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Maritime Security and Freedom of Navigation from the South China Sea and Indian Ocean to the Mediterranean: Potential and Limits of EU-India Cooperation

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EU Public Diplomacy and Outreach
in India and in the SAARC



ABSTRACT

Maritime security is of increasing importance for the EU and India. The two partners are affected by both traditional and non-conventional security challenges, including piracy, human and drug trafficking and maritime terrorism. This led the EU to launch Operation Atalanta and the Indian Navy to carry out anti-piracy patrols in the Gulf of Aden. However, a far greater threat could arise from traditional power politics, i.e. inter-state conflict which could result in a blockade of key maritime routes, in particular in the South China Sea which is currently under the spotlight as territorial and maritime tensions have steadily increased, not least in light of China's growing assertiveness in the area. These evolving security dynamics should therefore invite EU and Indian policy makers to begin considering maritime policy and collaboration beyond the Indian Ocean – which so far has been the focus of their cooperation – to include the waters stretching from the Indo-Pacific to the Mediterranean, through the Indian Ocean, the Arabian coasts, the Horn of Africa, the Red Sea and the Suez Canal. This Eurasian maritime space is also the area covered by China's new Maritime Silk Road which presents India and the EU with formidable opportunities, but also significant security challenges.

European Union | India | China | Mediterranean | Maritime security | Law of the sea

keywords

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by Nicola Casarini*

Introduction

In the EU-India Agenda for Action 2020 adopted on 30 March 2016, it is clearly stated that the EU and India should “strengthen cooperation and work towards tangible outcomes on shared objectives of [...] counter-piracy [...] Deepen existing cooperation and consider cooperation in other areas mentioned in the EU-India Joint Action Plan, including promoting maritime security [and] freedom of navigation in accordance with International law (UNCLOS).”¹

Maritime security is of increasing importance for the EU and India. The two partners are affected by both traditional and non-conventional security challenges, including piracy, human and drug trafficking, and maritime terrorism. Acts of piracy and terrorist activity continue to disrupt the sea lanes connecting the South China Sea to the Mediterranean, through the Indian Ocean, the Arabian coasts and East Africa. Incidents of piracy reached alarming levels in 2007-2008, leading the EU to set up Operation Atalanta and the Indian Navy to begin carrying out anti-piracy patrols in the Gulf of Aden.

¹ EU-India Agenda for Action-2020, 30 March 2016, http://www.consilium.europa.eu/en/meetings/international-summit/2016/03/20160330-agenda-action-eu-india_pdf.

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The EU has a vested interest in a stable environment in the Indo-Pacific, given the importance of markets in the Far East for European industry. For India, the sea lanes of communication are crucial for its commercial and energy security.² More than 90 percent by value of India's trade is transported by sea.³ In recent years, India's major maritime security concerns have not only been related to non-conventional issues, but also to traditional threats coming from Pakistan and China, as featured in the latest Indian Maritime Security Strategy released in late 2015.⁴

A far greater threat could indeed arise from traditional power politics, i.e., state-to-state conflict which could result, for instance, in a blockade of key maritime routes. The South China Sea is currently under the spotlight as territorial and maritime tensions have steadily increased among the resident countries. China, Vietnam, the Philippines, Malaysia and Brunei all have competing claims. China has backed its expansive claims with island-building and naval patrols. While the US has declared several times that it does not take sides in territorial disputes, the Obama administration has deployed military ships and planes near disputed islands on what it calls Freedom of Navigation Operations (FONOPs), to ensure access to key shipping and air routes. India has also stepped up its involvement in the South China Sea, while Europe has become preoccupied with the growing tensions in the area that could jeopardize its economic and strategic interests in the Far East.

This study asks the following questions: (a) How could the EU and India work together to ensure free movement of trade and freedom of navigation from the Indo-Pacific to the Mediterranean – i.e., the maritime area stretching from the Western Pacific to the Eastern shores of Africa, including the Arabian coasts, the Horn of Africa and the Red Sea, reaching the Mediterranean via the Suez Canal? (b) Is Beijing's new Maritime Silk Road – which traverses all the abovementioned waters and coasts – and growing assertiveness likely to impact, and to what extent, the business and security interests of Europe and India? (c) Is there the political will to upgrade and expand the EU-India counter-piracy policy dialogue to a fully fledged and structured maritime security cooperation mechanism that would address issues such as maritime governance and freedom of navigation, including the prospect of joint "freedom of navigation" operations in concerned areas?

The first part examines the maritime security strategies of the EU and of India, including discussion of their respective policies to fight piracy and maritime terrorism. The second part focuses on China's new Maritime Silk Road and the evolving security dynamics in the South China Sea, including discussion of European and Indian responses to those new dynamics. The third section is

² Kavalam Madhava Panikkar, *India and the Indian Ocean. An Essay on the Influence of Sea Power on Indian History*, London, Allen & Unwin, 1945. See also Robert D. Kaplan, *Monsoon. The Indian Ocean and the Future of American Power*, New York, Random House, 2010.

