cooperative and coordinated. This is feasible in the context of our interactions, both under the forum of CSCAP, which is

charged with issues concerning safety of shipping in ports and harbours and at sea, and the ARF which looks at security issues in a larger perspective.

India's Neighbourhood

Both in the Gulf and in the ASEAN region, India has important economic and political interests, and naval interactions with these countries through ship visits, exchange of personnel and joint exercises, enhance them. As the largest maritime force in the Indian Ocean region, the Indian Navy needs to play a proactive role in furthering maritime cooperation. The gathering of ships hosted by it frequently, under the name MILAN, has begun to attract participation from many regional and other navies. An international fleet review held in Mumbai in 2001, had as many as 25 navies represented, including from Japan. Such cooperative programmes must be encouraged. India has friendly and cordial relations with all countries in the region except Pakistan. Ships of the Indian Navy have assisted Sri Lanka in times of natural disaster and other difficult times. In Maldives, it was only the timely intervention on our naval and airborne forces which saved the legitimate government from being overthrown in a coup. Indian naval ships have carried out patrols of the Exclusive Economic Zone of Mauritius at that country's request and ensured offshore and coastal security for the African summit conference in Mozambique some months ago. All these deployments are part of a proactive programme of maritime cooperation.

Pakistan

Pakistan alone, of all India's neighbours, continues to remain hostile. The reasons why this is so need not be elaborated here, and it would be enough to say that it is quite unlikely that this confrontationalist and hostile attitude will change in the foreseeable future, given the contradictions and compulsions in Pakistan's society and ruling military establishment. Therefore, the Indian Navy, like its sister Services, has to be prepared to cope with any military eventualities. The main strength of the Pakistan Navy lies in its submarines and aeroplanes equipped with ant-ship missiles, but broadly speaking, India enjoys the required superiority in maritime power. As long as this is maintained, the level of deterrence will be adequate to dissuade Pakistan from embarking on any misadventure. The same degree of superiority must also be maintained by the other components of our military forces. Pakistan is developing the port of Gwadar on the mouth of the Strait of Hormuz through Chinese assistance. This, by itself, would not be an issue of great significance except that Pakistan's President has stated that ships of the PLA Navy would be allowed to use the port facilities whenever Pakistan 'felt threatened.' This pronouncement has sinister overtones and needs to be factored into our security calculations, given that India's oil lifeline can easily be threatened by hostile elements operating out of Gwadar. However, it is highly improbable that any conventional conflict, should it come about, would lead to its escalation into a nuclear exchange, as is feared by some, including in Japan. Both countries have enough awareness of the consequences of any such bizarre actions and have enough checks and balances in place to prevent even accidental lapses.

China

As far as China is concerned, India's relations with that country have fluctuated from 'very friendly' before the war of 1962 to 'adversarial' thereafter, but in the new emerging world order, things have begun to change. Both countries now realize that economic and technological growth are the real keys to power, and that military confrontation can only hamper both. India is aware that China is going to be one of the two biggest economies in the world by 2020 just as China realizes that India, its existing GDP of about \$ 600 billion growing at six to seven percent per annum, could itself be a quite formidable economic power in the same time frame. Both countries appreciate that the Asia-Pacific economic environment revolves on the interfaces between the major economic players viz. China, Japan, ASEAN and India. Strategically, China, India and Japan are essential ingredients of the Asian chessboard along with the USA and Russia. So, there has been a visible improvement in Sino-Indian relations. It is not realized by many that India-China trade already exceeds \$ 5 billion and is likely to increase to \$ 10 billion by 2005. This may be compared to the \$ 2.5 billion trade between India and Russia or between India and France. At the same time, it cannot be forgotten that there are outstanding boundary issues to be resolved between the two countries as also the transfer of nuclear and missile technology from China to Pakistan. In addition to the Gwadar port programme mentioned earlier, China is also assisting Myanmar in developing its port facilities. Hitherto, the PLA Navy's profile was largely coastal, but it has now more oceanic ambitions. Its programme of modernization under which submarines and destroyers have been and are being acquired from Russia, as also its own indigenous shipbuilding warship building plans, have already made it possible for the PLA Navy to deploy at long distances. Availability of port facilities in Myanmar and Pakistan will give it an Indian Ocean capability which it does not presently have. Its interests and postures in the region of the Spratly Islands and in the Taiwan Strait are also well known, with implications on countries littoral to that area. With increase in its oil imports from the Gulf, China is aspiring to become a player in Indian Ocean region. As far back as in 1993, when China first began to import oil, the Director of the General Staff Logistics department of the PLA Navy is reported to have said "...we can no longer accept the Indian Ocean as an ocean only of the Indians." In short, while India does not, anymore, view China as an adversary or as a threat, the implications of its maritime postures have to be analysed very carefully, just as they have to be watched in Japan, in the ASEAN region, and, indeed, by America.

Notwithstanding the above, China's expanding economic interests also make it critically dependent on the maritime trade routes both in the Indian Ocean and in the South China Sea. It is desirable that its seagoing capabilities be also integrated in the cooperative arrangements which must be worked out without much delay. Even though the deployment potential of its naval and coast guard forces is largely confined to the offshore and coastal areas, the PLA Navy can make significant contribution in ensuring security of sea lanes in the South China Sea area, possibly in cooperation with the Japanese MSDF. With India, Japan and China being members of CSCAP and ARF multilateral groupings, it should be possible to formulate mutually acceptable cooperative arrangements.

India's Maritime Capabilities

The India Navy is the only regional seagoing force in the Indian Ocean with integral air capability. Thailand operates a small aircraft carrier but mainly in its eastern waters. The Indian Navy also

operates a fairly large number of surface ships and submarines, and can sustain both types at sea for adequate periods. Along with vessels of the Coast Guard, ships of the Indian Navy can be deployed for ensuring safety of sea lanes not only near the Indian coast but also at distances quite far away. India is also well positioned in the Northern Indian Ocean, sitting astride the east-west shipping routes, and able to mount surveillance over them at several points stretching from its Lakshwadeep Islands in the west to the Great Nicobar Island in the east. This beneficial position affords several advantages in easy deployment and sustenance of naval forces, from the Gulf coast in the west up to and including the Strait of Malacca, thereby providing a maritime capability which no other navy in the region can have. It needs to be appreciated that of the as many as 600 ships which transit past the Great Nicobar Island every day, as many as 50 to 60 are oil tankers, most of them moving to and from Japan, and their number is likely to rise to 150 or more by 2020. Even ships which do not carry oil or other energy products, transport other critical cargoes of raw materials and manufactured products and their numbers will also see corresponding increase. Any disruption in the movement of these ships and their cargoes can have very adverse effect on the economies of East Asian countries very. India's maritime forces have the ability to safeguard the security of these shipping routes so that the interests of countries littoral to the Asia-Pacific region are protected. India's capabilities in hydrography and oceanography, which are important elements in exploration and exploitation of seabed resources, are also relatively, comprehensive and will further improve in the next two decades. These are important factors which can be exploited to mutual advantage in regional cooperative arrangements.

Recommendations

In any maritime cooperative arrangement, some essentials need to be recognized. The first of these is that there must be a degree of political convergence. Just as there is such an understanding between India and the USA, so must India and Japan develop a relationship flowing from mutuality of interests. Fortunately, such convergence already seems to be there. There is similarity in the approach of both countries in countering threats of terrorism, in maintaining safety of the sea lanes and in coping with assertive Chinese postures, as and when these are encountered. It is, therefore, necessary that this level of understanding should translate itself into strong and enduring maritime cooperation arrangements. A bilateral military relationship is neither feasible nor necessary, but there is no reason why the two countries and their navies cannot evolve a similar cooperative mechanism as exists, for example, between the USA and India. There should be a dedicated Maritime Cooperation Group at the governmental level and an Executive Steering Committee between the Indian Navy and the MSDF . While the former would concern itself with larger issues of policy, the latter would plan and oversee operational interactions within the policy framework. We should be able to promote mutual trust and confidence through frequent meetings, share information on matters of common interest especially concerning piracy and terrorism, participate in the training programmes of each other on a reciprocal basis, carry out joint exercises to develop interoperability, make regular ship visits and, finally, carry out joint patrols, at selected times and in selected places as mutually settled. For example, Indian ships can escort high value Japanese merchantmen in Indian Ocean waters, and the MSDF could do the same for its own and Indian vessels in the South China Sea or elsewhere in East Asian waters. As the cooperation develops, we can upgrade the interaction to deputing observers to the exercises conducted by each maritime force. There can also be an element of technological cooperation inbuilt into the overall maritime relationship. As mentioned earlier, this arrangement will be entirely compatible within the

multilateral security cooperative framework of the CSCAP and the ARF and with the relationship that both countries have with the USA, such an interface being conducive to the desired cooperation. It will also be necessary for the Japanese MSDF to play a more proactive role than it has done so far in maritime affairs in the Asia-Pacific region.

The MSDF of Japan has already assumed responsibility for its maritime security interests up to 1000 miles from the country. It has also deployed in the Indian Ocean in the context of Japan's support to the USA in the war against terrorism. Admittedly, the law under which this has been permitted is only valid for a two year period and is a major move forward from earlier inhibitions. That notwithstanding, the first steps in overcoming the apparent hurdles in its constitution have already been taken. The emerging maritime situation is potentially serious and calls for unique measures more in tune with the needs of the time. Conditions must, therefore, be created which will facilitate, rather than hinder, cooperation with like minded countries to counter threats which could be very damaging to national interests.

Conclusion

To conclude, India has extensive maritime interests in the Indian Ocean region, from the Strait of Hormuz in the west to the Strait of Malacca in the east. In the emerging global security environment, it has to be an important player on the Asia-Pacific scene, interacting, economically and politically, with China, Japan and ASEAN countries and, of course, the USA. As it grows to become one of the major economies in the world, the only real threat that it faces comes from Pakistan which it can easily counter by maintaining the required military superiority over that country. However, there are other threats which are gathering strength and give every indication of being more dangerous. They include terrorism, which is also assuming a serious maritime dimension covering a broad spectrum of sea based activities, and the threat posed to the safety of sea lanes through which critical cargoes of energy must move, any disruption of which will have serious repercussions on the economies of the entire region. Japan, which depends on the Indian Ocean and South China Sea lifelines for its growth and prosperity, will be one of the worst affected. It is not surprising that at the recently held summit meeting of APEC, there was more emphasis on such terrorism than on any mechanics of trade. Countries which have common interest in countering these threats must come together and formulate suitable mechanisms through which this can be done. Maritime interaction, flowing from cooperation and coordination, can make a substantial contribution to the larger interface. Navies with credible seagoing capabilities, such as India and Japan, have an essential role to play in such coordinated efforts to ensure the safety of sea lanes, and in countering maritime terrorism of which, piracy and hijacking, are only two constituents. Considering that there has been open acknowledgement at the highest levels that we share common strategic interests, the level of maritime cooperation between the two countries has been well below the required threshold. It is necessary that this deficiency be rectified. There is no more time to be lost.

PIRACY, TERRORISM, DISASTERS, ILLEGAL ACTIVITIES AND TRANSNATIONAL OCEAN CRIMES

Vice Admiral John De Silva

1. At the outset I must congratulate the Ship and Ocean Foundation and the Institute for Ocean Policy for taking this initiative to hold a Japan-India Dialogue on Ocean Security. I am glad to note that the Institute for Ocean Policy regards the security of the Indian Ocean as vitally important. I fully agree with this view concept and although this is a Japan-India Dialogue, the security of the Indian Ocean is vitally important not only for Japan and India but also for all other users of the Indian Ocean, for all the other littoral States and for the extra regional powers whose vital interest in terms of trade flows through this Ocean. I thank the Ship and Ocean Foundation for inviting me to this Dialogue, which is very dear to my heart, having been the Vice Chief of the Indian Navy and the Director General of the Indian Coast Guard, which was responsible for apprehending the Japanese Pirated Vessel Alondra Rainbow in 1999. But I will come to that a little later.

2. In olden days the sea was considered a divider, but today the sea is a joiner, a bridge between countries with a coastline. In fact alliances and relationships between nations have changed due to the position and locations of countries vis-a-vis the sea. Within the comity of nations, trade has become the single most important binder; and the major part of trade is carried on the sea. In fact 95 per cent of the world's trade by volume travels in ships' bottoms. Shipping is the easiest and most economical means of carriage of goods or cargo today. Therefore, the old term sea lines of communication should now be termed economic highways or economic super expressways considering the billions of dollars worth of cargo being carried on these routes. This is especially true for large and bulk cargoes. Of course, the most important commodity carried on the sea is oil, - fuel oil. The requirement is so great that oil is often carried from the focal oil producing areas even half way around the globe. Today, I will speak on Piracy, Terrorism, Disasters, Illegal Activities and Transnational Crimes.

3. The sea having become the busy traffic lane, the users need to be protected with rules or organisations to prevent accidents, to search and rescue those mariners in distress due to accidents or faulty ships or equipment, to protect users and coastal people during natural disasters such as hurricanes, typhoons, cyclones, tidal waves/tsunamis. The sea is also a source for mineral and non-mineral wealth such as fish, sea weed, algae; and oil, minerals in the form of metallic nodules, medicinal compounds etc. Incidentally, the food source in the distant future is likely to come from the protein rich algae from the sea. Therefore, there is a requirement to ensure the ecological balance by preventing over fishing or destruction of the mangroves or coral reefs which are the cradle for sea life. The International Maritime Organisation (IMO) has drawn up comprehensive rules for Search and Rescue and has demarcated the SAR areas together with the Maritime Regional Coordination Centres and with the GMDSS (Global Maritime Distress Support System) which lays down the mandatory equipment and communication channels to be manned. The IMO has also laid down rules to prevent

over-fishing and to protect endangered species. Each of the coastal states has also laid its own rules on maritime security, protection, safety and crime. Especially during Search and Rescue and natural calamities/disasters there is an urgent requirement for cooperation between neighbouring countries or with countries which have the facilities/equipment to deal with a disaster or oil spill. It is best that these arrangements are made and MOU's signed to be brought into force in an emergency. Also such arrangements should be tried out in exercises and mock drills.

4. Besides these, there is a certain amount of policing required to prevent drug running and gun running against legal Governments, as also to prevent human smuggling, illegal immigration and environmental crimes. In the last 20 years we have also seen the resurrection of an old scourge, i.e. Piracy. This last crime has recently gained major attention in view of the deadly and cruel means used, and the ease with which such criminals get away. Piracy is also linked with other crimes such as ghost ships and white collared crimes of maritime fraud. The single crime of Piracy has the effect of deterring mariners from putting to sea and looking for shore jobs, thus taking up the cost of wages, insurance and transportation ? overall taking up the cost of goods at the destination. If Piracy is not snuffed out here and now, it may have the effect of strangling sea trade. Fortunately, a few countries and the IMO are introducing measures to deal with this crime, but it requires concerted action by all countries to wipe out this scourge. It may not be out of place to mention that it was the Indian Navy and Coast Guard which captured the first ever pirated ship at sea with cargo, pirates et al - the Japanese ship "Alondra Rainbow" - the first time this was done in over a hundred years. Great daring, quick action and good cooperation by a number of agencies such as shipping companies, ports and Govts helped the Indian forces to bring the pirates to their knees. But besides putting out the fire on board the Alondra Rainbow and then preventing her sinking by de-flooding, the post action interrogation and analysis threw new light on the modus operandi of pirates, their contacts, hideouts and their linkages with international syndicates. This was at least a starting point on the mysterious ways of pirates and piracy.

5. A study of modern day Piracy reveals the causes as the disparity in economic well being of certain countries, unemployment of educated youth and mariners and their financial desperation which makes them take risks despite threat of severe punishment. The small number of crews on modern day merchant vessels, availability of high speed boats, the large expanse of water and the seamless boundaries of maritime zones make it very easy for rogue ships to avoid detection. The institution of syndicates and organized crimes further helps pirates and piracies with easy solutions.

6. Ships too do not report all cases especially of armed robbery in coastal waters as the relatively small financial loss of personal belongings is little compared to the loss of even a days earnings of the ship's business, as invariably a ship is detained by the State Authorities for investigations. Another factor for the rise in Piracy is the reduction and Naval strengths of the Worlds maritime powers i.e. USA, UK, Russia and France after the Cold War especially in South East Asia. Many of the local Navies/Coast Guards do not have adequate funds to build forces to fill the vacuum.

7. Another important aspect that came to light was the inadequacy of the legal systems among most countries ? after the Alondra Rainbow was brought to port in Mumbai and the pirates apprehended, the Japanese Govt. did not want to take over the offenders as at that time the offence was outside the jurisdiction of Japan's laws. Even in India, recourse had to be taken to a clause that all laws passed prior to Independence (1947) would continue to remain in effect and, therefore, the Admiralty Offences (Colonial) Act of 1849 and the Admiralty Jurisdiction (India) Act of 1860 were used to charge the Pirates. Hence it is not just the preventive action that needs to be taken, but also

the legal laws that need to be amended or enacted.

8. The above examples are but an indicator to show why there is need for cooperation between the users of the Sea and among nations who may be well separated in distance yet connected by the Sea. Firstly, it is important to remember that three quarters of this world is covered by Sea and almost 60 per cent of the world's population lives within 300 Kilometers of the Sea. Various Seas and Oceans have gained importance at different times. It is now the turn of the Indian Ocean. The American strategist Alfred T. Mahan said that "whoever controls the Indian Ocean would control Asia, that this is the key to the Seven Seas, in the 21st Century the destiny of the world would be decided on its waters. How true has that forecast come. We can already see that there are more than 150 warships at any time in the North Arabian Sea and Persian Gulf and they belong to nations as far away as Japan, New Zealand, USA, Canada and Europe. This has happened because of two important reasons; one is that the Middle East contains the world's greatest reserves of fuel oil and gas - 60 per cent of the world's fuel oil reserves and 26 per cent of the world's gas reserves are concentrated in the Middle East. As such every day 15.5 million barrels of oil flow out through the Strait of Hormuz. Some of it goes West via the Red Sea and the Cape of Good Hope and 50 percent goes East through the Strait of Malacca. Many of the Eastern economies like Korea, Japan and China get a large proportion of their oil imports from the Middle East. For example, Japan, which consumes about 270 million tonnes of oil a year, imports almost 240 million tonnes from the Middle East. Similarly, Korea imports 70 percent of its oil from the Middle East. China, which was self-sufficient in oil production till a few years ago, has now started relying on imports and now imports 55 million tonnes of oil annually from the Middle East.

9. Every year 80000 ships transit the Indian Ocean. Of these about 200 ships transit the Strait of Malacca daily carrying 10.3 million barrels of oil per day. The traffic situation itself is quite precarious and, therefore, the IMO has drawn up traffic separation schemes for the Strait of Malacca and for other busy waterways and narrow Straits. We can well imagine what would be the result of a major disaster in any these Straits. Although a number of countries and oil companies have set up emergency oil pollution control centres with modern equipment for containing and mopping up oil spills, yet, they are not sufficient to deal with a major disaster and most of them cannot even reach the scene of disaster in time. Further an important method of controlling oil spills is by using dispersants from aircraft. But these themselves are toxic and can cause harm to the marine life and the food fish which can in turn effect the complete food chain. I am sure that you are aware of an incident that took place in the Philip Channel a few years ago. The pirates boarded an oil tanker and mustered the whole crew including the officer of the deck and the helmsman in a central place, and the ship transited for 2 hours on auto pilot without any look out or person on watch. In that busy channel we can well imagine what the result would have been if the ship had collided with any other ship. A real nightmare.

10. It is because of such incidents and such reasons that all peace loving nations need to come together to cooperate in various fields to prevent man-made crimes, natural disasters and crimes against humanity. This cooperation needs to go beyond normal politics and mariners should be shaking hands across the Sea despite political compulsions that Governments may have. In this respect, the IMO (International Maritime Organisation) and certain other non-Governmental Organisations have taken steps to;

- a) control traffic
- b) protect the maritime environment
- c) preserve the ecological balance
- d) rescue mariners at Sea
- e) prevent smuggling/drug running and
- f) prevent piracy.

11. The IMB report for 2002 states that there were 370 attacks on ships in 2002, as only 107 in 1991. Incidents of violence have also increased with 327 cases in 2002 compared to 42 in 1991. In most cases knives are used as the weapons of attack. The majority of piracy attacks have occurred in the South East Asian region as also the majority of armed attacks. In fact two thirds of the total number of incidents have taken place in seven areas mainly in South East Asia. The IMO and the IMB have taken large steps in terms of conferences, seminars and guidelines for prevention of Piracy. The IMB has set up the Piracy Reporting Centre (PRC) in Kuala Lumpur, which coordinates round the clock all reports of piracy and armed robbery at Sea, and warns other mariners and ships' companies and sends out a regular alerts. In fact, the apprehension of the Ship Alondra Rainbow by the Indian Navy and the Coast Guard started with Piracy Alerts being put up by the Piracy Reporting Centre, Kuala Lumpur.

12. Fraud is another very costly crime, which may be bloodless, but could cause complete bankruptcy of companies and could effect the economies of smaller countries. Maritime fraud includes:-

- a) Documentary frauds
- b) Charter frauds
- c) Scuttling
- d) Insurance frauds
- e) Cargo thefts
- f) Container frauds and
- g) Barratry.

13. Transnational Ocean Crimes ? In 1970 the United Nations General Assembly adopted a Declaration of Principles based on the recommendations of its Committee on the Peaceful Uses of the Sea Bed and Ocean Floor beyond the limits of national jurisdiction. This was the Sea Bed Committee. This Committee was set up in an effort to demarcate the world's ocean space to resolve issues relating to access and to prevent further disputes from arising. After consultations and negotiations between more than 150 countries, a draft Treaty was worked out and placed before the General Assembly only in 1982. This was the United Nations Convention on the Law of the Sea (UNCLOS). But even this Convention took 12 years for technical and legal reasons for the required 60 instruments for ratification, to be deposited in the UN. The Convention came into force only on 16 Nov 1994. This has a significant and substantial regulatory package and all contraventions will now become crimes, which will be transnational

14. The lines were drawn laying out the maritime zones of various States i.e. the territorial sea upto 12 nautical miles, the contiguous zone or Customs waters upto 24 nautical miles, the EEZ upto 200 nautical miles and now the extension of the EEZ even beyond 200 nautical miles upto the continental shelf. The rights and obligations in terms of organisation and machinery to enforce the

Laws of the Sea were also laid down. The obligations of each State are within their maritime zones but some of these areas are mutually excluded.

15. Piracy is a form of barratry and may be examined on two contexts ? international and domestic. The first, which is piracy *jure gentium* concerns with piratical attacks against international laws to which a large number of States subscribe. The second comes within the Domestic Law. However, it has been seen that the International Laws and Domestic Laws of certain countries are not in agreement most of the times, and this affects the definition of piracy. This becomes even more difficult when terrorism is involved i.e. the piratical attacks are carried out for political reasons for a wider community. Piracy is generally limited to private purposes.

