

SOUTHEAST ASIAN RECEPTIVENESS TO JAPANESE MARITIME SECURITY COOPERATION

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Overview

- Building upon its history of cooperation in navigational safety in the Malacca Strait, Japan leads cooperative efforts in maritime security of the strait.
- Japan's diplomatic style in dealing with the ASEAN countries and its civilian focus in cooperative security management jibe well with preferences of the Southeast Asian countries.
- Unclear and overlapping maritime jurisdictions within the aid recipient countries limit the effectiveness of Japanese assistance.
- Divergent emphases between Japan and the recipients of Japanese assistance have not prevented their cooperation. Japan's heavy focus on the Malacca Strait, however, generates some resistance and reluctance from Southeast Asian countries that needs to be carefully massaged.
- Close cooperation between the Japanese Coast Guard and the Ministry of Foreign Affairs is essential in improving the quality of the Japanese assistance. Donor coordination among United States, Japan and Australia is useful in efficiently meeting the broad needs of the recipient countries.

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- The anticipated shift of security assistance from bilateral channels to a multilateral channel under the ReCAAP may reduce the quality of Japanese assistance if cumulative knowledge of the Japanese Coast Guard through its history of bilateral cooperation and consultations with non-members of ReCAAP such as the United States and Australia is neglected.

Introduction

Japan's role in ensuring maritime security in Southeast Asia has received some attention in recent years. Japan's primary focus on the Malacca Strait has resulted in close cooperation with the three littoral states (Singapore, Malaysia, and Indonesia), but Japan's newer initiatives for multilateral cooperation encompass a broader set of countries in East Asia. Japan particularly sees Thailand as a potential partner for maritime security cooperation. At the same time, divergence of interests and differences in institutional settings between Japan and Southeast Asian countries pose some obstacles to closer cooperation. This article will assess Japan's maritime security cooperation with Southeast Asia and explore implications for U.S. policy.

Japan's Concerns and Initiatives

Japan's economy heavily depends on safe passage of ships through the Malacca Strait, and therefore Japan has long cooperated with Singapore, Malaysia, and Indonesia in the area of navigation safety and seabed mapping through joint research, sharing of equipment, and training. The increase in piracy incidents in the Strait since the 1997-1998 Asian economic crisis resulted in increased Japanese assistance in anti-piracy efforts. Japan has also aided civilian law enforcement capabilities of the littoral states through its Coast Guard. Japanese Coast Guard vessels have patrolled Southeast Asian seas and carried out joint exercises with civilian maritime counterparts in Southeast Asia. Japan's approach emphasizes the sovereignty of the littoral states and focuses on their cooperative capacity building. The Japan International Cooperation Agency (JICA) funds the Coast Guard's seminars to train maritime authorities in Southeast Asia, and Japan's aid is critical in helping to create maritime patrol authority where local capacity is lacking (especially in the Philippines and Indonesia).

Japan's anti-piracy efforts have also promoted multilateral institution building in the region. Japan has financed efforts of the International Maritime Organization (IMO) to track and study piracy incidents. In concert with the APEC Counter-Terrorism Task Force, Japan held the "Heads of Asian Coast Guard Agencies Meeting" in Tokyo in June 2004. Japan's Ship and Ocean Foundation has also provided seed money for the IMO-sanctioned Anti-Piracy Center in Kuala Lumpur. In March 2005 Japan held the second "ASEAN-Japan Seminar on Maritime Security and Combating Piracy" in Tokyo to review progress of the ASEAN countries on implementation of the International Ship and Port Facility Security (ISPS) Code. Japan has also conducted training courses for maritime law enforcement officials from ASEAN countries, China, and South Korea.

Japan's status as the predominant user of the Strait has gradually declined as other industrializing states of East Asia have increased their dependence on this key waterway. As security of the Strait became a common good, Japan sought to ensure equitable cost sharing through a multilateral framework. At a meeting of the IMO in Kuala