³ Indian Department of Defence, *Annual Report 2015-2016*, March 2016, p. 28, <http://www.mod.gov.in/forms/List.aspx?Id=57&displayListId=57>.

⁴ Indian Ministry of Defence and Indian Navy, *Ensuring Secure Seas: Indian Maritime Security Strategy*, October 2015, <https://www.indiannavy.nic.in/node/14305>.

devoted to an assessment of the current military balance in the Indo-Pacific and the prospect for the emergence of a multilateral security framework. The last section offers a number of policy recommendations for consideration by those EU and Indian policy makers committed to fostering their security dialogue in the years ahead.

1. Europe's maritime strategy

In June 2014, the EU released its first ever Maritime Security Strategy⁵ which clearly stated that Europe's maritime interests are fundamentally linked to the well-being, prosperity and security of its citizens and communities, as some 90 percent of the EU's external trade and 40 percent of its internal trade is transported by sea. Europe's economic security depends on open, safe seas and oceans for free trade, transport, tourism and ecological diversity, as well as for economic development.⁶

The EU has identified a number of maritime security threats, including: (i) territorial maritime disputes, acts of aggression and armed conflict between States; (ii) maritime piracy and armed robbery at sea; (iii) terrorism and other intentional unlawful acts against ships, cargo and passengers, ports and port facilities and critical maritime infrastructure, including cyber-attacks on information systems; and (iv) cross-border and organized crime including seaborne trafficking of arms, narcotics and human beings. To address these threats, the EU has launched a number of missions in the last years.

In December 2008, the EU launched the European Union Naval Force (EUNAVFOR) Operation Atalanta, which was recently extended by the European Council until December 2018.⁷ It has a number of objectives, including "the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast."⁸ Operation Atalanta operates in coordination with NATO's counter-piracy mission Operation Ocean Shield, the multi-national counter-piracy mission Combined Task Force 151 (CTF-151)⁹ and independently deployed ships from, for instance, Russia, India and China. European countries participate in all of these operations, shifting between the different outfits on an irregular basis and sometimes acting alone.

⁵ Council of the European Union, *European Union Maritime Security Strategy* (11205/14), 24 June 2014, <http://data.consilium.europa.eu/doc/document/ST-11205-2014-INIT/en>.

⁶ European Commission and High Representative of the Union, *For an Open and Secure Global Maritime Domain: Elements for a European Union Maritime Security Strategy* (JOIN/2014/9), 6 March 2014, p. 2, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52014JC0009>.

⁷ Council of the European Union, *Council Decision (CFSP) 2016/2082 amending Joint Action 2008/851/CFSP on a European Union Military Operation to Contribute to the Deterrence, Prevention and Repression of Acts of Piracy and Armed Robbery Off the Somali Coast*, 28 November 2016, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:32016D2082>.

⁸ Ibid.

⁹ For more information see the Combined Task Force official website: <http://wp.me/P1248M-g>.

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Participation in EUNAVFOR goes beyond EU member states; its composition changes constantly due to the frequent rotation of units and its configuration varies according to the monsoon seasons in the Indian Ocean. However, it typically comprises approximately 1,200 personnel, 4-6 surface combat vessels and 2-3 maritime patrol and reconnaissance aircraft (MPRA). In addition to EUNAVFOR units, a considerable international military maritime presence is deployed in the area, consisting of the Combined Military Forces (CMF), NATO (Operation Ocean Shield) and independent national units from countries such as China, India, Japan, South Korea, Russia and others, all committed to counter-piracy, but with varying mandates and mission objectives.

In July 2012, the EU launched EUCAP Nestor, a civilian mission which assists host countries develop self-sustaining capacity for enhancement of maritime security. At its launch, EUCAP Nestor was mandated to work across the Horn of Africa and the Western Indian Ocean.¹⁰ As of the end of 2015, following a strategic review of the mission, activities focus solely on Somalia (including Somaliland), with the Mission Headquarters currently located in Mogadishu.¹¹

Counter-piracy efforts are a response to the larger concern of securing energy supplies in the western part of the Indian Ocean as oil tanks pass through the Strait of Hormuz and then the Suez Canal. Yet, the operations also serve to protect trade in goods, as cargo ships cross the Indian Ocean to reach the East Asian markets. Some of the biggest trading partners of the EU are located along the Eurasian coastline. Operation Atalanta – as well as the adoption of the EU Maritime Security Strategy in June 2014¹² – demonstrates the EU's commitment to addressing security challenges in a vast area that stretches from the Indian Ocean to the Suez Canal through East Africa.

Alongside the EU, some individual member states have also stepped up their involvement in maritime security issues. France, for instance, adopted in December 2014 its own maritime policy paper, the *National Strategy for the Security of Maritime Areas*, which includes the assertion that Paris is ready to enlarge the scope of its maritime operations in Asia to include freedom of navigation operations.¹³ In the last years, France has held a number of joint naval exercises with India – for instance, the Varuna in 2010 – where the two navies would prepare to secure and re-open, if blocked, the sea lanes of communication in the Indian Ocean.

