



Confidence-building Measures: An Important Element for Establishing a New Regional Maritime Order in East Asia

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May 2015

Abstract

In his speech the author addresses the political and military aspects involved in confidence-building measures, and indicates possible solutions for the way ahead. He then offers ten recommendations for confidence-building measures (CBMs) as key elements for establishing a more sophisticated regional maritime order in East Asia.

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Analysis

Preliminary Remarks

Mr. Chairman, Excellencies,
Distinguished Colleagues, Ladies and Gentlemen,

It is both a great pleasure and honour for me to resume, now for the fifth consecutive time, the strategic dialogue on maritime issues with “The Sea Lanes of Communication (SLOC) Study Group Korea”, in cooperation with the Konrad Adenauer Foundation.

I would, therefore, also like to take this opportunity to thank the representative of the Konrad Adenauer Foundation in South Korea, Dr. Norbert Eschborn, for inviting me and the German team to this high level workshop.

Since the first dialogue in 2011, this workshop has become a “brand”, characterized by its excellence, farsightedness and continuity.

The timing of today’s topic *Maritime Regime Building in East Asia: The Past, Present and Its Prospects for the Future* comes at a very opportune moment not only because the historical shadows of the past are still very present in the consciousness of political decision-makers, but because they are also deeply rooted in the minds of its people. If we look at East Asia we observe deep mistrust and tensions between China and Japan or between Japan and South Korea. Confidence-building measures are thus important elements in efforts to stabilize the region and to establish a new regional order in East Asia.

Over the next 20 minutes, I will focus in my statement on three points:

1. Confidence-building – The Political Dimension;
2. Confidence-building – The Military Dimension; and
3. Confidence-building – The Way Ahead.

1. Confidence-building – The Political Dimension

When referring to Germany’s own experience during her visit to Japan on March 9, 2015, German Chancellor Angela Merkel urged that Japan squarely confront its wartime past. By the same token, she signaled that neighboring countries must also do their part to achieve reconciliation.

With characteristic diplomatic finesse, she went on “it is difficult for me as a German Chancellor to give you advice on how to deal with your neighborhood. It has to come out of a process in society. German’s rehabilitation had only been possible because its former enemies were willing to accept that it had confronted its past. But there was also the acceptance in Germany to call things by their name.”

Chancellor Merkel also made reference to the speech by late German president Richard von Weizsaecker held in 1985 in which he called the end of World War II in Europe a “day of liberation”, counselling that those who closed their eyes to the past were “blind to the present.”



With respect to maritime issues, a passage in Chancellor Merkel's speech at the event co-hosted by the newspaper *Asahi Shimbun* and the Japanese-German Center Berlin in Tokyo on March 9, 2015, is of interest both for its political as well as military aspects:

"Germany and Japan have shared interests when it comes to enforcing the strength of international law – which includes stability in other regions, such as waterways and trade routes in the East and South China Sea, the security of which we believe is threatened by maritime territorial disputes." She continued:

"These waterways connect Europe with this part of the world, among other things. Their security therefore also affects us in Europe. In order to reach a viable solution, I believe it is very important to make use of regional forums such as ASEAN in addition to bilateral efforts, and also to overcome differences on the basis of international maritime law: including both smaller and larger partners in multilateral processes and basing potential agreements on internationally recognized law ensures transparency and reliability. And transparency and reliability are vital requirements for preventing misunderstandings, prejudices and crises."

Ladies and Gentlemen, I believe that the remarks of Chancellor Merkel clearly underscore the importance of confidence-building measures (CBMs), and thus, by extension, of all institutions that pertain to a new regional order and the creation of a peaceful environment in the East and South China Sea.

I also believe that the speech anticipated by Prime Minister Shinzo Abe in August to mark the 70th anniversary of Japan's defeat in World War II will be watched closely by China and South Korea. It may well represent an important step towards improving strained relations between these nations, albeit that history may also hinder the future cooperation between these states.

2. Confidence-building – The Military Dimension

Ladies and Gentlemen, at this juncture I would like to emphasize the importance of a political and military event that took place in December last year. The event in question was the signing of a Memorandum of Understanding between Japan, South Korea and the United States. The Memorandum outlines the first such exchange of military information between Japan and South Korea, although the scope of shared information is limited to North Korea's nuclear and ballistic missile programs. It must be noted that the two Asian countries are not prepared to share information directly, but only via the United States as a third party, and that the intelligence-sharing agreement is not legally binding.