Terror

16. 9/11 has woken the world to a new weapon i.e. Terror. Of course, we in India have been subject to this weapon and form of warfare since the mid 1980 fs. Yet the world only realised this potential on 9/11. We are not at all happy about 9/11 but it has been an excellent wake up call for the whole world to realise that this is an international weapon with no land borders. Most of the terror in India originates across international borders and so does it across the world. The idea is born in one country, the plans are made in the next, weapons in a third, the terrorists may come from different countries across the globe who are indoctrinated with a fundamentalism and the explosives, weapons and plans are carried to a still different country where innocent civilians are targeted. Terrorism has no face and terrorists generally act in a cowardly manner behind the back or behind the faces of simple civilians, women and children. Thus it is a very unequal war and a few terrorists can tie down a few thousand troops.

17. Osama bin Laden, the most wanted terrorist of Al Qaeda fame is a Saudi national working out of Afghanistan with a network spreading from the USA to Europe, Africa, Middle East, South Asia and South East Asia. He has also become a role model for budding terrorists and many of the notorious terror organisations such as Lashkar e Toiba, Jaish e Mohammed, and Abu Sayyaf have been founded by various terrorists but owe allegiance to Osama bin Laden and Al Qaeda. Thus this is a menace spreading like a cancer. The mighty USA and a coalition of more than 14 countries has not been able to tame the Al Qaeda. Osama had declared that the most important enemies of Islam were USA, Israel and India. Nevertheless, serious and severe bomb attacks have taken place not only in USA, Israel and India but also in other countries such as Indonesia and East Africa where US or allied materials and personnel were targeted. This only goes to show that besides certain specific countries, any other country can be a target and hence no target is safe from Terror. Besides the Al Qaeda and allied groups there are other groups/cults in various parts of the world such as the LTTE in Sri Lanka, various other groups in India and Pakistan and the Om Cult in Japan which carried out a gas attack in an underground station.

18. Terrorists are difficult enough to be caught on land which has roads and known areas for hiding and where surveillance and blockades/barriers/patrols are fairly easy to institute. One can imagine the difficulty of dealing with them at sea where once over the horizon they can be lost over 3/4th of the earth's surface which is the ocean. It is only when one puts out to sea ? a few hours out of harbour and the biggest ship is only a small dot with water all around as far as the eye can see?that one realizes how big the ocean is. As one writer put it, beyond the horizon, there is anarchy since

whatever laws are made, they are very difficult to be implemented and law breakers can not only easily hide out of sight but also use the loopholes in the law to get away. And there are a large number of law breakers out there. Some are smuggling, or gun running or drug running or smuggling people or just dodging the law with some maritime fraud. This is not difficult as ships documents can be forged or obtained for a price from flags of convenience. Changing the colour or name or port of registry is not difficult. The most dangerous activity is transportation of weapons of mass destruction by terrorists. Each state has to improve its marine policing force and the limit out of port that every ship must be examined. Ships need to increase the notice for entering a port to 3 to 4 days. The US authorities have also started X-raying/examining containers destined for the USA at the port of embarkation. But despite all these measures the US Coast Guard has not been able to implement all these measures or stop illegal immigration via the sea. A ship could easily blow itself up alongside or sink itself in the main channel thus blocking the main channel. Nevertheless, these measures are necessary as they act as a deterrent in a way. The problems are endless and an even bigger problem would be how to deal with a ship which is carrying radio active nuclear material for a bomb.

19. We have to remember that our economies are dependent on our shipping. Too many controls and restrictions would slow down the pace of growth. On the other hand one terrorist attack and the backlash would be felt around the world. Hence the policing, checks and controls have to be coordinated between various countries, i.e. the ports touched by the ship and the coastal states which the ship passes. There has to be a careful organisation of information sharing and intelligence sharing by the international community. All forms of intelligence i.e. electronic, satellite, communications and human are to be involved. The information on every ship should be available in the form of ports of call, crew, cargo, routing. These should be available on web sites. Of course some of this information will be sensitive to business interests and there will be reluctance to part with it.

PIRACY

20. Whereas Piracy is prevalent in the coastal waters of South and Central America, West and East Africa and South Asia, the largest scale of piracy is in South East Asian waters. I do not want to go into the theory of piracy but it would suffice to mention that there are three types of piracy. One is Marine mugging, which is done by petty criminals and lasts for a short period, may be a few hours, where pirates board ships at anchor or slow moving ships with low free board. Grappling hooks or bamboo poles with hooks are used to climb on deck. The pirates use the cover of darkness to come on board and threaten the crew with knives or other weapons and make away with personal belongings, safe contents and some upper deck equipment like ropes, paints etc. More serious is Cargo Hijacking, which can last for a few days where the cargo of the ship is hijacked and sold off in a small port of some big economy. The ship is later abandoned or sold to a scrap yard. The most serious form of Piracy is Vessel Hijacking, when the entire vessel is hijacked for phantom operation. These last 2 types of Piracy are linked with arms and violence, often involving deadly force and cruelty. Whatever be the type of Piracy, they are equally dangerous and harmful to the shipping trade and the maritime community. Most times the crews are so badly mentally scarred and frightened that they refuse to speak or go back to sea. Whereas Piracy in the Bay of Bengal and East Africa are of the mugging type, the incidents in South East Asia are of the Cargo or Vessel Hijack type. The IMO in 2001 reported that cases of armed robbery against ships has decreased in South America and Africa but increased in the Indian Ocean, East Africa and the Malacca Straits. The situation in the South China Sea is static and that is why I reiterate that it is important to discuss this subject, so that it can be

given the importance that is due and some resultant action can be taken to stop piracy and to bring the culprits to book. Historically Piracy has flourished at different times in the medieval era. Every time it died out due to concerted and combined action by all seafaring countries, both in terms of policing and physical action and legal action to convict them in a court of Law.

21. Rather than going through this piratical harangue it may be better for me to mention a few specific cases.

22. MV Alondra Rainbow alias MegaRama ? The MV Alondra Rainbow was hijacked around 27 Oct 99 when it was on its way to Port Miike in Japan from the Indonesian Port of Kuala Tanjung with 7000 tonnes of Aluminium ingots. The pirates and the crew were set adrift in a boat and they were located by some Thai fishermen in the Andaman Sea. The pirates changed the name of the Ship to MV Megarama, but were apprehended by the Indian Navy and Coast Guard on 16 Nov 99, after a hot pursuit that lasted for 33 hours involving 3 Coast Guard ships, 2 Naval ships one Coast guard aircraft and the use of ship and aircraft gun firing. The determined pirates refused to stop till firing was resorted to on the engine room which damaged the engines. Thereafter the pirates burnt the ships documents, papers and their own passports and all evidence, while opening the seacocks to sink the the final evidence--- the ship. On interrogation, it was revealed that the pirates were recruited by an Indonesian agent and they boarded the vessel on 02 Nov, after it was hijacked by the original pirates who handed over the ship to them. The ship was brought to Mumbai by the Coast Guard on 21 Nov 99 and the 15 pirates were handed over to the Mumbai police. The pirates had embarked in Manila. The Japanese owners came to Mumbai and claimed the vessel and were allowed to take away the vessel by the Court after paying Rs. 10 million (US\$ 200,000) as security. The Pirates were charged on 12 Feb 2000, under the Indian Penal Code, Indian Passport Act, Foreigners Act of 1946, Indian Arms Act of 1950 and on a charge of piracy under Section 1 of the Admiralty Offences (Colonial) Act of 1849. The trial finally ended on 25 Feb 2003 and all the pirates were convicted on 9 out of 11 charges. One of them had died before the completion of the trial. They were sentenced to different periods of rigorous imprisonment varying upto 7 years with a fine of Rs 3000/-. What you may think as the most difficult part of the operation i.e. the capture of the pirates and the ship was in actual fact the easiest when compared to the legal case and intricacies of the law that had to be overcome to get a conviction.

23. When the ship was apprehended, a photograph of the pirates was put out in the press. An interesting aspect was that the Korean police recognised 2 of the pirates who had earlier been arrested in China in connection with a missing Korean ship but could not be convicted for lack of evidence. Therefore, there was a connection between the two cases. It is also pertinent to mention that both the Japanese crew members were reluctant to give evidence in the Indian court, probably because they had suffered such a great trauma, or for fear of reprisal and both of them had decided to give up sea faring.

24. MV Gloria Kopp alias Kobe Queen I ? (Suspected Drug Smuggling and Barratry). On 24 Dec 99, the Indian Coast Guard boarded a suspicious vessel off Pondicherry on the east Coast of India. On boarding the vessel it was found out that the ship had changed its name from Kobe Queen I to Gloria Kopp. She was carrying 15000 tonnes of finished steel products from Turkey to the West Indies, but the papers were not in order. She was carrying a crew of 24 Ukrainians and was overdue

at her destination by over 6 months. Surprisingly, within an hour of boarding the vessel, the master committed suicide by hanging himself in his toilet. Thereafter the investigation opened a can of worms. The ship was earlier on a South American run, carrying 3 tonnes of Cocaine for Spain, which never reached the destination. The ship had been diverted by the crew and part of the cargo had been sold in Sierra Leone. The Master was earlier in command of a sister ship MV China Breeze, which was later arrested by the US Coast Guard with 4 tonnes cocaine sealed in the ballast tank. Traces of cocaine and heroine were found on the Gloria Kopp. Soon after the arrest of the ship there were pressures from international unknown sources to release the ship, release the crew, to prevent the ship from entering port and finally to sell the ship as is where is before the Customs could rummage the vessel. Investigations are still in progress, mainly on account of the loopholes of the law.

25. M.T. Global Mars (Piracy) ? MT Global Mars departed Port Kelang in Malaysia on 22 Feb 2000 with 6000 tonnes of palm oil for Haldia in India and was reported missing on 23 Feb 2000. She was hijacked. All 18 crew members were set adrift in a small boat on 07 Mar 2000. They were rescued by a fishing vessel on 09 Mar 2000 and taken to Koh Suria in Thailand. The Indian Coast Guard carried out a continuous search in Indian waters and Thai authorities and the Royal Australian Air Force based in Malaysia were requested by the IMB to carry out a search. This was joined by the Japanese subsequently, based on IMB updates. The vessel commenced phantom operation and changed name and flag frequently. On 01 Jun 2000, the Chinese Border Defence Bureau interrogated a suspect ship at Hong Kong and found that it was the Global Mars. Investigations are in progress.

26. MV Tenue and MV Cheung Son (Violent Piracy) ? The MV Tenue and MV Cheung Son with 15 and 23 crew respectively were hijacked by pirates in 1997. The crew were bludgeoned to death in cold blood as they were found surplus to requirements. Some of them were tied to paint drums and thrown overboard. One such body turned up in a Chinese fishing net and identified as a missing crew member. Later, during a raid on a brothel the pirates were caught as one of them had a photograph standing with his leg on a dead crew member which he had kept as a trophy. The two events were matched and 13 of these pirates were sentenced to death for slaying 23 crew members of MV Cheung Son. The Beijing Morning Post ? a state run publication noted that this was China's biggest case of robbery and murder in 50 years of communist rule.

27. MV Medstar (Illegal immigration and Human Smuggling) ? On 08 June 2000, 14 stowaways later identified as nine Iranians and five Iraqis boarded the Medstar in Bandar Abbas in Iran. The Master and crews noticed the stowaways when they came out in the open at sea and threatened to blow up the ship. They had paid US \$ 250/- each to an agent in Bandar Abbas and wanted to be taken to a European port. The Master sent an urgent message to the agent in India and the Indian Coast Guard apprehended the vessel 300 nautical miles from Mumbai and directed her to port. After a week long interrogation and negotiations, the Iranians were flown to Iran through their consulate and the ship with the remaining Iraqis was sailed back to Bandar Abbas to deport the stowaways.

Recommendations

28. Piracy has raised its ugly head from time to time, but every time it has been dealt with firmly mainly through strong military action, prevention and an improved legal system. Piracy then lays low for some decades and finds a way around these actions. We must look at Piracy as country or

area specific with international cooperation. This is more so since Japan and India are the biggest maritime powers and the biggest maritime users of the Indian Ocean. In the 21st century ocean crimes including crimes of political and destructive ends are going to be on the increase. India which hardly has any overland trade and hence is like an island/maritime economy, and Japan which is an island/maritime economy, know best that our livelihood and economies depend on the sea. Any breakdown in the shipping business means a slow down for our economies. Therefore, we have to be working together to wipe out crime at sea and to make the ocean a safer and happier medium for mariners and trade. There are a number of solutions to make the sea and shipping safer ? one is to have a strong maritime policing force with regular and frequent patrols examining ships at random; the other is international cooperation. Nothing can work unilaterally as the sea has no visible borders or barriers. Ships are transnational.

29. Jurisdiction. Often you would find a ship built in one country, belonging to a company in another country, registered in a third country, insured in a fourth, with the Master and Crew from 2 or 3 different countries, loading cargo in a fifth country destined for a sixth, crossing the maritime zones of various countries en route. This is an example of how a nation's maritime security interests extend beyond its maritime boundaries. If an offence is committed or traced in the waters of a particular country it becomes difficult to determine in whose jurisdiction it falls. And even if this is determined the particular state may not be too interested in prosecuting the offences. On the other hand the interested state may not have the jurisdiction. It may be mentioned that 53% of the world's shipping tonnage operates under Flags of Convenience of Panama, Liberia, Bahamas, Malta and Cyprus. As pointed earlier, it is important for a meeting of legal luminaries from around the world to form a committee to draw up the laws for jurisdiction and prosecution, so that such offences as Piracy to be tried by any or all the countries concerned. Generally each country is very protective of its rights in its waters and hence is reluctant to part with any authority e.g. many states would not be agreeable to the right of hot pursuit especially since their own vessels may be involved. And many law breakers at sea capitalize on this and try to take protection of this clause. It may be recalled that the Alondra Rainbow was trying to head for the territorial waters of Pakistan so as to escape from the pursuing Indian forces.

30. The IMO has drawn up a draft regional agreement on cooperation in preventing and suppressing acts of Piracy and Armed Robbery against ships. I am not aware of any states in our region that have as yet signed this Agreement, although it was proposed in 1999. It is therefore important that this Seminar makes a positive recommendation for this agreement to be signed by all the countries in the region. The IMO has also drawn up 2 very comprehensive circulars Nos 622 and 623; one being recommendations to governments for preventing and suppressing piracy and armed robbery against ships and the other being guidance to shipowners and ship operators, shipmasters and crew on preventing and suppressing acts of Piracy and Armed Robbery against ships. Both these circulars are very comprehensive covering all aspects. But then it is extremely difficult to comply with all the recommendations given the limited numbers of crews carried on board these days. Moreover, it would be very expensive to hire additional crew. In some areas where the threat is only marine mugging some companies find it more economical to bear the loss of petty cash and some ships stores rather than hire extra security personnel. Nevertheless, one cannot succumb to piracy and hence the better way out is to comply with as many of the IMO recommendations.

31. Advice To Governments. Vide the recommendations in IMO Circular 622, governments are advised to:-

- a) collect, collate and disseminate statistics on piracy and dialogue with shipowners and

seafarers

b) develop Action Plans for prevention and dealing with various situations

c) develop suitable infrastructure, drawing up communication and reporting procedures and relaying information interlinking with IMO and Piracy Reporting Centre (PRC) Kuala Lumpur

d) investigate incidents

e) legislate laws if required to ensure jurisdiction

f) re-route shipping when required

g) establish cooperative agreement with neighbours and

h) maintain the importance of this subject with meetings and seminars.

32. Advice to Shipowners, Shipoperators, Shipmasters and Crews. Vide circular 623 to shipowners, ship operators, shipmasters and crews guidance is given on preventing and suppressing acts of piracy and armed robbery against ships. In short these are recommendations to:-

a) check ships and compartments for stowaways before sailing

b) reduce the amount of cash in the ship's safe or carried by the crew

c) restrict ship to shore communications and avoid transmitting info on cargo and valuables on board

d) crews proceeding ashore to desist from discussing voyage or cargo particulars with unauthorized persons

e) enhance security watches in target areas at sea or at anchor

f) compliance with normal seamanlike precautions such as closing and bolting doors, scuttles and hatches giving access to the living quarters

g) the drawing up of a ship security plan and exercising the procedures

h) the use of lighting, surveillance and detection equipment

i) the familiarity with radio alarm procedures and reports to be made during/after attack

j) the precautions at anchor in port

k) the watchkeeping and vigilance requirements

l) the use of evasive manoeuvring and fire hoses and

m) readiness with standard message formats for immediate transmission and alerts.

33. Ship Security Organisation. Besides the above recommendations/guidance, the IMO at its latest meeting in 2002 for compliance by July 2004, passed that each ship will have to designate a Ship Security Officer (SSO) who will work under a designated Company Security Officer (CSO) and be familiar with the new documents required to be carried aboard including a Ship Security Plan (SSP) based on a Ship Security Assessment (SSA). A similar organization will apply to ports. Besides the increased paperwork and the large number of jobs created, it is doubtful how effective this system would be. Suffice to say that it is one more step in the system of deterrence.

34. Multilateral Cooperation. For the fight against piracy and terrorism to be effective, I once again reiterate multilateral cooperation between maritime countries. Maritime protection agencies such as Navies/Coast Guards need to practice procedures and exercise together. This should also include joint training and education. Joint surveillance, and patrolling is also strongly recommended as the problem of hot pursuit will be solved. This will also send a clear cut signal to would be pirates.

35. InformationIntelligence Sharing. The most important aspect of cooperation is information sharing and intelligence sharing. Each country's maritime agency should maintain data on all ships in their registries as well as all ships touching their ports including information of cargoes, ports of call, dates, personnel and routing of personnel and details of piracies and pirated/pirate ships. These should preferably be maintained on a web site for easy accessibility. Intelligence sharing is similar to

information sharing but slightly different in that this would contain information on suspected persons and organizations, syndicates and back up institutions, intentions of pirates and likely piracies, ghost ships, lost cargoes, and suspicious events like last minute loadings, sudden deals, change of identities or programmes of ships. Thjs would also help to solve maritime fraud.

36. SHIPLOC System. Together with multi lateral cooperation, the SHIP LOC system is a must for all ships. This consists of a small transponder which can track the ship via satellite. It is similar to transponders put on whales and tigers and migratory birds. They are quite inexpensive and placed in an inconspicuous position on the ship unknown even to the master or crew. This transponder can transmit a position to the monitoring agency ? say the shipowner at regular intervals of say 24 or 12 or 6 hourly intervals. Once the position of a missing ship is known, 90% of the problem would be solved.

37. Legislation. Finally cooperation is required to bring the culprits to book. For this the legal committees must enact fool proof laws plugging all loopholes so that pirate ships or pirates cannot pass through. Only through such a system of cooperation will we be able to lick the scourge of Piracy. India and Japan are major maritime countries and have the goodwill and strength to influence the smaller maritime nations.

Way Ahead

38. The Anti-Piracy action was given a boost when late Prime Minister Obuchi raised the issue in ASEAN + 1 Conference in Manila in November 1999 proposing an international conference on Anti-Piracy to be held. Thereafter a series of conferences were held in Singapore and Tokyo culminating in the Tokyo Conference from 27 to 29 April 2000, which I attended as the Director General of the Indian Coast Guard, where the Tokyo Appeal was jointly issued by 15 countries. This Conference was supported by the Nippon Foundation which has taken a number of initiatives in anti-Piracy.

39. Besides the anti-Piracy seminars sponsored by Japan, anti-Piracy seminars have been held in various parts of the world by the IMO, one was held in Delhi sponsored by the Society of Indian Ocean studies and VAdm MK Roy who is present here and perhaps the first of the seminars on this subject. An international ARF seminar was also held in Mumbai which was conducted by the Indian Coast Guard in 2001 under my Chairmanship. At all these seminars, more or less the same recommendations are being made. What needs to be done now is to ensure that the recommendations are being carried out. At most of the seminars that I attended I found a number of high level Government Officials, but not enough shipowners, shipoperators masters and crewmen. We have to make sure that each of our Governments conducts seminars/classes/syllabus for examinations for raising the awareness among shipowners and crew.

40. The main recommendation of the Tokyo appeal was multilateral cooperation which means joint exercises, training, education and dialogue. Therefore besides all the recommendations of IMO Circulars 622 and 623 and introducing the high tech solutions of the SHIPLOC system and instant communications, what came out clearly in the Alondra Rainbow incident was the quick action and interaction by the Indian Coast Guard with various agencies. Hence a very important requirement is not for Government to Government to speak at the diplomatic level but for the working hands in the Coast Guards/Navies/Policing agencies to know their opposite members in various countries and to have ready at hand names, telephone numbers and Fax numbers of persons in these agencies as well as Ports, Registers and Shipping Companies. This is one of the most important requirements to dialogue and bust a piracy as it happens. This will ensure safe shipping and hence safe maritime trade which will make our economies progress on the fast track.