¹⁰ Council of the European Union, *Council Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR)*, 16 July 2012, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:32012D0389>.

¹¹ EEAS, *EUCAP Nestor Mission Headquarters Moved from Djibouti to Mogadishu*, 2 October 2015, https://www.eucap-nestor.eu/en/press_office/news/1324.

¹² Council of the European Union, *European Union Maritime Security Strategy*, cit.

¹³ French Government, *National Strategy for the Security of Maritime Areas*, 22 October 2015, http://www.gouvernement.fr/sites/default/files/contenu/piece-jointe/2016/01/strategie_nationale_de_surete_des_espaces_maritimes_en_national_strategy_for_the_security_of_maritime_areas.pdf.

It remains to be seen whether other European maritime powers would be willing to follow France, going beyond counter-piracy operations – so far limited to the waters off the Horn of Africa – to further engage with Asian partners, including the prospect of joining freedom of navigation operations in the Indo-Pacific. India, for instance, has joined the US-led freedom of navigation operations in the South China Sea since 2014, given the strategic significance that New Delhi accords to its surrounding waters.

2. India's maritime strategy

Prime Minister Narendra Modi views the Indian Ocean as a foreign policy priority, with maritime dominance apparently the goal as India seeks to confront piracy and terrorist activities – but also to counter China's expansionist policies in the area and keep Pakistan in check. Modi's first visit outside Delhi after his swearing-in ceremony was to go aboard the Indian aircraft carrier *Vikramaditya* off Goa in June 2014.¹⁴ It is noteworthy that India is the only power in Asia (excluding the US) to possess such a landing platform.

In March 2015, Modi unveiled a four-part framework for the Indian Ocean, focusing on: (i) defending India's interests and maritime territory, in particular countering terrorism; (ii) deepening economic and security cooperation with maritime neighbours and island states; (iii) promoting collective action for peace and security; and (iv) seeking a more integrated and cooperative future for sustainable development.¹⁵

New Delhi's "blue water" ambitions were first outlined in its 2007 Maritime Security Strategy, after which it acquired a number of capabilities, including amphibious surface ships and nuclear-powered submarines. In 2013, New Delhi launched its first indigenous naval communication satellite, which further enhanced its capacity to monitor the entire Indian Ocean. In the wake of the 2008 Mumbai attack, India established the *Sagar Prahari Bal*, a maritime force protection group with 1,000 marines and 80 patrol boats, sustained by a maritime special operation unit, the 2,000-marine Special Forces Marine Commando.¹⁶ The development of these units suggests that India takes the threat of maritime terrorism and asymmetric warfare seriously. more integrated and cooperative future for sustainable development.

Pakistan, India's long-time rival, lacks the conventional naval forces to challenge New Delhi. With 10 frigates and 8 submarines, Pakistan has some ability to protect its coastline and inhibit an adversary's seaborne manoeuvrability. However,

¹⁴ Rahul Roy-Chaudhury, "Five Reasons the World Needs to Pay Heed to India's New Maritime Security Strategy", in *The Wire*, 22 December 2015, p. 2, <https://thewire.in/?p=17741>.

¹⁵ Ibid.

¹⁶ Anthony H. Cordesman and Abdullah Toukan, *The Indian Ocean Region. A Strategic Net Assessment*, Lanham, Rowman & Littlefield, August 2014, p. 244, <https://www.csis.org/node/25176>.

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recent and likely future investment in Chinese-supplied frigates, missile craft and submarines could improve Pakistan's maritime protection capabilities.¹⁷

China's emergence as a major air/sea power – and also a potential source of aid to Pakistan – presents India with an ominous challenge. In its latest defence white paper (May 2015), the Chinese government outlined the importance of power-projection capabilities, emphasizing the requirements for offensive and defensive air operations, and “open seas protection.”¹⁸ Since 2008, China has sent nearly two dozen naval expeditions to the Indian Ocean, including Chinese nuclear submarines, ostensibly to counter piracy but implicitly to project its influence in the region.¹⁹ Moreover, China is the largest arms supplier to India's neighbours and since 2013 the People's Liberation Army Navy (PLAN) has started an impressive programme of expansion, including port construction and upgrades at several locations around the Indian Ocean such as Karachi and Gwadar (Pakistan), Chittagong (Bangladesh), Kyaukpyu (Myanmar), and Hambantota and Colombo (Sri Lanka).²⁰

Given these dynamics, it is not surprising that New Delhi and Beijing increasingly compete in the Indo-Pacific, especially as they scramble for energy resources and sea lane protection. India's suspicion about China's expansionist policy is not new. It dates back to the mid-2000, when Beijing developed a geo-political strategy, the so-called “string of pearls”, consisting of a series of port facilities in Pakistan, Bangladesh, Sri Lanka, Myanmar, the Seychelles and the Maldives aimed at securing Chinese maritime interests in the area. These facilities were seen in New Delhi as an act of “encirclement”. The “string of pearls” has now been revitalized and subsumed within Beijing's 21st century Maritime Silk Road – an initiative through which Beijing seeks to promote economic ties with the countries concerned, but also further its political influence and military presence.²¹

¹⁷ International Institute for Strategic Studies (IISS), *The Military Balance 2016*, Abingdon, Routledge, 2016, p. 279.

