

OPRF MARINT Monthly Report

July 2008



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This monthly report is edited/ summarized by publisher and staff writers based on published news resources.

Each resource is referenced with bracket below each title and is displayed as link URL on the last page of this report.

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Retrospect: the First Half of 2008

Security: From April to May, many piracy incidents occurred in waters around Somalia and the Gulf of Aden. On April 4, pirates hijacked a French luxury yacht *Le Ponant* in the Gulf of Aden. The pirates freed 30 crew members on April 11. On April 20, pirates seized a Spanish tuna fishing boat off the coast of Somalia. On April 21, a small unidentified boat fired to hit the VLCC Takayama (150,000 GT) of NYK Line off Aden. On April 28, a South Korean “bulk carrier” came under pirate attack off Aden. On May 4, Somali pirates opened fire on a chemical tanker. On the 17th, pirates hijacked a Jordanian-flagged cargo ship MV *Victoria* off the capital Mogadishu. The cargo ship was released on the 23rd. On May 25, MV *Amiya Scan* (2,546 GT) of the Dutch cargo vessel was hijacked by the pirates as it was traveling in international waters in the Gulf of Aden. On June 25, pirates released the ship and its crew after the ship owner paid them a ransom of 1.25 million US dollars. On the 28th, two cargo ships, German MV *Lehmann Timber* and Turkish MV *Arean*, were hijacked by the same group of pirates in the Gulf of Aden. On June 23, a yacht with Europeans on board was hijacked. Pirates took a German family (man and wife with their son) and four French men in yacht hostages, seeking a ransom of one million US dollars (USD).

According to the International Maritime Bureau (IMB), there have been 24 attacks on ships near the Somali coast since this January. Of those 24, seven have been successful hijackings.

Under these circumstances, on June 2, the United Nations (UN) Security Council adopted unanimously a resolution 1816 authorizing the

foreign naval vessels to take “all necessary measures” which include the right of hot pursuit into Somali territorial waters to combat Somali piracy at sea. On April 1, the Dutch Parliament approved the deployment of a Dutch naval frigate to the waters off the coast of Somalia. The vessel protected ships carrying UN food supplies under the World Food Program (WFP) for three months until June 25. On June 12, the WFP said it is placed in the situation of eventually terminating its aid shipments to Somalia, seeking to find other naval powers that will take over from the Royal Netherlands Navy.

On May 19, a new organization dedicated to Indian Ocean regional port and maritime security called the South Asia Regional Port Security Cooperative (SARPSCO) was launched. The SARPSCO brings together stakeholders from Bangladesh, Comoros, India, Madagascar, the Maldives, Mauritius, Oman, Pakistan and Sri Lanka.

On May 27, Malaysia, Singapore and Indonesia, the three littoral states, officially implemented the Cooperative Mechanism for the Straits of Malacca and Singapore (CM). The CM is an initiative mooted under Article 43 of the United Nations Convention on the Law of the Sea (UNCLOS), which aims to serve as a formal platform to promote voluntary cooperation between the littoral states and users of the Straits in enhancing safety of navigation and environmental protection of the Straits. Under the CM, the littoral states and user states of the Straits also agreed to set up the Aids to Navigation Fund, which will be headed by Malaysia for the next three years. Regarding the Aids to Navigation Fund, Mr. Yohei Sasakawa, Chairman of The Nippon Foundation, stated in September 2007 that he was prepared to contribute to the “Aids to Navigation Fund” up to

a third of the costs associated with the funding of the maintenance and repair of the navigational aid facilities in the Straits during the initial five-year period, until the necessary funds have been collected from voluntary contributions from the users of the waterway.

Military: In this area, articles on analyses regarding an expansion of the Chinese Navy, in particular, the buildup of its submarine force were noted. The U.S. daily newspaper *International Herald Tribune* dated February 7 contributed a long article with a commentary on an expansion of China's submarine force. The article reports that, for a procession of senior U.S. military commanders who have visited China in recent years, the complaint has become almost a routine. They say, "China is investing heavily in so-called 'area-denial weapons' without explaining why it needs them." The gist of the report is as follows. (1) The Chinese Navy is rapidly expanding fleet of nuclear and conventional submarines which are the most formidable "area-denial weapons." (2) By the end of the decade, experts say, China will have more submarines than the United States although it will still lag in overall capability. (3) These Chinese submarines - many armed with state-of-the-art torpedoes and anti-ship missiles - would sharply increase the threat to enemy warships approaching the strategically important waterways of Northeast Asia.

On March 3, U.S. Department of Defense published an Annual Report to Congress on Military Power of the People's Republic of China 2008. The report mentions anti-access/area denial capabilities, taking note of the recent expansion of the China's surface and submarine forces.

US Defense journal, *National Defense*, April 2008 has contributed an article under the title of "Diesel-Electric Submarines, the U.S. Navy's

Latest Annoyance," in which the author has pointed out that the recent quiet, hard-to-detect diesel submarines are vexing the US Navy. According to the report, the proliferation of diesel submarines in the Pacific is one of the major factors behind the Navy's decision to move six submarines from the Atlantic Fleet to the Pacific Fleet, says Rear Admiral Joseph Walsh, Commander of the Pacific Submarine Force. Because more than 140 diesel subs are within reach of critical "choke points" in the area, anti-submarine warfare is Pacific Fleet's top war-fighting priority, he adds.

In addition, on April 24, Hans Kristensen, a researcher of the Federation of American Scientists, published a satellite image of a new base of a nuclear ballistic missile submarine (SSBN) near Yulin on Hainan Island on the South China Sea. The Chinese navy has deployed a *Jin*-class (Type 094) SSBN to this base. Hans Kristensen says: The SSBN base on Hainan Island will probably be seen as a reaffirmation of China's ambitions to develop a sea-based deterrent.

Not only China but also other major nations in Asia are making efforts to expand naval forces. As for this, a researcher contributed to *the Rajaratnam School of International Studies (RSIS) Commentaries* dated June 23 a thesis with a title of "Making a Comeback?: Aircraft Carriers in the Asia-Pacific." The author says major nations in Asia are putting an emphasis on building the aircraft carriers and the landing ships with power projection capabilities. This article notes that India and China are in the process of acquiring aircraft carriers and that Japan, South Korea and Australia are acquiring large open-deck ships, although they are just operating the helicopters.

This summer, as the U.S. aircraft carrier based in Japan, the U.S. aircraft carrier USS

George Washington (GW) (CVN 73) was to replace the U.S. aircraft carrier *USS Kitty Hawk (KH)*. The *USS KH* and *USS GW* turnover was originally planned for early June in Pearl Harbor, and *USS GW* was to arrive in Yokosuka in August. On April 7, departing Norfolk, Virginia, *USS GW* began its journey to Yokosuka, Japan. On May 22, fire occurred aboard *USS GW*. The *USS GW* arrived in San Diego on May 27. While the vessel is in port, investigation into the cause of its fire is ongoing. The *USS KH* and *USS GW* turnover will now be delayed until August. After turnover, the *USS KH* will then proceed to Bremerton, Washington, to complete her decommissioning on schedule. The *USS KH* participated in the Rim of the Pacific, or RIMPAC 2008, naval exercises on behalf of the *USS GW*.

On June 24, a Japanese navy destroyer *Sazanami* sailed into the southern navy port of Zhanjiang, headquarters of the South China Sea Fleet for the first time since the end of the war. It follows the last port call made by the Chinese missile destroyer *Shenzhen* to Tokyo in November 2007. The *Sazanami* stayed in Guangdong province until June 28.

Diplomacy and International Relations: In this area, significant events were noted over the UNCLOS. The article 76 of the UNCLOS stipulates that the continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea to a distance of 200 nautical miles (nm) from the baseline. In addition, the article 76 stipulates, whenever the continental margin extends beyond 200 nm, the coastal State shall extend the limits of its continental shelf to either of the farther lines between to a maximum of 350 nm beyond 200nm and to 100 nm from the 2,500 meter isobath. If a coastal State establishes a

continental shelf beyond 200nm, it has to submit information on the limits of the continental shelf beyond 200nm from the baselines to the UN Commission on the Limits of the Continental Shelf (CLCS). In November 2004, Australia presented a submission for an extension of the outer limits of the continental shelf to the CLCS. On April 21, Australia's Resources and Energy Minister Martin Ferguson said that the UN CLCS had newly confirmed and ruled Australia's jurisdiction over an extra area 2.5 square kilometers, and that the area is potentially a bonanza of natural resources.

The UN required all six claimants - Philippines, China, Vietnam, Malaysia, China, Taiwan, and Brunei - to pass a law defining their respective archipelagic baselines in order to settle the territorial dispute in the South China Sea. To comply with the UN requirement, the bill - House Bill 3216 (the New Baseline Bill) - was passed on second reading at the foreign affairs committee of the House of Representatives last December 13. However, the bill has been stalled. The main point for discussions about the territorial demarcation bill is whether or not to it should include in the territorial line the Kalayaan Island Group ("Spratly Islands" in Tagalog) and the Scarborough Shoal west of the Central Luzon. House Bill 3216 include them in the territorial baseline. We reported on this issue in *OPRF MARINT Monthly Report*, March 2008, following up the major activities thereafter.