Lumpur in September 2006, Japan proposed voluntary cost sharing for safety, security, and environmental protection of the Malacca and Singapore Straits among the three littoral states, user states, the shipping industry, and other stakeholders. Multilateral institution building has turned out to be an onerous task for Japan. Japan proposed the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which emphasized sharing information about ships victimized by and suspected of committing piracy and armed robbery. This agreement did not cover other maritime crimes such as illegal migration, smuggling, and terrorism. The scope of the information sharing initiative covered both piracy incidents in international waters (for which jurisdiction under the Law of the Sea belongs to the flag nation) and “armed robbery” in territorial waters (for which jurisdiction traditionally belonged to the littoral state). Inclusion of the latter has been one, and likely the most important, factor deterring Malaysia and Indonesia from signing the ReCAAP. Sixteen countries (Japan, China, South Korea, India, Bangladesh, Sri Lanka, and ten ASEAN nations) participated in the negotiation and adopted the initial agreement in November 2004. A minimum of ten signatories was required for the agreement to enter into force, and the agreement took effect in September 2006, but without China, Malaysia and Indonesia. China signed and ratified later.

Launching of the ReCAAP is quickly changing Japan’s aid distribution pattern. MOFA is channeling Japan’s aid for capacity building through the multilateral ReCAAP, leaving assistance through equipment to the bilateral channels. While capacity building aid through JICA raised the issue of foreign military participation, ReCAAP is represented by the “focal point” agency each country chooses—civilian or military. Under the new distribution pattern, Japan’s financial contributions through the multilateral channel can be used for training of both civilian and military officials.

Despite the strategic significance of the Malacca and other straits in Southeast Asia, Japan has so far focused on civilian cooperation and refrained from directly utilizing its maritime self-defense force for specific tasks in the region other than disaster relief. Given that Japan occupied this region during World War II, activity by Japanese military forces in this area is a sensitive issue. Furthermore, thinking within the MSDF has tended to focus on more traditional, direct military threats such as North Korean missiles, which works against the use of military assets to deal with low-threshold threats such as piracy.

Japan's efforts to improve maritime capabilities of the Southeast Asian countries and induce other countries that use the Strait (such as South Korea and China) to share the burden have potential drawbacks. First, Japan's assistance to improve the Southeast Asian capabilities may elevate the ongoing political conflicts over disputed maritime spaces and resources among the Southeast Asian countries into physical ones. Second, increased maritime capabilities of the predominantly Muslim states (such as Indonesia and Malaysia) may pose unpredictable risks to the passage of Japanese ships through the Malacca Strait in the event of a Middle East crisis. Furthermore, involvement of China and Korea in Malacca Strait security may contribute to eroding the naval predominance the United States and Japan currently enjoy. Some observers view Japan's gift of three patrol ships to Indonesia in 2006 as a means of checking Chinese naval expansion. From ASEAN countries' perspectives, Japan's aid in advanced hardware to one country may tilt the competitive balance among them.

Singaporean Reaction

Singapore's location in the heart of the Malacca Strait and its economy's critical dependence on entrepot trade focus its attention on maritime terrorism and piracy in the Malacca Strait, and this focus closely overlaps with Japan's interests. Combined with long-standing mistrust of predominantly Muslim Malaysia and Indonesia, Singapore's high priority on strait security has led to seeking closer cooperation with external partners, especially the United States and Japan, sometimes beyond the comfort level of Singapore's neighbors. On the other hand, Singapore already possesses the most capable naval and maritime security forces in Southeast Asia and does not require as much external assistance in terms of equipment and training except for joint operations. Singapore's cooperation with Japan instead has focused on diplomatic, international-legal, and information fronts. Most notably, the two countries' cooperation played a crucial role in setting up the ReCAAP framework. However, the combined leadership of Japan and Singapore could also be viewed negatively by other ASEAN countries (especially Malaysia and Indonesia), hindering multilateral cooperation in the region.

Singaporeans perceive that the high number of Western businesses in Singapore and the country's own adoption of some aspects of Westernization make Singapore a likely target of maritime terrorism. In the Malacca Strait, Japan's more important East-bound traffic (of loaded oil tankers from the Middle East) sails through waters under Indonesian jurisdiction. Hence Singapore encourages multilateralized Japanese assistance to less capable littoral states (most notably Indonesia) to build their capacity for security enforcement. Regional observers say Japan's offers of assistance are better received by ASEAN states than similar offers from the United States.