¹⁸ Chinese Ministry of National Defense, *China's Military Strategy*, May 2015, http://eng.mod.gov.cn/Press/2015-05/26/content_4586805_4.htm.

¹⁹ Mohan Malik, “India's Response to the South China Sea Verdict”, in *The American Interest*, 22 July 2016, <http://wp.me/p4jaOZ-ACJ>.

²⁰ International Center for Strategic Analysis (ICSANA), *Gwadar Port: Implications for GCC and China*, 2014, http://www.icsana.com/index.php?option=com_content&view=article&id=433&catid=9&Itemid=561&lang=en. Ruchir Sharma, *The Rise and Fall of Nations. Forces of Change in the Post-Crisis World*, New York, W.W. Norton & Co., 2016.

²¹ Eva Pejsova, “Scrambling for the Indian Ocean”, in *EUISS Briefs*, No. 4 (February 2016), p. 2, <http://www.iss.europa.eu/publications/detail/article/scrambling-for-the-indian-ocean>.

3. China's new Maritime Silk Road: Implications for the EU and India

China's new Silk Road, consisting of the Silk Road Economic Belt and the 21st century Maritime Silk Road – also known as the One Belt, One Road (OBOR) or simply the Belt and Road initiative – was unveiled by President Xi Jinping in late 2013. It is China's most ambitious geo-economic and foreign policy initiative in decades, aiming to connect China to Europe through South East Asia, Central Asia, the Indian Ocean, the Middle East and East Africa, covering areas hosting 70 percent of the global population, holding 75 percent of known energy reserves and generating 55 percent of the world's gross national product (GNP). The stated aim of this grandiose initiative is to boost connectivity and commerce between China and 65 countries traversed by the Belt and Road.²²

China's total financial commitment to this initiative is expected to reach 1.4 trillion dollars in the coming years. Beijing has already committed around 300 billion dollars in loans and trade financing, a sum which includes a 40 billion dollar contribution to the Silk Road Fund for infrastructural development and 100 billion dollars in capital allocated to the China-initiated Asian Infrastructure Investment Bank (AIIB).

China's Maritime Silk Road was first charted during President Xi Jinping's visit to Southeast Asia in October 2013. The road takes inspiration from historical maritime trading routes connecting coastal China to the Mediterranean, through the South China Sea, the Indian Ocean, the Arabian coasts and East Africa. China's new sea-based Silk Road is taking the form of a network of ports and other coastal infrastructure projects. This grandiose initiative is driven by the Chinese government in conjunction with some giant state-owned enterprises. For instance COSCO, China's biggest shipping line, has taken minority stakes in terminals in Antwerp, Suez and Singapore and a majority stake (67 percent) in Piraeus Port in Greece, where it plans to invest 350 million euros over the next ten years, including building a dock that can handle mega-ships. China Merchants Holdings International has invested massively in Colombo (Sri Lanka) and has stakes in the port of Gwadar (Pakistan).

Securing Eurasia's sea lanes of communication has become a strategic priority for China, whose military has recently been granted the right to build logistics facilities in Djibouti. The base is expected to contribute to anti-piracy operations in the area, but also to protect China's strategic assets and cargo ships directed towards (or coming from) the European ports.

²² Nicola Casarini, "When All Roads Lead to Beijing. Assessing China's New Silk Road and its Implications for Europe", in *The International Spectator*, Vol. 51, No. 4 (December 2016), p. 95.

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The Mediterranean has a key role to play in China's Maritime Silk Road, as the EU is today Beijing's most important trading partner. Between 2000 and 2015 Chinese trade towards the south of the Mediterranean grew tenfold, exceeding 50 billion euros and doubling in value each year. Today, China is the second trade partner for the area after the US and the first in terms of percentage growth rate.²³ China's growing interests in the area have led Beijing – together with Moscow – to hold their first ever joint military drills in the Mediterranean Sea in May 2015.

The doubling of the Suez Canal has further contributed to increasing China's strategic interest in the area. China already owns 20 percent of the Suez Canal Container Terminal, running one of the biggest terminals in Port Said, right at the entrance of Suez.²⁴ Beijing is also planning to build or own (even partially) similar ports and logistics facilities in Iran and Saudi Arabia, after having invested massively in the Pakistani port of Gwadar, which is expected to be connected through a modern highway network to China's Xinjiang province, giving the landlocked Chinese region access to the Indian Ocean. There are also plans for a high-speed rail link running alongside the road as well as the construction of oil pipelines that, through Gwadar, will bring supply from the Gulf to Western China. These projects are part of the China-Pakistan Economic Corridor (CPEC), first announced during Xi Jinping's state visit to Islamabad in April 2015.²⁵