海洋安全保障に関する提案 (Proposals on Ocean Security)

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1. はじめに

本ダイアローグは、SLOC (Sea Lines of Communication) の安全保障、それは本来、 security の問題のみならず、 safety の問題を含むものであるが、北東アジア (極東) に位置する日本から、南アジアの西端に位置するインドまでの海上において、SLOCの安全を確保し守るための基本的姿勢を検討し考察することである。日本-インド (日印) 両国の連絡はマラッカ海峡で地理的に分けられている。マラッカの通峡の問題は、しかし、シンガポール、マレーシアと密接に関連し、問題は複雑であり、それ自体一の研究課題であるが、それは別に多くの研究や実際の法的、条約的枠組みも存在することから、本稿では、これには触れず、日印間の海上安全保障について考察するものとした。

日本の石油ルートは、中東を発し、直ちにインド洋を通過する。インド洋における海上安全は、南アジアの大国インドの力によるところが大である。インド洋におけるSEA POWER の拮抗、交錯については勉強不足ではあるが、Emerging Power by STEPHEN .P.Cohenによれば日印の貿易量は年々増加の傾向にあり、日本はインドの第二位の貿易相手国であり、インドの対外貿易の5.3%を占めているという (因みに首位のアメリカは14.54%である)。そうだとすると、それだけでも、SLOCの安全確保は日印両国にとって極めて重要な問題である。1945年以降、インドは、対中国、ミャンマー、チベット、バングラディシュ等との問題に対応してきたように思われるが、インドにとっての現実の脅威は海からやって来たものも多くあったのではないかと思われる。SEA POWER としてのインドが海に次第に目を向け、海の重要性を認めているのもむべなるかなと思われる。因みに、私が船旗 (flag) について研究したとき、最も参考にしたのは、インドのNagendra Singh 氏のMaritime Flag and International Law(1977) であったことを思い出している。インドは海洋国家でもあったのだ。

INDIANN COAST GUARD と題する文献によれば、インドコーストガード (以下ICG と略) は1976年にインド海域法 (The Maritime Zones of India Act/passed on 25 Aug 1976) が制定され、生物資源、非生物資源に対する排他的権利を主張するところとなり、1977年にはコーストガード (CG) の創設の決定がなされ、1978年9月19日に、議会でのCG法 (Coast Guard act 1978) が制定されたことにより、ICGはインドの独立した武装機関となったとされる。そのモットーは「我々は守る (WE PROTECT) 」である。因みに、日本の海上保安庁 (以下JCG と略) は「正義仁愛 (HUMANITY AND JUSTICE)」、アメリカCGは「ALWAYS RE ADY」、マレーシアは「Guard ・Protect ・Safe」である。CGの組織は、そのモットーを見ても、性格が分かるといわなければならない。ICGが創設された背景の説明によれば、ICGはインドの管轄水域内の国益 (national interests) を護るために創設されたのであり、ICG法第14条に任務と所掌事務が規定されているが、説明として、ICGの責務は明確で独特であり、海上発展のシナリオの将来を示すものだとする。それらは柔軟に考えるべきものだが、同時にその範囲内に限界を画している、と述べている。その所掌事務は、洋上施設と人工島の安全と防護、遭難時の救護を含む漁民の保護、海洋環境の保護、海洋汚染の防除、税関及びその他の密輸取締り当局に対する援助、法令の励行、海上における人命財

産の保護、捜索救難である。これらは、正に我が国の海上保安庁法と殆ど同じ内容を規定しているものと言ってよい。インド洋はインドのSEA POWER によって秩序の維持がなされている。

いずれにせよ、日印間のSLOCの確保は、死活問題に結びつく（取り分け日本のオイルルートの南アジア部分の安全保障が関係する）。地理的状況を見るだけでも、インド洋からマラッカ迄と、マラッカから日本まで、2つに別れるレーンについて、プリミティブに役割分担を考えようとするのは自然であろう。このようなインドとの協力関係の構築は、他の諸国、北東アジアや東南アジア諸国、オーストラリアなどとの協力関係を蔑ろにするものではなく、後に述べるところであるが、インドから日本までのSLOCの海上安全保障システムの歯車の、しかし重要な歯車の一つとして、それぞれが重要であり、日印間に位置する諸国の海上保安関連機関（CG）と協働することが必要であること勿論である。平和的（平時の）枠組みの中での協力が是非必要であり欠かせないものであるという認識が重要である。

2. 海上保安分野における日本とインドとの交流について

ここ数年の間に、日本とインドとの海上保安分野における交流は急激に深まりつつある。2002年海上保安レポートには、「グローバル化する業務ニーズに対応するために」という章の中で、「インド地域海上保安機関との連携・協力関係の構築」として、「これまで海上保安庁は、主にアジア・太平洋地域の海上保安機関との連携・協力関係の構築に力を入れてきました。しかし、海賊事件等の海上犯罪は、中東からの海上輸送ルートを通るインド洋においても頻発しており同海域の安全確保も我が国にとって重要な問題になっています。このような認識の下、海上保安庁は、平成13（2001年）年11月東京において、インド洋地域（バングラディシュ、インド、パキスタン及びスリランカ）海上保安機関実務者会合を開催し、同地域の海上保安機関との協力関係を発展させ、アジア・太平洋地域からインド洋地域に及ぶ海域の安全と秩序の維持を目指していきます。」と記述している。このように、インドとの交流のきっかけは海賊問題であったことは事実である。取り分けICGがアロンドラ・レインボウ（ALONDRA RAINBOW）を拿捕したことが大きく作用したと思われる。アロンドラ・レインボウ事件とは、1999年10月22日にインドネシアのスマトラ島の港を出港した同船は、出港後すぐに海賊に襲撃された。11月9日、乗組員は全員タイの漁船に救助された。そして11月14日、ICGは、インド南方沖、ゴア西方約270マイルの海上において、同船らしき船舶を発見。ICGは、巡視船により停船命令そして威嚇射撃を実施し、その後、同船を拿捕し、容疑者15名全員を逮捕し、ムンバイに入港したというものであった。7762総トンの同船は、当初アルミインゴットを約7000トン積んでおり、パナマ船籍ではあるが日本の便宜置籍船で、運航者は日本の会社であり、船長と機関長は日本人、他の15名はフィリピン人であった。積荷の一部はマニラで発見されている。同船の船名は「MEGA・RAMA」に変えられていた。2000年2月25日、インドのムンバイ地方裁判所により、海賊達に対して、懲役7年の実刑判決がなされたと報告されている。この事件を契機に、ICGは、海賊問題に対し、2000年4月の海賊対策国際会議の開催をはじめとして、関係各国の機関との連携強化を図るようになっていったのである。

ICGは、「アジア海賊対策チャレンジ2000（詳細は後述）」に基づき関係各国との相互協力と連携の今日を実施することとなったが、インドとの関係はそれよりふるく、次の様であった。

1987年巡視船「ちくぜん」がマドラス（チェンナイ）ICGを親善訪問

1989年航路標識測定船「つしま」がマドラスICGを親善訪問

1999年10月アロンドラ・レインボウ事件

2000年4月東京で開催された海賊会議にICGシルバ長官が出席、荒井ICG長官を表敬訪問

2000年11月巡視船「しきしま」がチェンナイを訪問、ICGと海賊対策連携訓練を実施した。また同時期

に訪印した荒井 JCG 長官が ICG 長官と会談し、両機関の定期的な交流の実施について合意した。このとき、シルバ ICG 長官から、「海軍間の訓練ではなく、Friendship for Safer Ocean(この訓練のモットー)のための協力である。そのためには今後、捜索救難や油防除の分野での訓練を検討していくことも可能ではないか。」と発言があり、さらに、「軍の場合は国境でお互いを敵視して睨み合うが、沿岸警備対の場合はターゲットが共通であり協力が可能である。」とも発言している。そして、「両機関で毎年1回の訓練を継続していくことは大切である。海賊に対し明確なメッセージを送ることができるし、両国、両国民間の多くの分野での協力が繋がっていく。海賊はわれわれの行動を見ている。」と締め括った。

2001年5月 ICG 巡視船「サングラム(Sangram)」が訪日し、JCG の観閲式に参加するとともに、第十管区海上保安本部(鹿児島)との合同訓練を実施。また、同時期に訪日した ICG の Singh 長官が JCG の観閲式に参列。縄野 JCG 長官と会談するとともに鹿児島での訓練を視察。JCG 長官から「海賊等の形態については変化があると思うが連絡を密にして協力していきたい。」旨の発言があり、ICG 長官から「今後とも協力関係を強化し、協力していきたい。人命財産の確保を大切に交流したい。」と発言。そして、日本においては油防除の問題に限らず海上自衛隊と協力しているが、インドにおいて海軍と ICG との協力について具体的に教えてほしいとの質問に対し、「海軍も ICG も同じ海で活動している。海軍がやっていることを ICG がやることはないが、施設等について共同で使えるところは使うということ。コミュニケーションが大事であるが、教育機関が同じなのでコミュニケーションはやりやすいということ。有事の共同訓練は行っている。」ということ等が説明された。

2002年11月巡視船「やしま」がチェンナイを訪問、ICG と捜索救難訓練を実施

2003年9月インド巡視船「サングラム」が訪日し、第五管区海上保安本部の巡視船艇と、海難救助訓練や海賊対策訓練などの連携訓練を実施(サングラムは一般公開もおこなった)。同時期にスレッシュ・メッタ ICG 長官が JCG 長官と会談、国土交通大臣を表敬。第五管区での訓練を視察するとともに、JCG 警備救難監とともに海上保安大学校を視察した。我が国の国土交通大臣は、挨拶のなかで、「安全且つ秩序ある海の利用を維持するため、日本とインドの海上保安機関が連携していくことは重要であり、連携訓練、長官同士の会談が定期的に行われ、日印両国海上保安機関の協力が一層強固なものとなっていることを心強く思う。」と発言している。

この訓練は最新のものであるので、海上保安新聞の記事を紹介しておきたい。

五本部とインド沿岸警備隊(ICG)との海難救助・海賊対策連携訓練が9月18日午前、神戸沖の大阪湾で行われた。五管本部から巡視船「せつつ」(神戸)、「しまんと」(高地)

など巡視船艇8隻と「せつつ」搭載ヘリなど2機、ICG から巡視船「サングラム」と搭載ヘリが参加した。航行中の客船が海賊に襲われて放火され、乗員・乗客の2人が避難の際に海中に転落、海賊は船で逃走したとの想定。訓練は「サングラム」が遭難通信を受信、ICG から五管本部に火災発生と海賊情報を通報する情報伝達から始まった。

両国巡視船間の連絡体制を確立、捜索海域を設定して両国巡視船艇と搭載ヘリが合同捜索。海賊に放火された客船(「しまんと」)を「かいりゅう」と「サングラム」が放水消火し、海中転落した2人を「サングラム」「せつつ」の搭載ヘリが吊り上げ救助した。

海賊対策訓練では、海賊が乗って逃走する容疑船(「なだかぜ」)を、「むろづき」「こまかぜ」「きくかぜ」が追跡。「サングラム」搭載ヘリが風圧規制して容疑船は減速したが、海賊がヘリに向け自動小銃を発砲したため、「むろづき」が正当防衛射撃。停船した容疑船を「こまかぜ」「きくかぜ」が挟撃、接

舷し、特警隊が移乗して海賊2人を制圧した。訓練の状況は八尾基地のヘリが撮影し、衛星映像伝送システムで本庁や五管本部に伝送した。訓練終了後、総合指揮官の五管本部長が、「訓練は言葉の壁もなく、両機関の熟達した技量の下、成功裏に終了した」と講評。また観閲した警救監が、「日本関係船舶の海賊事件で、ICGが海賊を検挙したことから両機関の連携協力が始まった。訓練は両機関が培ってきた技能を十分に発揮できた。東南アジア諸国を含めた多国間の連携協力を進展させていきたい」と述べると、ICGのスレッシュ・メッタ長官も「訓練は航海の安全を守るのに有効だ。来年はインド沖での合同訓練を計画している。多くの国が参加しての合同訓練にしたい。」と海賊対策での連携協力を意欲を見せた。

3. 日本を軸とする海賊対策

それでは先ず、日本から見た海賊対策の流れについて概観しておきたい。それは、取りも直さず、JCGによるアセアン諸国等との協力・交流・援助・よき関係の構築の軌跡でもありと思われる。

(1) 海賊対策国際会議準備会合（シンガポール）

1999年10月に発生したアロンドラインボーのシージャック事件を契機として、国際海運業界にとって深刻な問題となっている海賊問題を討議する機運が高まり、同年11月のアセアンサミットにおける小淵首相（当時）の提唱により、アジア各国の海上警備機関の代表者が一堂に会し、情報交換、各国の取締強化、相互協力、連携について話し合うため、2000年4月末にJCG等が中心となり、「海賊対策国際会議」を東京で開催することが計画されたが、これに先立つ3月7日から9日の間、シンガポールにおいて準備会合が開催された。準備会合は、日本財団の支援を受け、JCGが主催、ASEANと東アジアからカンボジャ、中華人民共和国、香港、インド、インドネシア、韓国、マレーシア、ミャンマー、フィリピン、シンガポール、ベトナム、日本など13ヶ国・地域から主に海上警備機関の代表が出席した。

本会合では、先ず主催者であるJCGが「最近の海賊問題はシンジゲートが絡んでいると考えられるケースが多く、海賊事件を撲滅するためには国際的な海上警備機関等の連携強化が必要」等と趣旨を説明した後、財政支援を行った日本財団の寺島常務が「東南アジア地域における各国の協力関係が、今後の海賊対策の成否を握る鍵となる」と強調した。3日間にわたる会合では、各国の海賊及び武装強盗並びに海賊対応についてのカントリーレポートの発表、各国間の情報交換、取締りの強化と相互連携協力、定期的な専門家会合の開催等各国海上警備機関の協力関係構築に関する検討が行われた。

また、海賊事件に対する取締りの強化が必要であるとの見解を共有し、各国関係機関が相互に直ちに実施可能な連携・協力を行うこととし、「海賊・海上武装強盗対策情報連絡窓口リスト」を作成した。

(2) 海賊対策国際会議（東京）

2000年4月28日・29日、海賊対策国際会議が東京で開催された。本会合では、シンガポール（3月7日から9日）での準備会合において検討された対策が最終化され、「東京アピール」、「アジア海賊チャレンジ2000」、「モデルアクションプラン」が、一連の会議の成果として参加16ヶ国・地域によって採択された。「アジア海賊チャレンジ2000」では、JCGから、海賊に係る情報交換のための窓口の設定、取締り、捜索救助等に際しての国際的な連携・協力、人材育成としての海上保安大学校等への留学生受入、海上犯罪取締に関する各種セミナーの開催、巡視船の相互訪問及び合同訓練、専門家会合の継続的な開催、資器材等の整備への支援等各種支援策の検討がなされた。また、本会合により、船舶の航行と乗組員の安全を確保するため、アジアの各国が力を合わせて、犯罪の抑止のために官民一体となって取り組むことについての合意が形成された。

(3) 海賊対策調査ミッションの派遣

2000年4月に東京で開催した海賊対策国際会議で採択された「アジア海賊対策チャレンジ2000」に基づく連携・協力体制の推進及び各種支援策の具体化へ向けた協議を目的として、JCGは「海賊対策調査ミッション」を東南アジア各国へ派遣した。同ミッションは、2000年9月16日から26日の日程で、フィリピン、マレーシア、シンガポール、及びインドネシアを訪問したもので、JCGはアジアにおける海賊問題への積極的な取組姿勢を明らかにするとともに、関係国とのさらなる連携・協力の強化を目指していくこととしたものである。

(4) 海賊対策合同訓練

2000年11月、JCGは、2000年4月に東京で開催した海賊対策国際会議で採択された「アジア海賊対策チャレンジ2000」に基づいて、ICG、マレーシア海上警察それぞれとの海賊取締連携共同訓練を実施した。JCGは、流出油防除訓練、救難訓練の分野では、フィリピン、インドネシア、韓国などの国々との共同訓練を実施した実績はあるが、海上警備、海賊対策の分野における外国との共同訓練はこれが初めてであった。初の警備特殊事案対応訓練であったが、ほぼ完璧に訓練を遂行した。JCGは、今後とも各機関職員的意思疎通、連携意識の醸成、海賊対策への積極的姿勢等を図るため、定期的に巡視船、航空機の派遣を実施している。これまでに、インド、インドネシア、マレーシア、フィリピン、タイにおける海上警備機関との合同訓練を実施してきた。結果の概要は次の通りである。

(4)-1 . ICG

2000年11月、インド・デリーにおいて、ICGとJCGの長官級会合を実施したほか、チェンナイ沖で、双方の巡視船による海賊取締連携訓練を実施した。ICGとJCGとの合同訓練には、日本からは巡視船「しきしま」とヘリ2機が参加し、インド側は警備船艇2隻とヘリ1機が参加した。訓練では、ベンガル湾を航行している日本の商船が、海賊に襲撃されシージャックされたことを想定し、容疑船舶の追跡、犯人グループの補足と乗員の救出を目指した作戦を実施した。この訓練のポイントは、情報の輻輳を避け、正確な情報伝達を行い、両国の巡視船が足並みを揃えた行動をとることにあり、JCGになじみの薄い海域における初めての警備特殊事案対応訓練ながらも、ほぼ完璧に訓練を遂行した。

この共同訓練に際し、ICGとJCGの各長官間において会合が持たれ、アジア地域の海の安全を守るための連携・協力を今後も積極的に進めていくことで合意された（詳細は前出）。

(4)-2 . マレーシア海上警察

JCGとのチェンナイ沖における合同訓練の後、「しきしま」は、マレーシア・ポートケラン港に寄港し、同港沖でマレーシア海上警察と初めての大規模な海賊取締連携訓練を実施した。マレーシア海上警察からは巡視船4隻航空機2機、対テロ特殊部隊（SMART）、人員約200名が参加し、両機関巡視船、航空機間の通信設定、ヘリから相互巡視船への降下、特殊部隊による海賊の制圧等極めて順調に進められた。この共同訓練は、クアラルンプールで開催された海賊対策専門家会合に合わせて実施されたもので、同会合に出席した東南アジア各国の海上保安機関職員を始め、マレーシア政府高官や報道関係者等多くの見学者が見守る中で実施された。JCGにとっては、インドに続き2回目の海外における警備特殊事案対応共同訓練として、両国巡視船による綿密な無線のやりとり、追跡、補足訓練、完全武装したマレーシア特殊警備隊員による行動などを実施した。

(4)-3. フィリピン沿岸警備隊（PCG）

2001年10月31日、マニラ港沖合海域においてJCGヘリ搭載型巡視船「みずほ」及び搭載ヘリ2機、PCG巡視船艇3隻及びヘリ1機による連携訓練を実施した。訓練は、日本関係船舶が海賊被害に遭遇したと

の想定の下、両機関の協力・連携により被害者の搜索救助、海賊船の追跡・補足、取締官の乗船までの措置を行うものであった。フィリピンでは、過去にシージャックされた「ALONDRA RAINBOW」の積荷が発見されたこと、「INABUKWA」が発見されたこともあり、海賊対策への意識は高く、実践的、積極的な訓練となった。

(4)-4. タイ海上警察、港湾局2001年12月12日、ヘリ搭載巡視船「りゅうきゅう」をタイへ派遣し、タイ海上警察、港湾局とともに海賊対策連携訓練を実施した。訓練はレムチャバン港沖にて、タイ海上警察巡視船3隻、王立タイ警察航空隊航空機1機、タイ港湾局巡視船2隻、日本は「りゅうきゅう」と搭載ヘリ、搭載警救艇、被害想定船としてチャーターされた貨物船1隻の合計船艇8隻航空機2機で実施された。訓練内容は、タイ沿岸の公海上を航行中の貨物船「HARIN」が海賊に襲撃されたとの想定で、被襲撃通報をタイ海上警察エマージェンシーセンターが受信、同センターがタイ関係機関及びJCGに情報を伝達、その後JCGが巡視船「りゅうきゅう」を派遣し、海上警察及び港湾局と連携し被襲撃船及び救命艇から計6名を救助するまでの諸作業を実施する、であった。訓練は、3機関の船艇に訓練調整官を互いに派遣のうえに実施したこと等から、初めての連携訓練であったにもかかわらず、スムーズに進行し無事終了した。このような連携訓練について、タイ側の海賊対策への関心は高く、これまでに日本が講じてきた海賊対策への積極姿勢を高く評価するとともに、タイ側も海賊対策に積極的に対応していくことを改めて確認した。

(4)-5. 海上保安大学校への留学生受入れ

JCGは、2000年4月の「アジア海賊対策チャレンジ2000」に基づいて、JCG幹部職員養成のための教育機関である海上保安大学校に、東南アジア沿岸各国の海上保安関係機関職員を留学生として受け入れることにした。これは、留学生に対して海上保安業務に関する高度の専門知識・技能を教授することにより、東南アジア沿岸各国における海上保安体制の充実強化を図ることを目的とし、2001年4月から開始されている。

ところで、これに加えて、JCGがPCGと連携して行っているプロジェクトについて若干触れておきたい。PCGは1998年に海軍から独立して運輸通信省に移管され、フィリピンにおける海上治安の維持に当たっている。しかしながら、基本的な研修教育カリキュラムの欠如、教育訓練資器材の不足といった状況の中で、救難、防災、航行安全、警備等に的確に対応できる人材の育成が困難な状況にあった。このためJCGは、国際協力事業団(JICA)のプロジェクト方式技術協力による「フィリピン海上保安人材育成プロジェクト」に協力することとし、2002年7月にJCGの職員3名を長期専門家としてPCGに派遣し、プロジェクトを開始している。これらの職員は、現地の訓練センターを拠点に、「教育訓練」「海洋環境保全・油流出防除」「海難救助・航行安全」「法令励行」といった各分野において、訓練コースの充実、カリキュラム開発、教育訓練資器材整備、講師陣の強化を図るなどの技術協力を行っている。このプロジェクトの一環として、2002年9月にPCG職員4名をJCGに受け入れ研修を実施し、また、2003年1月及び2月には、海難救助技術に関する技術指導や教育訓練等に関するセミナーを実施するため、JCG専門家を短期専門家としてフィリピンに派遣している。

2003年2月12日13日に行われた教育訓練セミナーは、「JICA-PCG SEMINAR on International Trend on Maritime Law Enforcement System and International Trend on Maritime Navigation Safety System」として実施され、私は、「SEMINAR on Transition of the World Situation Personnel Education and Training」という講演を行う機会を与えられた。また、2003年7月9日10日とマレーシア・ペナン島で行われた、「マレーシア政府主催・海上保安セミナー(Seminar on Japan Coast Guard)」においても、私は、「Fundamental Law and Regulation of the Coast Guard, Regarding its Missions and Responsibi

ities」という講演を行うことができた。本稿も両セミナーの草稿の一部を下敷きにしている。

東京アピール

今次会合に参加した各国及び地域（以下単に「各国」と表記するが、地域を含むものとする。）の政府機関、船会社その他の参加者は、海賊及び船舶に対する武装強盗事件の発生件数が、ここ数年増加傾向にあり、特に東南アジア海域においてハイジャック事件のような凶悪かつ組織的事件が発生していることを深く懸念し、また、かかる状況が、乗組員の人命及び船舶の運行の安全確保上極めて大きな脅威となり、アジア地域全体で真剣に取り組むべき問題となっていることを認識し、1995年5月にMSC（海上安全委員会）で採択されたIMO（国際海事機関）の勧告の実施を目指し、その中で旗国の役割と責任を認識しつつ、海賊及び船舶に対する武装強盗対策をとるに当たっては、まず、海賊及び船舶に対する武装強盗事件の実態を正確に把握することが必要であることを確認し、自国の内水又は領海で海賊及び船舶に対する武装強盗が発生した国（以下「沿岸国／寄港国」という）による迅速、的確な海賊及び船舶に対する武装強盗事件の取締りのためには、被害が発生した場合にその事実を直ちに関係当局に通報することが不可欠であることを考慮し、また、被害にあった船舶の中には、予防措置が不備なものもあり、船側の対策のさらなる徹底を求めていく必要があることを考慮し、海賊及び船舶に対する武装強盗を防止するためには船会社自身の自覚と取組が基本であることをあらためて確認するとともに、被害を被っている船舶の旗国及びその他の実質的利害関係国の海事政策当局における海賊及び船舶に対する武装強盗対策の取り組みの根幹をなすのは、自国の船会社（が所有し、又は運航する船舶）が事件の通報を含む適切な海賊及び船舶に対する武装強盗対策をとるよう指導、監督し、及び環境を整備することであることを認識し、他方、沿岸国／寄港国のとるべき措置は、海賊及び船舶に対する武装強盗事件の予防及び取締り並びに事件が発生した場合における人命等の救助及び犯罪の捜査であることを認識し、近年の船舶に対する武装強盗のほとんどはいずれかの国の内水又は領海で発生しており、その領海内等で事件の発生している沿岸国／寄港国による取締りの強化がまず何よりも必要であることを強調し、港内又は港の付近で停泊又は漂泊中の船舶が被害を受けるケースが多く、港内又は港の付近における船側の警戒の強化とともに、当該領域を管轄する当局による対策の強化が必要であることを考慮し、他方、関係機関の取組みが互いに連携、協力することなしには真に有効な対応となり得ず、また、海賊及び船舶に対する武装強盗事件が、他の船舶関連の事件と同様、船舶の旗国及びその他の実質的利害関係国並びに事件の発生海域の沿岸国、船舶の寄港国、関係国が多数に及ぶものであることを確認し、近年、国際シンジケートによるハイジャックのような凶悪事件が増え、複数の国にまたがるような事態が増加してきていることにより、関係国による地域ぐるみの連携、協力体制の強化の要請が益々高まってきていることに留意し、これに対処するための法的枠組みとしては、IMOの下で策定された、1988年ローマ条約が有効と考えられることを強調し、そして、海賊及び船舶に対する武装強盗問題は、関係機関、ないし船舶の旗国及びその他の実質的利害関係国や沿岸国／寄港国がそれぞれの立場で単独で対応して解決できる問題ではなく、それぞれの立場を超えて相互に連携、協力してはじめて有効な対応が講じられるものであることを確認し、以上より、