On May 23, the International Court of Justice (ICJ) gave a Judgment on the sovereignty over the three rocks including Pedra Branca and others which have been in dispute between Malaysia and Singapore, which are located some 24 nautical miles to the east of Singapore. The Court finds that Singapore has sovereignty over Pedra Branca; that Malaysia has sovereignty

over Middle Rocks; and that sovereignty over South Ledge belongs to the State in the territorial waters of which it is located. We reported on the policies of two nations thereafter in *OPRF MARINT Monthly Report*, June 2008.

The meeting of the Cabinet ministers from the five coastal States to the Arctic Ocean was held in Ilulissat, Greenland for two days from May 28 to 29. Danish Minister for Foreign Affairs, the Premier of Greenland, the Minister of Foreign Affairs of Russia, the Minister of Foreign Affairs of Norway, the Minister of Natural Resources of Canada, and the United States Deputy Secretary of State attended the conference. Regarding any possible overlapping claims over sovereignty under the legal framework of the UNCLOS, the “Ilurissat Declaration” signed at the meeting will remain committed to the orderly settlement. Foreign Mminister of Demark Muller said, “With the Ilulissat Declaration, we have created a solid political framework for a peaceful development in the Arctic Ocean in the years ahead. We have committed ourselves politically to solve any disagreements through negotiation. Thus, hopefully, we have eradicated all the myths about a ‘race for the North Pole.’”

The Taiwan Strait has been said as one of the three hottest spots in Asia together with the Korean Peninsula and Kashmir. President Ma Ying-jeou, who took office on May 20, 2008, is implementing a policy of dialogue with China. Taiwan-China relations have entered an era of searching for cooperation with reconstruction of a dialogue-framework under Ma’s administration. Will the relaxation of tension visit the Taiwan Strait with the birth of Ma’s administration? We have made some analyses on Ma’s foreign policy toward China, security policy, reactions from China and the United States among others to report in *OPRF MARINT Monthly Report*, June

2008.

Shipping, Resources, Environment, and Miscellaneous: The representatives of railway authorities from six countries - China, Mongolia, Russia, Belarus, Poland, and Germany - signed a memorandum to expand cooperation of railway transport between Asia and Europe in China on January 9. The six countries agreed to create conditions that will pave the way for a regular container train service between Asia and Europe. Container train carrying a load of Chinese goods rolled out for a trial on January 9. It covered a distance of 9,780 kilometers in 18 days, before arriving in Hamburg, Germany.

On March 31, leaders of from the six Greater Mekong Subregion (GMS) countries attended a ceremony for the completion of the GMS North-South Economic Corridor (NSEC) in the Laos capital, Vientiane. The member-countries of the GMS are Laos, China, Vietnam, Myanmar, Cambodia and Thailand. The Kunming-Chiang Khong road in the NSEC links China’s Yunnan province with northern Thailand via Laos. The last remaining stretch of road in the northwest region in Laos with a total length of 220 kilometers was completed with financial assistance contributed by China, Thailand, and the Asian Development Bank.

On January 22, a German commercial cargo ship, MS *Beluga Skysails*, fitted with a gigantic kite, left Bremerhaven in Germany for Guanta in Venezuela on her maiden voyage across the Atlantic. MS *Beluga Skysails* is fitted with a computer-controlled kite sail to partially aid its propulsion for the first time in the world. The 160-square meter kite sail is expected to cut fuel consumption by as much as 20 percent. They also hope the kite will help reduce carbon dioxide emissions, as it tugs the ship. Fuel burnt by ships

accounts for four percent of global CO₂ emissions - twice as much as the aviation industry produces.

Bangladesh newspaper, the *Financial Express*, dated February 5 reports that the ship building industry in Bangladesh is set to emerge as new export leader. According to the article, Bangladesh shipbuilding companies are placing great importance on construction of small ocean-going vessels. Expert said it was only a matter of time before Bangladesh emerges as a major hub for building small ocean-going ships. On the other hand, according to the report from Vietnam on March 11, President Pham Thanh Binh of Vietnam Shipbuilding Industry Group said the country's shipbuilding sector is on track to becoming the fourth largest in the world by 2015. He cites the delivery of two 53,000-ton ships to the UK in June 2007 as Vietnam's passport to the world market. However, there are still some issues that need to be addressed. Currently, only about 30 percent of the materials and services required to build ships comes from Vietnam. The industry has to import most of the materials and engines and use international consultants and supervisors on building projects.

China's first indigenous liquefied natural gas (LNG) carrier built at Hudong-Zhonghua Shipbuilding (Group) Company in Shanghai was delivered to its owner on April 3. "It's a major milestone in China's shipbuilding industry. Now we are able to produce LNG tankers on a large scale," said chief engineer of the LNG carrier's builder. An LNG vessel requires the highest level of shipbuilding technology. Until now, only a few shipyards in Japan, the Republic of Korea and some European nations have been capable of building the special-purpose tankers. The Hudong-Zhonghua is building another four LNG vessels with the same capacity. On the other hand, according to a recent report of the *United*

Press International(UPI), China is facing a potential shortage of tankers. A prominent Chinese shipping executive commented that by 2015 China will need nearly 150 Very Large Crude Carrier (VLCC) tankers to meet its rising energy needs. For Beijing, the news is bad, as the country's top five shipping companies currently have a combined fleet of 27 VLCCs. VLCC, displacing 200,000-320,000 tons, are capable of carrying two million barrels of oil.

According to the News Release from Port of Singapore Authority(PSA)Gwadar International Terminals in Pakistan dated March 26, the inaugural call was made by the *Pos Glory* (40,000-GT)carrying 64,000 metric tons of wheat on March 15. Upon the completion of discharge of the cargo, the vessel departed on March 24, 2008, therewith the commercial port became operational.

In the environmental area, reports on serious marine pollution in China's coastal areas and the South China Sea were noted. On February 22, China's State Oceanic Administration has issued a report outlining China's oceanic development strategy. The report says the country's offshore sea area is suffering from serious pollution, which now exceeds 160,000 square kilometers, almost doubling in size over the past decade. High levels of chemical nutrients have led to deterioration in water quality in the sea water of some bays and sea areas near cities. On June 8, Professor Luan Weixin at Dalian Maritime University said, "Over the past 20 years or so, China's marine economy has been developing at a staggeringly rapid pace and marine resources are being widely tapped. As a result, the condition of China's inshore environment is deteriorating and the ocean ecology has been seriously damaged." Luan told a seminar on marine function zoning held in Tianjin. A total of 145,000 square kilometers of

shallow waters along China's vast coast failed to meet quality standards for clean oceanic water, of which 29,000 square kilometers of seawater were seriously polluted.

The fourth Global Conference on Oceans, Coasts and Islands was held in Hanoi on April 7-11. *AFP* dated April 13 reports on the situation of environmental pollution in the South China Sea (SCS) warned by the marine scientists who attended the conference as follows. According to Vo Si Tuan, who served as Vietnam representative to the UN Environment Program (UNEP) South China Sea Project, in a decade the SCS has lost 16 percent of its coral reefs and coastal mangroves and 30 percent of its sea grass because of dense population and rapid industrialization in the region. The key issues on a basin scale are habitat degradation and loss, indiscriminate fishing and land-based pollution.

The true scale of CO² climate change emissions from shipping is almost three times higher than previously believed, according to a leaked UN study seen by the British newspaper, *The Guardian*, dated February 13. It calculates that annual emissions from the world's merchant fleet have already reached 1.12 billion tons of CO², or nearly 4.5 percent of all global emissions of the main greenhouse gas. Moreover, it warns CO² emissions are set to rise by a further 30 percent by 2020.

Major Events in July 2008

Security: According to China's Deputy director-general of Zhejiang Maritime Safety Administration, China sent out a large patrol fleet, including China's most advanced maritime patrol ship *Haixun 31*, to the East China Sea for a five-day mission on 1 July.

On July 3, Japan and the United States announced to implement a joint project to screen nuclear and other radioactive materials in the containerized cargoes as a measure to prevent nuclear terrorism. Under the Megaports Initiative, two governments will set up the screening project at Japan's central Yokohama port to thwart nuclear proliferation.

According to the report from Ukraina, on July 8, Somali pirates have released the crew of German MV *Lehmna Timber* after a ransom was paid. The *Lehmann Timber* was seized in the Gulf of Aden on 28 May.

On July 23, a spokesman for the Philippine foreign ministry told that pirates hijacked a cargo ship MV *Stella Maris* (52,454-ton Panamanian flag bulker) chartered by the Japanese company in the international waters off Aden.

In July 2008, the International Maritime Bureau (IMB) of International Chamber of Commerce published a report through the Piracy Reporting Center based in Kuala Lumpur on the incidents of piracy and armed robbery against the ships noted in the world during the period of first half of 2008 (1 January - 30 June 2008). This is summarized in Intelligence Assessment as IMB report in this monthly report.

Military: On July 2, US Navy Vice Admiral Kevin Cosgriff, commander of the 5th Fleet, made the warning that the U.S. will not allow Iran to seal off the Strait of Hormuz during talks with naval commanders of Gulf countries held in Abu Dhabi.

India will get its first *Akula* class nuclear attack submarine (SSN) from Russia in 2009. Getting on a 10-year-lease, India will again operate the SSN, christened INS *Chakra* after a gap of 17 years.

On July 8, the United States, the United Kingdom and Bahrain conducted Exercise Stake Net to protect key economic infrastructure in the central and southern Persian Gulf.