The CPEC is China's largest overseas investment project to date with an estimated value of 46 billion dollars. It consists of extensive investments in Pakistan's transport, telecommunications and energy infrastructure which will, when terminated, extend for about 3,000 km, linking the port of Gwadar to the city of Kashgar in China's northwestern Xinjiang province, thus opening up new routes for Middle Eastern oil and gas.²⁶

It is at this geo-political juncture that the development of China's Maritime Silk Road clashes more acutely with India's strategic priorities. Not only is Beijing investing massively in Pakistan, China's thirst for natural resources from the Middle East creates a challenge for New Delhi which is heavily reliant on imported oil and gas. A second point of friction is the South China Sea, where China's assertiveness and activities – such as island building not in accordance with international law – are a source of concern not only for India but also for the EU, raising the question as to whether, and to what extent, Brussels and New Delhi could join forces in upholding rules-based order in the area.

²³ SRM, *Italian Maritime Economy 2016*, Naples, Giannini, 2016, p. 15, <http://www.srm-maritimeconomy.com/?p=17090>.

²⁴ Ibid.

²⁵ Nicola Casarini, "When All Roads Lead to Beijing", cit., p. 100.

²⁶ Ibid.; Omar Alam, "China-Pakistan Economic Corridor: Towards a New 'Heartland'?", in *LSE South Asia Centre blog*, 16 November 2015, <http://wp.me/p6htYG-1qM>.

4. European and Indian perspectives on evolving security dynamics in the South China Sea

In July 2016, after more than three years of deliberation, the Tribunal at the Permanent Court of Arbitration in The Hague rendered the Award in the Arbitration between the Philippines and China,²⁷ making it clear that China's extensive historical rights claims to maritime areas within the so-called "nine-dash line" are incompatible with the UN Convention on the Law of the Sea (UNCLOS) and therefore illegitimate. The Tribunal also underscored that none of the land features claimed by China qualify as an island – status that would in turn warrant the claiming of an exclusive economic zone under UNCLOS.

China strongly condemned the verdict, declaring it null and void, and questioned the legality of the Tribunal itself. China's refusal to recognize the Tribunal's ruling has prompted other claimants to reinforce their actions and the United States to intensify its so-called freedom of navigation operations to deter China from adopting even more confrontational policies in the future, such as declaring an Air Defence Identification Zone (ADIZ).²⁸

Following the ruling by the Hague Tribunal, Federica Mogherini, the EU's High Representative for Foreign Affairs and Security Policy, issued a declaration stating the need for the parties to the dispute to resolve it in accordance with international law, including the United Nations Convention on the Law of the Sea (UNCLOS).²⁹ Also some individual EU member states have intervened in the debate.³⁰ France, which is the only European nation with an Asian-Pacific military projection, has expressed an interest in leading EU patrols to sustain freedom of navigation in the South China Sea – an eventuality that is being considered by other European maritime powers such as Italy, Spain and the Netherlands. The United Kingdom, while reiterating its support for UNCLOS and the rule of law, has refrained however from any direct condemnation of Beijing, for fear of irritating the country with which the new cabinet in London is keen to negotiate a free trade agreement. Germany, whose economy is significantly interconnected with that of China, has tended to shy away from any involvement in the South China Sea, also in light of Berlin's reluctance to join military missions in Europe's neighbourhood. Besides issuing a declaration of principles, there is not that much that the EU can do in the South China Sea – an area that has now become the playground for rivalry among

²⁷ Permanent Court of Arbitration, *The South China Sea Arbitration (The Republic of the Philippines v. The People's Republic of China)*, 12 July 2016, <https://pca-cpa.org/en/news/pca-press-release-the-south-china-sea-arbitration-the-republic-of-the-philippines-v-the-peoples-republic-of-china>.

²⁸ Gregory B. Pooling et al., "Judgment Day: The South China Sea Tribunal Issues Its Ruling", in *CSIS Critical Questions*, 12 July 2016, <https://www.csis.org/node/37159>.

²⁹ European External Action Service (EEAS), *Declaration by the High Representative on behalf of the EU on the Award rendered in the Arbitration between the Republic of the Philippines and the People's Republic of China*, 15 July 2016, <http://europa.eu/!vT73kP>.

³⁰ Emanuele Scimia, "Europe Can't Save the South China Sea", in *The National Interest*, 24 July 2016, <http://nationalinterest.org/node/17092>.

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great powers.

While Europe is largely a bystander, India has been increasing its involvement in the region in recent times, given that 55 percent of the country's trade passes through the South China Sea³¹ – and several of India's island territories, such as the Andaman and Nicobar islands, are located at the western bottleneck of the Straits of Malacca.³² India has clearly voiced its interest in promoting freedom of navigation in the area and in the peaceful resolution of territorial disputes between Beijing and its maritime neighbours, in an attempt to create strategic opportunities for the littoral states as well as faraway countries like the US and Japan which seek to deter China from dominating the Indo-Pacific.