There are several reasons for Singapore's preference for multilateral approaches. First, Singapore does not see an imminent threat from increased assistance to the region from any external state (notably the United States, Japan, China, and India). Having the most potent navy and air force in the region, Singapore is confident that external assistance to its neighbors would not greatly alter the regional power balance in its disfavor. Rather, Singapore welcomes the benefit of increased collective regional capacity. Singapore even encourages the physical presence of external naval/maritime forces in the strait. Singapore's publicly expressed welcome for the United States and Japan does not

preclude acceptance of other powers such as India and China. Second, Singapore sees multilateral venues as more efficient than bilateral ones. Multilateralism promotes donor coordination, avoiding redundancy and deterring the recipient states from playing one donor against another and steering the aid away from the common good of strait security toward the recipients' own priorities.

Indonesian Reaction

Indonesian waters host three straits that are important to Japan's economy: Malacca, Sunda, and Lombok. As an archipelagic country made up of over 13,000 islands scattered across a range of over 5,000 kilometers from east to west, Indonesia's maritime security concerns are far broader than piracy in the Malacca Strait. Combined with the fact that major victims of piracy in the Malacca Strait are merely passing through the strait with little economic benefit to Indonesia, the country's interest in anti-piracy efforts in the Malacca Strait is limited to managing an ongoing diplomatic embarrassment. Indonesia is keen to receive external assistance in the form of equipment and training, but wants this assistance for dealing with its own priorities, including terrorism, illegal fishing, and illegal migration. Domestic political sensitivity surrounds external security cooperation with Western countries (most notably the United States and Australia), necessitating that such cooperation be carried out quietly. Japan is largely free of this restriction in Indonesia. Because of its strong sovereignty claim over the Malacca Strait, Indonesia has resisted multilateralizing management of the strait's security. Bilaterally-supplied foreign equipment also raises the issue of controlling the equipment after it is deployed, as well as the problem of maintenance given the lack of basic vocational skills in the Indonesian maritime security forces.

The main arena of piracy in Indonesian waters is around the island of Bangka—far south of the Malacca Strait. Indonesia's concerns about terrorism have maritime dimensions, but are not confined to the Malacca Strait. Movement of the Jamayah Islamia (JI) leadership from Malaysia via the Makassar Strait and illegal movement of people between the conflict-prone southern Philippines and the islands of Kalimantan or Sulawesi through the Celebes Sea have invited quiet cooperation among Indonesia, the United States and Australia. Japan's focus on the Malacca Strait is generally accepted as an outcome of trilateral U.S.-Australia-Japan coordination to avoid duplicating of efforts.

Indonesia views Japan as a source of diversified assistance. Japan's aid has not been strongly tied to human rights issues, and Indonesia's experience of aid suspensions from Western countries during the East Timor crisis from the late 1990s to the mid-2000s makes Japan a source of diversified assistance. Japan's heavy focus on the Malacca Strait contradicted Indonesia's desire to deploy the donated ships as it wished, but assistance in training of personnel and improving general maritime surveillance capabilities are viewed as more broadly applicable and are welcomed by Indonesia. Even aid to improve local fishermen's capacity is viewed in the context of reducing piracy, since many pirates are also fishermen. Indonesians view aid in basic science, engineering, and IT education as a booster of efficacy in maritime security training and exercises. In the eyes of more experienced non-Japanese providers of security assistance, however, Japan's ongoing assistance to Indonesia in equipment, training seminars, and joint exercises lacks long-term working relations and mentoring aspects. One observer recommended long-term

stationing of Japanese staff at the sites where transferred equipment is deployed to train the local operators in usage and maintenance.

Indonesia's fear of the Chinese and skepticism about the Indians, combined with political Islam's opposition to U.S. naval expansion into the region, also make Japan a preferred partner. Unlike Singapore, Indonesia is generally opposed to the physical presence of external forces for maritime security on political grounds, but Japan seems to be the candidate least feared by the Indonesian security elite. The Indonesian Navy seeks closer cooperation with Japan's Maritime Self Defense Force to balance its relations with the Indian and Chinese navies, and some Indonesian experts even suggest expanding bilateral cooperation in straits other than Malacca (i.e. the Sunda and Makassar).