On July 14, the Russian Navy announced that it sent two naval combatants from the Northern Fleet to the waters around Spitsbergen. According to the Russian Navy, the navy will step up its presence in Arctic waters, including in the area around Spitsbergen.

A Hong Kong military expert, Andrei Chang, contributed a long article on an expansion of the military facilities including air force bases of the PLA Navy's East Sea Fleet to *UPI Asia Online* dated July 15. In the article Chan mentions an expansion of naval bases in Ningbo, Zhoushan Islands in detail.

On July 16, U.S. Navy Admiral (ADM) Timothy J. Keating, commander of U.S. Pacific Command, delivered an address in Washington D.C. During the speech, ADM Keating said that, he and Chinese Lt. Gen. Zhang Qinsheng, commander of the Guangzhou Military Region, had

agreed at the meeting on July 15 to hold two bilateral humanitarian assistance and disaster response exercises, one in China and one in Hawaii or elsewhere in the United States.

On July 27, before reviewing a military parade on the occasion “Navy Day,” in Russia, the Navy Commander Admiral Vladimir Vysotsky said the Navy command had decided to build 5-6 aircraft carriers after 2012 to be based in the Northern and Pacific Fleets.

Diplomacy and International relations: On July 3, Seoul's Foreign Ministry said South Korea and China would resume talks on the demarcation of their maritime border on July 4. In the talks, the two nations will discuss the demarcation of the exclusive economic zone (EEZ) and other mutual concerns related to maritime issues.

On July 21, Russian Minister of Foreign Affairs Sergei Lavrov and Chinese Foreign Minister Yang Jiechi signed a protocol on the eastern part of borders in Beijing. According to the agreement, Russia hands over to China Tarabarov Island and a half of Bolshoi Ussuriysky Island (about 375 sq.m.). Under the agreement, demarcation of river borderline between the two nations is completed.

On July 23, Malaysia's Foreign Minister Datuk Seri Dr Rais Yatim expressed his disappointment with the announcement that Singapore's Senior Minister of State Balaji Sadasivan has reportedly announced that it is claiming a 12 nautical mile territorial sea limit plus an additional Exclusive Economic Zone (EEZ) around the island of Pedra Branca which now belongs to Singapore. Yatim said this matter should have been discussed first at a joint technical committee between the two nations.

The ninth meeting of the United Nations Consultative Process on Oceans and the Law of the Sea (UNIPLOLOS-9/ICP-9) took place from 23-27 June 2008, at UN headquarters in New York. An outline of discussions at the meeting has been introduced as a hot topic in this monthly report.

Shipping, Resources, Environment and Miscellaneous: The asbestos-laden French aircraft carrier *Clemeceau* is to be dismantled at the Able UK near Hartlepool, a yard in northeast England.

On July 11, a China's icebreaker *Xue Long* (Snow Dragon) left Shanghai port to mark the start of its third scientific expedition to the North Pole. A group of 110 Chinese scientists and logistics staff are on board the icebreaker, and another 12 scientists from the United States, Finland, Japan, the Republic of Korea and France are also invited to participate in the research expedition.

The Rim of the Pacific (RIMPAC) 2008 exercise will provide opportunities for some of the world's top scientists to gather information about marine mammals. Teaming up with the National Oceanic and Atmospheric Administration (NOAA), the US Navy will survey, tag and track marine mammals in conjunction with RIMPAC 2008.

On July 17, India's Gujarat State Government announced the Gujarat State Petroleum Corporation (GSPC) discovered a huge new gas field in the Krishna-Godavari Basin on the east coast. The new gas field may contain as much as 600 billion cubic meters of natural gas.

On 23 July 17, the U.S. Geological Survey released a report on deposits of oil and natural gas in the Arctic Circle. This is the first resource survey conducted over the entire area of the Arctic

Circle. These resources account for about 22 percent of the undiscovered, technically recoverable resources in the world.

1. Information Digest

1.1 Security

July 1 “China sends patrol fleet to East China Sea” (CRIENGLISH.com, July 1, 2008)

According to China’s Deputy director-general of Zhejiang Maritime Safety Administration, China sent out a large patrol fleet, including China's most advanced maritime patrol ship *Haixun 31*, to the East China Sea for a five-day mission on July 1. The fleet will consist of two other large patrol ships *Haixun 113* and *Haixun 111* and over 60 small vessels. The fleet will sail 17,000 sea miles en route of Zhoushan Islands, Dachen Island of Taizhou and the Chunxiao gasfield (known in Japan as Shirakaba). The *Haixun 31*(3,000 tons)is the most modernized maritime patrol ship equipped with the most advanced equipment in China and helicopters.

Haixun 31

Source: CRIENGLISH.com, July 1, 2008

<http://english.cri.cn/2946/2008/07/01/65s375372.htm>

July 1 “IMB issues piracy warning to vessels in the Gulf of Aden” (ICC-CCS, July 1, 2008)

On the heels of the recent UN Security Council Resolution 1816 * adopted on June 2, the International Maritime Bureau (IMB) is issuing a warning to all ships sailing through the Gulf of Aden. (The resolution provides foreign naval vessels with authority to take “all necessary measures” to combat Somali piracy.) The IMB asks that mariners remain alert to the ongoing and escalating acts of piracy in these waters. To date in 2008, there have been 19 actual or attempted attacks on vessels in the Gulf of Aden. On May 25 and 28, 2008, respectively, two general cargo ships were hijacked with numerous crewmembers held hostage. One vessel was released on the end of June and the other continues to be held at bay in waters off the Somali coast. The method of attack is almost universally the same. Ships traveling through this area are

approached by smaller craft attempting to attack armed with either automatic weapons, rocket-propelled grenades, or both. In 2007, a number of attacks on vessels were reported over 300 nm off the “Horn of Africa.” In 2008, the geographical pattern is shifting, with attacks trending more toward the north and into the Gulf of Aden.

Note*: Regarding the UN Security Council Resolution 1816, we have discussed in the 2. 1 Intelligence Assessment in the *OPRF MARINT Monthly Report*, June 2008. Commenting on the resolution, IMB Director Captain Pottengal Mukundan stated: “Our hope is that this resolution will reduce the incidents of piracy and the risks to ships moving through this shipping lane.”

July 3 “Japan, US issue joint statement on MegaPorts Initiative” (monster and critics.com, July 3, 2008)

On July 3, Japan and the United States announced to implement a joint project to screen nuclear and other radioactive materials in the containerized cargoes as a measure to prevent nuclear terrorism. Under the Megaports Initiative*, the two governments will set up the screening project at Japan's central Yokohama port to thwart nuclear proliferation. Japan and the United States “share a common concern for the need to increase our individual and joint efforts to detect, deter and interdict illicit trafficking in nuclear and other radioactive material, including terrorist attempts to disrupt global trade and to abuse commercial shipping to further terrorist schemes,” a joint statement said. The detection effort will start operations for cargo exports to the United States and incoming cargo to Japan in January 2009.

The United States already has similar joint projects with nine nations including Singapore, Spain and the Philippines.

Note* : The U.S. Department of Energy's (DOE) National Nuclear Security Administration's (NNSA) established the MegaPorts Initiative in 2003 to screen containerized cargo at the piers to deter proliferation of nuclear and other radiological materials. (Please, refer to photo)

http://interdict-intl.pnl.gov/about_us.aspx

On the joint statement, Please, refer to the Japan's Ministry of Land, Infrastructure and Transport Home Page ; <http://www.mlit.go.jp/common/000019069.pdf>

July 3 “Agreement reached on ransom of German ship crew seized by Somali pirates” (Mareeg Online, July 3, 2008)

On June 3, the Ukrainian Foreign Ministry (UFM) told negotiations over the size of the ransom for the crew of a German freighter and conditions of its delivery had been completed. The German freighter, MV *Lehmann Timber*, was hijacked by pirates in coastal waters of Somalia on May 28. According to the UFM, the money will be handed over to pirates in territorial waters of Somalia and preparations for the handover are underway. No information is available on the size of the ransom. The talks with the pirates were conducted by members of a crisis team based in Hamburg, Germany. The crisis headquarters has information that the crew are in a satisfactory condition. On the other hand, Estonian Foreign Ministry (EFM) confirmed this fact. According to the EFM, it has turned to countries in that part of the Indian Ocean to find ways to take the vessel to port as speedily as possible after its release and give assistance to the crew.

【Related Story 1】

“Somali pirates release German crew” (Shiptalk, July 8, 2008)

According to the report from Ukraina, on July 8, Somali pirates have released the crew of German MV *Lehmann Timber* after a ransom was paid. MV *Lehmann Timber* was seized in the Gulf of Aden on May 28. The crew taken hostage included: the Russian captain, and a crew of four Ukrainians, one Estonian and nine Myanmar nationals. The pirates are reported to have set July 7 as the ransom deadline and threatened to kill the crew if it was not paid. According to the Ukrainian newspaper *Segodnya*, the exact sum of ransom is unknown, but bandits had demanded 750,000 US dollars.

【Related Story 2】

“US destroyer assists German vessel released by pirates” (The Peninsula, July 15, 2008)

US Navy's guided missile destroyer, USS *Momsen* (DDG 92), is providing food and water to MV *Lehmann Timber*, which experienced trouble with its main engine leaving it unable to operate at sea. Assigned to Combined Task Force (CTF) 150, USS *Momsen* is providing assistance to the MV crew until a tug arrives to tow MV *Lehmann Timber* to Salalah, Oman where it will undergo repairs. The MV crew, recently released by pirates, is reported to be in good condition.