- 1 海賊及び船舶に対する武装強盗対策のため、互いに協力しつつ、可能な限りあらゆる対策を講じていくとの固い決意をあらためて表明する。
- 2 これらを踏まえ、以下を主な要素として、それぞれアクションプランを作成し、速やかに適切な措置を講ずる。
- 3 ハイジャック等、凶悪かつ組織的な事件を念頭に置いた船側の自主警備策（位置通報システムの導入等）の実施及び強化
- 4 事件発生時に沿岸国／寄港国が迅速・的確な措置をとれるように、被害を受けた船舶から沿岸国／寄

港国の関係当局への報告を徹底させるための環境の整備

5 被疑者の的確な訴追を遂行するための沿岸国 / 寄港国による法的枠組みの整備

6 関係機関が一体となつて的確且つ機動的な対応をとるための体制の構築

7 国際的な情報連絡、連携を促進するべく、従来からの外交ルートを通じた情報連絡とともに、専門的知見を有する各国の関係機関が、相互間の情報連絡窓口を設定しこれを活用することにより、総合的な情報ネットワークを形成

8 船舶の自主警備策の強化や、関係機関による行方不明船舶の早期発見に資するべく、海賊及び船舶に対する武装強盗事件に係るデータを共有・活用

「参考資料」

アジア海賊対策チャレンジ2000

ブルネイ、カンボジア、中国、香港、インド、インドネシア、日本、ラオス、マレーシア、ミャンマー、フィリピン、韓国、シンガポール、タイ、ベトナムの海上警備機関責任者による会合（2000年4月27日から29日、東京）

1 ブルネイ、カンボジア、中国、香港、インド、インドネシア、日本、ラオス、マレーシア、ミャンマー、フィリピン、韓国、シンガポール、タイ、ベトナム（以下単に「参加国」と表記するが、参加地域も含む）の海賊及び海上武装強盗（以下「海賊・海上武装強盗」という）の取締り並びにその被害者及び被害船舶を支援する任務を有する政府機関（以下「海上警備機関という」）の長又はその代理者から構成されている代表団は、2000年4月27日から29日の間、東京で開催された標記会合に出席し、海賊・武装強盗対策に関する国際協力・連携の必要性と可能性について議論した。同会合は極めて友好的な雰囲気の中で行われた。

2 同会合において、各参加国海上警備機関は、海賊・海上武装強盗問題の傾向を分析・検討し、この問題が同海域における船舶の安全航行にとって大きな脅威となっているとの認識で一致するとともに、その有効対策を確保するため、可能な限り相互協力・連携を推進・強化していくとの意図を表明した。なお、これら将来的に可能となる連携を含む適切な対処措置は、それら参加国の国内法制、関係条約に則り、かつ当該連携を維持するために十分な資源が利用可能である場合に限り、実施できることであることは言うまでもない。

3 このため、各参加国海上警備機関は、3月7日から9日の間シンガポールで開催された海上警備機関部長級準備会合において作成された24時間機能する「海賊・海上武装強盗対策情報連絡窓口」を利用して、以下に掲げる事項を含む海賊・海上武装強盗関連情報の交換を関係する参加国の海上警備機関間で迅速に行うとの意図を表明した。

1) 発生情報（蓋然性のある段階にある場合を含む）

発生日時・位置、船名、船舶の特徴、被害船舶・者の被害状況

2) 継続報告

襲撃方法、人数、保有武器、海賊・海上武装強盗の詳細情報

3) 事件措置報告

捜査、訴追、処罰等に関する事件処理情報

4) その他関連情報

4 参加行政府の海上警備機関は、「官、民全ての海事関係者による海賊及び船舶に対する武装強盗対策

に関する国際会議」(2000年3月28日から30日、東京)で承認された「東京アピール」及びその中に示してある海賊及び船舶に対する武装強盗を予防及び鎮圧するため海事政策関係者及び他の関係機関によりなされた決意を歓迎する。「東京アピール」においては、色々な重要な事項が挙げられているが、その中の一つは、沿岸国/寄港国への襲撃された際及び襲撃された後の迅速な通報に関することである。参加行政の海上警備機関は、そのような迅速な通報であれば、海上警備機関が時期を失することなく必要な対応をとることができ、且つ、それら通報のデータを分析することにより、効果的な対策がとれるということを認識し、上記国際会議で作成された「事件発生時における通報及び発生後の通報の受領先リスト」を高く評価する。

5 さらに、各参加国海上警備機関は、最近頻発している、アンナ・シェラ号事件、ペトロ・レンジャー号事件、テンユウ号事件、アロンドラレインボー号事件等の海賊・海上武装強盗が、国際シンジケートと関わっていると思われること、そのため、凶悪化、かつ、一参加国の機関の管轄を越えた範囲にその活動が行われていると考えられることにかんがみ、以下の1)から6)を含む本分野に係る協力・連携を強化していくこと、及び、そのうち、可能かつ適当な場合には、今後、直ちに協力可能な分野から迅速かつ効果的な協力・連携を開始する必要があるとの見解を共有した。

1) 海賊・海上武装強盗取締り強化

各参加国のそれぞれの海上警備機関は、海賊・海上武装強盗に対する取締りを強化する。

2) 海賊・海上武装強盗の発生情報(蓋然性のある段階にある場合を含む)を受けた際の措置

2)-1 被害船舶・者の支援措置

各参加国海上警備機関は、海賊・海上武装強盗の発生情報を入手した場合には、直ちに被害船舶・者に対し可能な支援を与えるための措置をとる。

2)-2 停船及び拿捕措置

各参加国海上警備機関は、被襲撃船舶又は海賊・海上武装強盗供用船舶が発見された場合には、当該船舶等の停船措置及び拿捕を行うため、可能かつ適切な措置をとる。

2)-3 連携措置

2)-1又は2)-2の措置をとるに際しては、3の連絡窓口を利用して関連情報を関係する他の参加国の海上警備機関、特に当該事件又は当該容疑者に関係する他の参加国の海上警備機関へ通報し、連携行動の可能性につき検討するとともに、実施可能な場合には、当該海上警備機関と連携して措置をとることができよう。

3) 停船及び拿捕後の措置

参加国の海上警備機関は、公海その他のいずれの国の管轄権にも服さない場所において容疑者を確保し又は海賊・海上武装強盗に供用された船舶を確保した場合は、外交ルートを通じ、その取扱いについて関係参加国、特に、当該事件又は当該容疑者に関係する他の参加国の海上警備機関と協議することができよう。

4) 捜査共助

参加国の海上警備機関は、必要に応じ、外交ルートにより捜査共助の要請を行う。捜査共助の要請を受けた参加国の海上警備機関は、当該要請に応じるよう最大限の努力を払う。

5) 連携活動の推進

各参加国の海上警備機関は、連携活動の有効性をテイクノートし、将来そのような協力を探究する可能性について適切な会議において検討されるであろうことにつき見解を共有した。

6) 技術協力

参加行政府の海上警備機関は、本分野における各行政政府及び各海上警備機関の個々の能力を向上させる必要性を認識し、次のことに関する技術援助を要請する海上警備機関に対し支援を行う可能性を探究しようとする日本の意思をテイクノートした。

6)-1 人員を訓練すること

6)-2 関係する技術、資材及び施設を利用することができるよう確保すること

6 各参加国海上警備機関は、本会合のフォローアップを含む各国海上警備機関間のさらなる協力・連携を推進するため、専門家による会合を開催すべきであり、その日程、場所等の詳細は外交ルートで調整すべきであるとの見解を共有した。

7 各参加国海上警備機関は、適当な場合には、海上取締り活動の不要な重複は避けられるのが望ましく、参加国の関係当局により、アジア海賊対策チャレンジ2000に係る事項を海上における薬物及び銃器の密輸・密航の取締り活動に利用することの可能性について検討されることが適当であるとの見解を共有した。

4. 警察機関であるCGの本質に関する考察

このように、JCG（そして日本国政府）がアセアン諸国に対して協力を惜しまないのはSLOCの安全保障、即ち、航行の安全（security and safety）確保のためには、アセアン諸国の体制が整備され、必要な実力（海上警備力）を備えてくれることが望ましいからであることに他ならない。そしてまたこのような海上保安の分野において協力関係を構築することに関して、比較的スムーズ且つ発展的に推移しているのには、それなりの理由があるように思われる。

それは、いわゆるCGという組織が、軍隊ではなく（区別は相対的な場合もあるが）、法令の励行を主たる任務とする警察機関であるということにあるものと思われる。結論から先に言えば、戦争からは基本的に解放された、政治的色彩を帯びることが少ない警察機関（標語的には警察の政治的中立）が、イデオロギーの問題に係わりなく、安全確保の面で協力しあうことには問題がないことによる。世界に共通する法益の擁護という観点から見れば、人類に対する犯罪とされる海賊等の予防鎮圧には、各国家の内外において抵抗は少ない。そして、人命財産の救助に異論を唱える国家や人は極めて例外に属することであろう。それゆえ、ある一定範囲の秩序を乱す行為に対しては警察力による対応が第一義的であると考えられる。JCGはこのような理解の下に、諸国家との協調、共働を構築してきたと言える。

しかしながら、北朝鮮による不審船・工作船、武装強盗、海賊、そしてテロ、ゲリラ、即ち低程度紛争（low intensity conflict）から戦争（hot war）に近いものへと、海上における事態がエスカレートしていく場合には、必要最小限度の武装（軽装備・軽装甲）を基本とし、比例原則（proportionality）という法概念に拘束される法執行機関である海上警察機関であるCGには自ずと限界があることも勿論である。その限度、境界については、政府による高度な判断が必要であるろうが、基本的に、我が国においては、海上保安庁法と自衛隊法及びその周辺関連法令の解釈問題でもあるが、ここでは、その問題を議論するのが目的ではない。それが一番多く考えられるが故に、警察的事態から軍事的事態に推移していく場合を想定すれば、JCGがその実力を十分発揮するためには、その背後に情報力、実力等において圧倒的に物理力の強大な海軍力（JMSDF）が控えていること、バックアップがなされているそのことが、総合的にJCGの作用が実効性あるものとなり、且つ、情勢の変化に応じて、海軍力（JMSDF）が前面に出ていくことにより、我が国の安全を守ることができるというシステムが我が国の現行法制度であると考えてよいように思われる。ここに、NAVYとCGの有機的、効率的役割分担の合理的な配分整備が、平時においては必要であることを示している。かくして、一国の内部におけるCGとNAVYとの協力と、ロシアや日本が存在する北東アジアから東南アジアを経てインドまでの各国のCG機関との連携協力協働が極めて大事なことになる。

さてそこで、CG機関が、本来法執行機関であるなら、その国家の憲法及び法律の定めがその国のCG機関の行動規範として重要であることは勿論であるが、海洋において、各国に共通するのはUNCLOS（国連海洋法条約）に基づく同一歩調の行動である。各国家間の信頼、協力と、海上警察機関としてのSEA POWERの育成、UNCLOSという共通の規範に基づく共通の思考が基本であると言える。ところで、海洋安全保障ダイアログは、日本とインドのNAVYとCGのOBの集まりであることから、2ヶ国4機関の相互協力を前提とし、NAVYとCGとの役割分担の基本的な考え方について考察し、確認して、その延長線上で、共に何についてどのように協力できるのか、任務分担は如何にあるべきか、そしてそのような考え方がグローバルスタンダードとして、諸外国から疑念なく受け入れられるものであるのか、あるいは手本となり得るのかということも意識して考える必要もあろう。ダイアログの内容が各国の賛同が得られるものでなければならぬ。同じ考えで各国の協力体制が組めるものでなければならぬ。理想論ではあるが、そうであってこそ、SLOCの安全保障が確保できるシステム、21世紀の

新海洋秩序維持の方式を形成することができるように思われる。

次に述べるNAVYとCGの性格、任務の相違に関する考察は、JCGの創設時期に係わる特殊事情が存在したのではあるが(海上保安庁法第25条)、それが21世紀におけるCGの性格付けの発端になったように思われるのは、正に瓢箪から駒であった。

現在の海洋秩序は、内水や領海内では、沿岸国の法令が及び、沿岸国の法制度に従った秩序維持作用、セキュリティの確保がなされていることは事実ではあるが、しかし、無害通行権の問題一つをとっても分かるように、基本は国連海洋法条約を根拠として海洋秩序の維持がなされている。UNCLOSの規定する海洋における権限行使の主体は国家を体現する軍艦とされ、次いで警察用船舶が規定されている。しかしながら現実には、多くの国において、軍隊とは異なる海上警察機関を創設・組織して、UNCLOSの内容を遂行していこうとする傾向にあるように思われる。それについて、詳しく述べるのは少し後回しとして、先ず1945年以降の日本における海洋秩序維持作用の発展の歴史を辿ってみたい。ここでは、いわゆる、UNCLOSすなわち国連海洋法条約のもとにおける、世界のCOAST GUARDの役割を意識しながら、約50年にわたって発展してきたJCGが行ってきた、Maintaining Peace and Security について、説明していくこととしたい。

1948年法律第28号として制定された海上保安庁法第1条は、「港、湾、海峡その他日本国の沿岸水域において海上の安全を確保し、並びに法律の違反を予防し、捜査し、及び鎮圧するために、運輸大臣の管理する外局として海上保安庁を置く」というものであった。

現在この条文は改正されており、「海上において人命及び財産を保護し、並びに法律の違反を予防し、捜査し、鎮圧するために、国家行政組織法第3条第2項の規定に基づいて、国土交通大臣の管理する外局として海上保安庁を置く。」になっている。

つまり制定当初は「日本国の沿岸水域」という制限付きであったのである。なぜなら、日本が敗戦による占領下であったからだということである。

さて、1945年の日本においては、敗戦によって、それまで海洋における秩序維持作用を担当していた実力機関としての海軍が消滅した。しかしながら、戦時中、日米両国が敷設した機雷の掃海、戦時標準船をはじめとして、粗悪、未整備の船舶の横行による海難の多発。無法者による密輸、密漁の跳梁。空襲による灯台の破壊等により、当時の日本近海は正にダークシーと化していた。そして、そのような状況の下、日本近海における海上治安の回復、航行安全の確保が、戦後復興のため是非とも必要であると認識され、海軍とは異なる海上保安のための何らかの組織が必要であるということになったのは必然ではあった。

しかしながら、警察組織である海上保安庁であっても、1946年頃には、それは日本の再軍備につながるのではないかと疑惑の目でみられ、従って、海洋で実力を行使すべき任務であるのにも係わらず、当初は携帯できる拳銃以外は保有できず、巡視船には砲や機関銃の武装は認められなかった。

しかし、我が国の戦後復興のためには、物資輸送路としての、海上の安全は欠くべからざるものと認識されていたので、今からみれば極めて不十分な船艇と装備による出発であり、正に零からの出発であったことを強調しておきたい。

海上保安庁の創設については、取り分け、当時のソビエト及びオーストラリアが、日本が再軍備をするのではないかと疑いの目で見ていた。そのため、現在も機能している、海上保安庁法第25条に、「解釈上の注意」として、「この法律のいかなる規定も海上保安庁又はその職員が軍隊として組織され、訓練され、又は軍隊の機能を営むことを認めるものとこれを解釈してはならない。」と規定されたのである。

また、制定当初の海上保安庁法第4条には、「海上保安庁の船舶は、港内艇を除いて、その隻数において125隻を越えてはならず、その全トン数において5万総トンを超えてはならず、又、そのいずれも1500排水トンを超えてはならず、又、15ノット以上の速力を有するものであってはならない。」と規定されていた。

このようにして、敗戦を契機とする日本の平和指向、憲法の平和主義の理念を前提にして、そして、戦勝国のアメリカ合衆国には、海軍とは異なる沿岸警備隊（United States Coast Guard）という海洋の安全のための組織が存在したことが恰好の手本となり、海上保安庁が、1948年5月に、海上保安庁法に基づき創設されたのである。

正に海軍とは異なる、それとは一線を画した、つまりはコーストガードという形での海上実力機関、海上警察機関が創設されたのであった。

さて、アメリカに次いで、我が国のJCGが、アメリカよりも、より警察的傾向を有する機関を創設したことが手本となって、取り分けアセアン諸国では、NAVYとは異なるCGの創設に熱心であるように思われる。またそうでなくても、世界的傾向として、21世紀の海上秩序の維持作用に当たる機関はCGのような組織のほうがより適切との認識が共有されだしたように思われる。そこでは、一般的に、NAVYとは異なる執行部門、法令の励行、関税、漁業、環境、航行安全、密航、密輸の取締り等々を、一元的に行う機関、CGとして、組織を再編し、創設し、従来の国家関係とは異なる、目的を同じくする国家機関同士の協調、協働が可能な方向へと動いて行ったものと考えられる。このことは、21世紀の海洋秩序の維持を図る上で正しい方向を示しているもののように思われる。

5. まとめに代えて

2003年5月、ブッシュアメリカ大統領は、訪問先のポーランドで発表した「拡散安全保障イニシアティブ（PSI）」は、国際社会全体の平和と安定に対する脅威である大量破壊兵器及びその関連物資等の拡散を阻止するために、PSI参加国が共同して取り得る措置を検討しようとするものであった。本イニシアティブには、オーストラリア、フランス、イタリア、ドイツ、日本、オランダ、ポーランド、ポルトガル、スペイン、英国、米国の11ヶ国が参加している。以後の会議で、

(1) PSIが既存の国際法・国内法の枠組みで行われることなど、PSIの目的や阻止のための原則を述べた「拡散阻止原則宣言(Statement of Interdiction Principle)」を採択及び公表し、各参加国が大量破壊兵器の拡散懸念国家及び非国家主体への拡散を阻止するための努力を個別又は共同で行うこと。

(2) 関係各国が共同して、阻止行動を行う能力を高めるため、また阻止行動の条件を試行するため、合計10回に及ぶ海・空・陸における合同阻止訓練を行うこと。

(3) 拡散の懸念を共有する全ての国がPSIを支持することを期待するとともに、各国にとって戦略的重要性を有する国に対し、「拡散阻止原則宣言」の説明等アウトリーチ活動(働きかけ)を開始すること。とされた。

かくして、2003年9月12、13日の2日間、PSIに基づく初の海上合同阻止訓練「パシフィック・プロテクター」がオーストラリア沖の珊瑚海で行われた。日本、米国、オーストラリア、フランスの4ヶ国の艦艇、巡視船、航空機が参加。他のPSI参加の7ヶ国はオブザーバーが参加した。日本からは巡視船しきしまが派遣された。日本籍の容疑船を各国の艦船、飛行機で合同追跡、「しきしま」とUSCGと一緒に立入検査を行うという想定であった。日本からは「しきしま」の外、12人の特殊部隊、オーストラリアからは税関監視船、監視航空機と巡洋艦など2隻、米国からはUSCG法執行立入検査チームとイージス艦、フランスからは海軍監視航空機、その他として、米国の貨物船(容疑船)が参加した。

日本国としては、PSI の性格が、既存の国際法・国内法の枠組みで行われる平常時の活動であること。法執行活動を含むものであり、軍事活動とは位置づけられないこと、特定の国をターゲットにしたものでないことの前提に立って、JCG が参加し、JMSDFからは3 名がオブザーバーとして参加した。

この事例は、正に、海上治安の維持に関連する諸機関(海軍、CG、税関等)が集まり共同しての合同訓練であつたということは、21世紀の海洋の安全確保において、協力、共働こそが一番効果の上がる、且つ実際的な方策であることを示唆するものと肯定的に解すべきものであろう。世界のトレンドを感じると言っ

てよいように思われる。
本年度の段階で、私は、自信を持って、海洋安全保障に関し、提案できるほど考えが纏まっているわけではないので、これといった内容を示すことができないのではあるが、海洋安全保障に関する提案に関してのキーワードは、連携、協力、共同、相互理解、である。連携協力するに際しては、法執行体制として各国と連携できる内容であり、目的の明確性ということも必要である。各水域別の役割分担と協力関係の体制整備のため日頃からの密接な連絡も必要であろう。また、関係各国の海上保安勢力の能力向上のための法制度、装備、教育等への協力も重要な要素となる。情報交換、情報の共有のための情報通信の確保も是非必要なことである。SOF海洋政策研究所のPROTECT THE OCEAN 2002(海を護る)の報告(November 8 & 9, 2002)においても、その任務を担うのが海軍力であれCGという海上警察機関であれ、各国家の協力なくして海は護れないという共通認識が基調となっているように理解される。雑駁な議論で申し訳なく思うものではあるが、このような議論の延長線上に、より実現可能性があり、実効可能な方策を含む提言をめぐって議論を深めたいと考えており、是非諸賢の御叱声を戴きたいと存じている次第である。

それでは続いて海上警察機関であるCGと海軍すなわちNAVYの違いについて、このようなことを考えるきっかけとなった、いわゆる九州南西海域不審船事件を手掛かりとしつつ考察してみたい。

2001年12月21日に発生した九州南西海域不審船事件の展開と結末は正に衝撃的であったが、これを簡単に振り返ってみると、

12月21日14時過ぎに、通常の警戒監視活動のため離陸したJMSDFのP-3C哨戒機が、16時半頃、一般の外国漁船と判断される船舶を視認。念のため17時過ぎに再視認し写真撮影を行う。

22時過ぎよりJMSDFの海上幕僚監部において写真解析を開始し、22日0時半頃、防衛庁としては北朝鮮の工作船の可能性が高い不審な船舶と判断し、22日1時10分頃、防衛庁からJCGに不審な船舶の存在が通報された。

JCGでは、ただちに巡視船・航空機を発動して同船の追尾を開始した。漁業法に基づく立入検査のため同船に停止を命ずるも、同船はこれを無視して逃走を続けた。このため、航行能力遅減射撃も含めて、威嚇射撃を実施した。

22日22時頃、逃走防止のため、同船を巡視船2隻で挟み込もうとしたところ、同船より自動小銃及びロケットランチャーによる攻撃(海上保安官3名が負傷、巡視船3隻に被害)がなされたため、巡視船より正当防衛のための射撃を実施した。