In the aftermath of the Hague ruling, a joint statement issued by the Indian and Japanese Defence Ministers (on 14 July 2016, following the annual Indo-Japanese Defence Ministerial Meeting) urged parties to “show utmost respect for the UNCLOS” and expressed the two countries’ “concern over recent developments,” with particular reference to Chinese actions such as the landing of planes on artificial islands.³³ In December 2015, a joint statement by Indian Prime Minister Narendra Modi and Japanese Prime Minister Shinzo Abe had called all parties to “avoid unilateral actions” in the South China Sea “that could lead to tensions in the region.”³⁴ Tokyo and New Delhi have also agreed to deepen their overall military cooperation by setting up a Maritime Strategic Dialogue and conducting the annual India-US-Japan trilateral maritime exercise dubbed Malabar.

Besides Japan, New Delhi has also reached out to Vietnam and the Philippines, publicly supporting them in their disputes with Beijing. In September 2016, India signed a deal to base its ships in Vietnam and supply fast patrol boats to Hanoi, a contract worth 100 million dollars.³⁵ And New Delhi continues to cooperate with Vietnam on hydrocarbon exploration in the South China Sea. In bilateral declarations with Manila, New Delhi has acknowledged the region as part of the West Philippines Sea, refuting the Chinese position.³⁶

³¹ Rajeev Ranjan Chaturvedy, “South China Sea: India’s Maritime Gateway to the Pacific”, in *Strategic Analysis*, Vol. 39, No. 4, 2015, p. 360-377 at p. 364, <http://dx.doi.org/10.1080/09700161.2015.1047218>.

³² *Ibid.*, p. 361.

³³ Indian Ministry of Defence, *Joint Statement after the meeting Between Raksha Mantri and Japanese Defence Minister*, New Delhi, 14 July 2016, <http://pib.nic.in/newsite/PrintRelease.aspx?relid=147097>

³⁴ Indian Ministry of External Affairs, *Joint Statement on India and Japan Vision 2025: Special Strategic and Global Partnership Working Together for Peace and Prosperity of the Indo-Pacific Region and the World*, New Delhi, 12 December 2015, <http://www.mea.gov.in/bilateral-documents.htm?dtl/26176>.

³⁵ Indian Ministry of External Affairs, *Joint Statement between India and Vietnam during the visit of Prime Minister to Vietnam*, Hanoi, 3 September 2016, <http://www.mea.gov.in/bilateral-documents.htm?dtl/27362>.

³⁶ See, for instance, India’s Ministry of External Affairs, *Joint Statement: Third India-Philippines Joint Commission on Bilateral Cooperation*, New Delhi, 14 October 2015, <http://www.mea.gov.in/>

As part of its "Act East" policy, India has thus increased coordination, both military and diplomatic, with those Asian nations that also see China as a challenge. New Delhi is currently negotiating the sale of the BrahMos cruise missile to Vietnam and frigates and patrol craft to the Philippines, while forging military-to-military ties and economic and trade links with Indonesia, Malaysia, Thailand and Singapore.³⁷ Finally, with the United States, India has issued a number of high-level joint statements where the two powers have declared their support for freedom of navigation and overflight in the South China Sea. This indicates that the Modi government is no longer afraid of siding with the US to counter China.³⁸

5. The maritime balance of power in the Indo-Pacific

The main security challenge today in the Indo-Pacific is how to accommodate China's growing military capabilities with the existing order dominated by the US. The pace of China's military modernization is staggering. Since the turn of the century, it has commissioned more than 30 modern conventional submarines, 14 destroyers, 22 frigates and about 26 corvettes, assets that are supported by satellites, radar, air defence systems, ballistic missiles and cyber capabilities.³⁹ Although China's military development is changing the maritime balance of power, it is likely that the US will remain the strongest naval power in Asia for the foreseeable future.

In March 2015, the US released a new maritime strategy,⁴⁰ reflecting concern over the ongoing developments and fielding of anti-access/area-denial capabilities, particularly by China. The strategy introduced a new functional ambition, "all domain access," acknowledging the increasingly contested nature of, in particular, space, cyberspace and the electromagnetic spectrum.

From Djibouti, the US military secures the Red Sea and controls its operations in the Gulf of Oman, while the US naval base in Diego Garcia houses both army and marine brigades, long-range bomber operations, the replenishment of naval surface combatants, and the strike and special operations capabilities of guided-

bilateral-documents.htm?dtl/25930.

³⁷ Mohan Malik, "India's Response to the South China Sea Verdict", cit. Jonathan Holslag, "Why the US policy on South China Sea only helps China", in *South China Morning Post*, 21 August 2016, <http://www.scmp.com/week-asia/politics/article/2006225/why-us-policy-south-china-sea-only-helps-china>.

³⁸ Ibid.

³⁹ Jonathan Holslag, "Why the US policy on South China Sea only helps China", in *South China Morning Post*, 21 August 2016, <http://www.scmp.com/week-asia/politics/article/2006225/why-us-policy-south-china-sea-only-helps-china>.

⁴⁰ US Navy, *A Cooperative Strategy for 21st Century Seapower*, March 2015, <http://www.navy.mil/local/maritime>.