July 10 “Russia is to take anti-piracy countermeasures” (ISN Security Watch, July 10, 2008)

Simon Saradzhyan has recently contributed for the International Relations and Security Network (ISN) *Security Watch* dated July 10 an article titled “Russian ship at the mercy of

pirates.” Simon Saradzhyan is a security and foreign policy analyst based in Moscow. In his article, Saradzhan points out that maritime shipment accounts for 60 percent of Russia's foreign trade shipments and not a year goes by without pirates attacking a ship either owned by Russian businessmen or manned by Russian crews. Despite this, taking only a reactive approach toward the threat, the Russian authorities have sent no ships to patrol dangerous zones. An outline of his article is discussed as follows:

- (1) Russia's 2001-2020 Maritime Doctrine describes “maritime shipments” as of vital importance for the country. While maritime shipments account for 60 percent of the country's foreign trade, vessels flying Russian flags account for only four percent of these trade shipments, according to the 2006-2010 Strategy of Development of Transport of the Russian Federation. The largest number of attacks (28) on Russian vessels by pirates was registered in 1993, but then decreased to the current level of several incidents per year.
- (2) In case of incidents of piracy and armed attacks on vessels owned or manned by Russian crews, it is the navy that bears the main responsibility for the military response. However, in general, the Russian navy's capabilities to support the national activities, to fight piracy and maritime terrorism, in particular, and to deter them, have been drastically constrained since the break up of the Soviet Union. Having lost most of the overseas facilities, the Russian navy withdrew from them. The Russian navy's current list of overseas facilities on sea coast includes only a repair shop in Tartus, Syria. The number of ocean-going warships has also dwindled. The Russian navy maintains no presence off the coast of Somalia, where most of incidents occur, leaving it to the US-led Combined Task Force-150 (CTF-150).
- (3) Given their limited capabilities, the Russian navy and government are focusing on forging a sustainable coordinated action of all concerned states in such areas where the threat of piracy is real and imminent. As for the civil response to piracy, the Transport Ministry is responsible for coordination.
- (4) All Russian vessels conducting international voyages are equipped with the Global Maritime Distress and Safety System, which is used to send distress calls when pirates attempt or execute seizure of a vessel. In addition, each such vessel is equipped with the Onboard System of Distress Call. All distress calls are automatically received and processed by nine special coordination and rescue centers in Russia, with a coordination center in Moscow. These centers analyze and relay distress calls to the government agencies.
- (5) The main method of freeing citizens who are in someone's illegal custody is use of the Foreign Ministry's diplomatic channels. In cases when diplomatic methods do not succeed, the Russian president has the power to issue an executive order to conduct an anti-terrorist operation outside the country's borders. Such operations are conducted in accordance with international treaties. Crews of Russian civil vessels are not armed.
- (6) Should Russian authorities succeed in attracting Russian owners to register their vessels in Russia and fly Russian flags, then the volume of maritime shipment by Russian vessels will grow, and so will the number of attacks on such ships. This may prompt Russian authorities to take a more proactive approach in both military and civil response to piracy.

July 20 “Armed pirates hijack Panama-flagged ship off Aden” (Bloomberg, July 22, and BBC News, July 23, 2008)

On July 23, a spokesman for the Philippine foreign ministry told that pirates hijacked a cargo ship MV *Stella Maris* (52,454-ton Panamanian flag bulker) chartered by the Japanese company in the international waters off Aden. MV *Stella Maris* was attacked by 38 armed pirates while transporting the cargo of lead and zinc. The ship has captain and 20 Philippine sailors. The spokesman for the Philippine foreign ministry told officials had been in contact with the sailors, who were in a good state of health. But he added that it was against the Philippine government's policy to pay a ransom to the kidnappers. According to the district commissioner of Alula in Somalia, the hijacked ship docked on the evening of the 20th at Alula, a port town in the autonomous region of Puntland, before sailing to Eyl in central part on the Indian Ocean coast.

MV Stella Maris

(The ship was delivered by Tsuneishi Shipbuilding Company in June 2007.)

Source : Tsuneishi Shipbuilding Company HP

<http://www.tsuneishi.co.jp/release/20070625.shtml>

1.2 Military

July 2 “US 5th Flt commander: US won't let Iran close Gulf oil passageway”(International Herald Tribune, July 2, 2008)

The U.S. will not allow Iran to seal off the Strait of Hormuz, the commander of American naval forces in the Persian Gulf said on July 2. Vice Admiral (VADM) Kevin Cosgriff, commander of the U. S. 5th Fleet, made the warning during talks with naval commanders of Gulf countries held in Abu Dhabi. VADM Cosgriff said that, if Iran choked off the Strait of Hormuz, it would be “saying to the world that 40 percent of oil is now held hostage by a single country.” He warned, “We will not allow Iran to close it.” The one-day meeting of the naval commanders was to focus on the security of the regional maritime and trade routes and the threat of terrorism and pirate activity.

According to Cosgriff, twenty-five million barrels of oil, worth about three billion US dollars, pass through Hormuz every day. The narrow Strait of Hormuz has been the scene of close encounters between U.S. and Iranian naval ships. The U.S. Navy normally keeps some three dozen warships and auxiliary vessels in the area, Cosgriff said. It currently has one aircraft carrier operating in the Gulf.

June 3 “India to get nuke attack submarine from Russia in 2009” (The Times of India, July 3, 2008)

India will get its first *Akula* class nuclear attack submarine (SSN) from Russia in 2009. Getting on a 10-year-lease, India will again operate the SSN, christened INS *Chakra* after a gap of 17 years. After conducting factory trials to be commenced on June 11 at the Komsomolsk-on-Amur shipyard and the sea trials, the SSN will be delivered to the Indian navy by September 2009, Russian defense sources said. INS *Chakra* would help India fill the void caused by the delays in the project of an Advanced Technology Vessel (ATV), an indigenous SSN under construction in India. Three Indian naval crews for the nuclear submarine have already been trained at the specially set up training center near St. Petersburg. This facility would also be used for training crews for the Indian nuclear submarines of ATV project. In January 1988, ex-USSR had leased *Charlie* class nuclear submarine, which was with the Indian Navy as INS *Chakra* till March 1991. However, under the intense US pressure Soviet President Mikhail Gorbachev refused to extend the lease.

July 3 “Australian think-tank: Shift from large surface ships to submarines with land-strike missiles” (The Australian, July 4, 2008)

On July 3, Australian think-tank, the Australian Strategic Policy Institute (ASPI), issued a report entitled “Asian military trends and their implications for Australia.” This report recommends Australia needs a larger and more potent submarine fleet armed with land-strike missiles and should consider a historic shift away from big surface warships. In a study, the ASPI argues that the emerging build-up of navies throughout the region, which includes growing numbers of submarines and the deployment of supersonic sea-skimming missiles by Russia, China and India, is making surface ships more vulnerable. ASPI's Andrew Davies, the author of the report, says that rapidly evolving technologies are calling into question the survivability of warships such as the navy's eight billion Australian dollars air warfare destroyers, which will enter service from 2014. According to the author, the Royal Australian Navy (RAN) has an “Achilles heel” under water, which, when faced with the proliferation of submarines in the region, could seriously affect the freedom of action of the RAN's surface fleet.

Note: Information is available from following URL:

http://www.aspi.org.au/publications/publication_details.aspx?ContentID=176&pubtype=6

July 4 “UK to build 2 new aircraft carriers” (BBC News, July 4, 2008)

The British Ministry of Defence (MOD) has signed a contract of 3.2 billion pounds to build two

aircraft carriers. According to the announcement of the MOD, new aircraft carriers HMS *Queen Elizabeth* and *Prince of Wales* will come into service in 2014 and 2016, respectively. Each 65,000-ton vessel, the Royal Navy's largest-ever ship, will be crewed by 1,450 sailors and airmen, and each will carry 40 aircraft. Although both will eventually carry the new Joint Strike Fighter aircraft, those will not be ready on time for when the ships enter service. This will make them more than three times the size of the existing *Invincible*-class carriers. The carriers will carry Harriers at first until they are eventually replaced by the new type of Joint Strike Fighter that is currently under development.

Note: Displacement: 65,000 tones, Length: 280m (920ft), Width (at flight-deck level): 70m (230ft), Keel to masthead: 56m (184ft), Nine decks (plus flight deck), Speed: 25+ knots, Range: 8,000-10,000 miles, Aircraft: 36 F-35 Joint Strike Fighters and four Airborne Early Warning aircraft, plus EH 101 Merlin helicopters, Crew: 1,450 (including air crew), Weapons: Phalanx close-in weapon systems; 30mm and mini-guns (Source: The British Ministry of Defence)

Source: BBC News, July 4, 2008; http://news.bbc.co.uk/2/hi/uk_news/7486683.stm

July 8 “Russian PF begins exercise in Sea of Japan” (Itar-Tas, July 8, 2008)

The Russian Pacific Fleet (PF) has begun an exercise of the Order of the Red Banner in the Sea of Japan on July 8. More than 20 ships, consisting of the missile carrier *Varyag* and the destroyer *Bystry*, and support vessels take part in the drills. According to the exercise plan, more than 20 various exercises are to be fulfilled.