同船はその直後自爆して沈没した。この不審船は、船体は青、上部構造物は白の塗装で、全長約30メートル、漁具はなく、「長漁3705」の表示があった。沈没位置は、奄美大島大山崎灯台から西北西390キロ(北緯29度12.7分、東経125度25分)で水深は約90メートルと伝えられた。

そしてこの不審船の引き揚げ作業は、2002年中に完了して、今や多くの新しい事実が判明している。引き上げられた船体や武器の類は、現在、東京の海の科学館の広場で、無料で一般公開されており、平日でも行列ができるくらい、日本人々の関心を集めている。

ところで、この事件に関して、JCGの適切な対応や処理にも係わらず、若干の誤解の故か、不適切と思われる反応が日本の一部にあったように思われる。それは、JMDFこそが第一義的に、このような事態に対応すべきであるという議論である。それは少し気の早い議論であったように思われる。

結果から見ても、また法令の解釈からも、JMDFが処理しなければ他に方法がない状態、事態であったとまでは言えないとの判断があり、そうだとすれば、そのような議論は、21世紀の平時における議論としては注意をしておかなければならない。このような議論に、実は、NAVYとCGとの性格の違い任務の違いを確認する上で重要な論点が含まれていると考えられる。世界の傾向でもあると思われるが、法の執行を本質とする海上警察の作用は、NAVYよりCGのほうが、より適切である理由について考えてみることにしたい。

一国の安全を確保するに、どのような手段であれ、結果が大事であることは否定できない。しかし、諸般の事情、社会情勢、近隣諸国との関係といった条件が存在する場合には、議論はそう簡単ではない。

出発点は、日本の現在の警察や海上保安庁(JCG)の能力、勢力、装備では、目的が達成できないのかどうか、我が国の海を守るのに不安があるなら、法的な措置や装備や訓練の強化等に対応できるのかどうか、が先ず検証されねばならないものである。

勿論、緊急、急迫の度合い等により、短時間の判断で決せねばならないその時の事情にも左右されるとではあるが。そして、これだけ任務・責任の内容が複雑高度化し、専門化してきている時代に、JCGの行うべき任務機能をJMDFが肩代わり可能かどうかを十分に考えなければならない。アメリカの2002年9・11テロ関連の捜査等についても、テロを防ぐための防御措置として、なるほど空軍の戦闘機はワシントンのホワイトハウスを中心とする空域に出動したと聞いているが、捜査はFBI、ポトマック川やニューヨーク港の警戒はUSCGであったということは象徴的であったと思われる。ブッシュ大統領は、これは戦争だと言ったにもかかわらず、である。

一般に言われているように、先制と集中、科学力・機械力・生産力の総合で、その本質的性格において非平和的である軍隊。比例原則(proportionality)に縛られつつ、一般国民或いは人に対して、直接に法を適用執行するのが警察。兵力の逐次的投入が最悪とされ、集団的・集中的に兵力が存在しなければならない軍隊。

暴徒や犯罪者の様子、雑踏の混み具合を絶妙のバランスで、正に警察力を逐次的に投入していくことが要求され、通常はできるだけ分散して存在することこそが、よくその機能を発揮し得るのが警察。

ここに比例原則とは、警察権を発動するときは、警察違反の状態(暴徒が暴れているなど、違法・不法な状態)に比例した力でもって対応すべきであり、過剰な力の行使は違法とされる法的概念のことで、たとえば、整然たるデモと火炎瓶を投げたり車に火をつけたりするようなデモとでは、対処の仕方は異なることをいう。海上のデモに対しても、デモ船の数、デモの態様、過激さ等々により、警備の勢力を自在に変化させながらこれに対応しなければならないものとされる。

警察が治安を維持するとは、治安を乱す者の行動を押さえ込み、殺すのではなく(止む無く殺傷してしまう場合があるとしてもそれは正に例外的状況である)その者が法の裁きを受けるように、法律の手続きに従って措置をとるのが本質である。軍隊は、戦闘を行うのであって、条約上の制限(ABC兵器の使用禁止など)を守れば、原則として害敵手段に制限はないはずである。

法を執行する海上権力は、現今では、海軍以外の戦争からは解放された専門の海上権力機関が行う方が合理的且つ経済的であり、そして民主的とされる。

法律の訓練を受けたCGのオフィサーが対応してこそ、相手の人権尊重を前提とする、法令の執行、法令の励行が可能となる。警察作用は人権保障を建前とするのに対し、軍事は、人権問題とは次元を異にす

る。

そこで、NAVYとCGとの区別の問題に触れておきたいと思う。それは、日本における海上保安庁と海上自衛隊、アメリカの沿岸警備隊と海軍という、極めて21世紀的区別の基準の問題であるということになる。これから創設されるというマレーシアCGとマレーシア海軍との違い、フィリピン海軍とそのCGとの違いにも当然当てはまるものと考えられる。

例えば、日本において、巡視船が一ヶ所に多数集中する場合は、観閲式を除くと、警備実施であるとか、大事件・大事故の発生している時であるように、集団で存在する場合は平和的状况ではない(とりえず非常事態である)ということが言える。そして、警察機関としては例外的の場合ということになる。通常の巡視船艇は、できるだけ分散体制にあることが普通であり望ましい。陸上の警察とて、日常では同じことである。これに対して、NAVYの基本は艦隊行動であり、あるいは先制と集中が海戦の要諦であり、集結していることが普通であるように思われる。兵力の小出しは厳にいましむべきこととされ、各個撃破されることはなんとしても避けるべきこととされていると理解されている。

警察力は必要最小限にしか行使できないのである。警察力は行政権力であるが故に、法律に拘束され、比例原則に縛られる。

JCGのような海上警察権を行使する機関を、行政的海上権力機関、JMSDFやNAVYは、軍事的海上権力機関と観念し、これを換言すれば平和的海上権力機関と非平和的海上権力機関と称することもできる。それは、現代的意味における行政と軍事との区別であるように思われる。

さらに、CGは法令の適用・執行を目的としており、人権擁護を前提として、対象船舶及び関係の人々と直接相対して任務を遂行する。そこに必要なのは法的知識であり、法技術である。これに対して、NAVYは、近代装備を操作し、エレクトロニクスを駆使した電子戦等に備えているのであって、全くその専門技術性が異なっているように思われる。このように、高度に社会が発展している国家にあっては、人権擁護の必要性と技術性、及び組織の性格という観点から、行政的海上権力機関と軍事的海上権力機関とは、原則として相互に置き換えることができないほどに専門が分化してきていると考えなければならない(但しこれは、あくまでも平時の場合の議論であることを確認しておきたい)。

そうすると、21世紀においては、平時における海上権力の発現形態は、何らかの法的枠組を前提とする海上警察権として認識されるものであり、主として、行政制度と法制度の中で議論されるべき問題だということになる。軍隊とは一線を画した警察活動がCGの本質であると見るべきだということになる。

もう一度確認するに、海上保安庁法第25条は、「この法律のいかなる規定も海上保安庁又はその職員が軍隊として組織され、訓練され、又は軍隊の機能を営むことを認めるものとこれを解釈してはならない。」と規定しているのである。この条文は、海上保安庁が設置されようとしたとき、日本はもう再軍備をしようとしているのではないかとする疑惑を払拭するために挿入された条文であったことはすでに説明したところであるが、しかしそのおかげで、JCGは、明確に軍事機能を有しないことになり、法的にも軍事機関と警察機関の機能の峻別がなされることとなった。

そこで、さきほども触れたところではあるが、軍隊と警察機関の機能の違いがどのようなところに存するかについて表にすると次のように示すことができると思われる。

N A V Y	C O A S T G U A R D
非平和的海上権力機関	平和的海上権力機関
海軍・海上自衛隊	沿岸警備隊・海洋警察庁・海上保安庁

先制と集中	分散
最新兵器を駆使した軍事技術	法適用執行の法技術
敵と対峙・殲滅（軍事目標）	人及び船舶（軍艦公船以外の船舶）に対する法執行作用
害敵手段に制限なし	比例原則の適用・RULE OF LAW の適用
シビリアンコントロール	司法的統制（最終的には裁判所）
敵に勝つ等軍事目的の達成	治安の維持法令の励行等行政目的の達成
（戦争は政治の延長・クラウゼビッツ）	（警察機関の政治的中立）
高コスト（イージス艦等）	低コスト（財政的に整備は容易）巡視船艇程度なら保有可能、弱小勢力を各国の協同・共同でカバーすることも可能
常に国際問題や国際紛争と関連 取り分け憲法9条や戦後処理との関係で 近隣諸国とは微妙（日本に特有）	国際紛争にならず疑惑を招かずどこへでもかけることができる
直接・間接の侵略に対処	海上に於ける人命財産の保護海上治安の維持（但し海上警備行動あり）

このように、21世紀を迎えた海洋の秩序は、ごく限られた戦争状態にある海域を除いて、一般的あるいは世界の大部分の海は、国連海洋法条約の定めに従いつつ、NAVYとは切り離された、CGによって守られ維持されている。

このように、NAVYは科学技術の粋を駆使する行動であり、CGは、地道に法令を執行適用する作用であって、その作用の内容は、ある程度まではラップしているものの、人権保障を前提としつ法を執行する作用と軍事とはあまりに専門分化し性格や機能が離れ過ぎており、これほど海洋について条約や法の制度が発達してきた現代においては、それぞれがその専門、任務とするところを実行していくことが必要とされるに到っていると考えられる。

具体的な事例をご紹介申し上げますれば、巡視船「えちご」によってロシア支援物資をナホトカに緊急輸送し、瀕死の火傷を負ったコースチャー君を救助するため、サハリンへJCGのYS-11が霧をついて飛行して無事北海道の病院に入院させることに成功したという事例があった。

公海上の外国籍船での事件であり、日本人が事件に関与したり被害者にはなっていないケースであったにも係わらず、特殊部隊や特別警備指定船を出動させて、正に公海上で、EBキャリアー号やペスカマー号事件等の船内暴動事件を解決し、また、最初に説明したように、海賊対策でJCGの巡視船や航空機がマラッカ等の海域に、沿岸国と協力してパトロールを行っている。近隣諸国での国際会議にはJCGの代表を乗せたJCGのジェット機が飛行しており、毎年、日韓連携巡視として日本の巡視船と韓国海洋警察庁の巡視船が共同パトロールをし、相互訪問を行い、「しきしま」でプルトニューム輸送の貨物船「暁丸」を護衛をしたこともある。

海上保安大学校練習船「こじま」は毎年、世界一周練習航海を行っているが、軍事行動を疑われたことは一切ないという、そのことにこそ平和的海上警察組織の本質が表象されていると見ることができる。

そして、紛争を拡大させないための安全装置としてのCGの存在の価値が考えられる。ここで『国境』に関する国際的に通用するレベルの認識が必要である。陸上、海上を問わず、国境地帯で国家的利害が衝突

し、紛争が起きるのは常識といえる。国境侵犯や不審船の活動も日常茶飯事だと考えなければならない。このような重大な主権侵害を放置すれば、国家は成り立たないことは、正常な国家の正常な市民であれば常識に属することと思われる。場合によっては、不審船に対して射撃しなければならないこともある。威嚇射撃や拿捕を含むそのような事態に、そのたびに軍事組織、海上であればNAVYが紛争処理に乗り出していたら、地域紛争のみならず、場合によっては全面戦争になる危険性が高まることも可能性としては考えられなくもないものと思われる。

だが、そんな場合でも国境警備隊であるCGのレベルで対処できるなら、そのほうが望ましいと言える。事態が収拾した後は、交渉のテーブルについて善後策を話し合うというのが、例外はあるにしても国際的な一つのルールになっていると考えてよいように思われる。

このように眺めれば、CGは国境や領海がらみの紛争を本格的な戦争にエスカレートさせないための安全装置であり、人類が考え出した知恵ともいえる存在だということが理解できる。海洋国家・日本にとってのJCGの存在意義は大きいと考えなければならない。

警察力は近隣諸国に軍事力の如き脅威を与えず、人命と財産を護り得るものである。しかも「人命と財産」を自国の利益のためだけでなく、国境を越えて人類の人命と財産を護る可能性が、CGに求められていると言えるのではないかと思われる。冷戦の時代に意味を持った軍事力に替わって、冷戦下で見失われていた警察力が表舞台に登場してきたというべきであろう。

このように、NAVYではなくて、CGが、海洋における法執行作用を行うのは世界的傾向であり、海洋の安全と秩序の維持は、法に規律され拘束された海洋警察（海上警備機関）によって行われることが、いかなる海洋紛争であろうとも、基本的に平和的に、行政的に解決する可能性を与えているものであり、そのことにCGの価値があるものといわなければならないものと考えられる。

学説としても、飯田忠雄氏はその著「海上警察権論、1961年成山堂」のなかで、A.T.Mahanの理論は、時代の変化にもかかわらず、その本質において現代にも生きているが、その考え方に基づいても、第二次世界大戦以降の海洋秩序の維持について、平時のsea power

の在り方について、領海条約と公海条約の下、各国との協調こそが海洋秩序維持の本質であると主張していた。また、Sam Batemannは、(Asia Pacific Issue,no.65,Janu.2003.)

Coast Guard;For Regional Order and Security という論考の中で、CGの役割及び将来の展望として、私と同様の見解を述べている部分がある。また軍事評論家、小川和久氏も、「日本は国境を守るか」で、同様の趣旨を述べているということを指摘しておきたい。

Japan-India Dialogue on Ocean Security

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Proposals for Ocean Security

1 Preface

This dialogue is to examine and study the fundamental attitude towards securing and protecting the security of the Sea Lines of Communication (hereinafter referred to as SLOC), which originally covered not only the issue of security but also that of safety, for the sea area extended from Japan located in the Far East to India located in South Asia. Japan and India are geographically divided by the Malacca Strait. The close involvement of Singapore and Malaysia in the transit through Malacca Strait has made the transit a complicated issue and as such can be a subject for study. There have already been lots of studies as well as legal and conventional frameworks, and I will not go into their detailed arguments. What I would like to do is to study the maritime security between Japan and India as a whole.

Japan's oil route passes through the Indian Ocean immediately after it leaves the Mid-East. Maritime security for the Indian Ocean is secured by India, which is a great power in South Asia, though I don't know much about the complicated sea power situations in the Indian Ocean and unable to give any detailed information. According to Japan-India Dialogue on Ocean Security Prof. Hajime HIROSE Emeritus professor of Japan Coast Guard Academy Professor of Kure University "Emerging Power" by STEPHEN P. Cohe, the trade volume between Japan and India, which accounts for 5.3% of all foreign trade in India, is tending to increase gradually. For your information, India's trade with the US accounts for 14.54%, and that is the largest proportion. Therefore, this fact alone can make the secure of safety in SLOC an extremely important issue. I presume that after 1945, India has contacted China, Myanmar, Tibet, Bangladesh and other countries concerning each issue. And the actual threats to India seem to come from its sealines. It seems to be a matter of course for India to turn her eyes toward sea and recognize its importance. By the way, I recall that I ever referred much to 'Maritime Flag and International Law' written by Nagendra Singh in 1977 when I studied 'the flag'. India is also an ocean state.

According to a document titled "Indian Coast Guard", after the enactment of the Maritime Zone of India Act which was adopted on August 25, 1976, India claimed exclusive rights over living resources and non-living resources, then the decision to establish the Coast Guard in 1977 was made, and the Indian Coast Guard was established as an independent armed force of the Union under the Coast Guard Act adopted in the congress on September 19, 1978. The motto of the Indian Coast Guard is "We Protect", while Japan Coast Guard's motto is "Humanity and Justice", for USCG, it is "Always Ready" and for Malaysia "Guard Protect Safe". The mottos for the coast guard agencies must reflect

their distinctive characteristics. According to the explanation of the background of the establishment of Indian Coast Guard, it was established to protect national interests in the area under the jurisdiction of India. Article 14 of the Indian Coast Guard Law stipulates its duties and functions. And the explanation of the article states “The duties and functions of the Indian Coast Guard are clear, specific futuristic in an evolving maritime scenario. They are flexible and at the same time bounded within. They are specified in Section 14 of the “Coast Guard Act” that specifies about “safety and protection of offshore installation and artificial island”, “providing protection to the fishermen including assistance to them at sea while in distress”, “preservation and protection of marine environment”, “prevention and control of marine pollution”, “assisting customs and other authorities in anti-smuggling operations”, “enforcement of maritime laws”, “safety of life and property at sea” and “search and rescue”.

It can be said that the duties and responsibilities stipulated in Indian Coast Guard Law are the same as Japan Coast Guard Law. The public order in Indian Ocean has been maintained by Indian Sea Power.

In all cases, SLOC between Japan and India means life or death. It is also a big concern for the safety of Japan’s oil route, especially the route in South Asian area. It is natural for Japan to consider the responsibility divided roughly for the two lanes, which are from the Indian Ocean to Malacca and from the Malacca to Japan. This establishment of the cooperative relationship with India is not to make light of the cooperative relationship with other nations such as North-East Asian and South-East Asian countries and Australia etc, I will come to that point later on. The cooperation with the above mentioned countries is important as a cog and so it is in the maritime security system of SLOC from India to Japan as a relevant cog. And it is a matter of course to establish cooperation within coast guard agencies of the countries located between Japan and India. It is important to recognize that the cooperation within the framework in peacetime is absolutely necessary and indispensable.

2 The exchange between Japan and India in the field of maritime safety

Over the last several years, exchanges between Japan and India in the field of maritime safety have been deepened drastically. In the chapter titled “To cope with the globalizing work needs”, as “Establishment of collaboration/cooperation partnership with coast guard agencies in Indian Ocean area”, it states “To date, Japan Coast Guard has made efforts to reinforce the collaboration and cooperation with coast guard agencies in especially Asia-Pacific region. However, maritime crimes such as piracy cases etc. have occurred frequently in the Indian Ocean, where maritime transport route from mid-East is located. Therefore to ensure safety in that region is also a critical issue for my country. Under such awareness, with Bangladesh, India, Pakistan and Sri Lanka, Japan Coast Guard held the Indian Ocean Region Coast Guards practicality meeting in Tokyo in December 2001, aiming at the maintenance of safety and public order in the Indian Ocean region and Asia/Pacific region by developing international cooperation partnership among coast guard agencies in those regions.”

Thus, the provision of a chance to us by the issue of piracy to exchange with India has become a fact. I presume that notably the seizure of Alondra Rainbow by Indian Coast Guard has effected on that fact. The Alondra Rainbow incident happened on October 22 in 1999, she was attacked by pirates immediately after departing a port in Sumatra Island, Indonesia. All crews were rescued by a Thai fishing boat on November 11. And on November 14, Indian Coast Guard found a vessel likely to be the Alondra Rainbow off shore India at about 270 miles west from Goa. Indian Coast Guard gave orders to

stop engine and fired warning shots. After that, the vessel was seized and 15 suspected persons were all arrested, and the vessel arrived at Mumbai port. The Alondra Rainbow was 7762 gross tonnage and loaded with about 7000 tons of aluminum ingots at the time. The vessel was Panamanian flagged but Japanese FOC vessel and operated by a Japanese company. The master and chief engineer of the vessel were Japanese and the rest of the crews were Filipino. It is reported that some of the cargo were found in Manila. The name of the vessel had been changed to "MEGARAMA". And it is reported that Mumbai District Court in India sentenced the pirates to seven years in prison on February 25 in 2000. With the incident as a turning point, Japan Coast Guard has reinforced the closer collaboration, such as being the host for the International Conference on Anti-piracy on April 2000, with the agencies in countries concerned.

Japan Coast Guard has been strengthening mutual cooperation and collaboration with countries concerned for long time based on the "Asia Anti-piracy Challenge 2000".

However, the partnership with India has been in place for a much longer period. For instance:

- The goodwill visit to Indian Coast Guard in Madras (Chennai) in 1987 by the patrol vessel "CHIKUZEN".
- The goodwill visit to Indian Coast Guard in Madras in 1989 by the geographic survey vessel "TSUSHIMA".
- Alondra Rainbow incident in October, 1999.
- The visit to Chennai to attend an Anti-piracy joint exercise with Indian Coast Guard by the patrol vessel "SHIKISHIMA" and simultaneously, Mr. Arai, the ex-Commandant of Japan Coast Guard visited Chennai and had a talk with Vice Admiral John De Silva, the Director-General of Indian Coast Guard and they agreed on periodical exchanges by both agencies.

During his talk with Vice Admiral Silva, Mr. Arai said: "This exercise is not an exercise between Navies but a cooperation for 'Friendship for Safer Ocean', and this is the motto for this exercise. For that reason, it may be possible to consider exercises in the fields of search and rescue and oil combating in the future." And furthermore, "In the case of Navies, they look at each other as enemies, on the contrary, it is possible for coast guard agencies to cooperate with each other for common objectives." And he closed his speech by saying "It is important for both coast guards to continue the joint exercise annually. It can send clear messages to pirates and leads to the cooperation in many fields between both countries and both nationals. Pirates must look at our activities".

In May 2001, Indian Coast Guard's patrol vessel "Sangram" visited Japan and attended the Japan Coast Guard's Sea Review and participated in the joint exercise with the 10th regional Headquarters located in Kagoshima prefecture. And Vice Admiral Silva visited Japan and attended the joint exercise to inspect it in Kagoshima and had a talk with Japan Coast Guard's Commandant. In his address during the talk, JCG Commandant said "Although the form of piracy etc. is changing, I would like to cooperate closely." Vice Admiral Silva said in his address "I would like to continue to strengthen cooperative partnership and exchange with securing precious lives and properties as the objective." Then Japan asked for concrete cooperation between Navy and Coast Guard in India because Japan Coast Guard has cooperated with Japan Maritime Self-Defense Force. He explained "Navy as well as Coast Guard are in action at sea. Indian Coast Guard will not do what Navy does. However, Navy and Coast Guard can use installations in common. Communication between Navy and Coast Guard is relevant, in this case, it is easy for us to communicate with each other because our training body has something in common and joint exercises for wartime have been carried out".

The patrol vessel "YASHIMA" paid a goodwill visit to Chennai and the joint search and rescue exercise was carried out with Indian Coast Guard in November 2002.

Indian Coast Guard's patrol vessel "Sangram" visited Japan and participated in joint exercises such as search and rescue exercise and anti-piracy exercise with patrol vessels and craft belonging to the 5th Regional Headquarters. At the same time, Vice Admiral Metta, the Director-General of Indian Coast Guard, held talks with Commandant of Japan Coast Guard, and paid a courtesy call to the Minister of Land, Infrastructure and Transport. He also inspected the joint exercise held in 5th Region and visited Japan Coast Guard Academy together with Vice Commandant for Operation of Japan Coast Guard. In the address by the Minister of Land, Infrastructure and Transport, he mentioned "it is important for both Japan Coast Guard and Indian Coast Guard to collaborate with each other for the maintenance of sea use safely and orderly. And I feel reassured that the cooperation between both Japanese and Indian coast guard agencies has further strengthened by having joint exercises and periodical talks between commandant and director-general." I would like to cite the article from the Coast Guard News about this event since it is brand new.

