



“EU-Asia Dialogue – Shaping a Common Future for Europe and Asia”

Conference Report

“Maritime Piracy and Security”

Kuala Lumpur / Malaysia, May 28-30, 2012



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Kuala Lumpur, 28th-30th of May 2012

Report

EU-Asia Dialogue: “Maritime Piracy and Security”

From May 28-30, 2012, several discussions with experts on maritime security took place in the context of the 2nd NATO-Asia Dialogue and the 26th Asia-Pacific-Roundtable in Kuala Lumpur / Malaysia.

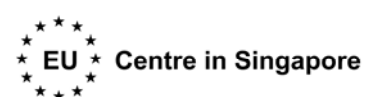
First Discussion during the NATO-Asia Dialogue

The **first discussion** was part of the NATO-Asia Dialogue and focussed on “**The Changing Balance of Naval Power**”. There are several trends that can be observed in Asia. In recent years the spending on the naval forces increased in Asia and will continue to do so for the next decades. This armament is due to deployment of nuclear weapons on submarines, threats through non-traditional security issues, protection of supply and trade, deterrent and increased interoperability which requires more arms. While almost all Asian countries like Japan, the Republic of Korea, Malaysia, Vietnam and Taiwan expanded their fleets, the People`s Republic of China shows the most rapid expansion and thus, forces all others to act as they again feel threatened by China. The reasons for the Chinese expansion are the general modernization of its forces, the changes in the South China Sea and its fear of the increased US activities in Asia. However, the US navy is still much superior and has recently announced the



Photo: Disucssion during the NATO-Asia Dialogue

deployment of fleets to Singapore and Australia. The situation in Asia shows some aspects of a security dilemma development, but so far no arms race can be identified. Increasing competition, on the other hand, is observed between China and the Philippines, China and India as well as China and the USA. As a consequence more naval



stand-ups are to be expected. In order to prevent escalation, confidence-building measures are necessary. Another problem is the lack of legal instruments and the difficulty of implementing Rules of Engagement.

The macro trends are towards well-balanced forces and a shifting to joint development and production of weapon systems with individual technology transfer. Most cooperation among Asian countries and between NATO and Asia still takes place on counter-piracy efforts. Cooperation is also possible in crisis management, coordinated patrolling, law enforcement and cooperative security. The chances for a collective defence are still very limited. Besides the South China Sea, another area that could cause tensions is the opening of the arctic shipping route as this area is rich in resources and can be an alternative trade route. Especially China`s behaviour, which is mainly driven by economic and trading interests, with regard to the Arctic Ocean will be closely observed as they are much more of a maritime trading power than a naval power yet.

Second Discussion after the NATO-Asia Dialogue

Following the NATO-Asia Dialogue, a **second discussion** on maritime security and piracy was organized. This forum discussion was purely designated to the EU-Asia Dialogue and aimed to identify topics the project can focus on in the next three years. During the 26th Asia-Pacific-Roundtable several **informal meetings** were organized with expert on maritime security from Europe and Asia to specify the topics which were identified in this forum discussion.

At the end of these discussions three topics the EU-Asia Dialogue could focus on were identified – Capacity-Building, Confidence-Building and Law Enforcement. Capacity building is needed with regard to coastal guards, patrols and the governance of international waters. In this field, joint trainings between European and Asian countries can be initiated. They can also learn from each other`s experiences. Confidence building is a necessity for information sharing as this provides the opponent with important knowledge on one`s capacities and capabilities. If there was no confidence and a workable political framework in Southeast Asia, the ReCAPP project in the Strait of Malacca would not work as smoothly as it does. Finally, many maritime issues are not purely bond to the water, especially international waters. This recognized, it has to be acknowledged that the legislation is weak and many of theses issues are lacking legal frameworks. Therefore, law enforcement is needed for illegal fishing, illegal migration / human trafficking and the prosecution of pirates. However, these laws have to take into account that international and national laws have to be combined to fight these issues in both international waters as well as at the coasts. Additionally, in order to stop the pirates and reaching a higher level of maritime security the root causes of these



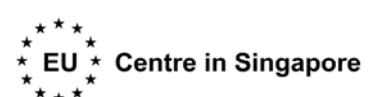
symptoms have to be resolved. These causes are quite often found in the socio-economic situation within the countries of origin.

Third Discussion during the Asia-Pacific-Roundtable

A **third discussion on “Securing the Sea Lines of Communication (SLOC): Threats and Responses”** took place on May 30 as a session of the 26th Asia-Pacific-Roundtable. The first part of the discussion focused on possible opportunities for cooperation between Asia and NATO. The maritime sphere in Asia is of strategic importance to NATO which has institutional partnerships, cooperation and dialogues with numerous Asian countries. Especially the Indian Ocean is of particular and growing importance as a highway for world`s prosperity. NATO`s New Strategic Concept established the term of corparative security which can be easily applied onto maritime security. The general problem is the presence of a so-called “sea blindness” which refers to the phenomenon that maritime security is often taken as a given and does not need further attention. In order to shift the perspective a maritime awareness initiative was started to create greater law enforcement on sea. Maritime security can surely be an area for exchange and cooperation between Europe and Asia as a lot of infrastructure is highly dependent on the sea. Geographically the Indian Ocean, the Gulf of Aden and the Strait of Malacca are territories where both continents are affected and can cooperate. Besides posing a threat to security, piracy also creates high costs for the economies, re-routing, naval operations or payment for hijacked vessels. Since the area is too big to be constantly observed, the creation of a secure corridor and the sharing of information are needed. In particular small island states need capacity-building on coastal guards, information sharing, interoperability, naval infrastructure development and legal issues. Besides bilateral and unilateral initiatives, intraregional cooperation does exist to a certain extend like the 2008 SHADE project for information sharing, the Djibouti Code of Conduct or the IONS Symposium. At the same time, one has to be aware of the limitations for and of information sharing as this touches on sensitive data. However, there are clear differences between Somalia and Southeast-Asia. The scale differs strongly and the states in Southeast Asia a much stronger which is why they were able to resolve many traditional socio-economic reasons for piracy. The situation in Southeast Asia is much better due to an enhancement of national resilience, self-helping measures, external



Photo: Discussion during the Asia-Pacific-Roundtable



political pressure and capacity-building. If piracy shall be fought successfully, the issue has to be tackled on land, take into account the increasing targeting on small fishing vessels and address the reasons for piracy. The newly released statement by the EU, which allows attacks on land, might have the opportunity to change the game completely.



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