In an effort to maintain distance to Japan, previous attempts to negotiate an intelligence-sharing program failed due to domestic pressure within South Korea. Some analysts attribute the success of this agreement to increased U.S. pressure on both Japan and South Korea to come to an agreement following North Korean cyber attacks on the American branch of Sony pictures.

Assessing possible expectations from either party, *Japan Times* reported that "Japan hopes to obtain timely South Korean data on North Korean missile launches"; the *Korea Times* expressed concerns that the agreement may "prompt South Korea to join the U.S.-led Missile Defense System", and *Jonhap News* assumed that only second- and third-rate intelligence information will be shared.

Although we should not expect too much from this agreement when it comes to the content of intelligence information, the Memorandum of Understanding does point in the right direction. Japan, South Korea, the United States but also the European Union share similar interests – for example keeping the Sea Lanes of



Communication (SLOCs) open. Commensurate with the deepening trust and confidence between Japan and South Korea the exchange of information may well be expanded, including the maritime domain.

When analyzing relations between Japan and China over the last few months one notes a cautious approach on either side following the initial meeting between Japanese Prime Minister Shinzo Abe and Chinese President Xi Jinping in November 2014. On January 12, 2015 defense officials from both sides met in Tokyo to ascertain possible areas of cooperation. They reaffirmed their commitment to establishing a maritime air and sea communication mechanism to prevent crisis in and above the East China Sea.

On January 22, 2015 additional high-level consultations took place in Yokohama, addressing problems in the East China Sea. At the meeting both sides established four working groups on policy/law of the sea, maritime defense, maritime law enforcement and maritime economy. They also agreed to seek a dialogue between the two coast guards.

“China and Japan open maritime security talks aimed at averting accidental clashes at sea”. This, Ladies and Gentlemen, was the title of an article in the *South China Morning Post* on March 19, 2015. In Tokyo, Japanese and Chinese defense and foreign affairs officials discussed maritime communication mechanisms to avoid unintended and accidental clashes at sea. The security talks come at a time when Chinese Coast Guard vessels continue to cross into Japan’s territorial waters around the Japanese-administered Senkaku Islands in the East China Sea, known to the Chinese as Diaoyu Islands. By mid March Japanese sources said that between January and March this year Chinese government ships had been spotted in Japanese territorial waters for a total of 32 days.

One day later the media reported that China and Japan have indeed agreed to establish a “maritime communication hotline” as a means of defusing tense naval standoffs in the East China Sea.

This success fits well into the new foreign policy approach by Chinese President Xi Jinping cited in a keynote address to Chinese political, military and business elites last November, which gives priority to relations with neighbouring states and to enhancing regional cooperation. In this scenario Japan plays an important role.

The visit of Indonesian president Joko Widodo to Japan from March 22 to 25, and the meeting with Japanese Prime Minister Shinzo Abe, are also worthy of mention. With respect to maritime issues both leaders acknowledged in a joint statement on March 23, 2015 that enhancing maritime security is an important element in maintaining peace and stability in the region. They also underscored the importance of freedom of navigation and overflight on the high seas, unimpeded lawful commerce, as well as resolving maritime disputes by peaceful means in accordance with universally recognized principles of international law, including as it does, the 1982 United Nations convention of the Law of the Sea (UNCLOS). The joint statement also called for an early conclusion to talks between China and Southeast Asian countries concerning a code of conduct in the highly contested waters of the South China Sea.

Widodo and Abe also welcomed the signing of a Memorandum of Understanding between the Ministry of Defense of the Republic of Indonesia and the Ministry of Defense of Japan on Cooperation and Exchanges in the field of Defense. The MoU outlined cooperation in technology and defense equipment, and peacekeeping and disaster relief. Further details were not provided.

Ladies and Gentlemen, I would now like to take a broader glance at political and military developments in the Asia-Pacific region. Many Chinese analysts see the United States of America as a declining power; in other Asian countries there are doubts that the U.S. will fulfil their defence obligations in the region during times of crises.