The joint exercises of search and rescue and anti-piracy were carried out by JCG 5th Region Headquarters and Indian Coast Guard in Oosaka Bay off shore Kobe in the morning on September 18. Eight patrol vessels such as "SETTSU" (Kobe) and "SHIMANTO" (Kochi) and its two helicopters of JCG, and patrol vessel "SANGRAM" and its helicopter of Indian Coast Guard have participated in the exercises. The assumption was that an undergoing cruise ship was attacked and set fire by pirates, then one crew and one passenger were dropped into the water when they were evacuating, and eventually the pirates fled by a ship. The exercises started from the information transmission to the 5th Regional Headquarters from Sangram, which received the distress call of the fire on board and piracy attack. The communication system between both patrol vessels was established, and patrol vessels and helicopters of respective countries carried out joint search operation after searching area was set. "KAIRYU" and "SANGRAM" sprayed water on the burning cruise ship named "SHIMANTO" set on fire by pirates. Helicopters of both "SANGRAM" and "SETTSU" rescued two people dropped into the water. In Anti-piracy exercise, "MURODUKI", "KOMAKAZE" and "KIKUKAZE" pursued fleeing suspected vessel carrying the pirates. The suspected vessel slowed down due to the downwash control done by the helicopter of "SANGRAM". "MURODUKI" shot in self-defense the suspected vessel on board which pirates had fired rifles toward the helicopter. Therefore, "KOMAKAZE" and "KIKUKAZE" shouldered the stopped suspected vessel, and dispatched Special Security Team and two pirates had become under their control. The situation of the exercises was taken a video by a helicopter from YAO Air Station and the video was transmitted to the Headquarters and 5th Regional Headquarters by using the Satellite Video Transmission System. After the exercises, Director-General of the 5th Regional

Headquarters, who was also the on-scene commander in the exercises, commented "The exercises successfully end under the sufficient skills of both agencies without having any difficulties in language". The Vice Commandant for Operation, who reviewed the exercises, mentioned "Our close partnership between both agencies has started due to the arrest of the pirates by Indian Coast Guard in the incident of piracy attack against Japanese related vessel. The both agencies could have shown fully their skills cultivated. I would like to develop multilateral cooperation including South-East Asian nations". Then ICG Director-General Metta has shown his desire for cooperation in Anti-piracy

by saying “The exercises are effective for protecting safety of navigation. Joint exercise in the area off shore India is planned in next year. I would like to make it the joint exercise with many participants from many countries”.

3 Anti-piracy countermeasures centering upon Japan

First of all, I would like to introduce the timeline for anti-piracy countermeasures from the point of view of Japan.

3.1 Preparatory Meeting for International Conference on Anti-piracy (Singapore)

With the hijack incident of “Alondra Rainbow” occurred in October 1999 as a trigger, there was a growing tendency for the people concerned to discuss piracy issue, which had become a more serious problem for international maritime shipping industry.

At the ASEAN Summit held in November 1999, the late Mr. Obuchi, ex-Prime Minister, proposed that an International Conference on Anti-piracy be held to discuss information exchange, reinforcement of control by respective countries, mutual cooperation/collaboration with the presence of representatives from coast guard agencies in Asian countries.

For this reason, “International Conference on Anti-piracy” was scheduled at the end of April in 2000 in Tokyo mainly by Japan Coast Guard. Prior to the conference, the preparatory meeting was held on March 7-9 in Singapore. Representatives, from ASEAN and mainly coast guard agencies in 13 countries in East Asia such as Cambodia, China, Hong Kong, India, Indonesia, South Korea, Malaysia, Myanmar, Philippines, Singapore, Vietnam and Japan, have attended the preparatory meeting, which was supported by Nippon Foundation and was hosted by Japan Coast Guard.

In the meeting, Japan Coast Guard, which was the host of the meeting, explained “Because there were many piracy cases considered to involve international syndicates, the reinforcement of the international cooperation among coast guard agencies is indispensable for eradication of piracy incidents”, followed by Mr. Terashima, executive director of Nippon Foundation supporting the meeting, emphasizing “The cooperative relationship among respective countries in South-East Asian region will be the key for the success of anti-piracy countermeasures in the future.

In the meeting, which lasted for 3 days, country reports of piracy and armed robbery and countermeasures for them by respective countries were delivered, and the establishment of cooperative relationship, such as information exchange, reinforcement of control, mutual collaboration/cooperation and holding periodical expert meetings among respective coast guard agencies, was discussed.

The participants in the meeting shared the view that reinforcement of control against piracy incidents was indispensable, and decided that respective agencies concerned practically, mutually and promptly collaborate and cooperate and made out “The contact list for information of piracy and armed robbery”

In the first day of the meeting, lots of Japanese, local and international media collected news materials and the meeting was reported to the public by TV news and news papers, which showed strong Singaporean awareness against piracy.

3.2 International Conference on Anti-piracy (Tokyo)

International Conference on Anti-piracy was held in Tokyo on April 28-29, 2000. In this conference, the countermeasures, which were discussed in the preparatory meeting in Singapore on March 7-9, were finalized, and “Tokyo Appeal”, “Asia Anti-Piracy Challenges 2000” and “Model Action Plan” were adopted as outcomes of a series of meetings by 16 countries and regions.

In “Asia Anti-piracy Challenge 2000”, Japan Coast Guard has expressed its consideration such as the establishment of contact window for exchange of piracy information, the international collaboration/cooperation in control and search and rescue, acceptance of foreign cadets to Japan Coast Guard Academy and etc. for cultivation of human resources, holding seminars on maritime crimes control, and assistance in maintenance of equipment. Moreover, the mutual consent was made by the conference to tackle suppression of crimes with the united efforts of governments and people among Asian countries to ensure the safety of navigation and crew of a ship.

3.3 “Anti-piracy measures research mission”

Japan Coast Guard has dispatched “Anti-piracy measures research mission” to South-East Asian countries aiming at the meeting for promotion of collaboration/cooperation and taking shape of other assisting measures based on “Asia Anti-piracy Challenge 2000” adopted by “International Conference on Anti-piracy” held in Tokyo in April 2000.

The mission visited Philippines, Malaysia, Singapore and Indonesia on September 19-26 in 2000, and Japan Coast Guard showed its positive attitude to tackle piracy issues in Asia, and to strengthen further the collaboration/cooperation with countries concerned.

3.4 Anti-piracy Joint Exercises

In November 2000, Japan Coast Guard carried out Anti-piracy collaboration/cooperation Joint Exercises with Indian Coast Guard and Malaysian Maritime Police based on “Asia Anti-piracy Challenge 2000” adopted by “International Conference on Anti-piracy” held in Tokyo in April 2000. Although Japan Coast Guard had carried out joint exercises with Philippines, Indonesia and South Korea etc in oil spill combating and search and rescue, it was the first time for Japan Coast Guard to carry out exercise in cooperation with other countries in anti-piracy. This first joint exercise in responding to special security incidents in a foreign country was quite a successful event.

The successful exercise led Japan Coast Guard to dispatch its patrol vessels and air craft periodically to promote communication as well as the awareness of collaboration and positive attitude towards anti-piracy among the personnel of respective organizations. Following that first exercise, Japan Coast Guard has carried out joint exercises with coast guard agencies in India, Malaysia, Philippines and Thailand. The summaries of the results are as follows:

3.4.1 Indian Coast Guard

Commandant for Japan Coast Guard and Director-General for Indian Coast Guard held talks in Delhi, India in November 2000, and the Anti-piracy Joint Exercise was carried out by patrol vessels of both coast guards off Chennai. In this exercise, Japan Coast Guard’s patrol vessel named “SHIKISHIMA” and its two helicopters from Japan side and two patrol ships and a helicopter from India side were present. And the missions, aiming at pursuit of suspicious ship, arrest of perpetrators and rescue of crews, were done under an assumption that a Japanese flagged merchant ship sailing at Bengal Bay was assaulted and hijacked by pirates. The point

of this exercise was to exact transfer of information avoiding information jam, and to take unified actions by patrol vessels of both countries. In their talks, the Commandant of Japan Coast Guard and Director-General of Indian Coast Guard agreed that collaboration/cooperation should be positive ly promoted to ensure safety of ocean in Asian region.

3.4.2 Malaysia Maritime Police

After the joint exercise with Indian Coat Guard off Chennai, Japan Coast Guard's patrol vessel named "SHIKISHIMA" called at Port Chelan, Malaysia and carried out the first large-scale Joint Exercise for Anti-piracy at off shore the port.

Four patrol ships, two air craft, anti-terrorist special squad (SMART) and about 200 personnel participated in the exercise. Establishment of communication between both patrol vessels and air craft, repelling down from helicopter to both patrol vessels, and control of pirates by special squad, etc. were carried out during this exercise. This joint exercise was carried out concurrently with the "Anti-piracy Expert Meeting" held in Kuala Lumpur, Malaysia. Representatives from the coast guards from South-East Asian countries, high-level officials from Malaysian Government and the press observed this exercise.

Japan Coast Guard cooperated closely with Malaysian special squad in its actions of pursuit and arrest and communicated with patrol vessels of both countries. This exercise is the second one for Japan Coast Guard following the joint exercise with India.

3.4.3 Philippine Coast Guard

Two- helicopter-type patrol vessel "MIZUHO" and its two helicopters, and three Philippine Coast Guard patrol ships and a Philippine helicopter participated in a joint exercise at off Manila Port on October 31, 2001. The focus of this exercise was on measures for search and rescue of victims, pursuit and arrest of the piracy boat, and board and inspection by officials taken in cooperation/collaboration of both coast guards under the assumption that a Japanese concerned vessel has got damage by pirates.

In Philippines, due to the higher awareness of anti-piracy as a result of "Alondra Rainbow" and "Inabukwa" accidents, this joint exercise was considered to be practical and positive.

3.4.4 Thai Marine Police and Port Authority

Japan Coast Guard dispatched one-helicopter-type patrol vessel "RYUKYU" to Thailand and carried out joint exercise for anti-piracy with Thai Marine Police and Port Authority. A total of 8 ships and 2 helicopters, including three Thai Maritime Police's patrol ships, a Royal Thai Police's helicopter, two Thai Authority's patrol boats and Japan Coast Guard's patrol vessel "RYUKYU" and its helicopter and guard and rescue boat, and a chartered cargo ship as a victim of a piracy case were present at the exercise.

The exercise was carried out under an assumption that a cargo ship named "HARIN" sailing on the high sea off Thai coast was attacked by pirates, then Thai Marine Police Emergency Center received alert signal of attack, the Center transferred the information to Thai organization concerned and Japan Coast Guard, after that, Japan Coast Guard dispatched patrol vessel "RYUKYU", and rescued six crews from the cargo ship and its rescue boat in cooperation with Marine Police and Port Authority. The exercise, though the first time for participants, proceeded smoothly because coordinator officials had been mutually dispatched to the three organizations. Thailand is highly concerned with anti-piracy and thinks highly of

Japan's positive attitude toward anti-piracy countermeasures made by Japan so far. It is believed that Thailand will take further positive actions against pirates.

3.5 Acceptance of foreign cadets to Japan Coast Guard Academy

Based on "Asia Anti-piracy Challenge 2000" adopted by "International Conference on Anti-piracy" held in Tokyo in April 2000, Japan Coast Guard made the decision that Japan Coast Guard Academy, which educates future executives for Japan Coast Guard, would accept personnel as foreign cadets from the coast guards of South-East Asian countries.

This programme started since April 2001 aiming at reinforcement of coast guard systems in South-East Asian countries by giving highly professional expertise and skills related to maritime safety operations to the personnel of maritime safety organizations in such countries.

Additionally, I would like to say something about the collaboration between Japan Coast Guard and Philippine Coast Guard.

Philippine Coast Guard, which is independent from Navy and a subordinate to the Ministry of Transport and Communication, is in charge of maintaining public order at sea in the Philippines. However, due to a lack of basic curricula and equipment for training and education, PCG has found it difficult to foster its human resources. Therefore, Japan Coast Guard launched the "Project of cultivation of human resources for Philippine Coast Guard" by "Project-type Technical Cooperation", which is one of the activities of JICA (Japan International Cooperation Agency). Under the project, Japan Coast Guard has dispatched its 3 persons as long-term experts to the Philippines since July 2002. Their technical contributions have helped PCG to improve its training course, develop curricula, maintain equipment for training and education and strengthen lecturers in the fields of "training and education", "maritime environment protection and oil combating", "search and rescue and safety of navigation" and "law enforcement" at the Training Center as a base. As a part of the project, Japan Coast Guard accepted 4 personnel from Philippine Coast Guard for study in September 2002, and Japan Coast Guard dispatched its personnel to the Philippines to transfer search and rescue techniques and held a seminar on education and training and etc. in January and February 2003.

In this education and training seminar entitled "JICA-PCG SEMINAR on International Trend for Maritime Law Enforcement System and International Trend for Maritime Navigation Safety System", I have been given an opportunity to give a lecture titled "Seminar on Transition of the World Situation over the Ocean and the Role of Coast Guard and Personnel Education and Training". Furthermore, in the "Seminar on Japan Coast Guard" hosted by Malaysian Government, at Penang Island, Malaysia on July 9-10 in 2003, I have given a lecture titled "Fundamental Law and Regulation of the Coast Guard regarding its Missions and Responsibilities". Actually, this manuscript also includes some of the drafts for both seminars.

International Conference of All Maritime Related Concerns,
Both Governmental and Private,
on Combating Piracy and Armed Robbery against Ships

Tokyo Appeal

The governmental authorities of participating States and region (hereinafter referred to just as the "States" but that includes "region"), shipping companies and other participants who attended this meeting,

BEING PROFOUNDLY CONCERNED about the rising trend in the number of acts of piracy and armed robbery against ships, including hijacking and other heinous and organized acts particularly committed in the waters of Southeast Asia,

TAKING INTO ACCOUNT the IMO recommendation (MSC/Circ.622/Rev.1 and MSC/Circ.623/Rev.1) adopted in the Maritime Safety Committee (MSC) on May 1999, AIMING AT implementing these recommendations, and ALSO RECOGNIZING the role and responsibility of flag States,

ACKNOWLEDGING that in taking measures to combat piracy and armed robbery against ships, it is first necessary to achieve a detailed understanding of the actual situation of piracy and armed robbery against ships,

CONSIDERING the need to ensure unfailing reporting by ships, in the event of any victimization, in view of the indispensability of immediate reporting to the concerned authorities of such incidents, so that States in whose internal waters or territorial sea piracy and armed robbery against ships occur (hereinafter referred to as "coastal States/port States") can crack down swiftly and effectively on piracy and armed robbery against ships,

CONSIDERING ALSO that, because some victimized ships have not taken adequate preventive measures, there is a need to seek more thorough measures by ships, and BEING AWARE anew that preparedness and action by shipping companies themselves is fundamental to the prevention of piracy and armed robbery against ships,

RECOGNIZING that the basis for undertaking measures to combat piracy and armed robbery against ships within maritime policy authorities in the flag States or other substantially interested States is for shipping companies to provide guidance and supervision in, and to create an environment conducive to, the taking of appropriate measures to combat piracy and armed robbery against ships, including reporting of such incidents by (ships owned or operated by) shipping companies,

RECOGNIZING ALSO that measures which should be taken by the coastal States/port States consist of cracking down and other enforcement operations designed to prevent piracy and armed robbery against ships and, in the event of piracy and armed robbery against ships, to conduct lifesaving and other rescue missions and to investigate the case,

EMPHASIZING that because most of recent cases of armed robbery against ships occur in the internal waters or territorial sea of a given State, it is above all necessary to strengthen crackdown measures by coastal States/port States in whose internal waters or territorial sea such acts take place,

CONSIDERING FURTHER that because many cases of victimization occur to ships which are berthed, anchored or adrift in or near ports, it is necessary to fortify countermeasures by authorities having jurisdiction over such territorial areas as well as to strengthen vigilance by ships in or near ports,

RECOGNIZING FURTHER that a truly effective response cannot be achieved without mutual coordination and cooperation in measures taken by the relevant authorities , and that acts of piracy and armed robbery against ships, like other incidents relating to ships, affect a large number of States, including the flag States or other substantially interested States as well as the coastal States/port States in whose internal waters or territorial sea such acts occur,

NOTING THAT, owing to the increase of heinous acts such as hijacking by international syndicates in recent years, there is an increasing prevalence toward the involvement of multiple States, and consequently the demand is becoming all the more pressing to strengthen liaison and cooperative structures embracing all States concerned within the affected area,

EMPHASIZING its importance of Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA), and the Protocol which was adopted in 1988 under the auspices of IMO,

ACKNOWLEDGING ALSO that piracy and armed robbery against ships is not an issue that can be resolved if relevant authorities, flag States and other substantially interested States and coastal States/port States, each take measures independently based on their individual positions, but an issue that can be effectively tackled only when such parties mutually coordinate and cooperate in a manner transcending their individual positions,

1. **REITERATE** their firm resolve to cooperate, devise and implement all possible measures to combat piracy and armed robbery against ships;
2. **RESOLVE**, based on the foregoing, to prepare their own action plan, whose elements are outlined below, and swiftly implement appropriate measures;
 - 1) Implementation and enhancement of self-protection measures on ships, such as the introduction of position notification system technology, geared against hijacking and other heinous and organized acts;
 - 2) Preparation of an environment conducive to enforcing thorough reporting from victim ships to coastal States/port States relevant authorities, so that coastal States/port States can take swift and effective measures in the event of an act of piracy and armed robbery against ships

- 3) Establishment of a legal framework by coastal States/port States to facilitate and enhance effective prosecution of the alleged criminals
- 4) Development of a system enabling effective and dynamic countermeasures to be taken by all the relevant authorities working in concert
- 5) As a means of promoting the exchange of information and coordination internationally, among competent authorities with expertise of each State, establishment of a comprehensive information network of all the governmental authorities concerned, by designating relevant offices as their operational contact points in addition to the existing diplomatic channel
- 6) Sharing and joint use of data relating to piracy and armed robbery against ships, as a way of contributing to the fortification of self-protection measures by ships, as well as to the early discovery of the missing ships by relevant authorities.

REGIONAL CONFERENCE ON COMBATING
PIRACY AND ARMED ROBBERY AGAINST SHIPS

Asia Anti-Piracy Challenges 2000

Heads of Coast Guard Agencies of Brunei; Cambodia; China; Hong Kong, China; India; Indonesia ;
Japan; Lao; Malaysia; Myanmar; Philippines; Republic of Korea; Singapore; Thailand and Vietnam
(27 to 29 April 2000, Tokyo)

1. The delegations of Brunei; Cambodia; China; Hong Kong, China; India ; Indonesia; Japan; Lao; Malaysia; Myanmar; Philippines; Republic of Korea; Singapore; Thailand and Vietnam (hereinafter referred to as the “Participating Administration(s)”) consisting of the heads and acting-heads of authorities responsible for conducting law enforcement activities of anti-piracy and armed robbery against ships and/or providing assistance to persons and/or ships in distress as a result of such attacks (hereinafter referred to as the “Authority(ies)”), met from 27 to 29 April 2000 in Tokyo to discuss necessity and possibility of co-operation in combating piracy* and armed robbery against ships.

The Conference was conducted under an extremely friendly and cordial atmosphere.

2. At the Conference, the Authorities of Participating Administrations analyzed and considered the trend of problems of piracy and armed robbery against ships. The Authorities of Participating Administrations, noting that recent piracy and armed robbery against ships are significantly threatening maritime safety, expressed the intention that they should promote mutual co-operation, as practical as possible, on anti-piracy and armed robbery against ships to tackle these problems effectively. It should nonetheless be pointed out here that these relevant activities including potential co-operation can only be done subject to relevant international treaties, each Participating Administration’s domestic legislation as well as its availability of adequate resources to sustain these activities.

3. In view of the above, the Authorities of Participating Administrations expressed the intention that the information exchange should be conducted among relevant Authorities of Participating Administrations referring to the List of Operational Contact Points for Anti-Piracy and Armed Robbery against Ships prepared by the “Preparatory Meeting of the Coast Guard Agencies for the Regional

Conference on Combating Piracy and Armed Robbery against Ships” held from 7 to 9 March 2000 in Singapore. Information that should be exchanged includes:

- .1 initial message (including a probability phase), e.g., when a ship is attacked or could be attacked, ships name, position, ships characteristics, nature of event, situation of a attacked ship, etc;
- .2 follow-up report, e.g., details of incident including method of attack, number and brief description of pirates and robbers, their weapons, etc.
- .3 report regarding law enforcement activities, e.g., investigation, prosecution, conviction, etc; and
- .4 other relevant information.

4. The Authorities of the Participating Administrations welcomed the “Tokyo Appeal”, which was agreed upon by the International Conference of All Maritime Related Concerns, both Governmental

and Private, on Combating Piracy and Armed Robbery against Ships (28 to 30 March 2000, Tokyo), and its resolve made by maritime policy authorities and other relevant bodies in order to prevent and suppress piracy and armed robbery against ships. In the Tokyo Appeal, various valuable points are laid out and one of them is the importance of timely reports of attack and post attack to the Coastal States/Port State. The Authorities of the Participating Administrations, recognizing also the importance of such reports with a view to enabling the Authorities to take necessary actions in time and consider effective counter measures by analyzing data consisting of such reports, highly evaluated the compiling the “List of Immediate and Post Attack Reports Recipients for when Incidents Occur” at the above mentioned International Conference.

5. Further, the Authorities of Participating Administrations, taking into account that recent piracy and armed robbery against ships such as “Anna Sierra”, “Petro Ranger”, “Ten Yu” and “Alondra Rainbow” seems to be connected to international syndicates, seems therefore to be more brutal, and seems to be operated beyond one Participating Administration’s jurisdiction, shared the view that it is necessary for all Authorities of Participating Administrations to promote mutual co-operation in these fields including following items referred to in paragraphs 5.1 to 5.6, and therefore to start prompt and effective co-operation in the immediately co-operable items where practical and appropriate:

.1 Enhancement of Law Enforcement Activities

The Authority(ies) of each Participating Administration should enhance law enforcement activities to deal with piracy and armed robbery against ships;

.2 Actions to be taken on receiving information on crew being under attack (including probability phase)

.2.1 Assistance to be provided to persons and/or ships under attacks or recently attacked

On receiving information on persons and/or ships under attacks or recently attacked, the Authority(ies) of each Participating Administration should immediately provide assistance to such persons or ships as far as practicable;

.2.2 Interception and Seizure

When a suspect ship or a ship likely hijacked is detected, the Authority(ies) of each Participating Administration should take appropriate and practical actions to intercept or seize the ship;

.2.3 Co-operated Actions

In taking actions referred to in paragraphs 5.2.1 and 5.2.2, through the operational contact points referred to in paragraph 3, the Authority(ies) of each Participating Administration may inform relevant Authority(ies) of other Participating Administration(s), in particular, those of which are related to the case of such actions and explore the possibility of taking co-operated actions and should take such co-operated actions with such Authority(ies) of other Participating Administration(s), where practical.