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missile submarines.⁴¹ Diego Garcia's location and relatively insular position enable US power projection throughout the Indian Ocean by long-range strategic bombers, as well as through surface warships, including aircraft carriers, cruisers, destroyers, frigates and fast attack nuclear submarines.

While the EU does not have military capabilities in the Indian Ocean, some member states do. France, in particular, has a longstanding presence in the western Indian Ocean, maintaining a naval base (Pointe des Galets) on its island department of La Réunion, east of Madagascar. Djibouti remains economically and militarily close to France. In addition, the UAE now hosts a French military base in Abu Dhabi, encompassing three military camps: a land base, a naval base, and an air base near Al-Dhafra. Finally, the overseas department of Mayotte is home to a 270-strong garrison of the Légion étrangère.⁴²

The United Kingdom also has a number of strategic interests – and assets – in the area: the Biot military complex in Diego Garcia, in conjunction with the United States; an army barracks in Brunei; a logistical and refuelling facility in Sembawang, Singapore; Gorkha recruitment centres in Nepal; and a naval command post in Bahrain that connects the Gulf with its Mediterranean air and naval facilities.⁴³ London has traditionally invested both politically and financially in the Five Power Defence Arrangements (FPDA), a series of defence relationships established by multi-lateral agreements between the United Kingdom, Australia, New Zealand, Malaysia and Singapore.

Europe's defence industry increasingly looks towards Asia when it comes to arms sales and technology transfers. EU member states continue to sell military equipment in the region. Competition exists among European defence companies, of course, but even more so between EU and US defence manufacturers for acquiring shares of Asia's buoyant procurement budgets. Europeans have developed a strong market presence in South and South-East Asia, especially in sales of naval units (submarines, frigates, corvettes).⁴⁴ France, for instance, has sold Scorpène-class submarines to both India and Pakistan in the past, while six French Scorpène-class submarines are currently being built in Mumbai for the Indian navy.⁴⁵

⁴¹ Andrew S. Erickson, Ladwig C. Walter III and Justin D. Mikolay, "Diego Garcia and the United States' Emerging Indian Ocean Strategy", in *Asian Security*, Vol. 6, No. 3 (2010), p. 215.

⁴² Bruno de Paiva, "France: National Involvement in the Indian Ocean Region", in *Future Directions International*, 5 December 2011, <http://www.futuredirections.org.au/?p=1300>.

⁴³ W. Lawrence S. Prabhakar, *Growth of Naval Power in the Indian Ocean. Dynamics and Transformation*, New Delhi, National Maritime Foundation, 2016, p. 61, <http://www.maritimeindia.org/View Profile/Growth of Naval.pdf>.

⁴⁴ Nicola Casarini, "The European Pivot", in *EUISS Alerts*, No. 3 (March 2013), p. 2, <http://www.iss.europa.eu/publications/detail/article/the-european-pivot>.

⁴⁵ Cameron Stewart, "Our French Submarine Builder in Massive Leak Scandal", in *The Australian*, 29 August 2016.

Europe's growing industrial defence interests in South and South-East Asia have, however, gone hand in hand with EU efforts towards supporting existing – as well as creating new – regional multilateral cooperation frameworks for addressing maritime security issues.⁴⁶

6. Old and new multilateral security frameworks

The oldest multilateral security framework in the region is the Indian Ocean Rim Association (IORA), formerly known as the Indian Ocean Rim Initiative and Indian Ocean Rim Association for Regional Cooperation (IOR-ARC). It is an international organization consisting of coastal states bordering the Indian Ocean. The IORA, which has a Coordinating Secretariat located in Ebene, Mauritius, increasingly discusses issues related to maritime cooperation and the "blue economy" and as such is ideally situated to be a dialogue partner of the EU.

Yet, the most effective multilateral maritime security construct has been, since 2008, the Indian Ocean Naval Symposium (IONS) which brings together the navy chiefs of 35 littoral countries and includes China as an observer. A brainchild of India's commitment to promote maritime cooperation in the area, the IONS is constructed along lines similar to the Western Pacific Naval Symposium (WPNS). As a voluntary initiative that seeks to increase maritime cooperation among navies of the littoral states of the Indian Ocean, the IONS has so far focused discussions on maritime information sharing, transnational crime and drug trafficking, as well as interoperability in case of search and rescue exercises.⁴⁷

The IONS would be an ideal partner for Europe, which in the last years has been investing heavily in maritime security in the western Indian Ocean, building the capacity of local maritime agencies and enhancing maritime situational awareness to counter piracy, as well as other transnational security threats.

The EU has bolstered the implementation of the International Maritime Organization Djibouti Code of Conduct (DCOC), signed by 21 coastal states on the Western Indian Ocean rim. Brussels has also lent support to the creation of three information-sharing centres in Kenya, Tanzania and Yemen, and helped in setting up the Regional Maritime Training Centre in Djibouti.⁴⁸ In 2013, the EU launched the MASE Programme (with a budget of 37.5 million euros), whose aim is to ensure coordination and continuity between its various capacity-building projects in

⁴⁶ Lee Corder, "Progressing Maritime Security Cooperation in the Indian Ocean", in *Naval War College Review*, Vol. 64, No. 4 (Autumn 2011), p. 68-88, <https://www.usnwc.edu/Publications/Naval-War-College-Review/2011---Autumn.aspx>.