July 8 “US, UK, Bahrain end exercise in Persian Gulf” (Shiptalk, July 8 and July 12, 2008)

On July 8, the United States, the United Kingdom and Bahrain conducted Exercise Stake Net to protect key economic infrastructure in the central and southern Persian Gulf. “The aim of Exercise Stake Net is to practice the tactics and procedures of protecting maritime infrastructure such as gas and oil installations, in addition to demonstrating the Combined Maritime Forces’ commitment to work with regional nations to promote legitimate use of the maritime environment,” said Royal Navy Commodore Peter Hudson, commander of Combined Task Force 152.

July 9 “Russian strategic bombers patrolling Arctic, Atlantic Oceans”(Itar-Tass, July 9, 2008)

According to acting chief press officer of the Russian Air Force, the four Russian bombers, Tu-95MS Bears of the Russian Air Force, were on a 14-hour patrolling mission over the Arctic Ocean and the Atlantic Ocean overnight to July 9. The bombers took off from the Ukrainka airbase in the Amur region, and got air refueling from two fuel tankers Il-78’s, which fled from the Dyagilevo airbase in Ryazan. NATO fighters were scrambled, escorting the bombers. The Russian long-range aviation bombers are make regular patrolling flights over the neutral waters of the Arctic Ocean, the Atlantic Ocean, the Black Sea and the Pacific Ocean. Russian planes made and make all flights in the strict compliance with the flying international rules, the spokesman said.

July 12 “U.S. 4th Fleet officially re-established” (Navy News Stand, July 12, 2008)

On July 12, US Chief of Naval Operations Admiral (ADM) Gary Roughead officially re-established U.S. 4th Fleet and named Rear Admiral Joseph D. Kernan as its commander during a ceremony in Mayport, Florida. Under the U.S. Southern Command (SOUTHCOM), 4th Fleet commander is responsible for operations in area of focus, which encompasses the Caribbean, Central and South America and surrounding waters. Re-establishing the Fourth Fleet affirms our support for, and our desire to, enhance cooperative relationships with the navies and maritime services in the Caribbean and Central and South America. Our maritime strategy raises the importance of forming global maritime partnerships by working with international partners as the basis for global maritime security,” said ADM Roughead. Fourth Fleet fulfilled that mission until it was disestablished in 1950, and later U.S. 2nd Fleet took over its responsibilities. The headquarters is located in Mayport, Florida.

July 14 “Russia sends Navy vessels to Spitsbergen” (Barents Observer, 15 July 2008)

On July 14, the Russian Navy announced that it sent one antisubmarine vessel *Severomorsk* from the Northern Fleet to the waters around Spitsbergen, and that it later this week will send another missile cruiser *Marshal Ustinov*. According to the Russian Navy, the navy will step up its

presence in Arctic waters, including in the area around Spitsbergen, and periodic missions of the Northern Fleet's battle vessels will be made to Arctic areas with the necessary regularity.

Norway declared sovereignty over a 200 mile zone around the Spitsbergen archipelago (Svalbard islands) in 1977. Russia and most other countries do not recognize the zone. They argue that the Paris Treaty of 1920 gives Norway sovereignty only over the Svalbard islands, and not the surrounding waters.

【Related Story】

“US, Russia conduct joint ASW exercise” (RIA Novosti, July 17, 2008)

On July 17, a Russian ASW ship, the *Severomorsk*, arrived in Norway's main naval base of Haakonsværn. According to the Russian Navy, an annual joint naval exercise involving Russian and US naval forces, Northern Eagle 2008, will be held in the Barents Sea on July 21-25. The *Severomorsk* is to participate in this exercise. The U.S. Navy is represented by the guided-missile frigate USS *Elrod*, and a P-3 ASW aircraft this year. The exercise will also include two coast guard ships from the Norwegian Coast Guard. In the joint exercise the ships practice maritime interdiction operations and search and rescue maneuvers. Later on July 17, a Russian *Slava*-class missile cruiser, the *Marshal Ustinov*, will take over patrols in the area around the Arctic Ocean archipelago of Spitsbergen, which belongs to Norway.

July 15 “PLA Navy expanding East Sea Fleet bases” (UPI Asia Online, July 15, 2008)

A Hong Kong military expert, Andrei Chang, contributed a long article on an expansion of the military facilities including air force bases of the PLA Navy's East Sea Fleet to *UPI Asia Online* dated July 15. In the article Chan mentions an expansion of naval bases in Ningbo, Zhoushan Islands, the gist of which is as follows:

- (1) Satellite photos have confirmed that the Hainan Sanya Base of the No. 2 Submarine Flotilla of the navy's South Sea Fleet (SSF) and the base of the No.1 Submarine Flotilla of the North Sea Fleet (NSF) have all gone underground. Underground facilities are under construction for the East Sea Fleet (ESF) as well, where additional *Type 039A*, *Kilo 636* and *Kilo 636-M* diesel submarines are entering service. Similar underground facilities have also been detected at Daxie Island, Ningbo, in Zhejiang province, where *Type 039A* and *035G* diesel submarines are based. At the Xiangshan Naval Base on the island, where *Kilo 636* submarines are anchored, underground ammunition depots or fuel depots may have been constructed right in the middle of the hills. Some Russian experts confirmed to the author that they helped China construct the first maintenance center for its Club-S submarine-launched missiles and repair facilities for *Kilo*-class diesel submarines in this area. The PLA Navy built its *Kilo* submarine base at Xiangshan because the island has a quiet harbor surrounded by mountains, making it easier for the submarine fleet to hide.
- (2) The Dinghai and Zhoushan naval bases, with four *Type 956-E/EM* DDGs and four *Type 054/054-A* FFGs entering service in the ESF, have also undergone expansion. A new No. 3

Destroyer-Frigate Flotilla has been established, and two broad docks have been constructed specifically for the *Type 956-E/EM* DDGs. The new flotilla also includes the newly commissioned *Type 054* class FFGs (No. 525 and No. 526) and the last batch of *Type 053-H3* class FFGs (No. 527 and No. 528). This new flotilla has become the most powerful frigate unit of the ESF. The Zhoushan and Dinghai bases are extremely large, with fuel depots, gigantic hoister cranes and dry berths already in place on site, indicating that basic repair services for surface combatants and dock landing ships can also be done there. At the Dinghai Base, five large dock bridges have been identified, which are mainly used to accommodate missile frigates and destroyers, each of which can anchor two to four surface battleships.

- (3) The ESF is armed mainly with *Type 053-H3* FFGs and *Luda* class DDGs, and the expansion of its submarine fleet has been a top priority over the years. At Daxie Island, seven dock bridges are used to anchor the *Type 039As* and *Type 035Gs*. Each of them can accommodate two to four submarines. Due to the rapid expansion of its submarine fleet, the ESF now has a shortage of submarine docks. At the base of the No. 42 Submarine Flotilla in Xiangshan, eight dock bridges have been built. Four of them are used to anchor *Kilo 636s*, and each can accommodate two *Kilos*. At present, the PLA Navy is armed with eight *Kilo 636Ms* and two *Kilo 636s* submarines. The facilities at the whole Xiangshan Base are quite new, suggesting that most of the structures were built recently.

Note: Satellite photos of Ningbo and Zhoushan naval bases are available through access to following URL;

<http://wikimapia.org/#lat=30.0988014&lon=122.1178436&z=11&l=7&m=a&v=2>

July 16 “U.S. Pacific Commander agrees to humanitarian assistance and disaster response exercises with PLA” (American Forces Press Service, July 16, 2008)

On July 16, U.S. Navy Admiral (ADM) Timothy J. Keating, commander of U.S. Pacific Command, delivered an address in Washington D.C. During the speech, ADM Keating said that, he and Chinese Lt. Gen. Zhang Qinsheng, commander of the Guangzhou Military Region, had agreed at the meeting on July 15 to hold two bilateral humanitarian assistance and disaster response exercises, one in China and one in Hawaii or elsewhere in the United States. While hoping to begin the exercises relatively soon, ADM Keating expressed hope the exercises could begin within 15 to 18 months.

July 21 “US-Indonesian Navies hold joint exercise” (Antara News, July 21, 2008)

On July 21, the US Navy and the Indonesian Navy began the joint exercise of Naval Engagement Activity (NEA) 2008. The exercise would be held in Surabaya of East Java, Tuban and Situbondo from July 21 to 26. The US Navy deployed four warships. The joint exercise is aimed to improve soldiers' professionalism while conducting various drills.

July 27 “Russia to build 5-6 aircraft carriers from 2012” (RIA Novosti, July 27, 2008)

On July 27, before reviewing a military parade on the occasion “Navy Day,” in Russia, the Navy Commander Admiral (ADM) Vladimir Vysotsky said the Navy command had decided to build 5-6 aircraft carriers after 2012 to be based in the Northern and Pacific Fleets. According to ADM Vysotsky, new sea-borne aircraft carrier systems will operate in close contact with Russia's orbital group of military satellites, and also with the Air Force and air defense. At present, Russia has only one operational aircraft carrier, the *Nikolai Kuznetsov*.