.3 After Interception and Seizure

On the high seas, or in any other place outside the jurisdiction of any Participating Administration, when the Authority(ies) of each Participating Administration seize(s) suspects or intercept(s) a suspect ship, such Authority(ies) may consult with relevant Authority(ies) of

other Participating Administration(s), in particular, those of which are related to the case through diplomatic channels on how to deal with them.

The Authority(ies) of each Participating Administration should request bilateral or to train personnel; and .6.1 to ensure the availability of relevant technology, equipment and facilities.

.4 Bilateral or Multilateral Assistance in Investigation

The Authority(ies) of each Participating Administration should request bilateral or multilateral assistance in investigation to the Authority(ies) of other Participating Administration(s) through diplomatic channels, or operational contact points referred to in paragraph 3, or other appropriate channels, where necessary. The best endeavors should be exercised by the Authority(ies) of other Participating Administration(s) which is(are) requested such assistance.

.5 Promotion of Co-operated Activities

The Authorities of Participating Administrations noted the effectiveness of the co-operated activities and shared the view that the possibility of exploring such co-operation may be considered in an appropriate meeting in the future.

.6 Technical Co-operation

The Authorities of Participating Administrations, recognizing the necessity of enhancing individual capability of each Administration and its Authority in these fields, took note of the intention of Japan to explore the possibility of providing support for those Authorities which request technical assistance:

.6.1 to train personnel; and

.6.2 to ensure the availability of relevant technology, equipment and facilities.

6. The Authorities of Participating Administrations shared the view that the operational level meeting on anti-piracy and armed robbery against ships should be held periodically in the future in order to further facilitate and strengthen co-operation in these fields including follow-ups to the Conference, and date, venue and other details of such potential meetings and/or the Conferences would be arranged through diplomatic channels.

7. The Authorities of Participating Administrations, considering it desirable that unnecessary duplication of maritime law enforcement activities be avoided, shared the view that it is appropriate for relevant authorities of Participating Administrations including the Authorities of Participating Administrations to explore the possibility of utilizing scope of the Asia Anti-Piracy Challenge 2000 to apply other maritime crimes associated with piracy and armed robbery against ships.

4 A study on the real nature of coast guard as a police body

The reason why JCG/Japan Government lavished its cooperation on ASEAN countries is that ASEAN countries are the only countries that can be desired to have the system and power for security on SLOC, that is to say, security and safety of navigation.

And I presume that there must be a reason for such relatively smooth and progressive change in terms of establishment of cooperative relationship in maritime arena. It is because that the so-called coast guard, not Navy (the distinction between coast guard and navy may be also a relative case), is a police body with law enforcement as its main duty. If I am allowed to jump to a conclusion, I venture to say that there is no problem for a police body, which is basically released from war and rarely affected by politics (political neutrality of police), to have cooperation in securing safety and there are no ideological problems. Protection and suppression of crimes against human are acceptable from the point of view of protecting world common interests. Those nations and those who object to the rescue of lives and properties will belong to the extreme exceptions. Therefore, it can be considered that the actions, which affect public order to some extent, should be primarily dealt with by police authority. It can be said that Japan Coast Guard has developed cooperation and collaboration with respective countries under that understanding.

However, under the situation where a low intensity conflict, such as suspicious/agent vessel from North Korea, armed robbery, piracy, terrorism and guerrilla, escalates into hot war, it is natural for coast guard, which basically has light arms of minimum necessity and is restricted by a legal concept "proportionality", to have its limitation. As to the limitation, although administrative decision at high level in each time is necessary, and it is a construction issue of Japan Coast Guard Law and Self-Defense Force Law and other laws and regulations concerned in my country, it is not a purpose to discuss the issue in this paper.

Therefore, in case of change from police situation to military situation, to bring coast guard's ability into full play, the function of coast guard becomes comprehensive efficacy if strong military power, which has overwhelming physical power including information ability, is behind coast guard and Naval force comes to the frontline in response to the change of the situation. These seem to mean that the system that safety of our country can be secured is the current legal system.

It shows the reasonable allocation of systematic and effective role of many and coast guard is necessary in peacetime. Therefore, the internal cooperation between coast guard and navy and international cooperation and collaboration among coast guards in respective countries located in North-East, South-East and South Asia are extremely important. By the way, needless to say that if coast guard is initially law enforcement body, the provisions of national constitution and laws and regulations are important as action models for coast guard body in the nation however, the common things at sea for each nations is close paces actions in conformity with UNCLOS. It can be said that common consideration based on trust and cooperation between nations and cultivation of sea power as a coast guard as well as UNCLOS, which is common rule are fundamental.

By the way, ocean security dialogue is a gathering of OB of both Navy and Coast Guard in Japan and India

It might be needed to give some considerations to the study and confirmation of the basic thought of partial responsibility of the role of both Navy and Coast Guard, and furthermore, as a premise for mutual cooperation between the four bodies from the two countries, what and how the cooperation

should be, how the partial responsibility of the duties should be, whether such thought can be acceptable without any doubt as a global standard, or whether it can be a model.

The concept of the dialogue must be acceptable for other countries. It must be able to unite cooperation system among other countries with the same notion.

Although it might be ideal, I presume the system, which can secure security of SLOC, and formula of new maritime order for 21st century can be formulated.

Although there was a particular reason, which was Article 25 of Coast Guard Law, during a period of establishment of JCG, a study on the characteristic and duties of Navy and Coast Guard, which is going to be described later, seems to have become an origin of the characteristic of coast guard in the 21st century, an unexpected thing happened.

As to current maritime order, it is a fact that the function of maintaining public order and security in the inland waters and territorial sea over which the coastal states laws and regulations govern is ensured to be in compliance with legal system of a coastal

state. However, basically maritime order is maintained according to UNCLOS as a basis, for instance, the right of innocent passage. The subject to exercise authority at sea stipulated in UNCLOS is warships, which embody the nation, followed by government ships, which have police function. However, in reality, it seems that coast guard agencies that are different from Nave are established and organized to carry out what UNCLOS stipulates. I will come to that point later on, however, I would like to retrace the history of the development of maritime order maintenance function in Japan after 1945. I would like to explain “maintaining peace and security” by Japan Coast Guard, which has developed for about 50 years with the conscious ness of the role of coast guard in the world under UNCLOS.

JCG Law was enacted in 1948 as Law No.28, Article 1 stated that “For the purpose of securing maritime safety and preventing, detecting and suppressing violation of law in ports, bays, straits and other Japanese home waters, there shall be established the Japan Coast Guard as an external organization under the jurisdiction of the Minister of Transport.”

Nowadays, this Article has been amended as “For the purpose of protecting life and property and preventing, detecting and suppressing violation of law at sea, there shall be established as an external organization under the jurisdiction of the Minister of Land, Infrastructure and Transport, the Japan Coast Guard in accordance with paragraph 2 of Article 3 of the National Government Organization Law.” That is to say, at the beginning of its establishment, JCG’s activities were limited to “Japanese home waters”, since Japan was under occupation at that time due to its defeat in World War II, which also led to the eradication in 1945 of the Japanese Navy, which was once a practical organization playing a role in maintaining the maritime order.

However, large number of maritime disasters caused by underwater mines planted by both Japan and the USA during World War II, wartime standard ships and other vessels with poor or no maintenance, smuggling activities by outlaws, thriving poaching offences, destruction of lighthouses by air attacks as well as other unlawful activities have made Japanese home waters a “dark sea” area. Under such circumstances, restoring maritime order in Japanese home waters and securing navigational safety were recognized to be a matter of urgency that should be addressed at any cost in the postwar reconstruction, and it was believed that some kind of organization, which would be different from

Navy, should be established for this purpose.

However, Japan Coast Guard, which is different from Navy in nature, was still considered to have the potential of leading to proliferation of arms. Hence, except for portable guns, firearms and machineguns were prohibited to be used on board patrol ships at the beginning, albeit use of force at sea was a duty. However, it was recognized that maritime safety along the sea routes used for transportation of goods could not be ignored in the postwar reconstruction. If we look back at it now, Japan Coast Guard had started its service without sufficient ships and equipment. I would venture to say that JCG started from zero.

At the time of the establishment of Japan Coast Guard, there was doubt, in particular from the former Soviet Union and Australia, that Japan would re-arm itself. Therefore, Article 25 of JCG Law, as a precaution for construction, stipulated that “nothing contained in this Law shall be construed to permit the Japan Coast Guard or its personnel to be trained and organized as a military establishment or to function as

such.” The former Article 4 also stated that “ships in Japan Coast Guard shall not exceed 125 vessels in number except for small crafts used in port, shall not exceed 50,000 tonnage in total displacement, shall not exceed 1,500 tonnage in any each displacement, and shall have speed not more than 15 knots.”

With Japan’s commitment to peace following the defeat in WWII and the peaceful principles enshrined in its Constitution as the premise, Japan Coast Guard was established in May, 1948 based on JCG Law that was modeled on USCG Act. USCG was established for maritime safety purpose and is different from the US Navy.

The idea of “humanity and justice”, which was advocated by Mr. Takeo Okubo, the ex-Director-General and also the first Director-General of Japan Coast Guard, has become JCG’s motto.

A maritime organization of enforcement, in other words, a maritime police organization has been established in the form of the coast guard, which has a clear-cut distinction from the Navy.

Especially, ASEAN countries seem to be eager to establish coast guard, which is different from Navy, modeled on Japan Coast Guard. JCG was established after USCG and has more police dispositions than it. Even if not so, as a world trend, it is becoming more and more acceptable that the body responsible for the maintenance of maritime order in the 21st century should be some organization like the coast guard, which is a more proper body to take on this task. In that sense, generally, by reforming or establishing organizations such as coast guards, which are enforcement sections, engaging mainly in law enforcement, customs, fishery, environment, safety of navigation, stowaways and smugglings and thus are different from Navy, it seems that cooperation and collaboration between national agencies, which have the same aims and are outside the scope of the national relationship is possible. It should be recognized that this is in the right direction towards the maintenance of maritime order in the 21st century.

I would like to review the difference between Coast Guard and Navy triggered by the suspicious vessel case at South-West sea of Kyushu.

The case, which happened on the 21st of December in 2001, had a shocking development and ending.

After 1400hrs of 21st, Maritime Self-defense Force patrol plane P-3C took off for usual patrol.

Around 1630hrs, it found a general fishing vessel.

After 1700hrs, it closed to the vessel and took pictures of the vessel.

After 2200hrs, Photo analysis was conducted at Maritime Staff office of Maritime Self-defense Force.

Around 0030hrs of 22nd, Japan Self-defense Agency made a judgment that the fishing vessel could be a suspicious vessel from D.P.R.K.

Around 0110hrs, Japan Self-defense Agency reported the existence of the suspicious vessel to Japan Coast Guard. JCG immediately dispatched its patrol vessels and aircraft to pursue the suspicious vessel. The vessel was ordered to stop engine for on-board inspection based on the Fishing Law. However, the vessel ignored the order and continued running away. Therefore, JCG fired warning shots to reduce its navigational ability.

Around 2200hrs, when the patrol vessels tried to put the suspicious vessel in between for prevention of escape, the suspicious vessel started shooting targeting the patrol vessels using AK-47 machineguns and RPG-7 rocket launcher, 3 CG officers were wounded and 3 patrol vessels suffered immense damage. Therefore, JCG shot the suspicious vessel in self-defense. Soon after that, the suspicious vessel blew up itself and sunk to the bottom.

The suspicious vessel was about 30 m in length, had blue hull and white upper structure and the identification as "Chong Yu 3705", but no fishing equipment. It is also reported that the position of sinking was 390km WNW from the Oyamasaki Lighthouse of Amami Ooshima Island, which was 29 degrees, 12 point 7 minutes north and 125 degrees, 25 minutes east, and 90 meters in depth.

The salvage work of the suspicious vessel was completed before the end of 2002, and new findings began to emerge one after another.

The ship's hull and its arms and weapons salvaged from the sea bed are now being displayed at the park of Sea Science Museum which is open to the public free of charge.

Even on weekdays, you can find a queue of people waiting to have a look of the display. This indicates that many people in Japan are interested in it.

Concerning this incident, despite the proper and swift correspondence and actions by JCG, there arose the opinion among some people in Japan that the Self-Defense Force should have played a paramount part in dealing with this incident. As an argument in the peaceful 21st century, this argument is not correct. In fact, the significant point of reasoning contained in this argument is the confirmation of the differences between Coast Guard and Navy in their nature and duty.

I'd like to review the reasons that explain why it is more appropriate that law enforcement at sea should be conducted by Coast Guard rather than by Military.

It is undeniable that a country should, by fair means or foul, secure its safety. However, in practice, this is not so easy because considerations must be given to the circumstances, social situation and relations with neighboring countries.

First of all, let's examine whether this objective can be achieved by the police and JCG with their current ability, power and equipment, and if an anxiety over the protection of the Japanese sea intensifies, whether legal measures and reinforcement of equipment and training can enable the police and JCG to deal with the challenge.

Indeed, it depends on the situation where the decision must be made in a short time according to the level of urgency or emergency etc.

Let's examine also that whether Maritime Self-Defense Force can take over JCG's duties and functions in an age that these duties and responsibilities, as being related to the essence of the organization of JCG, have become so complicated and highly developed and specialized that JCG is the sole organization to be considered for their performance. As to the investigation and other work in the aftermath of the Terrorist

Attack on September 11, 2001, although the US Air-force was sent to the Washington area and stationed in the area around the White House to guard against terrorism attack as a defense measure, however, investigation was done by FBI, and the guard of the Potomac and the Port of NY was done by USCG. Such actions were taken, although President Bush said "this is a war".

Military force is pre-emptive and highly concentrated, it is a combination of the power of technology, mechanics and production and hence is not peaceful. The police enforce law on the general public, and the enforcement is restricted by proportionality.

Military force must be highly centralized and its mobilization must be highly efficient.

With its existence usually as much scattered as possible, the police can fully perform its function. It is also requested that the police dispatch its force in a gradual manner in order to overwhelm the rebel and perpetrator without the effect of crowdedness.

It is considered that a demonstration at sea also must be dealt with according to the number of the ships, form and aggressiveness of the demonstration with changing power of the guard freely.

'Proportionality' is a legal concept. When the police authority is invoked to deal with the incident of police violation, such as riot and illegal activity by power, the use of power must be proportioned to the actual situation and will be illegal if over-executed.

For instance, a peaceful demonstration and a demonstration with petrol bombs and setting fire to cars should be dealt with differently.

To maintain order by police is to restrain the activities of the people who disturb public order, and to punish them fairly and appropriately in accordance with legal procedures without taking their lives. It is really an exceptional case that there is no other choice but to kill the perpetrator.

Military will be deployed if a war breaks out, except for the restriction under the law on the use of ABC weapons, there are no other restrictions on the means of attack in principle.

Modern democracy requires that military force should not be dispatched to quell anti-government demonstrations, rebel activities, or protests related to internal affairs.

The dispatch of military force often results in tragedies.

The Koushu Incident in South Korea and the Tian An Men Incident in Beijing, China are two

examples, which occurred on shore.

Maritime authority, which has the function of enforcing law, should reside in a maritime authority organization. This organization should not be the Navy and should be free from war activities, it should also be more reasonable, economical and democratic. It is possible to enforce law by Coast Guard officers, who have been trained in law and have the respect for human rights. Police has made it a principle to guarantee the human rights in performing its function. However, military has no consideration for human rights.

Now, I would like to move on to the difference between the navy and the coast guard. It is the benchmark for the distinction between the Japan Coast Guard and Japan Maritime Self- Defense Force; the United States Coast Guard and the United States Navy. I think this issue regarding the criterion of distinguishing these organizations will be quite a characterized issue in the 21st century and this is also thought to address appropriately the difference between the Coast Guard that is going to be established in Malaysia and the Malaysian Navy.

For example in Japan, it is considered that it is not a peaceful scene if large number of patrol ships station at one place and take actions in a unified way, such as when they are performing defense and security operations, or when they are handling major accidents or incidents. JCG Sea Review is an exception.

These situations are quite exceptional for police authorities. Usually, JCG patrol ships are systematically dispersed as practical as possible, and the land police authority deploy the same method to station its force while under ordinary situations.

On the other hand, one principle of the navy is the action of the fleet. Preemptive and concentrated attacks are the key for naval battles. For navies, concentrated force is nothing uncommon. They are definitely admonished against the use of a small amount of force at a time to avoid being defeated separately. However, police authorities are allowed to use the minimum amount of police force according to the necessity. Police power must be restricted by law and 'proportionality' since police is an administrative authority.

At the same time we acknowledge the authority of performing maritime police power by JCG as an 'administrative maritime power organization', we also acknowledge the Japan Maritime Self-Defense Force and the navy as the 'military maritime power organizations'. Or, they can also be called as 'peaceful maritime power organization' and 'non-peaceful maritime power organization' respectively. This can be said to be the distinction between the administrative and military affairs in their present-day meanings.

Moreover, the purpose of the coast guard is the application and enforcement of laws and regulations with the protection of human rights as the prerequisite. The object of its law enforcement is targeted ships and the people concerned. Coast guard officers are required to have legal knowledge and legal skills. Navy officers, on the other hand, need to operate modern equipment and prepare for electronic warfare by making full use of the knowledge in electronics. Therefore, the two organizations are quite different concerning the specialties and technical skills they require from their officers.

However, we have to realize that both 'administrative maritime power organization' and 'military maritime power organization' have been specialized so that both of them have their specific way of existence which is justified in their distinct characteristics and also in the necessity and their respective specialty in protecting the human rights in highly-advanced societies. Therefore, in principle, we can not simply substitute one with another.

Please bear in mind that this is a discussion in case of in peacetime.

Based on those considerations, the maritime power in the peaceful time shall be recognized as the maritime police authority under certain legal framework. It shall be the issue to be mainly discussed in the administrative and legal system.

Unlike Navy, Police activities are essential for Coast Guard.

I would like to make clear again that the Article 25 of the Japan Coast Guard law stipulates that 'Nothing contained in this Law shall be construed to permit the Japan Coast Guard or its personnel to be trained or organized as a military establishment or to function as such.' This article was introduced into the Law to eradicate suspicions of some countries who were afraid that Japan had the intention to re-arm itself at the time of establishing JCG.

However, due to this article (due to that suspicion), JCG has been clearly defined not to have military functions and it has become necessary to distinguish the functions of military organization and police authority from the legal point of view.

Now, I will refer to the table which shows the difference of functions between military establishment and police authority.

Please have a look at the table.

Table: Differences between Navy and Coast Guard

NAVY	COAST GUARD
Non-peaceful maritime power organization	Peaceful maritime police organization
Navies; Japan Maritime Self-Defense Force	United States Coast Guard; Korea National Maritime Police Agency; Japan Coast Guard
Preemptive and concentrated	Dispersed
Military technology in full use of the state of art weapons	Legal skills for applying and enforcing laws
Confront with and annihilation of enemies (military targets)	Law enforcement activities for people and ships (not including warships and government service ships)
No restrictions on measures to harm/damage enemies	Application of proportionality; Application of 'rule of law'
Civilian control	Judiciary control (ultimate decision to be a court of justice)
To achieve military purpose such as overcoming enemies (war is an extension of politics – Clause wits)	To achieve administrative purpose such as maintaining public order, enforcing laws and regulations
High costs (ex. aegis destroyer)	Low costs (financially easy to procure); possible to possess patrol ships in varying degrees; Possible to cover minor assets in cooperation with other countries (Objective to be further achieved)
Always related to international affairs and international disputes; especially delicate relations with neighboring countries as for Article 9 of Constitution and postwar settling affairs (peculiar to Japan)	Able to be dispatched everywhere without causing suspicion and international disputes
To deal with direct and indirect invasion	To protect lives and properties at sea; To maintain maritime public order

As you may understand from this table, of course except for some limited cases under war, the order at sea in the 21st century is maintained by the coast guard independently in accordance with UNCLOS without the involvement of the navy.

I think this fact might be due to the different characteristics of the two organs. Although there can be some overlaps, the navy pursues military action on the basis of the advanced technology, while the function of the coast guard is the enforcement of laws subject to the principles of human rights. Taking account of the fact that their

functions have been specialized and differentiated from each other, they are required to perform their respective missions, especially under the current situation of developing an international law and a law regime for the sea.

Let me give you some examples of JCG's performance which has not caused any international criticisms or any doubts that JCG or the Government of Japan has military intentions: transportation of emergency relief goods to "Nakhodka" by JCG patrol vessel "ECHIGO"; the successful transportation of the heavily burned Russian kid from Sakhalin Island to the hospital in Hokkaido, and the settlement of the riots onboard the "EB Carrier" and "PESCA MAR". I am not allowed to go into detail due to the limited time. Another good example is "YASHIMA", a JCG ship that is doing anti-piracy patrol in closer cooperation with related countries on the high seas around the Malacca areas and the vicinities.

There is also the example that JCG's jet-airplane flies JCG representatives to neighboring countries to attend international conferences. The patrol vessels from both Japan Coast Guard and Korean National Maritime Police Agency cooperate in patrol and visit each other's ports under the Japan-Korea Cooperative Patrol Campaign. And

JCG's biggest patrol ship "SHIKISHIMA" has escorted cargo vessel "AKATSUKIMARU" to transport plutonium.

Moreover, JCG Academy's training vessel "KOJIMA" has taken annual training cruises around the world, however, JCG has never been criticized or been doubted that it is taking military actions. These examples and facts are the symbol of the nature of peaceful maritime police organization.

The merit of the coast guard, which is a safety device against the extension of international disputes, should be acknowledged. It is necessary to have the internationally acceptable level of awareness of 'border'. It is obvious or natural that the conflicts of national interests at border areas can lead to a dispute no matter where the conflicts occur, on land or at sea. We have to admit that border invasion and incidents such as suspicious vessel are nothing uncommon.

If a state does nothing to these serious infringements on its sovereignty, it can be in danger. Although according to the circumstances, it may become necessary to shoot such suspicious vessels, the risk of full-scale war could increase if military is frequently involved in dealing with such disputes.

It is preferable that such incidents are dealt with by the coast guard which also has the function to guard the border. I think that after the situation comes under control, to sit at the negotiating table and discuss remedial measures is an internationally accepted rule. There are some exceptional cases, indeed.

From the perspective that I have mentioned so far, coast guard is a safety device preventing the disputes about border and territorial sea from escalating into a full-scale war and coast guard is considered to be an entity that is the outcome of the human's wisdom. The value of existence of JCG is high for Japan, which is an ocean state.

Police power can protect lives and property without posing threats as military power to the neighboring countries. Moreover, it can be said that coast guard is required to have the potential to

protect lives and properties not only for national interests but also for all human beings regardless of nationalities. Police power, which was lost during the cold war, has come back on stage to replace the military power, which was considered something essential during the cold war.