Indonesia's reluctance to sign the ReCAAP is multifold. Its aforementioned sovereignty claim has confined the country's multilateral cooperation concerning its territorial waters to navigation safety and environmental protection issues. Indonesian defense policy also insists that Jakarta's multilateral participation remain voluntary, limiting itself to agreements on search and rescue and disaster relief. Officials and experts cite procedural issues in the establishment of the ReCAAP, such as dissatisfaction with location of the headquarters in Singapore, the process of voting rather than seeking a consensus on that decision (pushed by Japan and Singapore), lack of perceived benefits to Indonesia, ReCAAP's unclear relations with the existing international framework of information sharing under the IMO, inability to designate the "focal point" due to jurisdictional fights among numerous concerned agencies, and fear of domestic and international repercussions from revealing the true extent of illegal activities and corruption. Indonesia, which hosts Central (South China Sea-Sunda Strait) and Eastern (Celebes Sea-Makassar Strait-Lombok Strait) sealanes, fears a possible application of the ReCAAP model to other straits under the IMO framework.

Thai Reaction

Thailand sees Japan as an important player in its security relations. Thai desire to have and balance diverse security partners is encouraged by Japan's recent moves to become an active regional security actor, including the ongoing discussions of constitutional revision to allow collective defense and the upgrading of the Defense Agency to the Defense Ministry in January 2007. China's growing security cooperation with Thailand's neighbors and coastal states of the Indian Ocean, such as Burma, Cambodia, Maldives, Pakistan, and Iran, urges Thailand to seek closer cooperation with Japan. Thai officials see a significant overlap between the maritime security interests of Thailand and Japan and argue that local Thai capacity building is in Japan's interests. However, differences in broad strategic interests and issue priorities between the two countries set limits to their cooperation. Furthermore, the current level of cooperation has not even tested these limits due to the complexity of Thai maritime jurisdictions, lack of domestic coordination in the Thai government, and incomplete Japanese awareness of these problems.

Thailand's maritime security concerns are diverse. In the Gulf of Thailand, illegal fishing by Vietnamese and Cambodian fishermen is a major problem. In Southern Thailand, the possibility of maritime support for the Muslim insurgency from the Malaysian side is a concern. On the West Coast, arms, drug, and human smuggling as

well as refugee flows by sea from Burma are major security problems. Thailand's Port Authority also manages several international river ports, and drug and human trafficking through rivers from neighboring countries are a substantial worry for the Thais.

Anti-piracy in the Malacca Straits, on which Japan has spent considerable diplomatic efforts, is not the highest priority in Thailand. The main shipping lanes of the Malacca Strait are beyond Thai sovereign waters. Thai concerns center on the maritime smuggling of arms, illicit goods, and illegal migrants from neighboring countries, mainly but not limited to Burma. Thailand's participation in the "Eye in the Sky" aerial patrol and proposed participation in the coordinated naval patrol with Singapore, Malaysia, and Indonesia have some support in the military, but elsewhere the desire to "free ride" is strong.

Regarding Thailand's participation in anti-piracy efforts in the international waters of the Malacca Strait, the Thai Navy holds both legal authority and actual capability to implement it. The Navy is increasingly interested in this due to Thailand's dependence on imported oil and the development of a major port at Ranong on the west coast. The Thai Navy is preparing to join the ongoing coordinated naval patrols by Malaysia, Singapore, and Indonesia. However, the cost is a major inhibitor. Thailand has signed the ReCAAP, but the Ministry of Foreign Affairs has not assigned any representative to the ReCAAP Information Sharing Center in Singapore. Both budget shortfall and Thailand's preference to distance itself from the diplomatic spat between Singapore on one hand and Indonesia and Malaysia on the other seem to account for the Thai reluctance.

Perhaps the most significant barrier to maritime security cooperation with Thailand is its extremely complex jurisdictional boundaries among many governmental authorities over various maritime security issues. This complexity has several implications. First, would-be external providers of security assistance (such as Japan) have difficulty identifying the correct counterpart agencies in Thailand. The Ministry of Foreign Affairs is expected to be the gateway for such assistance, but its involvement in maritime security issues is new and the ministry's ties with relevant domestic agencies are underdeveloped. Based on a Navy proposal, relevant agencies formed a coordination group under the National Security Council. This has improved interagency communication among the Thai domestic agencies, but streamlining of overlapping boundaries and centralization of the enforcement authorities are far from adequate. Creation of a comprehensive Coast Guard is unlikely to happen soon in Thailand, given the intensive turf battles among the domestic agencies. Second, overlapping jurisdictions over maritime security issues increase the vulnerability of maritime security enforcement to corruption. The scattering of the authority of arrest, seizure, investigation, and prosecution across multiple agencies is further complicated by geographical (territorial water, EEZ, high seas) and functional boundaries (i.e. immigration, customs, fishery, etc.). Criminals often find it easy to pay off one in the chain of relevant agencies in order to get free. Third, involvement of many domestic agencies in maritime security means that there is not a large need for externally assisted training of personnel. Within each relevant agency, most training can be conducted relatively inexpensively. The advanced training by external actors needs to precisely identify the right staff of these relevant agencies to train. However, without detailed knowledge of the complex Thai jurisdictions, invitations to the training seminars are usually sent to a level too high for focused recruitment. This tendency invites political,

rather than merit-based, recruitment of participants. A Thai observer identified Japanese aid as such a case in point.