1.3 Diplomacy and International Relations**July 3 “China, S. Korea to resume talks on maritime border” (Yonhap News, July 3, 2008)**

On July 3, Seoul's Foreign Ministry said South Korea and China would resume talks on the demarcation of their maritime border on July 4. This follows an agreement between China and Japan, as Beijing and Tokyo have agreed to the joint exploitation of gas fields in the East China Sea (ECS). The one-day working-level talks, the 13th of their kind, will be held Qingdao. In the upcoming talks, the two nations will discuss the demarcation of the exclusive economic zone (EEZ) and other mutual concerns related to maritime issues. But South Korean Foreign Ministry's officials admit that an immediate breakthrough is unlikely, given the intricacy and sensitivity of the issue. Regarding the agreement between China and Japan, South Korea takes a different posture, saying, “Maritime borders in the ECS among South Korea, China, and Japan are not decided yet (South Korea's Foreign Ministry spokesman).

July 21 “China, Russia signs protocol on the eastern borders” (Integrum.com, July 21, 2008)

On July 21, Russian Minister of Foreign Affairs Sergei Lavrov and Chinese Foreign Minister Yang Jiechi signed a protocol on the eastern part of borders. Sergei Ravrov was visiting Beijing. According to the agreement, Russia hands over to China Tarabarov Island and a half of Bolshoi Ussuriysky Island (about 375 sq.m.). Tarabarov will be turned into Yinlongdao (Silver Dragon) Island. Chinese will call half of Bolishoi Ussuriysky Heixiazidao (Black Bear Island) (Please refer to map.)

Note: The two islands - occupied by the Soviet Union in 1929 - were the site of several military skirmishes during the 1960s. The 2004 agreement on the eastern sector of the 4,300-kilometer border was signed after China agreed to drop territorial claims to the other islands around Khabarovsk. Russia and China signed border agreements in 1991 and 1994 delimiting the eastern and western sections of their frontier, but several minor sectors were left unresolved. Signing this Protocol, the demarcation of the border river section has been completed. (RIA Novosti, July 4, 2008)

Source: World Atlas

<http://encarta.msn.com/encnet/features/mapcenter/map.aspx?TextLatitude=39.45&TextLongitude=-82.28668202074058&TextAltitude=0&TextSelectedEntity=39070&MapStyle=Comprehensive&MapSize=Medium&MapStyleSelectedIndex=0&searchTextMap=Vietnam&MapStylesList=Comprehensive&ZoomOnMapClickCheck=on>

Note: Border between Bolshoi Ussuriysky and Russian side is a river. In the attached map, designation of present national borderline overlaps the river. According to the recent agreement, by including all Tarabarov Island and half of western side of the Ussuriysky Island, a new borderline will be drawn.

July 23 “Singapore, Malaysia confronting over territorial demarcation of Pedra Branca” (New Straits Times, July 23, 2008)

On July 23, Malaysia's Foreign Minister Datuk Seri Dr Rais Yatim expressed his disappointment with the announcement that Singapore's Senior Minister of State Balaji Sadasivan has reportedly announced that it is claiming a 12 nautical mile territorial sea limit plus an additional Exclusive Economic Zone (EEZ) around the island of Pedra Branca which now belongs to Singapore. Yatim said this matter should have been discussed first at a joint technical

committee between the two nations.

Pedra Branca was awarded to the Singapore by the International Court of Justice (ICJ) in May. On the other hand, the court awarded Middle Rocks to Malaysia, with ownership of South Ledge to be decided based on the territorial waters of which it is located. Following the court's decision, a joint committee, which is headed by Vice-Ministers for Foreign Affairs of two nations, was set up. It is believed that the committee will also have to agree on whether the three features are merely rocks or islands. This is because an island, defined as "being able to support habitation and sustain economic life," can claim its own territorial seas and EEZ, whereas other marine features can only claim territorial sea. Sadasivan, when replying to questions in Parliament, said that Singapore's territorial sea and EEZ would be announced at an appropriate time. Sadasivan said should the limit of its territorial sea or EEZ overlap with the claims of neighboring countries, Singapore would negotiate with those countries with a view to arriving at an agreed delimitation. Malaysia had asserted that it would continue to look for further evidence on the Pedra Branca case with a view to seeking a revision of the judgment of the ICJ.

Hot topic

Overview of the 9th Meeting of the UN Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS-9)

The ninth meeting of the United Nations (UN) Consultative Process on Oceans and the Law of the Sea (UNICPOLOS-9/ICP-9) took place from 23-27 June 2008, at UN headquarters in New York. The Secretary-General's report on "Oceans and the law of the sea" (A/63/63) provided the basis for discussion at ICP-9. The theme of this session was "maritime security and safety." After the plenary sessions, the panel discussion was held. In this meeting, delegates discussed: threats to maritime security, with a focus on piracy and the armed robbery against ships; prevention and suppression of transnational organized crime; experiences and challenges in maritime safety; people at sea; enhancing cooperation, coordination and integration, and increasing capacity building.

Following the panel discussion, a text of proposals was summarized to be forwarded to the General Assembly. *

1. Key points of proposals

Maritime security and safety is vitally important for the sustainable development of the ocean, which is a global, timely, and imminent issue. Also, for tackling these problems, international cooperation, coordination and joint efforts are necessary. With regard to the security and safety on oceans, there are various legal frameworks centering on the UN Convention on the Law of the Sea (UNCLOS), and international organizations, including the International Maritime Organization (IMO) among others, and regional agreements are playing an important role. We should not only strengthen these international frameworks but also implement capacity building for the developing nations.

2. Key points of discussion in UNICPOLOS-9

- (1) With reference to maritime security, in securing maritime safety, human elements extending from the seafarers of the cargo vessels and fishers to migrants and refugees rescued at sea are important. In this area, important issues are: (a) to have the seafarers get sufficient training through various frameworks and tackling, make healthy livelihood, and receive appropriate incomes; (b) to secure safety of fishers and the fishing boats; (c) it is important treat the persons rescued at sea in compliance with international law.
- (2) With respect to piracy and armed robbery against ships, prompt and accurate information-sharing is important. In this point, information-sharing center between IMO and the Information Sharing Center of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) is playing the important role.
- (3) Although the situation around Somali waters is serious, UN Security Council resolution 1816

should apply only with respect the incidents in Somalia. This resolution shall not affect the rights or obligations of member States under international law. It shall not be considered as establishing customary international law.

- (4) Regarding the organized transnational crimes including smuggling of drugs and human trafficking, it must be considered that they are not only diverse but mutually interrelated. Therefore, international cooperation at all level and capacity building of the nations lacking law enforcement are important.
- (5) Regarding IUU (illegal, unreported, unregulated) fishing, opinions were divided between the nations that consider it as maritime security (Norway, Canada, Indonesia, Australia and Marshal Islands among others) and the nations that regard it as sustainable development such as depletion of fishery resources and food security (Brazil and Argentina among others). However, in the final proposal, the opinions of both sides were written.
- (6) Regarding the shipment of nuclear waste, Japan showed reluctance to the last over the article which stipulates possible impacts to environment and economy and damage compensation that coastal nations may incur by the accidents. However, eventually, Japan took priority over the agreement, and the article was adopted as a proposal.

Notes*: Texts of UNICPLOS-9 proceedings and proposals to the UN General Assembly are available from the following URL:

http://www.un.org/depts/los/consultative_process/documents/icp9_advance_unedited.pdf

As for the participating panelists, refer to URL below:

www.un.org/depts/los/consultative_process/9thmeetingpanel.htm

1.4 Shipping, Resources, Environment, and Miscellaneous

July 1 “Retired French aircraft carrier *Clemenceau* to be scrapped in Britain” (Times, July 2, 2008)

The asbestos-laden French aircraft carrier *Clemeceau* is to be dismantled at the Able UK near Hartlepool, a yard in northeast England. The hulk has been moored off Brest since 2006, when French President Jacques Chirac recalled her from India after outcry by a group of environmentalists among others. The French Defense Ministry awarded the contract, worth up to four million euros, to Able UK on July 1. The *Clemenceau* will be dismantled for recycling alongside vessels already at the dock, including four “ghost ships” from the American National Defense Reserve Fleet and three British ships out of use.

July 7 “Indian Oil Company to make oil development in NW of Sri Lanka” (Bloomberg, July 7, 2008)

On July 7, Indian Oil Development Company, Cairn India Ltd., announced that it will invest 100 million US dollars over the next three years to explore for oil in Sri Lanka's northwestern Mannar basin. This area is expected to contain up to one billion barrels of oil. According to the report, Cairn will receive 65 percent of profits if the development proceeds on a commercial basis. Since Sri Lanka imports all of her annual requirement of 31 million barrels of oil, the Mannar field would significantly reduce oil imports of Colombo.

Mannar Basin for Oil Development

Source: Sri Lanka Mannar Basin Bid Round 2007 HP

<http://www.prds-srilanka.com/SriLankaBasin/>

July 11 “China’s North Pole research ship sets off” (Xinhua, July 11, 2008)

On July 11, a China’s icebreaker *Xue Long* (Snow Dragon) left Shanghai port to mark the start of its third scientific expedition to the North Pole. A group of 110 Chinese scientists and logistics staff are on board the icebreaker, and another 12 scientists from the United States, Finland, Japan, the Republic of Korea and France are also invited to participate in the research expedition. In the 75 day research expedition, the expedition's chief scientist said an important task of the mission is to observe the effects of the polar ice surface changes upon the climate of China. China's first North Pole expedition ran from July 1 to September 9, 1999. It collected information on Arctic maritime ecology and atmospheric, geologic and fishing conditions. During the second voyage from July 15 to September 9, 2003, scientists probed the inter-reactions of the Arctic region and global climate and analyzed the Arctic's influences on Chinese weather. In 2004, China's northernmost observation station was set up in Norway.