It is the global trend that coast guard , not navy, carries out law enforcement function at sea, and maritime safety and maintenance of maritime order must be conducted by coast guard, which is regulated and restricted by law and as such leads to have a possibility to solve any maritime disputes basically, peacefully and administratively. Therefore, it must be stated that there is the case for the existence of coast guard.

Mr. Tadao Iida stated in his writing titled “Maritime Police Theory” (1961, Seizando Publication) that the theory advocated by A.T. Mahan is still alive in nature despite of change of times, however, the nature of the maintenance of maritime order after the World War II is cooperation among nations under the Territory Convention and High-sea Convention, and this is what sea powers should do in peacetime. And Mr. Sam Batemann, in his thesis titled “Coast Guard: For Regional Order and Security” (Asia Pacific Issue, no. 65, JAN 2003) expressed almost the same view. I also would like to highlight that Mr. Kazuhisa Ogawa, a military commentator, described the same gist in his book titled “Can Japan protect its border?”

5 A conclusion not yet concluded

The Proliferation Security Initiative (PSI) proposed by US President Bush during his stay in Poland in May 2003, is to examine the cooperation with PSI signatory parties in terms of measures against proliferation of weapons of mass destruction and other related substances that pose great threat to the peace and stability of the international society as a whole. Eleven countries such as Australia, France, Italy, Germany, Japan, Netherlands, Poland, Portugal, Spain, U.K. and US are the participants of the Initiative. The following were adopted in the conference afterwards:

- Adoption and announcement of “Statement of Interdiction Principle”, which states the purpose of PSI and principle for prevention, for instance, PSI is carried out within current regime of international law and national law. And to make efforts individually or in cooperation to prevent proliferation of WMD by suspected nations/non-nations.
- To carry out 10 joint prevention exercises at sea, in the air and on land in cooperation among parties to enhance prevention ability and its conditions.
- To solicit support of PSI by all countries concerned with proliferation and to make extra efforts such as explanation of “Statement of Interdiction Principle” to countries that are strategically important for a particular state.

In line with it, the first Joint Proliferation Exercise named “Pacific Protector” on September 12-13, 2003 based on PSI was carried out at the Coral Sea off Australia. Warships, coast guard ships and air crafts from four countries such as Japan, US, Australia and France participated in the exercise. Other seven PSI parties also participated as observers. The patrol ship “SHIKISHIMA” was dispatched from Japan. The assumption was that warships and air craft pursue in cooperation a Japanese flagged suspicious vessel, and “SHIKISHIMA” and USCG visit and inspect the vessel. Besides “SHIKISHIMA” and its helicopters, 12-person special unit from Japan, a customs ship, a patrol air craft and two warships from Australia, USCG law enforcement team and an aegis warship from US and a naval patrol air craft from France and additionally a cargo ship from US as a suspected vessel were present at the exercise. Japan Government decided Japan Coast Guard to participate with three premises that the nature of the PSI is the activity in peacetime within the regime of current international/national law, and the activity is not the military one but includes law enforcement activity, and the target is not any specific country. Three persons from Japan Maritime Self- Defense Force participated in the exercise as observers.

This exercise should be affirmatively construed that joint exercise, in cooperation with respective agency such as Navy, Coast Guard and Customs etc. related to maintenance of maritime order, was a suggestion that cooperation and collaboration are most effective and practical measures to ensure ocean security in 21st century.

Up to now, I am not in the place to give any clear suggestions because I am not confident about my ideas of ocean security. However, collaboration, cooperation, partnership and mutual understanding should constitute the keywords for a suggestion related to ocean security. Also important are clear purpose of the cooperation and collaboration and that the cooperation should be possible within the international law enforcement regime. The partial role responsibility of respective regions and close communication for the establishment of the system of cooperative partnership are important as well. Moreover, the cooperation in legal system, equipment, education etc. is also critical and essential for the enhancement of the ability of coast guards of countries concerned. Communication is highlighted

because information exchange and information sharing are very important. The report of "Protect the Ocean 2002" deemed that this conference proceeded with the common recognition that the ocean cannot be protected without multi-lateral cooperation whether the duty is carried out by Navy or by Coast Guard. I apologize for my vague discussion, however, I believe that further discussions will produce feasibility, so our discussion should be deepened aiming at a suggestion of possible practical measures. For this purpose, I would like to have your critical comments on this matter.

Proposals On Ocean Security

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Ocean security has assumed great importance in recent years in view of humankind's increasing dependence on the seas. The need for keeping the ocean secure is heightened manifold when security is seen in a comprehensive and multi-dimensional way. In the post-cold war period the concept of security has come to be increasingly redefined in a very comprehensive manner. Security is no longer perceived in simple military terms. Notwithstanding the importance of military strength, new issues like resource mobilization, technology, energy self-sufficiency, food security, environment, and so on, are seen as important adjuncts of comprehensive security. Similarly, until recently, the use of ocean was primarily linked to naval activities. Historically, countries sought to acquire power by controlling the seas. During the cold war years, the rivalry between the two power blocs was extended to the oceans where the US and the Soviet Union tried to establish their supremacy. The Super Power rivalry created an uneasy balance of power situation in the oceans. However, a certain degree of stability was seen in the maintenance of sea-lanes, navigation, etc. Security alliances, both bilateral and multilateral, forged in certain regions, acted as effective deterrence against any precipitate naval action. The collapse of the cold war structures removed the earlier uneasy balance, but introduced a great deal of fluidity in the ocean situation. However, it should be recognized that the non-military aspects of maritime security came to be emphasized from then on.

Two more developments followed which had a great bearing on the Indian Ocean situation in particular. A large number of Indian Ocean littoral countries having gained independence had been busy with the new tasks of economic reconstruction. Following the end of the cold war, one major shift was seen in their approaches to nation building. Almost all South Asian countries gave up their earlier inward-looking economic strategies and opted for market economy and economic liberalization. In particular, the shift in India's economic policies had a bearing on the whole of Indian Ocean region. Their growing economic needs made them think of a longer term energy strategy and the need for adopting a maritime security policy.

The second development related to the extension of jurisdiction under the UN Convention on the Law of the Sea (UNCLOS). The UNCLOS, which came into force in 1994, introduced many controversial points into the whole arena of discussion on ocean resources, creation of economic zones, and so on. Nations, which had earlier pursued their maritime activities without any concern for their neighbours, now found the new situation quite restrictive. The UNCLOS has recognized the right of a country to claim: a) a 12 nautical mile territorial sea measured from baseline; 2) an additional 12 nautical mile contiguous zone in which countries can punish violation of their customs, immigration, etc, laws within their territory or territorial sea; 3) a continental shelf to a maximum of 350 miles and 4) an exclusive economic zone (EEZ) extending 200 nautical miles from baseline and in which countries have rights over resources and all related activities as well as jurisdiction over artificial structures, marine scientific research and protection of the marine environment. (1) The UNCLOS has conferred new rights on the coastal states relating to ocean resources and activities.

But many new responsibilities have also devolved upon them.

It is in the light of the above-mentioned developments that one should approach the question of Indian Ocean security. But, additionally, one should also bear in mind certain peculiar features of the Indian Ocean region. The Indian Ocean, the third biggest ocean in the world, provides the crucial routes to Middle East, Africa and East Asia. It has numerous littoral countries belonging to Asia and Africa. Almost all of them became independent only after the second world war. There is tremendous diversity in language, religion, and race among these countries. More than sixty per cent of the global trade in oil and petroleum products is carried through the sea lanes of the Indian Ocean to Europe, the US and Asia. In the Indian Ocean region, intra-regional trade is still small accounting for only twenty per cent. Japan depends on the West Asian oil to the extent of more than seventy five per cent of its total needs. The sea lanes have become so crucial that any disturbance in the flow of oil would severely hurt the economies of most countries in the world. The need to ensure the safety of these routes has become a subject of paramount importance. The Indian ocean is also endowed with numerous natural resources .like hydrocarbons, oil and gas deposits, sands, fish stocks, etc.

Despite the fact that the Indian Ocean region is known for prolonged political turbulence and economic backwardness, one should not overlook several efforts made in the past to ensure its security. The most prominent among them was the proposal made by Sri Lanka in 1971 to declare the Indian Ocean as a Zone of Peace. It was about the same time that Malaysia also put another proposal for a Zone of Peace, Freedom and Neutrality.(ZOPFAN). The first proposal was supported by more than a hundred member countries of the UN which formed an ad hoc committee on the Indian Ocean. The committee was supposed to prepare the ground for an Indian Ocean Conference that would negotiate the final agreement to execute the proposal. But the conference could not be held because of serious disagreements. One of the main aims of the proposal was to exclude the external powers particularly the two Super Powers from the Indian Ocean. This was not a realistic goal to achieve since the influence of the Super Powers at that time was too great. For another, many countries in the region welcomed the presence of the US in the Ocean as a stabilizing factor. Before any progress could be made in the realization of the proposal, the cold war itself was over. Though the proposal failed, its aim that the Indian Ocean should be a zone of peace continues to be relevant and important. But the question of keeping the external actors away from the zone is not realistic since the Ocean is a common heritage of mankind. Further, the Indian Ocean has become far more important now in terms of its strategic location.

It is also necessary to note that some of the cold war alliances like the MEDO or CENTO have completely ceased in the region whereas in other parts of Asia, a series of bilateral security alliances between the US, and Japan, South Korea, the Philippines, and Australia still provides a security network in the region. Though the cold war has ended, they still provide a favourable climate for cooperation among these countries. Institution building is still new in the Indian Ocean region. In 1985, the UNESCO set up the Indian Ocean Marine Affairs Cooperation (IOMAC), but it has had only mixed success.

The South Asian Association for Regional Cooperation (SAARC) could have taken some initiatives to focus on the prospects of promoting economic linkages with the Indian Ocean countries. But the South Asian forum was far too preoccupied with its own internal contradictions to devote any time for other questions. After the end of the cold war when more and more regional blocs were emerging all over the world, South Africa, Australia and India felt the need for taking initiatives to build some mechanism for the Indian Ocean region. The Indian Ocean Rim Association for Regional

Cooperation (IOR-ARC) was formed in 1997 with the principal efforts of these three countries. The IOR-ARC holds its summit meetings once in two years. Simultaneously it holds two parallel second track meetings- the IOR Academic Group (IORAG) and IOR Business Forum (IORBF). The formation of the IORARC marked a significant development in that it gives an oceanic identity to its members in addition to opening opportunities for cooperation. The Association, whose present membership is eighteen, should be open for more littoral countries. In the second week of October, 2003, the Association held its latest meeting in Colombo and affirmed that “ we have to make collective efforts to harness the wide resources of the Indian Ocean.”. It also discussed the importance of strengthening relations with dialogue partners like Britain, Japan, China, France and Egypt. There is still a debate going on within the forum regarding its essential orientation. Some member countries strongly insist on the need for the Association to maintain its economic role while others want security to be added to its agenda. In a way this debate has somewhat slowed down the growth of the Association. Either way, it can play a very useful role as the only instrument available for the Indian Ocean rim countries. But this kind of debate is not something peculiar to this forum only. For a long time the ASEAN had the same dilemma. In more recent years, the ASEAN Regional Forum (ARF) was beset with a similar situation. But today it discusses a variety of political and security issues affecting the Asia-Pacific region. Since the IOR-ARC is a new body it will take time for it to broaden its parameters. From a long term perspective, it has to address several issues connected with maritime security like the safety of the sea-lanes, anti-piracy measures, and the like.

Security proposals: the China factor : As the demands for energy from the Asia-Pacific region will grow in the coming years, the pressure on the Gulf countries will correspondingly increase. The present calculations are that the oil producing capacity of the Gulf countries would be sufficient to meet the demands of the Asian countries for a long time to come. Oil experts believe that it is too early to worry about the exhaustion of oil reserves . For one thing, new production techniques have considerably cut down the oil production costs. Second, they have also reduced the time required to develop new oil fields. (2) While the demands of all Asian countries for oil will increase in the coming years, the case of China is important as it will have a great bearing on the Indian Ocean security. If China maintains its present pace of economic growth, its energy needs will grow at more than 6 per cent per annum. It is even expected to surpass the energy needs of Japan by 2010. In the absence of any major alternative source, China will have to rely on the Gulf countries. Considering the growing energy needs of other countries like India, ASEAN, South Korea, etc, the pressure on the Gulf countries will be quite phenomenal. If China feels confident that the sea lanes that pass through the Indian Ocean including the Malacca Strait are safe, it will stick to the present policy of peacefully pursuing its economic goals. In other words, adequate measures should be taken to win the confidence of China that it can share the same sea lanes as used by others. Tension in the Indian Ocean would be greatly aggravated if any attempts were made to create an impression of denying China the use of the sea lanes. In this connection a proposal made by a Japanese expert to create an Asian body like the Asian Energy Agency makes sense. This body could safeguard the legitimate energy interests of the Asian countries. Within this body, a division on the maritime security could be created to ensure that there is no threat to the use of the sea lanes.(3) The same body could also undertake to encourage China, Japan, South Korea, etc, to go in for jointly exploiting the energy resources in Siberia. If successful, this could in the long run take the pressure off the Gulf countries.

The UNCLOS III has given greater maritime responsibilities to countries and they have to enhance their maritime assets to discharge them. The National Institute of Defence Studies, Japan, has made an important proposal in this connection. Calling it Ocean Peace Keeping (OPK), the

proposal is meant to safeguard necessarily the obligations of the states under UNCLOS III . OPK is different from the usual UN peace-keeping mission which comes into action only after an event has taken place. The OPK envisages joint monitoring activities to protect the environment of the ocean and to fight against illegal fishing, piracy and unauthorized immigrants. It would have other functions such as search and rescue, and constabulary responsibilities. The OPK personnel would be drawn from the navies of the participating countries though Japan itself would be very anxious to see that its personnel are drawn from the civilian controlled coastal guards rather than from the Maritime Self-Defence Forces.(4) The proposal has so far remained only at the discussion level and no serious attempts have been made to give any concrete shape to it.

There are some other Japanese proposals that attach a great deal of importance to the United States as the focal point of ocean security. One writer points out that since the US alone has the capability ensure the security of the sea lanes, it should stay in Asia for a long time and that not only Japan, but other countries of Asia too should bear the cost of the US presence. It is suggested that there should be a `host region` framework for cooperation. (5) But such proposals may not get the support of several Asian countries as their perceptions of US policies may be different and critical.

Indian Ocean security truly calls for systematic efforts at multilateral levels. But in view of the bewildering diversity and overlapping interests involved, it will take a long time to arrive at such multilateral mechanisms. Until then concerned countries should direct their efforts at bilateral levels to undertake such measures as would contribute to the ocean security. In this context, India and Japan, two major Asian countries, very much involved in the Indian Ocean security, should jointly address several issues confronting the question. Indo-Japanese cooperation could become a substantial component in the whole Indian Ocean security mechanism. While one should not expect quick results, the convergences and commonalties that exist between the two countries should be properly utilized.

During the cold war period, India was seen as pursuing its maritime policy in line with the Soviet Union. Many even mistakenly considered that policy as mainly directed against Pakistan. Since the end of the cold war, it has become quite clear that India is pursuing a comprehensive maritime policy which takes into account several non-military factors like the development of ports and harbours, exploitation of marine resources, expansion of merchant shipping, etc. India`s role in the UNCLOS deliberations was quite prominent. Later, it gave legal recognition to the changes that followed the UNCLOS. It also set up an Exclusive Economic Zone. It therefore went on to broaden the parameters of its maritime policy. This was followed by several measures that India took to strengthen its relations with the US including in the sphere of defence cooperation. That the US Secretary of State Colin Powell in one of his earliest Congressional testimonies called upon India to cooperate with the US in the Indian Ocean showed the importance of India`s maritime policy. Soon, developments like joint patrolling of the Malacca Strait and joint naval exercises followed. Now a full fledged security dialogue encompassing all aspects of mutual cooperation is a major aspect of Indo-US relations.

It is equally important to note that since 1992 India has pursued an effective `look east` policy which strongly emphasizes the convergence of mutual interests between India and East and Southeast Asian countries. In 1994, India became a dialogue partner of the ASEAN countries. In 1996, it joined the ASEAN Regional Forum (ARF) the only security forum for the whole of the Asia Pacific. Now India is holding annual summit meetings with the ASEAN countries in ASEAN plus One. These interactions have placed India in the midst of important economic and maritime

developments that are taking place in the Asia-Pacific region. In this context, one has to take cognizance of the significance both India and Japan have assigned to the need for setting up a structured security dialogue between the two. In 2000 following the visit of India's defence minister George Fernandes to Tokyo, a security dialogue was initiated. In return, his Japanese counterpart Ishiba Shigeru, also visited India in 2003. Such exchanges of visits at various levels are now taking place regularly. Needless to state that bilateral cooperation in the sphere of maritime security is one of the major subjects on their agenda. The joint communiqué issued by the Prime Ministers of Japan and India Koizumi Junichiro and A.B. Vajpayee in December 2001 strongly underlined the importance of cooperation in maintaining the safety and security of international maritime traffic. In particular they addressed the issue of ocean piracy and undertook to strive for a regional cooperation agreement against piracy.

The security of the sea lanes is far more crucial to Japan as seventy five per cent of its energy supplies depends on them. Following 9 September terrorist attacks, certain new trends have become prominent in Japan's maritime security policy. Japan took speedy legislative measures to send its maritime self-defence forces to the Indian Ocean to extend rearguard support to the American-led military operations in Afghanistan. The earlier International Peace-keeping Force Law could commit the Japanese contingents only after the termination of a conflict. But the Anti-terrorism Law authorized the Japanese forces to extend support to one of the parties in the conflict. Under this Law, supply ships and aegis equipped destroyers have been dispatched to the Indian Ocean and they have supplied fuel to the vessels of ten nations. Japan has been very carefully enlarging the frontiers of its maritime security interests. Like India, Japan too looks beyond its Southeast Asian vicinity to promote its maritime interests. But still it cannot project its naval power all of a sudden because of such reasons as Article 9 of its Constitution, domestic reaction and the strong resistance from the neighbouring countries.

It is only against this background of expanding maritime outlook and interests, one has to examine the prospects of cooperation between India and Japan. Japan is quite pleased that India and the US have made considerable strides in strengthening their defence cooperation. Second, both Japan and India share many perceptions on China's growing influence in the Indian Ocean and would like to discuss them under the rubric of security dialogue. But in order to push forward their bilateral cooperation, they have to initiate steps in non-controversial areas. In other words, they would do well to identify such areas in non-military spheres. Cooperation against piracy is one area where they have made some progress and would like to strengthen their efforts.

Cooperation in anti-piracy measures: Piracy has been one of the most serious threats to the safety of the sea lanes in recent years. Joint action between India and Japan is not only essential, but they should include the ASEAN countries in the whole exercise. The International Maritime Bureau has been warning that the incidence of piracy may continue to escalate in the coming years unless prompt countermeasures are taken. The Malacca Strait, the Bay of Bengal, the Indian Ocean and the South China Sea provide good sanctuaries for the pirates. In October 1999, the well-known case of *Alondra Rainbow* convinced both India and Japan of the urgency to take collective action to eradicate this menace. Subsequently, several developments followed. In November 1999, the Japanese Prime Minister Obuchi Keizo put forward a proposal whereby he wanted the Japanese Coast Guard to conduct joint patrol with the coast guards of China, Indonesia, Malaysia, Singapore, and South Korea. Appreciating a favourable response to the proposal, Japan organized a preparatory conference in March 2000 on anti-piracy attended by fourteen countries including India. The meeting examined in detail the threats posed by piracy in each country and the measures to be

adopted. In April 2000, an international conference on anti-piracy was convened in Tokyo. The conference issued an appeal called the Tokyo Appeal, which reiterated the determination of the participating countries “ to cooperate, devise, and implement all possible measures to combat piracy and armed robbery against ships”. In pursuance of this, Japan has been sending its coast guard missions to various countries in South and Southeast Asian countries. In November 2000, an anti-piracy joint exercise was carried out off Chennai in India. The purpose of the exercise was to ensure the safety of sea lanes in the Bay of Bengal. Trawlers and ships of Bangladeshi, Burmese, and Thai origin regularly visited the Sundarbans and attacked the vessels of the Indian Coast Guard and also destroyed the marine resources. It was also reported that they were supplying arms to many groups of insurgents in Northeast Indian states.

ARF and IOR-ARC : Many of the issues connected with maritime security and maritime cooperation could be discussed in an appropriate security forum. Unfortunately, the Indian Ocean region has not developed such a forum as yet. The ARF has a committee on maritime cooperation and it has promoted discussions on subjects like search and rescue cooperation and SAR training. Both India and Japan are members of the ARF and can cooperate on a number of issues of mutual interest. In January 2001, India hosted an ARF seminar in Bombay in which Japan and China also participated. The CSCAP, a Track II wing of the ARF, has been quite active in sponsoring discussions on maritime affairs. But the ARF itself has to evolve fully and right now it has no enforcement authority. Further, one should also note a certain degree of reluctance on the part of many countries to discuss naval cooperation, security, etc, in a multilateral forum.

Japan and India : Scope for Cooperation : a. As noted earlier, the joint statement made by the Prime Ministers of India and Japan in December 2001 provides a very comprehensive framework for bilateral cooperation. As part of India`s maritime policy, New Delhi wants to modernize its harbours and ports. It is also keen to modernize its fishing industry. Similarly, there is scope for Japan`s assistance in strengthening India`s shipbuilding industry. Now that the Indian economy has been greatly liberalized, it should be easier for the Japanese private business houses to participate in joint ventures. Similarly, India has an exclusive economic zone and it would need the support of countries like Japan to fully exploit resources of the EEZ.

b) Indo-Japanese security dialogue should have an institutionalized structure to continuously address the issues of maritime security. Both countries should also try to set up a body for search and rescue operations in the Indian Ocean. Since both countries are members of the ARF, they should endeavour to increasingly coordinate with that body. They should also try to organize regular seminars in India under the auspices of the ARF in order to transmit knowledge and information on maritime security.

c) The Western Pacific Naval Symposium (WPNS) is a major forum which brings together navies of the Western Pacific countries to discuss questions like the safety of the sea lanes, law of the sea and so on. India has been attending the WPNS meetings only as an observer. But full-fledged membership of the body would enhance India`s role, and Japan could play a useful part in facilitating India`s full membership.

Footnotes

1. See Mark Valencia, "Asia, the Law of the Sea and international relations", *International Affairs* (London),vol 73,no 2, April 1997, p 264
2. Kohei Hashimoto, "Asia`s Energy Security and the Role of Japan: A Diplomatic Perspective ", www.rice.edu/project, pp 2-3
3. Ibid p3
- 4 Susumu Takai and Kazumine Akimoto, "Ocean-Peace Keeping and New Roles for Maritime Force", *NIDS Security Reports* (National Institute for Defense Studies, tTokyo) no 1, March 2000, 57-80
5. Sumihiko Kawamura, "SLOC Security-A Japanese Perspective" in Sam Bateman and Stephen Bates (Ed) *The Seas Unite: Maritime Cooperation in the Asia Pacific Region*, (Canberra,1996) pp165-73



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