⁴⁷ Pradeep Chauhan, "The Criticality of the IONS Maritime Security Construct", in *CIMSEC Articles*, 25 May 2016, <http://wp.me/p2moGg-6AY>. See also Rahul K. Bhonsle, "India's Maritime Cooperative Security Architecture", in *Mantraya Briefs*, No. 2 (3 April 2015), <http://mantraya.org/?p=462>. For more information on IONS, see the official website: http://ions.gov.in/about_ions.

⁴⁸ Eva Pejsova, "Scrambling for the Indian Ocean", cit., p. 4.

the Indian Ocean, as well as its inland economic development and governance projects. According to the EU, 80 percent of the budget (over 80 million euros) of the Indian Ocean Commission (IOC) is currently underwritten by Brussels.⁴⁹ The IOC aims to foster regional capacity building in fisheries management, small island state development and marine biodiversity protection. Finally, in 2015 the EU launched the Critical Maritime Routes in the Indian Ocean, an initiative that seeks to enhance maritime situational awareness throughout the Indian Ocean by providing technical assistance to coastal states in the realms of information sharing, capacity building, and operational policies and governance.⁵⁰

Europe's commitment to maritime security is an opportunity for India, a country that aims to be a "net security provider" in the Indian Ocean.⁵¹ Both Brussels and New Delhi have significant stakes in securing the sea lanes of communication. Building on the IORA and IONS, the EU and India could join forces to promote an effective multilateral cooperation mechanism in the region to address maritime security issues, including exploring the possible synergies between the EU's Blue Growth Strategy and India's Blue Economy Plan.⁵²

However, the evolving security dynamics in the Indo-Pacific, including China's growing assertiveness and rising tensions in the South China Sea, should invite EU and Indian policy makers to begin considering their maritime policy dialogue and cooperation beyond the Indian Ocean to include the vast area stretching from the Indo-Pacific to the Mediterranean, through the South China Sea, the Indian Ocean, the Arabian coasts, the Horn of Africa and the Red Sea, and the Suez Canal. This vast Eurasian maritime space – from the Far East to the Mediterranean – is also the area covered by China's new Maritime Silk Road, which presents India and the EU with both formidable opportunities and significant security challenges. To move forward their security dialogue on maritime issues, EU and Indian policy makers could therefore consider the following policy recommendations:

- *Develop a joint understanding on maritime governance and freedom of navigation in the area stretching from the Indo-Pacific to the Mediterranean.* This could be achieved by creating an EU-India Joint Working Group tasked to assess their respective interpretations of UNCLOS and freedom of navigation – also with a view towards the eventual issuing of joint declarations.
- *Increase coordination between EUNAVFOR and the Indian Navy.* EUNAVFOR is arguably the most successful and longstanding EU military mission so far,

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Pradeep Chauhan, "India as a Net Security-Provider in the Indian Ocean and Beyond", in *CIMSEC Articles*, 29 April 2016, <http://wp.me/p2moGg-6s7>.

⁵² Vijay Sakhuja, "Blue Economy: An Agenda for the Indian Government", in *CIMSEC Articles*, 19 September 2014, <http://wp.me/p2moGg-3nC>. See also Vijay Sakhuja, "Harnessing the Blue Economy", in *Indian Foreign Affairs Journal*, Vol. 10, No. 1 (January-March 2015), p. 39-49, [http://www.associationdiplomats.org/publications/ifaj/Vol10/10.1/10\(1\)-ejournal.html](http://www.associationdiplomats.org/publications/ifaj/Vol10/10.1/10(1)-ejournal.html).

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and has enabled European navies to cooperate with Indian military naval units, including in the Contact Group on Piracy off the coast of Somalia. Based on this experience, the two partners could work more closely in the field of maritime surveillance, counter piracy, disaster relief efforts, as well as training and military exercises.

- *Establish an EU-India high-level dialogue on maritime cooperation.* This could be created by deepening and broadening the scope of their current anti-piracy dialogue by including other functional cooperation areas as well as research programmes and initiatives linking Europe's Blue Growth Strategy and India's Blue Economy Plan. The EU-India high-level dialogue could also be used as a platform for exchanging views, best practices and lessons learnt, including in naval military and peacekeeping operations, as well as for exploring the possibilities for the EU to become a dialogue partner with IORA and IONS.
- *Promote a multilateral security culture and framework.* By building on existing arrangements and platforms – such as IORA and IONS – Brussels and New Delhi could join forces to create a structured multilateral security mechanism with the aim of addressing maritime security and freedom of navigation in the region, exploring ways to promote UNCLOS as the basis for maritime governance, and reducing potential rivalry and tensions in the area.

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