Note: The MV *Xue Long* (21,125 tons), built originally as a cargo ship in Ukraine in 1993, was modified into a research ice-breaker in China in 1994. It is an A2-class ice-breaker with capability of breaking ice 1.2 meters.

(Source: Polar Research Institute of China HP; <http://www.pric.gov.cn/enindex.asp?sortid=18>)

July 12 “India allows recruit of foreign seamen” (Shiptalk, July 12, 2008)

The Indian government has decided to allow Indian shipping companies to recruit foreign seamen. The shipping industry has been demanding permission to employ foreign officers for nearly five years. It has been facing an acute shortage of senior officers, which has adversely affected the day-to-day operations of ships. Currently, Indian shipping companies are facing a shortage of about 1,000 officers and this would increase as the industry lines up capital expenditure to buy new ships.

July 13 “RIMPAC 2008 to support marine mammal research projects” (PACOM, Pacific News Center.Com, July 13, 2008)

The Rim of the Pacific (RIMPAC) 2008 exercise will provide opportunities for some of the world’s top scientists to gather information about marine mammals. Teaming up with the National Oceanic and Atmospheric Administration (NOAA), the US Navy will survey, tag and track marine mammals in conjunction with RIMPAC 2008. This project involves scientists from NOAA and other oceanographic research organizations. They will be working aboard the NOAA Research Vessel and smaller vessels. The researchers will record visual observations as well as collect data on the movements of whales during RIMPAC 2008. The research will be conducted primarily off the Big Island’s Kona Coast. In addition, the Navy will conduct two marine mammal monitoring surveys off Kauai for one week during RIMPAC 2008. The Navy is funding 26 million US dollars in marine mammal research in 2008.

RIMPAC 2008 is taking place through July 31. This year’s RIMPAC also involves military units from participating countries outside the United States: Australia, Canada, Chile, Japan, Netherlands, Peru, Republic of Korea, Singapore and the United Kingdom. RIMPAC forces

include 20 U.S. Navy ships, 13 foreign ships, two Coast Guard vessels, three U.S. submarines, three foreign submarines, and over a total of 150 aircraft.

【Related Story】

“Dead body of beaked whale found stranded off Molokai Island” (AP, July 30, 2008)

The U.S. National Oceanic and Atmospheric Administration (NOAA) plans to conduct a necropsy of a beaked whale, a rare species of whale, that was found stranded in shallow waters off Molokai on July 30. Beaked whales have been at the center of a dispute over the Navy’s use of mid frequency sonar ever since several washed ashore with bleeding around their brains and ears during naval exercises in the Bahamas in 2000. Marine mammal researchers say beaked whales appear to be most susceptible to the impact of sonar but haven’t pinpointed exactly why. In RMPAC 2008, which lasts until the end of July, sailors were scheduled to practice using sonar during the last stage of the exercises.

July 15 “India, West Australian state sign MoU in oil and gas“ (New Kerala, July 15, 2008)

On July 15, India's Directorate-General of Hydrocarbons and Western Australia's Department of Industry and Resources signed a memorandum of understanding (MoU) for cooperation in the oil and gas development. The five-year MoU is aimed at enhancing cooperation and exchanging information on oil and gas development.

July 17 “India discovers huge gas reserve on east coast” (Xinhua, July 17, 2008)

On July 17, India's Gujarat State Government announced the Gujarat State Petroleum Corporation (GSPC) discovered a huge new gas field in the Krishna-Godavari Basin on the east coast (see map). The new gas field may contain as much as 600 billion cubic meters of natural gas. The block, named K-22, covers 1,850 square kilometers in sea area and is reportedly worth over 100 billion US dollars (USD). Having spent 470 million USD on drilling 10 wells in a 120 sq km offshore area over 6 km deep since July 2004, GSPC plans to dig five more wells.

Location map of Krishna and Godavari delta, east coast of India

Source: <http://www.searchanddiscovery.net/documents/2007/07011bastia/images/01.htm>

July 23 “USGS released report on deposits of oil, natural gas resources in Arctic Circle” (U.S. Department of the Interior, U.S. Geological Survey, July 23, 2008)

On July 23, the U.S. Geological Survey (USGS), the Department of the Interior, released a report on deposits of oil and natural gas in the Arctic Circle. This is the first resource survey conducted over the entire area of the Arctic Circle. According to the report, the Arctic Circle has an estimated 90 billion barrels of undiscovered, technically recoverable oil. On the other hand, the Arctic Circle is estimated to have 1,670 trillion cubic feet of technically recoverable natural gas, and 44 billion barrels of technically recoverable natural gas liquids in 25 geologically defined areas thought to have potential for petroleum. These resources account for about 22 percent of the undiscovered, technically recoverable resources in the world. The Arctic accounts for about 13 percent of the undiscovered oil, 30 percent of the undiscovered natural gas, and 20 percent of the undiscovered natural gas liquids in the world. About 84 percent of the estimated resources are expected to occur offshore.

Of the estimated totals, more than half of the undiscovered oil resources are estimated to occur in just three geologic provinces - Arctic Alaska, the Amerasia Basin, and the East Greenland Rift Basins. On an oil-equivalency basis, undiscovered natural gas is estimated to be three times more abundant than oil in the Arctic. More than 70 percent of the undiscovered natural gas is estimated to occur in three provinces - the West Siberian Basin, the East Barents Basins, and Arctic Alaska. Exploration for petroleum has already resulted in the discovery of more than 400 oil and gas fields north of the Arctic Circle. These fields account for approximately 40 billion barrels of oil, more than 1,100 trillion cubic feet of gas, and 8.5 billion barrels of natural gas liquids. Nevertheless, the Arctic, especially offshore, is essentially unexplored with respect to

petroleum.

Note: To learn more about the report and see its slides, please visit:

http://energy.usgs.gov/arctic/http://energy.usgs.gov/flash/CARA_slideshow.swf

2. Intelligence Assessment

Piracy and Armed Robbery against Ships during the first half of 2008: ~Characteristics viewed in the IMB Report~

In July 2008, the International Maritime Bureau (IMB) of International Chamber of Commerce (ICC) published a report through the Piracy Reporting Center (PRC) based in Kuala Lumpur on the incidents of piracy and armed robbery against the ships noted in the world during the period of first half of 2008 (1 January – 30 June 2008). Below is a summary of the characteristics of the incidents of piracy and armed robbery against the ships viewed from the IMB report noted during the first half of 2008 (hereinafter referred to as the Report).

According to the definition of the IMB, piracy and armed robbery have been described as “act of boarding any vessel with the intent to commit theft or any other crime and with the intent or capability to use force in the furtherance of that act.” This definition includes actual and attempted acts regardless of the situation where the vessels are in ports, anchorages, or navigation, excluding an act of theft by persons who are not armed with knives.

1. Characteristics viewed from numbers and locations of actual and attempted attacks

The number of the attacks reported during the first half (hereafter the same period) of 2008 was 114, of which the actual cases were 83. Of them, 12 cases were hijacking, and 71 cases were boarding. Of 31 attempted attacks, 11 cases were firing and 20 cases were attempted boarding. However, IMB is regarding there are a great number of the unreported cases apart from the reported cases, advising the shipping owners and captains of the ships to report all piratical attacks and suspicious movements of the crafts to the bureau.

The attacks during the same period of 2008 slightly decreased, compared with 126 cases during the same period of 2007 (263 cases throughout a year: hereafter numbers are described in braces). Looking at the attacks for the past six years, the numbers during the same period of a year and those throughout a year of each year are as follows: 234 cases during the same period (445 cases throughout a year) of 2003, 182 cases during the same period (329 cases throughout a year) of 2004, 127 cases during the same period (276 cases throughout a year) of 2005, and 127 cases during the same period (239 cases throughout a year) of 2006, are noted respectively. More or less the same situation has been noted during the same period for the past four consecutive years. In case of monthly occurrences of incidents during the first half of 2008, 19 cases in January, 13 cases in February, 20 cases in March, 29 cases in April, 19 cases in May, and 14 cases in June are noted. According to this trend, the number of occurrences of the incidents in the second quarter of the year (April-June) is decreasing, but a total of 62 cases are greater than 52 cases in the first quarter of the year (January – March).

Looking from the locations of the incidents, of a total of 114 cases, 77 cases, which are

two-thirds of the total incidents, occurred in the seven areas as follows. In order of frequencies, 19 cases in the Gulf of Aden and Red Sea, 18 cases in Nigeria, 13 cases in Indonesian archipelagoes, seven cases in Tanzania, Bangladesh and India respectively, and six cases off Malaysia (off its east coast) were noted.

It means that the greatest number of cases is observed in west and east coasts of Africa, and the surrounding area off the “Horn of Africa” of the east coast continues to be the most dangerous place. In addition to 19 cases in the Gulf of Aden, five cases off Somalia make a total number of 24 cases which occurred in these areas. Compared with the numbers noted during the same period in 2007, this means an increase of a double in the Gulf of Aden from seven to 19 cases. On the other hand, 17 cases during the same period of 2007 for Somalia are broken down to 5 cases. As for this, the Report points out it is reflecting upon the trend that recent area of occurrence of incidents is shifting from eastern coastal area of Somalia to north eastern side and the Gulf of Aden.