Conclusion

Building upon its civilian cooperation with the three littoral states of the Malacca Strait for maritime safety and diplomatic cooperation, Japan has practiced cautious, nuanced, and indirect leadership to improve maritime security in the Malacca Strait. Japan's intellectual contributions to the development of maritime security cooperation concepts in particular form the backbone of its leadership.

Maritime security has also opened a door for Japan to use its diplomatic power in security matters in Southeast Asia. The ASEAN way of respecting national sovereignty and collectively resisting interference by external powers initially limited Japan's role to cooperating on navigation safety, but the urgency of controlling piracy and collaboration with Singapore enabled Japan to launch a regional multilateral initiative. The sovereignty claims of Malaysia and Indonesia continue to pose a major limit to multilateral cooperation, as do lack of capacity and corruption in some Southeast Asian countries. The ReCAAP Information Sharing Center may be handicapped by lack of cooperation from Indonesia, Malaysia, and perhaps Thailand as well.

Singapore's special relations with external powers including Japan are a double-edged sword for the purpose of promoting regional cooperation. While it is the most interested party in the region, Singapore's unique concerns are not closely shared by other Southeast Asian countries. External countries need to pay close attention to both the diverse needs and preferences of each country and diplomatic protocols governing intra-ASEAN relations. Japan may be doing better than the United States on this score, but still has considerable room for improvement.

Japan's civilian focus in assistance to the region has been well received. While some maritime strategists in the region support Japan's increased military presence in the regional seas, there is no indication at present that such voices are dominant in Southeast Asia, with a possible exception of Singapore. In terms of practicality, the Japanese Coast Guard is capable of providing all the assistance the region needs, and the Coast Guard's "civilian" status makes Japan's diplomacy much easier.

Japan's cooperation with local authorities varies. Clarity in local jurisdictional structure is much desired in many Southeast Asian countries in order for Japan to most effectively provide assistance. Japan may assist Southeast Asian countries in the process of streamlining their maritime authorities, but Indonesia and Thailand seem to have locked in their overlapping jurisdictional structures to the point of resisting centralization and streamlining reforms. This problem is likely to continue limiting the effectiveness of the external assistance.

Although a gap exists between Japan's focus on Malacca Strait and more diverse concerns of Southeast Asian countries as well as other external providers of security assistance, this gap per se is not an insurmountable obstacle to regional cooperation. Southeast Asian countries simply want Japan to do more to address their broader concerns and diversify sources of security assistance. Coordination among the recipient, Japan, and other donors is already good in regard to Indonesia. Similar models of

coordination are well advised for other countries, but the quality of coordination seems to largely depend on individuals at the embassies who are charged with this task. MOFA's role in maritime security cooperation initially depended on leased liaison officers from the Coast Guard who frequently traveled to the region. Military attaches at Japanese embassies in the region have played little or no role. MOFA's increasing activism may lead to better coordination of maritime security and broader foreign policies in the region if MOFA continues to closely consult the cumulative experiences of the Coast Guard.

Streamlining of capacity building assistance in the multilateral framework of ReCAAP comes with a danger of too much standardization. Local needs vary, and bilateral channels allow closer coordination with the recipient countries. Indonesia and Malaysia are not likely to be persuaded to join the ReCAAP by mere shifting of the capacity building assistances into this multilateral venue.

Overall, Japan's maritime security assistance to Southeast Asia is favorably received by the recipient states. Despite some shortcomings in its assistance programs and heavy focus on the Malacca Strait, Japan's capacity building assistance in the region meshes well with broader maritime security priorities of the Southeast Asian governments and Japan's principal allies in the region, the United States and Australia. Japan's leadership in formal multilateral institution building would have the best chance of success with the tacit endorsement, rather than open support, of its Western allies.