In his speech at the 13th IISS Shangri-La Dialogue (May 30 - June 1, 2014, in Singapore), the then U.S. Secretary of Defence, Chuck Hagel, stated that the U.S. will continue its aid to nations for developing their respective humanitarian and disaster-relief capabilities, and in upgrading their respective armed forces.

For the first time Indonesia is to receive Apache helicopters for carrying out counter-piracy operations, and for controlling the free flow of shipping through the Straits of Malacca. What Hagel did not mention, however, was the number of helicopters and delivery details. Through the Internet I gathered that Indonesia is to purchase eight AH-64 Apache helicopters for 600 million US\$, scheduled for delivery between 2014 and 2017.

Hagel also said that Washington plans to provide robust assistance to the Philippines' Armed Forces, and to strengthen their maritime and aviation capabilities. But what are the specific ramifications of the above? The following figures were available from Open Source Information (OSINT):

142 M113A2 armoured personnel carriers (APCs) from U.S. army stocks were scheduled to be shipped to the Philippines in 2014, and the U.S. will provide US\$ 50 million in military financial aid, plus US\$ 40 million for acquiring long-range maritime patrol aircraft. In this connection, the agreement between the governments of the Republic of the Philippines and the United States of America on *Enhanced Defense Cooperation* of April 2014 is of interest.

Hagel added that South Korea is set to receive "Global Hawk Drones" as part of efforts to substantially enhance its intelligence, surveillance and reconnaissance capabilities, though he did not provide further details. Internet research showed that South Korea plans to acquire 40 Lockheed Martin F-35A Joint Strike Fighter aircraft for US\$ 7 billion, scheduled for delivery between 2018 and 2021.

The U.S. Secretary of Defence said that the United States is poised to deploy two additional ballistic missile defence ships to Japan (though did not mention the date, namely, by 2017), and has deployed its most advanced capabilities – including two Global Hawks at Misawa Air Base, F-22 fighter aircraft to Kadena Air Base, and MV-22 Ospreys to Okinawa.

It was also possible to obtain additional information from the Internet, namely, that the first flight of the RQ-4 Global Hawk took place on June 6, 2014 at the Misawa Air Base, and that 12 F-22 "Raptor" Stealth Fighters, plus 300 personnel, will be deployed to Kadena Air Base.

This year the U.S. Navy are set to introduce the Joint High Speed Vessel in the Pacific and an additional submarine forward station in Guam. As many as four Littoral Combat Ships will be deployed in the same region by 2017. By 2018, the U.S. Navy's advanced multi-mission Zumwalt-class destroyer is scheduled to begin operating out of the Pacific, and , the U.S. plans to achieve its objective of operating 60% of both its navy and air force fleets out of the Pacific by 2020, while also flying the Hawkeye early-warning and unmanned Triton ISR aircraft in the region.

Ladies and Gentlemen, it is my firm believe that the U.S. is and will continue to be a Pacific power. These military deployments will also be an important step towards rebalancing the military situation in the region and is also a remarkable sign of deterrence in times of increasing tensions and potential crises in the region. Joint military exercises between allies in the Asia-Pacific region demonstrate U.S. presence and commitment to the security and prosperity of the region, while enabling political relationships to evolve with the military underpinning exercising of combined skills.

The increased participation of the People's Liberation Army (PLA) in multilateral military exercises is in line with China's foreign and economic policy. In July last year the PLA participated in the U.S.-led RIMPAC Exercise, the



world's largest international maritime exercise. In late 2014 China and Malaysia held their first joint military exercise, and China and ASEAN signed their first humanitarian and disaster relief (HADR) cooperation agreement. Beijing now views HADR as an important element of its "good neighbourhood policy".

In October 2014 China also joined the U.S.-Australia military drills for the first time and, in February 2015, the PLA took part in the Cobra Gold exercise, the largest multilateral exercise in the Asia Pacific.

In my view, however, the Chinese leadership faces a dilemma. While propagating the virtues of the good neighbourhood they are at the same time assertive and exacting when it comes to territorial sovereignty regarding maritime disputes with their neighbours.