According to the Report, Somali pirates are now attacking vessels in the northern Somali coast in the Gulf of Aden with automatic firing weapons and Rocket Propelled Grenades (RPG). Pirates are believed to be using “mother vessels” to launch attacks at very far distance from the coast. Once the attack is successful and the vessel is hijacked, they would sail her toward Somali coast and thereafter demand a ransom for the release of the vessel and crew. The IMB advises that all vessels transiting the area should keep as far away as possible from the Somali coast, ideally more than 200 nautical miles.

Of 18 cases off Nigeria on the west coast of Africa, 12 attacks were made to the vessels at anchorages and ports in the port of Lagos. According to the Report, the cases of incidents in the port of Lagos increased, compared with eight cases during the same period in 2007. Also, the IMB advises ships to continue to be vigilant.

Indonesia had 13 cases of incidents even though the number decreased drastically, compared with 24 cases during the same period in 2007. As shown in table one, looking from the number of the each half of the corresponding year during the past six years, the decreasing trend is remarkable. According to the Report, in case of Indonesia, it is peculiar that the attacks are not concentrated and scattered throughout the Indonesian archipelago.

On the other hand, two incidents have been reported for the Malacca Strait, and, as the table one shows, here is also visible a declining tendency. The decrease is evaluated to be directly attributable to cooperative efforts of three littoral nations since 2004.

Table 1: Trends of incidents (including the attempted cases) in Asia and other areas that occurred frequently during the first half of the recent six years respectively.

Locations	2003	2004	2005	2006	2007	2008
Indonesia	64	50	42	33	24	13
Malacca Strait	15	20	8	3	2	2
Malaysia	5	5	2	9	6	6
Philippines	8	3		2	1	4
Singapore Strait		7	6	3	3	2
Thailand/ Gulf of Thailand		3	1	1	2	
South China Sea		7	4	1	1	
Vietnam	6	3	3	1	3	3
Bangladesh	23	9	8	22	5	7
India	18	8	8	3	5	7
Gulf of Aden, Red Sea	14	4	4	9	7	19*
Somalia	3	1	8	8	17	5
Nigeria	18	13	7	7	19	18
Tanzania			2	1	7	7
Total of 1st half year**	234	182	127	127	126	114
Total throughout a year **	445	329	276	239	263	

Sources : Depicted from Table 1, pp.6-7, in the Report.

Remarks* : No incidents in the Red Sea are reported. The incidents in the Gulf of Aden are committed by the Somali pirates.

Remarks** : The total of the incidents covers all areas targeted in the Report.

In addition, in order to stand against the violent piracy incidents in the area around Somalia, on June 2, 2008, the United Nations (UN) Security Council unanimously adopted a UNSC resolution 1816 authorizing all foreign military vessels to use “all available means” to repress acts of piracy and armed robbery in Somalia. (As for this article, please refer to 2. 1 Intelligence Assessment in *OPRF MARINT Monthly Report*, June 2008.) Welcoming the UN Security Council Resolution, the Report points out that it should not be regarded as some sort of ‘silver bullet’ solution to Somalia’s piracy problems as follows.

- (1) Naval units will only intervene if the safety of the hostages is not further endangered by such a move. Faced with an approaching naval vessel, pirates have frequently said in the past that they will kill hostages. This fear may restrict naval vessels in the actions they may take under the resolution.
- (2) The six months period stipulated in the UN resolution includes two months of the monsoon season when fewer attacks are reported. Hence, the effectiveness of the resolution can, in reality, be measured to be over four months only.

Even so, IMB Director Pottengal Mukunden says that, looking from the past cases, it is expected that an active presence by the naval units in the hotspots of piracy incidents will be effective in deterring the pirates. It is worthy of note what kind of effectiveness will the resolution

give to the security situation in the Somali area during the second part of the year 2008.

2. Characteristics viewed from the Activities

According to the Report, of 83 actual attacks during the first half (hereafter the same period) of 2008, the attacks by piracy and armed robbery while the vessels were berthed in port totaled 11 case, whereas the attacks made while the ships were anchored totaled 40 cases. The attacks made while the ships were steaming totaled 31 cases. The rest of one actual incident was unidentified. On the other hand, of 31 attempted attacks, four cases occurred while the vessels were berthed, and five cases occurred while they were anchored. The remaining 24 cases occurred while the ships were steaming.

In four locations, more than three attacks were reported respectively while the ships were berthed or anchored during the same period of 2008, which totaled 27 cases. This means a concentration of the place and a decrease of the cases, looking from nine locations with a total of 44 cases in the same period of 2007. Four locations in the same period of 2008 were Lagos in Nigeria with 12 cases (eight cases in the same period of 2007), Chittagong in Bangladesh with seven cases (five cases in the same period of 2007), Dar es Salaam in Tanzania with five cases (seven cases in the same period of 2007), and Kandla in India with three cases. Incidentally, nine places in the same period of 2007 were, in addition to three locations mentioned above except for Kandla, Balongan (five cases), Balikpapan (four cases), Dumai (three cases) in Indonesia respectively, Mogadishu (five cases) in Somalia, the Arabian Sea (four cases), and Vung Tau (three cases) in Vietnam. According to this data, a decrease of incidents in the Indonesian ports is notable.

On the other hand, the number of incidents by types of the ships attacked during the first half year (hereafter same period) of 2008 was noted as follows. First, the highest number of 21 cases including the attempted cases was noted for the container (19 cases during the same period of 2007); second, 16 cases for the general cargo (18 cases during the same period of 2007); third, 14 cases for the bulk carrier (12 cases during the same period of 2007); fourth, 12 cases for the chemical tanker and nine cases for the product tanker (22 cases as a total of two types during the same period of 2007); and ten cases for the crude oil tanker (18 cases during the same period of 2007). In addition, there were seven cases for the tug (four cases during the same period of 2007) and six cases for the trawler and the fishing boat (eight cases during the same period of 2007). The number of the attacks made on the ships by type shows a trend for years. However, it is of note that the number of attacks on oil tankers fluctuated every year in the past - 12 during the same period of 2005, four during the same period of 2007, and 18 during the same period of 2007.

3. Types of violence to crew and peculiarities of weapons used

Looking at the status of violence to crew, the incidents that the crews were taken hostage have dramatically increased for the past three years, which occupies a greater part of violence. On the other hand, looking at the incidents by location, of 190 hostage incidents, 94 cases in the Gulf of Aden, and 63 cases in Somalia were noted, which indicated that the surrounding area of the

“Horn of Africa” occupied a greater part of the incidents. Looking at violence, this area abounds in many cases of demanding ransom for the hostages, which is peculiar. Nigeria is another dangerous area, where 12 cases of hostage, five cases of crew being injured, and six cases of kidnapping were noted. Looking at the status of violence in Asia, in Indonesia, nine cases of hostage, two cases of being injured and six cases of missing were noted. In Malaysia, eight cases of hostage, two cases of being assaulted, and six cases of missing were noted. In the Philippines, nine cases of being injured, seven cases killed, and one case of missing were noted. The case of being killed during the first half year of 2008 was noted only in the Philippines.

Table 2: Types violence to crew, January – June, 2003 – 2008

Types of violence	2003	2004	2005	2006	2007	2008
Hostage	78	82	31	156	152	190
Kidnapped			10	13	41	6
Threatened	6	11	2	9	3	4
Assaulted	6	6	1	2	20	5
Injured	27	34	4	12	19	19
Killed	4	22		6	3	7
Missing	24	15				7
Total of first half year	145	170	48	198	238	238
Total of whole year	644	401	509	317	433	

Sources : Depicted from Table 8, p.13 in the Report.

Note: Respective total of whole year until 2007 was depicted from the Table 8 in the Report 2007, p. 12.

Table 3 shows types of arms used by pirates in the incidents occurred during the respective first half year of the recent six years. Looking at this table, you will find few changes in the trend that guns and knives are major arms of pirates for the past six years.

Table 3: Types of arms used during attacks, January – June, 2003 – 2008

Types of Arms	2003	2004	2005	2006	2007	2008
Guns	55	55	35	34	37	39
Knives	80	52	43	41	29	31
Other weapons	27	7	7	6	5	2
Not stated	72	68	42	46	35	42
Total	234	182	127	127	126	

Sources : Depicted from Table 6, p. 12 in the Report.

On the other hand, as shown in the Table 4, looking at the types of arms to be used by pirates by location, you will find how dangerous Nigeria and the area of “Horn of Africa” are. Of a total of 114 cases in the first half year of 2008, 39 cases are the incidents of guns being used, among which

Nigeria, the Gulf of Aden, and Somalia occupied 28 cases. In cases of knives being used, Indonesia topped others with six cases.

Table 4: Types of arms used in Asia and other locations with 114 incidents, January – June 2008

Locations/Types of Arms	Guns	Knives	Other Weapons	Not Stated
Indonesia	3	6		4
Malacca Straits				2
Malaysia	4	1		1
Philippines	2	1		1
Singapore Straits		1		1
Vietnam		2		1
Bangladesh		3	1	3
India		1		6
Gulf of Aden	17			2
Nigeria	7	5	1	5
Somalia	4			1
Tanzania		4		3

Sources : Depicted from Table 10, p.14, in the Report.

Links

American Forces Press Service (US Dept of Defense)	http://www.defenselink.mil/news/articles.aspx
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