In view of the limited time, allow me to say just a few words regarding the Chinese Armed Forces. The military budget for 2015 will be about ten percent bigger than last year, thus, approximately \$145 billion. It is reported that China's second aircraft carrier is under construction, and the country is rapidly building destroyers (type 052D), frigates (type 054A) and corvettes (type 056) to develop a navy strong enough to patrol its domestic waters and to project power into the Pacific and Indian oceans. Furthermore, China is also currently testing its new Y-8 anti-submarine aircraft.

Some analysts, and above all, those working in the media are inclined to paint a horror scenario when treating the issues of China's military modernisation. For a balanced analysis it is essential not to overlook the deficit of the Chinese Armed Forces. For a more in-depth discussion of this topic I would recommend one of the RAND National Security Research Division analyses entitled: *China's Incomplete Military Transformation – Assessing the Weaknesses of the People's Liberation Army (PLA)* of February 2015.

Two weaknesses were identified:

1. **Institutional:** outdated command structures, quality of personnel, professionalism, and corruption
2. **Combat capabilities:** logistical weaknesses, insufficient airlift capabilities, limited numbers of special-mission aircraft, and deficiencies in fleet air defence and antisubmarine warfare.

3. Confidence-building – The Way Ahead

Ladies and Gentlemen, I now turn to my final point. When considering additional confidence-building measures with respect to security in the maritime domain in East Asia as well as in Southeast Asia and the way ahead, governments strive to maintain peace and stability in the Asia-Pacific region. The question, however, is whether we really do need an entirely new regional order, or whether we can build on already existing structures?

I believe that discussions on the architecture of regional security in the Asia Pacific region under the framework of the East Asia Summit should be strengthened also by existing regional forums and organizations such as the ASEAN Regional Forum (ARF), ASEAN Defence Ministers' Meeting Plus (ADMM-Plus), Asia-Europe Meeting (ASEM) and Asia Cooperation Dialogue (ACD).

Although we may be witnessing an arms race of sorts and growing tensions within the region, it is my belief that the risks of open conflict in the East or in the South China Sea are limited and can be contained. Neither China nor the U.S. is interested in engaging in war, but if provocations by claimants in the region persist, a military clash cannot be ruled out – caused by accident, as it were which may consequently initiate a spiraling of negative events. Mechanisms for minimizing potential risks should thus be further developed!



Allow me close my statement with ten recommendations for confidence-building measures (CBMs) as key elements for establishing a more sophisticated regional maritime order in East Asia:

1. In that the U.S. and China are essential security players in East Asia, Washington and Beijing should find equilibrium.
2. The U.S. and China should strengthen their dialogue regarding their military posture, particularly the risks involved with A2AD capabilities.
3. Confidence-building measures between Japan, China and South Korea should be intensified and the issues of history must be reconciled.
4. Military to military cooperation in Northeast and Southeast Asia and with other nations could be improved.
5. Intelligence cooperation in East and Southeast Asia provides room for expansion.
6. Establish direct communication links between the ASEAN Defense Ministers.
7. Operationalize the ASEAN Institute for Peace and Reconciliation (AIPR), providing recommendations, research and analysis; recommendations for conflict management and conflict resolution to ASEAN, as well as regional and global partners.
8. Intensify the cooperation between AIPR and regional think tanks, including the ASEAN-Institutes of Strategic and International Studies (ASEAN-ISIS) and the Council for Security Cooperation in the Asia Pacific (CSCAP).
9. Improve regional and international cooperation for managing crises situations at sea (coordination of humanitarian aid, search and rescue operations etc.).
10. Remember: understanding the viewpoints of one's counterparts requires effective dialogue based on qualified communication capabilities and openness.

I thank you for your attention.

Remarks: Opinions expressed in this contribution are those of the author.

This paper was presented on the occasion of the V Joint Workshop "Maritime Regime Building in East Asia: The Past, Present and its Prospects for the Future" of the Konrad Adenauer Foundation (KAS) and the Sea Lanes of Communication (SLOC) Study Group Korea on May 4, 2015 in Seoul, South Korea.



About the Author of this Issue

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Dr. Roell studied sinology and political sciences at the universities of Bonn, Taipei and Heidelberg. He gained his Ph.D. from the Ruprecht-Karls-University in Heidelberg.

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